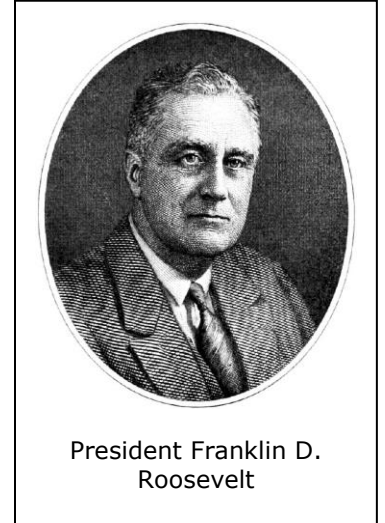


# Seventy-Fifth Congress

Jan. 5, 1937-June 16, 1938

## Second Administration of Franklin D. Roosevelt

Historical Background.....	1
War or Peace? .....	3
Economic Trends and Conditions.....	5
Landmark U.S. Supreme Court Decisions.....	6
1937 Events.....	7
1938 Events.....	8
Major Acts.....	10



### Historical Background

Perhaps the most important lesson President Franklin D. Roosevelt learned during his first term was that not everyone was sympathetic to the goals of the ambitious social welfare programs of the New Deal. While Roosevelt’s first administration succeeded in enacting major new legislative programs at an unprecedentedly prodigious rate, opponents of the New Deal proved almost equally effective at exploiting Constitutional checks on executive power to stymie the President’s ambitious agenda. Almost as soon as the first of the New Deal legislation was enacted, opponents presented their grievances to the Federal judiciary.

Beginning with *Panama Refining Co. v. Ryan*, 293 U.S. 388 (1935), which held that the National Industrial Recovery Act’s prohibition of interstate and foreign trade in petroleum products in excess of state quotas was an unconstitutional delegation of legislative powers, the United States Supreme Court delivered a series of decisions overturning provisions of Roosevelt’s New Deal initiatives. Another early challenge to Roosevelt’s legislative program came with *Railroad Retirement Board v. Alton Railroad Co.*, 295 U.S. 330 (1935), which struck down the Railroad Retirement Act. Though not part of the administration’s New Deal program, the defeat of the Railroad Retirement Act was worrisome for President Roosevelt because the act was structured similarly to the crown jewel of the New Deal laws enacted during his first term, the Social Security Act. The next law to fall to constitutional challenge was the Frazier-Lemke Farm Bankruptcy Act, which, in *Louisville Joint Stock Land Bank v. Radford*, 295 U.S. 555 (1935), was found to violate the Fifth Amendment by unfairly depriving banks of private property without just compensation. The National Industrial Recovery Act took another hit in *A.L.A. Schechter Poultry Corp. v. United States*, 295 U.S. 495 (1935), which struck down the law in its entirety, holding that the Act violated the constitutional separation of powers by delegating legislative

House	Senate
Majority Party: Democrat (334 seats)	Majority Party: Democrat (76 seats)
Minority Party: Republican (88 seats)	Minority Party: Republican (16 seats)
Other Parties: Progressive (8 seats); Farmer-Labor (5 seats)	Other Parties: Farm-Labor (2 seats); Progressive (1 seat); Independent (1 seat)
Speaker of the House: William B. Bankhead	Majority Leader: Joseph T. Robinson; Alben W. Barkley*

\*Joseph T. Robinson suddenly died of a heart attack on July 14, 1937; Alben Barkley, who had served as assistant to Senate Majority Leader under Robinson, took over as Majority Leader

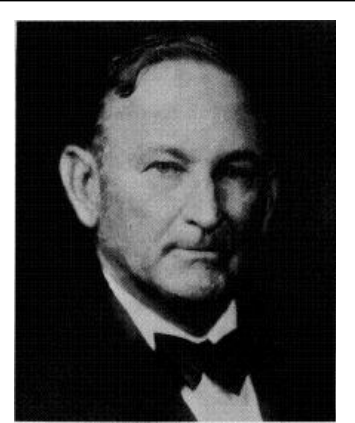
power to the executive branch. The Gold Clause Cases, which were three challenges to the restrictions on gold ownership mandated by the Emergency Banking Relief Act and Executive Order 6102 of 1933, offered a rare reprieve for the President, with the court narrowly upholding the restrictions.

Frustrated by the havoc wrought by the Supreme Court in striking down as many as 70 major New Deal provisions, Roosevelt was determined to find constitutional sanctions for the programs he thought necessary to restore the economy to health. The solution he arrived at was submitted to a startled Congress February 5, 1937. The declared objective of Roosevelt's plan was to ease the work-load and increase the efficiency of the Court by increasing its membership from 9 to 15, adding one new Justice for each incumbent Justice past the age of 70 who would not retire. The plan was widely seen as an attempt to weight the Court in favor of Administration policies.

