

PUBLIC BUILDINGS BILL

JANUARY 21, 1926.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mr. ELLIOTT, from the Committee on Public Buildings and Grounds, submitted the following

REPORT

[To accompany H. R. 6559]

The Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 6559) to provide for the construction of certain public buildings, and for other purposes, having duly considered the same, hereby make report of it to the House with amendments and with the recommendation that the bill as amended do pass.

Page 2, line 13, after the word "thereof," strike out the colon and insert in lieu thereof a period, followed by this language:

When a building is about to be constructed on a site heretofore acquired and such site is found by the Secretary of the Treasury to be unsuitable for its intended purpose, he is hereby further authorized and empowered to acquire a new site in lieu thereof by purchase, condemnation, exchange, or otherwise, and to dispose of the present site by public sale and to execute the necessary quitclaim deed of conveyance.

Page 2, line 19, after the word "be," strike out "construed" and insert in lieu thereof "constructed."

Page 2, line 23, after the word "States," insert "and in case appropriations for projects are made in part only, to enter into contracts for the completion in full of each of said projects."

Page 4, line 10, after the word "employment," strike out "during one year from the date of the enactment of this act to be without regard to" and insert in lieu thereof the following: "to be made in accordance with the."

Page 5, line 3, after the number "1913," insert the following:

extension of the Federal building at Utica, New York, authorized by the public buildings act approved March 4, 1913, extension of the Federal building at Missoula, Montana, authorized by the public buildings act of March 4, 1913, the additional buildings for the marine hospital at Chicago, Illinois, authorized by the act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, approved July 19, 1919, and for medical officers' quarters at the marine hospital at Savannah,

Georgia, authorized by the act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, approved July 19, 1919, and for the construction of marine hospital facilities at Detroit, Michigan, authorized by the act, Public, No. 278, Sixty-eighth Congress, approved June 7, 1924.

Page 5, line 5, after the word "project," insert the words "to purchase additional land for enlargement of sites."

The last general public buildings bill passed by Congress was approved on March 4, 1913, and carried authorizations which in the aggregate amounted to approximately \$40,000,000. It has now been nearly 13 years since that bill became a law and the growth of the country in population, in wealth, in business, and in manufacturing and industrial enterprises has been so great as to increase tremendously the demand for new, enlarged, and better facilities for the economic and efficient transaction of the public business. Every branch of Federal activity has kept pace with the progress of the age, and to-day in many of the cities of the country the public business is being conducted in such overcrowded, ill-ventilated, and insanitary buildings as not only to reduce materially the efficiency of the employees but to seriously jeopardize their health. In many of the cities postal employees are compelled to work under artificial light both night and day. They are located in many instances in damp, insanitary basement rooms and are so crowded that in numerous buildings the space for each employee averages from 20 to 70 square feet. The best authorities agree that there should be as a minimum 100 square feet to each employee in order to secure the most efficient service, and undoubtedly human beings should not be compelled to work in buildings where the space allotted them is less than 10 by 10 feet, or 100 square feet.

The receipts of the Post Office Department have more than doubled in the last 10 years. This increased postal business, including parcel post, demands and must have space in which it may be efficiently and economically carried on. During the holiday season for the last few years a number of cities have handled heavy parcel-post business on the lawn or sidewalk under the protection of guards, but without protection against bad weather. This increased volume of postal business has forced the use of basements and subbasements and has brought about a congested condition in workrooms in some cities that is a disgrace. Mezzanine floors have been placed in many buildings in efforts to furnish more room for employees, but they have in most cases proven unsatisfactory, the chief result being to force employees to work in hot, stuffy quarters under artificial light.

This bill is practically the same as the one that passed the House in the Sixty-eighth Congress, but which was not reached for consideration in the Senate before adjournment. That bill carried a total authorization of \$150,000,000. H. R. 6559 authorizes an appropriation of \$165,000,000, an increase of \$15,000,000 over the previous bill, the additional amount being provided for the purpose of enabling the Secretary of the Treasury to award contracts for a number of projects which have heretofore been authorized, but which, on account of the increase in the cost of labor and materials since they were authorized, could not be completed within their respective limits of cost. The list of "buildings heretofore authorized to be constructed but not yet under contract," the completion of which is authorized by section 3,

will be found printed on pages 65 and 66 of hearing No. 1 of your committee on this bill, with the exception of St. Louis, Mo., and Newark, N. J., which were inadvertently left out of Senate Document No. 28, Sixty-eighth Congress, first session, and the further exception of the places covered by the amendment to section 3. The necessity for the said amendment is explained in the report of the Secretary of the Treasury on this measure, printed hereinafter.

The President, in submitting the Budget to the Congress (printed in the Congressional Record of December 9, 1925), expressed his approval of a bill similar to the one that passed the House in the Sixty-eighth Congress. That part of his message relative to the public-building situation is quoted in the report of the Secretary of the Treasury recommending favorable action on this bill. The letter of the Secretary is as follows:

TREASURY DEPARTMENT,
Washington, January 16, 1926.

