

The National Agricultural
Law Center



University of Arkansas School of Law
NatAgLaw@uark.edu • (479) 575-7646
www.NationalAgLawCenter.org

**Conference Report to Accompany
Soil Conservation and Domestic
Allotment Act of 1936
H.R. Rep. No. 74-2079 (1936)**

The digitization of this Report was performed by the National Agricultural Law Center under Specific Cooperative Agreement No. 58-8201-6-140 with the United States Department of Agriculture, National Agricultural Library.

SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

FEBRUARY 26, 1936.—Ordered to be printed

Mr. JONES, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany S. 3780]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3780) to promote the conservation and profitable use of agricultural land resources by temporary Federal aid to farmers and by providing for a permanent policy of Federal aid to States for such purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the House insert the following:

That the Act entitled "An Act to provide for the protection of land resources against soil erosion, and for other purposes", approved April 27, 1935, is amended by inserting at the end thereof the following:

"SEC. 7. (a) It is hereby declared to be the policy of this Act also to secure, and the purposes of this Act shall also include, (1) preservation and improvement of soil fertility; (2) promotion of the economic use and conservation of land; (3) diminution of exploitation and wasteful and unscientific use of national soil resources; (4) the protection of rivers and harbors against the results of soil erosion in aid of maintaining the navigability of waters and water courses and in aid of flood control; and (5) reestablishment, at as rapid a rate as the Secretary of Agriculture determines to be practicable and in the general public interest, of the ratio between the purchasing power of the net income per person on farms and that of the income per person not on farms that prevailed during the five-year period August 1909–July 1914, inclusive, as determined from statistics available in the United States Department of Agriculture, and the maintenance of such ratio. The powers conferred under sections 7 to 14, inclusive, of this Act shall be used to assist voluntary action

calculated to effectuate the purposes specified in this section. Such powers shall not be used to discourage the production of supplies of foods and fibers sufficient to maintain normal domestic human consumption as determined by the Secretary from the records of domestic human consumption in the years 1920 to 1929, inclusive, taking into consideration increased population, quantities of any commodity that were forced into domestic consumption by decline in exports during such period, current trends in domestic consumption and exports of particular commodities, and the quantities of substitutes available for domestic consumption within any general class of food commodities. In carrying out the purposes of this section due regard shall be given to the maintenance of a continuous and stable supply of agricultural commodities adequate to meet consumer demand at prices fair to both producers and consumers.

“(b) The Secretary of Agriculture shall cooperate with States, in the execution of State plans to effectuate the purposes of this section, by making grants under this section to enable them to carry out such plans.

“(c) Any State which submits to the Secretary, prior to such time and in such manner and form as the Secretary prescribes, a State plan to effectuate the purposes of this section shall be entitled to payments, as provided in this section, for the year to which such plan is applicable, if such plan is approved by the Secretary as provided in this section.

“(d) No such plan shall be approved unless by its terms:

“(1) It provides that the agency to administer the plan shall be such State agency as may be designated by the Secretary if such agency is authorized by the State, or such other State agency as is authorized by the State and approved by the Secretary;

“(2) It provides for such methods of administration, and such participation in the administration of the plan by county and community committees or associations of agricultural producers organized for such purpose, as the Secretary finds necessary for the effective administration of the plan; and

“(3) It provides for the submission to the Secretary of such reports as he finds necessary to ascertain whether the plan is being carried out according to its terms, and for compliance with such requirements as the Secretary may prescribe to assure the correctness of and make possible the verification of such reports.

“(e) Such plan shall be approved if the Secretary finds that there is a reasonable prospect that—

“(1) Substantial accomplishment in effectuating the purposes of this section will be brought about through the operation of such plan and the plans submitted by other States, and

“(2) The operation of such plan will result in as substantial a furtherance of such accomplishment as may reasonably be achieved through the action of such State.