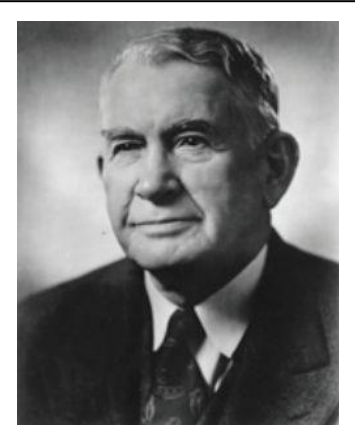
Roosevelt's proposal to "pack" the Court aroused widespread and bitter debate. Realizing that a majority in Congress opposed his scheme, the President took his case to the people in his "fireside chat" radio broadcasts. The ensuing confrontation brought into the open a break in domestic policy among Democrats and enabled Republicans and conservative Democrats to block other administration-sponsored programs, including a bill that would have reorganized the executive branch, tax bills endorsed by the President, new regulations of bank holding companies and investment trusts, and Federal assistance to States for public school education. Although Roosevelt's attempt to reorganize the Federal judiciary failed he filled seven vacancies on the court over the next four years. Meanwhile, that Spring the Court, in a marked reversal, upheld a number of New Deal measures, including the National Labor Relations Act, the major provisions of the Social Security Act, and the Farm Mortgage Act.

President Roosevelt did realize some legislative victories during the 75<sup>th</sup> Congress, including the Bituminous Coal Act of 1937, which reenacted all of the major provisions of the Guffey-Snyder Bituminous Coal Act of 1935 (with the exception of a wages-and-hours clause which had been ruled unconstitutional by the Supreme Court), and an amendment to the antitrust laws aimed at alleviating pricing problems for certain products affected by certain interstate commerce laws. In the Revenue Act of 1937, Congress eliminated income tax loopholes. The United States Housing Act of 1937 established a U.S. Housing Authority to rid the country of substandard housing conditions.

Roosevelt continued his work to shore up the nation's agricultural sector during the 75<sup>th</sup> Congress, resulting in the passage of two significant new laws aimed at supporting struggling American farmers. The Bankhead-Jones Farm Tenant Act, enacted in July 1937, established the Farm Security Administration to cope with the steady decline in U.S. farm ownership and the rise of tenancy and sharecropping. The Agricultural Adjustment Act of 1938, enacted the following February, established a system for eliminating annual grain surpluses. Though Roosevelt opposed the Revenue Act of 1938, he allowed the law to go into effect without signing it, as a veto would likely



Senate Majority Leader  
Joseph T. Robinson



Senate Majority Leader  
Alben W. Barkley

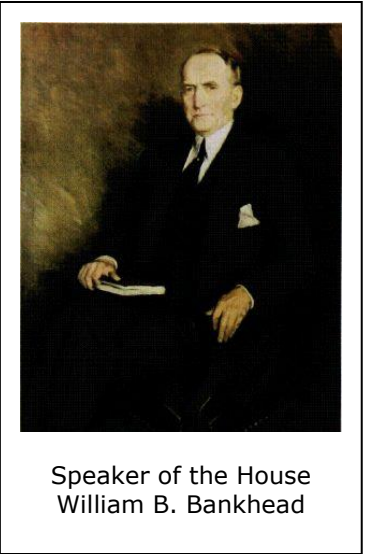
have been overturned. The 1938 Act favored commercial interests, reducing tax rates for large corporations and cutting capital gains taxes. Although public sentiment in the United States continued to be broadly isolationist, Congress decided in May 1938 to approve a Naval Expansion Act providing more than \$1 billion to build a “two-ocean” navy.

Seeking to determine the exact effect of monopolies on American society, Congress authorized a Temporary National Economic Committee to study the question. Shifting its attention to other matters, Congress approved the Food, Drug and Cosmetic Act, broadened the powers of the Federal Trade Commission, and established a minimum wage and a maximum work week with the Fair Labor Standards Act enacted June 1938.

