

and employees of the United States, and to make such other expenditures, including necessary travel expenses, and expenditures for printing and binding, as it deems necessary. The Commission is also hereby authorized to have access to, upon demand, for the purposes of examination, and the right to copy, any books, papers, correspondence, memoranda, and other records of any person, partnership, company, or other organization being investigated, whether such books, papers, correspondence, memoranda, or records are in the possession of the company under investigation or are in the possession of other persons, firms, or corporations; to require by subpoena the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, and other records which the Commission deems relevant or material to the inquiry, at any designated place of hearing within the United States; to administer oaths and affirmations, to require persons, partnerships, companies, or other organizations to submit to the Commission in writing reports and answers to specific questions, furnishing such information as the Commission may require relative to the inquiry. Such reports and answers shall be made under oath or otherwise as the Commission may prescribe and shall be filed with the Commission within such reasonable period as the Commission may prescribe, unless additional time be granted in any case by the Commission. In case of contumacy or the refusal to obey any subpoena or other order issued hereunder, the Commission may invoke the aid of any court of the United States, within the jurisdiction of which such inquiry is carried on, or where such party guilty of contumacy or refusal to obey resides or has his place of business, in requiring obedience to such subpoena or other order and any such court of the United States shall have jurisdiction to issue its order enforcing such subpoena or other order of the Commission in whole or in part; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in such cases may be served wherever the defendant may be found.

SEC. 6. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$750,000, to be made immediately available to the Federal Communications Commission for the purposes of the investigation and report herein authorized and directed, and the Commission shall make special reports to Congress on its progress and its findings in this investigation.

Approved, March 15, 1935.

[CHAPTER 32.]

AN ACT

To amend the Agricultural Adjustment Act with respect to rice, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 9 of the Agricultural Adjustment Act, as amended, is further amended by striking out the comma after the words "except that" in the second sentence and inserting in lieu thereof the following: "(1)"; and by striking out the period at the end of said second sentence and inserting a comma and the following: "and (2) in the case of rice, the Secretary of Agriculture shall, before April 1, 1935, proclaim that rental or benefit payments are to be made with respect thereto, and the processing tax shall be in effect on and after April 1, 1935."

Expenditures authorized.

Inquiries, examination of records, etc.

Sworn statements.

Court jurisdiction to compel testimony.

Appropriation.
Post, p. 1602.

March 18, 1935.
[H. R. 5221.]
[Public, No. 20.]

Agricultural Adjustment Act, amendments.
Vol. 48, pp. 35, 676.
Processing tax on rice; rental or benefit payments.

Effective date.