“(f) Upon approval of any State plan for any year the Secretary shall allocate to such State such sum (not in excess of the maximum amount fixed in pursuance of subsection (g) for such State for such year) as he finds necessary to carry out such plan for such year, and thereupon shall certify to the Secretary of the Treasury for payment to such agency of the State as the Secretary of Agriculture certifies is designated in the plan, and the Secretary of the Treasury shall pay to such agency, one-fourth of the amount so allocated. The remainder of the amount so

allocated shall be similarly certified and paid in such installments (payable prior to the end of the calendar year) as may be provided in the plan. No such installment shall be certified for payment if the Secretary of Agriculture finds that, prior to the due date of such installment, there has been a substantial failure by the State to carry out the plan according to its terms, or that the further operation of the plan according to its terms will not tend to effectuate the purposes of this section. No amount shall be certified for payment under any such installment in excess of the amount the Secretary finds necessary for the effective carrying out of the plan during the period to which the installment relates.

“(g) On or before November 1 of each year, the Secretary shall apportion among the several States the funds which will be available for carrying out State plans during the next calendar year, and in determining the amount to be apportioned to each State, the Secretary shall take into consideration the acreage and value of the major soil depleting and major export crops produced in the respective States during a representative period and the acreage and productivity of land devoted to agricultural production (including dairy products) in the respective States during a representative period: Provided, however, That apportionments of funds available for carrying out the purposes specified in this section for the year 1936 may be made at any time during 1936, and apportionments for 1937 may be made at any time during 1937. Notwithstanding the making of an apportionment to any State for any calendar year, the funds apportioned to any State for which no plan has been approved for such year, and any amount apportioned to any State which is not required to carry out an approved plan for such State for such year, shall be available for carrying out the provisions of sections 7 to 14, inclusive, of this Act.

“SEC. 8. (a) In order to carry out the purposes specified in section 7 (a) during the period necessary to afford a reasonable opportunity for legislative action by a sufficient number of States to assure the effectuation of such purposes by State action and in order to promote the more effective accomplishment of such purposes by State action thereafter, the Secretary shall exercise the powers conferred in this section during the period prior to January 1, 1938, except with respect to farming operations commenced in any State after the effective date of a State plan for such State approved pursuant to section 7. No such powers shall be exercised after December 31, 1937, except with respect to payments or grants in connection with farming operations carried out prior to January 1, 1938.

“(b) Subject to the limitations provided in subsection (a) of this section, the Secretary shall have power to carry out the purposes specified in clauses (1), (2), (3), and (4) of section 7 (a) by making payments or grants of other aid to agricultural producers, including tenants and sharecroppers, in amounts, determined by the Secretary to be fair and reasonable in connection with the effectuation of such purposes during the year with respect to which such payments or grants are made, and measured by, (1) their treatment or use of their land, or a part thereof, for soil restoration, soil conservation, or the prevention of erosion, (2) changes in the use of their land, (3) a percentage of their normal production of any one or more agricultural commodities designated by the Secretary which equals that percentage of the normal national production of such commodity or commodities required for domestic consumption, or (4) any combination of the above. In determining the amount of any payment

or grant measured by (1) or (2) the Secretary shall take into consideration the productivity of the land affected by the farming practices adopted during the year with respect to which such payment is made. In carrying out the provisions of this section, the Secretary shall, as far as practicable, protect the interests of tenants and share-croppers. In carrying out the provisions of this section, the Secretary is authorized to utilize county and community committees of agricultural producers and the agricultural extension service, or other approved agencies. In carrying out the provisions of this section, the Secretary shall not have power to enter into any contract binding upon any producer or to acquire any land or any right or interest therein. In carrying out the provisions of this section, the Secretary shall, in every practicable manner, protect the interests of small producers. The Secretary in administering this section shall in every practical way encourage and provide for soil conserving and soil rebuilding practices rather than the growing of soil depleting commercial crops.

“(c) Any payment or grant of aid made under subsection (b) shall be conditioned upon the utilization of the land, with respect to which such payment is made, in conformity with farming practices which the Secretary finds tend to effectuate the purposes specified in clause (1), (2), (3), or (4) of section 7 (a).