HON. RICHARD N. ELLIOTT,
*Chairman Committee on Public Buildings and Grounds,
House of Representatives.*

MY DEAR CONGRESSMAN: This department is in receipt of your letter of the 15th instant, in which you request that the Committee on Public Buildings and Grounds of the House of Representatives be favored with my views on the bill (H. R. 6559) to provide for the construction of certain public buildings, and for other purposes.

The message of the President transmitting to Congress the Budget of the United States for the fiscal year ending June 30, 1927, contains the following:

"Again I urge upon the Congress the need of additional office buildings in the District of Columbia in the interest of Federal efficiency and economy. The actual conditions that face some of the Government's most important activities because of lack of sufficient and suitable working space are almost inconceivable. The Department of Agriculture occupies 45 widely separated buildings in the District. The General Accounting Office is scattered in 20 different locations, while the Internal Revenue Bureau of the Treasury Department, with its financial problems involving the greater bulk of the Federal Government's receipts, is housed in 11 indifferent and in some cases most unsatisfactory offices. Efficient and economical administration for which we are striving is impossible under these conditions. I repeat my former recommendation that in the interest of good administration a Federal business provision be made at once by the Congress for an annual appropriation of not in excess of \$10,000,000 for the construction of buildings in the District of Columbia to properly house the Government's workers.

"No general building bill has been enacted since before the war. This matter must necessarily come up for consideration. I am not in favor of the passage of an act which would be characterized as a general parceling out of favors that usually bears a name lacking in good repute. I am willing to approve an act similar in character to that which has already passed the House, providing a lump-sum appropriation to be expended under the direction of the Treasury, or any other proper authority over a term of years, with such annual appropriations as the national finances could provide."

The bill (H. R. 6559) appears to be similar in character to the bill which passed the House of Representatives during the Sixty-eighth Congress, to which reference is made in the foregoing excerpt from the President's message. There has been added certain additional provisions which have appeared in substantially similar form in a number of omnibus public building acts, which provisions were found useful in the administration of those acts. I desire to invite attention to the fact, however, that no provision appears to have been incorporated in the bill to enable the Secretary of the Treasury to enter into contracts to the extent of the full limit of cost of projects on account of which appropriations may be made in part only. It is suggested that this necessary provision might be made by inserting after the word "States" in line 24, page 2, the words "and in case appropriations for projects are made in part only, to enter into contracts for the completion in full of each of said projects." The Secretary of the Treasury has such authority with respect to projects where Congress has fixed the limit of

cost, and the suggested provision will give a like authority in cases where, under the provisions of the bill, the Secretary of the Treasury is to determine the cost of projects.

It is noted that section 3 of the bill authorized the Secretary of the Treasury to disregard the limits of cost of certain buildings enumerated in Senate Document No. 28, Sixty-eighth Congress, first session, and authorizes a total additional lump sum of \$15,000,000 for their construction.

The items contained in Senate Document No. 28 were reported to the Senate in response to certain specific interrogatories. The department was not requested to report, and did not report, cases where public buildings had been authorized to be enlarged, remodeled, or extended, or cases of additional buildings on marine hospital sites. There were a few instances of that character, as well as one case authorized at a later date in which the limit of cost is found to be inadequate. As section 3 of the bill in question is the only section that authorizes the Secretary of the Treasury to disregard the limits of cost fixed for projects previously authorized, and as these additional cases are similar to those enumerated in Document No. 28, the department wishes to invite your attention to them with a view to their inclusion in section 3 of the bill, if such action meets with the views of your committee.

The projects referred to with their present limits of cost and the estimated increases therein for their completion, are as follows:

Project	Authorizing act	Present limit	Estimated increase
Missoula, Mont. (extension)-----	Public buildings act, Mar. 4, 1913....	\$125, 000	\$275, 000
Utica, N. Y. (extension; erroneously carried in Senate Document No. 28 as a new building).	do-----	365, 000	435, 000
Chicago, Ill., Marine Hospital (additional buildings).	Sundry civil act, July 19, 1919-----	121, 000	162, 000
Savannah, Ga., Marine Hospital (medical officers' quarters).	do-----	10, 000	8, 000
Detroit, Mich., Marine Hospital (sale of present hospital and site, and making available proceeds for new site and hospital facilities).	Public, No. 273, approved June 7, 1924.	-----	325, 000
			1, 205, 000

Of the foregoing the Utica project is erroneously listed in Senate Document No. 28, herein referred to, as a new building estimated to cost \$800,000, instead of an extension.

If these projects are all included in section 3 of the bill under consideration with the amount for Utica as listed above instead of as shown in Senate Document No. 28, it will increase the total estimated expenditures shown in the last column of the list submitted by the Acting Supervising Architect in connection with his statements at the hearings before your committee from \$12,125,000 to \$12,255,000, or a difference of \$130,000.

The department will be pleased to have a representative appear before your committee and explain the foregoing in detail.

There is submitted herewith for your consideration a tentative draft of an amendment to the bill which will permit the limits of cost in each of the foregoing cases to be disregarded whenever they may be reached in the building program.

