

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas? Without objection, it is so ordered.

ANNOUNCEMENT OF THE NUMBER OF SENATORS ANSWERING QUORUM CALLS

Mr. JOHNSON of Texas. Mr. President, earlier today I announced that during the debate on the civil-rights issue, it was most unlikely that unanimous consent would be granted for the withdrawal of any quorum call. I urged all Senators to cooperate to the utmost in responding quickly to each quorum call, on the assumption that it would be a completed call, and would be completed as quickly as possible.

Mr. President, in order that there can be no misunderstanding by anyone, I announce that henceforth I shall ask that the Vice President or Presiding Officer announce the number of Senators who have answered to a quorum call.

I have discussed with the distinguished minority leader, the senior Senator from California [Mr. KNOWLAND], the lack-of-attendance problem. Both of us believe that every Member of the Senate should be on the floor as much as possible while the motion of the Senator from California is under consideration. Senators will not be counted present unless they are physically present before the result of the quorum call is announced. Thereafter, no names of Senators will be added.

I desire to have the clerks and the attachés take note—and I ask them please to do so—of this statement. I ask them to notify each Senator as to the procedure which will be followed.

CIVIL RIGHTS

Mr. SPARKMAN. Mr. President, I have prepared a talk which I should think should not take more than an hour to present, provided there are no questions. We never know what may happen when we start making an address. I appreciate the fine cooperation on the part of the distinguished, able, and fair minority leader that I can simply be recognized tonight, and that tomorrow, following the morning hour, I may have the privilege of completing my talk.

ORDER FOR RECOGNITION OF SENATOR DIRKSEN FOLLOWING THE SPEECH OF SENATOR SPARKMAN TOMORROW

Mr. KNOWLAND. Mr. President, I should like to have the attention of the distinguished majority leader. I sent word that I should like to have him in the Chamber.

I am informed by the Senator from Illinois [Mr. DIRKSEN] that he should like to be recognized tomorrow following the speech of the Senator from Alabama. In view of the fact that the Senate is about to recess until tomorrow at 11 o'clock a. m., I was wondering if the distinguished majority leader would have any objection to such an order being entered.

Mr. JOHNSON of Texas. The Senator from Texas would not only not have any objection, but he would favor such an order. He appreciates very much the courtesies extended to him at all times by the minority leader and by Members of the minority, and he is certainly anxious to accommodate them whenever he can. There is no one the majority leader has a higher regard for than the Senator from Illinois. Any time the majority leader can suit his convenience, he wants to do so.

Mr. KNOWLAND. Mr. President, I make that unanimous-consent request.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from California? The Chair hears none, and it is so ordered.

CIVIL RIGHTS

Mr. SPARKMAN. I shall not start on my prepared text this evening, under the order which has been entered, but I wish to say it is my purpose to discuss the measure with particular emphasis on its impact on our judicial system, involving the jury system, the growth of the vicious practice of applying injunction and contempt proceedings in equity to acts which are essentially criminal, and the imposition of penalties which are criminal in nature.

I think the history of the jury system and the development of the injunction system and contempt proceedings can be shown in a very clear pattern that will uphold the viewpoint of those of us who see in this proposed legislation a real and a vicious attack upon something upon which we have always prided ourselves so much—that is, the finest judicial system in all the world, of which the right of trial by jury is the keystone, associated with the two other ideas of the presumption of innocence until actually proven guilty, and the right of a person accused to be confronted by the witnesses against him.

Now, Mr. President, if it is agreeable, I shall discontinue at this point and resume tomorrow following the morning hour.

RECESS UNTIL 11 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, pursuant to the order previously entered, I move that the Senate stand in recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 15 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Wednesday, July 10, 1957, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 9, 1957

The House met at 12 o'clock noon.

Father Donald Werr, O. F. M., executive assistant to the president, Quincy College, Quincy, Ill., offered the following prayer:

O God, who lovest truth and justice, pour forth Thy blessing upon the delib-

erations of Thy servants. As Thou didst stretch forth Thy hand to Peter as he walked upon the sea, we entreat Thee to watch over their minds and hearts during this important day.

Grant each Member to be so guided that his decisions will always benefit the people of our land, and will promulgate the greater glory of Thy name. By Thy wondrous power and supernatural grace, may Thy legislative body be a continued instrument of Thy peace and love. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

- H. R. 632. An act to amend the Federal Crop Insurance Act, as amended;
- H. R. 1754. An act for the relief of Eleanor French Caldwell;
- H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson; and
- H. J. Res. 316. Joint resolution for the relief of certain aliens.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

- H. R. 1045. An act to amend the Soil Conservation and Domestic Allotment Act, as amended;
- H. R. 2070. An act for the relief of Mrs. Rhea Silvers; and
- H. J. Res. 324. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

The message also announced that the Senate agrees to the amendment of the House to Senate amendment to H. R. 1359, entitled "An act for the relief of Mrs. Theodore (Nicole Xantho) Rousseau."

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

- S. 294. An act for the relief of Mrs. Marion Huggins;
- S. 556. An act to provide for the conveyance of certain real property of the United States situated in Clark County, Nev., to the State of Nevada for the use of the Nevada State Board of Fish and Game Commissioners;
- S. 562. An act for the relief of Hideko Takiguchi Pulaski;
- S. 591. An act for the relief of Seol Bong Ryu;
- S. 1071. An act for the relief of David Mark Sterling;
- S. 1268. An act for the relief of Don Q. Gee;
- S. 1276. An act for the relief of Emilio Valle Duarte;
- S. 1321. An act for the relief of Junko Matsuoka Ekrieh;
- S. 1335. An act for the relief of Sandra Ann Scott;
- S. 1353. An act for the relief of Ayako Yoshida;
- S. 1452. An act for the relief of Francesca Maria Arria;
- S. 1472. An act for the relief of Triantafilia Antul;

S. 1478. An act for the relief of Klara Fritzsche;

S. 1496. An act for the relief of Nicoleta P. Pantelakis;

S. 1502. An act for the relief of Erika Otto;
S. 1509. An act for the relief of Fumiko Bigelow;

S. 1528. An act for the relief of Arthur Green;

S. 1570. An act for the relief of Julia Fodor;

S. 1641. An act for the relief of Yong Ja Lee (Mina Kuhrt);

S. 1645. An act to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road-widening purposes;

S. 1773. An act to validate a certain conveyance heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, to the State of Nevada, involving certain portions of right-of-way in the city of Reno, county of Washoe, State of Nevada, acquired by the Central Pacific Railway Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356);

S. 1783. An act for the relief of Randolph Stephen Walker;

S. 2069. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain;

S. 2080. An act relating to the computation of annual income for the purpose of payment of pension for non-service-connected disability or death in certain cases;

S. 2413. An act to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district;

S. 2449. An act to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958; and

S. J. Res. 103. Joint resolution to provide for the permanent preservation and proper display of the "Flag of Liberation."

AMERICAN PRISONERS OF WAR HELD BY COMMUNIST CHINA

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 292.

The Clerk read the resolution, as follows:

Whereas 450 American military personnel taken prisoner by the Communists during the Korean war have not been repatriated or otherwise accounted for since the cessation of hostilities in Korea; and

Whereas under the terms of the Korean armistice agreement all American prisoners of war should have been accounted for long before now; and

Whereas the United States of America has never acquiesced in actions by foreign nations which illegally deprive our citizens of their liberty; and

Whereas the historic policy of firmly supporting the rights of American citizens should be continued: Now, therefore, be it

Resolved by the House of Representatives, That it is the sense of the Congress that the President, through his own offices, and those of the Secretary of State and the Secretary of Defense, should continue to make the return of, or a satisfactory accounting for, the 450 American prisoners of war, a primary objective of the foreign policy of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. JUDD. Mr. Speaker, reserving the right to object—and, of course, I shall not object—I do think that the gentleman from Wisconsin, the chairman of the subcommittee, should advise the House briefly as to the reason for this resolution and what it provides.

Mr. ZABLOCKI. Mr. Speaker, the effect of this resolution is to serve notice on the Communists that their continued flouting of the elements of human decency and conduct, as well as their violation of all conventions dealing with the treatment of prisoners of war, are firmly condemned by the Representatives of the American people. Our Ambassador, U. Alexis Johnson, on July 11 will resume negotiations with the Communists and I think we should give him our strong arm, let it be known that the people of the United States, through their Congress, are determined to obtain the information as to what has happened to the 450 boys who are not accounted for.

Mr. JUDD. Should it not be made clear, for the sake of the relatives of these men, that we do not charge or expect that these 450 American prisoners of the Communists, or any substantial number of them, are still alive? We do know that at one time these men were in the hands of the Communists and alive. We have seen pictures of some. The Reds themselves broadcast over the radio statements allegedly made by some. The Communists forwarded letters to the families of some, written in their own handwriting. Their buddies who were released, have reported them as alive and well in Communist prison camps.

Now the Communists claim they do not know anything about them. They will not even admit they ever had them as prisoners. Any decent kind of government would at least give an accounting of the men—what happened to them, whether they are alive or dead, and the circumstances surrounding their fate.

Mr. ZABLOCKI. That is true. It is clear that most if not all, of the 450 may be dead. But I believe we should demand an accounting as to how they died, where they died and where they are buried.

Mr. JUDD. Especially since the Communist Chinese are wanting to be accepted into civilized society under the pretense of being law abiding. One good way to show it would be at least to start abiding by the Geneva Convention on Prisoners of War. The world waits for one humane deed, not just protestations, from the Communists.

Mr. ZABLOCKI. Mr. Speaker, I feel very strongly about House Resolution 292 which is before us today, and I am confident that it will receive unanimous approval of the membership of this House.

The resolution expresses the sense of the Congress with respect to the 450 American prisoners of war taken prisoner by the Communists during the Korean conflict, and not accounted for, or released, to date.

The effect of this resolution is to serve notice on the Communists that their continued flouting of the elements of human decency and conduct, as well as their violation of all conventions dealing with the treatment of prisoners of war,

are firmly condemned by the representatives of the American people.

The resolution goes further than that. It calls upon the Executive to continue to make the return of, or a satisfactory accounting for, these 450 men, a primary objective of the foreign policy of the United States.

Mr. Speaker, our unanimous approval of this resolution is the least we can do—we must do—in justice to these men. They met with cruel fate in the service of our country, while upholding the principles in which we believe against the evil tide of Communist barbarism. They fell into the hands of the Communists and, to date, we do not know how many of them are rotting in Communist prisons, and how many may have perished at the hands of their captors.

In this regard, I want to state that, personally, I am not at all convinced that our executive branch has pursued this matter with the vigor, determination, and energy it should have received. The fate of these men, even their numbers, have been kept quiet. It would almost appear as if the administration was more anxious to keep the news of Communist foul deeds away from the world, than to broadcast the fate of these men as a somber warning to the American people and to the free peoples everywhere.

The treatment accorded to these American prisoners of war by the Chinese Communists, and the blunt refusal of the Reds to account for these men even when they were faced with evidence showing that these American servicemen were in their hands, shows us what kind of an enemy we are faced with.

It negates the Communist pronouncements about peaceful coexistence, disarmament, and alleged good will and shows that we are dealing with an evil system—with a monstrous machine which will disregard any conventions, any agreements, almost as soon as they are made.

Under the terms of the armistice agreement entered into by the Communists, we have the right to demand an accounting for the missing American servicemen who we know have fallen into Communist hands during the Korean conflict.

We want an accounting for these men, and their release. This must be a primary objective of our foreign policy. We must pursue this objective in fairness to the parents of the servicemen, their wives and children, whose anguish has known no bounds since their disappearance.

We must pursue this objective in fairness to ourselves. We have spent billions of dollars in fighting Communism, in building strong forces against Communist advance. We have urged other nations, even demanded it of them, that they stand up to the Red menace and fight it with us.

How is it, then, that after all this sacrifice, all this determined effort, we can sit still and talk about trade with the Reds, coexistence, and disarmament, while 450 American soldiers have disappeared behind the Red Bamboo Curtain and have not been accounted for.

I do not mean to reflect in what I have said the efforts of the man who, during the last 2 years, has expended tremendous effort and exercised commendable patience in negotiating with the Communists, trying among other things to obtain an accounting for those 450 men. Ambassador U. Alexis Johnson has, I believe, done his best. The fact remains, however, that one man cannot do this job alone. He must be vigorously supported by the entire administration, armed with the moral indignation of the American people expressed by their Representatives in Congress assembled, and fortified by the pressure of world opinion.

Ambassador Johnson is scheduled to renew his conferences with the Communists on July 11. Let us arm him for the task which he faces by unanimously passing this resolution, and by calling upon the free world to demand the release, and an accounting for, of all of the men of the U. N. command in Korea who are still missing, and who have been reported to be in Communist hands.

We have fought bravely over the decades all over the globe for worthy causes in which we believed. Our men have died, have fallen prisoners of war, in those battles. We cannot forget them, consign them to oblivion whether they are still living or dead. We must expend our every effort to obtain an accounting for, and a release of, the 450 American men who were known to be in the hands of the Communists in the Far East. They have earned every right to their country's supreme effort on their behalf.

Mr. WRIGHT. Mr. Speaker, the 450 American military personnel taken prisoner by the Communists during the Korean war and neither repatriated nor accounted for by the Communists cannot and must not be forgotten by this Nation nor by the world.

The long, uncertain anguish of their families cries out not only for our sympathy but for our unremitting effort to secure an accounting of their fate.

For more than 4 agonizing years those who hold them dear, have sought in vain some word of their whereabouts, of their well-being, of whether they live, or lie in unmarked graves on some Chinese hillside, or linger in a subhuman state of semiawareness in a Red Chinese prison, the prey of brainwashing practitioners.

Reports of their having been seen alive in Chinese custody have filtered back through their repatriated buddies from the prisoner of war camps. That some of them lived, at least for a time, in the hands of their captors seems indisputable. Yet the ominous silence of the Chinese government is deafening.

That a government so patently unresponsive to human values should now be seeking respectability in the eyes of the world makes it the more imperative that we should renew our demands for a full accounting and for prompt repatriation of any of the 450 who live.

It once was said that, wherever an American goes on the earth, the American flag goes with him as a guaranty of his freedom and right treatment. That is one of the precious things of American citizenship. It must not be forsaken, nor must these 450 be forsaken or forgotten by their Government.

Mr. LANE. Mr. Speaker, I too, wish to associate myself with the members of the committee in their wholehearted support of this resolution offered today for our consideration.

In the first place, I wish to congratulate Congressman ZABLOCKI and his Subcommittee on the Far East and the Pacific for programing this matter for hearing before the committee on May 27. To me, this is a very important piece of legislation and one that merits the serious thoughts of the American people. I was privileged to appear before the subcommittee in behalf of my bill, House Concurrent Resolution 120, which is quite similar to the committee resolution, House Resolution 292.

I can only reiterate my remarks made at that important hearing in urging action in concentrating attention in liberating American hostages held captive by Red China.

From various reliable sources we piece together the tragedy of the hundreds of Americans taken prisoner during the Korean war, who are still held as captives by the Chinese Reds in cynical and contemptuous defiance of the Korean truce agreement.

The Communist mentality delights in crushing human rights, and in betraying its international agreements.

It tries, by a combination of confusion, mendacity, and exasperating delays, to "brainwash" individuals and governments into submission.

Quietly, but persistently, through the winding trails of international diplomacy, our Government is trying to effect the release of these men.

This is the traditional way of negotiation, that has its advantages and its pitfalls.

The unscrupulous Reds, schooled in the devious art of blackmail, are plainly trying to make a deal.

They may repatriate, or account for, some of these American prisoners, in exchange for concessions that would dishonor us before mankind.

That is the crux of the dilemma they have contrived.

They know that we will never rest until our fellow citizens are liberated. But they hope to wear us down so that we will abandon the moral position whereby we insist that these men be released because they are held illegally and, in securing their release by concessions, compromise ourselves beyond redemption.

What is the alternative?

There was a time when we were unafraid. In clear and explicit terms we would set a date by which these men must be released or else we would take positive action to free them.

With an eye to other dangers in the world of today, we practice caution.

We try, through the young and feeble influence of the United Nations, to reason with the Reds, and induce them to observe the standards of international law and order.

Meanwhile, our men are rotting in Communist compounds.

Perhaps the most oppressive punishment they are suffering is despair at the thought that their own Government may

be only going through the motions on the merry-go-round of diplomatic notes and inconclusive conferences.

We soberly recognize the fact that the long-range hope of the world is an organization like the United Nations that will grow up to its responsibilities.

But how long will that take?

And what happens to American prisoners of war while the talks go on year after year?

I do not advocate an ultimatum to Red China demanding the release of these men and threatening to take military action if they fail to do so by a given date. I am sure that those most concerned, the relatives and friends of these unhappy prisoners would not expect us to take such drastic action even for a cause that is right and just.

But we are not satisfied with the results obtained to date.

Conferences and notes have bogged down in the weariness of routine. The Communists calculate that we will tire and forget. They see little mention of this issue in the American press. They believe that our moral imperatives will slacken, and end up in appeasement.

That is why I consider this resolution as essential to counteract certain false assumptions on the part of the Red Chinese regime.

I believe that it will strengthen the hand of our State Department by revealing through congressional action, the determination of the American people to press for the release of these men without shabby compromise.

Only on this firm moral basis, supported by American public opinion, can we convince the Chinese Reds that their policy of evasion, delay, and violation of the Korean armistice agreement, is bound to fail.

The United States of America has never acquiesced in actions by foreign nations which illegally deprive our citizens of their liberty.

And never will.

I am confident that the forthright and sustained adherence to these principles, as reiterated in this House resolution will help to break the present stalemate, and expedite the release of those Americans still held as prisoners of war by the Chinese Reds.

By serving notice on them by this resolution: "That it is the sense of the Congress that the President, through his own offices, and those of the Secretary of State and the Secretary of Defense, should continue to make the return of, or a satisfactory accounting for, the 450 American prisoners of war, a primary objective of the foreign policy of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER. Without objection, the resolution is agreed to.

There was no objection.

A motion to reconsider was laid on the table.

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the resolution just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

DEPARTMENT OF AGRICULTURE
AND FARM CREDIT ADMINISTRATION
APPROPRIATION BILL, 1958

Mr. WHITTEN. Mr. Speaker, I call up the conference report on the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 682)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, 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 amendment numbered 10.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 14, 15, 17, 18, 19, 20, 23, and 25, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the figure stricken out and inserted by said amendment insert "4"; and the Senate agree to the same.

Amendment numbered 1a: That the House recede from its disagreement to the amendment of the Senate numbered 1a, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$57,794,890"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert: "Provided, That the limitations contained herein shall not apply to \$1,955,000 for the construction, alteration, and repair of buildings, and acquisition of necessary land therefor by donation or exchange, or at a cost not to exceed \$5,000 for each facility"; 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 sum proposed by said amendment insert "\$29,853,708"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$30,353,708"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$49,220,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$50,715,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$14,116,700"; 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 an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$4,002,300"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,660,660"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum of "\$73,545,000" named in said amendment insert "\$72,545,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum of "\$1,500" named in said amendment insert "\$2,500"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum of "\$350,000,000" named in said amendment insert "\$325,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 12 and 24.

JAMIE L. WHITTEN,
FRED MARSHALL,
(except as to amendment 24),

WILLIAM H. NATCHER,
CLARENCE CANNON,
H. CARL ANDERSEN,
WALT HORAN,
C. W. VURSELL,

Managers on the Part of the House.

RICHARD B. RUSSELL,
CARL HAYDEN,
LISTER HILL,
A. WILLIS ROBERTSON,
By R. B. R.
ALLEN J. ELLENDER,
MILTON R. YOUNG,
KARL E. MUNDT,
HENRY C. DWORSHAK,

Managers on the Part of the Senate.

STATEMENT

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. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, submit the following statement in explanation of the effect of the

action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

DEPARTMENT OF AGRICULTURE
Agricultural Research Service

Amendment No. 1—Salaries and expenses: Limits building alterations to four percentum of the cost of the building, instead of three percentum as proposed by the House and five percentum as proposed by the Senate.

Amendment No. 1a—Research: Appropriates \$57,794,890, instead of \$48,994,890 as proposed by the House and \$58,794,890 as proposed by the Senate. The amount agreed to provides an additional \$1,000,000 for utilization research over the House bill.

Amendment No. 2—Research: Provides language for construction, alteration, and repair of buildings and acquisition of necessary lands therefor.

The laboratory in Mississippi is for work in the general field of hydraulic engineering with special emphasis on the entrainment, transportation, and disposition of sediment, shall be on the scale approved by the House, and shall be located as heretofore requested and justified before the Appropriations Committees of the House and Senate by the Department of Agriculture, to serve the needs of the Little Tallahatchie and Yazoo Watersheds, as well as the general research needs of the watershed treatment and flood-prevention programs of the Soil Conservation Service.

The conferees understand that such laboratory will be operated in cooperation with the University of Mississippi and Mississippi State College, in line with the general intent of the cooperative agreement entered into by the Department of Agriculture, the University of Mississippi, and Mississippi State College, which became effective August 1, 1956, for the operation of the present research project in this field.

The conferees agree that the laboratory designated for the Midwest in the Senate report should be constructed on the scale approved by the House and should be located in the Barnes-Aasted area of the North Central States as indicated in the House report and as supported by testimony of Department officials in subcommittee hearings held on September 24, 1956.

Amendment No. 3—Plant and animal disease and pest control: Appropriates \$26,082,000 as proposed by the Senate instead of \$25,682,000 as proposed by the House.

Amendment No. 4—Meat inspection: Appropriates \$16,826,000 as proposed by the Senate instead of \$16,586,000 as proposed by the House. The conferees direct that the additional funds agreed to be used to provide additional inspectors for new meatpacking plants.

Amendments Nos. 5 and 6—State experiment stations: Appropriate \$30,353,708 instead of \$29,503,708 as proposed by the House and \$30,503,708 as proposed by the Senate.

Extension Service

Amendments Nos. 7 and 8—Payments to States, Hawaii, Alaska, and Puerto Rico: Appropriate \$50,715,000 instead of \$49,101,000 as proposed by the House and \$50,865,000 as proposed by the Senate. The additional funds agreed to above the House figure should be used to expand the work of the regular extension agents. Not to exceed \$250,000 of the increase should be used for the rural development program primarily in States which have not had such a program heretofore.

Agricultural Marketing Service

Amendment No. 9—Marketing research and agricultural estimates: Appropriates \$14,116,700 instead of \$14,041,700 as proposed by the House and \$14,141,700 as proposed by the Senate. The conference committee directs that the additional work relative to the

weather crop reports and estimates of poultry laying flocks and egg production be performed within the funds approved.

Amendment No. 10—Marketing services: Appropriates \$14,274,900 as proposed by the House instead of \$14,324,900 as proposed by the Senate. The conferees are agreed that, since the livestock market at Sioux Falls, S. Dak., has recently been placed in category I, it deserves treatment similar to other markets in this category.

The conference committee has agreed that the reference in the Senate committee report was not intended to preclude research on truck transportation, but was intended to emphasize that care be exercised in the Department to make sure that research publications are impartial in dealing with the various methods of transportation, and to emphasize the need for a careful review of research projects undertaken as to essentiality and as to benefits to be derived therefrom by agricultural producers.

Foreign Agricultural Service

Amendment No. 11—Appropriates \$4,002,300 instead of \$3,902,300 as proposed by the House and \$4,052,300 as proposed by the Senate. The conferees expect that the home-leave travel needs of this Service will be met within the total funds approved.

Amendment No. 12—Reported in disagreement.

Office of the Secretary

Amendment No. 13—Appropriates \$2,660,660 instead of \$2,640,660 as proposed by the House and \$2,664,060 as proposed by the Senate.

Soil and water conservation

Amendment No. 14—Strikes House language establishing a combined appropriation for all soil and water conservation programs of the Department. Individual appropriations for all items involved are provided by amendments Nos. 15 through 22 which follow. The conferees are of the opinion that there are benefits to be derived from the consolidation of some or all of these appropriations, but feel that further consideration should be given to such a change. Accordingly, the Secretary is requested to study the matter and be prepared to discuss his findings with the House and Senate Appropriations Committees during consideration of the 1959 budget.

Soil Conservation Service

Amendment No. 15—Inserts heading.

Amendment No. 16—Conservation operations: Appropriates \$72,545,000 instead of \$73,545,000 as proposed by the Senate. The increase included in this amount is provided to furnish technical assistance to new soil conservation districts to be organized during the next year.

Amendment No. 17—Watershed protection: Appropriates \$25,500,000 as proposed by the Senate.

Amendment No. 18—Flood prevention: Appropriates \$13,220,000 as proposed by the Senate.

Amendment No. 19—Water conservation and utilization projects: Appropriates \$350,000 as proposed by the Senate.

Great Plains program

Amendment No. 20—Appropriates \$10,000,000 as proposed by the Senate.

Agricultural conservation program

Amendment No. 21—Appropriates \$212,000,000 as proposed by the Senate, and limits amount to be received by any one participant to \$2,500 as proposed by the House instead of \$1,500 as proposed by the Senate. It is agreed by the conference committee that the change in this limitation should not affect present or future allocations under the basic formula governing the distribution of funds to States under this appropriation.

The amount appropriated, together with the balance of \$38,000,000 available from the

1955 program, will provide the full \$250,000,000 authorized for the 1957 program.

The conferees believe that the conservation reserve program should not be used to curtail existing programs, particularly the agricultural conservation program. It is understood from the Department's justifications and testimony that the 1958 agricultural conservation program will be continued on the same basis as the 1957 program. In agreeing to the funds for this purpose in the accompanying bill, the conferees direct that no changes will be made in the 1958 agricultural conservation program to restrict eligibility requirements or delete cost-sharing practices included in the 1957 program. Floods and drought conditions in much of the Nation make it imperative that all 1957 program practices be continued in 1958.

It is to be noted that the 1957 conservation reserve program is participated in by only 81,130 people at an estimated cost of \$133,000,000, whereas the 1957 agricultural conservation program is participated in by 1,275,000 farmers at an estimated Federal cost of about \$250,000,000.

The conferees recommend that the Department revise its method of securing recommendations for practices covered by the proposed advance authorization for the 1959 agricultural conservation program by securing recommendations for cost-sharing practices from county and State committees at the time the 1958 program is formulated. This should result in economy of program administration, more timely recommendations for formulation of a national agricultural conservation program for 1959, and should enable the Department to present any changes proposed in the 1959 program to the Congress during appropriation hearings next year.

Soil-bank programs

Amendment No. 22—Conservation reserve program: Appropriates \$162,940,000 as proposed by the Senate and authorizes \$325,000,000 for future programs instead of \$250,000,000 as proposed by the House and \$350,000,000 as proposed by the Senate. The conferees are of the opinion that, in determining individual payments, the Secretary should give careful consideration to the value of the land and the normal rental value as required by the Soil Bank Act.

Amendment No. 23—Changes heading.

Amendment No. 24—Acreage reserve program: Reported in disagreement. The managers on the part of the House intend to offer a motion to recede and concur with an amendment limiting payments to any one producer to \$3,000 instead of \$2,500 as proposed by the House and \$5,000 as proposed by the Senate.

In the opinion of the conferees, acreage reserve contracts in 1958 should be limited to crops which would normally be planted on or before July 1, 1958, and all payments should be made on or before September 15, 1958. All contracts should require the participant farmer to cooperate in an effort to reduce his total production of the commodity or competitive commodity in the amount of the normal production of the acreage rented to the Government.

The Secretary is urged to reexamine the formula used to establish compensation rates paid to producers as provided by section 105 (a) of the Soil Bank Act to make certain that producer payments do not exceed fair and reasonable rates. The Secretary should provide State and county committees with clear-cut guides for setting local rates and should make certain that such rates are established in line with the intent of the act.

Commodity Credit Corporation

Amendment No. 25—Limitation on administrative expenses: Provides \$35,398,000 as proposed by the Senate instead of \$34,398,000 as proposed by the House. It is agreed by the conference committee that the addi-

tional \$1,000,000 should be placed in reserve to be used under the same conditions as the 7-percent reserve already provided by the bill.

JAMIE L. WHITTEN,
FRED MARSHALL
(except as to
amendment 24),
WILLIAM H. NATCHER,
CLARENCE CANNON,
H. CARL ANDERSEN,
WALT HORAN,
C. W. VURSELL,

Managers on the Part of the House.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman from Mississippi yield to me to ask a question of him at this point?

Mr. WHITTEN. I yield.

Mr. H. CARL ANDERSEN. Mr. Speaker, I would like to ask the chairman of our subcommittee a question or two to clarify some language in the conference report. I have reference to the language in the last paragraph on page 6 which has to do with the agricultural conservation program.

The wording of that paragraph appears to be quite restrictive and I hope that was not the intent. This is a farmer-administered program and the last thing we want to do, in my judgment, is to so legislate the program as to deny farmers the right they have always had to participate in the development of their own program. In addition, some of us are preparing to ask the Department to consider a program or practice change to meet the special conservation problems in the flood areas of Minnesota, Oklahoma, Arkansas, Texas, Louisiana, and other States. The door would be shut in our faces if this paragraph was interpreted to mean that the farmer-elected county committees and the Department of Agriculture could not deviate in any way from the 1957 program. Conservation needs change from year to year, and so do the practices. The flexibility of this program has been one of its most valuable assets and one which should not be impaired.

I hope this paragraph does not mean that the program is frozen, so to speak, for another year. That would be a bad thing for farm people and for American agriculture, and I would like the assurance of our chairman that this is not the case. I would like to ask the gentleman from Mississippi [Mr. WHITTEN] if it is not the intent of the conferees that no major or substantial changes be made in the 1957 program for the year 1958, but that we do leave sufficient flexibility and discretion in the hands of those administering the program so they can meet the demands of changing conditions.

Mr. WHITTEN. May I say to my colleague, the gentleman from Minnesota, that we certainly intend to retain to the farmers and to the local level, the right to make determinations within the overall catalog as to the practices which would apply to that section. The intent of the language is to announce that in the opinion of the conferees the same type of practices should be available to the States and at the local level in line with the justification before our respective committees and the prohibition is against the deletion at the Washington

level of certain practices. It does not in any way affect the right at the local and State levels to make determinations as to what practices suit their own purposes as they have had the right to determine in years past.

The gentleman from Minnesota is thoroughly familiar with the fact that each year we have a catalog of allowable practices issued by the Department. This directive in the report calls for a continuation of the program by the Department next year on the same basis as last year. It directs that the 1957 catalog be kept intact, but it in no way restricts farmers with respect to selection of local practices, from those included in the catalog.

In recent days there have been some reports that substantial deletions were planned in this program for 1958. It was to lead off deletions which came after our hearings were held that we put this language in the report. We were attempting to see that the program was kept available to farmers next year to the full extent it has been this year.

In the last paragraph we attempt to provide a procedure which, if followed, would prevent future misunderstandings from arising.

I thank the chairman.

Mr. BASS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield.

Mr. BASS of Tennessee. Is the gentleman familiar with a directive or memorandum from the Assistant Secretary, Mr. Peterson, directed to Mr. Paul Koger, administrator of the agricultural conservation program, which in effect deletes several of the soil conservation activities?

Mr. WHITTEN. I have heard of that directive, or what purported to be a directive, but I have not seen any official copy. I think that was written without knowledge on the part of the Department and the language which is in the conference report. I feel sure the conference report will have the support of the Department and that any such directive will be withheld.

Mr. BASS of Tennessee. Also the directive, according to the information I have, is in direct opposition to the stated practice or the proposed practice for 1958, as given to your committee by officials of the Department.

Mr. WHITTEN. It is, and as a result of the reported order, that language was included in our report.

Mr. BASS of Tennessee. Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD a list of the deletions in the program which would be brought about if this directive of Secretary Peterson is allowed to be put into effect. It would have the effect of deleting 84 percent of the soil conservation program for the State of Tennessee. I certainly hope that this report is strong enough to keep this directive from being put into effect by the Department of Agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

(The matter referred to follows:)

LIST OF CONSERVATION PRACTICES DELETED FROM THE 1958 AGRICULTURAL CONSERVATION PROGRAM BY ASSISTANT SECRETARY E. L. PETERSON'S MEMORANDUM OF JUNE 28 TO ACP ADMINISTRATOR PAUL KOGER

A-1: Initial establishment of a permanent vegetative cover in orchards and vineyards for control of erosion.

A-3: Establishment of additional acreages of vegetative cover in crop rotation to retard erosion and to improve soil structure, permeability, or water-holding capacity.

A-4: Initial treatment of farmland to permit the use of legumes and grasses for soil improvement and protection. (The basic liming practice.)

B-8: Installing pipelines for livestock water as a means of protecting vegetative cover.

C-3: Initial establishment of orchards, vineyards, bush fruits, strawberries, or perennial vegetables on the contour to prevent erosion.

C-13: Leveling land for more efficient use of irrigation water and to prevent erosion.

D-1: Establishment of vegetative cover for winter protection from erosion.

D-2: Establishment of vegetative cover for summer protection from erosion.

D-3: Establishment of vegetative cover for green manure and for protection from erosion.

The following conservation practices under the 1958 agricultural conservation program were to have various restrictions imposed upon them from the standards which had existed under the 1957 program.

A-2: Initial establishment of a permanent vegetative cover for soil protection or as a needed land-use adjustment.

A-7: Initial establishment of a stand of trees or shrubs on farmland for erosion control, watershed protection, or forestry purposes.

B-1: Improvement of an established vegetative cover for soil or watershed protection.

B-10: Improvement of a stand of forest trees for erosion control, watershed protection, or forestry purposes.

C-9: Constructing permanent open drainage systems to dispose of excess water.

C-12: Reorganizing irrigation systems to conserve water and prevent erosion.

F-2: County conservation practices.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield.

Mr. MAHON. I have been concerned about the soil bank program. I know the committee has had a very serious problem to consider here. As I understand it, you have a limitation on payments that can be made under the acreage reserve of \$3,000?

Mr. WHITTEN. That is correct.

Mr. MAHON. There was no limitation for the 1957 crop year?

Mr. WHITTEN. That is my understanding insofar as the law is concerned.

CALL OF THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 134]

Abernethy	Diggs	Kluczynski
Adair	Donohue	McConnell
Allen, Calif.	Dorn, N. Y.	Madden
Anderson,	Fallon	Maillard
Mont.	Fogarty	Meader
Bass, N. H.	Frazier	Miller, Md.
Beamer	Fulton	Miller, N. Y.
Blitch	Garmatz	Minshall
Bonner	Granahan	Montoya
Bowler	Gray	Multer
Boyle	Green, Pa.	O'Konski
Brownson	Griffiths	O'Neill
Buckley	Gwinn	Philbin
Byrne, Ill.	Hardy	Polk
Byrne, Pa.	Harvey	Powell
Celler	Hays, Ark.	Rains
Chelf	Healey	Robeson, Va.
Christopher	Holfield	Shelby
Chudoff	Holtzman	Sieminski
Coad	Hosmer	Taylor
Colmer	Ikard	Teller
Cunningham,	Jennings	Thompson, La.
Nebr.	Jones, Mo.	Thornberry
Davis, Tenn.	Kearney	Tuck
Dawson, Ill.	Kearns	Utt
Delaney	Kilburn	Willis
Dennison	Kirwan	Winstead

The SPEAKER. On this rollcall 351 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON EDUCATION AND LABOR

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that the Subcommittee on Education of the Committee on Education and Labor may sit this afternoon despite the fact that the House is in session, during general debate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

DEPARTMENT OF AGRICULTURE AND FARM CREDIT ADMINISTRATION APPROPRIATION BILL, 1958

Mr. WHITTEN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: Page 10, line 8, insert the following: "Provided further, that provisions of the act of August 1, 1956 (70 Stat. 890-892), and provisions of a similar nature in appropriation acts of the Department of State for the current and subsequent fiscal years which facilitate the work of the Foreign Service shall be applicable to funds available to the Foreign Agricultural Service."

Mr. WHITTEN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. Wilson].

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a memorandum.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, I would like to speak about a development in connection with the agricultural conservation program which disturbs me considerably. On June 28 Assistant Secretary of Agriculture E. L. Peterson directed a memorandum to Paul Koger, Administrator of the Agricultural Conservation Program Service, dealing with the proposed 1958 national agricultural conservation program. As the House knows, a national handbook for the ACP is published each year in the Federal Register just as soon as the President signs the Department of Agriculture appropriation bill in which funds are authorized for the program for the following year. The States then proceed to formulate their individual programs within the framework of the national program.

Through the years it has become customary for those in direct charge of the ACP to submit the docket to the Secretary of Agriculture based on the recommendations of the respective State committees within the overall policy limitations as outlined by the departmental officials before the House and Senate Appropriations Subcommittees handling the agricultural bill. According to the letter from Mr. Peterson to Mr. Koger, which I am inserting in the RECORD at the end of my comments, Mr. Koger submitted the 1958 ACP proposal to Mr. Peterson on June 6. I have been reliably informed that instead of telling Mr. Koger from June 6 until June 28 that his proposal was not in line with the departmental policies and therefore should be revised, Mr. Peterson summarily handed Mr. Koger on June 28 a lengthy memo with specific orders to make deletions and changes. The memo closed with:

I will be glad to approve the proposed docket when amended to incorporate the suggestions set forth above.

While this in itself is peculiar administrative procedure and shows a strong lack of confidence by Secretary Peterson in Mr. Koger, it is not the point with which I am mostly concerned. Through the years there has been considerable controversy over the agricultural conservation program. We have had lengthy debate on this floor not only as to the merits of this program but as to the scope that should be authorized each year. While it originally started out at \$500 million a year and at one time dropped to \$150 million a year, the amount has recently been stabilized at \$250 million a year. Furthermore, the program itself has had its scope fairly well stabilized in recent years. Although I was certain that there had been no indication of any controversy either as to the amount of funds or the scope of the program when the agricultural appropriation bill appeared before the full Appropriations Committee, of which I am privileged to be a member, I decided to review the hearings before the subcommittee. Both Mr. Peterson, the As-

sistant Secretary of Agriculture, who is in direct charge of the Department's conservation agencies, and Mr. Koger, Administrator for the ACP, indicated in their supporting statements for the President's budget request for \$250 million for the 1958 agricultural conservation program that the program for 1958 would be continued without any basic change.

The following quote is taken from Mr. Peterson's statement which appears on page 1863 of the hearing:

Mr. Chairman and members of the committee, it is a pleasure to discuss the budget request of the agricultural conservation program service. This program of cost sharing with land owners or operators for the application of practices to protect their soil resources is, we believe, an important one. * * * The farmer or rancher cannot, or will not, always be able to exercise the judgments required by considerations of conservation because of the more immediate impact upon him and his family of economic circumstances. * * * In all the many circumstances of land used there is, however, a public interest that the productive capacity of the land be retained and improved. Foreseeable needs for water, food, fiber, wood, and materials for industry place urgencies upon the application of conservation practices and uses to our land area, greater than are likely to be accomplished without public effort. ACP is a part of that effort which now covers a wide range of activity—education, research, technical assistance, credit and cost sharing.

Following Mr. Peterson's presentation ACP Administrator Koger explained the operations of the 1957 program and the proposals for 1958. At no time during any of the presentations by the United States Department of Agriculture officials was there any serious question concerning the present ACP. The report showed that over 1,140,000 farms throughout the Nation had participated in the 1955 ACP and that the efforts of the Department were being directed toward making the program more effective.

For example, Mr. Koger said:

Most of the other changes are designed to provide greater authority for local adaptation of program and practice provisions, fully within the general program principles, including the establishment of rates of cost sharing considered necessary by State and county groups to get the desired level of performance of needed conservation.

At a later point Mr. Koger said:

It is contemplated that the 1958 program will be continued at the same level and scope as the program authorized for 1957.

Similar statements were made before the Senate Appropriations Subcommittee on Agriculture with no indication of any kind being given that any major change would be made either in the practices or the payment rates. In view of these statements it is extremely difficult for me to understand how Assistant Secretary Peterson can now send a memorandum to the Administrator of the agricultural conservation program and ask him to delete nine of the soil building practices which have proven to be the most popular with the more than a million farmers who are participating in this program. This memorandum also drastically restricts several other practices.

According to the Department of Agriculture's participation figures for 1955, the last year for which the reports are available, the practices which Mr. Peterson directed Mr. Koger to eliminate from the 1958 agricultural conservation program were those used by Indiana farmers to earn 76 percent of their payments during that year.

In other words, Mr. Peterson would now eliminate 76 percent of the agricultural conservation program in the State of Indiana without giving us any warning, without consulting with the Indiana State Committee, without consulting with the democratically elected county committeemen in all Indiana's counties, and without advising Congress. I am reliably informed that between 50 and 60 percent of the present ACP program nationwide would have been eliminated if this memorandum were allowed to stand. For example, 83 percent of the program in Vermont would be eliminated, 92 percent in the State of Alabama, 82 percent in the State of Illinois, 62 percent in Minnesota, and so forth. I can not help wondering if the original plan to bring the agricultural appropriation bill before the House Friday, June 28, did not figure in Mr. Peterson's plan of not issuing his drastic memorandum to Mr. Koger until late that afternoon. If the Congress had passed the agricultural appropriation bill that day, it would have been extremely difficult to have prevented Mr. Peterson carrying out his plan to greatly restrict the agricultural conservation programs without clearing them with Congress.

It is indeed fortunate that copies of this secret memorandum were made available to the conferees early last week and that they were able to include in their report last Friday the language which precludes Mr. Peterson from carrying out his attempt to ruin the agricultural conservation program. I, for one, would like to raise the question as to whether Mr. Peterson's efforts not only to mislead Congress but to circumvent its wishes aren't sufficient justification to ask for his resignation. He seems to be totally incapable of understanding our democratic practices of government and apparently believes that any means to secure the executive branch's wishes are justifiable.

I want to compliment the conferees for seeing to it not only that Mr. Peterson's drastic changes in the 1958 program cannot be put into effect, but also for directing that any changes in connection with the 1959 program be presented to the Congress at the time the authorization for the 1959 program is justified.

PROPOSED 1958 NATIONAL AGRICULTURAL
CONSERVATION PROGRAM

PAUL KOGER,

Administrator, Agricultural
Conservation Program Service:

The proposed 1958 agricultural conservation program which you transmitted to this Office on June 6, 1957, has been carefully reviewed. I believe some revisions are desirable.

It is requested that you proceed immediately with the modifications as indicated herein. A number of changes are for the purposes of clarification of intent. Others

are substantive with respect to the practice and cost-sharing provisions of the proposal.

We have previously discussed those features of the program, such as drainage and irrigation, which would without limitations tend to result in new land being brought into production. I have concurred in principle, but with some modification in wording, with the limitation you have proposed. There were proposed, however, other practices largely of a temporary or recurring nature which resulted in the stimulation of agricultural production at a time when other programs of the Department are aimed at reducing the production of surplus crops. To be consistent with such program objectives, it is necessary to modify the 1958 agricultural conservation program. Further, it is not considered proper policy to provide cost sharing for practices which are normally a part of good farm or range management.

In keeping with this position, the comments hereafter are referenced to specific paragraphs of the proposal.

1101.901: General program principles, item (g). The last sentence of this paragraph should be changed to "the State and county programs shall specify the life span of eligible practices. Cost shares are not applicable after they are initially utilized to undertake a practice during the normal life span."

1101.903: County funds. This paragraph should be stated as follows: "The State committee will allocate the funds available for conservation practices among the counties within the State consistent with the needs for enduring conservation in the counties within the State and will give particular consideration to the furtherance of watershed conservation programs sponsored by local people and organizations."

1101.904: This section should be rewritten for clarification. Beginning with the second sentence, it should be stated substantially as follows: "The State AC program development group shall consist of (a) the State committee (including the State director of extension), (b) the State conservationist of the SCS, and (c) the Forest Service official having jurisdiction of farm forestry in the State. The State AC program development group shall invite participation of representatives of (a) president of the land-grant college, (b) the State director of the Farmers' Home Administration, (c) the State soil conservation committee (board or commission), (d) the State Agricultural Extension Service, and (e) representatives of other State and Federal agricultural agencies. The program for the State shall be that recommended by the State AC program development group and approved by the Administrator, ACPS, after obtaining the recommendations of the Soil Conservation Service and the Forest Service."

1101.905: This section should be rewritten consistent with 1101.904 as modified. Clarify and make specific as to committee references.

1101.906: The words "in the desired volume" should be stricken from the paragraph.

1101.907: Item (b). The phrase "consistent with recognized performance standards and program policies and requirements" should be rewritten to make clear its intent.

1101.908: Incorporate a proviso that eligible seeds or combination of seeds for vegetative practices shall include a legume or legumes where recommended by the State experiment station.

Does the term "where applicable" in item (b) mean "appropriate"? Wording should be clarified.

Reference to 1101.952 will need to be changed since practice A-4 is to be eliminated from the practice list.

1101.909: This section must be revised to provide that no lime or fertilizer will be eligible for cost sharing except as a compo-

nent part of an authorized practice. Also, it must provide that no payment will be made for lime or fertilizer separately from other components of an authorized practice.

The term "State committee" as used in item (a) should be clarified as the State AC program development group.

Item (b). Make wording clear that liming materials except as a part of vegetative practice are not eligible for cost sharing. Delete the remainder of the sentence following the statement: "The application of manure will not qualify for Federal cost sharing."

1101.910: Item (a). There is to be added to the practices for which the Soil Conservation Service is responsible for the technical phases, practices A-8 and A-9 with appropriate paragraph references. References to other practices should be made consistent with the changes in the practice list as indicated herein.

A final sentence is to be added to this item, as follows: "The Soil Conservation Service will utilize to the full extent available resources of the State forestry agencies in carrying out its assigned responsibilities for practice A-8."

Item (b). The last sentence is to be changed by adding to it the following: "* * * but services of State forestry agencies will be utilized to the full extent if such services are available."

1101.911: Item (a) is to be revised essentially as follows: "The general rate of cost sharing shall not be in excess of 50 percent of the costs of performing any practice on the basis of average costs for the county. For stipulated practices of a permanent type the AC program development group may establish a higher rate of cost sharing, not to exceed 65 percent, where conservation benefits are found to be substantial, long lived, and economic benefits from the practice are remote or spread over a long period of years."

Item (b). Average rates of cost sharing are to be established on a county basis.

1101.914: Add two sentences to the end of the paragraph as follows: "No practice may be approved for cost sharing except as authorized by the National, State, or county program or in accordance with procedures incorporated therein. Available funds for cost sharing shall not be allocated on a farm or acreage-quota basis but shall be directed to the accomplishment of the most enduring conservation benefits attainable."

1101.915: This section is to be revised to provide that cost sharing will be available only for complete practices. No cost sharing is to be made available for components of practices.

1101.924: Revise the paragraph to provide that components are not eligible for cost sharing but that 1958 funds may be obligated for a practice to be completed in the 1959 program year if circumstances justify.

CONSERVATION PRACTICES

The following practices are, for reasons stated in this memorandum, to be deleted from the 1958 program: A-1, A-3, A-4, B-8, C-3, C-13, D-1, D-2, and D-3.

The following practices are to be modified as indicated:

A-2. Delete the provision for cost sharing for fences.

A-7. Change the title of the practice to "Initial establishment of a stand of trees or shrubs on farmland for other than agricultural purposes." Delete the provision for cost sharing for fences.

B-1. Delete the word "annual" from the third sentence.

B-2. Change the title to "Improvement of vegetative cover on rangeland by artificial reseeding of deferred grazing."

B-4, B-5, B-6. Combine into one practice with parts 1, 2, and 3.