“SEC. 9. The Secretary is authorized to conduct surveys, investigations, and research relating to the conditions and factors affecting, and methods of accomplishing most effectively, the policy and purposes of section 7 (a). Notwithstanding any provision of existing law, the Secretary is authorized to make public such information as he deems necessary to carry out the provisions of this Act.

“SEC. 10. The term ‘agricultural commodity’ as used in this Act means any such commodity and any regional or market classification, type, or grade thereof.

“SEC. 11. All funds available for carrying out this Act shall be available for allotment to the bureaus and offices of the Department of Agriculture and for transfer to such other agencies of the Federal or State Governments as the Secretary may request to cooperate or assist in carrying out this Act.

“SEC. 12. Whenever the Secretary finds that the exercise of the powers conferred in this section will tend to carry out the purpose specified in clause (5) of section 7 (a), or will tend to provide for and maintain a continuous and stable supply of agricultural commodities adequate to meet consumer demand at prices fair to both producers and consumers, or both, he shall use such part as he deems necessary of the sums appropriated to carry out this Act for the expansion of domestic and foreign markets or for seeking new or additional markets for agricultural commodities or the products thereof or for the removal or disposition of surpluses of such commodities or the products thereof.

“SEC. 13. Notwithstanding the foregoing provisions of this Act, the Secretary is authorized and directed to provide for the execution by the Agricultural Adjustment Administration of such powers conferred upon him under sections 7 to 14, inclusive, of this Act as he deems may be appropriately exercised by such Administration, and for such purposes the provisions of law applicable to the appointment and compensation of persons employed by the Agricultural Adjustment Administration shall apply.

"SEC. 14. The facts constituting the bases for any payment or grant or the amount thereof authorized to be made under section 7 or 8 hereof, when officially determined in conformity with rules or regulations prescribed by the Secretary of Agriculture, shall be reviewable only by the Secretary of Agriculture.

"SEC. 15. To enable the Secretary of Agriculture to carry out the purposes of sections 7 and 8 there is hereby authorized to be appropriated for any fiscal year not exceeding \$500,000,000.

"SEC. 16. The obligations incurred for the purpose of carrying out, for any calendar year, the provisions of sections 7 to 14, inclusive, of this Act shall not exceed \$500,000,000.

"SEC. 17. (a) This Act shall apply to the United States, the Territories of Alaska and Hawaii, and the possession of Puerto Rico, and as used in this Act, the term 'State' includes Alaska, Hawaii, and Puerto Rico.

"(b) This Act may be cited as the 'Soil Conservation and Domestic Allotment Act'."

SEC. 2. Section 32 of the Act to amend the Agricultural Adjustment Act, and for other purposes, approved August 24, 1935, is amended by striking out clause (3) and inserting in lieu thereof, "(3) reestablish farmers' purchasing power by making payments in connection with the normal production of any agricultural commodity for domestic consumption. Determinations by the Secretary as to what constitutes diversion and what constitutes normal channels of trade and commerce and what constitutes normal production for domestic consumption shall be final." and by striking out that part of the last sentence thereof which precedes the second proviso and inserting in lieu thereof: "The sums appropriated under this section shall be expended for such one or more of the above-specified purposes, and at such times, in such manner, and in such amounts as the Secretary of Agriculture finds will effectuate substantial accomplishment of any one or more of the purposes of this section:".

SEC. 3. The unexpended balance of the funds appropriated by the second paragraph of Public Resolution Numbered 27, Seventy-third Congress, approved May 25, 1934, to carry out section 2 and section 6 of the Act entitled "An Act to amend the Agricultural Adjustment Act so as to include cattle and other products as basic agricultural commodities, and for other purposes", approved April 7, 1934, and the unexpended balance of the funds appropriated or reappropriated by section 37 of Public Act Numbered 320, Seventy-fourth Congress, entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", is authorized to be made available for the purposes enumerated in said Acts until June 30, 1937. The authorization, which is limited to June 30, 1936, contained in section 37 of Public Act Numbered 320, Seventy-fourth Congress, is likewise extended so that the funds therein authorized are authorized to be made available until June 30, 1937.

