68TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } { No. 1584

DEPARTMENT OF THE INTERIOR APPROPRIATION BILL, 1926

FEBRUARY 24, 1925.—Ordered to be printed

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

CONFERENCE REPORT

[To accompany H. R. 10020]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10020) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, 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 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 23, 31, 36, 45, and 49.

That the House recede from its disagreement to the amendments of the Senate numbered 11, 12, 13, 16, 17, 19, 20, 21, 22, 24, 25, 29, 39, 40, 41, 42, 46, 47, and 48, and agree to the same.

Amendment numbered 14:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows:

At the end of the matter inserted by said amendment insert the following: *, not to exceed $2,000*; and the Senate agree to the same.

Amendment numbered 18:

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows:

In lieu of the matter inserted by said amendment insert the following: *$35,000, of which $10,000 shall be available only for the completion of the Taber feed canal*; and the Senate agree to the same.

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Amendment numbered 26:

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows:

Restore the matter stricken out by said amendment amended to read as follows:

Provided, That no part of this appropriation shall be used for construction purposes until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or with irrigation districts organized under State law providing for payment by the district or districts as hereinafter provided. The Secretary of the Interior shall by public notice announce the date when water is available under the project: Provided further, That no part of the sum hereby appropriated shall be expended for the construction of new canals or for the extension of the present canal system for the irrigation of lands outside of the forty thousand acres for the irrigation of which a canal system is now provided until a contract or contracts shall have been executed between the United States and the State of Montana, whereby the State shall assume the duty and responsibility of promoting the development and settlement of the project after completion, securing, selecting, and financing of settlers to enable the purchase of the required livestock, equipment, and supplies and the improvement of the lands to render them habitable and productive. The State shall provide the funds necessary for this purpose and shall conduct operations in a manner satisfactory to the Secretary of the Interior: Provided further, That the operation and maintenance charges on account of land in this project shall be paid annually in advance not later than March 1, no charge being made for operation and maintenance for the first year after said public notice. It shall be the duty of the Secretary of the Interior to give such public notice when water is actually available for such lands.

And the Senate agree to the same.

Amendment numbered 28:

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows:

At the end of the matter inserted by said amendment insert the following: *to remain available until December 31, 1925*; and the Senate agree to the same.

Amendment numbered 32:

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows:

Restore the matter stricken out by said amendment amended to read as follows:

Provided further, That no part of this appropriation shall be used for construction purposes until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or with irrigation districts organized under State law, or water users' association or associations, providing for payment by the district or districts, or water users' association or associations, as hereinafter provided: Provided further, That the operation and maintenance charges on account of land in this project shall be paid annually in advance not later than March first, no charge being made for operation and

maintenance for the first year after said public notice. It shall be the duty of the Secretary of the Interior to give such public notice when water is actually available for such lands.

And the Senate agree to the same.

Amendment numbered 33:

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows:

Restore the matter stricken out by said amendment amended to read as follows:

Provided, That no part of this appropriation shall be used for construction purposes until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or with irrigation districts organized under State law providing for payment by the district or districts as hereinafter provided. The Secretary of the Interior shall by public notice announce the date when water is available under the project: Provided further, That no part of the sum provided for herein shall be expended for construction on account of any lands in private ownership until an appropriate repayment contract, in form approved by the Secretary of the Interior, shall have been properly executed by a district organized under State law, embracing the lands in public or private ownership irrigable under the project, and the execution thereof shall have been confirmed by decree of a court of competent jurisdiction, which contract, among other things, shall contain a provision for an appraisal, showing the present actual bona fide value of all such irrigable lands fixed without reference to the proposed construction of said Kittitas division, and shall provide that until one-half the construction charges against said lands shall have been fully paid no sale of any such lands shall be valid unless and until the purchase price involved in such sale is approved by the Secretary of the Interior, and shall also provide that upon proof of fraudulent representation as to the true consideration involved in any such sale the Secretary of the Interior is authorized to cancel the water right attaching to the land involved in such fraudulent sale; and all public lands irrigable under the project shall be entered subject to the conditions of this section which shall be applicable thereto: Provided further, That no part of the sum hereby appropriated shall be expended for construction until a contract or contracts shall have been executed between the United States and the State of Washington pursuant to its land settlement act embodied in chapter 188, Laws of 1919, as amended by chapter 90, Laws of 1921, and by chapters 34 and 112, Laws of 1923, or additional enactments, if necessary, whereby the State shall assume the duty and responsibility of promoting the development and settlement of the project after completion, including the subdivision of lands held in private ownership by any individual in excess of one hundred and sixty irrigable acres, the securing, selection, and financing of settlers to enable the purchase of the required livestock, equipment, and supplies, and the improvement of the lands to render them habitable and productive. The State shall provide the funds necessary for this purpose and shall conduct operations in a manner satisfactory to the Secretary of the Interior: Provided further, That the operation and maintenance charges on account of land in this project shall be paid annually in advance not later than March 1, no charge being made for operation and maintenance for the