The bill (H. R. 6559), with the amendments herein suggested, is satisfactory to this department, and I am authorized to say that in the form submitted with your letter the bill is not in conflict with the President's financial program.

Respectfully,

A. W. MELLON, *Secretary of the Treasury.*

Of the total amount carried in this bill, \$50,000,000 is to be used for public buildings in the District of Columbia to relieve the present congestion in the executive departments, \$100,000,000 is to be allocated throughout the different States and Territories where needed, and the balance of \$15,000,000 is to be expended as explained above. It will be noted that section 5 provides that under this authorization not more than \$25,000,000 in the aggregate shall be

expended annually, and not more than \$10,000,000 thereof shall be expended annually in the District of Columbia.

With regard to the situation in the District of Columbia, the following is quoted from the report of your committee on the bill in the last Congress:

The Internal Revenue Bureau is now occupying space in 10 different buildings, the General Accounting Office is occupying space in 21 buildings, and the Department of Agriculture is scattered around in 45 different buildings. In the hearings which were held before your committee on this measure an official of the Treasury Department furnished the information that the records of income taxes are kept in the building known as Annex No. 2, on Fifteenth Street, which is one of the temporary structures erected for emergency use during the war. He stated that it is a two-story frame building with stucco facing and is a veritable fire-trap; and that if this building were to burn with the income-tax records that are on file there the Government would lose hundreds of millions of dollars, or several times the amount carried by this bill, and that likewise millions of dollars would also be lost to the taxpayers of this country. In addition, there are other bureaus and departments in Washington where the conditions are practically as serious as the ones mentioned, which would be taken care of under this bill. The situation with regard to the great need for a national archives building is well known to Congress and it is not deemed necessary to dwell on this subject, other than to say that too great stress can not be laid upon the necessity for providing proper protection for the Government records, some of which are invaluable and priceless and could not be replaced.

Since that report was filed the conditions have not improved, to say the least.

To-day the Government is expending annually for the rental of quarters for different branches of the Government service more than \$1,000,000 in the District of Columbia and approximately \$23,000,000 throughout the balance of the country. The total amount of rental paid for property rented by the Post Office Department for postal uses alone is \$11,756,540 per annum, which sum, with the cost of light and fuel added, is increased to more than \$14,000,000. It has been necessary in a number of instances, apparently on account of the postponement of public-buildings legislation, for the Post Office Department to procure requisite space by making long-term leases for buildings constructed by private owners for governmental use. The result of this method of procedure is to deprive these cities of suitable Government-owned buildings, and at the end of the lease the Government has nothing to show for its rental expenditure except receipted vouchers. This is unsound business on the part of the Government, which, as a matter of economy if for no other reason, should own its own buildings.

At the present time there are pending in your committee measures for 946 public-building projects, authorizing a total appropriation of approximately \$250,000,000. Until 1913 it was the custom of Congress to pass an omnibus public buildings bill at least every two years and sometimes more often; but, as stated in the beginning of this report, no general public buildings bill has been passed for nearly 13 years. As these biennial public building bills in normal times carried from thirty to forty millions of dollars, it can be readily seen that the amount authorized by this bill is a very modest one. While it will not entirely relieve the situation with regard to proper facilities for housing the Government's activities throughout the United States, it is a good beginning in the right direction and can be continued at the proper time.

MINORITY VIEWS

Hearings having been completed by the Committee on Public Buildings and Grounds on the bill before it for consideration, H. R. 6559, it was ordered favorably reported by a majority of the committee.

A minority of the committee, composed of Mr. Lanham, Mr. Almon, Mr. Busby, Mr. Eslick, and Mr. Cox, dissented from the action of the majority of the committee in favorably reporting the bill for the reasons assigned herein.

Bill H. R. 6559 provides for a total of \$165,000,000 to be appropriated. Of this sum, \$50,000,000 is to be spent in the District of Columbia, covering a period of five years; \$100,000,000 is to be spent throughout the country at the rate of not more than \$15,000,000 a year; and \$15,000,000 is to be used to supplement amounts heretofore provided for the construction of certain buildings authorized in former legislation.

This bill provides for a \$165,000,000 lump-sum appropriation and places this money in the hands of the Secretary of the Treasury, which means that it will be administered necessarily by subordinates in that office.

It has been the policy of Congress and of the Government heretofore to definitely provide funds for the erection of public buildings at designated places to cost not exceeding stated amounts. In other words, Congress has heretofore ascertained, with the aid of the Post Office Department, the Treasury Department, and by hearings conducted and proof taken by the Committee on Public Buildings and Grounds, the needs for public buildings and has met those needs with direct legislation.

It might be contended that the authorization provided for in this bill would not interfere with this statute, but as a legislative proposition it would certainly take the matter out of the hands of Congress.

Revised Statutes 3733 provides that—

No contract shall be entered into for the erection, repair, or furnishing of any public building or for any public improvement which shall bind the Government to pay a larger sum of money than the amount in the Treasury appropriated for the specific purpose.