- Marketing year.
Vol. 48, p. 36.
- Processing tax rate
on rough rice.
Vol. 48, p. 671.
Post, p. 763.
- Computing weight
for tax purposes.
Vol. 48, p. 36.
- Rice exempted from
certain milling provi-
sions, under processing
tax.
Vol. 48, p. 36.
- Supplementary
items.
Vol. 48, p. 1242.
- Definitions.
"Rough rice."
Vol. 48, p. 36.
"Processing."
- "Cooperating pro-
ducer."
- "Processor."
Vol. 48, p. 39; Post,
p. 47.
- Rental or benefit
payments.
Vol. 48, pp. 34, 676.
Post, p. 752.
- SEC. 2. Subsection (a) of section 9 of the Agricultural Adjustment Act, as amended, is further amended by inserting at the end of the third sentence the following: "In the case of rice, the period from August 1 to July 31, both inclusive, shall be considered to be the marketing year."
- SEC. 3. Subsection (b) of section 9 of the Agricultural Adjustment Act, as amended, is further amended by inserting after the words "except that" in the first sentence the following: "(1)"; by striking out the period at the end of said first sentence and the word "If" at the beginning of the second sentence and inserting in lieu thereof a comma and the words "and if"; and by striking out the period at the end of said second sentence and inserting in lieu thereof a comma and the following: "and (2) for the period from April 1, 1935, to July 31, 1936, both inclusive, the processing tax with respect to rice shall be at the rate of 1 cent per pound of rough rice, subject, however, to any modification of such rate which may be made pursuant to any other provision of this title."
- SEC. 4. Subsection (b) of section 9 of the Agricultural Adjustment Act, as amended, is further amended by inserting after the third sentence the following: "In the case of rice, the weight to which the rate of tax shall be applied shall be the weight of rough rice when delivered to a processor, except that where the producer processes his own rice, the weight to which the rate of tax shall be applied shall be the weight of rough rice when delivered to the place of processing."
- SEC. 5. Subsection (d) of section 9 of the Agricultural Adjustment Act, as amended, is further amended by striking out the word "rice" and the commas which precede and follow said word in the two places in which the word occurs in paragraph (1).
- SEC. 6. Subsection (d) of section 9 of the Agricultural Adjustment Act, as amended, is further amended by renumbering paragraph (7) as paragraph (8) and by inserting after paragraph (6) the following:
- "(7) In the case of rice—
- "(A) The term 'rough rice' means rice in that condition which is usual and customary when delivered by the producer to a processor.
- "(B) The term 'processing' means the cleaning, shelling, milling (including custom milling for toll as well as commercial milling), grinding, rolling, or other processing (except grinding or cracking by or for the producer thereof for feed for his own livestock, cleaning by or directly for a producer for seed purposes, and drying) of rough rice; and in the case of rough rice with respect to which a tax-payment warrant has been previously issued or applied for by application then pending, the term 'processing' means any one of the above mentioned processings or any preparation or handling in connection with the sale or other disposition thereof.
- "(C) The term 'cooperating producer' means any person (including any share-tenant or share-cropper) whom the Secretary of Agriculture finds to be willing to participate in the 1935 production-adjustment program for rice.
- "(D) The term 'processor', as used in subsection (b-1) of section 15 of this title, means any person (including a cooperative association of producers) engaged in the processing of rice on a commercial basis (including custom milling for toll as well as commercial milling)."
- SEC. 7. Subsection (1) of section 8 of the Agricultural Adjustment Act, as amended, is amended by inserting at the end of the first sentence thereof the following new sentence: "In the case of rice, the Secretary, in exercising the discretion conferred upon him by this section to provide for rental or benefit payments, is directed to pro-

vide in any agreement entered into by him with any rice producer pursuant to this section, upon such terms and conditions as the Secretary determines will best effectuate the declared policy of the Act, that the producer may pledge for production credit in whole or in part his right to any rental or benefit payments under the terms of such agreement and that such producer may designate therein a payee to receive such rental or benefit payments."

SEC. 8. Section 15 of the Agricultural Adjustment Act, as amended, is further amended by inserting after subsection (b) the following subsections:

"(b-1) The Secretary of Agriculture is authorized and directed to issue tax-payment warrants, with respect to rough rice produced in 1933 and 1934 (provided the processing of such rice is not exempt from the tax, and provided no tax payment warrant has been previously issued with respect thereto or previously applied for by application then pending, sufficient to cover the tax with respect to the processing thereof at the rate in effect at the time of such issuance, to any processor with respect to any such rice which he has in his possession on March 31, 1935, and to, or at the direction of any other person with respect to any such rice which, on or after April 1, 1935, he delivers for processing or sells to a processor: *Provided*, That in case any such processor or other person is the producer of such rice (or has received such rice by gift, bequest, or descent from the producer thereof) that such processor or other person is, if eligible, a cooperating producer: *And provided further*, That in case such processor or other person is not the producer thereof (nor a person who has received such rice by gift, bequest, or descent from the producer thereof), (a) that, if the title to such rice was transferred from the producer thereof, whether by operation of law or otherwise, prior to April 1, 1935, such producer received the price prescribed in any marketing agreement, license, regulation, or administrative ruling, pursuant to this title, applicable to the sale of such rice by the producer, and (b) that, if the title to such rice was transferred from the producer thereof, whether by operation of law or otherwise, on or after April 1, 1935, such producer received at least the full market price therefor plus an amount equal to 99 per centum of the face value of tax-payment warrants sufficient to cover the tax on the processing of such rice at rate in effect at the time title was so transferred, and was, if eligible, a cooperating producer.

"(b-2) The warrants authorized and directed to be issued by subsection (b-1) of this section—

"(1) shall be issued by the Secretary of Agriculture or his duly authorized agent in such manner, at such time or times, at such place or places, in such form, and subject to such terms and conditions with reference to the transfer thereof or the voiding of warrants fraudulently obtained and/or erroneously issued, as the Secretary of Agriculture may prescribe, and the Secretary of Agriculture is authorized to discontinue the further issuance of tax-payment warrants at any time or times and in any region or regions when he shall determine that the rice in any such region or regions can no longer be identified adequately as rice grown in 1933 or 1934; and

"(2) shall be accepted by the Collector of Internal Revenue and the Secretary of the Treasury at the face value thereof in payment of any processing tax on rice.