B-10. Change the title of the practice to "Improvement of a stand of trees on farm

or ranch lands for other than agricultural purposes." Delete the provision for cost sharing for fences.

C-9. Revise the third sentence as follows: "No Federal cost sharing will be allowed for ditches which are to drain land which was not devoted to the production of cultivated crops or tame hay during at least 2 of the 5 years preceding the year in which cost sharing is allowed, or for cleaning ditches, or for structures installed for crossings, or for other structures primarily for the convenience of the farm operator."

C-12. Revise the third sentence as follows: "No Federal cost sharing will be allowed for reorganizing an irrigation system which results in bringing new land into agricultural production or for reorganizing a system which was not in use during at least 2 of the preceding 5 years."

F-2. Add a sentence to this paragraph as follows: Approval by the Administrator, ACPS, of a practice for one county does not constitute authority for extending the practice to other counties without such approval.

The following practices are to be added as indicated:

A-8. Initial establishment of a stand of trees or shrubs on farm or ranch land for agricultural purposes. Agricultural purposes will include protecting farmlands from wind and water erosion by windbreaks, shelterbelts, stabilizing gullies and stream banks and other critical silt-source areas, improving wildlife habitat, and similar-type actions to protect soils of farmlands from deterioration.

A-9. Establishment of vegetative cover for the purpose of adjustments in the use of farmlands for production of farm commodities in association with wildlife habitat improvement.

I will be glad to approve the proposed docket when amended to incorporate the suggestions set forth above.

E. L. PETERSON,
Assistant Secretary.

The SPEAKER. The question is on the motion offered by the gentleman from Mississippi.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 24: Page 28, line 9, strike out "Provided, That no part of this appropriation shall be used to formulate and administer an acreage reserve program with respect to the 1958 crops, or in total compensation being paid to any one producer in excess of \$2,500 with respect to the 1958 crops" and insert "Provided, That not to exceed \$34,500,000 of the total sum provided under this head shall be available for administrative expenses: *Provided further*, That no part of this appropriation shall be used to formulate and administer an acreage reserve program which would result in total compensation being paid to producers in excess of \$500,000,000 with respect to the 1958 crops, or in total compensation being paid to any one producer in excess of \$5,000 with respect to the 1958 crops."

Mr. WHITTEN. Mr. Speaker, I offer a motion which is at the Clerk's desk.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 24, and concur therein with an amendment, as follows: In lieu of the sum of \$5,000 proposed in said amendment insert "\$3,000".

Mr. WHITTEN. Mr. Speaker, I would like to take a moment here to point out that in the report on page 5 in connection with the Extension Service, language appears to the effect that the increase above the House figure was to "expand" the

work of the regular extension agents. The intent of the conferees is that the word "expand" be interpreted to include the word "strengthen." In fact, "strengthen" was the original purpose. I would like for the purpose of clarification to say here that it is the intent of the conferees that the word "expand" be used to include strengthen.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, I would like to resume the colloquy I was having with the gentleman from Mississippi prior to the quorum call. No doubt there have been many abuses in the administration of the soil-bank law and I have no desire to defend these abuses. In fact it has become quite clear that the soil bank, while theoretically attractive, is not the answer to our agricultural problems.

I would like to discuss the pending provision for I am very much disturbed about the \$3,000 limitation on the acreage reserve program. This will vitally affect many producers in various areas of the Nation, especially some of those in the area in which I live. I would just like to know if there has been any possibility that this restriction could have been omitted, leaving this matter up to the people who administer the program. The amount of the soil-bank payment should depend upon the facts and circumstances in each individual case and not upon some arbitrary dollar limitation. The program should be fair to both the small and the big producer.

Mr. WHITTEN. May I say to the gentleman from Texas that there was a limitation both in the House bill and in the Senate bill. In the House bill it was \$2,500 and in the Senate bill it was \$5,000. So, definitely the conferees were tied between those two levels. So far as the figure that appears here now, this figure, I think, and I refer to the general sentiment of the House and Senate, was based largely upon what happened in the last year in certain areas of the country. Apparently, the temper of the membership of both the Senate and the House was that a restriction should be placed on the total amount of any one payment. I may say to the gentleman that investigations are being made at the present time and, according to earlier reports, I think we will clearly see that in the interest of supporting a sound agriculture and a sound agricultural program for the future, a whole lot of things that have been going on should certainly be brought in line and certainly that is what this report attempts to do.

Mr. MAHON. I would like to ask the gentleman this further question, Mr. Speaker. The gentleman from Mississippi is the best informed man in the House in this field of agricultural appropriations. The people are making up their minds as to whether or not they want to see the soil bank continued. If the people in certain areas are confronted from here on out with a limitation of say \$2,500 or \$3,000 for acreage reserve payments, they may come to one conclusion. If the program is more elastic to fit varying conditions through-

out the Nation, I think they might come to a different conclusion. My question to my friend from Mississippi is this: In his judgment, will the Congress and the country continue to support a limitation in the area of \$3,000 or \$4,000 for acreage reserve payments under the soil-bank program?

Mr. WHITTEN. I think the history of agricultural legislation shows that it does not take more than 2 or 3 years for limitations to get written into the agricultural program. The gentleman is familiar with the agricultural conservation program, in which it becomes more restricted year by year, until this year there was some recognition of the change. But, by and large, any time you have payments provided, you are going to have restrictions written, judging by the past. In actuality, I think the soil-bank program clearly requires that, because the general intent is that for the payments the farmer participants would reduce their production. The information before us is that last year a number of farmers rented some land and increased production on other lands and defeated the very purpose of the act, and we find the Government is out tremendous amounts of money. So I think any program of this nature will have restrictions, if I judge the temper of the Congress correctly.

Mr. MAHON. Can the gentleman state whether there is a growing sentiment within the committee, as far as he knows, for a limitation on loan amounts, under the loan program for supported crops? There has been some apprehension in certain quarters that limitations such as this might be placed on the loan program for wheat and corn and cotton.

Mr. WHITTEN. That would be more properly considered by the legislative committee, I should think. I know of no such sentiment in my own committee.

Mr. MAHON. I thank the gentleman.

Mr. BREEDING. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield.

Mr. BREEDING. Does this limitation of \$3,000 apply to a landowner's holdings or to the producer on his land?

Mr. WHITTEN. The limitation is to any one producer; I believe that is the word that is used. That determination would be in line with the definition of producer in the basic act. Personally, I would be of the opinion that it had to do with normal operations on the farm. If a place had been in 2 divisions for some time, it likely would be held to be 2 producers. If on the other hand a big operator were to divide his property out, so as to have 10 people farming the same land that he did last year, I think that likely would be held to be for the purpose of defeating the restriction in the act and would not be proper.

Mr. BREEDING. I have one constituent who has 50 tenants. Does this landowner receive only \$3,000, or would he receive a portion or payment, for each of those 50 tenant-operated farms?

Mr. WHITTEN. It would be my thought that he would be one producer and would get a limitation of \$3,000, but I would not want my expression here to in any way change the general defini-

tion of "producer" under the basic act. But that would be my understanding of it.

Mr. BREEDING. I would like to make this further remark, that if we put this limitation on at \$3,000, it will automatically cut out 40 percent of the operators in the summer fallow wheat producing area of the United States from participation in the soil bank.

Mr. WHITTEN. May I add that some of the examples that have been brought to our committee would lead to the belief that somebody should be cut out. It is very bad in some areas. We have evidence where land has been sold without any downpayment and then rented to the Government for much more than the land is worth, and the seller has required transfer or an assignment to him of two-thirds of the Government payment. So you wind up with the Government getting little or nothing and the seller gets about twice the value of his land. The tenant gets something because he was not out any downpayment to start with. These restrictions have come into this bill after we have had quite a bit of information with reference to the excesses both last year and this year.

Mr. BREEDING. I am sure that is true in many cases. I do not pretend to protect any one who is trying to defeat the intent of the Soil Bank Act, but I happen to come from an area in the United States where there are large operators.

Mr. WHITTEN. The House voted to cut out the soil bank after this year on a very close vote. The Senate provided a limitation of \$5,000 and the House, \$2,500, and then of course the House killed the program after this year. In view of those two actions by the Senate and the House, including this \$5,000 limitation and the action of the House with \$2,500 limitation, the conferees agreed on what appears to me to be a reasonable solution of the problem, at least as reasonable as we could agree upon.

Mr. BREEDING. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

WHEAT PROBLEM SHARPENED

Mr. BREEDING. Mr. Speaker and distinguished colleagues, I would like to make a few remarks here today about the conditions existing in Kansas pertaining to wheat production and the limitations of the soil-bank program as proposed by the conference committee.

The 1957 Kansas wheat crop is being estimated at between 60 and 90 million bushels.

One thing is overwhelmingly certain: No one has done more than the Kansas wheat farmer to solve the Government's wheat-surplus problem. Admittedly, he has not done it altogether deliberately, and the Lord deserves most of the credit. But the facts are there.

Just 5 years ago, the State produced over 300 million bushels of wheat. This year it is producing one-sixth as much.

If any other State in the Nation has had a five-sixths reduction in the output of its major industry in half a decade, I have yet to hear about it.

The spring rains threatened for awhile to ruin our record and give us a sizable crop. But Kansas weather took care of that. It rained too much.

So Kansas has done her part for the United States of America, raising less wheat as patriotically as she raised more wheat for the red, white and blue during World War II.

And what is to be our reward?

There is still a wheat surplus. Kansas cannot be blamed for it. But Kansas still will pay for it. Subsoil moisture has been restored. The seedbed for the 1958 wheat crop should be the best since 1951. But it will be a narrow bed. Acreage allotment for the State is virtually the same as for the past year.

To be sure, the Kansas farmer will be paid for wheat he does not plant, with soil-bank checks; but the payments will not look nearly as good in the face of a good wheat year, as they did against this year's drought prospects.

The legend, "The wheat State" on the license plates, will continue to look a little ironic.

AIM AT SCARCITY

The Government's agricultural program is based on a premise of overabundance. It has been aimed at making wheat scarce when it was already too scarce in Kansas. Now that the prospect is for wheat abundance in Kansas, the Government-imposed scarcity will, from all indications, continue.

Kansas must continue to fight for the right to raise more wheat—the crop it raises best. This was something of an academic problem in the past few years, when we could not raise much anyway, because of drought. But it is a real goal now.

There have been numerous suggestions for reaching the goal: The Wheat Commission's project to find more uses for wheat, thus increasing the demand; the elimination of the "15-acre wheat farmer"; the limiting of the commercial wheat producing area to regions like Kansas.

Whatever the answer, it needs to be pursued even more vigorously than before.

The end of the drought did not solve our problem; it merely sharpened it.

In the June 1, 1957, issue of Doane's Agricultural Digest is a page entitled "This Month in Washington." This article mentions, and I quote:

Another point stressed was that large operators were receiving checks of from \$25,000 to \$40,000 for keeping land out of production. To guard against this the House wrote in a stipulation that Soil Bank checks will be limited to \$2,500 per farm. Even if the acreage reserve is reinstated for 1958, you can expect this directive to stick. The big fat checks are a thing of the past.

If this becomes a true prediction, then the acreage reserve program for 1958 as I see it, will for all practical purposes of accomplishment be out in the summer fallow wheat belt in the United States, because a \$3,000 limitation per farm, would prohibit over 40 percent of all operators from participating.

To put this limitation on our wheat farmers would remove all incentive to cut production in the summer fallow wheat area. I realize that during the debate on the acreage reserve program, much bitterness was displayed. Time and again my colleagues would point out how inequitable the program was. I think the main illustration used was that each New Hampshire farm received an average Soil Bank allocation of \$1.37, while Kansas farms received an average allocation of \$700 per farm. This, of course, is political thinking in the area where they had the vote.

For the purpose of explaining my position let me give you this true example:

Under the 1957 acreage reserve program, this company is owner of 300,000 acres of wheatland, and allocated to this 300,000 acres was approximately 100,000 acres of 1957 wheat allotment. All of this land, of course, is rented to tenant operators on the basis of one-third or one-fourth of the crop delivered to market. Through their tenants, 80,555 acres of the 1957 allocated wheat allotment was placed in the acreage reserve. In other words, they were participating over 80 percent, and the heaviest participation is in the western part of Kansas and the eastern part of Colorado where these holdings are located, running as high as 97 percent in certain counties. This 300,000 acres was rented to approximately 500 tenants and consisted of approximately 650 units.

As I mentioned before, farm units in western Kansas and eastern Colorado are much larger than other parts of the United States, and more than 40 percent of the tenant operators and owner operators would be eliminated if the acreage reserve is limited to \$3,000.

Also, as I mentioned before, with this limitation, it would be impossible for this company to participate in the program. They would have to take steps to see that their tenants did not sign up any of this land for the fall of 1958.

In this type of operation, in order to pay the taxes on the land, supervise and produce, there are expenses that must be met. If the total to be received under the soil bank for 80,555 acres were only \$3,000 this company would soon go bankrupt. For example, their real estate taxes in Kansas and Colorado are approximately \$100,000 and they will pay back to the Federal Government in income taxes better than 52 percent of any amount received.

My area of the country is particularly suited to large operations because of the contour of the land and the climatic conditions. It is not uncommon for one operator to farm 10 to 20 quarter-sections of land. If this provision of \$3,000 per farm is retained I think it will defeat the farm program considerably. There would be more production than ever on the part of the large operators in the high plains area, not only in my State but in many surrounding States.

I am very much opposed to the \$3,000 limitation, or any kind of a limitation. I realize that we get our production not from individual farmers, as this provision would make it mandatory, but our reduction comes from reducing production under acreage controls and should

be kept on this basis rather than on a restricted individual basis.

It is my sincere hope that you remove any restrictions for individual farms. If you are unable to remove the limitation provision entirely I would suggest that you make the limitation more liberal.

Mr. VANIK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, I want to take the opportunity to oppose amendment No. 22 in the conference report accompanying H. R. 7441. This amendment appropriates \$162,940,000 for the soil bank program and authorizes \$325 million for future programs.

The soil bank program, as administered, has failed to make any substantial or worthwhile contribution to the increase or stability of farm income. This dole to the farmer will produce nothing more than a half-billion-dollar headache for the American taxpayer.

Mr. MCGOVERN. Mr. Speaker, I am supporting the proposed Department of Agriculture and Farm Credit Administration appropriation bill, 1958, as modified in the conference report. I support this bill not because it meets with my approval on all counts but because it is probably the best bill that we can pass at this time.

I have believed from the very outset that those who view the soil bank as a complete answer to the farm problem are mistaken. Early in 1956 when the soil bank plan was being debated, I said publicly that it could not serve as a substitute for a farm parity support program. The experience of the past year has confirmed my earlier judgment.

I have always believed as I do now that the soil bank principle should be used as a supplement to the farm parity program, not as a substitute. Farmers must be assured of a fair price for their commodities before we can expect them to cooperate in any effective program of crop limitation.

I voted for the extension of the soil bank appropriation for 1958 when it was on the House floor some time ago. I vote for it again today. I do so with the determination to renew my efforts for a price-support program on farm commodities that will assure farmers at least 90 percent of parity.

I am proud of the fact that the overwhelming majority of the members of my party in the Congress joined together to pass just such parity legislation a year ago. It is regrettable that the President vetoed that legislation. It is equally regrettable that the Secretary of Agriculture has refused to use his authority to support farm commodities at the 90 percent of parity level. Nevertheless, the Congress should renew its efforts to pass such legislation again in the hope that the President may see fit this time to change his mind and sign such a measure into law. Any such program should, of course, be geared primarily to the needs of the family size farmer.

I intend to devote a great part of my time and effort in the Congress to the continuing fight for an improved farm program. It is ridiculous that at a time

of great national prosperity farmers should be experiencing economic hardship and painful insecurity.

During the balance of this session of Congress and again in 1958, I intend to bring the farm problem to the attention of the Congress in a series of weekly speeches until such time as this critical national problem is satisfactorily resolved.

Mr. STAGGERS. Mr. Speaker, I want to congratulate the conferees on their action in connection with H. R. 7441, the Department of Agriculture appropriation bill for the fiscal year ending June 30, 1958, and especially to commend the Honorable EARL WILSON, of Indiana, for his enlightening and comprehensive discussion of this very important bill. I hope that every farmer in West Virginia will read Mr. WILSON'S statement. Of particular interest to farmers in West Virginia who have been utilizing the agricultural conservation program to carry out soil-building and soil-conserving practices on their farms is the committee's action directing the Department of Agriculture not to make any change in the 1958 program from what it was in 1957.

Mr. Speaker, I was just as shocked as my colleagues who have spoken before me were when I received a copy of the secret memorandum from Assistant Secretary Peterson to ACP Administrator Koger deleting nine practices, which in essence have been the practices which the majority of farmers have utilized in their soil-improvement work, and restricting many others. It is a little hard to reconcile Mr. Peterson's action taking out these practices which comprised nearly 60 percent of the payments to the one-and-a-quarter million farmers participating in this program in 1955 with his statements before both the House and Senate Appropriations Subcommittees. According to the official hearings of these committees, he committed the Department of Agriculture to continue the 1958 program in the same general manner in which they proceeded in 1957. For him to issue this directive at this late date after Congressional action was nearly completed and in direct opposition to the specific recommendations received from the various committees throughout the Nation is questionable procedure. The recommendations from my State of West Virginia were that no major change be made in the 1958 program over the 1957, and I have been reliably informed that this was the pattern throughout the Nation.

This administration has tried repeatedly to drastically curtail this program ever since they have been in power. There has never been a national program which has reached so many farmers and received such universal support. There is no excuse for such action as Mr. Peterson has taken of trying to reduce by administrative directive what they have been unable to sell Congress to do legislatively in previous years.

I want to congratulate the conferees again and I am glad to have the assurances of the chairman that he feels that the Department will withhold this directive.

Mr. AVERY. Mr. Speaker, I should like to make a few observations with re-

spect to soil and water conservation in the State of Kansas. The farmers of Kansas generally are becoming more concerned about conserving their soil and water resources. Weather conditions of recent years have forcefully brought home to them some fundamental facts, especially in regard to water conservation.

Farmers who have installed permanent soil and water conservation systems on their land have found that their conservation work has paid dividends in both dry weather and wet weather.

During the drought years they found that their permanent conservation measures helped to capture and hold the little rain that did fall. Consequently, crop yields were better and their land was less subject to damage from wind erosion.

In this year's wet weather they found that their conservation farming systems induced greater insoak of moisture and carried the excess water from heavy rains off of their fields in an orderly manner with less damage from water erosion.

Understanding of these basic facts in my home district has resulted in a tremendous interest in water conservation. There is more interest today than ever before in installing conservation farming systems on individual farms and upstream watershed protection for entire communities.

The soil and water conservation services available from the Department of Agriculture for helping farmers to install permanent conservation measures are a real help to the farmers in my district. They are receiving highly valuable technical assistance through local soil conservation districts. They see great potentials in the new upstream watershed protection program.

It was because of local need that I supported the amendments to the Hope-Aiken Act in the 84th Congress, and have introduced H. R. 7756, to further amend the Hope-Aiken Act in the 85th Congress, in order that the intent of Congress can be carried out for developing upstream flood prevention projects such as the Walnut Creek project in Brown County, Kans. They appreciate the fact that in Kansas our policy is to emphasize ACP cost-sharing practices directed toward the installation of permanent conservation farming systems and the treatment of small watersheds.

I want to pay tribute to a man down in the Department of Agriculture who has an important responsibility for the policies under which these services are administered. I am referring to Ervin L. Peterson, Assistant Secretary for Federal-States Relations. He has proved himself to be a national leader in soil and water conservation.

Since Mr. Peterson has been in office he has given intensive attention to conservation matters. He did something, that in my opinion, more administrators should do. Soon after he was appointed he went out over the country and talked with farmers about their soil conservation problems. He saw for himself the work that farmers are doing. He learned from farmers what they think of soil conservation and what they need in the way of help.

Kansas was one of the States that Mr. Peterson traveled thoroughly. I am proud of the permanent conservation work that he saw on the land in Kansas. And I know Kansas farmers are proud of it, too.

I know, too, that what Mr. Peterson learned from farmers around the country has been reflected in the soil and water conservation policies of the Department of Agriculture. Under those policies farmers are getting more help than ever before in installing permanent conservation systems.

On behalf of the farmers of Kansas, I am taking this occasion to commend Ervin L. Peterson for the outstanding leadership that he is giving to the soil and water conservation movement in the United States. I am only hopeful that comprehensive watershed development can proceed under the Hope-Aiken Act as was originally prescribed by Congress.

The SPEAKER. The question is on the motion of the gentleman from Mississippi.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION TO ACCEPT A FOREIGN DECORATION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8594) to authorize the Honorable ALBERT P. MORANO, Member of Congress, to accept and wear the award of the Cross of Commander of the Royal Order of the Phoenix conferred upon him by His Majesty the King of the Hellenes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Honorable ALBERT P. MORANO, Member of Congress, is authorized to accept the award of the Cross of Commander of the Royal Order of the Phoenix conferred upon him by His Majesty the King of the Hellenes, together with any decorations and documents evidencing such award. The Secretary of State is authorized and directed to deliver to the Honorable ALBERT P. MORANO any decorations and documents evidencing such award.

SEC. 2. Notwithstanding the provisions of section 2 of the act of January 31, 1881 (5 U. S. C., sec. 114), or any other provision of law, the Honorable ALBERT P. MORANO may wear and display the decoration referred to in the first section of this act after acceptance thereof.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

INSPECTION OF POULTRY AND POULTRY PRODUCTS

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 304.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6814) to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products. After general debate which shall be confined to the bill and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. TRIMBLE. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and yield myself such time as I may consume.

The SPEAKER. The gentleman is recognized.

Mr. TRIMBLE. Mr. Speaker, House Resolution 304 provides for the consideration of H. R. 6814. The resolution provides for an open rule and 2 hours of general debate on the bill.

H. R. 6814 establishes a compulsory inspection by the Federal Government of poultry and poultry products in interstate commerce and in major intrastate consuming areas designated by the Secretary of Agriculture.

The bill requires ante mortem inspection where and to the extent the Secretary deems necessary and requires post mortem inspection of each carcass in plants processing poultry and poultry products.

Sanitary regulations are to be set up by the Secretary for the purposes of the act, and inspection services will be refused processing plants failing to meet the requirements. Containers of poultry products inspected and found wholesome are to be labeled in accordance with the provisions of the bill.

H. R. 6814 does not regulate the handling, shipment, or sale of live poultry and does not apply to poultry processors engaged in intrastate commerce, except, as I have stated, in major consuming areas designated by the Secretary of Agriculture in accordance with the provisions of section 4 of the bill. Also, the bill does not apply to the processing or sale of egg or egg products or game birds. Exemptions are provided for producers who process their own poultry for sale direct to household consumers. The Secretary is also authorized to grant exemptions under certain circumstances to retailers and processors within certain urban areas, and poultry processed in accordance with religious dietary laws.

Prohibited acts are listed in the bill. It also provides for the imposing of in-

junctions to restrain violations, but does give the Secretary discretion to issue warnings in lieu of criminal or injunction proceedings.

If enacted, no person shall be subject to the act prior to January 1, 1959.

It is estimated that the cost of the program when fully in effect will be approximately \$10 million annually.

I urge prompt adoption of this resolution so the House may proceed to the consideration of H. R. 6814.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as she may desire to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, in this day and age of fancy packaging and new marketing techniques, the American housewife can no longer use many of her old tried-and-true ways of determining the quality of the foods she buys. The packaging obscures the product. The new marketing techniques do not permit the little rule-of-the-thumb tests of the past.

This is especially true of poultry. The eviscerated chicken of today can look good and still have been diseased. The housewife needs some new way of telling whether the poultry in the grocery store or supermarket should go on her dinner table.

With red meat, we have found compulsory inspection by trained inspectors to be an effective and inexpensive way of assuring the housewife of clean and wholesome food. The same can and should be done with poultry.

H. R. 6814 will give the housewife the protection she wants and needs for her family. I urge the Congress to help her by enacting this legislation for compulsory poultry inspection.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the gentleman from Arkansas [Mr. TRIMBLE] has explained this rule and the bill it makes in order. I understand there is some opposition to the bill although personally I feel it is a good one.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Kansas.

Mr. REES of Kansas. May I ask, Does the gentleman have any idea what the cost of this bill will be?

Mr. ALLEN of Illinois. I believe a little less than \$5 million.

Mr. REES of Kansas. A year? I thought it would cost more.

Mr. ALLEN of Illinois. That is correct.

Mr. REES of Kansas. How many new inspectors will be necessary if the bill is approved?

Mr. ALLEN of Illinois. I think it would be best for the gentleman from Kansas to ask that of some member of the Committee on Agriculture.

Mr. REES of Kansas. I thank the gentleman.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 10 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, the two questions asked by the gentleman from Kansas are part of the reasons why I am taking the floor at this time to oppose

this bill. I never like to find myself in disagreement with one of the legislative committees. An observation of the scene as it presently exists might indicate that the bill is going to pass, but it is not going to pass with my vote in the absence of any scientific, reasonable ground that I can discover to support this action to protect the health and welfare of the American people.

What you are really doing here, I might say in a brief sentence, answering the gentleman from Kansas and my other colleagues, is proposing to put from 2,000 to 3,000 more people on the Federal payroll. Is that what this Congress is dedicated to doing?

You are going to add an annual expenditure of from \$10 to \$20 million a year to Federal expenses. Is that a part of the economy drive of the Congress?

You are going to drive the small poultry processors out of business and concentrate the processing of poultry largely in the big plants in the large cities. Is this the way to encourage and preserve small business?

Finally, you are going to, in all probability, increase the spread between what the producer of the poultry gets for the chicken he raises and what the consumer pays for that chicken by something like 2 cents a pound and, looking into the future and to certain other things that develop, it could be much more than that.

Now, is that what we want to do in this Congress? Do we want to increase the spread and thereby the cost of living?

First of all, you should understand what this bill is going to provide for. It is going to require that a Federal inspector be in these poultry processing plants to look individually at the chickens as they are processed. The most conservative figure as to the number processed in this country each year is 2½ billion—not million, 2½ billion—and it runs up to 4 billion. Now, if they take very long to look at that many fowl, those inspectors are going to have to slow down a lot of lines, and it would seem to me it would take a small army to do the inspecting. That is the reason, as I say, that there undoubtedly will have to be some 2,000 or 3,000 inspectors.

Now, as to the cost. I have said that it will be from \$10 million to \$20 million a year. The bill specifically provides that the cost shall be paid by the Government, which means that it is a direct charge on the people of this country.

I have also referred to this proposal's impact on small business. I have here a letter from a poultry processor out in my district. When I found out about this bill, I got some copies and I sent them out there, because I rather wondered about it. This man has written his letter by hand. I know him personally. He writes:

DEAR CONGRESSMAN: I am writing to you concerning bill H. R. 6814, the Federal inspection bill.

Up to now this bill has not been brought to attention of small poultry dressers and processors, but if the bill goes through myself as well as some 15 other dressers in Jasper County—

That is my home county out in Indiana.

will have to close our small plants.

This is a vicious bill, and it not only concerns us but the public as well.

We are just as concerned about the health of the poultry we dress as this is the only thing we have to fight back at the big dressers with.

Mr. HALLECK, this bill is another rap at small business and will put the small operator that does custom work for farm freezers and local trade out of business.

Thanking you for considering this bill, I am * * *.

Now, why do I say that that is the way I think this is going to work? First of all, look at the jurisdiction that is here involved. It does not concern itself only with interstate shipments. It says that the Secretary shall determine where the major consuming areas are. I take it that would be the metropolitan areas. Then, because that is said to burden and affect interstate commerce, this compulsory inspection would be required even in intrastate commerce. Well, I think I know why the burden would be on interstate commerce. The little processor outside of the city of Chicago who took his poultry in and sold it in intrastate commerce, with the inspection service and the attendant cost of inspection, would be at a competitive disadvantage with the interstate commerce shipper. I think it is just that plain. I think the preamble of the bill recognizes that.

Now, what will that end result be? These little processors down my way, many of them, sell to stores and outlets in Lake County, Ind., Gary, Hammond, and so forth. That will undoubtedly be declared a consuming area, so the result will be that these little fellows, if they want to stay in business, are going to have to have an inspector in their plants. Now, can you have an inspector for every one of the 15 little plants in my county? I do not think so. The result will be, as I say, that they will go out of business, and the business will go to the big city plants with the inevitable increase in cost.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Well, that inspector has to stay in that particular plant all the time. As long as it is in production, you have to have an inspector in every plant, if you are going to be practical.

Mr. HALLECK. That is right. You will have to have an inspector at the plant before he would dare to ship his poultry; and, if he shipped his poultry and he did not have an inspector, he would be in trouble with the Government.

I have mentioned the increase in the cost spread. I think the experience with the voluntary inspection system we have had is conclusive proof that it will add to the cost to the consumer; either that or take the added cost out of the processor of the poultry, who already, as I say, is not getting near what he ought to get. Actually, the poultry business as it has been developed in this country has been one particular industry vital to agriculture where the spread between the producer and the consumer has been kept down to the absolute minimum.

The question I raise, and I do this in all good faith, is this: If you want to pass the bill, that is all right with me, but at least I wanted the record to show what I am convinced are the true facts in the situation. If we want to have that sort of a situation, then, of course, pass the bill.

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Utah.

Mr. DAWSON of Utah. I have heard no objection to the present system. I am wondering what is back of this bill, what is the reason for it?

Mr. HALLECK. I do not know, because I think anybody should be allowed to be for anything, in this country. They have that right. But the representative of the meatcutters union said that they had initiated the drive a long time ago and have pursued their efforts for this legislation. If you say, We want to put these people on the payroll; we want to add this cost to the Government; we do not care what happens to the small processors in the business; we do not care about the increase in spread from the producer to the consumer, then it seems to me you ought to say that there is a real reason for having it. And the thing that you would think of first of all, it seems to me, is that the health of the people is endangered by buying poultry that, somehow or other, infects the people who buy it and eat it. There is no scientific evidence to establish that fact.

Much has been made of something that starts with ornithosis in turkeys, but they tell me that you cannot discover that by a post mortem examination. You have got to discover it through an ante mortem examination. And secondly, the disease is not communicated to the people who eat the poultry, but to the ones who handle it.

In further substantiation of that matter, of the threat to the health of the people, Dr. Larrick, Commissioner of the Food and Drug Administration, was asked by members of the Appropriations Subcommittee this question:

What about these outbreaks of illness that I have heard about from eating chicken?

And Dr. Larrick replied:

We have not been able to establish any firm cases where a person contracted a contagious disease from the consumption of poultry.

If that is correct, then all I want to do here today is to point out what I think the impact of the enactment of this legislation will be. It just does not seem to me that a sufficient case has been made for the entry of the Federal Government into this business.

There is a voluntary inspection law, and some people have availed themselves of it. I think it was some sort of a sales gimmick; maybe the crate containing the poultry had on it "Government inspected" which they thought would make it sell more quickly. But as I have understood it, the experience is that that has not worked out that way.

Of course, those people who are paying for that voluntary inspection, if this bill passes, will transfer that cost to the Federal Government.

It has been with some reluctance that I have undertaken to speak here on what I think of this bill. But I could not find it in my conscience—and I have read only one of the many letters that I have had from my district on this matter—I could not find it in my conscience to sit idly by and not say what I think are the facts involved in this proposed legislation.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman.

Mr. REES of Kansas. Has the gentleman noticed, on page 12 of the bill, the penalties that may be inflicted in the event of a violation of this proposed legislation—6 months in jail and \$3,000 fine?

Mr. HALLECK. It is a far-reaching bill. I have tried as best I could to find out what I could about the bill, who is for it and who is against it. Actually, when you begin to inquire who is for it, some people are listed in the report and I say to you on my word of honor, without mentioning names, that there are many of them who are very lukewarm. Sometimes we get started and are for something that we think will head off something worse. Then after a bit, what we started out with grows and grows and grows, like Topsy. I have found some of that in connection with some of the support of the bill.

Of course no one wants to do anything other than protect the safety and health and welfare of the American people, but I think there are other considerations that ought to be taken into account along with that.

Mr. TRIMBLE. Mr. Speaker, I yield 10 minutes to the gentleman from Kentucky [Mr. WATTS].

Mr. WATTS. Mr. Speaker, under the consideration of the rule, I want to primarily direct my remarks in answer to some of the points that were raised by the gentleman from Indiana. I regret very much that I find myself in disagreement with him in regard to what this bill is for, its cost, and what it attempts to do.

He wanted to know who was for the bill. We had hearings before our committee for 6 days. We heard everybody that wanted to testify. We had 78 witnesses before us, and every single one of them said that this bill was vitally needed.

Who were those witnesses?

There is L. H. Abbott, president of the Kentucky Poultry Federation.

Cliff Carpenter, president, Institute of American Poultry Industries.

Frank T. Wollney, Institute of American Poultry Industries.

Albert R. Gibson, Georgia Poultry Federation.

Charles D. Hawks, Arkansas Poultry Federation.

Chester C. Housh, president, National Poultry Federation, also National Turkey Federation.

And on, and on, and on, 78 of them. Not a single soul appeared before our committee to testify against the bill, and we invited everybody.

I do not know whether the gentleman from Indiana agrees with the Indiana

Poultry Processors Association, but I have a telegram from them that came to me this morning. It reads as follows:

Hon. JOHN C. WATTS,
House of Representatives,
Washington, D. C.:

The Indiana Poultry Processors Association urges your capable support of H. R. 6814 as presented by House Committee on Agriculture, and cost of such inspection should be borne by federally collected funds.

ROBERT MCFARLING,
President, Indiana Poultry Processors Association.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. WATTS. I will be delighted to yield to the gentleman from Indiana.

Mr. HALLECK. It has been my understanding that an earlier resolution by the Indiana Poultry Processors Association contained a provision that the cost would be borne by the industry. Can the gentleman tell me whether or not that is true?

Mr. WATTS. I had no knowledge of it. This is the only information I have regarding their position. It is possible, among these 78 witnesses who testified, there might have been some from Indiana. I can look through here, if the gentleman desires, an advise him.

We had not only unorganized representatives of the poultry processors, and I named you just a few of them, but we also had State and local health agencies from all over this country testify, such as these:

Dr. Lloyd Florio, manager, Department of Health and Hospitals, Denver, Colo.

Dr. Aaron H. Haskin, health officer, city of Newark, N. J.

And on down, one after the other.

In addition, we had the following Members of Congress appear before our committee:

Hon. FRANK M. COFFIN, Hon. MARTHA W. GRIFFITHS, Hon. HARRY G. HASKELL, Hon. BURR P. HARRISON, Hon. CHARLES B. HOEVEN, Hon. EUGENE J. MCCARTHY, Hon. THADDEUS M. MACHROWICZ, Hon. D. R. (BILLY) MATTHEWS, along with many others, and testified in behalf of the bill.

Also, representatives of the Department of Health, Education, and Welfare, and the Department of Agriculture of the Federal Government appeared in support of the bill. There was not one single witness who did not testify before our committee that it was essential that we have Federal inspection of poultry if the American housewife and the American consumer could rely on the quality of the product they were buying. Many of the people who represented the industry which the gentleman from Indiana [Mr. HALLECK] claims will be disrupted said that unless Federal inspection of poultry was put into effect, the consuming public was going to stop eating poultry and that it would adversely affect the industry from top to bottom.

Another point the gentleman raised about the major consuming areas was written in the bill for one specific purpose, and I will try to outline it to you. When this bill was initially brought up, it was to deal with the movement of poultry in interstate commerce. We recognized there would be times when

independent merchants and local stores would be affected. We could pick one, as I did before the Committee on Rules in discussing this bill, in Richmond, Va. There will be poultry shipped in there from Maryland. That poultry will be federally inspected because it is moved in interstate commerce. I had a big chainstore man tell me that if he had two piles of poultry in his store—one bearing the Government shield of purity and inspection by the Government and the other without any shield on it, the consuming public and the housewife would buy only the inspected poultry even though it was 5 or 6 cents higher per pound than the poultry that did not bear the Federal shield of purity and inspection. So we undertook to do three things in this bill—one was to protect the consuming public. Second, to do it in a manner that would not discommode the processor any more than was necessary. Third, to make it broad enough so that every processor could come under it. Now let us go back to the Richmond, Va., situation. A man ships poultry there from Maryland and the store advertises, "I sell nothing but United States federally inspected poultry." That is in interstate commerce. There are a lot of little poultry processors around Richmond, Va. They would have to bring their poultry in and compete with the poultry that came from Maryland that is federally inspected. According to the information that the chainstore people and the soup company gave me, the fellow who did not have his poultry inspected was probably going to be out of luck because the housewife would buy the other poultry because she thought it was pure and clean. Now, with reference to this major consuming area, we provided that the governing authority of that city or the poultry processors around that city could petition the Department of Agriculture to hold a hearing and to determine whether Federal inspection should also be put into effect on all poultry that moved into Richmond, Va., whether in interstate or intrastate commerce. In the event Federal inspection was ordered, this would give the little processor the same opportunity to get his poultry inspection as the poultry shipped across the State line would have.

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. WATTS. I yield to the gentleman.

Mr. DAWSON of Utah. It seems to me the only justification for this bill would be the protection of the health and welfare of the people. Under the present system, have you had any cases where the health of the people has been endangered? What is the purpose of this bill?

Mr. WATTS. Under the present system, 26 percent to 30 percent of poultry is now inspected on a voluntary basis. Only the larger processing plants have been able to make a deal and put up the money to have it inspected. The smaller processors are practically shut out as far as inspection is concerned. Now to answer the gentleman's question. There have been hundreds of cases where people have been made sick and where they have lost time from work on account of

ornithosis and other diseases communicated by poultry. I have a letter from John L. Harvey, Deputy Commissioner of the Department of Health, Education, and Welfare, in which he very strongly endorsed the bill and says that there are 24 diseases of poultry which may be transmitted from poultry to man. There have been many instances in which the disease has been communicated to man—the Record is replete with them.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. WATTS. I yield.

Mr. HOFFMAN. In addition to these diseases referred to in the Record, poultry has lice, too, and individuals can get those. Is there anything in the bill that protects that?

Mr. WATTS. Well, I do not know about the protection of lice, but, I do know that the consuming public needs protection and we are endeavoring to afford them this protection by proper inspection for wholesomeness. The evidence is irrefutable that a human can get disease from poultry. In addition, we had evidence before our committee that many times poultry that had died from some natural cause was dressed and sold. Perhaps a chicken would have a cancer on one side of it. That piece was cut off and thrown away and the rest was cut up and put in a package and sold to the consumer. Those instances were few, but it is like everything else in this country. About 5 percent of the people cause all the trouble.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. TRIMBLE. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. WATTS. This 5 percent of the people who will not do what is right is the reason we have to enact this bill.

We will have 2 hours of general debate if you adopt the rule. I will be glad to answer any questions about the bill. All I ask you is to adopt the rule and give us an opportunity to go into the merits of the bill.

The SPEAKER. The time of the gentleman from Kentucky has again expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, in addition to the reasons given by our colleague, the gentleman from Indiana [Mr. HALLECK], attention may be called to the fact that the hearings show that most of the people appearing in support of the bill were representatives of certain organizations. As the gentleman from Indiana [Mr. HALLECK] so correctly said, the effect of this bill, boiled down, is to increase the business of the larger operators, tend to create a monopoly in the poultry business, and to shut out the little fellow. There is no question but that will be the ultimate result.

Another effect of the bill, as the gentleman said, would be to create a horde of Federal employees. The departments and agencies send their agents, sometimes under one name, again under another, all over the country until today the average businessman does not see the back of one leaving until the nose of another is on the way in.

One of the things that our forefathers wrote into the Declaration of Independence—they were writing about the King—was:

He has created a multitude of new offices and sent hither swarms of officers to harass and eat out the substance of the people.

They rebelled. They fought and won a war to get out from under. We meekly submit that is what we are doing here today. There is not a week goes by that our people do not complain to us about inspections. About snooping—unnecessary and costly. About an ever-increasing number of Federal employees; unnecessary redtape.

I looked at the hearings a moment ago, and one of the witnesses referred to by the gentleman from Kentucky, who just preceded me [Mr. WATTS], was the president of a poultry association. You know, it is odd the way the association sought the opinion of its members. It sent out a questionnaire and asked the members all sorts of things. Here is the tail end of the questions they submitted: The last sentence:

In furtherance of this longstanding dedication—

That is, the Institute had paid for some inspections; then they add—

provided such programs are paid for from Federal and State funds.

That is, no cost to the individual whose opinion was asked.

Well, who does not want something that we can get some other fellow to pay for, something for nothing, even if he does not need it or want it?

But—here is what those of us who oppose this bill will run into, and it is a bad thing politically for us. I have had some experience with it. But these health agencies of the State and of the Federal Government will charge that those who vote—this is a rather frank expression—those who vote against the adoption of this resolution want the folks to eat diseased and decomposed poultry. That is what they will say. We have had it before earlier this session. You will recall one of the bills from the Department of Health, Education, and Welfare. Every time an argument was made on the floor, those who opposed that legislation were charged with wanting to not only make people suffer from disease, affliction from some sort of illness, but we were accused of wanting them to eat poisoned food which would kill them. A ridiculous charge but repeatedly made. Why not, as this debate runs on today, have just a little charity and let those who want this bill confine their arguments to what the bill will do and not charge those who oppose it with wanting to kill off our constituents?

This particular bill is devised, as the gentleman from Indiana [Mr. HALLECK] said, to promote monopoly, to squeeze out the small fellow, to make it impossible for the individual to do business if he is in the poultry business. The principal argument will be, as I said a moment ago, against those of us who oppose it: Oh, well, you want to put onto the market rotten poultry. That is not so. This bill is a bill to create new Fed-

eral employees at the taxpayers' expense. And what becomes of our economy program? The gentleman whose testimony I just referred to is a veterinarian. When I was home earlier this summer one of the companies which produced poultry and markets it, from the egg all the way through to the ultimate consumer of the dressed product—a very successful group of farmers—they asked: "Do you know what is the matter with this proposed legislation?" I said, "No, except the usual thing to establish a bigger and better bureaucracy and increase the number of employees." And this fellow said "Yes, and you cannot get inspectors there to do the job unless they are veterinarians, and a veterinarian gets five bucks an hour, when we can take a man from the plant itself and do the work just as efficiently and just as thoroughly for \$2 an hour."

So the veterinarians have some interest in it.

We in almost all States now have sufficient regulations—clean good food products—this bill is just another expansion of Uncle Sam's domain—an unneeded expensive extension of snooping—of redtape.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. TRIMBLE. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I was not going to discuss the merits of the bill, but there is one feature of it that I called to the attention of the Committee on Agriculture when it was before the Rules Committee, and that I wish to call to the attention of the House because I think an amendment to the bill would be in order. That, however, is a matter I leave to the judgment of the committee, but I wish to call it to your attention this afternoon.

The Supreme Court has laid down what they call the preemption doctrine; that is when Congress has enacted any legislation on any subject that it preempts the field and thereby prohibits the State courts or the State authorities from exercising any jurisdiction of any character about it. It is illustrated well by a case, which would apply very much as this bill does, that arose in the State of Alabama. It was known as Alabama against the Cloverleaf Butter Co. That was a corporation that was renovating butter and shipping it into the State and also out of the State. The Federal Government apparently was not inspecting it. The State of Alabama feared that bad butter was being sold to their people and sent their inspectors to the plant to inspect it. The company refused to permit them to inspect on the ground that the Federal Congress had already passed the Pure Food and Drugs Act.

That case went to the Supreme Court, and the Supreme Court held that when the Congress passed a Pure Food and Drug Act it preempted the field of inspection of foods and that, therefore, the State could not inspect that food no matter how rotten it might be.

The same situation applies here. In none of your States could your State authorities under the Supreme Court decision inspect any poultry that was

processed in your State, because the Federal Government preempted that field when it passed this bill.

Let me add one thing further, and this is something I have been trying in this House to get enacted for a number of years. I have not been able to get it out of the Judiciary Committee yet. I do hope that they will finally break down and let this bill come to the floor so that we can correct one of the worst evils that exists today in the whole of this country. The Supreme Court has held, and very recently held, that if the Congress does pass a law such as this and the Congress fails to implement that law by adequate inspection and the Federal Government does not do anything about it, the State government is still prohibited from doing anything about it. If that is the kind of situation you want to put on your people, it is all right with me, but I call it to your attention and I think the committee in charge of this bill ought to offer a simple amendment which would merely provide that while this law has been passed by the Congress it is not intended to revoke the rights of the States to have whatever supplemental inspection they desire.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Indiana.

Mr. HALLECK. I would like to say to the gentleman for whatever interest it may be to my colleagues that I have been disturbed, I was about to say as much as the gentleman from Virginia, maybe not as much but I have been very much disturbed, at this whole doctrine of preemption that has been developing in this country. I agree with the gentleman that something ought to be done about it.

In the measure before us not only does it provide for inspection but it provides for the Federal Government setting up regulations having to do with sanitation and various conditions in these processing plants. Many of the States presently have regulations and laws dealing with that very matter and great progress has been made in the States.

Mr. SMITH of Virginia. The gentleman is taking up my time, but I am glad to hear him come up and say that he is for doing something about this preemption doctrine because I have been trying for years to get him to say that. I have him on record now.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield? I heard the gentleman ask the President just last week to do something about that preemption proposition.

Mr. SMITH of Virginia. I am delighted to know that. I know he exerts a great influence at the White House and I believe he can do something about it.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Maine [Mr. McINTIRE].

Mr. McINTIRE. Mr. Speaker, I rise in the consideration of this rule to point out 2 or 3 facts which I think are appropriate in the consideration of this rule, statements already made by previous speakers. I want to say that I appreciate and respect a difference of opinion

on the part of anyone in relation to any legislation, but some statements have been made as to the number of people that would be involved under the legislation which we now have before us.

I can only rely on the basis of information obtained from the poultry branch of the Department of Agriculture. I would point out to you that in the Agricultural Marketing Act of 1946, provision was made for voluntary inspection of poultry. Since that time a program of inspection has been developed in part for the industry. At the present time there are 525 inspectors who are serving 320 processing plants. As I say, I can only rely on the figures of the Department of Agriculture. They have had experience in this field and I consider their figures are reasonably accurate. It is estimated by the Department that under this legislation it would require about a doubling of the inspection force, or approximately 1,100 inspectors. I would suggest that that figure be kept in mind in relation to the estimate of 2,500 or 3,000 inspectors stated by previous speakers.

A statement was also made that the voluntary inspection program now in effect was probably asked for by the processors as some type of a sales gimmick.

There are two States in the Union that have Federal-State agreements in relation to the inspection of poultry. Those States are North Dakota and my own State of Maine. I can assure you that on my information and familiarity with the poultry-processing industry in my own State the program of voluntary inspection is not a sales gimmick. It is entirely one whereby the processors are interested in putting onto the market a uniformly packaged and processed product that has been processed in plants which meet inspection requirements, and it is their interest in a wholesome product which has initiated their program of inspection along with, of course, the fact that it would carry a United States inspector's label.

I would also wish to point out to you in reply to a statement made that this program would require only qualified veterinarians to provide the inspection, that that is not in this legislation. The Secretary is authorized to employ qualified people, and the requirement is not that they be veterinarians, and that point should be very clearly understood, because to read it any other way is to be misinformed on the legislation.

