

## NATIONAL INDUSTRIAL RECOVERY

June 10, 1933.—Ordered to be printed

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

### CONFERENCE REPORT

[To accompany H.R. 5755]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5755) to encourage National industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other 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 amendments numbered 4, 10, 21, 23, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 47, 49, 54, 69, 76, 79, 80, 88, 89, 90, 92, and 93.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 67, 70, 71, 72, 73, 74, 75, 77, 81, 82, 83, 84, 85, 87, 91, 94, and 95, and agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: *to promote the fullest possible utilization of the present productive capacity of industries, to avoid undue restriction of production (except as may be temporarily required), to increase the consumption of industrial and agricultural products by increasing purchasing power,* ; and the Senate agree to the same.

**Amendment numbered 5:**

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert: : *Provided, That such code or codes shall not permit monopolies or monopolistic practices;* and the Senate agree to the same.

**Amendment numbered 11:**

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with the following amendments:

On page 3 of the Senate engrossed amendments, line 11, strike out "and" and insert *quantities or*; on page 3 of the Senate engrossed amendments, line 16, strike out "shall" and insert *may*; and on page 3 of the Senate engrossed amendments, line 21, strike out "may" and insert *shall*; and the Senate agree to the same.

**Amendment numbered 45:**

That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert a comma and the following: *and also the construction of any river or drainage improvement required to perform or satisfy any obligation incurred by the United States through a treaty with a foreign government heretofore ratified and to restore or develop for the use of any State or its citizens water taken from or denied to them by performance on the part of the United States of treaty obligations heretofore assumed: Provided, That no river or harbor improvements shall be carried out unless they shall have heretofore or hereafter been adopted by the Congress or are recommended by the Chief of Engineers of the United States Army;* and the Senate agree to the same.

**Amendment numbered 46:**

That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert a comma and *reconstruction, alteration, or repair*; and the Senate agree to the same.

**Amendment numbered 48:**

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert a comma and the following: *and paragraph (3) of such subsection (a) shall for such purposes be held to include loans for the construction or completion of hospitals the operation of which is partly financed from public funds, and of reservoirs and pumping plants and for the construction of dry docks;* and the Senate agree to the same.

**Amendment numbered 50:**

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: *heavier-than-air aircraft and technical construction for the Army Air Corps and*; and the Senate agree to the same.

**Amendment numbered 64:**

That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert *and bridge*; and the Senate agree to the same.

**Amendment numbered 66:**

That the House recede from its disagreement to the amendment of the Senate numbered 66; and agree to the same with an amendment as follows:

In lieu of the matter proposed to be stricken out by the Senate amendment insert *seven eighths*; and the Senate agree to the same.

**Amendment numbered 68:**

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be stricken out by the Senate amendment insert *and one eighth in the ratio which the population of each State bears to the total population of the United States, according to the latest decennial census*; and the Senate agree to the same.

**Amendment numbered 78:**

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows:

In lieu of the matter proposed to be stricken out by the Senate amendment insert *citizens of the United States and aliens who have declared their intention of becoming citizens, who are*; and the Senate agree to the same.

**Amendment numbered 79½:**

That the House recede from its disagreement to the amendment of the Senate numbered 79½, and agree to the same with an amendment, as follows:

In lieu of the matter proposed to be stricken out by the Senate amendment insert *citizens of the United States and aliens who have declared their intention of becoming citizens, who are*; and the Senate agree to the same.

**Amendment numbered 86:**

That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with amendments as follows:

On page 21 of the Senate engrossed amendments, line 15, strike out all after the figures "1932" down to and including the word "Act" in line 17;

## NATIONAL INDUSTRIAL RECOVERY

On page 25 of the Senate engrossed amendments, line 14, strike out "214" and insert 215;

On page 26 of the Senate engrossed amendments, line 12, strike out "the date of";

On page 26 of the Senate engrossed amendments, line 19, strike out "212" and insert 213;

On page 27 of the Senate engrossed amendments, line 15, strike out all after the colon down to and including line 20, and insert the following: *No part of any loss disallowed to a partnership as a deduction by section 23 (r) shall be allowed as a deduction to a member of such partnership in computing net income.*;

On page 28 of the Senate engrossed amendments, line 2, strike out "taxable year 1932" and insert *taxable years 1932 and 1933*;

On page 28 of the Senate engrossed amendments, line 5, strike out "1933, 1934, and 1935" and insert *1934 and 1935*;

On page 28 of the Senate engrossed amendments, line 7, strike out the period and insert a period at the end of the line;

On page 28 of the Senate engrossed amendments, strike out lines 19 to 25, both inclusive, and lines 1 to 11, both inclusive, on page 29;

On page 29 of the Senate engrossed amendments, line 12, strike out "(i)" and insert (h);

On page 29 of the Senate engrossed amendments, line 14, strike out all after the colon down to and including line 17 and insert the following: *and all returns made under this Act after the date of enactment of the National Industrial Recovery Act shall constitute public records and shall be open to public examination and inspection to such extent as shall be authorized in rules and regulations promulgated by the President and a period*;

On page 30 of the Senate engrossed amendments strike out lines 4 to 24, both inclusive, and lines 1 to 19, both inclusive, on page 31; and

On page 26 of the House bill, at the end of line 18, insert the following: *The President is authorized to allocate so much of said sum, not in excess of \$100,000,000, as he may determine to be necessary for expenditures in carrying out the Agricultural Adjustment Act and the purposes, powers, and functions heretofore and hereafter conferred upon the Farm Credit Administration.*; and

On page 26 of the House bill, after line 18, insert the following:

*SEC. 221. Section 7 of the Agricultural Adjustment Act, approved May 12, 1933, is amended by striking out all of its present terms and provisions and substituting therefor the following:*

*"SEC. 7. The Secretary shall sell the cotton held by him at his discretion, but subject to the foregoing provisions: Provided, That he shall dispose of all cotton held by him by March 1, 1936: Provided further, That, notwithstanding the provisions of section 6, the Secretary shall have authority to enter into option contracts with producers of cotton to sell to the producers such cotton held by him, in such amounts and at such prices and upon such terms and conditions as the Secretary may deem advisable, in combination with rental or benefit payments provided for in part 2 of this title.*

*"Notwithstanding any provisions of existing law, the Secretary of Agriculture may in the administration of the Agricultural Adjustment*

*Act make public such information as he deems necessary in order to effectuate the purposes of such act."*

And the Senate agree to the same.

ROBERT L. DOUGHTON,  
HEARTSILL RAGON,  
SAM. B. HILL,  
ALLEN T. TREADWAY,  
ISAAC BACHARACH,  
*Managers on the part of the House.*  
PAT HARRISON,  
WILLIAM H. KING,  
WALTER F. GEORGE,  
*Managers on the part of the Senate.*

○