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[CHAPTER 593]

AN ACT

June 22, 1938
[S. 3337]
[Public, No. 700]

To amend section 2 of the Act entitled "An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and nineteen, and for other purposes", approved July 1, 1918, to increase the authorized percentage of privates, first-class, in the Marine Corps from 25 to 40 per centum of the whole number of privates.

Marine Corps.
Privates, first-class; percentage increase in.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and nineteen, and for other purposes", approved July 1, 1918 (40 Stat. 714; title 34 U. S. C., sec. 691c), is hereby amended by striking out the words "twenty-five" appearing in lines 6 and 7 of the said section and substituting therefor the word "forty".

40 Stat. 714.
34 U. S. C. § 691c.

Approved, June 22, 1938.

[CHAPTER 594]

JOINT RESOLUTION

June 22, 1938
[H. J. Res. 699]
[Pub. Res., No. 123]

To amend sections 101, 102, 103, 104, and 859 of the Revised Statutes of the United States relating to congressional investigations.

Congressional investigations.
R. S. §§ 101–104, 859.
2 U. S. C. §§ 191–194; 28 U. S. C. § 634.
Oaths to witnesses, administration.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 101, 102, 103, 104, and 859 of the Revised Statutes of the United States are hereby amended to read as follows:

"SEC. 101. The President of the Senate, the Speaker of the House of Representatives, or a chairman of any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or of a committee of the whole, or of any committee of either House of Congress, is empowered to administer oaths to witnesses in any case under their examination.

Refusal of witness to testify, etc.

"SEC. 102. Every person who having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor, punishable by a fine of not more than $1,000 nor less than $100 and imprisonment in a common jail for not less than one month nor more than twelve months.

Penalty.

Witness not privileged to refuse to answer prejudicial questions.

"SEC. 103. No witness is privileged to refuse to testify to any fact, or to produce any paper, respecting which he shall be examined by either House of Congress, or by any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or by any committee of either House, upon the ground that his testimony to such fact or his production of such paper may tend to disgrace him or otherwise render him infamous.

Proceedings against witnesses failing to testify, produce papers, etc.

"SEC. 104. Whenever a witness summoned as mentioned in section 102 fails to appear to testify or fails to produce any books, papers, records, or documents, as required, or whenever any witness so summoned refuses to answer any question pertinent to the subject under inquiry before either House, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee or subcommittee of either House of Congress, and the fact of such failure or failures is reported to either House while Congress is in session, or when Congress is not in session, a statement of