In the bill H. R. 6559 no provision is made whereby any particular building is to come within any definite cost; consequently, if it should become the law this statute would be nullified.

Many other instances might be pointed out where the existing law and the general plan under which public buildings were constructed would be seriously affected by the broad blanket provisions in this bill, H. R. 6559. A representative from the Post Office Department stated during the hearings on this bill that "This bill is entirely different from any bill heretofore enacted in that it does not leave the selection of sites for buildings to the Congress."

I now call particular attention to the provisions of this bill. Section 1 relieves Congress of the legislative duty of determining the

sites where buildings are to be placed and takes away any limit of cost, and leaves the determination of these to the unhampered discretion of branches of the executive department of the Government. This bill also provides:

That in carrying out the provisions of this act, in so far as it relates to buildings to be used in whole or in part for post-office purposes, the Secretary of the Treasury and the Postmaster General shall act jointly in the selection of towns or cities in which buildings are to be constructed, the selection of sites therein, determining the dimensions of the buildings, and the arrangement of space therein.

This makes it necessary for the head of the Treasury Department and the head of the Post Office Department to agree on all these details mentioned, and in the event of a disagreement between them a deadlock would result and needed buildings would be held up.

Another provision of section 1 is:

The Secretary of the Treasury is authorized to carry on such work by contract or otherwise as he deems most advantageous to the United States.

This section wipes out all existing law, in so far as it conflicts with the broad and plenary authority granted to the Secretary of the Treasury. There is no limit on him as to time, place, plans, or cost of buildings to be erected by him. There is no provision where he shall spend the \$165,000,000 authorized in this bill. It might all be spent in the District of Columbia, for there is no limit in this bill otherwise. We do know that the President, to whose department of the Government we are proposing in this bill to turn over the building program, has favored spending \$50,000,000 for Federal buildings in the District of Columbia, and we know further that he has opposed a general building bill, and that he has never favored or advocated building a single post-office building anywhere else but in the District.

There is no guaranty, in fact no indication, that each State will receive a part of the buildings for which money is authorized herein. Although all the country is in need of post-office buildings, and all the country will bear the expenses of carrying out the program provided in this bill if it becomes a law, yet it is generally considered and admitted that the \$100,000,000 which may be spent outside of the District of Columbia will go to the larger cities, leaving the more sparsely settled sections of the country to get along as best they can with what they have. To sum up the provisions of this bill in a few words, it authorizes an appropriation of \$165,000,000 without placing any limit as to how it is to be spent, except it is to be spent for public buildings of certain classes, and turns this authority over to the executive department of the Government, and it is to have a free hand, unhampered by any burdensome directions as to when this money is to be spent except that during the first six years not more than \$25,000,000 may be spent in any one year, this provision extending also after the expiration of six years. The executive department is also unhampered by limitations as to places where it shall erect buildings, or amounts which it shall expend on any building, but it is left to fully exercise its judgment free from anything which Congress might say.

The work of establishing public buildings, especially post-office buildings, is a legislative function. Clause 7 of section 8 of Article I of the Constitution provides that "The Congress shall have power to establish post offices and post roads," and incident to this power

Congress has the power to establish post offices, including the authority to obtain sites therefor even by condemnation proceedings. (*Kohl v. United States*, 91 U. S. 367.)

Responding to this sense of responsibility, Congress has always in every building bill specifically provided by legislation for the places where public buildings were to be constructed and the maximum amount which could be expended in constructing the proposed building at each place designated. The omnibus building bill approved March 4, 1913, provided in the first clause:

That to enable the Secretary of the Treasury of the United States to give effect to and execute the provisions of existing legislation authorizing the acquisition of land for sites or the enlargement thereof and the erection, enlargement, extension, remodeling, or repair of public buildings in the several cities hereinafter enumerated the limit of cost heretofore fixed by Congress therefor be, and the same is hereby, increased, respectively, as follows; and the Secretary of the Treasury is hereby authorized to enter into contracts for the completion of each of said buildings within its respective limit of cost, including site.

Following this authority are the numerous items describing the places where the buildings are to be constructed and the maximum cost of each.

Sections 33, 34, 35, and 36 of the act of March 4, 1913, which come at the close of the bill, place upon the Secretary of the Treasury certain specific requirements which must be met in each instance where there is a building to be constructed under this law.

Section 33 provides:

That the Secretary of the Treasury shall require all owners or agents of sites in each city mentioned in this act, where sites or additions to sites are to be purchased, to submit offers of sale in writing. And in case a site or addition to a site acquired under the provisions of this act contains a building or buildings, the Secretary of the Treasury is hereby authorized, in his discretion, to rent until their removal becomes necessary such of said buildings as may be purchased by the Government, etc. * * *. *Provided*, That each site selected under the provisions of this act shall be bounded upon at least two sides by streets, unless otherwise specifically provided.

Section 34 provides, among other things:

That proposals for the sale of land suitable for all sites, or additions to sites, provided for in this act, respectively, shall be invited by public advertisement in one of the newspapers of largest circulation of said cities, respectively, for at least 20 days prior to the date specified in said advertisement for the opening of said proposals.

