
IN THE SENATE OF THE UNITED STATES.

JANUARY 28, 1902.

Passed the Senate.

JANUARY 17, 1903.

Passed the House of Representatives with amendments.

JANUARY 19, 1903.

Ordered printed to show the changes proposed by the House amendments.

[Senate bill in roman; changes proposed by the House amendment: Omit the part struck through and insert the part printed in italics.]

AN ACT

To establish the Department of Commerce and Labor.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That there shall be at the seat of government an executive
4 department to be known as the Department of Commerce and
5 Labor, and a Secretary of Commerce and Labor, who shall be
6 the head thereof, who shall be appointed by the President,
7 by and with the advice and consent of the Senate, who shall
8 receive a salary of eight thousand dollars per annum, and
9 whose term and tenure of office shall be like that of the
10 heads of the other Executive Departments; and section one
11 hundred and fifty-eight of the Revised Statutes is hereby
12 amended to include such Department, and the provisions of
13 title four of the Revised Statutes, including all amendments

1 thereto, are hereby made applicable to said Department. *The*
2 *said Secretary shall cause a seal of office to be made for the*
3 *said Department of such device as the President shall ap-*
4 *prove, and judicial notice shall be taken of the said seal.*

5 SEC. 2. That there shall be in said Department an As-
6 sistant Secretary of Commerce and Labor, to be appointed by
7 the President, ~~by and with the advice and consent of the~~
8 ~~Senate~~, who shall receive a salary of ~~four~~ *five* thousand dollars
9 a year. He shall perform such duties as shall be prescribed
10 by the Secretary or required by law. There shall also be one
11 chief clerk and a disbursing clerk and such other clerical
12 assistants as may from time to time be authorized by Congress;
13 and the Auditor for the State and other Departments shall
14 receive all accounts accruing in or relative to the Department
15 of Commerce and Labor and examine the same, and ~~there-~~
16 ~~after certify the balance and transmit the accounts, with the~~
17 ~~vouchers and certificate, to the Comptroller of the Treasury~~
18 ~~for his decision thereon.~~ *certify the balances arising thereon*
19 *to the Secretary of the Treasury in the same manner as the*
20 *balances on similar accounts are certified under existing law.*

21 SEC. 3. That it shall be the province and duty of said
22 Department to foster, promote, and develop the foreign and
23 domestic commerce, the mining, manufacturing, shipping, and
24 fishery industries, the labor interests, and the transportation
25 facilities of the United States; and to this end it shall be

1 vested with jurisdiction and control of the departments, bu-
2 reaus, offices, and branches of the public service hereinafter
3 specified, and with such other powers and duties as may be
4 prescribed by law. *All unexpended appropriations, which*
5 *shall be available at the time when this Act takes effect, in*
6 *relation to the various offices, bureaus, divisions, and other*
7 *branches of the public service, which shall, by this Act, be*
8 *transferred to or included in the Department of Commerce*
9 *and Labor, or which may hereafter, in accordance with the*
10 *provisions of this Act, be so transferred, shall become avail-*
11 *able, from the time of such transfer, for expenditure in and*
12 *by the Department of Commerce and Labor and shall be*
13 *treated the same as though said branches of the public service*
14 *had been directly named in the laws making said appropria-*
15 *tions as parts of the Department of Commerce and Labor,*
16 *under the direction of the Secretary of said Department.*

17 SEC. 4. That the following-named offices, bureaus,
18 divisions, and branches of the public service, now and
19 heretofore under the jurisdiction of the Department of
20 the Treasury, and all that pertains to the same, known
21 as the ~~Life-Saving Service, the Light-House Board, and~~
22 the ~~Light-House Service Establishment, the Marine-~~
23 ~~Hospital Service, the Steamboat-Inspection Service, the~~
24 ~~Bureau of Navigation and the United States Shipping~~
25 ~~Commissioners, the National Bureau of Standards, the Coast~~