Source:

Dell, Christopher and Stephen W. Stathis. [Major Acts of Congress and Treaties Approved by the Senate, 1789-1980](#). Government Division (CRS), Sept. 1, 1982. 97<sup>th</sup> Congress, 2<sup>nd</sup> Session, 82-156 GOV. ProQuest Congressional, CRS-1982-GOV-0005

Roosevelt, Franklin D. [Forbidding the hoarding of gold coin, gold bullion and gold certificates](#). Public Papers of the Presidents, Numbered Executive Orders. Apr. 5, 1933. Executive Order No. 6102. ProQuest Congressional. 1933-EO-6102



---

## War or Peace?

### Furtive Engagement or Wary Isolationism

Though President Franklin D. Roosevelt envisioned a foreign policy that privileged increased engagement with the international community as a means to exercise U.S. influence to foster cooperative ties, he was deeply aware of the persistent streak of isolationism among broad segments of the American public and political leaders. In his first address before the 75<sup>th</sup> Congress, President Roosevelt laid out his overarching vision for U.S. foreign policy, which would emphasize and seek to increase international cooperation and coalition building. He noted various dialogues and conferences with neighboring countries in the Western hemisphere and that the “intellectual and cultural relationships among American republics were broadened” from these meetings. He called for the U.S. to continue to set the example for democracy and encouraged countries from around the world to learn from the mistakes created by World War I.

All the same, the U.S. government monitored events unfolding in Europe and Asia during this period with great interest. In China, the Kuomintang government of the Republic of China regarded the Japanese invasion of Manchuria and subsequent organization of the Manchukuo puppet-state with deep suspicion. Though the nationalist Chinese government came to a truce with Japan in 1933, they refused to recognize the government of Manchukuo. Meanwhile, Japan continued to press its presence in China, seeking to exploit the country’s mineral wealth and cheap labor pool, much to the consternation of the Kuomintang, who ultimately pressed the matter before the League of Nations, prompting Japan to quit the international body.

In July 1937, a Japanese force of 5,600 attacked and decimated a tiny Chinese faction of 100 troops. The event, known as the Marco Polo Bridge incident, set the stages for the Second Sino-Japanese War.

### **Rise of the Nazi Party**

The following year, tensions drastically rose in Europe as German Chancellor Adolf Hitler, having consolidated Nazi control over the German government, moved promptly to realizing his acquisitive territorial ambitions. In March 1938, the Nazi regime annexed Austria to form a greater German Reich, an event known as the Anschluss. The move was broadly supported by German speakers in both countries, including those who otherwise found Nazi policies and rhetoric odious. Emboldened by the apparent success of the Anschluss, Hitler then made his next, decidedly more controversial territorial acquisition: the Sudetenland.

Hitler's strategy for justifying his territorial ambitions was to present them in terms of protecting the self-determination of German speaking peoples in neighboring countries. One of the German Chancellor's great hobby horses in this regard was the so-called Sudetenland, territory within what was then the Czechoslovak Republic with a large population of German speakers. These areas were hit especially hard by the economic difficulties that gripped the world during this period and this fact, coupled with policies that privileged the Czech language to the detriment of German speakers, made the issue one of paramount importance for German ultranationalists. Having reunited the German speaking peoples of Germany and Austria, Hitler then postured himself as the deliverer of the Sudeten Germans. As tensions rose, the governments of British Prime Minister Neville Chamberlain and his French counterpart Édouard Daladier, both anxious above all else to avoid another continent-wide war, agreed at the culmination of the Munich Conference, to which their Czechoslovak treaty partner was not invited, to German annexation of the Sudetenland.

President Roosevelt delivered remarks suggesting that aggressor nations should be confronted, not necessarily through war, but economic pressures. Many others, including members of Congress and the American press, believed in neutrality and non-intervention no matter the case. The Roosevelt administration defended its stance against neutrality from members of Congress, citing there were no established prohibitions against sending arms, ammunition and raw materials to countries not engaged in wars or civil conflicts, as defined by the Neutrality Act. In late 1938, the U.S. loaned \$25 million to Chinese leader Chiang Kai-shek, angering the Japanese government.

Sources:

McReynolds, Samuel Davis. [Data with Reference to Neutrality](#). Committee on Foreign Affairs. House, Feb. 15, 1938. 75<sup>th</sup> Congress, 3<sup>rd</sup> Session, H.r.p.1809. ProQuest Congressional, 10236 H.r.p.1809

Roosevelt, Franklin D. [Address of the President of the United States](#). House, Jan. 6, 1937. 75<sup>th</sup> Congress, 1<sup>st</sup> Session, H.doc.1. ProQuest Congressional, 10126 H.doc.1

---

## Economic Trends and Conditions

Production, profits, and wages returned to pre-Depression levels in early 1937, but by summer, the economy fell back to recessionary levels that lasted for 13-months. Unemployment went from 14% to 19%, with 17 million out of jobs. Industrial production dropped 30%, manufacturing fell 37%, and producers cut back on durable goods buying, thus decreasing supply from manufacturers. For those that remained employed, wages slightly decreased but workers saw wage levels rise during the recession's course. This return to a contracting economy amid signs that the Great Depression was finally ending, a period known as the Recession of 1937-1938, would have a profound impact on the President's Democratic Party—and thus on Roosevelt's entire New Deal enterprise—in the midterm Congressional elections of 1938

President Roosevelt responded by signing the Agricultural Adjustment Act of 1938, which lent money to farmers against surplus crops and allowed them to store crops until they could be sold when production was down, and prices were up. The Act also intended to benefit consumers by stabilizing crop prices.