Mr. Speaker, I think this legislation is deserving of our careful consideration. I want to say that the subcommittee, under the chairmanship of the gentleman from Kentucky [Mr. WATTS], has done a very thorough job. While there has been an interest in this legislation on the part of various groups, I would want to say for your information that the first draft of this legislation came to my attention through the interest of farm organizations, and because of that fact I think that the record stands that the farm organizations have been active over a period of 2 or 3 years in drawing up and consulting with the poultry industry the type of legislation which would best serve the industry in order that there

can be put onto the market this fresh product in an inspected, wholesome manner.

In closing I want to pay a compliment to the poultry industry for the fine job it has done. My interest in this legislation is simply that, as we move out, as we are doing into a tremendous volume of fresh meat, this industry make sure, through a system of inspection, that it is putting its product onto the market in a most wholesome manner; that the birds themselves are wholesome, and that the processing plants in which they are handled meet uniform standards of sanitation.

Mr. Speaker, I urge favorable consideration of this rule.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. REECE].

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. REECE of Tennessee. I yield to the gentleman from New York.

Mr. TABER. I do not know much about the bill, but I see in section 4, page 3, it provides that it shall be effective after an application to and passing upon the need for it by the Secretary of Agriculture, and on page 8, section 8, all sorts of things are prohibited, and they do not say anything about exempting those places where the Secretary has not made such a decree. Now, it looks to me like the bill is all mixed up.

Mr. REECE of Tennessee. I think myself that the bill is very much mixed up. And, carrying the gentleman's question a little further instead of answering it, I want to call the attention of the House to the fact that if a processor is engaged in both interstate and intrastate business, coming under the provisions of this act, he can ship in neither interstate nor interstate until his product has been inspected; therefore he might be prohibited from shipping, if adequate inspection is not provided for both interstate and intrastate.

Mr. WATTS. Mr. Speaker, will the gentleman yield?

Mr. REECE of Tennessee. I yield to the gentleman from Kentucky.

Mr. WATTS. The bill covers all poultry and poultry products that are shipped in interstate commerce except that shipped in live form. The section that the gentleman refers to on page 3 provides for additional inspection of poultry that moves into large consuming areas. As I attempted to explain on the floor a few minutes ago, that was put in the bill on purpose so that a small processor who might be processing poultry outside of a large city and had to compete with interstate poultry they were shipping in with a Federal stamp on it could get the opportunity to have his plant inspected and his poultry inspected, with a United States inspection label attached to it, in order that he would not be put out of business by some store or some other large concern advertising United States inspected products.

Mr. REECE of Tennessee. Mr. Speaker, I cannot agree with the construction of the gentleman from Kentucky [Mr. WATTS] on this provision of the act. I

think it is open to the opposite construction, as was indicated by the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. REECE of Tennessee. I yield.

Mr. HALLECK. As I pointed out, and as was indicated in the letter that I received from a little processor in my home county, he said there were 15 little processors there, and the matter of establishing inspectors there would be almost out of the question. And so, instead of keeping them in business, this would really put them out of business.

Mr. REECE of Tennessee. The effect of it will tend, regardless of what the intention is, to put the little processor out of business and to concentrate the poultry business in the hands of a few people. And when that is done, these plants are going to have such a tremendous volume of poultry on the assembly lines, that it will be impossible to make an adequate post mortem bird-by-bird inspection. An efficient operating plant at the present time produces some 4,000 to 5,000 birds an hour. I cannot envision how an inspection can possibly be provided, a post mortem bird-by-bird inspection, that will mean anything, so far as detecting disease or any of these other matters to which the advocates of the bill refer.

There are 2½ billion birds of all types produced and marketed in the United States each year, about 70 billion pounds. If you concentrate the processing of these birds in a few plants, you are going to have such a tremendous assembly-line operation that it will be completely impossible to have an inspection that means anything more than a stamp. And that is the very thing we want to avoid. As the gentleman from Michigan said a while ago, there is no serious health problem involved, so far as the public is aware, in connection with the poultry operation. There has been no outbreak, there has been no public discussion.

The original bill provided for inspection by the Secretary of Agriculture under regulations set up by him. That bill would have been satisfactory to all the industry, the large and the small alike. When the original hearings were held by the committee it was on that type of legislation. Now this is a compulsory inspection bill, a post mortem bird-by-bird inspection which, in my judgment, is not only completely impractical, but completely impossible so far as effective inspection is concerned. These people who now have voluntary inspection—and most of their product goes into soups and pies—find that the inspection costs about \$3 million a year and, of course, they are going to put that cost on the Government. The total cost of this inspection will run somewhere between twelve and twenty million dollars a year. We will wind up with a bureaucracy in this division that will be not less than 5,000 employees. We are just opening up another floodgate to have inspectors and other employees in the Federal Government going over this country, not protecting the health of the people, because it is impossible to get effective action under the provisions of this bill, but interrupting the flow of poultry from the

farm to the market, with the result that there is going to be a backing up, there is going to be disaster in the poultry business from the farmer's standpoint.

Mr. TRIMBLE. Mr. Speaker, I move the previous question on the resolution. The previous question was ordered.

The resolution was agreed to.

Mr. WATTS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6814) to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 6814, with Mr. O'BRIEN of New York in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. WATTS. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, there has already been quite a bit of discussion about some of the features of this bill. Legislation of this type was introduced by some 7 or 8 Members of this body. It was sponsored by the Department of Agriculture. We held about 6 days of hearings and had 78 witnesses representing every segment of the poultry industry, including representatives of major food companies, consumer groups, labor groups, health groups, State groups, and the Department of Agriculture and the Department of Health, Education, and Welfare.

Every single person that testified before our committee said that for the welfare of the consuming public and for the long-term good of the producer compulsory Federal inspection of poultry was necessary. Not one single voice was raised in those 6 days by a single one of those witnesses, and they covered the farmer as well as the producer and the consumer and everybody, because the American Farm Bureau Federation, the National Farmers Union, and the Grange, all testified in behalf of this bill.

They all said they wanted the bill, but I am going to have to admit to you that some of them kind of fell out with one another as to what should go into it. Your committee had a number of executive sessions at which they brought in various people and undertook to reconcile the various views. This bill is a compromise bill. We took into consideration in reaching the compromise every single idea or thought that was expressed to us. We had in our mind our duty to the American consumer to see to it that good, clean, healthy, wholesome poultry was supplied to the housewives and the consumers of this country.

Testimony before our committee showed that about 25 percent of the meat consumed in this country today is poultry. It is being marketed in ever greater quantities and transported across many miles to distant parts of the country. No longer are poultry markets confined to the local area where raised.

Poultry is now cut up and put in chicken pies and turkey pies, the old days when the housewife could look the chicken over and dress her own chicken and see what was on the inside of it and see what its condition was has long passed. Frequently, what she gets today is a cut-up chicken in a box or in a pie. As I said, the testimony before our committee was such that it was not pleasant to listen to. Your committee was unanimous in its opinion that we should have this compulsory inspection bill. We felt that since it was being done for the protection of the public that the public should pay for it. The testimony before our committee showed that for the first year it would cost something like \$4 million and that when it got in full swing, it was estimated to cost \$10 million. That was the cardinal purpose. Our second objective in the subcommittee was to give the American public this wholesome poultry in a manner that would least discommode and disrupt the orderly processes of the poultry industry, and at the least expense to the Government. We have tried to do that. We did not entirely agree with any particular group. Labor wanted this and the processors wanted that—nobody is totally satisfied with this bill—what I mean is that nobody got exactly what they wanted. It was a compromise that we think everybody can live with. Our third objective in the committee was to make it possible for everybody who desired compulsory Federal inspection to secure it. We realize, as I stated a few moments ago, that you might find conditions where nonfederally inspected poultry had to compete with federally inspected poultry. One of the officials of the large chainstores told me that if he had federally inspected poultry on one shelf at 38 cents a pound and nonfederally inspected poultry on another shelf at 32 cents a pound, he would not sell any of the 32-cent poultry because the housewife, naturally, being used to seeing the Federal inspection stamp on red meat and relying on it would buy that kind of poultry and the little processor who had no opportunity to get Federal inspection might be put out of business.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. BARDEN. Does the gentleman have any objection to the type amendment suggested by the gentleman from Virginia [Mr. SMITH] relative to the preemption of the authority of the States?

Mr. WATTS. I have not had an opportunity to give it thorough consideration at this time. I would like to defer any answer to that until I get a chance to talk with counsel and other members on the committee.

Mr. Chairman, those were the 3 principles we had in mind when writing this bill. Now, some say that this will put the small producer out of business. I want to talk about that for just a little bit. I have a letter from True D. Morse, Under Secretary of Agriculture.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I am delighted to yield to the gentleman.

Mr. FORD. On page 1 of the committee report, you state as follows, and I quote:

Specific exemptions are provided for producers who process their own poultry and sell it directly to household consumers.

As I understand it, under the exemptions which begin on page 13 of the bill and run through page 15, it is the intention of the committee that the Secretary of Agriculture shall issue certain regulations which would conform with that statement which I quoted in the committee report.

Mr. WATTS. That is right. May I say to the gentleman, in addition to that, I have an amendment which the committee has agreed to to section 15 which says the Secretary "shall."

Mr. FORD. That is exactly the amendment which I was going to suggest to the gentleman and which I hope the committee would accept. I think it is essential and necessary to conform to the committee's intention.

Mr. WATTS. In addition to that, on page 15, while I am at it, section 1 where it says poultry producers with respect to poultry of their own raising on their own farm which they sell directly to household consumers, we have added after that amendment language which would extend the exemption to restaurants or to hotels where they are consumed on those premises.

Mr. FORD. May I ask the gentleman one other question?

Mr. WATTS. Yes; indeed.

Mr. FORD. I have a large metropolitan area within my district, and surrounding it there is a very sizable poultry-producing area. A good share of the poultry produced in the area does not move in interstate commerce, and I feel that they could and would subscribe to the requirements under this legislation. But if this large metropolitan area is designated as a major consuming area, it is my understanding that under this legislation the poultry producers in this community, if they were to sell within that major consuming area but not within interstate commerce, would fall within the purview of this legislation.

Mr. WATTS. Provided they have asked the Secretary of Agriculture to hold a hearing and determine: First, whether or not that city should be considered a major consuming area and, second, whether or not the movement of intrastate poultry was in such volume as to burden the flow of interstate commerce and, as a result, put in that category.

Mr. FORD. Who acts?

Mr. WATTS. Well, the poultry producers could petition, or the city authorities could petition. We made it as broad as possible, because we did not want your producers with good healthy poultry to be kept out of the market because their product bore no Federal stamp. A large executive of a chainstore told me that under those circumstances the housewife would be inclined to buy that which had the Government stamp. So we wanted your men to get a stamp of approval.

Mr. FORD. Does the gentleman have any information as to whether such an

amendment would be acceptable by the other body?

Mr. WATTS. I have not. I am going back to the statement about putting the small producer out of business, and I want to read an excerpt from a letter from Hon. True D. Morse, Acting Secretary of Agriculture, dated June 27, 1957, which addresses itself to the furnishing of inspectors:

DEAR CONGRESSMAN WATTS: This is in reply to your request for comments from the Department of Agriculture concerning the administration of the compulsory poultry-inspection activity which would be required under H. R. 6814, as it applies to small poultry processors.

This legislation is designed to provide wholesome poultry to consumers where such poultry moves in interstate commerce. The United States Department of Agriculture would be obligated to furnish inspection to every poultry processor who is involved in interstate commerce, regardless of the size of operations, his location, or his type of operation.

Certainly I come from a community of small farmers and small producers. I do not have many poultry producers in my district. Along with other members of this committee I tried to approach this matter in a manner to do what is best for everybody. I would not be a party to any legislation that I thought for 1 moment would militate against the smaller producer.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. LANDRUM. In connection with the statement the gentleman has just read from Mr. True Morse, of the Department of Agriculture, I understood you to say that Mr. Morse recognized it was up to the Department of Agriculture to furnish inspectors for every processor, regardless of the size of that processor.

Mr. WATTS. That is right.

Mr. LANDRUM. In the committee report, on page 3, I find in the paragraph dealing with ante mortem and post mortem inspection and reinspection, two sentences which I would like to read.

The Department of Agriculture advises that the carcass of each bird processed is examined under the voluntary inspection program now in effect.

The bill provides, as I understand it, for a post mortem inspection of each carcass.

Mr. WATTS. That is right.

Mr. LANDRUM. And the report further says:

The committee in placing this requirement in the bill does so with the direction to the Secretary that he shall at all times provide sufficient inspectors and employ such procedures as will not slow down processing operations in the plants being inspected.

I wonder if the gentleman who has rendered, incidentally, such a magnificent job as chairman of this subcommittee, I wonder if the gentleman would comment upon the real intent of Congress as to the slowing down of this processing procedure in the plants?

Mr. WATTS. I shall be delighted to. During the course of our hearings certain persons raised the same question that the gentleman from Tennessee did.

I took it up with the Department, or we in the committee took it up with them. We mean for the Department of Agriculture to furnish enough inspectors to do the job without slowing down any of the processors.

Mr. REECE of Tennessee. Since the gentleman has made such an exhaustive study of the question let me ask him this: In the plant that has 4,000 or 5,000 chickens going over the assembly line per hour just how could an effective inspection be arranged without slowing down the operation? What would be the method and the procedure?

Mr. WATTS. Does the gentleman from Maine desire that I yield to him to answer the question?

Mr. McINTIRE. If the gentleman will yield I would be glad to answer.

Mr. WATTS. I yield to the gentleman.

Mr. McINTIRE. I would like to point out in respect to the question that has been raised by the gentleman from Tennessee that in plants in my home State which are now operating under the voluntary inspection program which, in fairness, is just as strong a program as the one would be under this legislation, I have personally seen lines operating at about 4,000 to 4,500 birds per hour where a thorough inspection is being made.

I am advised by the Department that sound inspection can be made by one inspector serving a single processing line on from 20 to 25 frying chickens per minute which would be approximately the same as broiler weights, and so forth. With larger birds it is a little more; but with four inspectors on the line, which is not uncommon where inspection service is being given under the voluntary program, they will handle from 80 to 105 birds of broiler size per minute, which calculates out to be between 4,000 and 5,000 birds per hour in those plants.

It is my sincere belief on the basis of my observation in dressing plants that this service can be accomplished effectively at that rate at least and possibly a little faster.

Mr. WATTS. I thank the gentleman from Maine, and I will ask the gentleman from Tennessee if that answers his question.

Mr. REECE of Tennessee. May I ask the gentleman from Kentucky whether the chickens in the plant to which he referred were going largely into the broiler market or into the soup and pie market?

Mr. WATTS. It just happens, I may say to the gentleman from Tennessee, that those chickens were moving into the broiler market.

Mr. DIXON. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Utah, a member of the committee.

Mr. DIXON. There are two purposes of inspection, are there not? One is to inspect against disease, and the other is to guard against filth.

Mr. WATTS. Certainly. It is a fact that when you cook any kind of meat sufficiently long and sufficiently hard that there is very little likelihood that you could get any disease from it; but there are many things that you can cook that you might not want to eat. You

could pick meat up out of the gutter and cook it long enough to make it harmless, but you would not want to eat it.

Mr. DIXON. The gentleman wants to guard against well-cooked garbage as well as poultry disease.

Mr. WATTS. I thank the gentleman for his inquiry and for his comment.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. PRICE. I think it is very doubtful if the inspection service contemplated under this bill would adversely affect the efficient operation of any poultry plant, but even if it did slow up assembly line production a little it is in the interest of the health of the people of the country to sacrifice perhaps a little time for the protection of the people's health.

Mr. WATTS. I agree with the gentleman entirely and thank him for his timely observation.

Mr. ELLIOTT. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. ELLIOTT. Do I understand from the inquiry of the gentleman from Kentucky that these small plants that oftentimes do not run a full 5-day week, but may run 1 or 2 days a week, or half a day 3 or 4 days a week, are going to have the benefit of this Federal inspection that the gentleman is discussing?

Mr. WATTS. They certainly are if the Department of Agriculture carries out the directive of this committee, provided they are shipping in interstate commerce or shipping into a major consuming area. We provide they may have cooperative arrangements with the States. They may use State employees, they may use part-time employees, they may use them by the hour. We realize there are a lot of little plants that cannot keep a man sitting around all day just to make an inspection involving an hour or so. But he can go out and inspect that plant while they are processing those birds. It is our intention to see to it that everybody gets the benefit of the inspection.

Mr. ELLIOTT. Does the bill provide any qualifications for the inspectors?

Mr. WATTS. It does. It does not set up the precise qualifications. It lets the Department of Agriculture do that.

Mr. ELLIOTT. Has the gentleman any statements in the hearing or otherwise as to what qualifications might be prescribed?

Mr. WATTS. I think there might be some general statement in the report, but I do not think we tried to tie them down. They are going to have to go to the far reaches of the United States. We have some language in our report. Of course, we realize that different-sized processing plants must have different types of regulation. You may have a plant processing 5,000 or 6,000 chickens and hour. Maybe one type of regulation might be put on for him. The other little fellow processes 50 or 70 and a different type of regulation has to be prescribed.

Mr. ELLIOTT. Did I understand the gentleman further to say that these inspectors definitely will not necessarily have to be veterinarians?

Mr. WATTS. That is right.

Mr. Chairman, I want to speak about a statement that the gentleman from Indiana made in reference to an increase in the cost of the poultry to the American housewife and the consumer. All the information that we were able to gather is that it would probably reduce the price because about 30 percent of the poultry now is moving under voluntary inspection where the processor is paying for it. When he is relieved of the burden of paying for the inspectors he can naturally put that poultry on the market a little cheaper. It will come out of the taxpayers, but all of our red meats are inspected and I do not believe anybody would want to go back to the old system. I have heard described many times the system that was in vogue around Chicago and other places. I am not the oldest fellow here, perhaps, but I can remember in my country that maybe a farmer would have cholera hogs and would run to the market with them before they died and get them to the consumer. But today with Federal inspection of meats that has stopped. I feel we have a good bill, a well balanced bill. It is a question for the Members of the House to make up their minds whether they want the housewife to be able to buy poultry with some assurance she will get good clean poultry.

Mr. HARRISON of Virginia. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Virginia.

Mr. HARRISON of Virginia. The processors organization, the poultry organization, have they indicated their position?

Mr. WATTS. Yes; I think they have.

Mr. HARRISON of Virginia. Do they favor the bill?

Mr. WATTS. We had nobody who opposed it.

Mr. HARRISON of Virginia. How about the farmers associations?

Mr. WATTS. The American Farm Bureau, the Grange, and the Farmers Union are all strong for the legislation.

Mr. HARRISON of Virginia. They have favored the legislation?

Mr. WATTS. Yes.

Mr. HARRISON of Virginia. What about the feed people?

Mr. WATTS. I do not know whether we had any individual representatives of feed or not. They did not oppose it.

Mr. HARRISON of Virginia. What about the Department of Agriculture?

Mr. WATTS. They were very strong for it.

Mr. HARRISON of Virginia. What about the retailers that sell the birds to the public?

Mr. WATTS. Well, we had some representatives of some of their organizations and they were for it.

Mr. HARRISON of Virginia. What about the consumer organizations?

Mr. WATTS. The consumer groups were all for it.

Mr. HARRISON of Virginia. Then from the hatchery to the consumer, all of those organizations support the measure?

Mr. WATTS. We did not have a word against the bill.

Mr. HARRISON of Virginia. No appearance against the bill?

Mr. WATTS. Not one.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Who selects the inspectors and what qualifications must they have?

Mr. WATTS. The Department of Agriculture will select the inspectors and they will prescribe reasonable qualifications.

Mr. HOFFMAN. The law does not prescribe the qualifications of the inspectors?

Mr. WATTS. No.

Mr. HOFFMAN. That is up to the Secretary of Agriculture?

Mr. WATTS. Yes.

Mr. HOFFMAN. The gentleman is still willing to trust this to the Department of Agriculture?

Mr. WATTS. Yes. The Department of Agriculture has for some 50 years carried out a compulsory red-meat inspection program which has been very successful in guarding the consumer against unwholesome red meat.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from North Carolina.

Mr. JONAS. How many processing plants are there in the United States?

Mr. WATTS. I have forgotten the exact figure, but there are quite a number of them.

Mr. JONAS. Is that information available? It is not in the report.

Mr. WATTS. I can put it in the Record for the gentleman.

Mr. JONAS. Do you have an approximate idea?

Mr. WATTS. I can probably get the information for the gentleman.

Mr. JONAS. What does the committee contemplate would be the number of inspectors that would be required?

Mr. WATTS. Of course, they have a voluntary system now that is inspecting about 30 percent of the poultry that goes on the market; as a matter of fact, I think they inspect about 67 percent of the turkeys that go in the market. It is a little bit difficult to say the exact number, because some of them are going to be folks who service 5 or 6 plants, if they are located in one community, or, if not, they might work for an hour a day.

Mr. JONAS. They could not service 2 or 3 or more plants at the same time, though, could they?

Mr. WATTS. No.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, H. R. 6814 is a bill to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products. This bill would require that all poultry and poultry products which are processed for sale in interstate or foreign commerce be inspected by the United States Department of Agriculture. The bill also provides authority for the Secretary of Agriculture, after public hearings, to designate major consuming areas in

which all poultry processed and sold must be inspected under the authority of this act even though a proportion of this poultry is involved only in intrastate commerce. The designation of major consuming areas by the Secretary of Agriculture is authorized after receipt of application to designate such areas from appropriate governing officials or bodies or upon application by an appropriate local poultry-industry group in the area.

The bill contains authority for the Secretary to perform an ante mortem inspection where and to the extent considered by him necessary, and requires a post mortem inspection of the carcass of each bird processed. The bill contains provisions relating to sanitation, facilities, and practices as are necessary to produce wholesome poultry.

The bill would prohibit the interstate sale of uninspected poultry and the interstate sale of poultry which has not been labeled in accordance with its provisions. It also would prohibit, first, the sale of any poultry product declared to be unwholesome or adulterated; second, the false making or issuing or altering or forging of official inspection marks, memorandums, and so forth; third, the use in commerce of a false or misleading label on poultry products; and, fourth, the delivering, receiving, transporting, selling, or offering for sale or transportation of poultry in so-called New York dressed form, except that the movement of such poultry in interstate commerce would be permitted when this poultry is destined for an official establishment where it will be processed into a poultry product.

All poultry products processed in official establishments operating under this bill would have to be processed in compliance with its requirements. The bill also provides appropriate penalties for noncompliance with its provisions.

The poultry inspection bill would become effective upon enactment, but would not require inspection until January 1, 1959. However, poultry processing plants may apply for and receive inspection under the provisions of this bill any time following January 1, 1958.

There are four exemptions provided for in this bill: First, an exemption to poultry producers with respect to poultry of their own raising on their own farms which they sell directly to household consumers, restaurants, hotels or boarding houses; second, an exemption for retail dealers with respect to poultry products sold directly to consumers in individual retail stores providing that the only processing operation performed by such retailers is the cutting up of poultry; third, authority for the Secretary to exempt processors until July 1, 1960, when he determines that it would be impracticable to provide inspection and the exemption would aid in the effective administration of the act; and fourth, exemptions may be made as necessary to comply with recognized religious dietary laws.

Imports of poultry would be required to meet the same standards of wholesomeness as would be provided for domestically produced poultry.

The cost of inspection would be borne by Federal appropriations, except the cost of overtime.

This proposed legislation would provide the poultry meat industry with compulsory inspection on a basis similar to that which has been in effect for the red meat industry for better than 50 years. The only inspection for poultry at the present time and until this bill is enacted is provided in a voluntary program administered by the Department of Agriculture under the authority of the Agricultural Marketing Act of 1946. The poultry industry has demonstrated broad interest in providing consumers with wholesome poultry through the use of this voluntary service. I am told that this service program has met with increasing acceptance over recent years, to the point where now approximately 320 poultry processing plants operate under this service and process approximately 27 percent of the poultry which is sold off farms.

This legislation was developed after extensive House and Senate hearings in the 2d session of the 84th Congress and in the present session of the 85th Congress. At the hearings on H. R. 6814, approximately 80 different groups and individuals appeared, all of them in support of this legislation. These groups represented all of the national farm organizations; all of the regional and national poultry organizations representing both producer groups and marketing groups; representatives of public health groups and representatives of consumer groups. There were no representatives at any of the hearings in opposition to this legislation.

Estimated cost of poultry inspection bill: First year, \$3,535,000; second year, \$7,750,000; third year, \$10 million.

Mr. Chairman, I yield such time as he may desire to the gentleman from Connecticut [Mr. MORANO].

Mr. MORANO. Mr. Chairman, it has long seemed to me to be an anachronism that we have had compulsory meat inspection, but we have had no mandatory inspection for poultry. Yet poultry is an everyday food item. It is on my family's dinner table every week. And I am certain it is on the dinner tables of millions of other Americans often.

There is no reason why poultry should not be a popular food. It is nutritious, tasty, and inexpensive. However, there is also no reason why the consumer who buys poultry in good faith should not be guaranteed to the maximum degree possible that the bird is of good quality and has been processed in a clean environment.

The United States Public Health Service blames poultry for an average of one-third of the food poisoning cases reported each year. Part of this abnormally high figure is due to spoilage, which no inspection can correct. But a good proportion—in fact the majority of food poisoning cases—will be prevented by the compulsory inspection for wholesomeness and cleanliness.

I am also greatly concerned about the health of poultry workers. During the hearings of the Committee on Agriculture, testimony was presented demon-

strating the transmittal of poultry diseases to men and women in the poultry processing plant. The most dramatic of these illnesses is psittacosis, which in 1956 caused the deaths of 3 men and illness among 133 others.

Mr. Chairman, I believe it is high time for Congress to enact a mandatory poultry inspection law. Such a law is needed by consumers, farmers, processors, and workers.

I want to commend the Committee on Agriculture, and especially its Poultry and Egg Subcommittee, for their great work in developing this legislation. I would have liked to see the committee report a bill with stronger consumer-protective provisions. However, the committee has had to take a course designed to accommodate the many viewpoints which came before it, and I believe it has done that well.

H. R. 6814 may not be as strong as some of us would have liked. But, as it is written now, it has sufficient consumer-protective features to allow a good compulsory poultry inspection to be instituted.

I urge my colleagues to approve H. R. 6814 without any weakening amendments.

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. ANFUSO].

Mr. ANFUSO. Mr. Chairman, the House of Representatives will today be able to close one of the most dangerous loopholes in our food laws. By enacting H. R. 6814, we will be able to assure the consumer that poultry in interstate commerce and in designated areas will be free of filth and disease.

Unfortunately, that is not true today. The overwhelming majority of poultry processors do their utmost to put good quality poultry on the market. And they improve their plants, so that the maximum of sanitation is achieved. But some processors put profit above their responsibility to the public. It is these processors who make poultry inspection legislation necessary as protection not only to the consumer but also to the honest, responsible processors.

To demonstrate what we are trying to prevent, let me read to you excerpts from three of many affidavits taken from poultry workers. One affidavit states:

When packing, there would be hundreds of chickens every day coming into the packing room that would be bruised, have sores on them, and the chest cavity would be covered with pus. Sometimes the skins of the chickens would have sores (sores that would have openings with hard gristly ring around them, others that would have scabs over the sores, and others with red pimples that looked like chicken pox), so that I would have to take the entire skin off. Some of the sores could be cut off. After taking the skin off or cutting the sores off, I would pack them in boxes and see them loaded on trucks to be taken to market.

Another poultry worker says in an affidavit:

We killed some (chickens) on the line that were already dead, that is, we would attempt to kill them. The reason that I knew these chickens were already dead was because they would fail entirely to bleed when I cut their throats. I have killed

some chickens which seemed to be affected by some kind of disease because streams of fluid and pus would be running out of their beaks and mouths.

A woman working in a poultry plant states in an affidavit:

When splitting many of these chickens, pus spurted out. This caused me to vomit on several occasions. It was a vile and sickening odor coming from the insides of the chicken. Some days we would run chickens all day long that would be sick. Many of the chickens would be full of worms, long stiff wiry worms.

I apologize to my colleagues for bringing up these sickening facts. But I believe we should have a clear picture of what we are legislating about.

These conditions exist in some processing plants throughout the country. They are a danger to the consumer, to the workers in the plant and to the overwhelming majority of processors.

In both the 84th and the 85th Congresses, I introduced legislation to do something about this situation. These were bills for compulsory poultry inspection. As a member of the Poultry and Egg Subcommittee of the Committee on Agriculture, I took part in the hearings on this legislation both in this and in the last Congress. My experience with this legislation makes me certain that compulsory poultry inspection is one of the greatest legislative needs of consumers today.

Frankly, I preferred my bill, H. R. 5403. I thought it would provide greater consumer protection. But in H. R. 6814, the subcommittee has written a clean bill which provides adequate protection to the consumer. It is a good and meaningful compromise between the various bills which were before the committee and I want to congratulate the author, the distinguished chairman of the subcommittee, for his patience and fairness in all of the deliberations of the committee.

I urge that the House approve H. R. 6814 today. We must do so without any weakening amendments. This measure is already a compromise. If attempts are made to weaken it, then attempts must also be made to strengthen it.

We have a meaningful compromise now. If that compromise bill were weakened, we would be betraying the consumer. I, for one, will not be a party to that. I believe we would then have to reconsider the sections on ante mortem inspection, State inspection programs, agencies carrying out the inspection, and other provisions.

Instead of this, I urge that we enact H. R. 6814, as reported by an overwhelming vote from the Committee on Agriculture. The consumer needs this protection now and we must provide it now.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Chairman, H. R. 6814 is a sound and progressive legisla-

tive step which will provide needed protection for the consuming public, and will at the same time protect the good name of one of our finest agricultural groups, the poultry industry. There is no sound reason why poultry should be exempt from Federal inspection to which meat is subject.

This bill has the support of the Department of Agriculture and the Department of Health, Education, and Welfare—the two Federal agencies most directly concerned. It is also backed by all major farm organizations, as well as consumer groups, health officials, professional societies, and labor unions.

This morning I received a telegram from Stanley B. Smith, secretary of the New York State Poultry Council, urging support of H. R. 6814, and indicating it has the backing of the poultry industry.

It is gratifying to note the strong support for this measure among those who will be regulated, indicating clearly their good motives and willingness to serve the public in the best possible manner.

Mr. Chairman, I urge passage of H. R. 6814. Its enactment will provide added insurance for the happy and healthy tomorrow all Americans want.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 5 minutes to the gentleman from Utah [Mr. Dixon].

Mr. DIXON. Mr. Chairman, the processors of poultry as well as the producers are to be complimented on taking the initiative in this movement. It is not just the consumers who have made a universal demand for compulsory inspection. It is the processors and the producers as well who want it. They all realize the situation. I certainly congratulate the processors for asking for this improvement as well as the producers, because it is in the interest of public welfare.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. Is it not also true that this legislation may in fact result in an increase in the consumption of poultry products by the public?

Mr. DIXON. Definitely. The question was, Will this result in an increased consumption of poultry? I believe the voluntary inspection program is to a considerable extent responsible for doubling the consumption of poultry since 1939. That is the best way to sell poultry, to have the housewife know that her food is clean, sanitary, and free from disease.

With regard to the question about the charge that inspection is impossible for so many small plants. I also have a letter from the Department of Agriculture in which they claim that they can provide this inspection and will be compelled to wherever it is necessary. Of course this bill is largely for poultry going into interstate commerce. The USDA testified before our committee that they used the inspectors frequently. All inspectors do not need to be veterinarians. The USDA also showed us that they have veterinarians employed on an hourly basis in nearly all sections of the country. They testified that they

can meet this demand for qualified inspectors.

Of course the bill cannot become operative all at once. It will not become compulsory, as I understand, until 1959. As fast as the processors and poultry people themselves want to have the inspection they can ask for it, even before, any time now.

That brings me to the next commendable thing, and that is this voluntary poultry inspection movement paid by the processors and operated by USDA. In 1951 there were only 145 plants that had voluntary inspection. Now we have more than double that number which process now 28 percent of all poultry.

The testimony was uniform all through our hearings day after day that inspection is the finest thing that ever happened for the poultry grower himself as well as for the consumer; furthermore, that the United States Department of Agriculture has done a magnificent job in this voluntary inspection program. The Farmers Union, the Farm Bureau, the Grange, all of the organizations testified they were very much pleased with the voluntary inspection program as it has gone along. So this is not new, because the USDA voluntary inspection has paved the way.

Mr. REECE of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield.

Mr. REECE of Tennessee. If the voluntary program has been successful and the Department of Agriculture has done a good job of helping promote voluntary inspection, then why should it not be desirable to do as was originally contemplated, authorize the Department of Agriculture to install such inspection as in the Department's judgment would be necessary to safeguard the health of the people in all respects.

Mr. DIXON. Because there is universal demand on the part of the consumers for some protection. We have compulsory inspection of the red meats. Compulsory inspection has proved so indispensable for the red meats. Everybody wants it now for poultry. This is just the response to a universal demand for the same protection for poultry that we get for red meats.

Mr. REECE of Tennessee. There is a big difference between inspecting a 1200-pound steer carcass and a 2¼-pound fryer carcass. The inspection for the beef does not run to safeguard the health so much as it does to determine the quality of the beef so that the housewife will know the grade of beef she is buying when she buys it, being unschooled in many instances in how to determine the grade.

Mr. DIXON. I think it involves, too, health, because we have trichinosis in pork and inspection for that. We would not be without that inspection for anything in the world. There are 26 poultry diseases that are communicable to individuals.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield.

Mr. SANTANGELO. I am in favor of the principle of this bill, but I am a little disturbed about it. As a young man I worked in a poultry market. I

used to kill and clean chickens. I wonder whether under the terms of this bill inspectors will be assigned to the retail poultry markets. For example, in the city of New York which is a large consuming area, if inspectors are assigned to every retail poultry market, you would have a tremendous number of inspectors assigned to the retail markets selling poultry and they would be working from Monday through Saturday from 9 o'clock in the morning to about 8 o'clock at night.

Mr. WATTS. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to my honored chairman.

Mr. WATTS. The bill does not provide any type of inspection at a retail plant. It provides for inspection only in the processing plants.

Mr. SANTANGELO. As I read the provisions with regard to exemptions, it seems to me it applies to retail plants and that is why I am disturbed about it. The bill says that no such exemptions shall continue in effect beyond 1960.

Mr. WATTS. The exemption that you are talking about has to do with the cutting up of poultry and not with reference to a retail store.

Mr. SANTANGELO. That is another exemption. I am talking about the other exemption which the bill says shall not go beyond a certain date.

Mr. WATTS. There are three exemptions set out.

Mr. SANTANGELO. One exemption applies to where they cut up the poultry. Another applies to where they are selling processed poultry. Now a retail place which sells poultry in the city of New York, which is a large consuming area, would be processing and slaughtering poultry from morning until night from Monday through Saturday and if the bill provides for the assignment of an inspector to these little retail places in the city of New York you are going to have the Federal Government in every place and you would have a situation which would be very difficult to tolerate. If there is an exemption in such a case and the bill does not apply to that, I think the bill is a very good bill. I would like to be assured that this does not apply to each and every retail plant requiring an inspector to be there from Monday morning to Saturday night.

Mr. WATTS. I can give the gentleman that assurance.

Mr. SANTANGELO. I thank the gentleman.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 5 minutes to the gentleman from Maine [Mr. McIntire].

Mr. McINTIRE. Mr. Chairman, this legislation is presented to the House of Representatives after careful consideration by the Poultry Subcommittee of the House Committee on Agriculture and the full Committee on Agriculture.

Legislation dealing with this subject matter—the compulsory inspection of poultry—was introduced in the 84th Congress, and although it was considered by the appropriate committees of both bodies, no legislation was enacted during that Congressional session.

At the inception of the 85th Congress, bills relating to the subject of compulsory inspection of poultry were introduced by numerous members of the House of Representatives, myself included. It is my opinion that full and adequate hearings were conducted by the subcommittee considering these bills, and I wish to commend my able colleague from Kentucky, the chairman of the subcommittee on poultry and eggs, for the thorough and objective manner in which this legislation was considered. After due discussion within the subcommittee and consideration of suggested amendments, a clean bill was drafted by the subcommittee chairman, considered by the full Committee on Agriculture, and referred to the House of Representatives for consideration today. It is my considered opinion that this bill has merit, and I urge its approval.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. McINTIRE. I yield.

Mr. SEELY-BROWN. The gentleman is very familiar with the problems which the New England poultry producers face. Does he see anything in this legislation which would be harmful either to the poultry producers or to the small cooperative processing plants who find their problems already difficult? Does this add a new problem to their operation?

Mr. McINTIRE. I may say to the gentleman it is my considered opinion that this bill will not seriously inconvenience the small processor in the areas with which we are both familiar, and that the inspection service will be made available to him on a basis which will be flexible enough to meet his usual production schedule through his processing plant. It may be pointed out that this bill deals only with processors, and the idea that it creates a problem to the producer is far out of the proper perspective of the bill.

Mr. HOFFMAN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Evidently no quorum is present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 135]

Adair	Cunningham,	Jones, Mo.
Allen, Calif.	Nebr.	Kearney
Anderson,	Curtis, Mass.	Kearns
Mont.	Davis, Tenn.	Keeney
Ashley	Dawson, Ill.	Kelly, N. Y.
Bardeen	Delaney	Kilburn
Barrett	Dennison	Kluczynski
Bass, N. H.	Derounian	McConnell
Baumhart	Diggs	Maillard
Beamer	Donohue	Meador
Bentley	Dorn, N. Y.	Miller, N. Y.
Blicht	Eberharter	Minshall
Bonner	Engle	O'Konski
Bowler	Fallon	O'Neill
Boyle	Fogarty	Ostertag
Bray	Fulton	Philbin
Brownson	Granahan	Polk
Buckley	Green, Pa.	Powell
Byrne, Ill.	Gregory	Prouty
Byrne, Pa.	Hardy	Radwan
Cederberg	Harvey	Rains
Chelf	Hays, Ohio	Riehlman
Chipperfield	Healey	Robeson, Va.
Christopher	Hillings	Saund
Chudoff	Holtzman	Shelley
Colmer	Ikard	Smith, Kans.
Coudert	Jennings	Smith, Miss.

Springer	Thornberry	Wilson, Ind.
Taylor	Tuck	Winstead
Teller	Widnall	Withrow
Thompson, La.	Willis	Younger

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'BRIEN of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6814) and finding itself without a quorum, he had directed the roll to be called, when 339 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. McINTIRE. Mr. Chairman, it should be said that a sincere effort was made to enable all parties having an interest in this legislation to be heard. As the record reveals, there were more than 70 witnesses who presented either testimony or statements. Testimony and/or statements were presented by 34 groups representing the poultry industry, 16 health officers, 12 representatives of labor unions, 6 general consumer organizations, representatives, and members of the major farm organizations—all of these supported some type of compulsory poultry inspection. Too, the Department of Agriculture and the Department of Health, Education, and Welfare have indicated their support of this legislation now before us.

H. R. 6814 is a compromise bill in many respects, differing only mildly with S. 1747, the Senate poultry bill passed by that body on April 8 of this year. H. R. 6814 does not thoroughly satisfy the interests of all parties advocating mandatory poultry inspection legislation—it does not fully accomplish all that has been requested by the labor unions; it does not entirely satisfy the representatives who spoke in behalf of the health groups; and it does not attain all of the objectives endorsed by the poultry producers. However, it does have eminently favorable features, for it is a timely piece of legislation that will aid—through a comprehensive and standardized program of inspection—in the progressive development of the poultry industry. It would also assure the consuming public that the poultry offered on the market would be wholesome in nature, having been processed in plants meeting uniform and high grade standards of sanitation.

I wish to pay tribute to poultry producers and processors, together with governmental agencies at the Federal and State level, for the excellent job that they have done in bringing to the American people very fine poultry products. I believe that this legislation will prove an assist in doing an even better job in providing palatable poultry, and that it will add confidence to the consuming public's interest in a food item which, because of its delicious nature, has today become a popular food requirement in our everyday diet.

I say "everyday diet" because chicken is no longer just a Sunday dinner, nor is turkey just for Thanksgiving and Christmas. Inasmuch as poultry has become so universally used—because of

its perishable nature—handled fresh, I believe the time has come, as it did with red meats, for the public interest to be recognized—this to be accomplished through the establishment of high standards of sanitation and wholesomeness that are maintained through a program of compulsory inspection.

It is interesting to note that per capita consumption of poultry has grown from 22 pounds in 1940 to nearly 40 pounds in 1956, and production of poultry meat has now reached 6.6 billion pounds. With the development of refrigeration, frozen and precooked foods, and ready-to-cook packaging, the consumption and production of poultry meat has progressed very rapidly.

In effect, this is a very competitive industry today, one which often operates on very slim margins, and in the industry there are the careless and the unscrupulous. Many of these weaknesses presently evident in the industry can, in large degree, be substantially corrected or eliminated through an inspection system that requires sanitary facilities that will process only wholesome birds.

The Voluntary Poultry Grading and Inspection Service was started by the Poultry Branch of the Agricultural Marketing Service, under authority of the Agricultural Marketing Act of 1946. Under this provision it has been possible for a poultry processor to enter into agreement with the Poultry Branch of the Department of Agriculture and receive inspection, providing his plant is designed to meet requirements, and the processor pays all costs associated with this service. Two States—Maine and North Dakota—worked out Federal-State agreements for this service to processors in those States, and the processors pay the full cost of inspection service. At the present time, 28 percent of all classes of poultry are inspected at processing, and 68 percent of all turkeys.

At this point, I would like to commend the Maine poultry processors for the fine work they have done under this program, and for the high standards they have established for processing plants and for birds processed for market.

The poultry industry is now substantial in practically every State in the Union. The 10 leading States in 1956, in broiler production, were Georgia, Texas, Arkansas, North Carolina, Delaware, Alabama, Maryland, Virginia, California, and Maine, in that order. The 10 leading States in 1956 in the production of farm chickens were Iowa, Minnesota, Illinois, California, Missouri, Pennsylvania, Indiana, Wisconsin, Ohio, and Texas, in that order. The 10 leading States in turkey production in 1956 were California, Minnesota, Virginia, Iowa, Texas, Ohio, Missouri, Utah, Wisconsin, and Arkansas, in that order.

This legislation is of particular importance to the aforementioned States. It is also important to all other States where poultry is processed, because the inspection required will be applicable to processors that sell in interstate commerce and in intrastate commerce, where designated areas are involved.

You have had the separate provisions of the bill presented to you by previous

speakers, and in consideration of the fact that the committee staff has prepared a very thorough and concise report on the bill, I would like to point out briefly the requirements of H. R. 6814:

(a) Compulsory Federal inspection on all poultry and poultry products moving in interstate commerce and in major intrastate consuming areas.

(b) This is not a poultry grading bill, and it does not apply in any manner to the handling, shipment, or sale of live poultry; nor does it apply in any manner to the processing or sale of eggs or egg products or game birds.

(c) The legislation requires post mortem bird by bird inspection and ante mortem inspection, as the Secretary deems necessary.

(d) Sanitary practices are required by regulations of the Secretary.

(e) Labeling requirements are established.

(f) Penalties are established.

(g) Exemptions are provided.

(h) Provisions are made to enable the Secretary to cooperate with States in respect to inspection service and standards.

(i) Inspection costs are borne by the Federal Government through general appropriations.

It is my considered opinion that the marketing of poultry as a fresh meat product has attained proportions which—in the public interest—demand an inspection designed to assure uniform standards of wholesomeness; that any associated costs should—because they are in the public interest—be at public expense. Because this bill, in large measure, achieves these objectives, I sincerely believe it has merit.

I would like to add just one or two other points. One is to reemphasize that this bill does not apply to the processors. It applies to the processors. The question was asked—how many additional plants would be brought under inspection. May I add for the record and for the information of the Committee that approximately 700 additional plants would be brought under inspection as soon as they qualify under the inspection requirements.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McINTIRE. I yield.

Mr. HALLECK. Does that include the little processing plants which I know exist in my district? Does the Department know how many of them are out there?

Mr. McINTIRE. This figure was obtained from the Department of Agriculture, I will say to the gentleman from Indiana.

Mr. HALLECK. I feel constrained to say that if little processing plants such as are in my district are found in other places in the country, then that number, if they are to be inspected, and the gentleman has said that it would be provided to cover them, then the number will be many more than 700.

Mr. McINTIRE. This figure is one which I obtained from the Department and I base my statement on their information.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. McINTIRE. I yield.

Mr. COOLEY. It is contemplated by this program that if the Secretary cannot provide the necessary inspectors to carry out the program, he is authorized to exempt the little poultry slaughterhouses; is that not true?

Mr. McINTIRE. That is true, during the period in which the program is being built up for its full application.

Mr. COOLEY. And we think we have allowed sufficient time in the law to put the program into operation without causing any undue hardships.

Mr. McINTIRE. I might say to my chairman that that point was given very careful consideration by the subcommittee and the full committee, as the chairman will recall, and in consultation with the Department. We believe the effective date of this act is very fair.

Mr. COOLEY. The charge has been made that it is the purpose of this act to put the small producer out of business. I am sure the gentleman will agree with me that that is not the purpose of the law and no member of the committee had that in mind at the time we reported this bill.

Mr. McINTIRE. I would like to reply with reference to that point that as one member of this subcommittee that factor has been given very close consideration. I think we have endeavored, and quite successfully, to draft legislation which certainly did not have that objective as its purpose. We have done a diligent job to make sure that it does not work that way.

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Chairman, it is strange that a people as health conscious as we Americans are, have not yet provided for compulsory inspection of poultry.

Poultry is one of our major foods. More than 6 billion pounds of it are consumed in the United States each year—enough for 35 pounds for every man, woman, and child. And yet there are no adequate and compulsory safeguards concerning this food for the consumer.

This is despite the fact that veterinarians have testified before the Committee on Agriculture that 26 diseases are transmissible from poultry to man. Some of these diseases cause extreme illness and even death.

While much of food poisoning comes from improper handling of foods, the United States Public Health Service reports that in 1956 nearly 36 percent of the cases of food poisoning reported to it were caused by poultry or poultry products. This is extremely high—far higher than for any other food.

Mr. Chairman, I believe these statistics are alarming. I know that the responsible sections of the poultry industry—and that is the overwhelming majority of the industry—is doing all it can to prevent these dangers. Many firms in the industry even pay for an

inspection program to assure the consumer clean and wholesome poultry.

But the majority of the industry cannot control the few who, in order to make a "fast buck," will put diseased and filthy poultry on the market. The consumer must be protected against these unscrupulous operators.

The best means of doing this is through a system of compulsory poultry inspection. Fifty years ago, the Nation learned that a good Federal inspection program could make the jungle which was then the meat industry into an excellent provider of a tasty, nutritious, and wholesome food.

We can assure the consumer the same type of protection with poultry by approving H. R. 6814 today. Enactment of this measure is an immediate and pressing necessity.

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. JOHNSON].

Mr. JOHNSON. Mr. Chairman, I wish to speak briefly in support of H. R. 6814, a bill to provide for the inspection of poultry and poultry products so as to prevent the movement in interstate or foreign commerce of poultry products which are unwholesome or otherwise unfit for human food. I think we can all agree with the purpose of the bill as set forth in the declaration of policy as most desirable and vital to the well-being of the consumer and producer.

It is not many years ago that the production of poultry was a sideline affair, and the consumption of poultry was more or less restricted to holidays and special occasions. That is no longer true. The production of poultry has become one of the major industries of this country, and consumption of poultry has increased by leaps and bounds to a point where 6.4 billion pounds of poultry were consumed last year as compared with 2.1 billion pounds in 1920. In this 46-year period, the consumption of poultry in this country has tripled while the consumption of red meat has just about doubled.