Also—

The Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make a written report to said Secretary of the results of said examination and of his recommendation thereon and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

Section 35 provides:

That all buildings authorized to be constructed, enlarged, or extended under the provisions of this act shall, unless otherwise provided herein, be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

Section 36 provides:

That a commission composed of the Secretary of the Treasury, the Postmaster General, the Attorney General, two members of the Committee on Public Buildings and Grounds of the Senate to be appointed by the President of the

Senate, and two members of the Committee on Public Buildings and Grounds of the House of Representatives to be appointed by the Speaker of the House shall, with the aid of the Supervising Architect of the Treasury, present to Congress a connected scheme, involving annual appropriations for the construction and completion of public buildings heretofore authorized within a reasonable time, and shall frame a standard or standards by which the size and cost of public buildings shall, as far as practicable, be determined, and shall report as to the adaptability in size, accommodations, and cost of buildings hitherto authorized to the requirements of the communities in which they are to be located, and also whether the existing appropriations should be increased or diminished to meet such requirements, and that the sum of \$5,000 is hereby appropriated for the expenses of such inquiry.

I have quoted extensively from this statute because it shows with what care, precision, and thoroughness Congress defined its intentions as to what was to be done under the law, the manner in which it was to be done, and the amount of money which was to be expended in each instance. I find from an examination of other building bills that all possible care was exercised by Congress in making the authorization just as it was in the above-mentioned instance. I refer you to act of June 6, 1902 (32 Stat. 310), act of March 3, 1903 (32 Stat. 1203), act of June 30, 1906 (34 Stat. 772), act of March 2, 1907 (34 Stat. 1236), act of May 30, 1908 (35 Stat. 520), and act of June 25, 1910. Each of these several authorizations of public buildings was very specific as to the places where buildings were to be constructed and the amount to be expended in each instance.

Each of these several acts of Congress above mentioned was in strict compliance with a plan of general law which had been built up through long years of legislation governing the construction of public buildings. Act of July 15, 1870 (ch. 292, R. S. 3734), provides that—

Hereafter no money shall be paid nor contracts made for payment for any site for a public building in excess of the amount specifically appropriated therefor; and no money shall be expended upon any public building until after sketch plans showing the tentative design and arrangement of such building, together with outline description and detailed estimates of the cost thereof shall have been made by the Supervising Architect of the Treasury Department (except when otherwise authorized by law), and said sketch plans and estimates shall have been approved by the Secretary of the Treasury and the head of each executive department, who will have officials located in such building; but such approval shall not prevent subsequent changes in the design, arrangement, materials, or methods of construction or cost which may be found necessary or advantageous: *Provided*, That no such changes shall be made involving an expense in excess of the limit of cost fixed or extended by Congress, and all appropriations made for the construction of such building shall be expended within the limit of cost so fixed or expended.

If the bill H. R. 6559, which is reported favorably, becomes the law, this section of the Revised Statutes will be very much emasculated, in that it will not be within the sole province of the Supervising Architect to pass upon the plans for post-office buildings, nor will he be required to keep within any specific appropriation.

Act of February 27, 1877 (R. S. 3663), provides that—

Whenever any estimate submitted to Congress by the head of a department asks an appropriation for any new specific expenditure, such as the erection of a public building or the construction of any public work requiring a plan before the building or work can be properly completed, such estimate shall be accompanied by full plans and detailed estimates of the cost of the whole work.

In view of the above, some of the reasons why we oppose this bill are the following:

First. Its provisions are entirely different from anything contained in any previous public buildings bill in that the legislative authority vested in Congress by the Constitution is by this bill delegated to the executive department, thereby further tending to build up a strong centralized government instead of reserving the legislative power to the coordinate branch of the government to which it belongs.

Second. This bill delegates unlimited power for the construction of Federal public buildings to one man in the executive department, together with a fund of \$165,000,000 of the taxpayers' money, and thereby subjects him to all of the possible influences of political, personal, sectional, and financial favoritism as well as every other influence to which individuals may be subjected, and it must be remembered that even when specific duties are pointed out by legislation, that these governmental duties must be performed by men who are subject to all of the appeals and influences to which human nature responds. We have too fresh a recollection of the recent action of the courts in affirming the conviction of a former head of the Veterans' Bureau who was intrusted with the expenditure of large sums to make it entirely palatable for us to view with approval the provisions of this bill and to contemplate the immense amount of money that must be administered by sundry individuals, we know not whom, and that, too, extending over such a long period of time. It is true, that all men are presumed to be entirely honest and we certainly presume those who will probably, if this bill passes, have the administration of these funds in hand to be honest, but we can not forget such recent history.

On page 76 of the hearings on this bill, the following disclosure is made with regard to the powers it transfers from the legislative department to the executive department:

Mr. BUSBY. If this bill becomes law, the Committee on Public Buildings and Grounds will practically be delegating all of its authority, and Congress as well will be delegating its authority to the Secretary of the Treasury in so far as relates to post-office buildings, except the little limit suggested with regard to the Postmaster General in advising as to post-office buildings; and the only limit there will be a question for the Budget Committee and the Appropriations Committee, in furnishing funds; is not that true?