President Roosevelt blamed the current economic conditions, in part, on the unscrupulous business practices of large industrial concerns, citing them as “impairing the economic effectiveness for labor and capital” and in response, appointed a new head to the government's antitrust division. Another response included drastic increases in deficit spending to get the economy back on track. President Roosevelt believed the government could help stimulate the economy and funded nearly \$4 billion to the Public Work Administration and Works Program Administration. Here, too, the shuffling of the Federal bench would work in the President's favor. With a couple of favorable decisions signaling a shift in the jurisprudential landscape and fresh legislation authorizing new relief programs, such as those authorized in the Work Relief and Public Works Appropriation Act of 1938, the Bankhead-Jones Farm Tenant Act, and the United States Housing Act of 1937, President Roosevelt looked confidently forward to a renewal of the nation's economic vigor.

Sources:

Morgenthau, Henry Jr. [\*Annual Report of the Secretary of the Treasury on the State of the Finances for the Fiscal Year Ended June 30, 1937\*](#). Department of Treasury, Jan. 5, 1938. 75<sup>th</sup> Congress, 2<sup>nd</sup> Session, H.doc.374 (T1.1:937). ProQuest Congressional, 10181 H.doc.374

Roosevelt, Franklin D. [\*Message from the President of the United States transmitting recommendations relative to the strengthening and enforcement of antitrust laws\*](#). Committee on the Judiciary, Senate, Apr. 29, 1938. 75<sup>th</sup> Congress, 3<sup>rd</sup> Session, S.doc.173. ProQuest Congressional, 10248 S.doc.173

Shipstead, Henrik. [\*Remarks of Senator Henrik Shipstead \[...\] Relative to \[...\] Conservation of Natural Soil Resources and to Provide an Adequate and Balanced Flow of Agricultural Commodities in Interstate and Foreign Commerce\*](#). Senate, Jan. 5, 1938. 75<sup>th</sup> Congress, 3<sup>rd</sup> Session, S.doc.150. ProQuest Congressional, 10247 S.doc.150

---

## Landmark U.S. Supreme Court Decisions

*DeJonge v. Oregon*, holding that the 14<sup>th</sup> Amendment's due process clause applies to freedom of assembly, 299 U.S. 353 (1937)

*West Coast Hotel Co. v. Parrish*, upholding the constitutionality of minimum wage legislation in Washington State, overturning *Adkins v. Children's Hospital*, 300 U.S. 379 (1937)

*NLRB v. Jones & Laughlin Steel Corp.*, affirming the Congress's enumerated authority to legislate interstate commerce under the Commerce Clause and upholding the constitutionality of the Wagner-Connery National Labor Relations Act. 301 U.S. 1 (1937)

*U.S. v. Belmont*, holding that the President maintains the authority to initiate executive agreements with foreign governments without the advice and consent of the Senate and that such agreements are binding over and supersede any state laws or constitutions, 301 U.S. 324 (1937)

*Steward Machine Co. v. Davis*, upholding the constitutionality of the unemployment compensation provision of the Social Security Act and generally holding that Congress's authority to levy taxes extends to enacting legislation aimed at influencing state policies, 301 U.S. 548 (1937)

*Helvering v. Davis*, upholding the constitutionality of the old-age benefits provision of the Social Security Act, holding that the Federal government wields broad authority to spend for the general welfare provided that such spending be for the common good as distinguished from parochial matters, 301 U.S. 619 (1937)

*Palko v. Connecticut*, holding that a Connecticut provision that allows the state to appeal the verdict in a criminal case in which the trial judge made errors does not constitute unlawful double jeopardy as stipulated in the Constitution, as the Bill of Rights does not automatically apply to the states, 302 U.S. 319 (1937)

*South Carolina Highway Dept. v. Barnwell Brothers*, holding that a South Carolina law prohibiting trucks greater than certain size and weight requirements does not violate the Dormant Commerce Clause of the Constitution as the state has a legitimate interest in preserving its highways and the law did not discriminate between trucks originating in South Carolina and other states, 303 U.S. 177 (1938)