"(b-3) (1) Any person who deals or traffics in, or purchases any such tax-payment warrant or the right of any person thereto at less than 99 per centum of its face value shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$1,000 or imprisoned for not more than one year or both.

Producer to agree to conform to policy of Act.

May designate payee to receive payments.

Vol. 48, p. 39.

Tax payment warrants. 1933 and 1934 crops. Conditions.

Rate.

To whom issued.

Provisos. Cooperating producer requirements.

When processor is not producer.

Warrants.

Issue, form, transfer, etc.

Discontinuance when crop identity no longer established.

Acceptance, in payment of processing tax.

Penalty provisions.

Traffic in tax-payment warrants.

- Unlawfully securing warrant. “(2) Any person who, with intent to defraud, secures or attempts to secure, or aids or assists in or procures, counsels, or advises, the securing or attempting to secure any tax-payment warrant with respect to rice as to which any tax-payment warrant has been theretofore issued shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$1,000 or imprisoned for not more than one year, or both.
- Counterfeiting, etc. “(3) Any person who with intent to defraud forges, makes, alters, or counterfeits any tax-payment warrant or any stamp, tag, or other means of identification provided for by this title or any regulation issued pursuant thereto, or makes any false entry upon such warrant or any false statement in any application for the issuance of such warrant, or who uses, sells, lends, or has in his possession any such altered, forged, or counterfeited warrant or stamp, tag, or other means of identification, or who makes, uses, sells, or has in his possession any material in imitation of the material used in the manufacture of such warrants or stamps, tags, or other means of identification, shall, upon conviction thereof, be punished by a fine not exceeding \$5,000 or by imprisonment not exceeding five years, or both.
- False statements.
- Furnishing information. “(4) All producers, warehousemen, processors, and common carriers, having information with respect to rice produced in the years 1933 or 1934, may be required to furnish to the Secretary of Agriculture such information as he shall, by order, prescribe as necessary to safeguard the issuance, transfer, and/or use of tax-payment warrants.
- Regulations authorized. “(5) The Secretary of Agriculture may make regulations protecting the interests of producers (including share-tenants and sharecroppers) and others, in the issuance, holding, use, and/or transfer of such tax-payment warrants.”
- Equalizing tax on imports. Vol. 48, pp. 40, 676. Application of section to U. S. possessions. Post, p. 768. SEC. 9. Subsection (e) of section 15 of the Agricultural Adjustment Act, as amended, is further amended, by inserting after the word “*Provided*” the following: “(1) That in the event any of the provisions of this title have been or are hereafter made applicable to any possession of the United States in the case of any particular commodity or commodities, but not generally, this title, for the purposes of this subsection, shall be deemed applicable to such possession with respect to such commodity or commodities but shall not be deemed applicable to such possession with respect to other commodities; and (2).”
- Floor stocks. Vol. 48, pp. 40, 678, 1241. Post, pp. 768, 1740. SEC. 10. Section 16 of the Agricultural Adjustment Act, as amended, is further amended by relettering subsection “(C)” as subsection “(e)”; by striking out in subdivisions 3 and 4 of said subsection the words “of subsection (c) of this section” and “of subsection (c)”, respectively, and inserting in each such subdivision in lieu of the words so stricken out, the words “of this subsection”; and by adding at the end of said section the following:
- Tax provisions not applicable to rice. “(f) The provisions of this section shall not be applicable with respect to rice.”
- Exportation of tax-paid products. Vol. 48, pp. 40, 676. Rice; use of tax-payment warrants. Post, pp. 1739, 1740. SEC. 11. Subsection (a) of section 17 of the Agricultural Adjustment Act, as amended, is further amended by inserting after the second sentence the following: “In the case of rice, a tax due under this title which has been paid by a tax-payment warrant shall be deemed for the purposes of this subsection to have been paid; and with respect to any refund authorized under this section, the amount scheduled by the Commissioner of Internal Revenue for refunding shall be paid, any provision of law notwithstanding.”

Approved, March 18, 1935.