first year after said public notice. It shall be the duty of the Secretary of the Interior to give such public notice when water is actually available for such lands.

And the Senate agree to the same.

Amendment numbered 35:

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows:

In line 10 of the matter inserted by said amendment strike out the words "until used"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 27, 30, 34, 37, 38, 43, 44, and 50.

LOUIS C. CRAMTON,
FRANK MURPHY,
C. D. CARTER,
Managers on the part of the House.

REED SMOOT,
CHARLES CURTIS,
WM. J. HARRIS,
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 amendments of the Senate to the bill (H. R. 10020) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

No. 1: Strikes out the language inserted by the Senate authorizing the President in meritorious cases to direct that the salaries of persons paid under the classification act might exceed the average of the compensation rates for the grade in those grades where only one position is allocated.

No. 2: Strikes out the language proposed by the Senate authorizing the Secretary of the Interior to fix rates of compensation of field employees to correspond to rates established by the classification act for positions in the departmental services in the District of Columbia.

Nos. 3, 4, 5, 6, 7, 8, and 9: Strikes out all Senate provisions for salaries and expenses of surveyors general, and restores the House language abolishing those offices.

No. 10: Appropriates $840,290 as proposed by the House, instead of $792,820 as proposed by the Senate, for surveying public lands.

No. 11: Appropriates $175,000 as proposed by the Senate, instead of $125,000 as proposed by the House, for salaries and commissions of registers of district land offices.

Nos. 12 and 13: Strikes out the House language providing for the consolidation of offices of register and receiver at certain specified land offices, and provides instead for such consolidation of the offices of register and receiver at such land offices as may now have two officials.

No. 14: Strikes out the House language limiting the expenses of tribal attorneys for the Choctaw and Chickasaw Tribes to $1,500 per annum, and retains the Senate language amended so as to authorize the Commissioner of Indian Affairs to determine the expenses of such tribal attorneys within a limit of $2,000 per annum each.

No. 15: Strikes out the Senate language appropriating $115,767.67 for payment of taxes to the counties of Stevens and Ferry in the State of Washington, on allotted Colville Indian lands.

No. 16: Appropriates $130,000 as proposed by the Senate, instead of $120,000 as proposed by the House, for irrigation on Indian reservations.

Nos. 17 and 18: Appropriates $35,000, instead of $10,000 as proposed by the House, and $45,000 as proposed by the Senate, for the Flathead Indian irrigation project in Montana, and makes the money available for continuing construction as proposed by the Senate, and further provides that $10,000 of the appropriation shall be available only for completion of the Taber feed canal.

Nos. 19 and 20, relating to the appropriation for collection and transportation of Indian pupils to and from school, etc.: Makes $7,000 of the appropriation available for obtaining remunerative employment and for payment of transportation and other expenses to their places of employment for "Indians" as provided by the Senate instead of "Indian youths" as provided by the House, and provides for the refund of such transportation and expenses when practicable.

No. 21: Makes immediately available, as proposed by the Senate, the appropriation of $20,000 for the enlargement of the school building at Sequoyah Orphan Training School, near Tahlequah, Okla.

No. 22: Appropriates from Osage tribal funds $20,620, as proposed by the Senate, instead of $20,260 as proposed by the House, for the education of Osage children.

No. 23: Strikes out the Senate language authorizing the maintenance outside the District of Columbia of the office of the director of reclamation economics.

Nos. 24 and 25: Appropriates $439,000, as proposed by the Senate, instead of $408,000, as proposed by the House, for the Boise, Idaho, irrigation project, and eliminates the House language making the appropriation unavailable for investigations, examinations, surveys, or plans for or work upon any extension of the project.