Mr. WETMORE. Unless the Appropriations Committee would send the list to the Committee on Public Buildings and Grounds for their views. I do not know whether they would do that or not.

Mr. BUSBY. My statement recites the fact, leaving out that possibility?

Mr. WETMORE. Yes; it places in an executive department, or in two executive departments, the very authority that has heretofore been exercised by this committee.

Mr. BUSBY. And by Congress as well?

Mr. WETMORE. Yes.

The executive department is called on not to execute provisions of legislation, but to initiate, devise, and affirmatively to exercise delegated legislative functions under this bill before it can begin to execute the provisions of it. To this we are unalterably opposed.

Third. It is clear from the provisions of this bill and from the hearings that no attempt will be made to distribute fairly or equitably to the needs of the entire country the funds proposed to be appropriated. The lists of places which will probably be considered and

where building construction may be had some time during the several years the funds provided in this bill are to cover are as follows:

Mr. WETMORE. That could be done very promptly and readily, provided you would be satisfied with a list that would be a new list and would show you just one after another, in succession, the building in question; but it would be complicated and take time if we tried to make up a new list to show why this one has been dropped out, and why others have been added. You would have no end of difficulty in following the different buildings through. We took the list of 140 buildings and the list of 19 and sent them back to the Postmaster General and asked him to look them over again. He submitted a revision of the list. Then there is a second list in which he lists buildings which he thinks no longer need to be taken care of now, when relief has meanwhile been afforded by renting buildings or by the construction of small additions. Then he makes another list, of places where he thinks we can do the same thing again and make small additions. That is a third list. Then he comes along with a fourth list of things that have come up since these others were made; and when you have worked these things backwards and forward, like a game of checkers, and have deducted here and have added there and deducted and added again, it becomes somewhat complicated. If you will be satisfied with the thing put down as the buildings would be reported to-day if we were making up an original list, and not pay any attention to buildings that we will take care of out of our annual appropriation, it will not be difficult to give you a list of that kind, but if we have to make a list accounting for changed conditions, and check in and out and in and out again, it will take some time, and it will be difficult for you to understand.

(The lists requested, which were subsequently furnished, are as follows:)

Projects remaining in House Documents Nos. 523-561, Sixty-seventh Congress, fourth session, after eliminating buildings in which excessive congestion has been eliminated or will be eliminated by expenditures from other appropriations

State and city	Estimate	
	New building	Extension
Alabama: Montgomery	\$850,000	
Arkansas: Little Rock	1,000,000	
California:		
San Francisco	4,310,000	
Los Angeles	3,000,000	
Sacramento	1,275,000	
Stockton	510,000	
Connecticut:		
Bridgeport	1,440,000	
Hartford	3,750,000	
New Britain		\$185,000
New London	410,000	
Torrington	180,000	
Waterbury		565,000
Florida: Jacksonville	2,230,000	
Georgia:		
Atlanta	2,500,000	
Savannah	540,000	
Illinois:		
Chicago	15,000,000	
Oak Park	320,000	
Indiana:		
Fort Wayne	790,000	
Kokomo	315,000	
South Bend	725,000	
Vincennes		140,000
Kentucky: Louisville	3,400,000	
Louisiana: Shreveport		900,000
Maine:		
Houlton		80,000
Portland	1,375,000	
Maryland:		
Baltimore	4,550,000	
Cumberland		205,000

Projects remaining in House Documents Nos. 523-561, Sixty-seventh Congress, fourth session, after eliminating buildings in which excessive congestion has been eliminated or will be eliminated by expenditures from other appropriations—Continued

State and city	Estimate	
	New building	Extension
Massachusetts:		
Boston	\$6,000,000	
Fitchburg		\$95,000
Lawrence	475,000	
Pittsfield		160,000
Worcester	650,000	
Brockton	390,000	
Michigan:		
Detroit	2,550,000	
Battle Creek		165,000
Jackson	370,000	
Pontiac		105,000
Minnesota:		
Minneapolis	2,000,000	
Duluth	1,150,000	
Missouri: St. Louis (included also in estimate in connection with Document No. 28)	875,000	600,000
New Jersey:		
Newark (included in estimate in connection with Document No. 28)		
Atlantic City		360,000
Camden		515,000
Paterson		260,000
Trenton	795,000	
New York:		
New York	15,000,000	
Brooklyn	1,500,000	
Albany	2,775,000	
Binghamton	355,000	
Elmira		160,000
Newburgh	210,000	
Peekskill	80,000	
Syracuse (included in estimate Document No. 28)		
Buffalo	300,000	
Schenectady	800,000	
Ohio:		
Cleveland	3,000,000	
Cincinnati	1,150,000	
Akron (included in estimate Document No. 28)		
Canton	615,000	
Hamilton		220,000
Lima	370,000	
Springfield	600,000	
Pennsylvania:		
Pittsburgh	3,065,000	
Philadelphia	3,500,000	
Chester	535,000	
Lancaster	340,000	
New Castle		500,000
Wilkes-Barre		245,000
Scranton	1,025,000	
Rhode Island: Pawtucket	470,000	
Texas:		
Dallas	2,700,000	
Houston		800,000
Fort Worth	1,615,000	
Utah: Salt Lake City		950,000
Virginia:		
Norfolk	2,250,000	
Portsmouth		150,000
Roanoke	750,000	
West Virginia: Clarksburg	480,000	
Washington: Seattle (included in estimate Document No. 28)		
Wisconsin: Oshkosh	370,000	
Total	107,580,000	7,450,000

