Developments in Congress of Importance to Illinois Industry

A LARGE variety of measures designed to impose new taxes and restrictions upon industry have been introduced in the Federal Congress. These include the O'Mahoney Bill requiring the licensing of all corporations, the products of which enter interstate commerce; the Thirty Hour Week Bill; the Walsh Government Contract Bill requiring conformity with standards on wages and hours (to be based upon the requirements which were included in codes of fair competition which governed industries under the NRA), by industries and contractors engaged even remotely on government contracts; and the neutrality legislation which would give to the President the unqualified right to declare an embargo not only on war materials, but on all commodities and products which might be remotely associated with the conduct of war.

The Illinois Manufacturers' Association is keeping closely in touch with federal legislation and will promptly communicate to its members any developments at Washington directly affecting their interests.

Two significant movements in Washington relate to efforts to amend the Constitution to limit the authority of the federal courts. Both of these movements are designed to give our federal government a greater degree of control over industry and to deprive the states of the powers they now have to regulate purely intrastate or internal questions.

The specific proposals to amend the Constitution are:

Proposed Constitutional Amendments

SJR. 165: Mr. Logan of Kentucky: To authorize Congress to legislate concerning industrial disputes between all persons and their employes (farmers excepted) whose products may move in or affect interstate or foreign commerce; and would be empowered to regulate and control the production of any agricultural, mineral, or manufactured product that may move in or affect interstate or foreign commerce.

Referred to the Senate Committee on the Judiciary, 1-9-36.

SJR. 186: Mr. Schwellenbach of Washington: Would permit the Constitution to be amended by a proposal by two-thirds of both Houses of Congress, with ratification by a majority of the people voting in each of three-fourths of the states at the next Congressional election following submission, or at special elections called by the President.

Referred to the Senate Committee on the Judiciary, 1-9-36.

HJR. 440: Mr. Marcantonio of New York: Would empower Congress to regulate agriculture and industry throughout the United States by uniform law; to regulate the labor of persons under 18 years of age; to fix maximum hours and minimum wages; to provide old-age, sick and unemployment relief; and to establish and take over any or all businesses for government ownership and operation.

Referred to the House Committee on the Judiciary, 1-8-36.

HJR. 446: Mr. Ferguson of Oklahoma: The present provision in Article I, section 8, of the Constitution, which empowers Congress to lay taxes in order to pay the debts and provide for the common defense and general welfare, would be amended to confer upon Congress the power to tax and, in addition, a general power to legislate for the common defense and general welfare.

Referred to House Committee on the Judiciary, 1-10-36.

Jurisdiction of Courts

Bills relating to the jurisdiction of the courts are:

H.R. 10106: Mr. Gillette of Iowa. Providing that no act of Congress could be held unconstitutional by the Supreme Court of the United States in the exercise of its appellate jurisdiction under Article III of the Constitution (the judicial power) without the concurrence of at least seven of the Justices of the Court in the decision.

Referred to House Committee on the Judiciary, 1-14-36.

H.R. 10128: Mr. Martin of Colorado: Providing that with the exception of the United States Supreme Court in the exercise of its original jurisdiction, no federal, st[illegible], or local court would have jurisdi[illegible]on to hear or decide upon the consti[illegible]tionality of any federal statute whic[illegible] or purports to be an exercise of the tax, commerce, or monetary powers of the United States with respect to the general welfare, interstate commerce, taxation, or the issuance of money or prescription of the legal-tender rights thereof; nor would such courts have jurisdiction to hear or decide upon the constitutionality of any federal statute which affects or purports to affect due process, when the rights affected are not procedural in nature.

Referred to House Committee on the Judiciary, 1-13-36.

Another measure of importance to manufacturers relates to interstate labor compacts. Mr. Tobey of New Hampshire has introduced HJR 321. This measure would give Congressional consent to the labor compact which was signed on May 29, 1934, on behalf of the states of Maine, New Hampshire, Connecticut, Massachusetts, Rhode Island, New York and Pennsylvania; and which was ratified by Massachusetts on June 30, 1934, and by New Hampshire on May 29, 1935. The compact provides that its minimum-wage provisions shall be in effect in the ratifying states when the compact has been ratified by two or more states and approved by Congress.

Under this compact no employer shall pay a woman, or a minor under 21 years of age an "unfair or oppressive wage"; and requires that the state agency administering the minimum-wage law enacted in conformity with the compact shall have authority to investigate the wages of women and minors, to appoint wage boards (on which employers, employes and the public are to be equally represented) for the purpose of recommending minimum fair wages for women and minors, and to fix wages by a "directory order." Violation of mandatory order must carry a penalty of a fine or imprisonment, or both. The agency also shall be given authority to take assignment of wage claims from employes who have been paid less than the wage fixed by a mandatory order. Provides for records concerning hours, wages, etc., of women and minors.

Sets up administrative machinery for each state that ratifies compact.

Passed House, 1-20-36; referred to Senate Committee on the Judiciary, 1-21-36.

These labor compacts were favored by Peter T. Swanish of the Illinois Department of Labor last Tuesday, January 28, before the Catholic Conference on Labor at the Palmer House.

INDUSTRIAL CENSUS

Illinois Manufacturers' Association Co-operates with the Bureau of the Census

Members of the Illinois Manufacturers' Association have been requested to cooperate in a census of business comparable to those made by the Bureau of the Census for 1929 and 1933. The census will be taken this year and will cover business activities for 1935.

Enumerators will call on members of the Illinois Manufacturers' Association and other industrial and business concerns. An announcement from the Bureau of the Census states:

"This business census will provide a complete enumeration of types and kinds of business on an establishment basis. It will furnish business men with such indispensable, basic facts as volume of business for 1935, expressed in terms of functional classes and comparably arranged; payrolls, or the purchasing power in the form of wages and salaries added to each community by business concerns operating there. In addition, information will be obtained on the location of various types of establishment, legal form of organization (partnership, corporation, etc.), business in which engaged and type of operation.

"This census will make possible the presentation of data on volume of business, expenses, personnel and payroll on a geographic basis (by states, cities and counties). Some additional statistics on specialized trades will also be obtained."

The death rate in Illinois is 11.7 per thousand of population. This is 3 per thousand lower than California and 1.8 per thousand lower than Florida.