No. 26, relating to the Sun River project, Montana: Restores the House language modified by the elimination of the provision for terms of payment, and the provision for appraisal, etc., of private lands and by limiting the provisions of State cooperation in settlement to the new division.

No. 28: Appropriates $25,000, as proposed by the Senate, for operation, maintenance, and incidental operations of the Williston (N. Dak.) irrigation project, amended so as to make the money available until December 31, 1925.

No. 29: Reappropriates for the fiscal year 1926, as proposed by the Senate, any unexpended balance of the appropriation of $315,000 made by the second deficiency act, fiscal year 1924, for continued investigations, commencement of construction, and incidental operations, in connection with the Owyhee project, Oregon.

No. 31: Appropriates $900,000, as proposed by the House, instead of $1,000,000, as proposed by the Senate, for Salt Lake Basin (Utah) irrigation project.

No. 32, relating to the Salt Lake Basin project, Utah: Restores the House language, modified by elimination of the provisions for terms of payment and also by including option of organization of water users association instead of irrigation district.

No 33, relating to the Kittitas division, Yakima project, Washington: Restores the House language, modified by elimination of the provisions for terms of payment.

No. 35, relating to the Umatilla Rapids project, Oregon: Reappropriates and makes immediately available, as proposed by the Senate, the unexpended balance of the appropriation of $50,000 for investigations of the feasibility of this project contained in the act of March 4, 1923 (42 Stat. L. 1540).

No. 36, relating to cooperative investigations of the feasibility of reclamation projects, including Guernsey Reservoir of the North Platte project, the Spanish Springs project, the Owyhee and Vale projects, projects in the Salt Lake Basin of Utah, the Kittitas division

of the Yakima project in Washington, and the Casper-Alcova project in Wyoming: Strikes out the Senate language reappropriating for 1926 any unexpended balances remaining at the close of the fiscal year 1925 from the appropriation of $125,000 for these purposes made by the second deficiency act, 1924, approved December 5, 1924.

Nos. 39 and 40: Appropriates $265,000 as proposed by the Senate, instead of $250,000, as proposed by the House, for the examination and classification of lands, by the Geological Survey.

No. 41, relating to the operation of mine rescue cars: Retains the Senate language making the appropriation available for the purchase of cooks' uniforms, goggles, gloves, and other necessary equipment.

No. 42, relating to the appropriation for testing fuel: Authorizes $28,000 as proposed by the Senate, instead of $23,000 as proposed by the House, for personal services in the District of Columbia.

No. 45, relating to the appropriation for the Grand Canyon National Park: Authorizes the construction of a "comprehensive sewage disposal system" as proposed by the House, instead of a "septic tank" as proposed by the Senate, at administrative headquarters on the south rim.

No. 46, relating to Platt National Park, Okla.: Strikes out the House language appropriating $11,920 for administration, protection, maintenance, and improvement, and $6,000 for auto camps, including comfort stations, in all, $17,920; and retains the Senate language appropriating a like aggregate amount for the same purposes, in a lump sum.

No. 47, relating to the appropriation for Yellowstone National Park: Authorizes $6,600 as proposed by the Senate, instead of $5,100 as proposed by the House, for purchase, maintenance, and operation of horse-drawn and motor-driven passenger-carrying vehicles.

No. 48: Appropriates $25,000 as proposed by the Senate for the development of Carlsbad Cave, N. Mex.

No. 49: Strikes out the Senate language appropriating $1,500 for installing of oil-burning equipment in the governor's residence, Juneau, Alaska.

The committee of conference have not agreed upon the following amendments of the Senate:

No. 27, appropriating $500,000 for the Spanish Springs irrigation project, Nevada.

No. 30, appropriating $500,000 for the Vale irrigation project, Oregon.

No. 34, reappropriating the unexpended balance of the appropriation of $375,000 for the Kittitas unit of the Yakima project, Washington, made by the second deficiency act, 1924, approved December 5, 1924.

No. 37, relating to the salary of the Commissioner of Reclamation.

No. 38, relating to the total under the Bureau of Reclamation.

Nos. 43 and 44, appropriating $90,000 for the development of oil shale.

No. 50, relating to the appropriations for Howard University.

LOUIS C. CRAMTON,
FRANK MURPHY,
C. D. CARTER,
Managers on the part of the House.

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