SEC. 4. The sum of \$2,000,000 of the unobligated balance of the appropriation for relief purposes contained in the Emergency Relief Appropriation Act of 1935, approved April 8, 1935, is hereby made available to the Secretary of Agriculture for allocation and payment to the States in the Southern Great Plains area, or to farmers therein, for wind erosion control, under plans to be approved by the Secretary of Agriculture.

SEC. 5. Section 22 of the Agricultural Adjustment Act, as amended, is amended by inserting after the words "this title" wherever they appear the following: "or the Soil Conservation and Domestic Allotment Act, as amended"; and by striking out the words "an adjustment" wherever they appear and inserting in lieu thereof the word "any".

And the House agree to the same.

MARVIN JONES,
H. P. FULMER,
WALL DOXEY,
CLIFFORD R. HOPE,
J. ROLAND KINZER,

Managers on the part of the House.

E. D. SMITH,
ARTHUR CAPPER,
LOUIS MURPHY,
LYNN J. FRAZIER,

Managers on the part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3780) to promote the conservation and profitable use of agricultural land resources by temporary Federal aid to farmers and by providing for a permanent policy of Federal aid to States for such purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

The Senate bill (sec. 7 (a)) included, as one of the items constituting the policy and purposes of the bill, promotion of the economic use and conservation of land. In the House amendment the comparable provision omits the reference to conservation of land. The conference agreement adopts the Senate provision.

The Senate bill (sec. 7 (a)) included in the statement of the policy and purposes of the bill, diminution of wasteful and unscientific use of national soil resources. In the House amendment the comparable provision with respect to use of soil resources relates to the unprofitable use of such resources. The conference agreement adopts the Senate provision.

The Senate bill (sec. 7 (a)), in the statement of the policy and purposes of the bill, included protection of rivers and harbors against the results of soil erosion in aid of maintaining the navigability of waters and water courses and in aid of flood control. No such express provision is contained in the House amendment. The conference agreement adopts the Senate provision.

The House amendment (sec. 7 (a)), in the statement of the policy and purposes of the bill, includes provision for and maintenance of a continuous and stable supply of agricultural commodities adequate to domestic and foreign consumer requirements at prices fair to producers and consumers. Under the Senate bill the provision is not an independent policy and purpose but has the effect of a factor to which due regard is to be given in carrying out the purposes of the section. Under the Senate bill the supply of agricultural commodities to which the provision related was one adequate to meet consumer demand rather than one adequate to meet domestic and foreign consumer requirements as in the House amendment. The conference agreement adopts the Senate provision.

The Senate bill (sec. 7 (a)), in the statement of the policy and purposes of the bill, included reestablishment and maintenance of farmers' purchasing power.

The House amendment contains a similar provision considerably elaborated. It provides for the reestablishment and maintenance of the ratio between the purchasing power of the net income of persons on farms and the income of persons not on farms that prevailed during the period August 1, 1909, to July 31, 1914. This ratio is to be reestablished at as rapid a rate as the Secretary determines to be prac-

licable and in the public interest. Determinations under the provision are to be made from statistics available in the Department of Agriculture.

The House amendment also contains a provision, not expressly set forth in the Senate bill, under which the powers conferred in that part of the bill which amends the Soil Erosion Act are to be used to encourage voluntary action calculated to effectuate the purposes set forth in the beginning of the section.

The House amendment also contains a provision, not expressly set forth in the Senate bill, under which such powers are prohibited from being used to discourage the production of foods and fibers sufficient to maintain normal domestic human consumption as represented by the period 1920-29, inclusive, as determined by the Secretary. In determining domestic human consumption for these years, the Secretary is to take into consideration increased population, quantities forced into domestic consumption by decline in exports, current trends in exports and domestic consumption, and substitutes available for domestic consumption.

The conference agreement adopts the House provision.