*New Negro Alliance v. Sanitary Grocery Co.*, safeguards the right to boycott and holds that peaceful and orderly dissemination of information by persons interested against discriminatory hiring practices should be lawful, 303 U.S. 552 (1938)

*Hale v. Kentucky*, overturns the conviction of an African American man accused of murder because the lower court had systematically excluded African Americans from serving on the jury, thus equal protection of the law had been denied, 303 U.S. 613 (1938)



*Erie Railroad Co. v. Tompkins*, holding that federal courts did not have the judicial power to create general federal common law when hearing state law claims under diversity jurisdiction, 304 U.S. 64 (1938)

*Kellogg Co. v. National Biscuit Co.*, holding that after a patent expires or becomes invalid, the patent holder cannot use unfair competition law to prevent a rival from selling similar goods, 305 U.S. 111 (1938)

*Missouri ex rel. Gaines v. Canada*, holding that states that provide only one educational institution must allow African Americans and whites to attend if no separate school exists, 305 U.S. 337 (1938)

Source:

Costello. George A. and Johnny H. Killian. [Constitution of the United States of America. Analysis and Interpretation](#). Senate, Jan. 1, 1996. 103<sup>rd</sup> Congress, 1<sup>st</sup> Session, S. Doc. 103-6. ProQuest Congressional, 14152 S.doc.6

---

## 1937 Events

- **Jan. 23:** Seventeen leading Communists go on trial in Moscow, accused of participating in a plot to overthrow Joseph Stalin's regime
- **Jan.-Feb.:** [Ohio River flood of 1937 – Heavy rains in the Ohio River Valley leads to flooding responsible for the deaths of 385 and \\$500 million in property damage](#)
- **Feb. 11:** A sit-down strike ends when General Motors recognizes the United Automobile Workers Union
- **May 6:** [Hindenburg disaster occurs when the German airship Hindenburg bursts into flame while mooring to a mast in Lakehurst, New Jersey, killing 13 passengers and 23 crew members](#)
- **May 21:** A Soviet station becomes the first scientific research settlement to operate on the drift ice of the Arctic Ocean
- **May 28:** [Neville Chamberlain becomes Prime Minister of the United Kingdom.](#)
- **May 28:** The German Volkswagen Group is founded
- **July 2:** [Amelia Earhart and navigator Fred Noonan disappear after taking off from New Guinea during Earhart's attempt to become the first woman to fly around the world](#)
- **July 7:** [Second Sino-Japanese War - Japanese forces invade China in the Battle of Lugou Bridge \(Marco Polo Bridge Incident\); often seen as the beginning of World War II in Asia](#)
- **July 7:** [Peel Commission proposes partition of the British Mandate of Palestine into spate Arab and Jewish states](#)
- **July 22:** [Senate rejects Roosevelt's proposal to add more justices to the Supreme Court](#)
- **Aug. 5:** [The Soviet Union commences one of the largest campaigns of the Great Purge to eliminate opponents of the Communist Party; within a year at least 724,000 people are killed](#)
- **Sept. 21:** First edition of J. R. R. Tolkien's *The Hobbit* published
- **Oct. 5:** President Roosevelt gives his famous Quarantine Speech in Chicago

- **Nov. 6:** Italy joins the Anti-Comintern Pact, along with Germany and Japan
- **Dec. 11:** Italy withdraws from the League of Nations
- **Dec. 21:** [Walt Disney's Snow White and the Seven Dwarfs, the first feature-length traditionally animated film, premieres in theaters](#)
- **Dec. 29:** The new Constitution of Ireland (Bunreacht na hÉireann) comes into force creating the Republic of Ireland (as opposed to The Irish Free State)