Projects not included in Document No. 523 but considered urgent by Post Office Department

State and city	Estimated cost	
	New building	Extension
California: Oakland.....	\$1,270,000	-----
Florida: Tampa.....	-----	\$480,000
Illinois: Freeport.....	210,000	-----
Massachusetts: Springfield.....	1,795,000	-----
Mississippi: Corinth.....	-----	75,000
Montana: Missoula (included in estimate in connection with Document No. 28).....	-----	-----
New Hampshire: Manchester.....	-----	465,000
Tennessee: Memphis.....	-----	325,000
Total.....	3,275,000	1,345,000

Projects included in various lists for which no estimate can be made for reason that data is not available

	Where listed
Arizona: Phoenix.....	Document No. 523.
Illinois: Peoria.....	Post Office Department List B.
Ohio: Youngstown.....	Do.

Building projects contained in Senate Document No. 28, reestimated

[Not included: (1) Buildings which have been constructed within present limit; (2) projects for which sites only have been authorized]

Project	Column A: Estimated total cost, including increase under column B	Column B: Estimated increase necessary
Alaska, Juneau.....	\$750,000	\$550,000
Arizona, Globe.....	180,000	65,000
Arkansas, Prescott.....	60,000	10,000
California:		
Red Bluff.....	105,000	45,000
San Pedro.....	500,000	440,000
Colorado, Durango.....	210,000	100,000
Connecticut:		
Branford.....	70,000	15,000
Putnam.....	90,000	25,000
Florida, Marianna.....	120,000	50,000
Georgia, West Point.....	71,000	21,000
Idaho:		
Coeur d'Alene.....	263,200	163,200
Sandpoint.....	80,000	10,000
Illinois:		
Batavia.....	110,000	15,000
Metropolis.....	75,000	25,000
Mount Carmel.....	120,000	45,000
Paxton.....	70,000	10,000
Iowa, Des Moines.....	565,000	250,000
Kentucky, Shelbyville.....	80,000	20,000
Maine:		
Caribou.....	80,000	20,000
Fort Fairfield.....	88,000	8,000
Massachusetts:		
Leominster.....	145,000	55,000
Malden.....	175,000	25,000
Newburyport.....	127,000	32,000
Southbridge.....	98,000	18,000
Waltham.....	166,051	51,100
Winchester.....	94,500	19,500
Michigan, Wyandotte.....	140,000	65,000
Minneapolis, Montevideo.....	80,000	25,000
Nebraska, Central City.....	55,000	(¹)
Nevada:		
Fallon.....	63,500	10,000
Goldfield.....	75,000	(¹)

¹ No increase.

Building projects contained in Senate Document No 28, reestimated—Continued

Project	Column A: Estimated total cost, including increase under column B	Column B: Estimated increase necessary
New Jersey:		
Bayonne.....	\$255,000	\$130,000
East Orange.....	333,696	160,000
Millville.....	105,000	50,000
Montclair.....	280,000	150,000
New Mexico, East Las Vegas.....	160,000	35,000
New York:		
Port Plain.....	75,000	10,000
Long Island City.....	350,000	150,000
Syracuse (listed under Document No. 523, list).....	1,824,999	950,000
Yonkers.....	838,000	255,000
North Carolina, Wilson.....	245,000	185,000
North Dakota, Jamestown.....	207,500	125,000
Ohio:		
Akron (listed under Document No. 523, list).....	650,000	250,000
Fremont.....	187,000	75,000
Wilmington.....	130,000	55,000
Pennsylvania:		
Donora.....	100,000	25,000
Lewistown.....	85,000	10,000
McKees Rocks.....	99,500	20,000
Olyphant.....	70,000	5,000
Sayre.....	100,000	20,000
Tamaqua.....	112,000	37,000
Tarentum.....	90,000	10,000
Waynesburg.....	100,000	25,000
South Carolina, Lancaster.....	83,000	33,000
South Dakota, Chamberlain.....	120,000	60,000
Tennessee, Athens.....	95,000	45,000
Washington, Seattle (listed under Document No. 523, list).....	3,969,560	3,500,000
West Virginia, Williamson.....	201,500	145,000
Wisconsin:		
Madison.....	925,000	375,000
Tomah.....	80,000	25,000
Wyoming:		
Buffalo.....	92,000	22,500
Cody.....	94,500	40,000
Total for projects under Document No. 28.....	16,945,000	9,165,000
ADDITIONAL		
Missouri, St. Louis (office building).....	1,910,000	610,000
New Jersey, Newark.....	3,875,000	2,075,000
Montana, Missoula.....	400,000	275,000
Total for all authorizations for buildings or sites and buildings.....	23,130,000	12,125,000