Under the Senate bill (sec. 7 (b)), the Secretary was directed to cooperate with States in the execution of State plans to effectuate all the purposes of the section. Similarly, a State plan to effectuate all the purposes had to be submitted (sec. 7 (c)), and it had to have a reasonable prospect of effectuating them all in order to be approved (sec. 7 (e) (1)). If it no longer tended to effectuate them all, no further funds were to be available to the State (sec. 7 (f)). Under the House amendment in all these particulars the requirement is referable to one or more of the purposes of the section, rather than to them all. The conference agreement adopts the Senate provision.

The Senate bill provided (sec. 7 (d) (1)), among the requirements for approval of a State plan, that the agency to administer it be such agency as is authorized by the State and approved by the Secretary. Under the House amendment, it is expressly provided that the agency is to be the land-grant college, or if more than one, all of them in the State, or, if not the land-grant college, such other State agency as may be approved by the Secretary. The provision as agreed to in conference provides that the agency to administer the plan shall be such State agency as may be designated by the Secretary of Agriculture if such agency is authorized by the State or such other State agency as is authorized by the State and approved by the Secretary.

In determining amounts to be apportioned to any State for any calendar year, the Senate bill (sec. 8 (g)) provided that the Secretary was to take into consideration the acreage and value of the major soil-depleting crops and export crops for a representative period. Under the House bill he is to take into consideration instead, the farm population, value of agricultural commodities, and the acreage and productivity of land devoted to agricultural production during a representative period. In the conference agreement it is provided that the Secretary shall take into consideration the acreage and value of the major soil-depleting and major export crops produced in the respective States during a representative period and the acreage and productivity of land devoted to production in the respective States during a representative period, and in the case of consideration of acreage and productivity of land an express provision is inserted to

make certain that land devoted to production of dairy products is included.

Under both the Senate bill and the House amendment (sec. 8 (g)) State plans can be approved and go into operation in 1936 by the provision authorizing apportionments for 1936 to be made at any time during 1936. The House bill authorized apportionments for 1937 likewise to be made at any time during that year. The conference agreement adopts the House provision.

Under the Senate bill (sec. 8 (g)) even if apportionments have been made for 1936 or 1937, funds which have been apportioned to any State if there is no plan approved for that State may be used under section 8 in any State for which no plan has been approved. The House amendment removes the limitation which confines the operation of the provision to 1936 and 1937 and makes it applicable to any calendar year. It makes funds not required to carry out an approved State plan or apportioned to a State for which no plan is approved available for carrying out sections 7 to 14, rather than section 8 (the temporary plan) alone. Neither bill, however, extends the temporary plan by reason of this provision. The conference agreement adopts the substance of the House provision and makes certain that the funds not required to carry out a State plan because no plan has been approved for such State may likewise be used for the purposes of section 7 to 14.

Section 8 authorizes the Secretary to carry out the direct-payment plan but limits his authority to the period prior to January 1, 1938, except in connection with farming operations carried out prior to then. Section 8 (a) of the Senate bill contained an express provision, not found in the House amendment, prohibiting the exercise of the powers contained in that section in any State even prior to January 1, 1938, with respect to farming operations begun after the effective date of a State plan applicable in that State. The House amendment (sec. 8 (a)) strikes out the "shall" requiring him to exercise the powers given him by that section and inserts "may" in order to remove the possible contradiction in requiring him to carry out the temporary plan notwithstanding that section 7 requires the permanent plan during the temporary period if the plans of the States are approved. The conference agreement adopts the Senate provision under which the Secretary is not to exercise powers conferred under the section even prior to January 1, 1938, in a State with respect to farming operations commenced after the effective date of the plan for such State. It also restores the "shall" since with the Senate provision it is clear that the Secretary is not to exercise powers under the temporary plan in any State after the permanent plan is in operation in that State.

The Senate bill (sec. 8 (b)) authorized the Secretary to carry out all the purposes specified in section 7 (a) by making payments or grants to producers for the temporary period. The House amendment limits this authorization to the first three clauses of section 7 (a): Preservation and improvement of soil fertility; promotion of economic use of land; and diminution of unprofitable use of soil resources. The conference agreement adopts the House provision, expanded to include the fourth clause of section 7 (a), protection of rivers and harbors and maintenance of navigability of streams.