1 *and Geodetic Survey, the Commissioner-General of Immi-*
2 *gration, the commissioners of immigration, the Bureau of Im-*
3 *migration, the immigration service at large, and the Bureau*
4 *of Statistics, be, and the same hereby are, transferred from the*
5 *Department of the Treasury to the Department of Commerce*
6 *and Labor, and the same shall hereafter remain under the juris-*
7 *isdiction and supervision of the last-named Department; and*
8 *that the Census Office, and all that pertains to the same, be,*
9 *and the same hereby are is, transferred from the Department*
10 *of the Interior to the Department of Commerce and Labor, to*
11 *remain henceforth under the jurisdiction of the latter; that*
12 *the Department of Commerce and Labor, the Fish Commis-*
13 *sioner, and the office of Commissioner of Fish and Fisheries,*
14 *and all that pertains to the same, be, and the same hereby are,*
15 *placed under the jurisdiction and made a part of the Depart-*
16 *ment of Commerce and Labor; that the Bureau of Foreign*
17 *Commerce, now in the Department of State, be, and the*
18 *same hereby is, transferred to the Department of Commerce*
19 *and Labor and consolidated with and made a part of the*
20 *Bureau of Statistics, hereinbefore transferred from the Depart-*
21 *ment of the Treasury to the Department of Commerce and*
22 *Labor, and the two shall constitute one bureau to be called*
23 *the Bureau of Statistics, with a chief of the bureau and one as-*
24 *sistant; and that the Secretary of Commerce and Labor shall*
25 *have complete control of the work of gathering and distribut-*

1 ing statistical information naturally relating to the subjects
2 confided to his Department; ~~and to this end said Secretary~~
3 ~~shall have power to employ any or either of the said bureaus~~
4 ~~and to rearrange such statistical work and to distribute or con-~~
5 ~~solidate the same as may be deemed desirable in the public~~
6 ~~interest~~ *and the Secretary of Commerce and Labor is hereby*
7 *given the power and authority to rearrange the statistical*
8 *work of the bureaus and offices confided to said Department,*
9 *and to consolidate any of the statistical bureaus and offices*
10 *transferred to said Department ;* and said Secretary shall also
11 have authority to call upon other Departments of the Govern-
12 ment for statistical data and results obtained by them; and
13 said Secretary of Commerce and Labor may collate, arrange,
14 and publish such statistical information so obtained in such
15 manner as to him may seem wise.

16 That the official records and papers now on file in and
17 pertaining exclusively to the business of any bureau, office, de-
18 partment, or branch of the public service in this Act transferred
19 to the Department of Commerce and Labor, together with the
20 furniture now in use in such bureau, office, department, or
21 branch of the public service, shall be, and hereby are, trans-
22 ferred to the Department of Commerce and Labor.

23 SEC. 5. That there shall be in the Department of Com-
24 merce and Labor a bureau to be called the Bureau of Manu-
25 factures, and a chief of said bureau, who shall be appointed by

1 the President, ~~by and with the advice and consent of the Sen-~~
2 ~~ate,~~ and who shall receive a salary of ~~three~~ *four* thousand dol-
3 lars per annum. There shall also be in said bureau ~~one chief~~
4 ~~clerk and~~ such ~~other~~ clerical assistants as may from time to
5 time be authorized by Congress. It shall be the province and
6 duty of said bureau, under the direction of the Secretary,
7 to foster, promote, and develop the various manufacturing
8 industries of the United States, and markets for the same
9 at home and abroad, domestic and foreign, by gathering,
10 compiling, publishing, and supplying all available and
11 useful information concerning such industries and such
12 markets, and by such other methods and means as may be
13 prescribed by the Secretary or provided by law. And all
14 consular officers of the United States, including ~~consul-~~
15 ~~generals~~ *consuls-general*, consuls, and commercial agents, are
16 hereby required, and it is made a part of their duty, under
17 the direction of the Secretary of State, to gather and compile,
18 from time to time, useful and material information and sta-
19 tistics in respect to the ~~commerce, industries, and markets of~~
20 *subjects enumerated in section three of this Act in the*
21 countries and places to which such consular officers are ac-
22 credited, and to send, under the direction of the Secretary of
23 State, reports ~~quarterly, or oftener if~~ *as often as* required of
24 the information and statistics thus gathered and compiled,

1 such reports to be transmitted through the State Department
2 to the Secretary of the Department of Commerce and Labor.