Yet the inspection of red meat has been in force since 1906 while poultry, at the present time, is still on a voluntary inspection basis with many areas of the country having no inspection at all.

In the 84th Congress, numerous versions of the mandatory inspection bill were introduced in both House and Senate. The Senate held hearings early in the second session of the 84th Congress, but the House held no hearings until July of 1956, close to the time of adjournment. At that time there was no unanimity of opinion among the various people concerned. And because unanimity could not be reached, it was decided to discuss the subject further and schedule hearings in the next session of Congress.

Early in March of this year, the House Agriculture Committee held further hearings and there were many bills before the committee. After the hearings were completed, H. R. 6814, the bill under discussion today, was introduced and passed out by the subcommittee. It is a compromise bill between the views of consumers, public health personnel, the Department of Agriculture, labor unions in the poultry field on one hand, and the poultry industry groups on the other

hand. Although all groups agreed on the need for adequate inspection to protect consumers and laborers in the processing plants, while at the same time not burdening the processor with extraordinary expense and redtape, there were many diverse points of view on how to achieve such an inspection program.

In the 83d Congress, there was one group which wanted the inspection functions vested in the Pure Food and Drug Administration of the Department of Health, Education, and Welfare. Another group thought they should be vested in the red-meat inspection branch of the Agricultural Research Service of the Department of Agriculture, which has handled red-meat inspection for 51 years. A third group thought it should be placed with the Poultry Division of the Agricultural Marketing Service, which has handled the voluntary inspection program for poultry for 30 years. When the House Agriculture Committee considered the matter this session, there were only two schools of thought.

One wanted the inspection performed by the Red-Meat Division of the Department of Agriculture and the other group thought it should be performed by the Poultry Division of the Agricultural Marketing Service. There were strong arguments for both positions.

H. R. 6814 places the inspection with the Department of Agriculture, but leaves it to the discretion of the Secretary of Agriculture whether the responsibility for poultry inspection shall be placed with the Red Meat Division or the Poultry Division of the Agricultural Marketing Service. If the Secretary of Agriculture decided to place this responsibility with the Marketing Service and, after a trial period, finds that it should be with the Red Meat Division, he has the authority to transfer the function.

Another point of disagreement was the question of antemortem inspection of each bird. One group felt that each bird should have antemortem inspection prior to slaughter, while another group thought the only inspection necessary was post mortem. H. R. 6814 provides for post mortem inspection of each bird and leaves it to the discretion of the Secretary of Agriculture to use antemortem inspection whenever he considers it necessary. This authority can be delegated to the individual inspector in the field, and if there are areas where antemortem inspections become necessary, they can be invoked.

The third point of disagreement between the various groups was the effective date of compliance under the mandatory inspection program. Only 35 percent of the poultry consumed at this time is subject to voluntary Federal inspection. Many processing plants will have to make necessary changes in order to come under the law. H. R. 6814 allows ample time for the poultry industry to get ready for inspection by making inspection available to plants which request it by January 1, 1958, and extending the time for mandatory inspection to January 1, 1959.

The fourth point of disagreement had to do with the enforcement of the act. One group advocated language which would require the Department of Agri-

culture to prove that a processor knowingly violates the law. The testimony of the representative of the Poultry Inspection Division was that this would make the law practically unenforceable, and he also stated that, in the many years voluntary poultry inspection has been in effect, violations have been very minor. H. R. 6814 compromises these points of difference by giving a reduced penalty for the first offense and dropping the word "knowingly" in the enforcing clause. Strong enforcement penalties are provided after the first offense. The objective of the poultry-inspection bill is to protect the consumer and the worker in the plant from unfit and diseased poultry and to protect the producer and processor from an unworkable inspection program that might drive them out of business.

To show the committee that various groups which have been at crossed points at the hearings now express their endorsement of H. R. 6814, I would like to state that a processor and turkey grower in my district who was one of the first to testify before the committee at that time strongly advocated the use of the word "knowingly" and was opposed to ante mortem inspection. He now favors H. R. 6814. I would also like to read you a letter from a processor in my district who endorses the provisions now contained in H. R. 6814.

WISCONSIN PRODUCE, INC.,

Eleva, Wis., March 4, 1957.

Congressman LESTER JOHNSON,

House Office Building,

Washington, D. C.

HONORABLE SIR: I am writing in regard to the mandatory poultry-inspection bill now up before Congress. There are several points which I feel should be included in this bill if small processors like ourselves are to survive.

First, the law should leave the inspection program in the hands of the Secretary of Agriculture. This will allow the Poultry Branch to function as it has in the past.

Second, the decision as to the use of ante mortem inspection should be left to the discretion of the Secretary of Agriculture and his advisers. Under no circumstances should it be legislated into law.

Third, a reasonable date for compliance should be allowed. The bill should not become effective before January 1, 1958.

We in the poultry industry realize the necessity for producing quality products; however, a costly or unworkable inspection program will sound the death knell for small processors like ourselves.

I sincerely hope you will do your utmost to include in any inspection program passed the three points listed above.

Sincerely yours,

WILLIAM J. WERNERSBACH,

General Manager.

I should also like to read you a letter from the Amalgamated Meat Cutters and Butcher Workmen of North America who were opposed to the stand taken by producers and processors at the time of the hearings and who now endorse H. R. 6814.

AMALGAMATED MEAT CUTTERS

AND BUTCHER WORKMEN

OF NORTH AMERICA,

Chicago, Ill., June 5, 1957.

The Honorable LESTER R. JOHNSON,

Member of Congress, United States

House of Representatives, Washing-

ton, D. C.

DEAR CONGRESSMAN JOHNSON: During the past 3 years, we, on behalf of our union,

have been writing to Members of Congress urging the enactment of legislation to provide the compulsory inspection of poultry. We have pointed out that the lack of inspection to guarantee wholesomeness and cleanliness posed serious dangers to consumers and poultry workers. A similar inspection program, as our organization suggested for poultry, has been in effect for red meats for more than half a century to the very great benefit of the entire Nation.

We are very happy to be able to say that the House of Representatives will soon vote on a compulsory inspection bill. The Senate has already passed such a measure.

The Committee on Agriculture recently reported H. R. 6814. This bill is a compromise between the views of the consumer, public health, women and labor groups on the one hand and poultry industry groups on the other. Quite frankly, H. R. 6814 does not have all the points we and other groups believed necessary, but we consider this bill to be a good compromise. This fact, and the great, immediate need for this legislation leads us to support H. R. 6814.

We respectfully urge that you support H. R. 6814 when it comes to the floor of the House of Representatives for a vote. It is very important consumer-protective and worker-protective legislation. It will provide the safeguards which groups, like our union, have so long sought against filth and disease in poultry processing.

Very truly yours,

EARL W. JIMERSON,

President.

PATRICK E. GORMAN,

Secretary-Treasurer.

Mr. WATTS. Mr. Chairman, I yield such time as she may desire to the gentlewoman from Minnesota [Mrs. KNUTSON].

Mrs. KNUTSON. Mr. Chairman, the legislation we are considering today will have a direct effect on virtually every household in America.

Our action today on compulsory poultry inspection, will decide whether housewives can go into the market with almost complete assurance that the poultry they buy is good and healthful for their families.

I have heard a number of the gentlemen here say that compulsory poultry inspection legislation is long overdue. Let me assure them that to the housewife this is a great understatement. The homemaker has believed—and many still do—that all poultry is now inspected for wholesomeness and sanitation. She believed that this is a natural consequence of meat inspection.

I know that I was surprised and shocked when I discovered that only a fraction of our poultry is currently being inspected and that the processor had to request and pay for this program.

Congress must provide the homemaker with what she has long thought we had already given her—a protective inspection program, which will allow only wholesome, clean and unadulterated poultry to come to the market. The homemaker has a right to this protection.

Decades ago, most of us bought our poultry live from a farmer. We would see the bird before slaughter. We would clean and prepare it ourselves. We had no complete guaranty against disease, but we had some idea of the health of the bird. And we definitely knew that the poultry was sanitarily processed.

Today, with the labor-saving processing operations, we no longer have these safeguards. We buy our poultry in a grocery store or supermarket already processed, and perhaps even cut up into parts. We have no idea of its condition nor how it was processed.

The looks of the poultry offers us no indication of its quality, for the processor who wants to sell unfit birds—and there are fortunately few such processors—know tricks to fool the unsuspecting housewife. A diseased bird can be made to look as much like a tempting morsel as a wholesome bird.

The housewife now needs the protection of experts. Under a compulsory poultry inspection program, as provided in H. R. 6814, the Department of Agriculture will put trained inspectors in each processing plant whenever poultry is being slaughtered and prepared. He will inspect a flock, coop or batch of poultry before slaughter and each carcass after slaughter. He will make certain that processing plant, facilities, and operations are clean and will not lead to any adulteration.

That is the type of protection the housewife needs. That is the type of protection she must have.

Since discovering the absence of any compulsory poultry inspection, I have not bought any poultry which did not bear the stamp of the Department of Agriculture's voluntary inspection program. I look forward to the day soon when I do not have to search carefully for that stamp—the day when all poultry sold in interstate commerce and in major consuming areas will be federally inspected, in accordance with law.

I appeal to the members of the House of Representatives to make certain that that day will come on January 1, 1959. We can do this by approving H. R. 6814 today.

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Chairman, I have been working for more than 3 years for the enactment of a compulsory poultry inspection bill, and while the bill now before us is not the perfect bill—while it does not quite dot every "i" or cross every "t"—nevertheless I am happy to say that I can go along with it. If properly administered—if it is administered with the same spirit which motivates the Department of Agriculture in administering the Meat Inspection Act—then I am sure it will protect the consumer fully, and we can foresee an end to these constantly recurring incidents of widespread infection, outbreaks of disease and epidemics attributable to bad or diseased or unwholesome poultry.

Perhaps it may still come as a surprise to some Members to know that at the present time, there is no assurance that when you go into the stores to buy poultry you are not being sold diseased or unwholesome poultry. If the poultry bears a stamp on it which says it has been inspected for wholesomeness by the United States Department of Agriculture—and only about a fourth of all the poultry sold bears such a stamp—then you know it is all right. But the present program under which poultry is in-

spected is a voluntary one, and not effective enough.

At present, the processing plant can subscribe to this inspection program if it wants to—and if it is willing to pay the cost of having the inspectors sent in by the Federal Government. And if some of the poultry in an inspected plant does not pass inspection, then, it can be sold anyway—although of course without the Federal stamp on it. But it can still be sold. Furthermore, most poultry now being sold is not inspected at all.

Obviously, this does not protect the consumer. As a result, the American public—which each year buys more than 6 billion pounds of poultry—has been victimized by being sold a lot of diseased, filthy, contaminated, unwholesome, unfit poultry, processed under unspeakable conditions, and sent out in the channels of trade to poison the unwary purchaser.

It is time that we put a stop to such shameful practices. This bill, I believe, will do that.

It will require processors selling poultry in interstate commerce to have their poultry inspected and approved, just as every meat packing plant for the past 51 years, under the Meat Inspection Act, has had to have every carcass inspected and approved before it can be shipped in interstate commerce.

Furthermore—and this is not in the Meat Inspection Act but will apply only to poultry—in consumer centers, such as the major cities, all poultry coming into such an area, both interstate and intrastate, will have to be inspected and approved under this bill certain conditions. That is, if the locality asks to come under the program and if the Secretary of Agriculture finds that the intrastate poultry sales into that city have an effect on or burden interstate commerce. This is not a new provision of law as it involves the concept of interstate commerce, but it is new in connection with any form of meat inspection legislation.

I might add that this provision was inserted primarily at the request of processors engaged in interstate commerce, so as to prevent unfair competition in the major city markets from producers within the same States. As long as the consequence of this is to provide more protection for the consumer, I am quite willing to accept and support this idea.

Now let me explain how the need for this poultry legislation has arisen. One might ask why we suddenly need poultry inspection laws when we have managed to get along for 51 years since the passage of the Meat Inspection Act without having poultry included along with the red meats—beef, pork, lamb—under a compulsory inspection system.

There are two answers to that question. One is that until food technology and refrigeration engineering made possible freezing and nationwide distribution of poultry by big firms, you usually bought a chicken or turkey raised not far from where you lived, and sold by a farmer from his truck or sold by a neighborhood storekeeper whom you knew had a good reliable supplier from a nearby farm.

But in recent years, poultry has gone bigtime and big business. The small farmer is not a factor. As a matter of fact, under this bill, the farmer can still raise his chickens and take them to town and sell them directly to the housewife without having to worry about inspection. But when you buy his poultry you know where that chicken comes from.

But most poultry sold in this country comes from major producing centers, from big processors who buy up or own whole flocks, and who may take this poultry and cut it up, freeze it, and send it half way or all the way across the country. Much of the poultry sold in St. Louis comes from Georgia. Georgia poultry, incidentally, also goes to California.

I am not picking on Georgia. I use the illustration only for geographical explanation. If I buy a Georgia-produced chicken in my St. Louis neighborhood store, or one from Illinois or Pennsylvania or anywhere else; however, I think I have a right as a consumer to expect that it be completely wholesome and fit for use—and that no bad parts were removed to give the impression a sick bird was a healthy one.

I have a right as a consumer to expect that when I buy a frozen turkey, it not be full of water "needled" into it before freezing to make it weigh more.

I have a right as a consumer to expect that when I buy cut-up poultry, the parts not be the healthy-looking legs or wings of a diseased and infected bird.

That is what this bill is intended to accomplish. Also, since we have periodically had outbreaks of epidemics in uninspected poultry-processing plants, causing not only sickness and hardship to employees but in many cases actually causing substantial numbers of deaths, we need this legislation to help and protect the worker, too. And since the greatest proportion of digestive ailments traced to food in this country have been traced to bad poultry, and since the sale of poultry is certain to decline if the consumer cannot have faith in the product he is buying, then the poultry industry itself must also have legislation of this kind.

I think these facts have been brought home to the poultry industry within the past few years. I know, Mr. Chairman, that the overwhelming majority of the industry is zealously trying to provide the consumer with wholesome and clean poultry, but there is a small minority which attempts to profit at the expense of the consumer's health. It is because of these unscrupulous operators we need this legislation.

When I first began working on legislation on this subject in 1954, it was bitterly opposed by people in the poultry-processing field and by some farm groups. That is now changed. This bill, I believe, has no organized opposition from the industry. As a matter of fact, since it is a compromise intended to meet industry fears as well as consumer needs, it is not as strong as I would want to make it, but I think, as I said, it can be used effectively to do the main job which must be done—and that

is protect the public from being poisoned by diseased and unfit poultry products.

I believe the gentleman from Kentucky [Mr. WATTS], who is chairman of the subcommittee which handled this legislation, has done a truly outstanding job in bringing together diverse viewpoints on this legislation and bringing about agreement on a compromise which the poultry industry believes is fair and which those of us primarily concerned with the consumer's needs can also accept. I should emphasize most strongly that this is a compromise. If we can pass it in this form, then all points of view will be treated fairly.

But I must warn that if the consumer protections which we have insisted on in this compromise are weakened, then the compromise would be upset. There would be an obligation upon us then to move to make the bill stronger. For I must point out that while this bill will have the effect of increasing poultry sales—by bolstering consumer faith and

confidence in the purity of the poultry sold in the stores—it is primarily a consumer-protection bill, not a poultry-merchandizing one.

The poultry-merchandizing objectives will be enhanced, I can assure you, by assuring the consumer he is getting good food whenever he buys poultry.

It is my feeling that the objectives of a good inspection system could be achieved most simply and directly merely by amending the 51-year-old Meat Inspection Act to include poultry. My bill, H. R. 12, a successor to H. R. 11800 which I introduced in the previous Congress, would have approached it in that manner. However, the subcommittee felt it would be important to achieving the support and agreement of the poultry-processing industry and the farm groups if there was separate legislation on poultry, making it thus unlikely that poultry inspection would be made a subordinate stepchild of the Meat Inspection Branch dealing with red meats.

In line with that feeling, I agreed to submit a second bill along those lines, H. R. 5398, and thus both my bills were before the subcommittee. As we know, H. R. 6814, which is now before us, is a compromise of the provisions of my bills and of suggestions made by the industry groups, and was introduced by Mr. WATTS at the conclusion of the hearings. It incorporates many of the provisions of H. R. 5398 as well as the overall objectives of H. R. 12.

I have asked the Library of Congress Legislative Reference Service to provide me with a detailed table listing the differences as between the three bills—H. R. 12, to amend the Meat Inspection Act, H. R. 5398, which represented an ideal consumer approach in separate poultry-inspection legislation, and H. R. 6814, the compromise bill containing industry as well as consumer proposals. I include this excellent table at this point, Mr. Chairman:

Provisions of 3 poultry inspection bills

H. R. 12 by Mrs. SULLIVAN	H. R. 5398 by Mrs. SULLIVAN	H. R. 6814 by Mr. WATTS
<p>Sec. 1. Finding by Congress that poultry and poultry products are being marketed without adequate inspection to insure wholesomeness and that amendments are hereby made to the Meat Inspection Act and the Tariff Act of 1930 to give the Secretary of Agriculture power to regulate shipments which (1) are in interstate and foreign commerce, or (2) burden, obstruct, or affect interstate or foreign commerce.</p>	<p>Sec. 1. Title: Poultry Products Inspection Act. Sec. 2. Legislative finding: Makes a finding as to (1) the large quantities of poultry products that are in interstate commerce, and (2) the great volumes of poultry products used within certain large centers of population which directly affect poultry and poultry products in interstate commerce.</p>	<p>Sec. 1. Title: Poultry Products Inspection Act. Sec. 2. Identical to sec. 2 in H. R. 5398.</p>
<p>The Meat Inspection Law has never been considered to apply to purely intrastate transactions. The act of 1942 (56 Stat. 351) which extended the inspection on a voluntary basis, to establishments in intrastate commerce was repealed in 1947 (61 Stat. 449, sec. 1).</p>	<p>According to the Department of Agriculture, in their comment on previous bills, the application of the act to market areas was requested by the poultry processors whose products are largely in interstate commerce and who feel that compliance would put them in an adverse competitive position in large market areas represented by big cities. It is based on the regulatory technique used by the Secretary of Agriculture under sec. 8c of the Agricultural Marketing Act which was upheld by the Supreme Court in <i>United States v. Wrightwood Dairy</i> (1941), 315 U. S. 110.</p>	<p>Sec. 3. Same as in H. R. 5398.</p>
<p>Sec. 2. Proviso. Provides that the Secretary of Agriculture may regulate any shipments which directly burden, obstruct, or affect interstate and foreign commerce.</p>	<p>Sec. 3. Declaration of policy—Congress therefore provides in this act for inspection of poultry and poultry products in interstate commerce, and in designated cities and areas. Sec. 4. Designation of inspection area. The procedure is as follows: (1) Application for regulation by the appropriate officer or governing body of a city or area. (2) Public hearing by Secretary of Agriculture on whether regulation would effectuate provisions of act. (3) Order by Secretary placing city or area under regulation if the findings of fact at the hearing so warrant. (4) Designation goes into effect 6 months after publication in Federal Register.</p>	<p>Sec. 4. Designation: The procedure is as follows: (1) The Secretary is the motivating force. (2) A public hearing is conducted at his instance. (3) After the necessary finding of fact, he issues an order establishing regulation of the city or area. (4) Provided the city or area consents. This is equivalent to veto power. (5) The order establishing inspection goes into effect 6 months after publication in the Federal Register.</p>
<p>Sec. 2. The inspection process under H. R. 12 would be assimilated to the regulations governing meat inspection, or set up separately at the Secretary's discretion. The bill does require both ante mortem and post mortem inspection. In the regulations under the Meat Inspection Act (9 C. F. R. 21.1) the query on a suspicion of unwholesomeness is made "to the immediate superior." Does the word "appeal" in H. R. 5398 and H. R. 6814 permit the formulation of a less expeditious regulation?</p>	<p>Sec. 5. Inspection: The inspection process consists of— (1) compulsory ante mortem inspection whenever processing operations are being carried on, in such manner as is determined necessary. (2) post mortem inspection of the carcass of each bird processed. (3) Condemnation of all poultry, parts, or products found to be unwholesome, and unless an appeal is taken, destruction thereof. (4) Permission to appeal a condemnation, which appeal shall be paid for by the person making it, if it is found frivolous. (5) Compliance with proper sanitary regulations established under the act is required.</p>	<p>Sec. 5. Inspection: The inspection process consists of— (1) Discretionary ante mortem inspection, where and to the extent considered necessary. (2) Post mortem inspection provisions the same as in H. R. 5398. (3) Condemnation of all poultry, parts, or products found to be unwholesome, and, unless an appeal is taken, destruction thereof. Such carcasses, parts and products which may be reprocessed, be made not unwholesome and not adulterated, need not be so condemned and destroyed, if reprocessed under supervision of an inspector and thereafter found not to be unwholesome and not adulterated. (4) Compliance with proper sanitary standards under the act is required.</p>
<p>Sec. 7. Empowers the Secretary to establish regulations governing sanitary conditions.</p>	<p>Sec. 6. Sanitation, facilities, and practices: Grants authority to establish regulations effecting these.</p>	<p>Sec. 6. Sanitation, facilities, and practices: Same as H. R. 5398.</p>
<p>Sec. 16. The labeling provision governs the items inspected and passed. It does not refer to accompanying material, or false and misleading labels, other than those claiming an item has been "inspected and passed" which has not been. Violators are subject to criminal penalties only; not to injunction proceedings.</p>	<p>Sec. 7. Labeling: (1) Requires each "shipping" container of any inspected product to bear in legible form (a) official inspection mark (b) name of product (c) accurate weight, measure, or numerical count (d) name and address or approved plant number in which contents were processed. (2) Requires each "individual consumer" package to bear in legible form (a) name of product (b) statement of ingredients if made from 2 or more (c) net weight or other appropriate measure (d) name and address or approved plant number of establishment where contents were processed. However, the name and address of the distributor may be used if the approved plant number is employed also. (3) Prohibits false or misleading written, printed, or graphic matter; and the use of false or deceptive names for the products unless the Secretary finds such names</p>	<p>Sec. 7. Labeling: (1) Requires "shipping" containers to bear in legible form the official inspection mark and the approved plant number of the official establishment in which the products were processed. (2) Requires the "immediate" container to bear in legible form the same items of information as the "individual consumer" package under H. R. 5398. The provisions respecting name and address and plant number are not, however, in the alternative under H. R. 6814. (3) Provisions as to labeling are the same as under H. R. 5398.</p>

Provisions of 3 poultry inspection bills—Continued

H. R. 12 by Mrs. SULLIVAN	H. R. 5398 by Mrs. SULLIVAN	H. R. 6814 by Mr. WATTS
	<p>are legitimate trade names. The Secretary may require any label which is false or misleading in any particular to be modified. The person using the label may request a hearing; but use shall be withheld pending the hearing. Thereafter, if the finding is adverse to the use of the label, he may appeal to the United States circuit court of appeals in the circuit where he resides.</p> <p>Some factors under this section should be pointed out. Subsec. (a) has as its objective the proper identification of inspected poultry and poultry products and this is comparable to the labeling provision in the Meat Inspection Act (21 U. S. C. 75). Subsec. (b) in referring to "printed or graphic material" not only upon but also accompanying the inspected product, together with its prohibition against false and misleading labels borrows concepts from the misbranding provisions of the Food, Drug, and Cosmetic Act (21 U. S. C. 343) which is administered by the Department of Health, Education, and Welfare.</p> <p>The Meat Inspection Act subjects anyone violating its labeling provisions to criminal penalties. Under the Food, Drug and Cosmetic Act, items which have been misbranded are subject to seizure; the person (including firm) so doing is subject to injunction or criminal proceeding. As you may note, the label for seizure has not been included in either of these bills.</p> <p>Sec. 8. Prohibited Acts. There are 9 of these as follows:</p> <p>(1) Placing in interstate commerce or for sale, delivery, etc., of any poultry or poultry product unless it has been inspected and its container is properly marked.</p> <p>(2) Sale or other disposition for human food if any poultry or product thereof which has been found unwholesome or adulterated.</p> <p>(3) Forging or counterfeiting an official inspection mark.</p> <p>(4) Using a false or misleading label on any product.</p> <p>(5) The use of a container bearing an official inspection mark except for the products originally put in it.</p> <p>(6) Refusal to permit access to any authorized representative of the Secretary, at all reasonable times, to the premises of an establishment under this act engaged in processing poultry.</p> <p>(7) Refusal to permit access to and copying of records.</p> <p>(8) The use by any person, to his own advantage, of information acquired under this act.</p> <p>(9) Delivering, receiving, selling, etc., any poultry other than poultry under this act in commerce or a designated city or area.</p>	
<p>Sec. 9 and Sec. 10. Prohibit uninspected products, or improperly labeled products to be transported in interstate or foreign commerce.</p>	<p>Sec. 9. Prohibits any establishment processing poultry or poultry products for commerce or for marketing in a designated city or area except in compliance with this act.</p>	<p>Sec. 8. Prohibited Acts. Same as in H. R. 5398, except (9), below:</p>
<p>Sec. 8. H. R. 12 provides that inspections shall be made in the nighttime as well as the daytime, whenever slaughtering is being conducted at nighttime.</p>	<p>(1) Contains a further clause permitting poultry to be transported between official establishments and to foreign countries subject to the regulations of the Secretary.</p> <p>Sec. 9. Same as in H. R. 5398.</p>	
<p>No comparable provision in H. R. 12.....</p>	<p>Sec. 10. Records of interstate shipment: Records coming under these provisions must be maintained for 2 years following each transaction, and be opened to the inspection of any duly authorized representative of the Secretary.</p> <p>Sec. 11. Injunction proceedings: The district courts are empowered to issue injunctions both to enforce and to prevent and restrain violations under the act. The analogous provision in the Food, Drug, and Cosmetic Act allows only prohibitory injunctions to be brought (21 U. S. C. 332).</p>	<p>Sec. 10. Records of interstate transactions. Same as in H. R. 5398.</p>
<p>No comparable provision in H. R. 12.....</p>	<p>Sec. 12. Penalties: Persons violating the provisions of this act shall be guilty of a misdemeanor.</p> <p>(1) For a 1st offense the penalty shall be imprisonment for 1 year and/or a fine of \$5,000.</p> <p>(2) For a 2d offense, after a previous conviction has become final, the penalty shall be imprisonment for 2 years and/or a fine of \$10,000.</p>	<p>Sec. 11. Injunction proceedings. Same as in H. R. 5398.</p>
<p>Penalty for violation of the Meat Inspection Act, assimilated by H. R. 12 to poultry is conviction of a misdemeanor carrying a sentence of imprisonment for not more than 2 years and for a fine not exceeding \$10,000.</p>	<p>These bills do not carry penalty provision for those convicted of an attempt to defraud as does the Food, Drug and Cosmetics Act (21 U. S. C. 333 (b)).</p> <p>(b) Not carried in H. R. 5398.</p>	<p>Sec. 12. Penalties: Persons violating the provisions of this act shall be guilty of a misdemeanor.</p> <p>(1) For a 1st offense, the penalty shall be imprisonment for 6 months and/or a fine of not more than \$3,000.</p> <p>(2) For a 2d offense, after a previous conviction has become final, the penalty shall be imprisonment for 1 year and/or a fine of not more than \$5,000.</p> <p>(3) For any offense after the 2d, the penalty shall be imprisonment for not more than 2 years and/or a fine of not more than \$10,000.</p> <p>(b) Carriers are not subject to the penalties of the act where their only act consisted of the carriage of poultry products. Carriers who violate the provision requiring records, whether or not with knowledge, shall be subject to the penalties of this section.</p>
<p>No comparable provision in H. R. 12.</p>	<p>Sec. 13. Requires a hearing before instigation of criminal proceedings, during which the defendant may state his side of the case, orally or in writing. The Secretary is authorized to overlook violations of this act. This provision is based on that in the Food, Drug and Cosmetic Act (21 U. S. C. 335). However, the penal provision of the bill (sec. 12), unlike the penal provision of the Food, Drug and Cosmetic Act does not explicitly note the defenses which could be raised (see 21 U. S. C. 333 (c)). The second sentence of this proviso is likewise based on a provision of the Food, Drug and Cosmetic Act (21 U. S. C. 336), but unlike that provision it does not limit to merely minor violations the Secretary's authority to overlook violations of the act.</p>	<p>Sec. 13. Similar to H. R. 5398.</p>
<p>Sec. 11. The Secretary of Agriculture is to appoint inspectors and make necessary regulations.</p>	<p>Sec. 14. The Secretary of Agriculture is empowered to establish necessary regulations.</p>	<p>Sec. 14. Same as in H. R. 5398.</p>

Provisions of 3 poultry inspection bills—Continued

H. R. 12 by Mrs. SULLIVAN	H. R. 5398 by Mrs. SULLIVAN	H. R. 6814 by Mr. WATTS
Sec. 12. The Secretary of Agriculture may set volume limitations as the basis for exemption of certain poultry raisers, retail poultry butchers, and retail poultry dealers.	Sec. 15. Exemptions. 2 classes of persons are exempt: (1) Poultry producers raising their own poultry which they sell to household consumers only. (2) Retail dealers with respect to poultry products sold directly to consumers in individual retail stores.	Sec. 15. Exemptions. 4 classes of persons are exempt: (1) Same as in H. R. 5398. (2) Same as in H. R. 5398. (3) For such period of time as the Secretary determines would be necessary to so aid setting this Act into effect, those persons ordinarily subject to the act; but not beyond July 1, 1960. (4) Persons slaughtering, etc. poultry under religious dietary laws, to the extent the Secretary provides.
Sec. 12. Persons otherwise exempt are subject to imprisonment not in excess of 1 year and/or a fine not in excess of \$1,000 for violations of the act.	Sec. 16. Violations by exempted persons: Persons otherwise exempt who sell, etc. unwholesome poultry products in commerce or in a designated area shall be subject to penalties of act.	Sec. 16. Violations by exempted persons: Here the element of scienter is required.
Sec. 15. The importation of diseased and unwholesome meats and poultry is prohibited.	Sec. 17. Imports: Prohibits imports of poultry, parts, or products thereof unless they are wholesome and comply with rules and regulations of the Secretary. Permits the Secretary to cooperate with other branches of the Government and State agencies.	Sec. 17. Imports: Same.
Sec. 14. Cost of inspection shall be borne by the United States except the cost of overtime.	Sec. 19. Cost of inspection. The Government is to bear the cost of inspection except for overtime.	Sec. 19. Cost of inspection. The Government is to bear the cost of inspection except for overtime and holiday work.
Sec. 13. Also includes this inspection under the permanent appropriation authority of the Meat Inspection Act. No comparable provision in H. R. 12.	Sec. 20. Authorizes necessary appropriations.	Sec. 20. Same as H. R. 5398.
No comparable provision in H. R. 12. Authority is implicit in the Secretary to make the necessary definitions in the regulations.	Sec. 21. Separability provision. Sec. 22. Definitions. Generally similar to those in H. R. 6814, except that "inspection service" is definitely placed in the Agricultural Research Section of the Department of Agriculture.	Sec. 21. Same as H. R. 5398. Sec. 22. Definitions. Similar to H. R. 5398, except— (1) "Adulterated" is defined as not embracing any situation where the substance is not an added substance and is not present in such quantity as to be injurious to health. (2) "Inspector" specifically includes State employees authorized to make inspections by the Secretary of Agriculture.
Sec. 16. Effective date: 6 months after enactment.	Sec. 23. Effective date is set at July 1, 1958.	Sec. 23. Effective date: Jan. 1, 1959.

The record will show that H. R. 6814 allows discretion to the Secretary of Agriculture in the manner in which he will require inspection of poultry before slaughter, that is, ante mortem, and requires carcass-by-carcass inspection after slaughter.

If this legislation is administered with the same spirit with which the meat inspection law has been administered, we need have no fears as to its effectiveness in protecting us from diseased poultry.

Mr. Chairman, I do not want to take the time of the House for unnecessary further comment on this legislation. I think there is by now general understanding and agreement among the membership on the need for such legislation. The Senate has passed a somewhat similar bill, also a compromise, and if we enact this bill today, I am confident we can quickly reach agreement and send a final bill to the White House. It is urgent we have poultry inspection on a compulsory basis as soon as possible and practical.

I have, over a period of 3 years, invested a good bit of time and effort and research into this legislation, and some of it, I believe, would be useful in connection with the legislative history of the bill. However, rather than take the time of the House to go into it here, I intend to include for the RECORD, as part of and at the end of my remarks, a presentation I made in the House in June 1956, which included several public health studies on the transmissibility of disease from poultry to humans, the incidence of food poisoning from unfit poultry, and so on. This material also outlines the steps which I took toward the achievement of this goal of getting a good bill before the House.

Mr. Chairman, I shall consider it one of the proudest and most heartwarming

occasions of my political career if this bill passes. While it does not bear my name, I like to feel that my efforts have had some substantial influence in the development of this bill, and I am grateful for the help I have received on it from so many of my colleagues.

Every Member on this House floor today can contribute everlastingly to the health and well-being and safety of the people in their districts by supporting this legislation.

The research material referred to above is as follows:

CLOSING THE LOOPHOLES IN THE MEAT INSPECTION LAWS TO PROTECT THE CONSUMER AGAINST DISEASED POULTRY—REMARKS BY CONGRESSWOMAN LEONOR K. SULLIVAN OF MISSOURI IN THE HOUSE OF REPRESENTATIVES, JUNE 18, 1956

The SPEAKER. Under the previous order of the House, the gentlewoman from Missouri [Mrs. SULLIVAN] is recognized for 30 minutes.

(Mrs. SULLIVAN asked and was given permission to revise and extend her remarks and include a report.)

Mrs. SULLIVAN. Mr. Speaker, I have asked for this time today in order to call to the attention of the House of Representatives a bill which I have just introduced this afternoon to close one of the most glaring loopholes in our pure-food laws.

It is a bill to require Federal inspection for wholesomeness of all poultry or poultry products in interstate commerce or which directly burden, obstruct, or affect interstate commerce.

My bill would accomplish this long-overdue reform by amending the Meat Inspection Act to include poultry and poultry products along with beef, pork, lamb, and the other red meats now covered by the terms of this law.

The bill states that Congress finds that poultry and poultry products are being marketed through the channels of interstate and foreign commerce without adequate inspection to protect the public against poultry and poultry products which are diseased, unsound, unhealthful, unwholesome, or otherwise unfit for human food.

OBJECTIVE: TO PROTECT THE PUBLIC

It further states as its objective: To protect the general consuming public, to protect the health of persons engaged in the processing and distribution of poultry and poultry products, to prevent the spread of disease through shipments in interstate and foreign commerce of unwholesome poultry and poultry products, and to promote the wider use of poultry through assurance to the consuming public of its wholesomeness and freedom from disease, thus assisting agriculture and the food-marketing industries in expanding their sales and augmenting their important contributions to our economic system, the following amendments are made to the Meat Inspection Act—34th United States Statutes at Large, page 1260, as amended—and the Tariff Act of 1930—46th United States Statutes at Large, page 689, section 306—giving the Secretary of Agriculture power to inspect, condemn, or regulate any shipments of poultry in interstate or foreign commerce, or any shipment thereof which directly burdens, obstructs, or affects interstate or foreign commerce in such commodity.

FIFTY YEARS OF MEAT INSPECTION

The Meat Inspection Act will be exactly 50 years old this month. During all of that time, we have had compulsory inspection for wholesomeness of all red meats shipped in interstate commerce. This law represented a great reform following the disclosures of the filth and complete lack of sanitation in the meat industry a half century ago. The law has worked fairly and well to protect the consumer. It has also been a great thing for the legitimate meat-packing industry.

The effectiveness of this program can be seen, Mr. Speaker, right in the bare figures and statistics of the Federal budget. We find on page 359 of the budget document for the coming fiscal year that in fiscal 1955, the year which ended last June 30, nearly 100 million meat animals were inspected by Federal meat inspectors, both before and after slaughter, to make sure the animals were healthy and the meat was wholesome. Out of this number, more than a quarter million carcasses were condemned as unfit for human consumption.

Just imagine how many illnesses those quarter million diseased or unfit steers, lambs, pigs, or other animals could have caused if the meat inspectors had not condemned the meat from them.

The budget shows that more than 16 billion pounds of processed meat and meat-food products were inspected by the Federal meat inspectors in that fiscal year, at a cost to the Federal Government of nearly \$15 million that year. The estimate for meat-inspection work for the coming year is nearly \$16 million, and it is money well spent—to protect our health.

NO COMPULSORY INSPECTION OF POULTRY

But while we have had compulsory inspection for wholesomeness of the red meats in interstate commerce, we have had no such requirement for poultry and poultry products. Consequently, we have been victimized as consumers many, many times by being sold poultry products which should have been condemned and destroyed. We have been defrauded by being sold products unfit for human food. We have been poisoned by the consumption of poultry products which carried disease. And, even more tragically, we have seen some employees in the poultry-processing industry die as a result of extremely serious disease transmitted to them by poultry which should have been detected as diseased before slaughter and thus never should have been brought in contact with the workers whose death they caused.

I have cited the consequences to consumers, to the general public, and to workers in the poultry-processing industry because we have not had adequate inspection of poultry and poultry products to insure that these foods are wholesome. Let me add an additional group which is being adversely affected—the poultry processors themselves and the food-distribution industry.

The spread of illness through sale of diseased poultry has caused many housewives to hesitate about buying poultry, particularly frozen poultry. A number of people in this line of business have told me that sales are adversely affected by the lack of confidence of many housewives in the wholesomeness of poultry products offered for sale. As they point out, this affects not only the fly-by-night or unscrupulous operator, but the legitimate concern as well. Firms which sell only the most wholesome commodities suffer from the lack of public confidence in the wholesomeness of poultry products generally.

IN BEST INTEREST OF PRODUCERS, TOO

So it is to the advantage of the consumer, then, the general public, the poultry processing plant worker, and to the poultry farmer and the poultry processor and the poultry distributor that we close this 50-year-old loophole in our meat-inspection laws and include poultry as well as the red meats under the terms of the Meat Inspection Act.

It may come as a shock to some Members, Mr. Speaker, to learn that the chicken or duck or turkey which you buy in the store could be shipped in interstate commerce without Federal inspection as to its wholesomeness—its purity—its fitness as human food. Do we not have laws to prohibit the sale in interstate commerce of food products unfit for human consumption? Of course we do.

We have the Food, Drug, and Cosmetic Act which prohibits the sale in interstate and foreign commerce of contaminated, unfit, filthy, adulterated foods. Since we have such a law on the books, we are inclined to sit back and be complacent in the belief that everything is nicely taken care of.

FOOD AND DRUG FUNDS INADEQUATE

As many of the Members know, I have been protesting ever since coming to Congress that we live in an atmosphere of false security about the purity of our foods, drugs,

and cosmetics—despite a good law on the subject—because we treat the Food and Drug Administration like a stepchild. We starve out the agency responsible for protecting our own health against poisonous foods and drugs and cosmetics. It is a shortsighted and tragic thing.

The Food and Drug Administration hopes in this coming year—with the help of a very substantial increase in its appropriation—to expand back to the level of 1952 and have as many as 300 inspectors on its staff for food, drug, and cosmetic enforcement work.

It has been able to spare only about 7 or 10 men, at the outside, on a man-year basis, for poultry inspection. It has been able to send an inspector around to the various poultry processing plants engaged in interstate commerce about once every 3 or 4 years.

Yes; occasionally they do uncover a shipment of unfit, rotten poultry, which they then seize and remove from the channels of commerce. But this is hardly the kind of procedure which can assure the wholesomeness of the poultry we consume in this country.

Obviously, a visit every 3 or 4 years for a few hours by a food and drug inspector to a poultry-processing plant is not the answer.

PRESENT POULTRY INSPECTION ONLY PARTIAL PROGRAM

Well, then, do we not have Federal inspection of poultry by the Department of Agriculture? We do. Primarily such inspection was to protect the farmer and his poultry flock from diseased birds. It is illegal to ship diseased live poultry in interstate commerce and it is illegal to ship the carcasses of poultry which died from certain specified diseases.

But the loophole here is interesting. If the diseased birds suffering from such illnesses are slaughtered, the carcasses can be shipped, nonetheless, because they did not die of these specified diseases. Is that not, indeed, a ridiculous distinction?

The diseased poultry would not have been shipped live in violation of the act, nor would they actually have died of the disease from which they suffered.

Therefore, we cannot depend upon this particular statute to protect the consumer, or to protect the health of the poultry-processing plant worker, or to reassure the public as to the wholesomeness of the poultry they see offered in the stores.

Under the terms of another law, however, there is Federal inspection of poultry for wholesomeness. This is in the Agricultural Marketing Act of 1946, which provides for a voluntary inspection program, with the full cost of the service being paid for by the processors which use the service.

Hence, you can now find federally inspected poultry, certified as to its wholesomeness, in many stores today. When you see such poultry in the stores carrying the Department of Agriculture seal attesting that it has been inspected for wholesomeness, you can be sure this poultry is good—that it is wholesome. I am very pleased by the actions of so many food-merchandising companies in emphasizing in their advertising that they sell only United States inspected poultry, approved for wholesomeness. The customer should insist on this.

But, unfortunately, this voluntary program—which the processing industry must pay for—covers only a small proportion of our poultry supplies and is utterly inadequate in protecting the public.

Only about 25 percent of the Nation's poultry supply is inspected by the Federal Department of Agriculture for wholesomeness. The present Federal poultry inspection program, as I said, is purely voluntary on the part of the processors willing to participate under it, and willing to pay for the inspection service on a fee basis. That is

why 75 percent of our poultry is not inspected by the Federal Government.

ILLNESS AND DEATH FROM DISEASED POULTRY

On the other hand, the Federal Government pays the full cost—now more than 15 million dollars a year—for inspection of the red meats for wholesomeness. When you stop to consider that we consume more than 6½ billion pounds of poultry a year, it is obvious there is a big gap in our machinery for protecting the consumer from unwholesome poultry products. We know that many diseases are transmitted from poultry to humans. We know that diseased poultry in the last few months in the Far West, and in the last few years in Texas and elsewhere has caused the death of a number of poultry processing workers and the serious illnesses of many workers—epidemics, for instance, of psittacosis. And we know that diseased, unfit poultry has caused an unusually high percentage of all food poisoning illnesses, particularly salmonellosis and gastroenteritis.

I mentioned the Food and Drug Administration's efforts to combat this menace. Let me again point out that the Food and Drug Administration, with a total appropriation for all purposes of less than one-half of what we appropriate each year to the Federal Meat Inspection Service, cannot begin to do the job of protecting the public against all unsound, unhealthful, unwholesome poultry. There are 1,300 or more interstate poultry dressing, freezing, or canning establishments in the United States, and the Food and Drug Administration can visit them, as I said, only about once every 3 or 4 years.

Obviously, we need full-time inspectors to examine this poultry before it is killed—antemortem—and again after it is killed, exactly as it is done with the red meats.

MEATCUTTERS UNION HAS ALERTED PUBLIC

My attention first was called to this problem by the Amalgamated Meat Cutters and Butcher Workmen of North America, whose president, Mr. Earl W. Jimerson, and secretary-treasurer, Patrick E. Gorman, along with other officers and members, have been deeply concerned by the danger to the health of their fellow members from diseased poultry. Members of this union have sickened and, in some cases, died, from handling diseased poultry. Others have been made violently nauseous by the conditions in some of the plants, and by the unfit products—filthy products—they have had to process.

Two years ago, on June 15, 1954, after officials of this union called some of these matters to my attention in connection with my efforts to obtain higher appropriations for the Food and Drug Administration, I directed an inquiry to Mr. Charles W. Crawford, then Commissioner of the Food and Drug Administration, asking what was being done to overcome the menace to public health of diseased poultry being shipped in interstate commerce, and also asking of any instances known to his agency of the transmission of disease from poultry to humans. I received a most interesting answer from him on June 23, 1954. Subsequently, on July 26, 1954, I called this material to the attention of the House in the following statement in the CONGRESSIONAL RECORD:

"DISEASED AND 'NEEDED' POULTRY ENDANGER AND CHEAT THE PUBLIC, AND OTHER RACKETEES FLOURISH IN FOODS, DRUGS, AND COSMETICS, AS FOOD AND DRUG ADMINISTRATION APPROPRIATION AGAIN IS CUT

"(Extension of remarks of Hon. LEONOR K. SULLIVAN, of Missouri, in the House of Representatives, Monday, July 26, 1954)

"Mrs. SULLIVAN. Mr. Speaker, I hope that many Members of the Congress, and also officials of the administration, particularly those with policymaking responsibilities in

the field of health and welfare, read the excellent article in the Washington Evening Star on Wednesday, July 21, dealing with the Food and Drug Administration of the Department of Health, Education, and Welfare. The article was entitled 'Food and Drug Watchdogs Face Work With Less Funds.'

"I have tried during my tenure in the Congress to keep abreast of the work of the Food and Drug Administration and to do what I can to assure it adequate authority to do the work we expect of it, and also adequate funds. Last year, as a result of the Supreme Court decision, a loophole was disclosed in the basic authority of the Food and Drug Administration which prohibited inspectors of the agency to gain admission to factories preparing food, drug, or cosmetics preparations, except on the invitation of the operators of those factories. We succeeded in closing that loophole in the legislation. It was a great victory for the consumer, for it restored the right of our Government to inspect the conditions under which these products are prepared and processed, and to act against insanitary conditions threatening the health of the public.

"The fact remains, however, that the Food and Drug Administration has not been getting adequate funds to enable it to make the number of inspections it should make each year in preventing products which are dangerous to health, or which are fraudulently packaged, from getting into interstate commerce. The administration this year asked for only \$5,200,000 for the appropriation of the Food and Drug Administration, as against the \$5,600,000 appropriated under the Truman administration. The Congress then cut the administration's request by another \$100,000, leaving the Food and Drug Administration only \$5,100,000. That means a cut in the staff of this very essential Government agency by about 11 percent since 1952. Considering the work which the Food and Drug Administration does for all the people of the United States by seeking to eliminate poisoned, or adulterated, or mislabeled foods, drugs, and cosmetics from being sold to the public, I think this was one of the most shortsighted cuts ever made in an appropriation.

"The diseased poultry situation

"The work of the Food and Drug Administration has come in for renewed attention in recent months as a result of disclosures dealing with the sale in interstate commerce of diseased poultry and of frozen poultry which has been fraudulently weighted with water prior to freezing. Estimates on the extent of this dangerous and immoral racket have varied, but all the facts indicate that it has been an extensive problem. With its cut in funds in both last year's appropriation and this year's, the Food and Drug Administration has had to cut its enforcement work in this field by about 30 percent.

"Following disclosures of this diseased poultry racket, I wrote last month to Mr. Charles W. Crawford, Commissioner, of the Food and Drug Administration, asking for full information on the work of the FDA to protect the consumer against the sale of this diseased poultry, the time devoted to this work, the number of poultry processors in the country doing interstate business, the frequency with which they are inspected, etc. I also asked for any information he might have indicating transmission of diseases to humans as a result of the processing or consumption of diseased poultry. His reply, I believe, will be of extreme interest to every Member of the Congress concerned about protecting the health of the people of the United States and protecting them against fraud.

"With the unanimous consent of the House, Mr. Speaker, I include as part of my remarks the article Food and Drug Watch-

dogs Face Work With Less Funds, from the Washington Evening Star of July 21, and also an exchange of correspondence between myself and Commissioner Crawford, of the Food and Drug Administration, as follows:

"[From the Washington Star of July 21, 1954]

"FOOD AND DRUG WATCHDOGS FACE WORK WITH LESS FUNDS

"Housewives might do well to provide themselves with scales to check the weight of packages of food they buy.