## 1938 Events

- **Feb. 4:** *Nazi Germany* - Adolf Hitler abolishes the War Ministry and creates the Oberkommando der Wehrmacht (High Command of the Armed Forces), giving him direct control of the German military and removes political and military leaders unsympathetic to his policies
- **Mar. 12:** *Nazi Germany* - [Anschluss-German troops occupy Austria; annexation is declared the following day](#)
- **Mar. 14:** French Premier Léon Blum reassures the Czechoslovak government that France will honor its treaty obligations to aid Czechoslovakia in event of German invasion
- **Aug.:** Chiang Kai-shek withdraws his government to Chungking
- **Sept. 29:** *Nazi Germany* - [German, Italian, British and French leaders agree to German demands regarding annexation of the Sudetenland in Czechoslovakia, known as the Munich Agreement](#)
- **Oct. 1:** *Nazi Germany* - [German troops march into the Sudetenland](#)
- **Oct. 5:** *Nazi Germany* - Jews' passports were invalidated in Germany
- **Oct. 24:** [The minimum wage is established by law in the United States](#)
- **Oct. 27:** *Nazi Germany* - Jews with Polish citizenship are evicted from Nazi Germany
- **Oct. 30:** [Orson Welles's radio adaptation of The War of the Worlds is broadcast, causing panic in various parts of the U.S.](#)
- **Nov. 9:** *Nazi Germany* - [Kristallnacht, or "night of broken glass" begins as Nazi activists and sympathizers loot and burn Jewish businesses, resulting in 7,500 Jewish businesses destroyed, 267 synagogues burned, and 91 Jews killed](#)
- **Nov. 16:** [Britain formally recognized Italy's control of Ethiopia in return for Mussolini's agreement to withdraw 10,000 troops from Spain](#)
- **Dec.:** [President Roosevelt agrees to loan \\$25 million to Chiang Kai-shek, cementing the Sino-American relationship and angering the Japanese government](#)
- **Dec. 13:** *Nazi Germany* - The Neuengamme concentration camp opens near Hamburg
- **Dec. 17:** [Otto Hahn discovers the nuclear fission of Uranium marking the beginning of the Atomic age](#)

Sources:



["The 50th Anniversary of the Munich Agreement of 1938."](#) Congressional Record, 100<sup>th</sup> Congress, 2<sup>nd</sup> Session (Sept. 30, 1988) Vol. 134, p. E3181. ProQuest Congressional, CR-1988-0930

["Commemoration of the 'War of the Worlds' Broadcast."](#) Congressional Record, 100<sup>th</sup> Congress, 2<sup>nd</sup> Session (Sept. 28, 1988) Vol. 134, p. 25971. ProQuest Congressional, CR-1988-0928

["The Contras Surrender: The Democrats Get Their Way."](#) Congressional Record, 100<sup>th</sup> Congress, 2<sup>nd</sup> Session (Mar. 25, 1988) Vol. 134, pp. 5290-5291. ProQuest Congressional, CR-1988-0325

Eastland, James Oliver. [Human Cost of Soviet Communism](#). Committee on the Judiciary, Senate, July 16, 1971. 92<sup>nd</sup> Congress, 1<sup>st</sup> Session, S. Doc. 92-36. ProQuest Congressional, 12935-2 S.doc.36

[Foreign relations of the United States. Diplomatic papers 1938](#). Department of State. Jan. 1, 1938. 76<sup>th</sup> Congress, 1<sup>st</sup> Session, H.doc.473 (S1.1:938/v.2) ProQuest Congressional, 10355-2 H.doc.473

Halsey, Edwin A. [Creation of the Federal Judiciary. A review of the debates in the Federal and State Constitutional Conventions; and other papers](#). Committee on Printing, Senate, July 22, 1937. 75<sup>th</sup> Congress, 1<sup>st</sup> Session, S.doc.91. ProQuest Congressional, 10102 S.doc.91

["The Industry."](#) Congressional Record, 75<sup>th</sup> Congress, 3<sup>rd</sup> Session (May 17, 1938) Vol. 83, pp. 6964-6965. ProQuest Congressional, CR-1938-0517

["Interior Department Appropriation Bill, 1938."](#) Congressional Record, 75<sup>th</sup> Congress, 1<sup>st</sup> Session (May 14, 1937) Vol. 81, pp. 4577-4580. ProQuest Congressional, CR-1937-0514

[International Reference Service: China's Economic Position in 1940](#). Bureau of Foreign and Domestic Commerce, Department of Commerce. July 1, 1941. Vol. 1, No. 52 (C18.223:1/52). ProQuest Congressional, C18.223..1\_52

[Interpretative bulletin no. 3: general statement as to the method of payment under the Fair Labor Standards Act and the application of section 3\(m\) thereto](#). Wages and Hour Division, Department of Labor. Nov. 1, 1938. Interpretative bulletin no. 3. ProQuest Congressional, L20.7..3

[Papers relating to the foreign relations of the United States. Japan: 1931-1941 \(in two volumes\). Volume II](#). Department of State. Jan. 1, 1943. 78<sup>th</sup> Congress, 1<sup>st</sup> Session, H.doc.339 (S1.1:931-941/v.2) ProQuest Congressional, 10804 H.doc.339