3 *SEC. 6. That there shall be in the Department of Com-*
4 *merce and Labor a bureau to be called the Bureau of Cor-*
5 *porations, and the chief of said bureau shall be appointed by*
6 *the President and shall receive a salary of four thousand*
7 *dollars per annum. There shall also be in said bureau such*
8 *clerks and assistants as may from time to time be authorized*
9 *by law. It shall be the province and duty of said bureau,*
10 *under the direction of the Secretary of Commerce and Labor,*
11 *to gather, compile, publish, and supply useful information*
12 *concerning such corporations doing business within the limits*
13 *of the United States as shall engage in interstate commerce*
14 *or in commerce between the United States and any foreign*
15 *country, and to attend to such other duties as may be here-*
16 *after provided by law.*

17 *SEC. 6 7. That the jurisdiction, supervision, and control*
18 *now possessed and exercised by the Department of the Treas-*
19 *ury over ~~Chinese immigration, and over the fur-seal, salmon,~~*
20 *and other fisheries ~~in~~ of Alaska, ~~be, and the same hereby is,~~*
21 *and over the immigration of aliens into the United States,*
22 *its waters, territories and any place subject to the jurisdic-*
23 *tion thereof, are hereby transferred to and vested in the De-*
24 *partment of Commerce and Labor. That the authority,*
25 *power and jurisdiction now possessed and exercised by the*

1 *Secretary of the Treasury by virtue of any law in relation*
2 *to the exclusion from and the residence within the United*
3 *States, its territories and the District of Columbia, of Chi-*
4 *nese and persons of Chinese descent, are hereby transferred*
5 *to and conferred upon the Secretary of Commerce and*
6 *Labor, and the authority, power and jurisdiction in relation*
7 *thereto now vested by law or treaty in the collectors of cus-*
8 *toms and the collectors of internal revenue, are hereby con-*
9 *ferred upon and vested in such officers under the control of*
10 *the Commissioner-General of Immigration as the Secretary*
11 *of Commerce and Labor may designate therefor.*

12 SEC. 7 8. That the Secretary of Commerce and Labor
13 shall annually, at the close of each fiscal year, make a report in
14 writing to Congress, giving an account of all moneys received
15 and disbursed by him and his Department, and describing the
16 work done by the Department in fostering, promoting, and de-
17 veloping the foreign and domestic commerce, the mining,
18 manufacturing, shipping, and fishery industries, and the trans-
19 portation facilities of the United States, and making such
20 recommendations as he shall deem necessary for the effective
21 performance of the duties and purposes of the Department.
22 He shall also, from time to time, make such special investi-
23 gations and reports as he may be required to do by the Presi-
24 dent, or by either House of Congress, or which he, himself,
25 may deem necessary and urgent.