These lists are not dated, but were furnished to the Committee on Public Buildings and Grounds by the Treasury Department on the 18th of January, 1926, and appear on pages 63, 64, 65, and 66 of the hearings. The places contained in these lists are those pointed out where, among the great number, excessive congestion still exists, and undoubtedly they will be the first places to be considered. It will be noted, however, that the totals for new buildings and extensions provided for in House Documents Nos. 523 and 561 (which are these lists) and "projects not included in Document No. 523" list, above set out, are about \$120,000,000, when only \$100,000,000 is provided in the bill, so it is plain that not even all of these designated pressing needs can be cared for during the seven years this bill is to run.

The funds provided in H. R. 6559, it is very plain, are intended only for the larger cities; the remainder of the country, without regard to pressing needs, is to go unnoticed and without consideration,

regardless of the fact that it, too, must help pay the cost of construction in the larger cities.

There is no equity or fairness in the way these lists indicate this money will be spent, and there is no sort of assurance that the smaller places, cities and towns, many of them just as badly in need of post-office buildings in proportion as the larger cities, will be cared for or even considered. This we believe to be indefensibly unfair and unjust.

Fourth. This bill provides for \$100,000,000 to be expended, not exceeding \$15,000,000 a year, and out of it are to be built all the classes of public buildings enumerated under section 1 of the bill. This amount is totally and wholly inadequate to meet the pressing needs of the country.

Prior to 1914 the average amount expended by the Government was about \$15,000,000 per annum for public buildings. (Mr. Wetmore on page 94 of the hearings.)

Since then the cost of building materials and labor have more than doubled.

Bulletin No. 397, Bureau of Labor Statistics, issued in October, 1925, on page 9, states:

Assuming that construction of 1914 cared for the needs of the population at that time, then the line of population increase is the normal line of construction increase. It can be seen how the line of actual building done has varied from this normal trend.

The two other items on Chart II are the aggregate value of all buildings constructed and cost of construction of a typical building. The former reached a peak of 410 during 1924; or, in other words, in these 130 cities the building permits show that over four times as much money was spent for building construction in 1924 as in 1914.

The cost of constructing a building climbed steadily until it reached a peak of 235 in 1920, declined to 183 in 1922, but mounted again by 1924 to 207.

So it is easily seen that for \$15,000,000 at the present time we could only get about half the number of buildings we could have gotten in 1914 for the same amount.

The need for post-office buildings from one end of the country to the other is exceedingly great. The proof before the Committee on Public Buildings and Grounds showed a desperate situation; in some places, no buildings were provided in which to handle the mail, it being piled out in vacant lots and guarded by policemen. In other instances, the inadequacy of housing provisions was equally as great and yet we refuse to take care of this ever growing and permanent business of the Government that serves every individual.

There is no sort of suggestion in the reported bill that relief from this situation can be had, but we are told to wait in patience and see if something or another will not develop. Instead of standing up like men and demanding relief as the Representatives of the people who pay the taxes and want some sort of service in return, we meekly submit to this line of soft talk and prepare to transfer our legislative duties to another.

There is no economy in this line of stuff and there is no service of any kind in it to the people. Millions are spent each year to maintain an Army and a Navy and other destructive forces by the Government, yet it is "too poor," we would be led to believe, to build houses in which to shelter its mail and therefore it must in rush seasons pile

the mail out on the sidewalks, in vacant lots, and on the streets. Such a course, I say again, is indefensible and ridiculous.

A leading real estate statistician announced at the close of the year 1925, that "A conservative estimate of last year's construction in the entire country would be \$6,600,000,000, compared with \$5,237,000,000 for 1924—a 26 per cent increase." The last two or three years have seen the greatest strides in building ever known. Last year construction in New York alone was \$1,030,000,000; Chicago, \$360,000,000; Detroit, \$180,000,000; Philadelphia, \$170,000,000; Los Angeles, \$152,000,000; Boston, \$70,000,000; Cleveland, \$69,000,000; Washington, D. C., \$65,000,000, and it might be pointed out on down the line to the smallest town that a building wave is on the country to meet the needs which developed in the period of cessation during the World War. Yet our Government has done nothing, and practically proposes to do nothing even under the present bill, for its mails that have increased about 700 per cent in volume and in weight since 1914, although its needs are greater by far than most of the commercial needs that are being met by business people.

Therefore, believing in the legislative branch exercising its legislative functions and meeting post-office legislative propositions and all needs of the Government by direct action on those needs when presented and proven and being entirely opposed to abdicating or to transferring the legislative functions to another department of the Government and to "lump sum" appropriations, we are opposed to bill H. R. 6559 and submit our views for your consideration.

Respectfully submitted.

JEFF BUSBY.

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