["Permission to Address the House."](#) Congressional Record, 75<sup>th</sup> Congress, 2<sup>nd</sup> Session (Dec. 1, 1937) Vol. 82, pp. 634-636. ProQuest Congressional, CR-1937-1201

[Press releases, July 17, 1937](#). Department of State. July 17, 1937. Vol. XVII: No. 407, Publication No. 1044 (S1.25:407) ProQuest Congressional, S1.25..407

["Public Law 100-632: Joint Resolution Designating November 4 through 10, 1988, as the 'Week of Remembrance of Kristallnacht'."](#) (102 Stat. 3319; Nov. 7, 1988). ProQuest Congressional

["Recollections of the Anschluss."](#) Congressional Record, 95<sup>th</sup> Congress, 2<sup>nd</sup> Session (Mar. 22, 1978) Vol. 124, pp. 7977-7978. ProQuest Congressional, CR-1978-0322

Sheppard, Morris. [Flood protection for Ohio River Basin, Yazoo River, Miss., and general flood-control surveys](#). Committee on Commerce. Senate. July 22, 1937, 75<sup>th</sup> Congress, 1<sup>st</sup> Session, S.rp.915. ProQuest Congressional, 10077 S.rp.915

U.S. House. 75<sup>th</sup> Congress. ["75 H. Con. Res. 22 Agreed to House."](#) (July 27, 1937). ProQuest Congressional

Wetmore, A. [Annual Report of the Board of Regents of the Smithsonian Institution \[...\] for the year ended June 30, 1947](#). Smithsonian Institution, Feb. 13, 1948. 80<sup>th</sup> Congress, 2<sup>nd</sup> Session, H.doc.448 (SI1.1:947/[pt.1]). ProQuest Congressional, 11284 H.doc.448

---

## Major Acts

**Bituminous Coal Act of 1937.** Reenacted all the chief provisions of the unconstitutional Guffey-Snyder Act of 1935 with the exception of the wages-and-hours clause. Authorized the promulgation of a new code of fair competition for the bituminous coal industry, placed the output of soft coal under Federal regulation, laid a revenue tax of one cent a ton on soft coal, and imposed on non-code producers a penalty tax of 19.5 percent of the sales price. Approved Apr. 26, 1937. ([50 Stat. 72, Chap. 127; PL75-48](#)) ([Regulatory History](#))

**Work Relief and Public Works Appropriation Act of 1938.** Provided loans and grants for work relief, public building construction projects, and rural electrification; and parity payments for producers of certain farm commodities; and house construction. Approved June 21, 1938. ([52 Stat. 352, Chap. 554; PR75-122](#))

**Bankhead-Jones Farm Tenant Act.** Established a Farm Security Administration to stop the decline in farm ownership by providing low-interest 40-year mortgages to sharecroppers and others who would ordinarily not be able to afford a farm. Also authorized rehabilitation loans for operating expenses and educational assistance. Approved July 22, 1937. ([50 Stat. 522, Chap. 517; PL75-210](#)) ([Regulatory History](#))

**Miller-Tydings Enabling Act.** Amended Federal antitrust laws to legalize contracts made by producers or distributors for the resale price maintenance of branded nationally advertised goods traded in interstate commerce in States where such contracts, authorized by State laws, were illegal under existing Federal laws. Approved Aug. 17, 1937. ([50 Stat. 693, Chap. 690; PL75-314](#))

**Revenue Act of 1937.** Closed loopholes in income tax laws which permitted evasion of tax payments. Approved Aug. 26, 1937. ([50 Stat. 813, Chap. 815; PL75-377](#)) ([Regulatory History](#))

**United States Housing Act of 1937.** Created the U.S. Housing Authority under the Department of the Interior, which was authorized to extend low-interest 60-year loans to local public agencies meeting at least 10 percent of the cost of low-cost slum clearance and housing projects, and to grant subsidies for setting rents geared to low-income levels in areas where local agencies provided an amount equal up to 25 percent of the Federal grant. Approved Sept. 1, 1937. ([50 Stat. 888, Chap. 896; PL75-412](#)) ([Regulatory History](#))

**Federal Aid in Wildlife Restoration Act (Pittman-Roberston Act).** Provided Federal aid to States for game and non-game wildlife restoration work, and for the development of comprehensive fish and wildlife

management plans. Approved Sept. 2, 1937. ([50 Stat. 917, 899; PL75-415](#)) ([Regulatory History](#))