"They would thus be taking over part of the work of the Food and Drug Administration. But that agency, its budget cut and its staff reduced, has assigned a low priority to the checking of the net weight of packaged food against the statement of weight on the label.

"Wallace F. Janssen, assistant to the Commissioner of the Food and Drug Administration, said he does not believe the housewife would find many packages not full weight. But it would provide a check the administration is not able to make.

"The budget of the agency has been trimmed steadily in the last 4 years. For fiscal 1952 Congress appropriated \$5.64 million. The next year the appropriation was \$5.6 million. Last year it was \$5.2 million, and for this fiscal year, 1955, it is \$5.1 million.

"Eleven percent cut since 1952

"The estimated number of the staff for this year is 815, an 11-percent reduction since 1952. That number includes laboratory scientists, administrators, clerical workers, and, finally, the frontline troops, the inspectors.

"There were only 230 inspectors in 1950. Last year the number was 195. These figures leave out about 170 persons employed in testing certain products as they are produced, with the manufacturer paying the salaries through fees.

"The head of the Food and Drug Administration is Charles W. Crawford, a career man with 37 years' experience. He has applied for retirement.

"The staff cuts have led the Agency to the conclusion that it is more important to direct its efforts toward activities that protect health rather than those that protect the pocketbook. Therefore, it has assigned lower priorities on checking weights of packaged goods, checking the contents of cans and packages to make sure their composition is what the label says, and proceeding against those who make extravagant claims for products unless danger to health is involved.

"Occasional cases on these grounds are made, it is true, but usually they are incidental to other activities.

"The Agency admits frankly it would take 200 inspectors 12½ years to make inspections of each of the 96,000 food and drug company plants and warehouses. Last year 8,650 plants and warehouses were inspected.

"Lacks followup facilities

"While the Agency is alert to cases in which public health is involved, it says it lacks the facilities to keep up with the testing of new products and materials which are being developed in increasing numbers. It cannot make followup investigations of the safety of new drugs after they are placed on the market. Important cases involving serious frauds have been delayed by a lack of medical and legal manpower.

"The Agency does continue to seize contaminated and spoiled foods in large amounts. It goes after medical devices and products which make false claims. It prosecutes druggists who sell barbiturates and other prescription drugs without a physician's prescription.

"After coffee prices went up the Agency decided it should check attempts by unethical dealers to take advantage of the higher

prices. It seized a number of consignments of coffee.

"It was learned that chickpeas, imported for canning, had become infested with insects. The chickpeas were diverted to coffee roasters. Coffee shipped by some firms were found to contain, in addition to the chickpeas, spent coffee grounds, barley, chicory, and soybeans.

"Frozen food adds work

"The expanding market for frozen foods has added to the Administration's work. One plant producing frozen turkeys was found to operate with a water hose having a hypodermic needle as a nozzle. Water was injected into the turkeys before they were frozen.

"When one turkey was thawed 2 pounds of water seeped out. It was part of a lot of turkeys weighing 50,000 pounds. Taking the average weight of a turkey at 15 pounds, allowing for 1 pound of water per bird and taking the price at 75 cents a pound, the buyers were thus paying \$2,500 for 3,300 pounds of water.

"May be political appointee

"With the retirement of Mr. Crawford pending, the agency has this question:

"Will the new administrator be a professional man, perhaps trained in the agency, or a person from some other category whose appointment is cleared with the Republican National Committee?

"When the Eisenhower administration directed that Government policymaking jobs be listed and that they be taken from under civil-service coverage, various trade associations in the food and drugs fields urged that politics be kept out of the Food and Drug Administration. Mr. Crawford was not replaced.

"With the prospect of his retirement the requests are being repeated. Carlos E. Campbell, secretary of the National Canners Association, said his organization has urged that the appointment be kept in the professional category. Other organizations have done the same."

JUNE 15, 1954.

MR. CHARLES W. CRAWFORD,
Commissioner, Food and Drug Administration,
Department of Health,
Education, and Welfare, Washington,
D. C.

DEAR MR. CRAWFORD: In view of the recent publicity given the sale of diseased poultry and the action of the AFL Meatcutters Union to try to bring about legislation to protect the American consumer against this menace, I would appreciate your sending me a statement on what the FDA is doing and intends to do to correct this situation. I would specifically like to have answers to the following questions, as well as any other information you can properly send me in connection with this problem.

What does the FDA do to protect the consumer against the sale of diseased poultry?

How much time is devoted to the inspection of that one particular item?

Are there any diseases of poultry that can be transmitted to humans through the consumption of diseased poultry being put up for sale?

If so, do you know of any instances where diseases of poultry have been transmitted to humans?

Do you know how many poultry processors there are in the country that do interstate business?

How often does the FDA inspect them?

I would appreciate it if you would send me your reply to these questions in quadruplicate.

Sincerely yours,
Mrs. JOHN B. (LEONOR) SULLIVAN,
Member of Congress.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
FOOD AND DRUG ADMINISTRATION,
Washington, D. C., June 23, 1954.

Hon. LEONOR SULLIVAN,
House of Representatives.

DEAR MRS. SULLIVAN: We have your letter of June 15 in which you ask several questions concerning our enforcement program on diseased poultry. We are answering your questions in the order in which you have asked them.

Under the Federal Food, Drug, and Cosmetic Act, a food is deemed to be adulterated if it is the product of a diseased animal or of an animal which died otherwise than by slaughter. This section of the act takes into account the basic objections of the consumer to the diseased product, whether or not actual danger to health can be demonstrated.

We have a carefully planned enforcement program under this section of the law, which includes inspection of poultry dressing and eviscerating plants and of other poultry processors, and sampling surveys in consumer markets to find diseased or otherwise unfit poultry. Under this program for fiscal 1953 and the first 11 months of fiscal 1954, we approved 106 seizure actions for the removal of unfit birds from the market, of which 64 actions included charges that the article was in whole or in part the product of a diseased animal. During the same period we also approved 33 criminal actions, 22 of which involved diseased poultry.

During fiscal 1953 we devoted 10 man-years to the poultry project, of which the work on diseased poultry is a part, along with work on filthy, decomposed or otherwise unfit poultry and poultry which has been "needed" or otherwise fraudulently watered to increase its weight. During fiscal 1954 this work has necessarily been reduced. We estimate, based on reports for the first 3 quarters, that 7 man-years will have been expended this year on this project.

The question of whether poultry diseases may be transmitted to man through the sale of diseased poultry cannot be answered with assurance. It is well established that certain poultry diseases are transmissible to man. These would include, for instance, psittacosis (parrot fever) and Newcastle disease. However, outbreaks of these diseases, so far as we know, have occurred only among persons handling live poultry or working in poultry dressing establishments. We do not know of any instances in which it has been proved that a specific disease was contracted through the consumption or preparation in the kitchen of a diseased bird. On the other hand, the possibility cannot be ruled out.

Several outbreaks of psittacosis have occurred recently among workers in turkey processing plants in Texas. In cooperation with the Public Health Service of this Department we are currently investigating these outbreaks to determine whether diseased birds have been shipped in interstate commerce and the degree of hazard, if any, to the purchaser of such birds.

There is another group of diseases common to poultry and to man and apparently caused by the same disease organism in both, in which definite transmission has not been established. However, it is believed that poultry may at least serve as a reservoir of human infection by routes still unknown. Certain types of encephalitis and meningitis, pseudotuberculosis, and pasteuria infections are in this group.

In a closely related category are the food-poisoning illnesses—salmonellosis and gastroenteritis—which are attributed to poultry and poultry products or in which such products are suspected as the vehicle of infection. Poultry which are actively infected with salmonella or which are carriers of the organisms, though apparently not diseased in

the ordinary sense, undoubtedly are involved in many of these instances, and fecal contamination during processing may be a factor. For your further information on this phase of your inquiry, we are enclosing a mimeograph entitled "Poultry Diseases Transmissible to Man—Including Summary Report of Outbreaks," prepared by the Communicable Disease Center of the Public Health Service.

We estimate that there are approximately 1,300 interstate poultry dressing, freezing, or canning establishments in the United States. For the past 2 years we have made about 400 poultry-establishment inspections each year, of which we estimate that perhaps one-fourth represents reinspections of the same firms. Thus our program contemplates complete coverage of this industry about once every 3 or 4 years.

If we can be of further service, please do not hesitate to let us know.

Sincerely yours,

C. W. CRAWFORD,
Commissioner of Food and Drugs.

FULL REPORT ON TRANSMISSIBLE DISEASES

I did not, at that time, include in the RECORD the report which Mr. Crawford referred to—"Poultry Diseases Transmissible to Man Including Summary Report of Outbreaks"—but I believe it is relevant now in light of the bill which I have introduced and the goal I am trying to achieve. I therefore am including it today as part of my remarks, identified as exhibit A at the end of my discussion. It is rather long, and for that I apologize, but I do believe it is important enough to the legislative process—if we are to achieve the goal of assuring the wholesomeness of the poultry we buy and eat—to include it in the RECORD. I hope that Members will be able to find the time to read it and to note especially the many incidents of food poisoning in the 1951-52 period studied which were directly attributable to diseased poultry.

For 2 years, then, Mr. Speaker, I have been actively interested in this problem of diseased poultry, and finding a solution to it which would protect the consumer and the public generally. I think the bill which I have today introduced is the best approach which has yet been made to solving the problem.

I have mentioned the intense interest of the Amalgamated Meat Cutters Union in this whole field, and I am pleased to acknowledge their leadership in bringing the matter to public attention and in enlisting my help and the help of other Members of Congress in seeking a solution. Since the Amalgamated's proposed solution has been somewhat different from mine, although our objectives are identical, I think it only fair to point out the development of our respective legislative approaches.

CONGRESSIONAL INVESTIGATION SOUGHT

The meat cutters union at first sought to meet the increasing problem of diseased poultry in interstate commerce through the vehicle of a congressional investigation, and several bills were offered in the Congress calling for such investigations. Unfortunately, however, no action was taken on these bills last year in either House or Senate.

EXCELLENT ASSISTANCE FROM LIBRARY OF CONGRESS

Over the congressional recess, as I thought about this problem I turned to the Legislative Reference Service of the Library of Congress for some guidance and assistance on the best way to accomplish the goal of assuring the wholesomeness of poultry in interstate commerce. I want now to acknowledge the outstanding assistance I have received on this from Miss Margaret M. Conway, of the American Law Division, who in Decem-

ber submitted to me a comprehensive and truly excellent exposition of the legal aspects of the problem. Her report to me was as follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D. C., December 12, 1955.

TO: Hon. LEONOR K. SULLIVAN.
(Attention: Mr. Holstein.)

From: American Law Division.

Subject: Suggestions as to legislation to require inspection of all poultry shipped in interstate commerce.

For your information, and to place the question in a proper perspective, we are reviewing here for you, first, the laws already on the books providing certain types of inspection of poultry, and also the meat inspection laws which require compulsory inspection of meat shipped in interstate commerce.

POULTRY INSPECTION

There are at present the following several laws in effect which permit agents of the Federal Government to inspect poultry. Each of them has certain limitations in its coverage which we point out below.

1. The act of February 7, 1928 (45 Stat. 49): This law included live poultry within the purview of several previous inspection acts administered by the Department of Agriculture. By it, live poultry was made subject to the provisions of the act of May 29, 1884, establishing the Bureau of Animal Industry (23 Stat. 31; 7 U. S. C. 391); of the act of February 2, 1903, enabling the Secretary of Agriculture to suppress and prevent the spread of contagious diseases among livestock (32 Stat. 791; 21 U. S. C. 111-121); and of the act of March 3, 1905, enabling the Secretary of Agriculture to maintain quarantine districts and regulate the movement of cattle and other livestock therefrom (33 Stat. 1264; 21 U. S. C. 123-130).

The regulations concerning poultry hereunder are incorporated in the Federal regulations concerning the interstate transportation of animals and poultry suffering from specified contagious diseases (9 C. F. R. 71.1 through 81.2. The sections concerning poultry are 9 C. F. R. 81.1 and 81.2). They prohibit the interstate transportation of "live chickens, turkeys, or geese affected with or directly exposed to the contagious disease known as European fowl pest or other similar contagious poultry disease, [or the] carcasses of such animals which have died from any such disease."

The regulatory power of the Secretary of Agriculture in this instance is compulsory (21 U. S. C. 111). The wording of the law states that he has power "to seize, quarantine, and dispose of any hay, straw, forage, or similar material, or any meats, hides, or other animal products coming from an infected foreign country * * * or from one State or Territory in the United States in transit to another." The regulation, in itself, however, is deficient, so far as the alleged practices of some of the modern poultry packers are concerned. Its wording is such that chickens, not yet dead but suffering from any of the prescribed diseases, could be slaughtered and packed within a State for interstate shipment. In such instances, the poultry would not be shipped live, nor would it actually have died from any such disease, so that the shipment of the carcasses would come under the prohibition.

2. The second act which provides for inspection of poultry is the Agricultural Marketing Act of 1946 (60 Stat. 1087; 67 Stat. 205; 7 U. S. C. 1622-1627). The aim of this act was to promote a scientific approach to marketing of agricultural products. In order to accomplish this, it was suggested that the various types of activity required, such as inspection, regulatory work, and other services, be done in cooperation with State

agencies and State departments of agriculture, and State bureaus and departments of markets.

The inspection and certification provision is contained in 7 U. S. C. 1622 (h):

"To inspect, certify, and identify the class, quality, quantity, and condition of agricultural products when shipped or received in interstate commerce, under such rules and regulations as the Secretary of Agriculture may prescribe, including assessment and collection of such fees as will be reasonable, and as nearly as may be to cover the cost of the service rendered, to the end that agricultural products may be marketed to the best advantage, that trading may be facilitated, and that consumers may be able to obtain the quality product which they desire, except that no person shall be required to use the service authorized by this subsection. Any official certificate issued under the authority of this subsection shall be received by all officers and all courts of the United States as prima facie evidence of the truth of the statements therein contained."

The regulations issued hereunder are contained in 7 C. F. R. 70.1 through 70.410. They make provision for three main inspection activities: (1) the grading of poultry; (2) the inspection of poultry; and (3) the inspection of sanitary standards. A certificate to be used in marketing the poultry is given showing the completion of one, or a combination, or all of the above services.

Without going into the regulations in detail, certain determinative statements therein are herewith pointed out.

(a) Definitions (7 C. F. R. 70.01):

"Grader" means any employee of the Department authorized by the Secretary, or any other individual to whom a license has been issued by the Secretary, to investigate and certify, in accordance with the regulations in this part, the class, quality, quantity, and condition of live poultry. By 7 C. F. R. 70.384, however, the grader is permitted to confine himself to the condition only, and the mark he then issues is a statement as to the sanitary standards of the handler, rather than a certification of the quality of the product.

"Inspector" means any graduate veterinarian or layman who is an employee of the USDA or of a State, who has been licensed by the Secretary of Agriculture to inspect (1) the condition and wholesomeness of dressed poultry; (2) the condition and wholesomeness of any edible product at any stage of the preparation of packaging thereof in the official plant where inspected and certified; (3) the condition and wholesomeness of any previously inspected and certified product which has not lost its identity; (4) the condition of dressed poultry. The comment on 7 C. F. R. 70.384, above, is also applicable here.

(b) Services performed (7 C. F. R. 70.3):

Grading and inspection services of the following types may be rendered: (1) grading of live poultry; (2) certification of dressed poultry produced under sanitary conditions in official plants; (3) grading of dressed poultry produced under sanitary conditions at terminal markets and other receiving points; (4) inspecting of dressed poultry in official plants for processing as ready-to-cook poultry; (5) grading of ready-to-cook poultry, in an official plant, or at terminal markets and other receiving points; (6) inspection service in official canning plants.

Sanitary requirements are mandatory in official plants (7 C. F. R. 70.44). There is no similar regulation as to other places.

(c) Inspection (7 C. F. R. 70.151, 70.152, and 70.191):

The section outlining the Department of Agriculture inspection service states that ante mortem examination may be required by the Administrator. Both the Federal and the Federal-State cooperative services pro-

vide post mortem examination (9 C. F. R. 70.152, and 70.191).

(d) Fees and charges (7 C. F. R. 70.130):

Any person requesting grading or inspection service shall pay certain fees and charges; the fees for services by United States agents shall be payable to the Treasurer of the United States; and the fees for services performed under any cooperative agreement with a State shall be payable as provided for in the agreement.

(e) Marks placed on poultry (7 U. S. C. 70.380-70.384):

The facsimile marks contained in the regulations, and the accompanying explanatory material show that four types of markings are provided: (1) Grade mark (quality); (2) inspection mark (wholesomeness); (3) a combination of the above; (4) dressed poultry (graded and inspected for condition only—not for quality or wholesomeness).

3. Two laws which permit inspection of a very limited nature, and whose chief purpose is other than detection of diseased fowl or protection of the public health are:

(a) The Department of Agriculture Organic Act (58 Stat. 734, sec. 101 (b), amended and superseded by act of August 4, 1950 (64 Stat. 413). This made permanent an authorization carried in the appropriations acts of 1935 and subsequent, allowing the USDA to administer regulations for the voluntary program of improved poultry breeding, and incidentally to aid in eradicating a disease called pullorum. The regulations hereunder are contained in title 9, Code of Federal Regulations, section 145.1 through 145.30.

(b) The act of March 3, 1927 (44 Stat. 1355; 7 U. S. C. 491-497) which permitted inspection of poultry by the USDA on behalf of any person aggrieved by malicious dumping or destruction of his products by any handler in interstate commerce.

MEAT INSPECTION

Meat inspection is currently conducted under the authority of the Meat Inspection Acts, beginning with the temporary act of 1906, made permanent by the act of March 4, 1907 (34 Stat. 1260; 21 U. S. C. 71-91, 96) and the Imported Meat Act of June 17, 1930 (46 Stat. 689; 19 U. S. C. 1306). The regulations under these acts will be found in title 9, Code of Federal Regulations, section 1.1 through 28.1.

The three chief aspects of these laws are (1) the inspection extends only to cattle, sheep, swine, and goats, and meat and meat-food products made therefrom, (2) the inspection is mandatory except as to certain farmers and retailers under prescribed circumstances, and (3) the primary object of the inspection is to determine the wholesomeness of the meat for human consumption.

Paralleling the major provisions of the poultry-inspection service which we outlined above, the regulations for meat inspection provide the following:

(a) Definition (9 C. F. R. 1.1):

Limiting ourselves here to the qualifications for inspectors contained in the definitions, we find that inspectors and division employees are those "who are authorized by the director or chief of division to do any work or perform any duty in connection with meat inspection."

(b) Services performed (9 C. F. R. 9.1, 12.1, and 10.1):

Although an ante mortem examination by law is discretionary with the Secretary of Agriculture (21 U. S. C. 71), he has exercised his discretion to make it mandatory. (9 C. F. R. 9.1 and 12.1.) The post mortem examination is mandatory by law (21 U. S. C. 72) and also required by regulation. It must be conducted, except in emergencies, at the time of slaughter. (9 C. F. R. 10.1.)

(c) Inspection (9 C. F. R. 2.1 and 5.3):

In section 2.1 of the regulation, it is stated that "every establishment" in which cattle,

sheep, swine, or goats are slaughtered, or their products processed, is subject to mandatory inspection. Further, as a concomitant of such inspection, section 5.3 requires that inspection "shall not be begun if the establishment is not in a sanitary condition." Part 8 of the regulations, i. e., section 8.1 through 8.15 govern standards of sanitation required.

(d) Fees and charges: None.

(e) Markings (9 C. F. R. 1.1):

(1) "Inspected and passed" or "U. S. inspected and passed" or "U. S. inspected and passed by USDA." This shall mean that at the time they were inspected, passed, and so marked, they were found to be sound, healthful, wholesome, and fit for human food.

(2) "U. S. passed for cooking." These have been passed on condition they be cooked, rendered, etc., before used for human consumption.

(3) "U. S. passed for refrigeration." These must be refrigerated, or handled as required in section 11.1 through 11.34, governing carcasses of animals suffering from specified diseases.

(4) "U. S. inspected and condemned," found unwholesome, and must be disposed of; "U. S. retained," there is some doubt and the carcass or meat product is held for further examination; "U. S. suspect," also held for further examination; and "U. S. condemned" where the live animal is found in a dying condition from a disease that would cause condemnation of its carcass.

An inspection service similar to that conducted with respect to poultry is also conducted with respect to meat under the authority of the Agricultural Marketing Act of 1946 (60 Stat. 1087; 67 Stat. 205; 7 U. S. C. 1622-1627). It provides grading service, for a fee, at any designated market or location. However, it states that products to be eligible for grading service must be prepared under Federal inspection (that is under the Meat Inspection Acts, above) or under other official inspection services. It also contains regulations governing this inspection, including a requirement of both ante mortem and post mortem inspection of each animal (7 C. F. R. 53.3). If the grading service is withdrawn, public notice must be given of the withdrawal (7 C. F. R. 53.5). This is the service which results in markings on meat and meat products of "prime," "choice," "commercial," etc.

SUGGESTIONS FOR DRAFT OF BILL

There are certain considerations which must be paramount in order to accomplish the objective of an effective inspection of poultry being shipped and marketed in interstate commerce. Among these we would suggest: (1) that the bill put inspection for wholesomeness on a mandatory basis, ahead of all other types of inspection service; (2) that the bill obviate the deficiency in the regulations under the act of February 7, 1928 (noted above) respecting ill fowl being slaughtered and then shipped in interstate commerce; (3) if possible, the continued operation of the grade classification services under the Agricultural Marketing Act of 1946 should not be unduly hampered; (4) such mandatory poultry inspection service should be able to be effectuated in the most expeditious manner possible; and (5) the bill should contain adequate penalty provisions to enforce the law.

Under point (4) above, there are two things we have not gone into: first, an estimate of the cost of a mandatory inspection service, and secondly, the marketing pattern for live and/or dismembered poultry. The appropriation for the present meat inspection service for fiscal 1956 was \$14,325,000 (Public Law 40, 84th Cong.). The size and cost of an increased inspection force will undoubtedly depend on the marketing pattern. At present, live poultry dealers and handlers are licensed under the Packers and Stockyards

Act (7 U. S. C. 218), but this regulation extends chiefly to financial responsibility. It is indicative, however, of the market pattern.

The only two previous bills which we have been able to find were introduced in 1929 and 1930 respectively. They are S. 5376 of the 70th Congress, and S. 5371 of the 71st Congress.

S. 5376 of the 70th Congress was based upon provisions of the Meat Inspection Act. The bill, in our opinion, is deficient in the following respects:

(a) All the material after the first semicolon in Twenty-first United States Code, at page 71, dealing with separate slaughter of suspected animals (it would be poultry in the bill) is omitted.

(b) The language of the bill with respect to both the ante mortem and post mortem inspection is a permissive "may cause to be made." In the law (21 U. S. C. 72), the post mortem inspection is mandatory.

(c) The following several provisions of the Meat Inspection Act are not included (21 U. S. C. 73, 74, 75).

(d) Section 5 of the bill, which, of course, is dated 1929, completely exempts retailers and farmers from inspection. The Meat Inspection Act, on the other hand, was modified by the act of June 29, 1938 (52 Stat. 1235), to provide a limited supervision over farmers and retailers, plus a penalty provision for transporting unwholesome meat (poultry) in interstate commerce by either of these.

S. 5371, 71st Congress, would provide a mandatory inspection service for drawn poultry and on through all the other processing stages. This bill makes mandatory an inspection service starting with a post mortem inspection and following through all the other stages of preparation and handling under regulations of the Secretary of Agriculture. The principal defect of the bill is that it limits inspection of chicken and turkey.

We would suggest as the simplest and most effective method of accomplishing the objective of a mandatory inspection of poultry would be to make necessary changes in the Meat Inspection Act (34 Stat. 1260). This act itself is not divided into sections. For your convenience, the examples given are based on the section distribution in the code.

(a) Where the present phrase reads "meat and meat products", change it to "meat and poultry, and meat and poultry products" or "meat and poultry, and meat products and poultry products" (21 U. S. C. 71).

(b) Where the present phrase reads "cattle, sheep, swine, and goats", change it to "cattle, sheep, swine, goats, and poultry" (21 U. S. C. 71).

(c) Where the present phrase reads "any slaughtering, meat canning, salting, packing, rendering, or similar establishment", add the term "dismembering" or some other comprehensive term that would cover the ready-to-cook processors in the poultry industry (21 U. S. C. 72).

We would also suggest that in 21 U. S. C. 71 the phrase the "Secretary of Agriculture, at his discretion, may cause to be made" be changed to the "Secretary of Agriculture shall cause to be made" and thereby give him legislative support for the regulation he has already promulgated relating to mandatory ante mortem inspection of animals subject to inspection under the act. This, together with the fact that all the phraseology after the semicolon of that section would be applicable to poultry suspected of disease, should obviate the deficiencies under the current regulations. Since a parallel grade classification of meat is carried on at the same time as the mandatory meat inspection, the suggested amendment of the act to include poultry should not hinder the continuance of the grading service under the Agricultural Marketing Act of 1946. The Meat Inspection Act contains penalties which

would then become applicable to poultry handlers and dealers. We also call your attention to the fact that the above-suggested changes in terminology are also applicable to the act of June 29, 1938 (52 Stat. 1235; 21 U. S. C. 91), governing sale of products by farmers and retailers.

MARGARET M. CONWAY,
American Law Division.

DECEMBER 15, 1955.

Subsequently, Mr. Speaker, I turned this report over to the House Legislative Council for actual drafting of a bill to carry out the suggestions made by Miss Conway and the American Law Division. The first draft of the bill which I received back was as follows:

"FIRST DRAFT OF THE BILL

"A bill to amend the Meat Inspection Act to provide for the inspection of poultry to be shipped in interstate or foreign commerce

"Be it enacted, etc., That the portion of the act entitled 'An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908,' which appears after 'For meat inspection,' under the heading 'Bureau of Animal Industry' (21 U. S. C., sec. 71-93), is amended—

"(1) by striking out 'cattle, sheep, swine,' or 'cattle, swine, sheep,' each time either appears therein and inserting in lieu thereof 'cattle, poultry, sheep, swine,';

"(2) by striking out 'cattle, calves, sheep, lambs,' each time it appears therein and inserting in lieu thereof 'cattle, poultry, calves, sheep, lambs,';

"(3) by inserting 'or poultry' after 'animals' each time it appears therein;

"(4) by inserting 'dismembering,' after 'rendering,' each time it appears therein;

"(5) by striking out of the first paragraph 'the Secretary of Agriculture, at his discretion, may cause to be made' and inserting in lieu thereof 'the Secretary of Agriculture shall cause to be made'; and

"(6) by inserting 'poultry' after 'beef' in the 15th paragraph thereof, beginning 'And no clearance shall be given'.

"SEC. 2. The amendments made by this act shall take effect _____ days after the date of its enactment."

AMALGAMATED PROPOSES INSPECTION BY FOOD AND DRUG ADMINISTRATION

Meanwhile, the top leadership of the meatcutters union was also working on the drafting of legislation, and came forward with bills which provided for compulsory poultry inspection by the Food and Drug Administration. When a draft of this legislation was brought to my attention, it was my view that it would be better to lodge this assignment with the Meat Inspection Branch of the Department of Agriculture because I knew the Food and Drug Administration is and has been terribly undermanned and is and has been unable to obtain sufficient funds to do the tremendous job we have already placed upon its shoulders.

As a result of this difference of opinion on the best way to proceed, I agreed to hold off on the introduction of my bill in order to give the union officials an opportunity to obtain legislative action on the bill which they had prepared and sponsored. The important thing, of course, is to get legislation enacted.

In recent weeks, the Food and Drug Administration has definitely gone on record against being given the powers to administer a compulsory poultry inspection law. The Department of Agriculture, meanwhile, has gone on record as promising effective administration of a compulsory poultry inspection law if one were to be enacted putting this responsibility on the Department of Agriculture.

I have consequently introduced my bill after very substantial changes and elaboration from the first draft provided me by the legislative counsel. Although I am not

a lawyer, it seemed to me the first draft did not cover the ground completely.

The bill which I introduced today is as follows:

"H. R. 11800

"A bill to amend the Meat Inspection Act (34 Stat. 1260, as amended) and the Tariff Act of 1930 (46 Stat. 689, sec. 306) to require compulsory inspection for wholesomeness of poultry and poultry products

"Be it enacted, etc., That the Congress of the United States finds that poultry and poultry products are being marketed through the channels of interstate and foreign commerce without adequate inspection to protect the public against poultry and poultry products which are diseased, unsound, unhealthful, unwholesome, or otherwise unfit for human food.

"To protect the general consuming public, to protect the health of persons engaged in the processing and distribution of poultry and poultry products, to prevent the spread of disease through shipments in interstate and foreign commerce of unwholesome poultry and poultry products, and to promote the wider use of poultry through assurance to the consuming public of its wholesomeness and freedom from disease, thus assisting agriculture and the food marketing industries in expanding their sales and augmenting their important contributions to our economic system, the following amendments are made to the Meat Inspection Act (34 Stat. 1260, as amended) and the Tariff Act of 1930 (43 Stat. 689, sec. 306) giving the Secretary of Agriculture power to inspect, condemn, or regulate any shipments of poultry in interstate or foreign commerce, or any shipment thereof which directly burdens, obstructs, or affects interstate or foreign commerce in such commodity.

"SEC. 2. The first paragraph of the act of March 4, 1907 (34 Stat. 1260; U. S. C. 71) authorizing inspection of cattle, sheep, swine, and goats before slaughter is amended to require such ante mortem inspection of cattle, sheep, swine, goats, and poultry, as follows:

"(a) by striking out the phrase 'meat or meat products' and inserting 'meat or poultry, and meat or poultry products';

"(b) by striking out the words 'at his discretion may' following the words 'Secretary of Agriculture' and inserting the word 'shall';

"(c) by striking out the phrase 'cattle, sheep, swine, and goats' wherever it appears, and inserting 'cattle, sheep, swine, goats, and poultry';

"(d) by adding to the phrase 'any slaughtering, packing, meat-canning, rendering, or similar establishment', the words 'or poultry processing plant';

"(e) By striking out the phrase 'the meat and meat food products thereof are to be used in interstate or foreign commerce' and inserting 'the meat or poultry or poultry pieces, and meat or poultry food products thereof are to be used in interstate and foreign commerce';

"(f) by adding at the end of said paragraph 'Provided, That at his discretion the Secretary of Agriculture may also regulate any shipments of poultry or poultry products which directly burden, obstruct, or affect interstate or foreign commerce.'

"SEC. 3. The second paragraph of the act of March 4, 1907 (34 Stat. 1260; 21 U. S. C. 72) dealing with post mortem inspection of carcasses, labeling and marketing, destruction of condemned carcasses and reinspection, is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' wherever it appears, and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) by adding to the phrase 'any slaughtering, meat-canning, salting, packing,

rendering, or similar establishment', the words 'or poultry processing plant';

"(c) by adding after the words 'and carcasses and parts thereof of all such animals', wherever they appear, the words 'or poultry';

"(d) by adding 'or poultry processing plant' after the words 'any such establishment' and 'any establishment' in the clauses dealing with removal of inspectors from establishments failing to comply with requirements hereunder.

"SEC. 4. The third paragraph of the act of March 4, 1907 (34 Stat. 1261; 21 U. S. C. 73) dealing with the examination of carcasses brought into slaughtering or processing establishments, and meat-food products issued from and returned thereto, is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) by striking out the phrase 'meat or meat products' and inserting 'meat or poultry, or meat or poultry products';

"(c) by adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, the words 'or poultry processing plants';

"(d) by striking out the phrase 'treated and prepared for meat food products' and inserting 'treated and prepared for meat or poultry food products.'

"SEC. 5. The fourth paragraph of the act of March 4, 1907 (34 Stat. 1261; 21 U. S. C. 74) dealing with the powers of meat inspectors in approving sound, healthful, and wholesome products and in condemning and causing the destruction of unsound, unhealthful, and unwholesome products, is amended:

"(a) by striking out the phrase 'meat food products' wherever it appears and inserting 'meat or poultry food products';

"(b) by adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment' the words 'or poultry processing plant';

"(c) by striking out the phrase 'meat or meat food products' and inserting 'meat or poultry, or meat or poultry food products';

"(d) by striking out the phrase 'condemned meat food products' and inserting 'condemned meat or poultry food products.'

"SEC. 6. The fifth paragraph of the act of March 4, 1907 (34 Stat. 1261; 21 U. S. C. 75) dealing with labeling requirements, is amended:

"(a) by striking out the phrase 'meat or meat food products' in the four instances where it appears, and inserting 'meat or poultry, or meat or poultry food products.'

"SEC. 7. The sixth paragraph of the act of March 4, 1907 (34 Stat. 1262; 21 U. S. C. 76) governing sanitary inspection and regulation of the premises of slaughtering and packing establishments, and rejection of products of unsanitary establishments, is amended:

"(a) by adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment', the words 'or poultry processing plant';

"(b) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats and poultry';

"(c) by striking out the phrases 'meat and meat products' and 'meat or meat products' and inserting 'meat or poultry, or meat or poultry food products.'

"SEC. 8. The seventh paragraph of the act of March 4, 1907 (34 Stat. 1262; 21 U. S. C. 77) permitting inspections during the nighttime as well as during the daytime, when slaughtering is conducted during the nighttime, is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry.'

"SEC. 9. The eighth paragraph of the act of March 4, 1907 (34 Stat. 1262; 21 U. S. C. 78) dealing with transportation of carcasses,

meat, or meat food products not properly inspected and marked, is amended:

"(a) by striking out the phrase 'meat or meat food products' and inserting 'meat or poultry, or meat or poultry food products';

"(b) by adding at the end of said paragraph 'Provided, That nothing in this section shall preclude the Secretary of Agriculture from regulating shipments of poultry or poultry products which directly burden, obstruct, or affect interstate or foreign commerce.'

"SEC. 10. The 17th paragraph of the act of March 4, 1907 (34 Stat. 1264; 21 U. S. C. 87) dealing with transportation or sale of meat or meat food products not complying with the inspection laws, is amended:

"(a) by striking out the phrase 'meat or meat food products' wherever it appears, and inserting 'meat or poultry, or meat or poultry food products';

"(b) by adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment' the words 'or poultry processing plant.'

"SEC. 11. The 19th paragraph of the act of March 4, 1907 (34 Stat. 1264; 21 U. S. C. 89) dealing with the appointment, duties, and regulations governing inspectors, is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) by striking out the phrases 'meats and meat food products' and 'meat and meat food products' and inserting 'meat or poultry, or meat or poultry food products';

"(c) by striking out the words 'meat food products' wherever they appear and inserting 'meat or poultry food products.'

"SEC. 12. The 21st paragraph of the act of March 4, 1907, as amended (34 Stat. 1265, as amended by 52 Stat. 1235; 21 U. S. C. 91) exempting certain farmers, retail butchers and retail dealers from the inspection provisions of the Meat Inspection Act, is further amended by adding the following subsection thereto:

"(d) The Secretary of Agriculture is hereby authorized to establish the basis on which certain categories of poultry raisers, retail poultry butchers, and retail poultry dealers are exempted from the inspection requirements of this act: *Provided*, That these exemptions shall be based on maximum volume limitations which are fair and reasonable in relation to other exemptions in this section: *And provided further*, That such exempt poultry raisers, retail poultry butchers and retail poultry dealers shall be subject to the provisions of the second paragraph of subsection (c) above for violations of the requirements of this act.

"SEC. 13. The authorization included in the act of June 30, 1906 (34 Stat. 679, as amended by 48 Stat. 1225; 21 U. S. C. 95) is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) by striking out the phrase 'meat and meat food products' and inserting 'meat or poultry, and meat or poultry food products.'

"SEC. 14. The act of June 5, 1948 (62 Stat. 344; 21 U. S. C. 98) providing for payment of costs of the inspection service by the United States, is amended by striking out the phrase 'meat and meat food products' and inserting 'meat and poultry, and meat and poultry food products.'

"SEC. 15. Section 306 of the Tariff Act of 1930 (46 Stat. 689; 19 U. S. C. 1306) dealing with the importation of meat and meat products is amended:

"(a) by inserting the words 'or poultry' in subsection (b) thereof after the words 'meat' or 'meats' wherever they appear;

"(b) by striking out the phrase 'cattle, sheep, and other domestic ruminants, and swine' in subsection (c) thereof, and inserting 'cattle, sheep, and other domestic ruminants, poultry, and swine'; and in the same

subsection (c) thereof, inserting after the word 'meats' the words 'or poultry.'

"SEC. 16. The compulsory poultry inspection provided for by this act shall commence on the first day of the sixth month after enactment hereof."

ANTE MORTEM INSPECTION MADE MANDATORY

It will be noted, Mr. Speaker, that my bill not only amends the Meat Inspection Act to include poultry and poultry products in the same way that cattle, sheep, swine, and goats are covered under that act, but that, in one particular, it also amends the act as it applies to those other meat animals. That is in section 2, which would make it mandatory to have ante mortem inspection not only of poultry but of the other animals as well.

The act presently says that the Secretary of Agriculture may at his discretion require such ante mortem inspection of cattle, sheep, swine, and goats. Actually, by regulation, he requires this type of examination before slaughter. In order to make it clear that it is the intent of Congress to require such ante mortem inspection of poultry, also, I have proposed in my bill this change in the basic statute to make ante mortem inspection mandatory for all of the meat varieties covered.

APPLICATION TO INTERSTATE SHIPMENTS

Another provision of my bill which involves more than merely including poultry along with beef, lamb, pork, and so on under the Meat Inspection Act, also contained in section 2 of my bill, would empower the Secretary of Agriculture to regulate certain shipments of poultry in intrastate commerce. These would be shipments which directly burden, obstruct, or affect interstate commerce.

The concept of including some intrastate as well as all interstate shipments of poultry under compulsory inspection laws has been suggested, as I understand it, by the poultry industry itself. The feeling on the part of some of the industry people, as it has been reported to me, is that where interstate and intrastate shipments are commingled in the same establishments, or where they directly compete in such way as to affect the interstate sales, that fairness requires all shipments be inspected.

While this raises legal issues I do not personally feel qualified to discuss, nevertheless I am informed by experts in the legal questions involved that the Supreme Court has upheld this concept as it applies to milk marketing and that it could, therefore, be applied to poultry. I have included this in my bill, because it is my understanding that there is widespread support within the poultry industry for compulsory inspection if it is fairly extended to all groups competing in the major market areas.

EXEMPTIONS

The Meat Inspection Act presently exempts farmers and certain categories of retail butchers and retail dealers, providing, of course, that they do not ship in interstate commerce products which are diseased or unfit in violation of the law. The exemptions for butchers and dealers are based on the number of animals or carcasses they ship per week. Having no means by which I could translate these standards into terms of chickens, ducks, or turkeys, for instance, I have instead provided that the Secretary of Agriculture should determine such exemption standards as they should apply to poultry raisers, butchers, or dealers. He would be expected to set standards which would be fair in relation to those now applying to butchers and dealers under the Meat Inspection Act.

PRIOR TO 1956, LAST SUCH BILL WAS IN 1930

The research material which I have received from the Library of Congress, and which I have inserted above, shows that up

to the time this memo was prepared for me in December, there had not been a bill introduced in the Congress dealing with this subject of compulsory inspection of poultry since 1930.

This year, we have seen the introduction of a number of bills, and I think all of us are pleased to see such interest in the serious problem of assuring wholesome poultry supplies.

My bill differs from the others in that it is the only one, I believe, which provides for compulsory inspection of poultry on exactly the same basis as we now inspect the other meats. The penalties are the same. The exemptions would be the same. The procedures would be exactly the same. The valuable enforcement history built up by the Meat Inspection Branch these past 50 years would now become available for the enforcement of poultry inspection. No elaborate new definitions, subject to endless litigation, would be necessary.

This has been the approach suggested to me by the research people in the American Law Division, and I think it is the best of the various approaches proposed to this important issue.

ADEQUATE APPROPRIATIONS WILL BE REQUIRED

Recently, a friend in St. Louis, Mr. August Gieseke, secretary-treasurer of the Meat Cutters Union Local 88, wrote to me on behalf of the local, urging my support for the bills which the international has sponsored on this subject. Our exchange of correspondence was as follows:

AMALGAMATED MEAT CUTTERS
AND BUTCHER WORKMEN
OF NORTH AMERICA,
AFL-CIO, LOCAL NO. 88,
St. Louis, Mo., March 9, 1956.

The Honorable Congresswoman Mrs. JOHN B. SULLIVAN,
House Office Building,
Washington, D. C.

DEAR MRS. SULLIVAN: Our union membership of 3,100 people, which consists of retail meatcutters and poultry workers who slaughter and dress poultry, are very much interested in bills H. R. 8599, H. R. 9006, and S. 3176, pertaining to Federal poultry inspection and industrial safety for poultry workers.

We are in a position to know firsthand that an inspection law is sadly needed to protect the consumer. Fowl is subject to tuberculosis and is also a disease carrier, same as any farm animal.

The consumer is not aware how dangerous it is to consume fowl which is not processed in a sanitary condition, especially diseased poultry.

We strongly urge you to support these bills for the public's protection.

Thanking you in advance for your favorable support, I am

Sincerely yours,

AUG. GIESEKE,
Secretary-Treasurer, Meat Cutters
Union Local No. 88, AFL-CIO, St.
Louis, Mo.

MARCH 14, 1956.

MR. AUG. GIESEKE,

Secretary-Treasurer, Meat Cutters Union,
Local 88, AFL-CIO, St. Louis, Mo.

DEAR MR. GIESEKE: I appreciated hearing from you in regard to the bills for the inspection of poultry, as urged by local 88 and also by the international officers of the Amalgamated Meat Cutters and Butcher Workmen. I am sure you know that this matter of diseased poultry being sold in interstate commerce is of very great concern to me as a Member of Congress interested in the consumer.

I have been in correspondence with the international officers of the Amalgamated on this question, and at their request I have held back on introducing a bill which I have

had prepared. My bill would call for the inspection of poultry on exactly the same basis as beef and pork are inspected by the Department of Agriculture. However, the bills which the Amalgamated is sponsoring would place poultry inspection under the Food and Drug Administration.

We are in some disagreement as to the best basis for proceeding, but there is no disagreement between us as to the need for legislation. Because of the work the Amalgamated has done in bringing this matter to public attention, I am deferring to President Jimerson and the other officials of the Amalgamated on the question of strategy for the time being. So I am holding up on it for the time being, as I said.

Please be assured I will do everything I can to get legislation enacted for effective poultry inspection by the Federal Government. But even if we succeed in that, then there is the additional need for adequate appropriations. These are among my main objectives in Congress.

With kindest personal regards, I am,

Sincerely yours,

LEONOR K. (Mrs. JOHN B.) SULLIVAN,
Member of Congress, Third District,
Missouri.

As I pointed out to Mr. Gieseke, Mr. Speaker, our responsibility here is not only to enact laws which will require inspection of poultry for wholesomeness, but—wherever we put the authority or regardless of the type of bill we pass—we must make sure adequate funds are appropriated to carry on the work. That is where we have fallen down in the past in our handling of pure food and drug laws. We write laws providing for penalties for selling unsafe or unwholesome foods or drugs or cosmetics, but we have not given the Food and Drug Administration the money it needs to police these very excellent laws.

Mr. Speaker, in connection with the introduction today of my poultry inspection bill, H. R. 11800, and in connection with these remarks on the House floor, I have submitted some rather lengthy material for the CONGRESSIONAL RECORD. Normally, I do not like to load down the RECORD with extraneous material. In this instance, I think it serves a highly useful purpose in bringing together in one place the basic information available on this important issue. I am including one further document, as exhibit B following my remarks, in the form of a memorandum from the Amalgamated Meat Cutters Union going into the actual conditions under which poultry is now being marketed.

I have received and read a vast amount of material on this subject. Some of it has been so graphic, so shocking, that I have decided against using it here. But this memorandum is a calm and objective report which, I believe supplements the other document from the Public Health Service, and so I include them both. I hope, as I said, that the Members can find the time to read these reports. If so, I know we will act to stop this evil.

Mr. Speaker, Exhibit A: Poultry Diseases Transmissible to Man, is as follows:

"EXHIBIT A

"POULTRY DISEASES TRANSMISSIBLE TO MAN,
INCLUDING SUMMARY REPORT OF OUT-
BREAKS

"(By Mildred M. Galton, bacteriologist, Communicable Disease Center, Public Health Service, Federal Security Agency, Atlanta, Ga., assigned to Bureau of Laboratories, Florida State Board of Health, Jacksonville, Fla., prepared for the Chief Veterinary, Public Health)

"The diseases of poultry to which man is also susceptible comprise a rather large group. In his excellent review Ingalls (1) lists 26 such diseases including those caused by bacteria viruses, fungi, and protozoa. It is apparent that some of these diseases con-

stitute a considerable hazard to public health.

"In a more recent discussion of this subject, Brandly, C. A. B., (2) pointed out that interspecies infection cycles usually favor similar hosts, thus, a disease in animals generally would have a greater chance of thriving if transmitted to related species than to avian hosts. He emphasized, however, that this may not always be true and discussed the nature of the host-parasite relationship of certain diseases common to man and fowl. Earlier, these infections were discussed by Brandly, P. J., (3) from the standpoint of poultry inspection and public health. In the present report the current status as public health hazards of the following diseases common to man and fowl will be reviewed:

"Bacterial: Salmonellosis, paracolon infections, erysipelas, staphylococcosis, streptococcosis, tuberculosis, brucellosis, listeriosis, tularemia, pseudotuberculosis, and diphtheria.

"Viral: Equine encephalomyelitis, Newcastle disease, psittacosis, and rabies.

"Fungal: Favus, thrush, and aspergillosis.

"Parasitic: Dermatomyssus gallinae, Toxoplasmosis.

"Salmonellosis

"The role of fowl, swine, cattle, and many other animals as a source of outbreaks of salmonellosis in man has been established but only during the past decade has great emphasis been placed upon the public health significance of these reservoirs in the epidemiology of Salmonella infections. There have been numerous reports incriminating poultry or poultry products in outbreaks of the disease in man. The studies of Edwards, Bruner, and Moran (4) indicate that fowls are the largest single reservoir of Salmonella in this country. While *S. pullorum* and *S. typhimurium* are the most common types, these authors found a greater number of Salmonella types (60) in fowl than any other species except man. Of these at least 56 have been found in humans. As pointed out by Hinshaw and McNeil (5, 6) 'there may well be no truly avian nor truly human types; in fact such a description frequently means only priority in isolation.' They observed 7 cases of gastroenteritis among attendants on poultry farms caused by contact with acute outbreaks in poultry. Further evidence indicated the transmission of Salmonella to fowl by human carrier attendants on the ranch. All types are potentially pathogenic for man, animals, and fowls. In poultry as in man (8, 9) and other animals (4) Salmonella infection depends largely upon age and general resistance rather than upon the type of Salmonella, the young appearing most susceptible. *S. pullorum* until recently considered relatively nonpathogenic for man has been incriminated as the cause of one large outbreak of food poisoning (10) and several sporadic cases (11, 12). In Florida, *S. pullorum* has been isolated from cases of mild enteric fever and gastroenteritis in three individuals.