The House amendment (sec. 8 (b)) which authorizes payments or grants of other aid to "agricultural producers", expressly includes

tenants and sharecroppers within such term. There is no comparable express provision in the Senate bill. The conference agreement adopts the House provision.

The Senate bill (sec. 8 (b)) contained a provision under which the amounts to be paid to producers under the temporary plan were to be those determined by the Secretary to be fair and reasonable in connection with the effectuation of the purposes of the section during the year for which payments were to be made. No comparable express provision is contained in the House amendment. The conference agreement adopts the Senate provision.

Under the Senate bill (sec. 8 (b)) and the House amendment the alternative bases or measures of payments were different. They are contrasted below under their corresponding numbers in the two provisions.

(1) The first basis of payment in the Senate bill was the acreage of crop land. The House amendment has, instead, treatment or use of land, or a part thereof for soil restoration, soil conservation, or the prevention of erosion.

(2) The second basis in the Senate bill was the acreage of soil improving or erosion preventing crops. No corresponding express provision is contained in the House bill.

(3) The third basis in the Senate bill was changes in the farming practices during the year on the land with respect to which the payment is made. The comparable House provision (clause (2)) relates to changes in the use of land.

(4) Both the Senate bill and the House amendment authorize payment on a domestic consumption percentage. They are substantially the same except that the domestic consumption which is the basis for calculating the percentage in the Senate bill is domestic consumption through normal channels, while the House bill has no provision relating to normal channels.

(5) The Senate bill expressly authorized a combination of any of the four above-enumerated bases. The House bill contains no comparable express provision.

The conference agreement adopts the House provisions, but adds thereto the Senate provision authorizing a combination of the bases of payment.

The House amendment (sec. 8 (b)) provides that in determining the apportionment of any payment or grant with respect to land, the Secretary shall take into consideration the contribution in services of tenants and croppers and any loss of income sustained by tenants or croppers by reason of changes in farming practices adopted in the years with respect to which the payments or grants are made. There is no comparable provision in the Senate bill. The conference agreement omits the House provision and substitutes therefor a provision under which the Secretary, in carrying out the section, as far as practicable, is to protect the interests of tenants and sharecroppers.

The House amendment (sec. 8 (b)) contains a provision, not found in the Senate bill, by which it is provided that the Secretary, in carrying out the temporary plan, shall, in every practicable manner, protect the interests of small producers. The conference agreement adopts this provision.

The House amendment (sec. 8 (b)) contains a provision, not found in the Senate bill, by which it is provided that the Secretary, in carrying out the temporary plan, shall, in every practical way, encourage and provide for soil conserving and soil rebuilding practices rather than the growing of soil depleting commercial crops. The conference agreement adopts this provision.

Under the Senate bill (sec. 8 (c)), payments or grants made for the temporary period were to be conditioned upon utilization of the land in conformity with practices the Secretary finds tend to effectuate the purposes of the first three clauses of section 7 (a). The House amendment provides that the payments or grants be conditioned upon such utilization by the producer of this land, or a part thereof, as the Secretary finds has tended to further the purposes so specified. The conference agreement adopts the Senate provision expanded to include the purpose of protection of rivers and harbors and maintenance of navigability of streams.

The House amendment (sec. 11) inserts a section not contained in the Senate bill which makes funds to carry out the act available for allotment to bureaus and offices in the Department and to agencies of the Federal and State Governments requested to cooperate or assist in carrying out the act. The conference agreement adopts this provision.

Both the Senate bill (sec. 11) and the House amendment (sec. 12) make funds available for expansion of markets and removal of surpluses. Under the Senate bill the Secretary was to use such funds for such purposes if he found that their use would tend to carry out clause (4) of section 7 (a). This probably was a clerical error and the reference was intended to be to clause (5) which related to the reestablishment and maintenance of farmers' purchasing power. Under the House amendment the Secretary can use the funds if he finds that their use either would tend to establish or maintain farmers' purchasing power (clause (5)), or to provide for and maintain a continuous and stable supply adequate to consumer requirements at fair prices (clause (4)), or both. The conference agreement adopts the House provision with necessary clerical and technical changes.