**Agricultural Adjustment Act of 1938.** Superseded the Soil Conservation and Domestic Allotment Act of 1936 and revived the Agricultural Adjustment Act of 1933 in modified form. Empowered the Secretary of Agriculture to fix a marketing quota whenever it was determined that the surplus of any export farm commodity was great enough to threaten the price level. Authorized acreage allotments to each grower after two-thirds of the farmers had by referendum expressed their approval of the marketing quota. Authorized the Government to lend money to farmers against surplus crops and to store these crops until they could be sold in a year when production was down and prices up. This system, dubbed the "ever-normal granary," and was intended to benefit not only farmers but also consumers, who would enjoy stable prices. Also established the Federal Crop Insurance Corporation as an agency of the Department of Agriculture with a capitalization of \$100 million, authorized to insure wheat crops by accepting wheat in payment of premiums on insurance policies taken out on crop losses by unavoidable causes, ranging from 50 percent to 75 percent of the average yield. Approved Feb. 16, 1938. ([52 Stat. 31, Chap. 30; PL75-430](#)) ([Regulatory History](#))

**Federal Trade Commission Act.** Amended the Act that created the Federal Trade Commission to expand agency's authority to include the protection of consumers from false advertising. Approved Mar. 21, 1938. ([52 Stat. 111, Chap. 49; PL75-447](#)) ([Regulatory History](#))

**Naval Expansion Act.** Authorized a \$1,090,656,000 expansion of the United States Navy in order to be able to build a "2-ocean" navy over the ensuing 10 years. Approved May 17, 1938. ([52 Stat. 401; PL75-528](#))

**Revenue Act of 1938.** Reduced the taxes paid by large corporations and reduced the rates on capital gains. Became law on May 27, after President Roosevelt refused either to sign or veto the measure. Approved May 28, 1938. ([52 Stat. 447, Chap. 289; PL75-554](#)) ([Regulatory History](#))

**Foreign Agents Registration Act.** Requires that agents and/or propagandists representing the interests of a foreign government must disclose the nature of their relationship with said government and their activities. Approved June 8, 1938. ([52 Stat. 631, Chap. 327; PL75-583](#)) ([Regulatory History](#))

**Natural Gas Act.** Authorized the Federal Power Commission to regulate transmission rates charged by interstate natural gas transmission companies. Approved June 21, 1938. ([52 Stat. 821, Chap. 556; PL75-688](#)) ([Regulatory History](#))

**Civil Aeronautics Act of 1938.** Created a new governing body, the Civil Aeronautics Authority, and transferred control of non-military aviation from the Bureau of Air Commerce to the new agency. Approved June 23, 1938. ([52 Stat. 973, Chap. 601; PL75-706](#)) ([Regulatory History](#))

**Food, Drug, and Cosmetic Act.** Superseded and widened the scope of the Pure Food Act of 1906. Prohibited misbranding of products, and required manufacturers of foods, drugs, and cosmetics to list their ingredients on product labels. Also forbade false and misleading advertising. Enforcement of the provisions relating to misbranding were left to the Food and Drug Administration; those relating to advertising were the responsibility of the Federal Trade Commission. Approved June 25, 1938. ([52 Stat. 1040, Chap. 675; PL75-717](#)) ([Regulatory History](#)) Certain provisions of this Act were subsequently held unconstitutional in *United States v. Cardiff*, 344 U.S. 174 (1952)

**Fair Labor Standards Act.** Established a minimum wage of 25 cents an hour (which was to gradually increase to 40 cents an hour after seven years), and a maximum work week of 44 hours for the first year and 40 hours thereafter. Prohibited child labor. Some 800,000 workers received immediate raises as a result of this act. Approved June 25, 1938. ([52 Stat. 1060, Chap. 676; PL75-718](#)) ([Regulatory History](#))

**Federal Firearms Act.** Imposed a statutory excise tax on the manufacture and sale of certain classes of firearms used disproportionately in the committing of interstate crime. Approved June 30, 1938. ([52 Stat. 1250, Chap. 850; PL75-785](#)) ([Regulatory History](#))

**Temporary National Economic Committee.** Authorized a joint legislative executive body, to hold public hearings to determine the effect of monopoly on prices, wages, profits, consumption, investment, cartels, patents, and many other aspects of the national economy, with a view to improving Federal antitrust policy and procedure. Approved June 16, 1938. ([52 Stat. 705](#))

Source:

Dell, Christopher and Stephen W. Stathis. [Major Acts of Congress and Treaties Approved by the Senate, 1789-1980](#). Government Division (CRS), Sept. 1, 1982. 97<sup>th</sup> Congress, 2<sup>nd</sup> Session, 82-156 GOV. ProQuest Congressional, CRS-1982-GOV-0005

---

Copyright©2018, ProQuest LLC. All rights reserved.