"Considerable evidence is accumulating concerning the presence of Salmonella in poultry meat. Cherry, Barnes, and Edwards (13) report the recovery of a nonmotile Salmonella from the skin of frozen turkeys. Galton, Mackel, and Haire (14) isolated anatum, from material appearing to be encysted egg yolk in a frozen chicken. Schneider and Gunderson (15) found 4 Salmonella types on the skin of 4.4 percent of 1,014 eviscerated chickens. They concluded that the customary methods of sanitation in the plant did not eliminate Salmonella. Most of these birds had been frozen and stored for some time. Browne (16) found that *S. typhimurium* survived for at least 13 months on the skin of frozen turkeys. It is thus apparent that freezing does not kill all of the Salmonella.

"More recently, attention has been given to the study of *Salmonella* in the environment of poultry processing plants. Browne (16) studied a turkey processing plant and isolated *S. typhimurium* from trays on which viscera were placed, pans in which cleaned giblets were stored, waste buckets and hands of eviscerators, trimmers, and inspectors. These organisms were also obtained from the loading platform, scalding chute, and floor, from the final wash trough, and even from dust on the rafters.

"During an extensive study of the bacteriology of commercial poultry processing, Kyle, McFadden, and Gunderson (17) isolated *Salmonella* from the hands of workers on the evisceration line, from the skin of birds ready for storage, from organs of the chickens, and other items on the evisceration line. Reports of outbreaks of food poisoning following the consumption of poultry meat are numerous as evidenced by the weekly reports of the National Office of Vital Statistics (see table 1).

"Reports implicating raw, frozen, or dried eggs as sources of *Salmonella* outbreaks appear frequently. Watt (18) reported such an outbreak attributed to raw eggs which contained *S. montevideo*. *S. tennessee* was isolated from frozen whole eggs and from powdered eggs by Schneider (19). Extensive studies on the occurrence of *Salmonella* types in dried egg powder have been reported by Schneider (20), Soloway (21) and associates, and the British investigators (22). Further studies on heat resistance and destruction by pasteurization of *Salmonella* organisms isolated from spray dried or liquid whole egg have been reported by Soloway et al. (23), Winter et al. (24, 25), and Goresline (26 et al.). The investigation carried out by Goresline et al. revealed that pasteurization can be used successfully, under processing-plant conditions, to produce liquid, frozen, and dried whole eggs free of *Salmonella*. They recommend flash heating the liquid whole egg to 140° F. and holding at that temperature for 3 minutes to kill any *Salmonella* present.

"That breaks in the pasteurization procedure do occur in large processing plants is indicated by a recent announcement in the Associated Press (November 28, 1952) in which the Food and Drug Administration issued a warning to the public to discontinue use of Swift & Co.'s canned dried egg yolk due to the presence of *Salmonella* organisms. This product had been pasteurized.

"McCullough and Elsele (27) were able to produce clinical salmonellosis in 32 human volunteers by experimental infection with strains of *Salmonella meleagridis* and *Salmonella anatum* derived from spray dried whole egg. Similar studies (28) with *S. newport*, *S. derby*, and *S. bareilly* resulted in clinical illness in 15 subjects, and with 4 strains of *S. pullorum* (29) there were 27 cases of human illness.

"It is thus obvious, as emphasized by Hinshaw and McNeil (5) that 'both from a poultry economic and public health standpoint, salmonellosis is a hazard which should be eliminated.' These investigators present the following essentials for prevention of the disease in poultry: (1) elimination of known infected flocks as sources of replacements for breeding flocks (2) the use of separate hatching facilities for eggs from such flocks (3) the frequent use of diagnostic laboratories, to discover new outbreaks which may endanger future replacement sources (4) the recognition of numerous animal reservoirs of these diseases which must be controlled to prevent transmission (5) fly control, and (6) cooperation of growers, hatcheries, veterinarians and State agencies in securing replacements from salmonellosis-free sources.

"Paracolon infections

"The significance of the etiological relationship between paracolon organisms and enteric infections in man is difficult to de-

termine due to the frequent recovery of some of these strains from the feces of apparently healthy persons and the lack of adequate methods of classification of different types. However, there have been numerous reports (8, 9, 30, 31) indicating pathogenicity of some types.

"Many of the paracolon organisms contain antigens common to the *Salmonella* and *Shigella* groups. This is particularly true of the Arizona group of paracolons which are closely related to the *Salmonella*. The excellent work of Edwards and his coworkers (32, 33, 34, 35) in establishing a satisfactory serologic classification for the Arizona group and presentation of epidemiological data leaves no doubt that these paracolon organisms are pathogenic for animals. The majority of cultures of this group that have been studied were isolated from fowls, egg powder, and reptiles. Many cultures were obtained by Hinshaw and McNeil (36, 37) during studies of infections among reptiles and turkeys. The symptoms and pathology in birds infected with these paracolon bacilli are comparable to those which occur in salmonellosis in fowls. The organisms have been isolated from heart blood, and all organs indicating a definite septicemia; young fowls, particularly poults, appear more susceptible. Mortality in flocks was comparable to that found in *Salmonella* infections. The spread of the infections by hatcheries and through eggs has been clearly established (35, 36).

"There have been scattered reports of the isolation of Arizona paracolon bacilli from man. Of 456 cultures studied by Edwards, West and Bruner (35) 5 were from human sources. All were from cases of enteric infection in which no other pathogenic organisms were recognized. Verder et al. (38) isolated a paracolon identified by Edwards as Ar. 1, 2:1, 2, 5 from 70 percent of patients cultured during an outbreak of gastroenteritis involving 51 student nurses. The organism was not obtained from 16 normal students cultured. Buttiaux and Kesteloot (39) reported the isolation of paracolon bacilli similar to the Arizona group from 6 patients, 3 with acute enteric disease, 2 with chronic colitis, and 1 with a typhoidlike fever. In 1950, Murphy and Morris (40) described 2 small outbreaks of gastroenteritis, both of which were associated with a member of the Arizona paracolon group. In both episodes, evidence relating to source of infection, incubation period and symptoms of individuals involved resembled the pattern observed in food infections due to *Salmonella*. Bacteriological findings indicated the paracolon bacillus was the etiologic agent.

"Thus, the necessity for the prevention and control of this infection is fowl is obvious.

"Erysipelas

"The occurrence of a septicemia associated with *Erysipelothrix rhusiopathiae* the causative agent of swine erysipelas and erysipeloid infection in man, has been reported in many species of birds. Fish though not susceptible carry the organism on the slime. The disease is relatively common in turkeys and ducks (41, 42, 43). It is characterized in acute cases by febrile symptoms and occasionally diarrhea; death may occur in 1 to 2 days; in chronic cases by loss of appetite, diarrhea and gradual emaciation (44). Diagnosis depends upon bacteriological examination as lesions are indefinite and not usually considered pathognomonic. The infection in man, first recognized by Rosenbach, in 1884, may occur as a mild, localized cutaneous lesion, sometimes accompanied by mild arthritic symptoms; as a diffuse or generalized cutaneous eruption, with arthritic symptoms and negative blood culture or as a septicemic form with endocarditis (45). Chronic cases of long duration have also been reported (46).

"Erysipeloid has long been recognized as an occupational disease of abattoir employees, veterinarians, butchers, kitchen workers and those handling poultry and fish (47). In a review of 100 cases Klauder (48) was able to obtain a history of contact with animals, animal products or fish. Stiles (41) reported cutaneous lesions and symptoms of erysipeloid in the owners of an infected turkey flock. Successful treatment of the disease in man with penicillin has been reported frequently (46, 49, 50). Stiles considered the public health significance of marketing possible infected turkeys and outlined the procedure followed in an outbreak in one flock. Apparently healthy fowls were marketed to a processing plant where they were subjected to Federal inspection. Questionable birds were rejected and the slaughtered birds were boned and sterilized by canning.

"According to Klauder (48), the virulence of *E. rhusiopathiae* varies in different species and in the same species. The organism has the capacity to change suddenly from a harmless saprophyte to a pathogenic parasite. Although man is relatively immune when the organism enters the gastro-intestinal tract, cutaneous infections appear rather commonly. Skalova (51) in Yugoslavia has reported one fatal case of infection with *E. rhusiopathiae*.

"Staphylococcosis

"Staphylococci are widely distributed in nature but they may cause a variety of disease entities in man, domestic animals and fowl. Avian staphylococcosis has been reported in turkeys by Jungherr (52) Hinshaw and McNeil (53) and Hinshaw (54), in geese by Lucet (55), in ducks by Van Heelsbergen (56), and less frequently in chickens (57, 58). In fowl the infection occurs as an acute septicemia or chronic arthritis also known as bursitis, hock disease, ostitis or synovitis. In man, the most frequent manifestation is food poisoning, produced by an enterotoxin liberated by the growth of some staphylococcus strains in food prior to ingestion. Septicemia occurs occasionally in man. Although no reports have been found concerning the transmission of fowl staphylococcosis to humans McNeil (59) states that they have isolated *Micrococcus pyrogenes* from boils on the hands of workers in poultry killing plants. This potential source of infection in man warrants further study.

"Streptococcosis

"Streptococcus infections occur in both man and birds. Ingalls (1) is of the opinion that the infection in poultry does not play a prominent part in human disease, however, he has observed that the handling, dressing or eating of infected birds may serve as a source of infection in man. Acute streptococcal septicemia in fowls was first observed in this country by Norgaard and Mohler, 1902 (60) and later by Hudson (61). The disease is highly fatal. A chronic infection of hens due to hemolytic streptococci (group C) was reported by Edwards and Hull (62). Buxton (63) in England reports an acute infection of poultry due to streptococcus zoepidemicus which became chronic after 4 weeks. Edwards (64) states that all streptococcal infections of poultry that he has encountered have been due to the so-called animal group C types. A search of the literature revealed no reports of infection of fowls due to group A streptococcus strains.

"Tuberculosis

"Avian tuberculosis is widely distributed in poultry throughout the central and north central sections of the United States. It frequently also infects swine, occasionally cattle and rarely man. It is most common in chickens and pigeons, although it does infect other species of fowl. Chickens are susceptible only to the avian type of the tubercle bacillus. The question of the pathogenicity of avian tubercle bacilli for man

has received much speculation. Feldman (65) has reviewed the literature up to 1938 and concluded that although human infection does occur, it is very rare. He further observed that many of the reported cases were inadequately or incompletely studied resulting in a questionable diagnosis of avian tuberculosis. Rich (66) reviewed the data available up to 1944 and 'noted that if progressive tuberculosis is ever produced in the human being by the avian tubercle bacillus it must be only rarely.'

"There have been a few confirmed cases, however, in which the organisms were identified. Bradbury and Younger (67) reported a case of pulmonary tuberculosis in a man from whom organisms were identified as the avian type on three occasions. This man had consumed 1 or more raw eggs a day for 30 years providing a possible source of infection. Avian tubercle bacilli were also isolated from a mediastinal lymph node from a man (68). A diagnosis of Hodgkin's disease had been made. Another isolation was reported from a case diagnosed as Boeck's sarcoïd in a 50-year-old woman who had lived on a farm in Norway where tuberculosis of chickens was common (69).

"In chickens the disease is characterized by its chronicity and by lesions in the liver, spleen, kidneys, ovaries, intestines, and bone marrow. Large numbers of organisms are disseminated in fecal material. The bacilli are occasionally present in eggs from tuberculous hens.

"Feldman (70) makes the following statements concerning the suitability of tuberculous fowl for human consumption: 'When food markets are supplied from territories where tuberculosis is prevalent among chickens, the question of the suitability of the tuberculous fowl for human consumption is important. The problem is pertinent, not only because of the possible transmission of avian tuberculosis to human beings, but also because of the natural aversion of most people to food prepared from diseased animals. In the absence of a nationwide, efficient post mortem inspection of poultry, the only assurance to the consuming public that carcasses of dressed poultry represent healthy animals is the integrity of the merchant and the ability of the laity who dress fowl to recognize morbid processes.'

"Brucellosis

"Natural outbreaks of *Brucella* infection on poultry farms have been described in Italy by Florentine, in France by Dubois (71) and in the United States by Emmel (72). The symptoms in birds appear quite variable. In some, general debility, diarrhea, and paralysis are observed with high mortality; in other, no symptoms appear. Post mortem examination shows enlargement of spleen, degeneration of liver and kidney with necrotic foci and enteritis. Emmel and Huddleson (73, 74) were able to produce infection in fowl by feeding naturally infected milk, portions of an aborted fetus and cultures. They also reported the occurrence of natural infection in four flocks. Pagnini (75) attempted to infect chickens by giving them gelatin capsules containing *Brucella*. He succeeded only when employing large numbers of organisms and concluded that chickens were not of great significance in the spread of brucellosis. Pavlov (1938) (76) reported 5 of 7 rabbits placed with infected chickens became infected and died in 3 months. *Brucella* organisms were isolated from the rabbits. None of 3 normal chickens and 10 normal guinea pigs, placed with the infected chickens showed evidence of infection. Eggs from chickens infected with massive doses of *Brucella* were found to contain the organism only between the 4th and 14th day after infection.

"The experiments of Felsenfeld and his associates (77) showed that intramuscular, and intraperitoneal infections and feeding of *Brucella*, caused bacteremia, fecal excre-

tion of organisms and the appearance of significant serum agglutinin titers. They also observed cross reactions with *Vibrio cholerae*, *Proteus OX-19* and *S. pullorum* antigens. *Brucella* were transmitted to normal chickens by feces from infected chickens. These investigators point out the possibility of misinterpreting pullorum disease in flocks of chickens with *Brucella* infection due to the cross reactions with pullorum antigens. They have observed also the difficulty in detecting infected chickens during inspection due to the frequent absence of significant pathology.

"Since birds can become infected with *Brucella* and may thus transmit the disease to other fowl, domestic animals and man, efforts to prevent the contact of poultry with infected mammals should be taken.

"Listeriosis

"*Listeria monocytogenes* is a causative agent of sporadic cases of meningitis in man and also has been isolated from the blood of patients with an infectious mononucleosis-like syndrome (78). In chickens it produces a specific septicemia with apparently few clinical symptoms. Necrotic lesions of the heart muscle and generalized edema may occur. Many other hosts are susceptible to spontaneous infection including the goat, sheep, cow, fox, guinea pig, and rabbit. It is noteworthy that the encephalitic symptoms, characteristic of listeriosis in domestic mammals have not been observed in naturally affected chickens.

"Distribution of the infection in man and animals appears to be worldwide (78, 79); in chickens outbreaks have been reported in many parts of the United States and England (80, 81, 82).

"Although no reports have been found to indicate direct transmission of *Listeria* infection from poultry to man the fact that both are susceptible warrants consideration of the situation from a public-health standpoint.

"Pasteurelia

"Tularemia

"According to Burroughs (83) grouse, sage hen, quill, and horned owl have been found naturally infected with tularemia. At least two cases of tularemia (84, 85) have occurred in man where the source of infection was attributed to pheasants dressed by the individuals. Apparently the disease does not exist or is very rare in poultry since it is not referred to in *Disease of Poultry* edited by Biester and Schwarte in 1948.

"Pseudotuberculosis

"Pseudotuberculosis caused by *Pasteurella pseudotuberculosis* rodentium, is a disease occurring in birds, animals, and man (86, 87). It is characterized by an acute septicemia of short duration followed by a chronic focal infection which gives rise to tubercular lesions in various organs. In fowl, outbreaks have been reported chiefly in turkeys and rarely in ducks, pigeons, and chickens causing considerable losses in the former. In man it appears to be rare but highly fatal. Meyer (88) refers to reports of 14 human cases, 11 of which terminated fatally. According to Meyer the mode of transmission is not definitely known, but it is believed that *P. pseudotuberculosis*, widely distributed in nature and disseminated through infectious excretions of affected birds or rodents, attacks susceptible animals through the digestive tract. Usually the abdominal viscera are primarily diseased. Injuries of the skin may also serve as portals of entry. Direct or indirect contact may introduce the infection into a flock of birds. Hygienic conditions and prevention of exposure to infection are the usual prophylactic procedures.

"*Pasteurella multocida*, as the name indicates has more than one host. The many strains of this group change continuously in physiologic functions, antigenic struc-

ture, and pathogenic ability. The total range of susceptible animal species is wide, including man, rodents, herbivores, fowls and possibly carnivores but each host has its characteristic limitations beyond which it rarely goes in spontaneous disease. The first bacteriologically proved human case was reported by Brugnatelli (88) in 1913. Since that time human infections with *P. multocida* are being recognized more frequently.

"A review of the literature since 1930 by Schipper (90) revealed 21 bacteriologically proven cases from reports on 39 cases. Further evidence to support the occurrence of more frequent infection in man was presented by Needham (91). He isolated *P. multocida* from 11 patients of the Mayo Clinic during 1947. Later Olsen and Needham (92) reported the isolation of this organism from an additional 26 cases bringing the total to 37 cases observed at the Mayo Clinic during the period from October 1946 to July 1951. Twenty-seven of the thirty-seven patients were either farmers or members of a farmer's family. The source of material for bacteriologic study included bronchial secretion 17, sputum 15, empyema fluid 2, abscess of frontal sinus 1, appendiceal abscess 1, and purulent drainage from joint 1. All strains from these cases were found to be sensitive to low concentrations of penicillin. Although most of the patients had bronchiectasis, the authors consider *P. multocida* a probable "secondary invader." They emphasize, however, that the isolation of animal *Pasteurella* in cases of human disease has a definite significance. In view of the relative prevalence of human infection they recommended a more thorough search be made for this organism in infected material. Neter and associates (93, 94) have observed *P. multocida* wound infections in four children following bites by or contact with animals. These investigators (95) found aureomycin superior to terramycin treatment of *P. multocida* infection in mice.

"Numerous outbreaks of *Pasteurella* infection (fowl cholera) in poultry have caused considerable losses. Murray (96) states that 'while man may generally consume without harm fowls that are suffering from the disease, it is advised that their meat should under no circumstances be used as human food.'

"Diphtheria

"Although there appears to be no evidence indicating that diphtheria in poultry is of public health significance, at least one human case has been reported in which evidence pointed to chickens as the source of infection. In a study of 256 cases of human diphtheria where contact with chickens was established, Litterer (97) reported 2 instances in which fowl harbored the virulent organisms. Identical organisms were isolated from a child in the family who owned the fowls. He was able to infect chickens with cultures obtained from infected children and chickens and concluded that fowl can transmit virulent diphtheria to man. According to Huyy and Marek (44) the so-called fowl diphtheria or roup is caused by a virus and the disease is now known as the muco-membranous form of fowl pox.

"Virus diseases

"Eastern Equine Encephalomyelitis

"Eastern equine encephalomyelitis primarily a summer disease of equine and avian animals, is transmissible to man, in whom it is usually characterized by extensive inflammation and destruction of the central nervous system. It was first recovered from human CNS tissue by Fothergill et al (98), 1938; in the same year the first natural outbreak in birds was reported by Tyzzer, Sellers, and Bennett (99) who encountered fatal infection in ringnecked pheasants in Connecticut. Also in 1938 Fothergill et al (100) observed natural infection in pigeons in Massachusetts. Beaudette and Black (101)

have reported the appearance of natural outbreaks in pheasants in New Jersey from 1938 through 1946 except in 1940 and 1941.

"Davis (102) found that 6 species of *Aedes* mosquitoes were capable of transmitting the virus from infected birds to normal animals after a 9-day incubation period. Mosquitoes fed on infected birds transmitted virus to mice and birds; those fed on mice transmitted to birds, mice, and guinea pigs.

"The symptoms reported in pheasants include paralysis, staggering, head drawn over back, and anorexia. Death occurred in 1 or 2 days or the birds recovered slowly. The infection has been produced experimentally in chickens and turkeys. After experimental inoculation, Ten Broeck (103) and Tyzzer (104), working independently, showed that chickens may develop a viremia without visible signs of infection.

"In man, children appear more susceptible. A mortality rate of 65-70 percent has been reported in the age group under 10 years.

"Western and St. Louis Encephalomyelitis

"The western and St. Louis types of encephalomyelitis are similar in many respects and although they are quite distinct from the eastern type, they also infect a wide range of hosts including equine animals and fowl. The extensive studies of Hammon have shown the important role that birds play in the epidemiology of these diseases. During the summer of 1941 Hammon et al. (105, 106) in the Yakima Valley, Wash., found that *Culex tarsalis* mosquitoes were infected with the viruses of western and St. Louis equine encephalitis, and that approximately 50 percent of the chickens of the area had specific antibodies for these viruses, but no chicken epizootic had been observed. Experimental infection with both viruses produced a viremia but no signs of illness. Evidence indicates that viremia of man and horses is of short duration. Virus isolations from blood are rare. These authors also observed that *Culex tarsalis* fed predominantly on birds. Recently (107, 108) the chicken mite *Dermanyssus gallinae* has been found infected with the St. Louis and western type viruses. These findings have focused even more attention on the chicken as an important source of mosquito infection. In further studies in the Yakima Valley, Hammon (109) examined 576 sera from mammals and wild and domestic birds by the neutralization test for antibodies against both viruses. Each of the viruses were positive in approximately 50 percent of sera from domestic fowl; 17-22 percent in wild birds, and only 8 percent from wild mammals.

"Japanese B Encephalitis

"Another of the summer encephalitides, chiefly prevalent in the Far East, is characterized by varied clinical symptoms, and caused by a virus similar in many ways to that of St. Louis encephalitis. According to Hammon less certainty is felt about the source of mosquito infection in this type. Hammon et al. (110) have demonstrated virus in mosquitoes caught in Japan. Thus the virus must be available in the blood of some animal. They have been able to detect small amounts of virus in the blood of inoculated chickens. More recent studies (111) have indicated wild birds as potentially important as a source of mosquito infection.

"Thus, it appears that poultry, especially chickens, may serve as an important source of infection with the eastern, western, and St. Louis encephalitis viruses and possibly also the Japanese B type.

"Newcastle Disease

"Newcastle disease (avian pneumoencephalitis) primarily a disease of world-wide distribution in fowls was first recognized in man in 1943, by Burnet (112) who isolated the virus from a case of conjunctivitis in a laboratory worker. Subsequently, reports have appeared of virus isolation from 8 cases

of conjunctivitis in man (113, 117). Anderson (113), 1946 in Australia reported 2 laboratory infections. The remaining cases were in the United States. Ingalls (115) encountered 2 cases of natural infection; one in a broiler plant operator and the other in a veterinary student. Both cases were related to recent contact with NDV infected chickens. More recently, Nelson, et al. (118) have reported the occurrence of an outbreak of conjunctivitis in poultry plant workers. Of the 40 cases, virus isolation was successful in 4 of 10 acute cases. Specimens were obtained from the conjunctiva. They obtained a high SN index on specimens from employees in the plant showing no symptoms and observed that this may indicate resistance.

"In a recent study on food poisoning bacteria in poultry and poultry products, Kyle, MacFadden and Gunderson (17) isolated Newcastle disease from chicken livers and spleens collected on the evisceration line of a commercial poultry processing plant in Nebraska. The relative frequency of cases of conjunctivitis occurring in workers on the evisceration lines of poultry processing plants prompted this study. These investigators (17) studied 3 additional cases of conjunctivitis in humans from which Newcastle disease virus was isolated at the University of Nebraska Hospital. All patients had dressed chickens prior to onset of symptoms.

"An earlier report of an outbreak of conjunctivitis among kitchen workers handling poultry in an agricultural school in Israel was made by Yatomi (119).

"It is obvious from the evidence presented that Newcastle disease of poultry is capable of infecting the mucous membrane of the human eye. Thompson (120) has observed that the high prevalence of the disease in poultry as compared with the scarcity and mildness of reported cases in man indicates that general alarm concerning human infection is not warranted. More recently, evidence obtained by several workers indicates that NDV is capable of causing systemic involvement in man. Mitchell and Walker (121) report a laboratory infection apparently acquired through the respiratory tract which produced an influenza-like attack lasting about 5 days. NDV was isolated from bronchial mucus. There was no evidence of conjunctivitis. A case of acute hemolytic anemia with autohemagglutinative vascular phenomena was reported by Moolten and Clark (122) in which NDV was isolated from the patient's blood shortly after the acute phase of illness had subsided. The isolation of the virus from 5 additional cases of human infection has been reported by Quinn, Hanson, Brown, and Brandy (123). These authors have noted the possibility of man to man transmission of the disease in view of the demonstration of virus in saliva, nasal discharge and conjunctival sac washings. In one of their cases NDV was isolated from the urine. Kyle, MacFadden and Gunderson (17) observed that due to the inherent resistance and potential adaptability of the virus, it may well become a significant public health problem.

"Psittacosis

"Psittacosis (ornithosis), an apparent, or more frequently an inapparent, infection found in parrots, parakeets, canaries, pigeons, and many other birds is also communicable to man. The infection is caused by *Miyagawanella psittaci*, coccoid elementary bodies intermediate between *Rickettsiae* and true viruses. It was formerly thought to be contracted through association with psittacine birds, however, more recent reports have incriminated ducks (124), chickens (125), and turkeys (126), as the source of infection in man. Of great importance was the discovery that visibly healthy birds harbor the virus and as shedders or chronic carriers distribute the infective agent. Irons (126) has observed that

the importance of common barnyard fowl in the spread of psittacosis frequently is overlooked.

"According to Meyer (127), the significance of the demonstration of psittacosis virus in the organs and intestinal contents of ducks to the duck-raising industry has not been assessed. He further states that there is evidence that the virus, present in approximately one-third of the bird population, occasionally infects workers on commercial farms, or persons who keep ducks as pets. In a study of the problem in ducks on Long Island, during a period when psittacosis occurred in man in the area, 38 percent of 115 ducks and ducklings on 9 different farms yielded psittacosis-like virus similar to the pigeon strain.

"A recent report by Irons (126) et al., described an outbreak of psittacosis in turkey dressers in a poultry plant in Texas. There were 22 cases and 3 deaths among 78 employees of the plant. All cases had been killing, picking feathers, or wrapping heads of turkeys. Few cases had been dressing chickens. It appeared that discharges from a group of turkeys was the source of the outbreak. Clinical findings varied widely in severity of illness, from mild influenza-like attacks to fatal illness.

"A recent communication from Dr. Irons stated that they have encountered a second outbreak of ornithosis in a Texas poultry and egg plant attributed to dressing turkeys for the 1952 Christmas market. In this outbreak psittacosis virus isolations were made.

"Pigeons have frequently been incriminated in outbreaks in man and in some instances chickens have been involved also. A human infection was traced to a chicken in New Jersey. Four of 31 birds examined harbored psittacosis virus resembling the pigeon strain. Study of 2 other human cases attributed to pigeons revealed that the infected birds were caged over a chicken pen; pigeon-psittacosis virus was recovered from the organs of 2 of the chickens. Determination of the extent of spontaneous psittacosis in chickens depends upon the development of a simple serological test for mass examination of barnyard fowl (127). A newly devised indirect complement-fixation-inhibition (128) test has improved detection of the disease in chickens.

"Mandel and Jordan (129) report the demonstration of psittacosis antibodies in sera from a poultry worker with pneumonitis, in sera from other poultry workers, and in sera from fowl slaughtered in local stores.

"A case of atypical pneumonia in a poultry dealer has been reported by Duncan, Thomas, and Tobin (130) in England. Virus of the ornithosis type was isolated from the throat washings. Ward and Birge (131) describe a case of psittacosis in the owner of a pheasant ranch. Complement fixation tests on the patient were performed by the Illinois State Department of Health. Indirect complement fixation test on the pheasant sera were performed by Dr. K. F. Meyer.

"The frequency with which psittacosis has been associated with poultry workers in recent years warrants its consideration as an occupational disease problem.

"Rabies

"Although fowl may be infected experimentally with the rabies virus, there is little evidence of spontaneous rabies in poultry. Remlinger and Bailey (132) reported transmission of the disease to the chicken by bites on the comb by a rabid dog. Thus it appears that chickens can, if bitten by a rabid animal, become infected and serve as a source of human infection.

"Fungus diseases

"Probably of less hazard to poultry workers are the mycotic infections of fowls. Those which deserve mention are aspergillosis, favus, and thrush. Although these infections are rare in man and frequently of a

mild nature they do occur. Emmons (133) states that fungus diseases of poultry are of little danger to man unless there is heavy exposure and the individual has other predisposing factors.

"Aspergillosis

"*Aspergillus fumigatus* is especially pathogenic for birds and occasionally causes aspergillosis in man. The disease is common enough in domestic birds, pigeons, chickens, and ducks to be of some economic importance. In young chicks it frequently occurs in epidemic form and is known as brooder pneumonia (134). The disease may be localized or generalized but usually occurs in the lungs and air sacs.

"The infection appears to be acquired following inhalation of spores from moldy grain or litter. In man observations have indicated that infection also frequently follows exposure to air carrying many spores. Infections to the external ear have been attributed to aspergillus spores. However, the recent studies of Singer, Freeman, and Hardy (135) on otitis externa indicate that this fungus is of minor importance.

"According to a communication from Dr. W. L. Sippel, of the Georgia Coastal Plains Experiment Station they have encountered outbreaks of aspergillosis in birds in south Georgia.

"Favus

"Favus is a type of ringworm caused by several species of the genus *Trichophyton* (*Achorion*). The agent of favus or white comb in poultry is *Trichophyton gallinae*. In his excellent review of mycotic diseases of animals Gordon (136) states that despite the numerous references to the disease in American literature, there have been only 2 instances that an organism has been cultured which could be identified as *T. gallinae* according to published reports. It has been isolated from a human infection in France (137) and on many occasions from fowl favus in Europe and South America.

"Thrush

"Thrush (candidiasis, monilliasis) is another fungus infection that has caused high mortality in poultry flocks, especially young birds. It is caused by the yeast-like organism *Candida albicans*. The disease has been observed in chickens, pigeons, turkeys, pheasants and other birds, and in man. In poultry lesions are localized in the mucosa of the upper alimentary canal and appear as whitish ulcers or psuedo-membranes in the crop, and gizzard.

"In man (137) *Candida albicans* may cause infections of the mucous membranes of the mouth and vagina; infections of the skin and nails; systematic infections or a mild broncho-pulmonary infection.

"No reports have been found indicating transmission of the disease from infected fowl to man although this may occur.

"Parasites

"Infestation with *Dermanyssus gallinae* the poultry mite frequently causes irritation and an itching dermatitis in poultrymen.

"Toxoplasma

"According to Manwell et al. (138) toxoplasmosis is one of the least understood of human infections as well as one of the most recently recognized.

"It is still uncertain whether birds are naturally infected with any strain of toxoplasma infective for mammals. But Manwell et al. (138) found that certain species including the duck, chicken, pigeon, canary, and wild birds are highly susceptible to experimental infection with a toxoplasma strain of human origin.

"The uncertain knowledge of this disease in man and birds, for the present, obscures its significance.

"It should be mentioned that Ingalls (1) has pointed out one other disease, leptospirosis, as an occupational hazard to poultry dressing plant employees, although the birds are rarely, if ever, infected.

"The predominance of poultry workers among the first patients found to have leptospirosis in the Detroit area led Molner (139) to study the problem in poultry dressing plants. It was found that rats were commonly in and around the plants. By washing work tables with Ringer's solution in the morning after exposure to the rats at night and infecting guinea pigs with the washings a clinical picture of Weil's disease was produced. No mention is made of isolation of the organism. This probable source of infection could, however, be eliminated by adequate sanitation measures and rat control.

"Some of the diseases reviewed in this report are of interest chiefly from an academic standpoint, whereas others present a definite public health problem.

"Measures toward controlling the incidence of infections that man may acquire from poultry have been adequately summarized by Brandly (C. A.) 2 as follows: 'It may be emphasized that suppression and eventual eradication of transmissible diseases common to birds and man require, at the onset, thorough elucidation of epizootiology together with adequate and often needed improvements in detection and diagnostic methods. These knowledges and skills, supplemented by sound long-range perspectives and practices and abetted by persistent educational programs must inevitably lead to success against this costly and needless loss and waste. Now, and in the future, necessary safeguards must aim to reduce the "occupational hazards" both against established bird to man infection chains, and against the factors of contact and exposure which may favor adaptation of other infectious agents to man from birds, and vice versa. Finally, a sound and inclusive poultry inspection service based on established practices and under competent veterinary supervision must be our primary bulwark toward protecting both the health of the public and the integrity of one of our major sources of food.'

"TABLE 1.—Reported outbreaks of salmonellosis attributed to poultry or poultry products reported by FSA (National Office of Vital Statistics) 1951-52

Date of outbreak	Location	Number of persons involved	Type isolated	Probable vehicle	Type isolated from material
Jan. 13, 1951	California	11	<i>S. anatum</i>	Turkey	<i>S. anatum</i>
May 19, 1951	Minnesota	10	<i>S. typhimurium</i>	Raw turkey eggs	Not stated.
June 9, 1951	Illinois	340	None	Egg white	<i>S. montevideo</i> .
Sept. 8, 1951	California	30	<i>S. typhimurium</i>	Duck eggs in ice cream	No ice cream examined.
Sept. 15, 1951	Washington	16		Roast turkey	Salmonella-like organism.
Nov. 24, 1951	California	31	<i>S. typhimurium</i>	Roast turkey sandwiches	Negative.
Dec. 22, 1951	do	33	do	do	Do.
Jan. 19, 1952	do	41	<i>S. newport</i>	Sliced turkey	<i>S. newport</i> .
May 17, 1952	do	14	<i>S. typhimurium</i>	Pudding with eggs, chicken and turkey fat	<i>S. typhimurium</i> .
June 28, 1952	do	10	<i>S. montevideo</i>	Eggs in homemade ice cream	<i>S. montevideo</i> from ice cream.
July 5, 1952	Massachusetts	84	<i>S. typhimurium</i>	Roast turkey	Not examined.
July 12, 1952	Illinois	11	do	Turkey dinner	Do.
July 26, 1952	California	27	<i>S. newport</i>	Chicken chilli	Do.
Oct. 4, 1952	Maryland	7	Sal. Sp	Eggnog	Do.
Nov. 15, 1952	New York	2	<i>S. heidelberg</i>	Turkey	None.
Dec. 20, 1952	14 States and District of Columbia	68	<i>S. montevideo</i>	Commercial canned powdered egg yolk	<i>S. montevideo</i> .
Dec. 20, 1952	Mississippi	14	<i>S. oranienburg</i>	Partly cooked turkey	Not examined.

"Reported outbreaks of gastroenteritis in which poultry or poultry products were the suspected vehicle of infection, FSA (National Office of Vital Statistics), 1951-52

Date	Location	Number of persons ill	History
June 16, 1951	Connecticut	65	Both reported in a private school. Onset 10 to 24 hours after eating turkey. Laboratory examination incomplete.
June 16, 1951	do	70	Do.
June 23, 1951	California	300	Poorly cooked turkey indicated as vehicle of infection.
July 7, 1951	Tennessee	1 247	Outbreak in State institution. Hemolytic <i>Staph. aureus</i> isolated from chicken salad.
Aug. 18, 1951	Maine	2 27	Commercially canned chicken and commercial mayonnaise probable vehicle of infection.
Aug. 25, 1951	California	9	Passengers on plane from San Francisco to Honolulu. <i>Staph. aureus</i> isolated from casserole diced ham and creamed boiled eggs.
Apr. 14, 1951	do	8	Chicken sandwiches suspected source of infection.
May 12, 1951	New York	21	Turkey dinner. Investigation incomplete.
June 2, 1951	Connecticut	94	Roast chicken in restaurant suspected source infection.
Sept. 22, 1951	California	7	Hemolytic <i>Staph. aureus</i> isolated from turkey dressing.
Sept. 29, 1951	Connecticut	19	Onset 7 to 18 hours after eating turkey. A paracolon organism isolated from turkey meat.
Oct. 6, 1951	Minnesota	110	Chicken loaf sandwiches. Bacteriological examination revealed gamma <i>Streptococcus</i> , <i>E. freundii</i> and <i>A. Aerogenes</i> .
Dec. 22, 1951	New York	40	Onset 2 to 5 hours after eating egg salad. <i>Staphylococci</i> , enterococci and coliform organisms isolated from egg salad.
Jan. 5, 1952	Maine	8	Cooked chicken eaten. No other information.
Jan. 19, 1952	Idaho	34	Onset 6 to 12 hours after eating creamed chicken. No laboratory examination reported.
June 24, 1952	California	4	Onset 3 hours after eating turkey a la king. <i>Staph. aureus</i> isolated from turkey.
July 12, 1952	do	6	Onset about 3 hours after eating roast chicken. A <i>Staphylococcus</i> organism isolated from chicken, ham, and cake.
Nov. 22, 1952	Washington	120	Onset 10 to 12 hours after eating chicken. A gram positive <i>Micrococcus</i> isolated from chicken.
Dec. 20, 1952	Arkansas	50	Turkey probable vehicle of infection. None available for laboratory examination.

¹ Patients,

² Employees.

“Reported cases of psittacosis FSA (National Office of Vital Statistics), 1951-52

Date	Location	Number persons ill	Laboratory findings	Contact with birds
Mar. 31, 1951	Chicago	2	Rise in complement fixation titer	Parakeet.
June 23, 1951	New York	1	do.	Psittacine birds in home, 1 died. Psittacine virus isolated by Dr. K. F. Meyer.
Do.	do.	1	Unknown	Pigeons.
July 28, 1952	Minnesota	1	Complement fixation	Homing pigeons. Psittacine virus isolated.
Jan. 26, 1952	Chicago	1	Complement fixation positive	Parakeet and pigeons.
Feb. 16, 1952	Minnesota	2	do.	Florida parakeet. Died.
Feb. 23, 1952	Connecticut	1	Incomplete	Florida parakeet. Psittacine virus isolated.
Mar. 1, 1952	Texas	29	Complement fixation positive virus isolated	Poultry packinghouse.
Mar. 8, 1952	Connecticut	1	Complement fixation positive	Lovebirds.
Do.	Kentucky	2	do.	Parakeet.
Do.	Indiana	2	Not stated	Do.
Mar. 29, 1952	District of Columbia	1	do.	Maryland parakeet. Psittacine virus isolated from bird at NIH.
Do.	Connecticut	1	Complement fixation suggestive	None known.
Apr. 12, 1952	do.	1	Complement fixation positive	Florida parakeet (mother of Connecticut case Feb. 23, 1952).
Do.	Minnesota	1	Rise in complement fixation titer	Parakeet (local).
Apr. 19, 1952	Colorado	1	Rise plus in complement fixation titer	Exposed to Florida parakeets in Minnesota.
May 12, 1952	Missouri	2	Not stated	Parakeet in Kansas City pet shop.
May 10, 1952	New York	1	Rise plus in complement fixation titer	Florida parakeets.

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Mr. Speaker, exhibit B, Poultry Inspection and Health Hazards, is as follows:

"EXHIBIT B

"POULTRY INSPECTION AND HEALTH HAZARDS

"This memorandum seeks to present evidence concerning the need for compulsory Federal inspection of poultry for wholesomeness in interstate commerce.

"The data contained in this memo form the highlights and a summation of the findings made by the Amalgamated Meat Cutters and Butcher Workmen of North America, A. F. of L., during more than a year of study. The information is presented in the hope that you will interest yourself in the problem of bringing standards of wholesomeness and sanitation to the mushrooming poultry industry. You, thereby, can help end the flow of diseased and filthy poultry which is currently endangering the consumer and poultry worker.

"The Amalgamated Meat Cutters and Butcher Workmen, A. F. of L., has more than 300,000 members working in the poultry and meat industries. It has, therefore, become acutely aware of the shocking sanitary and health conditions presently existing in some sections of the poultry industry. The Amalgamated has made great strides in ending these practices in many plants, but the scope of its effectiveness is limited. It, therefore, looks to Congress to protect the health of poultry workers and of consumers, as a whole.

"Lack of poultry inspection

"The poultry industry stands alone among the major producers of food for the Nation in that it is not properly regulated to assure wholesomeness or freedom from disease. Unlike red meat, poultry can be, and is, sold filthy and diseased with immunity. No law exists on a national level to provide for the compulsory inspection of this much-eaten food.

"The phenomenal growth of the poultry industry in the past 20 years is responsible to a degree for the existence of this condition. In 1940 143 million broilers were raised commercially. In 1954 1,050,000,000 were raised. During the same period of time the production of turkeys increased from 34 million to 61 million birds.¹ This expansion has caused the poultry and egg industry to become the third largest source of agricultural income in the United States. The national poultry and egg income is estimated at \$4.1 billion for 1954, and latest figures show it is still expanding at a rapid rate.

"An inspection service for sanitation and wholesomeness is maintained by the Production and Marketing Administration of the United States Department of Agriculture. However, inspection is purely voluntary. The processor is under no obligation whatsoever to have his product inspected. If he does seek the inspection, he must pay the full cost of it. In other words, not only can he get by without assuring the public of the wholesomeness of his product, but he is monetarily penalized if he seeks to provide that assurance.

"It should be noted that only 21 percent of the poultry in interstate commerce is inspected for wholesomeness and sanitation. In 1953 United States Department of Agriculture veterinary inspectors condemned as unfit almost 2 million (1,843,446) poultry carcasses. This figure does not take into account the many organs and parts condemned when the carcasses in whole or in part were certified as wholesome.²

"These sad facts do not tell the full story of the inadequateness and ineffectiveness of the permissive inspection by the Production and Marketing Administration. One of the major dangers is that Production and Marketing Administration often permits the owner of the poultry business or one of his employees to serve as official sanitarian and grader. Here, certainly is a tremendous conflict of interests, and the interest of the consuming public becomes secondary.

"This system does not meet the criteria laid down by Brig. Gen. Wayne O. Kester, Office of the Surgeon General, United States Air Force, who declared:

"An inspection agency, to be acceptable, must comply with four cardinal prerequisites for an adequate inspection system.

"First, the inspectors must be competent and qualified.

¹ U. S. Department of Agriculture; Agricultural Marketing Service; outlook issue 1955; released October 4, 1955.

² Paper prepared and presented by Dr. Joe W. Atkinson, DVM, consultant, U. S. Public Health Service, to the 39th annual meeting of Central Atlantic States Association of Food and Drug Officials, June 5, 1955, Atlanta, Ga.

"Second, they must have tenure of office, so that no one may put pressure on them in connection with their duties.

"Third, the inspectors' agency or supervisors must be responsible and accountable to the consumer.

"Fourth, the inspector must have no financial interest or connection with anyone in the organization being inspected."

"Ineffectiveness of PMA program

"Actually, it is little wonder that the Production and Marketing Administration has been ineffective in its inspection, for this service was not intended primarily to safeguard the public health. Instead, it was established to promote the marketing of poultry products.

"Many people believe mistakenly that the PMA inspection service was established to provide a form of inspection and regulation paralleling that of the Federal Meat Inspection Act. In reality, the Production and Marketing Administration initially provided only a grading service which was utilized in trading between dealers. At the request of certain processors, this service was extended to include inspection for wholesomeness and sanitation on a take-it-or-leave-it basis.

"But even when diseased poultry is rejected under the present system, the carcasses are not necessarily condemned. For example, there is the classic case of the 60,000 birds of a Brady, Tex., poultry plant. The Army rejected the turkeys because they had been hit by the 1954 Texas outbreak of ornithosis (psittacosis). But instead of disposing of the carcasses, the processors sold them for civilian consumption. Public health authorities traced them to east coast cities—many of them carrying live ornithosis (psittacosis) virus.

"There are even instances in which health officers of cities having rigid poultry inspection programs have excluded poultry that came from plants inspected by the Production and Marketing Administration. For example, Dr. Aaron H. Haskin, Health Officer of Newark, N. J., wrote on December 7, 1954, to Earl W. Jimerson, president of the Amalgamated Meat Cutters and Butcher Workmen of North America, A. F. of L.:

"About 1 month ago I excluded from sale in the city of Newark, N. J., the products of a poultry-processing plant which bore a USDA inspection legend. Meat inspectors from this office upon visiting the premises found numerous pertinent violations which had existed for a long time."

"Limited activities of United States Food and Drug Administration

"The only Government agency responsible for preventing diseased and filthy poultry from coming to the market place is the United States Food and Drug Administration. Acting under the Federal Food, Drug, and Cosmetic Act, that agency has the right to seize any adulterated food, including poultry.

"However, the slashes in appropriations the Food and Drug Administration has suffered and the lack of a compulsory ante mortem, post mortem inspection law has made its job impossible.

"Thus, when Congresswoman LEONOR K. SULLIVAN, of Missouri, asked in September 1954 about the United States Food and Drug Administration's ability to police the poultry industry, then-Commissioner C. W. Crawford replied:

"We estimate that there are approximately 1,300 interstate poultry dressing, freezing, or canning establishments in the United States. For the past 2 years we have made about 400 poultry establishment inspections each year, of which we estimate that perhaps one-fourth represent reinspection of the same firms. Thus, our program contemplates complete coverage of this industry about once every 3 or 4 years."

"His successor, the present Commissioner, George P. Larrick, went even further in an April 21, 1955, letter to Shirley W. Barker, director, Poultry Department, Amalgamated Meat Cutters and Butcher Workers of North America, A. F. of L., Mr. Larrick wrote:

"Your assumption is correct that our average rate of inspection coverage of the poultry-processing plants amounts to a spot check once every 3 or 4 years. One such inspection of one plant at one time requires, on the average, 5 or 6 hours of an inspector's time. It is also true, as you suggest, that such a spot check cannot guarantee the wholesomeness or the legality of products prepared at other times. However, lest this be misleading to you we must point out that in many instances reasonable valid conclusions with respect to the probability of diseased or otherwise illegal poultry being shipped from a plant can be drawn from the observation made during an inspection of this type, and conversations with employees.

"* * * Although some lots of cull poultry are recognized as obviously diseased from the external appearance of the carcass, it is our view that not only post mortem but also ante mortem examination is essential to a full program of protection of the consumer from diseased poultry."

"In other words, the present and the former head of the United States Food and Drug Administration bluntly state that their organization cannot, under present circumstances, guarantee protection against diseased poultry for the consumer. The present Commissioner adds that not only after-slaughter inspection is needed to protect the consumer, but also a before-slaughter inspection. Such a program can only be put into force by new legislation providing the compulsory inspection of poultry.

Industrial and consumer hazards

"There are many diseases of poultry transmissible to man which constitute a public health danger." Dr. James Lieberman, DVM, MPH, consultant, Poultry Inspection and Sanitation, Milk and Food Branch, Division of Sanitation, United States Public Health Service, Washington, D. C., stated at the American Veterinary Medical Association, 19th annual meeting, Toronto, July 20-23, 1953:

"Veterinary investigations have concluded that there are over 25 diseases of poultry to which man is also susceptible. Some of these diseases, such as staphylococcosis, streptococcosis, and salmonellosis, cause food poisoning and, hence, constitute a threat to individual and public health. Others, such as psittacosis, Newcastle disease, and erysipelas, must be viewed from an occupational standpoint, since they affect primarily our poultry plant workers."

"Only one of these diseases, psittacosis, has resulted in the following officially recorded cases listed by the National Office of Vital Statistics of the Department of Health, Education, and Welfare:

"Year:	Deaths	Morbidity (illness)
1940.....	3	--
1941.....	1	--
1942.....	4	23
1943.....	0	1
1944.....	2	6
1945.....	0	27
1946.....	2	26
1947.....	1	27
1948.....	0	32
1949.....	0	35
1950.....	0	26

- "Diseases and Public Health Dangers:
- "1. The Public Health Aspects of Poultry Diseases by W. L. Ingalls, DVM, MSc.
 - "2. Poultry Diseases as Public Health Problems by C. A. Brandy.
 - "3. Isolation of the Virus of Newcastle Disease from Human Beings by W. L. Ingalls, DVM, and Ann Mahoney."