1 SEC. 8 9. That the Secretary of Commerce and Labor shall
2 have charge, in the buildings or premises occupied by or appro-
3 priated to the Department of Commerce and Labor, of the
4 library, furniture, fixtures, records, and other property pertaining
5 to it, or hereafter acquired for use in its business; and he shall
6 be allowed to expend for periodicals and the purposes of the
7 library, and for the rental of appropriate quarters for the
8 accommodation of the Department of Commerce and Labor
9 within the District of Columbia, and for all other incidental
10 expenses, such sums as Congress may provide from time to
11 time: *Provided, however,* That where any office, bureau, or
12 branch of the public service transferred to the Department of
13 Commerce and Labor by this Act is occupying rented build-
14 ings or premises, it may still continue to do so until other
15 suitable quarters are provided for its use: *And provided fur-*
16 *ther,* That all officers, clerks, and employees now employed
17 in any of the bureaus, offices, departments, or branches of
18 the public service in this Act transferred to the Department
19 of Commerce and Labor are each and all hereby transferred
20 to said Department at their present grades and salaries,
21 except where otherwise provided in this Act: *And provided*
22 *further,* That all laws prescribing the work and defining the
23 duties of the several bureaus, offices, departments, or branches
24 of the public service by this Act transferred to and made a

1 part of the Department of Commerce and Labor shall, so far
2 as the same are not in conflict with the provisions of this
3 Act, remain in full force and effect until otherwise provided
4 by law.

5 ~~SEC. 9~~ 10. That all power and authority heretofore pos-
6 sessed or exercised by the head of any Executive Department
7 over any bureau, office, branch, or division of the public serv-
8 ice, by this Act transferred to the Department of Commerce
9 and Labor, or any business arising therefrom or pertaining
10 thereto, whether of an appellate or revisory character, or
11 otherwise, shall hereafter be vested in and exercised by the
12 head of the said Department of Commerce and Labor. And
13 all Acts or parts of Acts inconsistent with this Act are, so
14 far as so inconsistent, hereby repealed.

15 ~~SEC. 10~~ 11. A person, to be designated by the Secretary
16 of State, shall be appointed to formulate, under his direction,
17 for the instruction of consular officers, the requests of the Secre-
18 tary of Commerce and Labor; and to prepare from the dis-
19 patches of consular officers, for transmission to the Secretary of
20 Commerce and Labor, such information as pertains to the work
21 of the Department of Commerce and Labor; and such person
22 shall have the rank and salary of a chief of bureau, and be fur-
23 nished with such clerical ~~assistance~~ *assistants* as may be
24 deemed necessary by ~~the Secretary of State~~ *law*.

25 ~~SEC. 11~~ 12. That the President be, and he is hereby,

1 authorized, by order in writing, to transfer at any time the
2 whole or any part of any office, bureau, division or other
3 branch of the public service engaged in statistical or scientific
4 work, or the Interstate Commerce Commission, to the Depart-
5 ment of Commerce and Labor; and in every such case the
6 duties and authority performed by and conferred by law
7 upon such office, bureau, division or other branch of the
8 public service, or the part thereof so transferred, shall be
9 thereby transferred with such office, bureau, division or other
10 branch of the public service, or the part thereof which is so
11 transferred. And all power and authority conferred by law,
12 both supervisory and appellate, upon the department from
13 which such transfer is made, or the Secretary thereof, in rela-
14 tion to the said office, bureau, division or other branch of the
15 public service, or the part thereof so transferred, shall imme-
16 diately, when such transfer is so ordered by the President, be
17 fully conferred upon and vested in the Department of Com-
18 merce and Labor, or the Secretary thereof, as the case may
19 be, as to the whole or part of such office, bureau, division or
20 other branch of the public service so transferred.

21 SEC. 13. That this Act shall take effect and be in force
22 from and after its passage: Provided, however, That the pro-
23 visions of this Act in relation to the transfer of any existing
24 office, bureau, division, officer or other branch of the public
25 service or authority now conferred thereon, to the Depart-

1 *ment of Commerce and Labor shall take effect and be in*
 2 *force on the first day of July, nineteen hundred and three,*
 3 *and not before.*

4 ~~SEC. 11. This Act shall take effect and be in force~~
 5 ~~from and after its passage.~~

57TH CONGRESS, }
 2^D SESSION.

S. 569.

AN ACT

To establish the Department of Commerce and
 Labor.

IN THE SENATE OF THE UNITED STATES.

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 with amendments.

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