The Senate bill (sec. 11) also authorized the use of funds for stabilization of markets and authorized the Secretary in carrying out such section to enter into contracts with associations of producers and associations composed of producer associations under which they could be designated by the Secretary to carry out any program authorized under the section. The Secretary was authorized to allot funds to such associations for such purposes. No comparable provision is contained in the House amendment. The conference agreement omits this provision.

The Senate bill (sec. 12) authorized the use of the Agricultural Adjustment Administration in carrying out the sections of the bill which are added to the original Soil Erosion Act. The House amendment (sec. 13) extends this authorization to the use of the Administration in carrying out the provisions of the original Soil Erosion Act as well. The conference agreement adopts the Senate provision as section 13.

Under the Senate bill (sec. 13) the facts constituting the bases for any payment or grant under section 7 or 8 of the bill or the amount

thereof when officially determined in conformity with regulations promulgated by the Secretary of Agriculture were reviewable only by him. The comparable provision of the House amendment (sec. 14) provides that the action of any officer or employee in determining the amount of or in making any such payment or grant shall not be subject to review except by the Secretary of Agriculture. The conference agreement adopts the substance of the Senate provision, as section 14, except that it applies to rules and regulations prescribed by the Secretary rather than to regulations promulgated by him.

The Senate bill (sec. 14) contained a provision authorizing an appropriation for any fiscal year of not more than \$500,000,000 for carrying out sections 7 and 8. There is no comparable provision in the House amendment. The conference agreement adopts this provision as section 15.

The Senate bill (sec. 15) provided that the obligations incurred for carrying out the act (including the provisions of the original act to which this bill is added) for any fiscal year should not exceed \$500,000,000. The comparable provision of the House amendment relates this provision to the carrying out of the amendatory sections (secs. 7 to 14, inclusive); puts the limitation on incurring obligations on a calendar-year basis rather than a fiscal-year basis; and makes it clear that the provision relates the limitation to the incurring of obligations with respect to the programs to be undertaken in a particular calendar year. The conference agreement adopts the House provision as section 16.

The Senate bill made the short title of the act "The Soil Conservation Act". The House amendment made the title "The Soil Conservation and Domestic Allotment Act". The conference agreement adopts the House provision as section 17.

The House amendment, in the amendment to the provisions of existing law which authorize the use of an amount equal to 30 percent of the customs receipts for certain purposes in connection with agriculture, inserts a provision which strikes out the authorization of existing law for financing adjustments in acreage or production and substitutes therefor a provision authorizing the reestablishment of farmers' purchasing power by the making of payments on a domestic allotment basis. The House amendment also makes certain determinations by the Secretary under the section final. The House amendment also makes a technical correction in the provision laying down standards for payments. The conference agreement adopts the House provision with clerical changes in the reference to the section of existing law which is amended.

The House amendment makes technical changes in the provision of the Senate bill (sec. 3) authorizing extension to June 30, 1937, of authorizations to appropriate or reappropriate funds for dairy- and beef-cattle industries relief. The amendments are designed to make certain that the funds heretofore authorized may hereafter be appropriated and the funds heretofore appropriated may hereafter be reappropriated. They also make certain that such of the authorizations of appropriations as are not limited in time by their terms are not limited in time by this bill. The conference agreement adopts the House provisions.

The House amendment inserts a new section (sec. 4), not contained in the Senate bill, under which \$2,000,000 of the unobligated balance of the appropriation for relief purposes contained in the Emergency Relief Appropriation Act of 1935 is made available to the Secretary of Agriculture for allocation and payment to the States in the southern Great Plains area, or to farmers therein, for wind-erosion control, under plans approved by the Secretary of Agriculture. The conference agreement adopts this provision.

MARVIN JONES,
H. P. FULMER,
WALL DOXEY,
CLIFFORD R. HOPE,
J. ROLAND KINZER,

Managers on the part of the House.

○