"Year:	Deaths	Morbidity (illness)
1951.....	1	25
1952.....	5	135
1953.....	4	169
1954.....	3	445
1955 (Jan. 1, 1955, to July 16 1955).....	0	168
Total.....	26	1,145

"These figures, however, do not tell the full story of lost man-hours, illnesses and deaths. The National Office of Vital Statistics lists no deaths and only 32 cases of illness due to psittacosis in 1948, but Dr. J. B. Irons, Director of Laboratories of the Texas State Department of Health, has reported 3 deaths and 22 cases occurring among turkey plant workers in Giddings, Tex. alone during that year. This situation emphasizes that public health authorities are not fully aware of the annual frequency of these diseases.

"The tremendous impact of more sanitary methods and control of diseases in poultry processing plants is well illustrated by W. Vic Pringle, of the Rockingham Marketing Cooperative, Inc., Broadway, Va. Speaking before the Outlook Workshop of the Institute of American Poultry Industries, Kansas City, Mo., in 1955, he said:

"One firm I know saved \$12,000 last year in compensation insurance, by controlling infections and skin rashes, thanks mainly to a better sanitation program throughout all parts of its plants. It is also a known fact that cleanup labor and supplies can be materially reduced when plants are constantly maintained in a sanitary manner versus the occasional thorough cleanup, with a hit-and-miss job most of the time. The preventive maintenance principle applies in any field."

"As for the hazards to the consumer, while it is true that most of the disease organisms are killed by thorough cooking to allow diseased birds to be sold is somewhat like condoning the cooking of garbage for human consumption. Edible from a medical standpoint, but certainly not desirable.

"Let us look at an affidavit taken from an employee working on poultry processing without ante-mortem, post-mortem inspection:

"My job was to pull feathers and those who were on the job with me and I were the first ones to handle the chickens after they had passed through the scalding process and roughing machine. When the chickens reached me most of the feathers were off the bodies and I could see the skin of the birds very clearly. It was quite often that thousands of chickens would pass on the line with sores on their bodies. Thousands of them would have large swellings as large as a chicken egg on their bodies. These swellings were filled with a yellowish pus and the odor was very strong."

"Or as a worker in another plant has said: "I work on many different jobs on the line. During this time I saw lots of chickens with lumps on them and some were full of sores. Sometimes when the lumps were cut off or they would burst, they smelled awful bad. All of these chickens went right through with the other chickens for shipment."

"Or as another employee states in an affidavit:

"When a lot of chickens were returned to our plant because the customer would not take them because they were not the quality he wanted, these chickens were cut up in pieces and frozen and shipped to another customer. Many times these chickens were in not very good condition when they came back to the plant."

"These affidavits, taken from workers employed by national concerns who sell their products under reputable name brands, certainly bear out the statement 'somewhat like

cooking garbage.' There is, however, a very real danger with present methods of cooking poultry—broiling and baking at low temperatures—that it might not be thoroughly cooked. This would make real hazards of many diseases, such as salmonellosis, tuberculosis, streptococcosis, brucellosis, staphylococcosis, and others. Food infections caused by poultry constitute a major public-health problem. This is illustrated by the findings of the United States Public Health Service showing that 1 out of 4 food poisoning cases studied were the result of poultry or poultry products.

"Dr. Joe W. Atkinson, DVM, consultant, Poultry Inspection and Sanitation, Milk, Food, and Shellfish Sanitation Program, Division of Sanitary Engineering Services, Bureau of State Services, Public Health Service, stated at the 38th annual meeting, Central Atlantic States Association of Food and Drug Officials, May 5, 1954, Baltimore, Md.:

"In 1948, a study of 8,832 cases of food-borne disease, as reported by the States, indicated that 2,492 (or 28.2 percent) were attributed to poultry or poultry dishes. Relatively many cases so reported each year since 1948 have similarly been attributed to poultry and poultry products. These figures indicate the relative importance of poultry among sources of food-borne disease.

"Research indicates that poultry constitutes one of the important reservoirs of disease organisms affecting man. Such diseases may be transmitted to man, either during the preparation of poultry for marketing, or through the consumption of poultry products."

"A 1954 United States Public Health Report summarizing 'disease outbreaks' for the previous year reveals the following:

"In one-third of the (Salmonellosis) outbreaks, chicken or turkey was found to be the vehicle of infection. Considering the frequency with which these fowl are found with Salmonella infections, this cannot be considered an unusual finding."

"Foreign resistance to United States poultry

"In 1907 when the Federal Meat Inspection Act was passed, the sale of poultry was largely a matter of selling surplus birds from a farm flock. The numbers sold were so insignificant, no records were kept. In most cases the prospective purchaser saw the bird alive, and was thereby assured that it was not visibly sick or emaciated. The processing was largely done at home where, if the fowl did not appear to be healthy or wholesome, it was thrown away.

"Historically, the American people have risen to protest against unclean, unsafe practices by any food industry. In fact, the peoples of the world have sought to protect themselves against the sale of diseased or unclean foodstuffs.

"The occurrences surrounding the passage of the Federal Meat Inspection Act in 1907 are indicative of this situation. When Upton Sinclair wrote *The Jungle* exposing the filth and diseases which were hazards to both workmen and the consuming public the legislative bodies of this country took appropriate action to correct this situation. Today more than 80 percent of all red meats sold are processed under Federal meat inspection surveillance.

"A contributing fact to the all-out support of the Federal Meat Inspection Act was also the embargo prior to 1907 by foreign lands against the meat products of this country. The Federal Meat Inspection Act covering movement of red meats in interstate and foreign commerce corrected this condition and met the standards demanded by the American public as well as the peoples of foreign lands. Some such appropriate action by the Congress of the United States is now needed to correct similar practices and similar hazards in the poultry processing industry.

"In a recent report to the poultry industry, Mr. William D. Termohlen, former Chief of the Production and Marketing Administration, United States Department of Agriculture, stated that the United States had been unable to develop markets for the export of poultry products into Europe because of embargoes." Mr. Termohlen wrote:

"The British importers' enthusiasm was in contrast to lack of interest by the National Farmers Union representatives and an attitude of caution on the part of British veterinarians who indicated they felt United States imports would in time cause poultry disease outbreaks among their flocks. * * *

"Since the United States is not reported free of Newcastle (disease) by the Paris organization (International Epizootic Organization), no encouragement by United Kingdom officials toward the importation of fresh or frozen poultry meat was forthcoming."

"Government officials of other countries feel that in the absence of adequate controls by the United States, imports from this country present hazards to their consumers and poultry industry which they are not willing to permit. In the face of a shortage of food in foreign lands, it appears that the poultry industry of the United States presently is confronted by the same dilemma faced by the red-meat industry in 1907."

"Protest by public health and consumer groups"

"Many organizations, medical men, health officers, and persons in important positions have expressed interest and alarm over the present situation in the poultry industry. A notable number of them have indicated their willingness to stand up and be counted as soon as a program which would result in correction, if offered to protect the worker and the consumer alike."

"At conference after conference of public health officers and veterinarians the lack of compulsory inspection in the poultry industry has been a subject of serious discussion and suggestions have been made to correct this condition."

"On June 5, 1955, for example, the Central Atlantic States Association of Food and Drug Officials, meeting in Atlanta, Ga., resolved unanimously:

"Whereas all meat that enters into interstate commerce may, under Federal regulations, emanate only from federally inspected slaughterhouses; and

"Whereas poultry that enters into interstate commerce need not be processed in federally inspected processing plants; and

"Whereas uniformity in the inspection of poultry for wholesomeness is most desirable and essential for the welfare of the consumer: Therefore be it

"Resolved, That the Central Atlantic States Association urges that the Federal Government take the necessary measures to require that all poultry entering interstate commerce be inspected for wholesomeness by duly authorized representatives of a Federal agency."

"The fourth annual conference of Public Health Veterinarians of the American Public Health Association, meeting in St. Louis on October 30, 1950, received from its committee on poultry inspection and sanitation a report which includes the following:

"The committee further felt that all poultry entering into interstate commerce, if killed, should be federally inspected. They (sic) felt that if there is a need for the interstate inspections of 'red meats,' there should be a Federal law requiring the interstate inspection of 'poultry meats' and they recommend that this conference go on record as recommending such congressional action as would be needed."

"The 91st annual meeting of the American Veterinary Medical Association, meeting in

Seattle, Wash., August 23 to 26, 1954, resolved that:

"The American Veterinary Medical Association recommends that the Poultry Inspection Service be transferred and combined with the Federal Meat Inspection Service where adequate veterinary supervision can be provided to conduct an acceptable inspection program."

"This transfer would automatically bring about compulsory ante mortem, post mortem inspection for wholesomeness and inspection for sanitation of all poultry processing plants."

"Not only public-health officials and veterinarians have viewed this situation with alarm. The Hoover Commission's Task Force on Federal Medical Service reported in February 1955:

"Federal inspection of meat contrasts in form as well as in cost with its inspection of poultry. Whereas about four-fifths of the Nation's meat is slaughtered and packed under compulsory meat inspection, Federal poultry inspection not only is voluntary but also is financed by fees from users of the service and covers less than one-fifth of the Nation's commercial poultry supply."

"The poultry industry has doubled in size since 1940 to become the third largest source of gross farm income. Diseases common to poultry and man—especially the salmonella infections—are almost as significant in number and severity as diseases common to animal and man. Poultry or poultry dishes cause about 1 out of 4 cases of food-borne disease. Environmental sanitation and handling in poultry packing plants is, in many instances, deplorable."

"Both the United States Livestock Sanitary Association and the Conference of State and Territorial Health Officers have recommended that State and local governments strengthen their poultry inspection and sanitation programs. But, as yet, only a few States have compulsory poultry inspection. Especially, in view of the recent growth of the poultry industry, we do not believe we can expect the States alone to provide the needed controls."

"Legislative suggestions"

"The legal propriety of an effective Federal inspection in the poultry processing industry is well established. In fact, under existing Federal enactments, jurisdiction over the industry has long been asserted by the Food and Drug Administration of the United States Department of Health, Education, and Welfare and the Poultry Branch of the Production and Marketing Administration of the United States Department of Agriculture."

"The products of the poultry processing industry prepared for, or while in interstate commerce or at any time thereafter, as subject to the provisions of the Federal Food, Drug, and Cosmetic Act, which is administered by the Food and Drug Administration. In this connection, section 304A of that act provides the authority under which the Food and Drug Administration is empowered to seize adulterated food products. Definitions of adulteration in section 402 are broad indeed and provide an ample frame of legislative authority for the promulgation of codes prescribing standards of wholesomeness of poultry and poultry products. It should likewise be noted that the same Federal statute provides the legislative concepts concerning investigations necessary to conduct an effective inspection program."

"It is here suggested that the establishment of an effective program of inspection for wholesomeness in the poultry processing industry would not necessitate the establishment of a new Federal agency, nor would it establish any new era of Federal jurisdiction."

"Recognizing the inadequacy of current Federal inspection programs, the Public Health Service of the United States Department of Health, Education, and Welfare has

prepared and promulgated a poultry ordinance, providing standards of sanitation requirements and is now in the process of preparing and promulgating a proposed poultry ordinance, providing standards of ante mortem and post mortem inspections. Such ordinances, when adopted by States, counties and municipalities, provide a vital uniformity in sanitation and wholesomeness regulations in the poultry processing industry throughout the United States. It should be borne in mind that if the essence of such ordinances and codes were to be enacted as Federal legislation to be enforced by the Food and Drug Administration, there would thus be established, a valuable uniformity in regulations promoting the public health throughout the United States in all parts of the industry operating in interstate or intrastate commerce."

"Significantly, adoption of such Federal legislation could not interfere with the operation of local poultry ordinances in view of the specific Federal jurisdictional definitions contained in section 304 of the Federal Food, Drug and Cosmetic Act."

"In addition to the Food and Drug Administration, jurisdiction over the poultry processing industry has been exercised by the United States Department of Agriculture under the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.). That law provides for inspection and grading programs for poultry and poultry products. Programs, however, are permissive and are financed by the payment of fees by the members of the industry. The various regulations are promulgated by the poultry branch of the Production and Marketing Administration of the United States Department of Agriculture. In general, three separate programs are administered by the USDA under the 1946 act. They provide inspection for wholesomeness, grading for quality and inspection for plant sanitation. Under the programs, different labels are provided which signify that the cooperating industry member has complied with the standards established in the regulations. The programs are generally comparable to those covering red meat except that, as above stated, they are permissive and are performed on a fee basis."

"Those who have been actively concerned with the establishment of an adequate Federal poultry inspection program have considered the advisability of the compulsory application of the voluntary regulations promulgated by the Production and Marketing Administration. It is of interest to note that Herman I. Miller, Acting Director of the Poultry Division of the Agricultural Marketing Service of the USDA, in a letter dated August 9, 1954, stated as follows:

"The responsibility for regulating the interstate shipment of adulterated, unwholesome and misbranded product is vested in the Food and Drug Administration of the Department of Health, Education, and Welfare."

"It has also been suggested that the problems herein considered can be adequately dealt with by the Bureau of Animal Industry in the Agricultural Research Administration of the United States Department of Agriculture if appropriate legislation is enacted. This bureau now administers the regulations governing meat inspection authorized under the Meat Inspection Act, as amended and extended (34 Stat. 1260; 21 U. S. C. 71; 21 U. S. C., sub. III, 71). Of course, the regulations governing meat inspection contained in the code of Federal regulations (Title 9: Animals and Animal Products) are thorough and all embracing. However, in this connection, it should be noted that such unit inspection, governing poultry and poultry products, could be inaugurated only after appropriate legislation amending the Meat Inspection Act (see above) as well as the Imported Meat Act (46 Stat. 689)."

* Poultry and Eggs Weekly, Saturday, Apr. 16, 1955.

"This analysis of present laws and regulations indicates the existence of legal precedent for three separate methods of dealing with the problem of Federal poultry inspection. Various considerations to be developed during the course of legislative hearings will, of course, dictate which of the alternate methods should be pursued in effectuating an adequate inspection program in the poultry-processing industry, which will most effectively promote adequate public-health standards. In any event, it is significant to note that the promulgation and effectuation of an adequate Federal inspection program in the industry does not require any extension of existing Federal jurisdiction, nor will it necessitate experimentation with unknown or untried operational procedures."

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, I enthusiastically support the legislation before the Members of the House on the subject of poultry inspection, and I commend the subcommittee of the Committee on Agriculture for its work on this legislation.

It seems to me a very simple thing to say that we should have the same kind of governmental protection of the public to safeguard it from the marketing of diseased and unwholesome poultry, that for four decades has safeguarded it from the marketing of diseased or adulterated meat. I imagine that when those provisions were before the Congress in those days there was similar opposition to that legislation. I know how successfully the meat inspection program has worked. We know, also, it did not put any small processors out of business. Some may have fallen by the wayside in those four decades but it certainly was not because of the Federal meat inspection laws.

In both the 83d and the 84th Congresses, I joined other Members in introducing measures to provide for an investigation of the conditions under which poultry was sold to the general public. This year I felt the time was appropriate for introduction of a bill requiring Federal inspection of commercial poultry processors and prohibiting the movement of diseased or unhealthful poultry in commerce. My bill, H. R. 899, was designed solely for the protection of consumers from the unwitting purchase and use of unwholesome poultry and poultry products. The measure under consideration today has the same objective.

Investigation by the Congress, testimony from officials of the executive department and a mass of documentation from those who work in the poultry-processing and meat-processing industries has exposed the weakness of our present inspection services in poultry.

Mr. Chairman, this legislation is sorely needed, it is urgent legislation in the interest of the health of the consuming public of this country and I sincerely hope that the House this afternoon will approve the bill before us.

Consumers are simply not protected from the purchase of diseased chickens and turkeys in the same way that they are protected, by Department of Agriculture inspectors, from being unwittingly tempted to purchase diseased or unwholesome beef or lamb or pork. The

so-called Federal inspection program involving poultry is wholly voluntary, rather than compulsory, and a Department of Agriculture stamp has certified merely that a commercial poultry plant is generally sanitary rather than that the particular food offered for sale is fit for human consumption.

Let us understand what is involved: Consumers today seldom see live poultry before they buy the product. In the stores and supermarkets they buy packaged poultry, the products of large-scale processors. And in March of 1955 it was estimated that less than 20 percent of all poultry was under even the weak regulation of the voluntary inspection program.

The Amalgamated Meat Cutters and Butcher Workmen, AFL-CIO, pointed out in 1955 that certain poultry diseases can be transmitted to man. Among these are psittacosis—parrot fever—which has been traced to turkeys, and a virus infection called Newcastle disease. The United States Public Health Service reported that in 1948 nearly 2,500 cases of food-borne disease were traced to poultry or poultry dishes.

Some poultry-processing plants handle hundreds of thousands of pounds of poultry a day. In all of 1952, the Food and Drug Administration seized only about 200,000 pounds of poultry as unfit for human consumption. The small budget the Food and Drug Administration has available for such tasks is no substitute for the same kind of continuous inspection the Department of Agriculture provides to protect the public from diseased or unhealthful meat.

The Amalgamated Meat Cutters and Butcher Workmen have submitted affidavits by their members, working in poultry-processing plants, about revolting conditions, about the processing and sale of diseased fowl, about the danger that diseased birds would contaminate the carcasses of poultry that was healthy when slaughtered through the contamination of assembly-line equipment.

What are we seeking? Simply, Federal Department of Agriculture inspection of poultry plants offering fowl for human consumption in the stream of commerce.

We propose no innovation in principle. Department of Agriculture inspection of meat-processing plants is well established. The people acknowledge it and would never dream of abandoning it.

We seek to extend the principle of inspection to poultry-processing plants, so that food produced commercially and offered for sale in commerce shall be watched and inspected and certified as fit all through the process.

We propose that a poultry inspection section shall be established in the Department of Agriculture and that all poultry or poultry products transported in commerce must be inspected and marked as inspected.

The individual farmer could be exempted by the Secretary of Agriculture. Time would be allowed—2 years—for establishment of the Poultry Inspection Service. But we provide penalties for violation and the process of injunction,

granting any person accused of violation a right of trial by jury if requested.

The objective is to protect the people from consumption of unfit food produced commercially, and I believe that the proposals are sound and practical.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Chairman, I want to commend the gentleman from Illinois [Mr. PRICE] for his very forceful statement on this important bill.

This legislation may not be vital in small communities close to the source of poultry supplies, however, the people of large urban areas, the principal consumers of poultry produced in many sections of the country are entitled to assurance that the poultry which they consume meets essential standards of wholesomeness—that it is fit and suitable for human consumption.

I am pleased to support this legislation and urge its enactment without delay.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Illinois.

Mr. GRAY. I would like to associate myself with the remarks of the distinguished gentleman in support of this legislation. Although the bill does not do everything desired, it is a step in the right direction to help control disease and insure the public of getting the best meat and poultry possible.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska [Mr. HARRISON].

Mr. HARRISON of Nebraska. Mr. Chairman, I rise only at this time to ask a question of the committee to make sure that we understand each other and that it is a matter of record, as to whether or not the provisions of this particular legislation are extended to the possessions and Territories and islands of the United States. Would it be the impression of the committee that this bill includes Hawaii, Puerto Rico, the Samoan Islands, and so forth?

Mr. WATTS. Mr. Chairman, if the gentleman will yield, I will say to the gentleman that I do not think there is any specific reference to Territories and islands.

Mr. HARRISON of Nebraska. I presume that these islands and Territories do produce chickens and turkeys and poultry of the kind that is sought to be protected by this legislation.

Mr. WATTS. I will have to correct that statement. On page 18 under "Definitions" it states:

For the purposes of this act—

(a) The term "commerce" means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State or the District of Columbia, but through any place outside thereof; or within the District of Columbia.

So, I assume it does cover them.

Mr. HARRISON of Nebraska. So that it does cover possessions and Territories.

Now, if I may proceed for a moment, I do not want to appear to be opposed to

anything that affects the health and welfare of the people of the United States, and it has been stated here that we have been getting, in some instances, a type of poultry that is not healthful or wholesome at all. In spite of that claim, if it is true, the consumption of poultry has grown from a very meager start to some 6 billion pounds a year. Now, it appears to me at this time, since we have no particular examples of how the health has been impaired in this country of ours by the consumption of poultry, that we might effect a little economy. And, when I talk about economy, I think you will all agree with me that we want to, as far as possible, cut down on the number of Government employees.

Let me give you just a little example of how our Government has grown and grown. When I came to the Congress back in January 1952 there was the same urge to cut down on the number of Government employees; we wanted to cut down the number in the different departments. I know more about the Department of Agriculture than I do any of the other departments, but from 1952 until 1957 we added something over 16,000 employees. Now, this is just another example of adding more and more employees to our Government and thus increasing our taxes. I get letters every day from my constituents back home wanting us to effect economy here, and here, I think, is a good place to effect economy and in no way adversely affect the health of this Nation of ours.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Nebraska. I yield to the gentleman.

Mr. HALLECK. I stated in the remarks I made a little while ago, quoting Dr. Larrick, to the effect that so far as they can establish scientifically, no disease of poultry could be transmitted to a person eating that poultry. There has been reference here to 26 diseases to which poultry is susceptible and human beings are susceptible. I wish somebody who claims to be an expert on this would tell me first of all, are those diseases communicable, not by handling the poultry but by eating it, and particularly after it has been cooked? Are they such as could be determined in this post mortem inspection?

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. COOLEY. Mr. Chairman, I yield myself 1 minute and yield to the gentleman from Utah [Dr. DIXON], who referred to the communicable diseases, to the end that he might answer the inquiry propounded by the gentleman from Indiana.

Mr. DIXON. Mr. Chairman, we tried to find that information in the 1957 hearings, but it is in the 1956 hearings. I am referring to the data which are quoted.

Mr. HALLECK. The only thing that occurred to me is that there is a remarkably discrepancy in this very important matter, because my information is that these diseases you might find in poultry are not communicable to the people who eat the poultry after it has been cooked; and so far as I know everyone cooks a chicken before he eats it.

Mr. COOLEY. Is the gentleman taking the position that it is just as well to eat bad poultry as to eat good poultry?

Mr. HALLECK. Just a minute, Mr. Chairman. I am not taking the position that it is good for people to eat bad poultry. But if my wife buys a chicken, and it smells bad, or is deformed, she can detect that and does not need to have somebody inspect it to know it.

Mr. COOLEY. Mr. Chairman, I yield to the gentleman from Illinois 1 minute for an observation.

Mr. PRICE. Mr. Chairman, in 1948 the United States Public Health Service reported 2,500 cases of parrot fever due to poultry.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. COOLEY. Mr. Chairman, I yield myself 1 further minute and yield to Dr. Dixon to go further into this matter.

Mr. DIXON. Mr. Chairman, in reply to my colleague from Indiana [Mr. HALLECK] psittacosis is a disease confined largely to handlers of poultry. We have a record of 1,145 of those cases. There was an outbreak of it in the Northwest.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman. The handlers had that disease.

Mr. HALLECK. Of course, a post-mortem inspection is not going to do any good in connection with ornithosis in turkeys and the psittacosis that results. It is just like tularemia in rabbits; you do not get it from eating the rabbit.

Mr. DIXON. This would protect the handlers and prevent epidemics because the bill gives the Secretary authority to make ante mortem inspections. But, Mr. Chairman, let us go further.

Poultry diseases communicable to humans are a public health hazard.

At least 26 diseases can be communicated to man through poultry.

In a report by Mildred M. Galton, bacteriologist, Communicable Disease Center, Public Health Service, Federal Security Agency, Atlanta, Ga., it was stated:

The diseases of poultry to which man is also susceptible comprise a rather large group. In his excellent review Ingalls (W. L. Ingalls. The Public Health Aspects of Poultry Diseases. Proceedings American Veterinarians Medical Association; 87th annual meeting, August 1950, p. 282) lists 26 such diseases including these caused by bacteria, viruses, fungi, and protozoa. It is apparent that some of these diseases constitute a considerable hazard to public health.

Disease statistics are incomplete, but they tell an important story.

Psittacosis affects poultry plant workers. The number of recorded cases from 1940 to July 16, 1955, was 1,145, including 26 deaths. These figures do not tell the full story of lost man-hours, illnesses and deaths. The National Office of Vital Statistics lists no deaths and only 32 cases of illness due to psittacosis in 1948, but Dr. J. B. Irons, director of laboratories of the Texas State Department of Health, has reported 3 deaths and 22 cases occurring among turkey plant

workers in Giddings, Tex., alone during that year.

Limited figures on salmonellosis attributed to poultry or poultry products—F. S. A. National Office of Vital Statistics—show 749 cases between January 13, 1951 and December 20, 1952.

Similar figures on gastroenteritis attributable to poultry products show 1,243 cases between June 16, 1951 and December 20, 1952.

Findings of the United States Public Health Service show that 1 out of 4 food poisoning cases studied were the result of poultry or poultry products. It should be noted, however, that many of these came from the processing, but most from poultry handling after processing.

In addition to the prevention of disease, sanitation would be greatly improved.

While it is true that when poultry is thoroughly cooked most disease organisms are killed, the consumption of such poultry is like eating well-cooked garbage.

To illustrate the fact that eating some poultry is like eating well-cooked garbage, I would like to quote from some affidavits given in testimony before the Poultry and Eggs Subcommittee of which I am a member. These statements were furnished by Representative LEONOR K. SULLIVAN of Missouri.

(Hearings before Subcommittee on Poultry and Eggs. July 17 and 18, 1956, p. 41.)

"My job was to pull feathers and those who were on the job with me and I were the first ones to handle the chickens after they had passed through the scalding process and roughing machine. When the chickens reached me most of the feathers were off the bodies and I could see the skin of the birds very clearly. It was quite often that thousands of chickens would pass on the line with sores on their bodies. Thousands of them would have large swellings as large as a chicken egg on their bodies. These swellings were filled with a yellowish pus and the odor was very strong."

Or as a worker in another plant has said:

"I work on many different jobs on the line. During this time I saw lots of chickens with lumps on them and some were full of sores. Sometimes when the lumps were cut off or they would burst, they smelled awful bad. All of these chickens went right through with the other chickens for shipment."

Or as another employee states in an affidavit:

"When a lot of chickens were returned to our plant because the customer would not take them because they were not the quality he wanted, these chickens were cut up in pieces and frozen and shipped to another customer. Many times these chickens were in not very good condition when they came back to the plant."

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, when I asked for this time it was for the purpose of asking a few questions, many of which have since been answered. So I shall not consume all of the 4 minutes.

I should like to ask the chairman of the subcommittee, however, a question or two in order to clarify some points in my mind that have not been resolved in the debate.

As I understand it, we now have a voluntary program which this proposed legislation will nullify; is that correct?

Mr. WATTS. That is right.

Mr. JONAS. This voluntary program is participated in by what proportion of the processing industry?

Mr. WATTS. Between 25 percent and 30 percent of the poultry that is processed. It is used mostly by the large processors, and I would assume on a numerical basis it is a much smaller percentage than 25 percent.

Mr. JONAS. But it is used principally by the large processors?

Mr. WATTS. That is right.

Mr. JONAS. Is it true that the concerns now under the voluntary program pay for the inspection?

Mr. WATTS. That is right.

Mr. JONAS. But they would be relieved of that obligation under this legislation and the taxpayers generally would assume the entire cost of the program?

Mr. WATTS. Yes. It was felt by the committee that it was a matter of national concern, and one which was addressed to the consuming of the poultry rather than the processing.

Mr. JONAS. Under this proposed legislation, how much will the big processors be relieved from paying which they are now paying under the voluntary program?

Mr. WATTS. I do not have the exact figures on that. They told us in the committee that when the program was in full operation it would cost about \$10 million a year. If 30 percent of the poultry inspection is being paid for by voluntary processing at this time, I assume you would say that 30 percent of \$10 million is what they are paying. I doubt, however, if it runs that high, because there are so many little plants that it is going to cost more per bird to inspect them than it will in the larger plants.

Mr. JONAS. It is true, is it not, that if we go into this program, and it is a new program, a new authorization, for which appropriations will have to be made hereafter from year to year to support it, if we begin the program we should be prepared to expand it as the country grows and additional processing plants are established?

Mr. WATTS. I would assume that, like everything else in this country, as the country grows it probably will grow.

Mr. JONAS. I think the Committee should realize that this is another one of the authorization bills that we frequently have before the Committee, and that the estimate is that it will cost \$10 million a year. From the information gained from the questions asked here today, it would appear that, with respect to at least 30 percent of that money, this legislation will relieve the big processors of a considerable obligation they have heretofore assumed and passes that obligation on to the general taxpayers.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Indiana.

Mr. HALLECK. From the report itself having to do with the cost of the pro-

gram I quote this statement by the Department:

It is believed that the enactment of this proposed legislation would result in a need for \$7,750,000 on an annual basis during the first year and an annual appropriation of approximately \$10 million for each subsequent year. This amount would, of course, have to be increased to the extent that the act was applied to cities and areas as provided in section 4. A study would be made in the interim, before the legislation became fully effective, to serve as a basis for arriving at the cost of the program.

There is no question in my mind that the way this legislation is drafted practically all intrastate processors are going to have to arrange for this inspection if they expect to stay in business. When I estimated that the cost would be from \$10 to \$20 million a year, \$10 million is the low limit and I think \$20 million is a low high limit.

Mr. WATTS. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, I should like to ask the chairman of the committee one question in relation to this last discussion. Is it not true that at the present time the large processors are the only ones that can afford this inspection and, therefore, they in essence have preempted the field; and that by doing as proposed under this bill, the small processors would get an opportunity to get back into the market and get their fair share of the market?

Mr. WATTS. The gentleman is exactly right. The testimony before our committee and the statements of the Department would bear out what the gentleman has said. At the present time only the large processors are in a position to have the inspection done, and due to the advertising campaign that has been put on in many places the small processors are being hurt.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Indiana.

Mr. HALLECK. I do not know whether or not the gentleman was here when I spoke earlier, but I had a letter from a constituent of mine in my home county in Indiana who is in the wholesale processing business on a very small scale. He said in his letter there were 15 other small processors in that 1 county. I know a great many of them personally. Do I understand that they are going to be kept in business and that the Government somehow will arrange to have an inspector at these 15 little processing plants in 1 county in my district? If that is to be arranged, and if they are going to continue in business and have this inspection, all I can say is that it is going to require a lot more inspectors than anybody has been talking about up to this point—and remember we do not have these giant mechanized processors.

Mr. ROOSEVELT. I think that would be a proper question for the chairman to answer.

Mr. WATTS. In answer to the gentleman, I would like to suggest that this bill specifies that we may use State em-

ployees and that we may hire people by the hour or that arrangements may be made in your county or community where you do a small amount of processing. Further, where a small amount of processing is done, it probably is not done all in 1 day and probably 1 inspector can serve more than 1 plant. Further, a cooperative agreement may be entered into between the Federal Government and your State or county or other State agencies to perform the inspection service. Furthermore, there is a provision allowing the Secretary to grant an exemption until 1960 where it would be impracticable in the beginning of the program to provide inspection. I am frank to admit to the gentleman that we may run into a good many problems in the administration of this law, and certainly the Congress is going to be in session after this year; and after this thing starts, if we have bit off more than we can chew, I shall be the first to join with the gentleman to straighten the matter out.

Mr. REECE of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I am happy to yield to the gentleman from Tennessee.

Mr. REECE of Tennessee. Has the Director of the Budget approved this bill?

Mr. WATTS. Yes.

Mr. REECE of Tennessee. It does not say so in the report; does it?

Mr. WATTS. The Department of Agriculture will never submit a report to us favorably until the Bureau of the Budget gives them permission to do so, and that has been the procedure in the past.

Mr. REECE of Tennessee. My experience has been that, when it is submitted to the Director of the Budget, the report states that it has been so submitted to the Director and has been approved by him.

Mr. McINTIRE. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. McINTIRE. May I say to the gentleman from Tennessee that under date of March 6, 1957, in a communication addressed to the Honorable HAROLD D. COOLEY, chairman of our committee, signed by the Secretary of Agriculture Mr. Benson in the last paragraph, and I quote:

The Bureau of the Budget advises that there is no objection to the submission of this report.

This is a favorable report in which some amendments are suggested by the Department.

Mr. WATTS. Mr. Chairman, I yield such time as he may require to the gentleman from Wisconsin [Mr. ZABLOCKI].

Mr. ZABLOCKI. Mr. Chairman, I want to join with my distinguished colleagues in urging prompt enactment of H. R. 6814, the bill to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products.

I have actively supported this proposal, and I am happy that it has reached the floor of this House so that we may debate it and approve it without further delay.

The enactment of this measure is vital to the health of the American people.

Most immediately, an effective, compulsory poultry inspection program is necessary to minimize the health dangers which face thousands of poultry workers in many plants. These dangers, which range from bothersome skin rashes and infections to killing psittacosis, have been recognized a long time ago by poultry workers and their organizations. It is to the credit of these organizations that they have consistently and energetically advocated the enactment of legislation to protect poultry workers against health hazards, and to safeguard public health.

A poultry inspection program along the lines outlined in the bill before us is equally important to the health of poultry consumers throughout the Nation. The scandalous practices by some individuals of the poultry industry which have jeopardized public health, must be ended.

The consumer must be assured of a clean and wholesome product, and this legislation would help to achieve that objective. For this reason, it deserves our prompt and wholehearted approval.

The report submitted by the Agriculture Committee on H. R. 6814 points out that this bill was drafted after the committee held extensive hearings on this proposal. In the course of the hearings, the committee received testimony from more than 70 witnesses, representing parts of the poultry industry, health officers and other representatives of States and cities, general consumer organizations, labor unions, and all of the major farm organizations.

Without exception, all of the witnesses expressed themselves in favor of some type of compulsory poultry inspection.

Their testimony alone shows the urgent need for the enactment of this legislation.

I sincerely hope that H. R. 6814 will receive our prompt approval. The program it proposes is badly needed in the interests of the consumers and of the poultry workers of our Nation. It should be enacted into law without delay.

Mr. WATTS. Mr. Chairman, I yield such time as he may require to the gentleman from California.

Mr. HAGEN. Mr. Chairman, this legislation was considered by our committee with very little controversy and to my knowledge there was no audible dissent when we passed it out. Oddly enough, this is one of the few bills that comes out of our committee which looks principally to the interest of the consumers of this country, the housewives. We rarely pass anything here for the benefit of the housewife. This is one of those items. Actually, in referring to the cost of inspection, you might as well argue that we should abolish the Food and Drug Administration if we are to make the relatively small cost involved here the controlling consideration because this is a program which is for the protection of everyone in their homes. If the private packer pays it, he passes it on to the consumer. So the housewife is going to pay for the bill in the long run anyway. To get a uniform impact in this

kind of program, we need this kind of law.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, we have no further requests for time.

Mr. WATTS. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Poultry Products Inspection Act."

LEGISLATIVE FINDING

SEC. 2. Wholesome poultry products are an important source of the Nation's total supply of food. Such products are consumed throughout the Nation and substantial quantities thereof move in interstate and foreign commerce. Unwholesome poultry products in the channels of interstate or foreign commerce are injurious to the public welfare, adversely affect the marketing of wholesome poultry products, result in sundry losses to producers, and destroy markets for wholesome poultry products. The marketing of wholesome poultry products is affected with the public interest and directly affects the welfare of the people. All poultry and poultry products which have or are required to have inspection under this act are either in the current of interstate or foreign commerce or directly affect such commerce. That part that enters directly into the current of interstate or foreign commerce cannot be effectively inspected and regulated without also inspecting and regulating all poultry and poultry products processed or handled in the same establishment.

The great volume of poultry products required as an article of food for the inhabitants of large centers of population directly affects the movement of poultry and poultry products in interstate commerce. To protect interstate commerce in poultry and poultry products inspected for wholesomeness, from being adversely burdened, obstructed, or affected by uninspected poultry or poultry products, the Secretary of Agriculture is authorized, pursuant to the provisions of this act, to designate major consuming areas where poultry or poultry products are handled or consumed in such volume as to affect the movement of inspected poultry or poultry products in interstate commerce.

DECLARATION OF POLICY

SEC. 3. It is hereby declared to be the policy of Congress to provide for the inspection of poultry and poultry products by the inspection service as herein provided to prevent the movement in interstate or foreign commerce or in a designated major consuming area of poultry products which are unwholesome or otherwise unfit for human food.

DESIGNATION

SEC. 4. Upon application by the appropriate governing official or body of a substantial portion of any major consuming area or upon application by an appropriate local poultry industry group in such an area, where the Secretary has reason to believe that poultry or poultry products are handled or consumed in such volume as to affect, burden, or obstruct the movement of inspected poultry products in interstate commerce, the Secretary shall conduct a public hearing to ascertain whether or not it will tend to effectuate the purposes of this act for such area to be subject to the provisions of this act. If after public hearing the Secretary finds that poultry or poultry products are handled or consumed in such volume as to affect, burden, or obstruct the movement of inspected poultry products in commerce and that the designation of such area will tend to effectuate the purposes of this act, he shall by order designate such

area and prescribe the provisions of this act which shall be applicable thereto and grant such exemptions therefrom as he determines practicable. Such designation shall not become effective until 6 months after the notice thereof is published in the Federal Register. On and after the effective date of such designation, all poultry and poultry products processed, sold, received, or delivered in any such area shall be subject to the provisions of this act.

ANTE MORTEM AND POST MORTEM INSPECTION, REINSPECTION AND QUARANTINE

SEC. 5. (a) For the purpose of preventing the entry into or flow or movement in commerce or a designated major consuming area of any poultry product which is unwholesome or adulterated, the Secretary shall, where and to the extent considered by him necessary, cause to be made by inspectors ante mortem inspection of poultry in any official establishment processing poultry or poultry products for commerce or in, or for marketing in a designated city or area.

(b) The Secretary, whenever processing operations are being conducted, shall cause to be made by inspectors post mortem inspection of the carcass of each bird processed, and such quarantine, segregation, reinspection as he deems necessary of poultry and poultry products in each official establishment processing such poultry or poultry products for commerce or in, or for marketing in a designated city or area.

(c) All poultry carcasses and parts thereof and poultry products found to be unwholesome or adulterated shall be condemned and shall, if no appeal be taken from such determination of condemnation, be destroyed for human food purposes under the supervision of an inspector: *Provided*, That carcasses, parts, and products, which may by reprocessing be made not unwholesome and not adulterated, need not be so condemned and destroyed if so reprocessed under the supervision of an inspector and thereafter found to be not unwholesome and not adulterated. If an appeal be taken from such determination, the product shall be appropriately marked and segregated pending completion of an appeal inspection, which appeal shall be at the cost of the appellant if the Secretary determines that the appeal is frivolous. If the determination of condemnation is sustained the product shall be destroyed for human food purposes under the supervision of an inspector.

(d) The Secretary shall refuse to render inspection to any establishment whose premises, facilities, or equipment, or the operation thereof, fail to meet the requirements of section 6 of this act.

SANITATION, FACILITIES AND PRACTICES

SEC. 6. Each official establishment slaughtering poultry or processing poultry products for commerce or in or for marketing in a designated major consuming area shall have such premises, facilities, and equipment, and be operated in accordance with such sanitary practices, as are required and approved by the Secretary for the purpose of preventing the entry into or flow or movement in commerce or in a designated city or area, of poultry products which are unwholesome or adulterated.

LABELING

SEC. 7. (a) Each shipping container of any poultry product inspected under the authority of this act and found to be wholesome and not adulterated, shall at the time such product leaves the official establishment bear, in distinctly legible form, the official inspection mark and the approved plant number of the official establishment in which the contents were processed. Each immediate container of any poultry product inspected under the authority of this act and found to be wholesome and not adulterated shall at the time such product leaves the official establishment bear, in

addition to official inspection mark, in distinctly legible form, the name of the product, a statement of ingredients if fabricated from two or more ingredients including a declaration as to artificial flavors, colors, or preservatives, if any, the net weight or other appropriate measure of the contents, the name and address of the processor and the approved plant number of the official establishment in which the contents were processed. The name and address of the distributor may be used in lieu of the name and address of the processor if the approved plant number is used to identify the official establishment in which the poultry product was prepared and packed.

(b) The use of any written, printed or graphic matter upon or accompanying any poultry product inspected or required to be inspected pursuant to the provisions of this act or the container thereof which is false or misleading is prohibited. No poultry products inspected or required to be inspected pursuant to the provisions of this act shall be sold or offered for sale by any person, firm, or corporation under any false or deceptive name; but established trade name or names which are usual to such products and which are not false and deceptive and which shall be approved by the Secretary are permitted. If the Secretary has reason to believe that any label in use or prepared for use is false, or misleading, he may direct that the use of the label be withheld unless it is modified in such manner as the Secretary may prescribe so that it will not be false or misleading. If the person using or proposing to use the label does not accept the determination of the Secretary, he may request a hearing, but the use of the label shall, if the Secretary so directs, be withheld pending hearing and final determination by the Secretary. Any such determination by the Secretary shall be conclusive unless within 30 days after the receipt of notice of such final determination the person adversely affected thereby appeals to the United States court of appeals for the circuit in which he has his principal place of business or to the United States Court of Appeals for the District of Columbia Circuit. The provisions of section 204 of the Packers and Stockyards Act of 1921, as amended, shall be applicable to appeals taken under this section.

PROHIBITED ACTS

Sec. 8. The following acts or the causing thereof are hereby prohibited:

(a) The processing, sale or offering for sale, transportation, or delivery or receiving for transportation, in commerce or in a designated major consuming area of any poultry product, unless such poultry product has been inspected for wholesomeness and unless the shipping container, if any, and the immediate container are marked in accordance with the provisions of this act.

(b) The sale or other disposition for human food of any poultry or poultry product which has been inspected and declared to be unwholesome or adulterated under this act.

(c) Falsely making or issuing, altering, forging, simulating, or counterfeiting any official inspection certificate, memorandum, mark, or other identification or device for making such mark or identification, or procuring, aiding, assisting in, or being a party to, such false making, issuing, altering, forging, simulating, or counterfeiting, or knowingly possessing, without promptly notifying the Secretary of Agriculture or his representative, uttering, publishing, or using as true, or causing to be uttered, published, or used as true, any such falsely made or issued, altered, forged, simulated, or counterfeited official inspection certificate, memorandum, mark, or other identification, or device for making such mark or identifica-

tion, or representing that any poultry or poultry product has been officially inspected under the authority of this act when such poultry or poultry product has in fact not been so inspected.

(d) Using in commerce, or in a designated city or area, a false or misleading label on any poultry product.

(e) The use of any container bearing an official inspection mark except for the poultry product in the original form in which it was inspected and covered by said mark unless the mark is removed, obliterated, or otherwise destroyed.

(f) The refusal to permit access by any duly authorized representative of the Secretary, at all reasonable times, to the premises of an establishment engaged in processing poultry or poultry products for commerce, or in or for marketing in a designated city or area, upon presentation of appropriate credentials.

(g) The refusal to permit access to and the copying of any record as authorized by section 10 of this act.

(h) The using by any person to his own advantage, or revealing, other than to the authorized representatives of the Government in their official capacity, or to the courts when relevant in any judicial proceeding under this act, any information acquired under the authority of this act, concerning any matter which as a trade secret is entitled to protection.

(i) Delivering, receiving, transporting, selling, or offering for sale or transport for human consumption any slaughtered poultry or any part thereof, separately or in combination with other ingredients (other than poultry products as defined in this act), in commerce or from an official establishment or in a designated major consuming area, except that such poultry may be permitted to be transported between official establishments and to foreign countries pursuant to rules and regulations prescribed by the Secretary.

Sec. 9. No establishment processing poultry or poultry products for commerce or in or for marketing in a designated city or area shall process any poultry or poultry product except in compliance with the requirements of this act.

RECORDS OF INTERSTATE SHIPMENT

Sec. 10. For the purpose of enforcing the provisions of this act, persons engaged in the business of processing, transporting, shipping, or receiving poultry slaughtered for human consumption or poultry products in commerce or in a designated major consuming area, or holding such products so received shall maintain records showing, to the extent that they are concerned therewith, the receipt, delivery, sale, movement, or disposition of poultry and poultry products and shall, upon the request of a duly authorized representative of the Secretary, permit him at reasonable times to have access to and to copy all such records. Nothing in this section shall be construed as requiring the maintenance of a record for a period longer than 2 years after the transaction, which is the subject of such record, has taken place.

INJUNCTION PROCEEDINGS

Sec. 11. The district courts of the United States are vested with jurisdiction specifically to enforce, and to prevent and restrain violations of this act. The remedies provided for in this section shall be in addition to, and not exclusive of, any of the remedies or penalties provided for elsewhere in this act or now or hereafter existing at law or in equity.

PENALTIES

Sec. 12. (a) Any person who violates the provisions of section 8, 9, 10, or 17, shall be guilty of a misdemeanor and shall on conviction thereof be subject to imprisonment for not more than 6 months, or a fine of not

more than \$3,000, or both such imprisonment and fine; but if such violation is committed after 1 conviction of such person under this section has become final such person shall be subject to imprisonment for not more than 1 year, or a fine of not more than \$5,000, or both such imprisonment and fine; but if such violation is committed after 2 or more convictions of such person under this section have become final such person shall be subject to imprisonment for not more than 2 years, or a fine of not more than \$10,000, or both such imprisonment and fine. When construing or enforcing the provisions of said sections, the act, omission, or failure of any person acting for or employed by any individual, partnership, corporation, or association within the scope of his employment or office shall in every case be deemed the act, omission, or failure of such individual, partnership, corporation, or association, as well as of such person.

(b) No carrier shall be subject to the penalties of this section for a violation of the provisions of section 8 or 17 by reason of his receipt, carriage, holding or delivery, in the usual course of business as a carrier of slaughtered poultry or poultry products, owned by another person unless the carrier has knowledge, or is in possession of facts which would cause a reasonable person to believe that such slaughtered poultry or poultry products were not inspected or marked in accordance with the provisions of this act or were not eligible for transportation under this act. Any carrier who, with or without knowledge, violated section 10 of this act shall be subject to the penalties of this section.

Sec. 13. Before any violation of this act is reported by the Secretary to any United States attorney for institution of a criminal proceeding the person against whom such proceeding is contemplated shall be given reasonable notice of the alleged violation and opportunity to present his views orally or in writing with regard to such contemplated proceeding. Nothing in this act shall be construed as requiring the Secretary to report for criminal prosecution or for the institution of injunction proceedings violations of this act whenever he believes that the public interest will be adequately served and compliance with the act obtained by a suitable written notice or warning.

REGULATIONS

Sec. 14. The Secretary shall promulgate such rules and regulations as are necessary to carry out the provisions of this act.

EXEMPTIONS

Sec. 15. (a) The Secretary is authorized, by regulation and under such conditions as to sanitary standards, practices, and procedures as he may prescribe, to exempt from specific provisions of this act—

(1) poultry producers with respect to poultry of their own raising on their own farms which they sell directly to household consumers only: *Provided*, That such poultry producers do not engage in buying or selling poultry products other than those produced from poultry raised on their own farms;

(2) retail dealers with respect to poultry products sold directly to consumers in individual retail stores: *Provided*, That the only processing operation performed by such retail dealers is the cutting up of poultry products on the premises in which such sales to consumers are made;

(3) for such period of time as the Secretary determines that it would be impracticable to provide inspection and the exemption will aid in the effective administration of this act, any person engaged in the processing of poultry or poultry products for commerce and the poultry or poultry products processed by such person: *Provided, however*, That no such exemption shall continue in effect on and after July 1, 1960;

(4) persons slaughtering, processing, or otherwise handling poultry or poultry products which have been or are to be processed as required by recognized religious dietary laws, to the extent that the Secretary determines necessary to avoid conflict with such requirements while still effectuating the purposes of this act.

(b) The Secretary may by order suspend or terminate any exemption under this section with respect to any person whenever he finds that such action will aid in effectuating the purposes of this act.

VIOLATIONS BY EXEMPTED PERSONS

SEC. 16. Any person who sells, delivers, transports, or offers for sale or transportation in commerce or in a designated major consuming area any poultry products which are exempt under section 15, knowing that such products are unwholesome and are intended for human consumption, shall be guilty of a misdemeanor and shall on conviction thereof be subject to the penalties set forth in section 12.

IMPORTS

SEC. 17. (a) No slaughtered poultry, or parts or products thereof, of any kind shall be imported into the United States unless they are healthful, wholesome, and fit for human food, not adulterated, and contain no dye, chemical, preservative, or ingredient which renders them unhealthful, unwholesome, adulterated, or unfit for human food and unless they also comply with the rules and regulations made by the Secretary of Agriculture to assure that imported poultry or poultry products comply with the standards provided for in this act. All imported slaughtered poultry, or parts or products thereof, shall after entry into the United States in compliance with such rules and regulations be deemed and treated as domestic slaughtered poultry, or parts or products thereof, within the meaning and subject to the provisions of this act and the Federal Food, Drug, and Cosmetic Act, and acts amendatory of, supplemental to, or in substitution for such acts.

(b) The Secretary of Agriculture is authorized to make rules and regulations to carry out the purposes of this section and in such rules and regulations the Secretary of Agriculture may prescribe the terms and conditions for the destruction of all slaughtered poultry, or parts or products thereof, offered for entry and refused admission into the United States unless such slaughtered poultry, or parts or products thereof, be exported by the consignee within the time fixed therefor in such rules and regulations.

(c) All charges for storage, cartage, and labor with respect to any product which is refused admission pursuant to this section shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against any other products imported thereafter by or for such owner or consignee.

GENERAL PROVISIONS

SEC. 18. (a) For the purpose of preventing and eliminating burdens on commerce in poultry and poultry products, the jurisdiction of the Secretary within the scope of this act shall be exclusive and poultry and poultry products shall be exempt from the provisions of the Federal Food, Drug, and Cosmetic Act, as amended, to the extent of the application or the extension thereto of the provisions of this act.

(b) In carrying out the provisions of this act, the Secretary may cooperate with other branches of government and with State agencies and may conduct such examinations, investigations, and inspections as he determines practicable through any officer or employee of a State commissioned by the Secretary for such purpose.

COST OF INSPECTION

SEC. 19. The cost of inspection rendered under the requirements of this act shall be

borne by the United States. The Secretary of Agriculture is authorized in his discretion to pay employees of the Department of Agriculture, employed in establishments subject to the provisions of this act, for overtime or holiday work performed at such establishments at such rates as he may determine and to accept from such establishments wherein such premium pay work is performed reimbursement for any sums paid out by him for such work such reimbursement to be available without fiscal year limitation to carry out the purposes of this section.

APPROPRIATIONS

SEC. 20. There is hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this act.

SEPARABILITY OF PROVISIONS

SEC. 21. If any provision of this act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the act and of the application of such provision to other persons and circumstances shall not be affected thereby.

DEFINITIONS

SEC. 22. For the purposes of this act—

(a) The term "commerce" means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State or the District of Columbia, but through any place outside thereof; or within the District of Columbia,

(b) The term "Secretary" means the Secretary of Agriculture.

(c) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(d) The term "poultry" means any live or slaughtered domesticated bird.

(e) The term "poultry product" means any poultry which has been slaughtered for human food from which the blood, feathers, feet, head, and viscera have been removed in accordance with rules and regulations promulgated by the Secretary, any edible part of poultry, or, unless exempted by the Secretary, any human food product consisting of any edible part of poultry separately or in combination with other ingredients.

(f) The term "wholesome" means sound, healthful, clean, and otherwise fit for human food.

(g) The term "unwholesome" means:

(1) Unsound, injurious to health, or otherwise rendered unfit for human food.

(2) Consisting in whole or in part of any filthy, putrid, or decomposed substance.

(3) Processed, prepared, packed, or held under unsanitary conditions whereby a poultry carcass or parts thereof or any poultry product may have become contaminated with filth or whereby a poultry product may have been rendered injurious to health.

(4) Produce in whole or in part from poultry which has died otherwise than by slaughter.

(5) Packaged in a container composed of any poisonous or deleterious substance which may render the contents injurious to health.

(h) The term "adulterated" shall apply to poultry and poultry products under one or more of the following circumstances:

(1) If they bear or contain any poisonous or deleterious substance which may render them injurious to health; but in case the substance is not an added substance, such poultry and poultry products shall not be considered adulterated under this clause if the quantity of such substance in such poultry and poultry products does not ordinarily render them injurious to health.

(2) If they bear or contain any added poisonous or added deleterious substance, unless such substance is permitted in their production or unavoidable under good manufacturing practices as may be determined by rules and regulations hereunder prescribed by the Secretary or other provisions

of Federal law limiting or tolerating the quantity of such added substance on or in such poultry and poultry products: *Provided*, That any quantity of such added substance exceeding the limits so fixed shall also be deemed to constitute adulteration.

(3) If any substance has been substituted, wholly or in part, therefor.

(4) If damage or inferiority has been concealed in any manner.

(5) If any valuable constituent has been in whole or in part omitted or abstracted therefrom.

(6) If any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is.

(i) The term "inspector" means:

(1) an employee or official of the United States Government authorized by the Secretary to inspect poultry and poultry products under the authority of this act, or

(2) any employee or official of any State government authorized by the Secretary to inspect poultry and poultry products under authority of this act, under an agreement entered into between the Secretary and the appropriate State agency.

(j) The term "official inspection mark" means the symbol, formulated pursuant to rules and regulations prescribed by the Secretary, stating that the product was inspected.

(k) The term "inspection service" means the official Government service within the Department of Agriculture, designated by the Secretary as having the responsibility for carrying out the provisions of this act.

(l) The term "container" or "package" include any box, can, tin, cloth, plastic, or any other receptacle, wrapper, or cover.

(m) The term "official establishment" means any establishment as determined by the Secretary at which inspection of the slaughter of poultry, or the processing of poultry products, is maintained under the authority of this act.

(n) The term "label" means any written, printed, or graphic material on the shipping container, if any, or upon the immediate container, including but not limited to an individual consumer package, or the poultry product, or accompanying such product.

(o) The term "shipping container" means any container used or intended for use in packaging the product packed in an immediate container.

(p) The term "immediate container" includes any consumer package; or any carton, box, barrel, or other receptacle in which poultry carcasses or poultry products, not consumer packaged, are packed.

EFFECTIVE DATE

SEC. 23. This act shall take effect upon enactment, except that no person shall be subject to the provisions of this act prior to January 1, 1959, unless such person after January 1, 1958, applies for and receives inspection for poultry or poultry products in accordance with the provisions of this act and pursuant to regulations promulgated by the Secretary hereunder, in any establishment processing poultry or poultry products in commerce or in a designated major consuming area. Any person who voluntarily applies for and receives such inspection after January 1, 1958, shall be subject, on and after the date he commences to receive such inspection, to all of the provisions and penalties provided for in this act with respect to all poultry or poultry products handled in the establishment for which said application for inspection is made.

Mr. COOLEY (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill may be considered as read, be printed in the RECORD, and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WATTS. Mr. Chairman, I offer an amendment which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. WATTS: On page 11 strike out the heading to section 11 on line 16 and strike out all of section 11, renumbering subsequent sections to conform.

Mr. WATTS. Mr. Chairman, this merely deletes from the bill the section that the Department of Agriculture tells me would serve no useful purpose, and it is not needed.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. WATTS. Mr. Chairman, I offer an amendment which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. WATTS: In section 15, page 13, line 23, strike out the words "is authorized" and insert in lieu thereof the word "shall"; and on page 14, line 1, strike out the word "to."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. WATTS. Mr. Chairman, I offer an amendment which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. WATTS: In section 15, page 14, line 5, following the word "consumers" insert the following: "or restaurants, hotels and boarding houses for use in their own dining rooms in the preparation of meals for sales direct to consumers."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. MATTHEWS. Mr. Chairman, I offer an amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MATTHEWS: On page 3, line 9, after the word "application" insert the following: "by the appropriate State agency which has been given the responsibility for administering and enforcing poultry inspection laws, or in the absence of such an agency."

Mr. MATTHEWS. Mr. Chairman, first I want to congratulate the distinguished chairman of this subcommittee on the excellent work he has done. I have talked this matter over with him and he understands that this amendment is not intended at all as an insult to the work that he and his subcommittee have done for so many weeks on this particular bill.

When this bill was reported by our committee I had an abdominal distress and I had to be at Bethesda that morning, and when I returned the bill had been reported. I give that explanation so that again the gentleman from Kentucky [Mr. WATTS] will understand why I have to take this particular opportunity to present the amendment.

The poultry producers of Florida were particularly anxious for this amendment, and if you had a chance to read the hearings, you will read their sentiments about it.

In the State of Florida since 1933 we have had a State agency which has ad-

ministered our poultry inspection laws. They have done a very commendable job. Those poultry producers in Florida feel that the State agency of Florida should be the appropriate agency to request the Department of Agriculture to have a public hearing to decide whether or not this law should take effect in a particular consuming area.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. COOLEY. Is it the purpose of the gentleman's amendment to prevent inspection in major consuming areas unless the Federal Government or an agency thereof is requested by the State agency to make the inspection?

Mr. MATTHEWS. What my amendment would do would be to insist that where there is an appropriate State agency administering the poultry inspection laws, that that agency would be the agency to request the Secretary of Agriculture to hold this hearing.

Mr. COOLEY. Now, assuming that there is an agency in a consuming area that the gentleman has in mind, unless that State agency requests the Secretary of Agriculture to provide inspection service in that area, no inspection service would be provided?

Mr. MATTHEWS. That is absolutely true, and I think it is a good idea.

We all have some concern about Congress, when it passes legislation preempting State laws. If my amendment were passed it would be a safeguard. If there is no appropriate State agency, the appropriate governing body or official of that area, or the local poultry industry in that area could then call upon the Secretary of Agriculture to hold this hearing and determine whether or not that particular area would come under the provisions of this bill.

Mr. Chairman, that is all there is to it. I am not going to take any more time, but I hope the amendment is carried.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. AUGUST H. ANDRESEN. I would like to understand the gentleman's amendment correctly. Does he mean by it that if it is approved the State of Florida would be exempt from the provisions of this act?

Mr. MATTHEWS. No; no, I do not mean that at all; I mean that the State agency of your great State, or of New York, or of California, if they have an appropriate State agency that is at the present time administering these poultry inspection laws, that that State agency would be the agency to call upon the Secretary of Agriculture to hold this public hearing. If they did not have such an agency then these other agencies would make the application.

Mr. AUGUST H. ANDRESEN. Then you want to keep the Federal Government in it, but you want to use the State agencies to make the application to the Secretary to send in Federal inspectors to handle the situation in Florida and in other States?

Mr. MATTHEWS. Of course, the State agency may decide that they do not want to do it; but I think they would be taking a good deal of responsibility if they did.

I do feel, however, that it should be left with the local State agency.

Mr. AUGUST H. ANDRESEN. If they want to do it then they could call in the Federal Government; is that correct?

Mr. MATTHEWS. That is right. I think they will do it. In Florida we have a very fine inspection system.

Mr. AUGUST H. ANDRESEN. No doubt you have, as there are in other States, but I am rather interested in the gentleman's argument that he wants to take Florida out of the Federal Union.

Mr. MATTHEWS. No, sir; I just want the Florida poultry agency to be the adjudicating agency, which I think is not asking too much.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. HALLECK. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from Indiana.

Mr. HALLECK. I, too, would like to understand a little bit, if I can, just what is involved.

If I understand the gentleman's amendment correctly it would deal with that section of the bill which makes it possible for shipments which would otherwise be intrastate commerce to become in effect interstate commerce so as to make it controllable by the Federal Government; in other words, in creating these consuming areas or designating them, the Federal Government steps in and says that the Federal regulations shall apply even though otherwise it would be intrastate commerce. In other words, if beyond the city limits of Miami there are Florida producers who ship into Miami, which commerce ordinarily would be considered intrastate, yet under this bill it could be designated as a major consuming area and then the Federal Government could step in and control it as though it were interstate commerce.

As I understand the gentleman's amendment it would keep the Federal Government from coming in and controlling what otherwise would be completely intrastate commerce unless the State of Florida through its proper agency invited them to do it.

Mr. MATTHEWS. I think my amendment would cover that feature; yes.

Mr. HIESTAND. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. HIESTAND. Do I understand that if the gentleman's amendment is adopted the States will have authority to refuse to allow this Federal inspection in interstate commerce?

Mr. MATTHEWS. No, sir; no, it would not. If the gentleman has the bill before him he will see it applies to this section 4 which provides that upon application by the appropriate governing official or body of a substantial portion of any major consuming area or

upon application by the local poultry industry group in such area the Secretary may conduct public hearings to ascertain whether or not this act shall be in effect in that area.

My amendment would say that when you have an appropriate State agency administering poultry laws it shall be the one to make the application.

Mr. HIESTAND. In other words, it does not affect interstate commerce by itself?

Mr. MATTHEWS. No, sir.

Mr. WATTS. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, we discussed this amendment in our subcommittee at length and came to the conclusion that it would be ill advised to put the amendment in the bill for the following reason: We tried to make this bill as broad as we could in order that every little processor of poultry might have the opportunity, if he was shipping into a major consuming area, to come under the terms of the bill. We could very readily visualize a situation where the State government, the State health official or a State inspection official might fail to act, although favoring a program of this kind. But they might not be functioning as they should, and I am not saying that the agency mentioned by my good friend from Florida is not functioning very good. However, I guess he will agree with me that it lacks a lot of being perfect. If the State official said "No," then the entire State and every large city in that State or every consuming area in that State of any size, as well as every little processor that wanted to ship into one of those areas, would be completely deprived of the opportunity of getting Federal inspection. So we thought we would make it a little more democratic and instead of saying that the State shall have full authority, we would leave it up to each consuming area and the processors of that consuming area who wanted Federal inspection to ask the Secretary to call a hearing and determine whether or not it would be the feasible, possible and proper thing to do.

I am not going to stand up here and tell you it will not work in the way the gentleman has stated, but I am very much afraid if you agree to the gentleman's amendment, you will find that possibly through some arbitrary act—you would have a situation where somebody who wanted to come in under this act would be prohibited from doing so. Take up in New York or New Jersey, you do not know when you go out of one town into another. If the governor or the chief inspection official of any one of those States that is involved in that concentration of population had the authority to stop this for the whole of the area, you might find a situation that would work to the disadvantage of the whole area. The way we have drawn the bill provides that a majority of the governing authorities of a consuming area shall prevail, and we had that in mind when we drew the bill. There are places like New York City where they have 5 or 6 boroughs. We did not want to fix it so that one borough could deny the whole of the area the right of inspection. So

we said that the majority of the authorities, or in the event the governing authorities did not do so, the processors of the poultry who ship into that area, could petition for a hearing.

I am fearful of the effect of my good friend's amendment and I request that the committee vote the amendment down.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Indiana.

Mr. HALLECK. Is there any merit in the suggestion that has been made by some people that the reason for having this designated area arrangement in respect to what might otherwise be intrastate commerce, and what would continue to be intrastate, is that the local processors would be able to sell the poultry to the consuming public at a reduced price?

Mr. WATTS. No.

Mr. HALLECK. What is the burden on interstate commerce to which the gentleman refers in the act in several places, including the declaration?

Mr. WATTS. In cities like Louisville, Ky., and Indianapolis, Ind., there will be lots of poultry moved into both places—some of it will be shipped in interstate commerce and quite a bit will be shipped in from the surrounding territory around the two towns. Certainly, both types of poultry are going to be commingled and one is going to become a burden on the other. As I understand the law with reference to interstate commerce, any commodity that is declared to be a burden on interstate commerce can be regulated as though it were moving in interstate commerce. In all probability the Department of Agriculture could exercise its right under this bill to inspect such poultry even though we did not provide for it in the act. The language in the act dealing with designated consumer areas can be considered a limitation in that before the Department can exercise authority in such an area they must be petitioned by a majority of the governing officials of the area or by the poultry processors in the area.

Mr. Chairman, I ask that the pending amendment be defeated.

Mr. McINTIRE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I just have one or two observations to make. I would point out that in some of the bills introduced and considered by the committee, that the full jurisdiction in relation to the designation of these areas rested with the Secretary. It was felt that it should be broadened to include other factors which were involved within the area.

It seems to me that the bill as presented by the committee has broadened it sufficiently to bring in those local interests, and I believe a very substantial problem would be created in the amendment offered by the gentleman from Florida if we were to broaden it further. We have attempted to bring in the local interests, both the municipal and the city authorities and those concerned directly with the poultry industry. It is my opinion that this broadens it sufficiently to bring in those interests ade-

quately, and we have provided for public hearings before the Secretary can proceed. I think it is broadened sufficiently to protect the local people and that the State does not necessarily need to be brought into this field.

Mr. Chairman, I urge the defeat of the amendment.

Mr. JACKSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, perhaps I obtained the floor under somewhat false pretenses, but I did want to ask several questions of the chairman of the committee and of the subcommittee.

I am not quite clear in my own mind as to what the situation would be in, let us say, the State of California, where an adequate State system of inspection exists. Would the gentleman elaborate briefly as to what the effect of this act would be upon the State agency which is properly constituted and, so far as we know, is doing a good job?

Mr. WATTS. Mr. Chairman, if the gentleman will yield, under the present setup we have voluntary poultry inspection. Of course, you have a right good system in California of inspection, but the biggest objection that we see to it—and it is not critical—is that the employees of the plant do the inspecting, whereas we felt that some employee of the Federal Government should do the inspecting. But, that is beside the point. We have in this bill a provision that the various States and the Federal Government should cooperate one with the other, and it is our information that the State of California is now cooperating thoroughly with the voluntary system and that wherever the poultry people have put in a voluntary Federal system that the State has recognized that as ample and sufficient. The Federal Government has always cooperated with the State. We have provided in here that the Federal Government, when this law becomes effective, may use State employees as inspectors, and we feel like we have erected sufficient safeguards to guarantee or assure that there will be a cooperative exchange of interests between the State and the Federal Government.

Mr. JACKSON. I thank the gentleman for the explanation.

There is, of course, grave and widespread concern over the constant expansion of the power of the Federal Government, and I am speaking now relating what I say to some of the decisions of the Court, the preemption theories in certain areas of the Federal domain in which they have extended those powers in the respective States overriding the agencies which are constituted to do certain things, preempting powers which were never delegated to them in the first instance by the Congress. This is a matter of grave concern to a great many of us, and we are concerned with any legislative devices which might further tend to give to the agencies of Government powers which are not intended to be exercised.

Mr. HAGEN. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from California.

Mr. HAGEN. Mr. Chairman, in answer to the gentleman's question, this legislation has the endorsement of the State Director of Agriculture in California. Actually their service is not really quite under way. That is, it is fairly recent. It is one of the few compulsory setups in the country. But they are heartily in accord with this proposed legislation, because this protects our own producers. A lot of this uninspected poultry has been coming into California and placing our own poultry producers at a disadvantage.

Mr. JACKSON. My request was merely for an explanation.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman.

Mr. HALLECK. I do not know whether the gentleman was here on the floor when the gentleman from Virginia [Mr. SMITH] spoke on the matter of preemption. If I understood him correctly, he pointed out that there could very well develop out of the passage of this bill an extension of the doctrine of preemption which would mean that the State operations in the field covered by this bill would be precluded after the passage of the bill or after the enactment of it.

Mr. JACKSON. That is what I sense to be a very dangerous part of the legislation presently under discussion.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman.

Mr. HOFFMAN. I have an amendment at the Clerk's desk which will correct the situation to which the gentleman has made reference.

Mr. JACKSON. I thank the gentleman. I shall probably support it.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman.

Mr. MASON. The gentleman from Virginia [Mr. SMITH] said that we should put into this bill as a precaution a provision which would say that "Nothing in this act shall preempt the field or shall diminish the authority of the State courts to act under the jurisdiction of their own laws." But we put that in the Smith Act. That very provision was in the Smith Act, and our Supreme Court ignored the intention of Congress. So if we put it into this bill it will be ignored again by the same Supreme Court. And that would be no protection at all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. MATTHEWS].

The question was taken; and on a division (demanded by Mr. MATTHEWS) there were—ayes 27, noes 56.

So the amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 23, after line 11, insert a new section to read as follows:

"SEC. 24. This act shall not be construed as invalidating any provision of State law which could be valid in the absence of this act, unless there is a direct and positive conflict between an express provision of this

act and such provision of State laws so that the two cannot be reconciled or consistently stand together."

Mr. HOFFMAN. Mr. Chairman, will the committee not accept this amendment? It carries out the intent of H. R. 3 introduced by the gentleman from Virginia [Mr. SMITH] and on which he has been unable to get action.

Mr. WATTS. Mr. Chairman, I should like to ask the gentleman a question or two about the amendment. The committee has not had very much opportunity to give it consideration.

Mr. HOFFMAN. Only for the last 10 or 15 minutes.

Mr. WATTS. If I understand the gentleman's amendment, it proposes that where the bill under consideration does not positively repeal some State law or does not run contrary to it, it would not repeal any State law.

Mr. HOFFMAN. If I understand the gentleman correctly, that is the purpose—that is, the adoption of this amendment is notice to the Supreme Court that by the enactment of this bill we do not repeal present State law nor prohibit consistent future State law.

Mr. WATTS. In other words, if there is a State law that can be reconciled with this bill, that State law shall remain in full force and effect. The only time this bill we are considering now would repeal a State law would be when there was a direct conflict between the two that is unreconcilable.

Mr. HOFFMAN. And the two could not be reconciled and be made to work together, that is correct. The purpose is, again, to call the attention of the Supreme Court to what Congress apparently failed to make clear to the Court in other legislation—that the Congress does not intend by the enactment of a bill to preempt the field so that the States are deprived of authority and opportunity to legislate in the same field.

Mr. WATTS. Under those circumstances, while I have not consulted the whole committee, I would have no objection to agreeing to the amendment.

Mr. AUGUST H. ANDRESEN. I have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, those of us who have been in this body for some years are acquainted with the history of this legislation and the effort in past years to have legislation along this line enacted into law.

The subcommittee is to be congratulated on the careful and exhaustive manner in which it conducted hearings and the very careful manner in which it considered the bill in executive session. It is to be congratulated on reporting this bill.

I have heard the argument made that this bill originated in the minds of certain meatcutters. I remember well the gentlewoman from Missouri [Mrs. SULLIVAN] fighting for legislation of this type as far back as 1954. I remember well an important statement she made at that time, that she was urging the

passage of such legislation because it protected the consumers of our country.

The relationship between the person who toils on the soil and the one who toils in the factory is very close. I come from a city, and there is not a farm located in my district, but I have year in and year out talked about the importance of the relationship between the toiler on the soil and the toiler in the factory and their interdependence. It seems to me this bill is an illustration of that interdependence. I believe those who produce the poultry of America, and they are toilers on the soil, should be interested in seeing legislation of this kind enacted into law. This legislation protects the farmer. In protecting the consumer it also protects those who are engaged in this activity on the soil.

The committee has been very careful in seeing that the bill does not regulate in any manner the handling and shipment or sale of live poultry. As is stated in the report, it does not apply to poultry processors not engaged in interstate commerce unless the processor markets within an area designated by the Secretary under section 4. The bill does not apply in any manner to the processing or sale of eggs or egg products or game birds.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Indiana.

Mr. HALLECK. I certainly would not want to take anything away from the comment the gentleman has made about the gentlewoman from Missouri, whose interest in this legislation, we understand, is longstanding. I think the gentleman referred to 1954. I do not recall that I made any particular reference to the meatcutters.

Mr. McCORMACK. Did I mention the gentleman's name?

Mr. HALLECK. No, the gentleman did not. However, if he will refer to the hearings on page 182, containing the testimony of Mr. Barker, director of the Poultry Department, Amalgamated Meat Cutters and Butcher Workmen, he will find that Mr. Barker stated:

Our union began its campaign for compulsory poultry inspection in 1946.

Mr. McCORMACK. I do not challenge that statement and that statement does not challenge anything that I have said. Of course, the meatcutters have an interest, but that certainly is not the primary purpose of this legislation. The primary purpose of this legislation is for the protection of the consumers. As I said, the gentlewoman from Missouri [Mrs. SULLIVAN], in a speech as far back as 1954, which she made on the floor of the House in urging the passage of such legislation as this, based it primarily upon the premise that it is for the protection of the consumers. I do not think anyone can contradict that fact. This bill is an important bill. It is designed for the protection of the American people. It is a bill which should have been enacted into law before now. It was not done in the past, but the bill is before us now and I sincerely hope that the bill, as reported by the committee, will pass.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. HOFFMAN. Mr. Chairman, well if the bill is designed to protect the health of the people, of course, there must be an inspection before the poultry is killed. There is no way of telling whether a chicken has had the roup by inspecting the carcass after the head has been cut off. If the bill is to protect the consumers of food, there should be a provision requiring inspectors in the retail stores. The bill does not propose that. We all know that stores get poultry all through the week and they hold some of it over from Saturday until Monday of the next week. Some of us, and even I can when I get a chicken that has been cooked—I can tell whether it has been a little bit too long on the shelf even though it has been in the refrigerator, unless it has been frozen solid because it gets a certain taste along the upper part of the leg. You know that a chicken has been dead too long when you find a chicken that is cooked and it has a little bit too much dark meat where there should not be so much—you know it has not been bled properly. Another thing, the bill seems to show a lack of confidence in the Food and Drug Administration because it expressly takes away the jurisdiction of that Department and puts enforcement as well as administration under the jurisdiction of the Secretary of Agriculture.

I certainly like one thing in this bill. We all know there has been a lot of talk here on the floor from members of the Agriculture Committee, especially from some folks from the South and around in Texas, about the Secretary of Agriculture, Mr. Benson. He has been called most everything, cussed up hill and down. Well, here is a declaration of confidence in Secretary Benson, better late than never. Read the bill through page by page, paragraph by paragraph, and sentence by sentence. Then confess and repent. I know the gentleman from Texas [Mr. POAGE] will be interested and take notice as well as will the gentleman from North Carolina [Mr. COOLEY] in those provisions of this bill which they support and which so clearly expresses complete faith in the ability, the courage, the determination, the good faith of our Secretary of Agriculture—qualities which have been sometimes questioned but are now acknowledged to be his. Permit me to congratulate you two gentlemen and others upon having at last realized the greatness, the patriotism, the sincerity, and the ability of our Secretary of Agriculture and have by this bill conferred upon him. More he cannot ask and I hope he will call it to your attention when hereafter you venture to make complaints which I doubt you logically can do after the grant of authority carried in this bill.

Mr. ELLIOTT. Mr. Chairman, I rise in support of H. R. 6814, which provides for the compulsory inspection by the United States Department of Agriculture of poultry and certain poultry products.

I have recognized for some time that the consuming public is entitled to have

an inspected chicken or broiler; and to that end, early in this session, I introduced H. R. 5463. Naturally, I feel that my bill is, in some respects, superior to the bill presently before us; but, realizing that all legislation of this type is the result of compromise, I am willing to accept this bill, together with such beneficial amendments as it carries, with the hope that any last-minute improvements indicated as being absolutely necessary can be effected by the conference between the House and Senate on the legislation. The Senate has already passed a bill providing for compulsory inspection.

If you accept the proposition that the American housewife is entitled to have the assurances of her Government that the poultry she buys has been inspected by her Government, and found to be clean and wholesome, then this bill or some reasonable approximation to it should be enacted. If inspection is to be compulsory, then it naturally follows in my mind that the cost of the inspection should be borne by the United States Government.

This bill provides that inspectors will be appointed by the United States Secretary of Agriculture, and I feel that he is given rather broad powers in this regard. However, I recognize the fact, especially in the early years when we are getting started with this inspection, that there should be great flexibility insofar as qualifications of the inspectors are concerned.

I have been assured by the hearings on this legislation, and by the debate this afternoon, that there is absolutely no intent on the part of this bill, or of any of its sponsors, to work an undue hardship upon any portion of the poultry industry. I am particularly interested to see that the small processors, those fellows who dress and process relatively a small number of birds, are not so burdened by redtape and regulation and undue requirements that they cannot continue to operate. I have been assured in this debate that there will be enough inspectors furnished by the United States Department of Agriculture, so that every poultry processing plant, however small or however irregular it operates, as long as it dresses or processes poultry for interstate commerce, will have the benefits of the poultry inspection service. This is as it should be. As a matter of fact, the bill provides a way whereby those processing plants that process for the intrastate trade, but are located in such a manner that their products constitute some burden to the interstate movement of poultry products, will have an opportunity, upon petition and hearing, to come within the purview of this law and be entitled to its inspection benefits, even though they process and dress poultry only for the intrastate demands.

There has been some suggestion in the debate here today that the passage of this bill will so slow down the operation of the processing plants as to cause the amount charged for dressed chicken to be unduly raised. However, I am informed by others, who have studied the matter, that perhaps most plants can be rearranged in such a manner that the slowdown caused by post mortem bird-

by-bird inspection will not be too great. However that all may be, I feel, Mr. Chairman, the fact that the purchaser of chicken can be assured that his particular chicken was personally inspected, will be sufficient to increase the demand for poultry and poultry products sufficiently to overcome any deficiency occasioned by slowing down the lines in the processing plants. I am confident that eventually the matter can be worked out where there will be no real harmful effects.

Mr. Chairman, this bill should be passed. It is in the best interest of the consumer. It is, in the long run, in the best interest of the processor. It is in the best interest of the producer or grower of broilers.

Undoubtedly, inequities may appear as the operation of the bill gets underway, but I, for one, will be anxious to cooperate to iron out any inequities that may become apparent. I have the privilege of representing one of the largest poultry-producing areas of the country. The broiler and poultry industry is one of our large industries. There is being produced in the neighborhood of \$4 billion worth of poultry a year in the United States. Under such forward-looking legislation as this, I believe the industry will grow in capacity, in strength, and in quality.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. O'BRIEN of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 6814) to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products, pursuant to House Resolution 304, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. REECE of Tennessee), there were—ayes 93, noes 23.

So the bill was passed.

A motion to reconsider was laid on the table.

Mr. WATTS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1747) an act to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products, strike out all after the enacting clause of the Senate bill, and insert the language of the bill H. R. 6814.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. WATTS]?

Mr. REECE of Tennessee. Mr. Speaker, I object.

GENERAL LEAVE TO EXTEND REMARKS

Mr. WATTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. PORTER. Mr. Speaker, this House has before it today legislation which I consider vital to the health of this country. H. R. 6814 would provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products. The poultry industry in the State of Oregon is important to Oregon economy. The industry is important in many other areas.

On June 27, I received a letter from Dr. Harold M. Erickson, health officer for my State. Dr. Erickson reminded me of Oregon's recent experience with the hazards to human health in the processing of diseased poultry. For this very reason, the State health authorities had significant cause to examine carefully the various bills introduced in the House of Representatives relative to poultry inspection. He said that the health authorities, after carefully reviewing them, recommend H. R. 6814. The health authorities of Oregon believe this bill offers the most protection to human health without sacrifice of practicability.

Dr. Erickson and his staff share my concern and belief that there is a real need for compulsory poultry inspection. Therefore, at this time, I want to strongly urge the passage of this proposed legislation. I want also to commend the members of the Committee on Agriculture for their investigation into this matter and for the subsequent legislation now under consideration. It is my understanding that without exception witnesses at the hearing held by the committee expressed themselves in favor of some type of compulsory poultry inspection. I think this is indicative of its need.

I have received a considerable amount of correspondence concerning this bill, and, unlike many issues, there has not been a single letter opposing its passage. I believe H. R. 6814 is legislation which will provide safeguards which long have been needed in the poultry industry.

Mr. ANFUSO. Mr. Chairman, in passing the bill H. R. 6814, which provides for compulsory inspection by the Department of Agriculture of poultry and poultry products, it is of utmost importance that certain religious practices should not be overlooked.

It is my understanding, developed from the testimony at the hearings of the Committee on Agriculture, that recognized religious practices of the Jewish faith are accepted in the bill. For example, the laws of Kashruth require that kosher poultry be slaughtered by a shochet—religious slaughterer—that it cannot be defeathered with the use of

steam or hot water, and that it must be offered to the consumer uneviscerated.

In order that these religious requirements should not be disturbed, poultry processed in accordance with religious dietary laws is to be exempt from the act.

I, therefore, call again these practices to the attention of the Secretary of Agriculture so that, in issuing the necessary rules and regulations pursuant to the act, he will make certain that they in no way interfere with these traditional processing requirements of the Jewish people.

EXTENSION OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. COOLEY. Mr. Speaker, I call up the conference report on the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. COOLEY]?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 683)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, 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 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 House amendment insert the following: "That the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended as follows:

"(1) Sections 109 and 204 of such Act are amended by striking out '1957' and substituting in lieu thereof '1958.'

"(2) Section 103 (b) of such Act is amended by striking out '\$3,000,000,000' and inserting in lieu thereof '\$4,000,000,000.'

"(3) Section 203 of such Act is amended by striking out '\$500,000,000' and inserting in lieu thereof '\$800,000,000.'

"(4) Section 104 (e) of such Act is amended by striking out the semicolon at the end thereof and adding a comma and the following: 'for which purposes not more than 25 per centum of the currencies received pursuant to each such agreement shall be available through and under the procedures established by the Export-Import Bank for loans mutually agreeable to said bank and the country with which the agreement is made to United States business firms and branches, subsidiaries, or affiliates of such firms for business development and trade expansion in such countries and for loans to domestic or foreign firms for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of, and markets for, United States agricultural products: *Provided, however,* That no such loans shall be made for the manufacture of any products to be exported to the United States in competition with products produced in the United States or for the

manufacture or production of any commodity to be marketed in competition with United States agricultural commodities or the products thereof. Foreign currencies may be accepted in repayment of such loans.'

"(5) Within sixty days after any agreement is entered into for the use of any foreign currencies, a full report thereon shall be made to the Senate and the House of Representatives of the United States and to the Committees on Agriculture and Appropriations thereof.

"(6) Section 304 of such Act is amended to read as follows:

"Sec. 304. (a) The President shall exercise the authority contained in title I of this Act (1) to assist friendly nations to be independent of trade with the Union of Soviet Socialist Republics and with nations dominated or controlled by the Union of Soviet Socialist Republics and (2) to assure that agricultural commodities sold or transferred thereunder do not result in increased availability of those or like commodities to unfriendly nations.

"(b) Nothing in this Act shall be construed as authorizing transactions under title I or title III with the Union of Soviet Socialist Republics or any of the areas dominated or controlled by the Communist regime in China."

And the House agree to the same.

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
AUGUST H. ANDRESEN,
WILLIAM S. HILL,

Managers on the Part of the House.

ALLEN J. ELLENDER,
OLIN D. JOHNSTON,
SPESSARD L. HOLLAND,
JAMES O. EASTLAND,
HUBERT H. HUMPHREY,
GEORGE D. AIKEN,
MILTON R. YOUNG,
EDWARD J. THYE,
BOURKE D. HICKENLOOPER,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing positions of the two Houses on S. 1314, to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The action of the House was on the bill H. R. 6974 and after adoption of this bill in the House the Senate bill was amended by striking out all after the enacting clause and substituting the provisions of the House bill.

As passed by the Senate, S. 1314 contained four provisions, three of which were identical with similar provisions in the House amendment.

MATTERS IN AGREEMENT

The three provisions with respect to which the Senate bill and the House amendment were identical are: (1) Extension of the termination date of titles I and II of the act from June 30, 1957, to June 30, 1958; (2) an increase of one billion dollars in authority to dispose of surplus commodities under title I of the act; and (3) an increase of three hundred million dollars in the allowable disposals for famine relief and other assistance under title II of the act. With respect to these three provisions, the compromise substitute agreed upon by the conferees and reported herewith is identical with the provisions of both the Senate bill and the House amendment.

BARTER WITH SATELLITE COUNTRIES

The fourth provision in the Senate bill was the repeal of section 304 of the act which

had been construed to prohibit barter transactions with the so-called satellite countries. The House bill contained no such provision.

With respect to this matter, the conference has agreed upon a compromise position which will permit barter transactions (but not sales for local currency) with the European satellite nations but which specifically prohibits barter transactions with the U. S. S. R. itself, with Communist China, or with any of the areas dominated or controlled by the Communist regime in China. It is to be noted that the existing provisions of title I of the act, in which no change is made, prohibit sales for foreign currency under title I to the U. S. S. R. or "any nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement."

ADDITIONAL APPROPRIATING AUTHORITY

The conference bill omits the provision of the House amendment which would have extended the appropriating authority of Congress to the financing of international educational exchange activities and the translation, publication, and distribution of books and periodicals with foreign currencies available pursuant to the provisions of the act. The committee of conference considered this point at length and the House conferees receded from the House amendment in this matter only after it was pointed out that the foreign currencies proposed to be used for these programs are budgeted several years in advance pursuant to agreements entered into with the respective foreign countries, that these budget estimates are submitted by the Bureau of the Budget to the Appropriations Committees, that the amount of foreign currency to be used for these programs is taken into consideration by the Appropriations Committees in making their dollar appropriations, and that, therefore, enactment of the House provision would add nothing to the real authority of the Appropriations Committees while it would seriously curtail the authority of the President to make agreements with other governments with respect to the sale of surplus commodities and with respect to these particular programs.

FOREIGN CURRENCY LOANS TO PRIVATE BUSINESS

The conference bill contains with some modification the provisions of the House amendment with respect to this matter. The modifications: (1) make it clear that loans for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of, and markets for, United States agricultural products may be made to either foreign or domestic firms and (2) provide that loans may not be made for the manufacture or production of any commodity to be marketed in competition with United States agricultural commodities or the products thereof.

As agreed to by the committee of conference, this provision expresses a firm but general policy of the Congress that a substantial portion (25 percent unless there are compelling reasons for using a less amount) of the foreign currencies accruing under agreements hereafter entered into should be used for loans to assist the development and expansion of private business in the countries with which agreements are made under Public Law 480. These loans are to be of two types: (1) loans to United States business firms and their branches, subsidiaries, or affiliates for general business development and trade expansion, and (2) loans to either United States or foreign business firms for expanding markets for and consumption of American agricultural products abroad. The bill provides that such loans are to be made through and under the procedures of the Export-Import Bank and that they may be repaid in the foreign currency in which the

loan is made. The detailed provisions as to the terms of the loans, the manner in which specific loans are to be made, and the method and time of repayment, are left to the determination of the President and will doubtless also be embodied in a mutually satisfactory extent in the agreements with foreign governments under this act. In this connection, the committee of conference points out that the approval and concurrence of the foreign government in this loan program is fully assured by the requirement that the loans negotiated by the Export-Import Bank must be "mutually agreeable" to the bank and to the nation involved.

REPORTS ON AGREEMENTS

The conference bill retains the House provision requiring that a full report on any agreement for the use of any foreign currencies be made to the Senate and House and to the Committees on Agriculture and Appropriations thereof within sixty days after any such agreement is entered into.

SURPLUS FOODS FOR STATE PENAL INSTITUTIONS

The conference bill does not contain the provision in the House amendment that would have made surplus food commodities available for contribution to State and local penal and correctional institutions. In this connection it was pointed out that there has been a substantial reduction in the past year in the stocks of surplus foods in the hands of the Commodity Credit Corporation and it appears at the present time that the existing list of eligible recipients of this food is entirely adequate to absorb the remaining stocks on hand and those which may reasonably be anticipated for the immediate future. While maintaining the soundness of its position in this matter, the House conferees felt that they should not insist on their position at this time.

BASIC OBJECTIVES OF THE ACT

The conferees take this occasion to specifically reaffirm the statements with respect to the basic objectives of Public Law 480 and the operations thereunder which were contained in the committee reports of the two Houses on this legislation. Specifically, the conference committee believes that the provisions of Public Law 480 should be utilized to the fullest to develop new and expanded markets abroad for the products of American agriculture. In this connection, the committee of conference expects that extra long staple cotton will be sold under the authority of this act, as is upland cotton, to any friendly nation without regard to the fact that this commodity may compete with a similar commodity produced outside the United States, and that all surplus agricultural commodities regardless of the kind, will be made available for sale under the act without the imposition of conditions which would prevent or tend to interfere with their sale. Rather than in any way seeking to discourage or impede the sales of such surplus commodities, their sales should be emphasized if it appears that by such sale under this act a future market for dollars, in the regular course of international trade, may be established for such commodities.

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
AUGUST H. ANDRESEN,
WILLIAM S. HILL,

Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

POLICIES WITH REGARD TO THE WATCH INDUSTRY

Mr. MACHROWICZ. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MACHROWICZ. Mr. Speaker, within the past 10 days, I have returned from Geneva, Switzerland, where I served as an adviser to the United States delegation at the conference on the General Agreement on Tariffs and Trade. I returned home reassured that significant accomplishments are being made in efforts by the free nations of the world to eliminate quotas and to minimize other barriers to international commerce.

I want to say to my colleagues that I was very impressed by the manner in which the United States representatives discharged their responsibilities under situations which required the greatest delicacy and skill.

At the same time, I feel compelled to call the attention of the House to an incident which took place in Switzerland a short time before the GATT conference opened and which could have undermined the position of our representatives. The incident involves an official of the United States Department of Commerce who was visiting Switzerland and who requested a meeting with representatives of the Swiss watch industry.

At this meeting, I was reliably informed, the Commerce Department employee stated that he was an official representative of the United States Government. He then proceeded to disclose to the Swiss what he claimed will be the findings of the executive branch with regard to petitions which have been filed by the domestic watch manufacturing industry for relief from import competition under section 7 of the Trade Agreements Act.

Specifically, this Commerce Department employee informed the Swiss that the United States Government would soon reaffirm the defense essentiality of the domestic watch manufacturers and would impose quotas on watch imports unless the Swiss "voluntarily" agree to introduce quotas on exports to the United States.

Mr. Speaker, I can think of no more improper way for an employee of the executive branch to perform on an overseas trip. First, this man posed as an official spokesman for the American Government. Then, he predicted actions by the administration long before any official decisions have been made. So far as I am aware, action on the watch petitions is still in a preliminary stage, and neither the ODM nor the White House has reached any conclusions. And finally, at the very time that our GATT representatives were preparing to leave for Geneva to work on a program aimed at reducing trade barriers, he was pleading for the imposition of a quota system on Swiss watch exports.

As many of my colleagues are aware, I have long maintained that the 50 percent increase in tariffs on imported watch

movements, and other protectionist actions taken by the administration on behalf of the domestic watch manufacturers, were a serious mistake. It has been my belief that the so-called defense essentiality of the domestic watch manufacturers, which has been used to justify these trade barriers, is a myth—and it seems that the Defense Department shared this view at the time it filed a report with ODM recommending against Government assistance. This is the report, you will recall, which was prepared by the Defense Department in 1954, but was suppressed for many months in order to avoid embarrassment to the administration which had decided to yield to pressure—spearheaded by the Commerce Department—for a watch tariff increase.

Now it appears that the Commerce Department, or at least certain of its officials, is once again trying to take the lead in shaping policies at the Office of Defense Mobilization and the White House. Amazingly, these Commerce officials feel so confident that their protectionist views will prevail that they are informing the rest of the world in advance.

Mr. Speaker, I sincerely hope that these efforts by the Commerce Department to dictate the policies of the executive branch with regard to the watch industry will not succeed, and that ODM and the White House will, at long last, give this matter the objective study which it deserves. I am convinced that the President, who continually appeals to the Congress for enactment of liberal foreign-trade legislation, will recognize that actions speak louder than words, and that he cannot continue to allow the administrative departments and agencies to undermine the policies which he so ardently espouses. I believe the President will want to put an immediate end to this kind of mischievous behavior by Commerce Department officials and will line up the executive branch solidly behind his program of a gradual reduction in trade restrictions, including those in the watch industry.

For this reason, I have written the President a letter outlining the serious impropriety which I have described and emphasizing the fundamental problem that an unwarranted action of this kind raises for our Nation. I am, indeed, looking forward to the days ahead, to see whether the administration again bows to protectionist influences within the Commerce Department or whether the President will make his views prevail within his own official family.

Mr. Speaker, I submit here the text of the letter I have written to President Eisenhower to be included as part of this statement. I sincerely hope that my colleagues in the Congress will find the opportunity to give it their careful consideration.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., July 3, 1957.

Hon. DWIGHT D. EISENHOWER,
President of the United States,
The White House, Washington, D. C.

DEAR MR. PRESIDENT: I have just returned from GATT conferences at Geneva to which I was assigned by designation of Mr. SAM

RAYBURN, Speaker of the House, and at the suggestion of our State Department to serve as an adviser to the United States delegation.

I found there that the United States representatives were faced with many tasks requiring the greatest delicacy and skill in negotiation, and I came to believe that they were discharging their responsibilities efficiently and intelligently.

One of the greatest problems confronting them is that of continuing to persuade the countries with whom we trade to abstain from the abuse of quotas, import restrictions, and other negative devices. I believe that unless our negotiators can be continuously successful in this respect, the entire structure of GATT can be rapidly undermined and the consequences will be seriously injurious to the trading and export position of the United States.

Under these circumstances, I am sure that you are fully in agreement with my feeling that American negotiators at GATT must obtain the fullest cooperation of all departments of our Government; and furthermore that great care must be exercised so that no department of our Government will be guilty of acts—either deliberate or inadvertent—which can have the effect of undermining the authority of our GATT delegation, or of creating confusion and doubt regarding the basic trade policies of the United States among our many trading partners.

I therefore feel that it is my obligation and duty to report to you what I believe was a flagrant misuse of authority by an official of the Department of Commerce, who, I learned during my visit, had come to Switzerland immediately before the GATT conference and conferred with officials of the Swiss watch industry.

On the basis of the most reliable available reports of this official's meeting with Swiss industry members, I learned that he represented himself as speaking directly for the Government of the United States. He advised the Swiss industry officials that our Government would soon again reaffirm the defense essentiality of the domestic, United States watch industry.

The principal points made by this Department of Commerce official, as reliably reported to me, are the following:

1. The United States Government will decide that the domestic watch industry should receive the full support of the Government because watch companies in the United States are vital to national defense and are seriously threatened by some imported Swiss watches.

2. The Swiss should take advantage of the pending time and should offer their own solution for this problem in order to avoid further unpleasant measures against them.

3. The Swiss industry should adopt a self-imposed quota on its watch exports to the United States; if they do not act in this fashion, the probable alternative will be quotas imposed by the United States Government.

You can understand that reports of this meeting created a considerable sensation within Switzerland. Here was an official of the United States Commerce Department purporting to offer advance information concerning the final decision which will be reached by the Office of Defense Mobilization on the petition filed by the United States watch manufacturing industry under section 7 of the Trade Agreements Extension Act; predicting the actions which the President will take to implement the ODM finding, and recommending a quota system on the part of the Swiss. Timed as it was immediately prior to the GATT conference, such a statement naturally led to expression of considerable doubt regarding American trade policy, American actions within GATT and the responsibility and trustworthiness of our negotiations.

I take a very serious view of this incident and I trust that you will also regard this as a matter of extreme importance. I therefore feel that it is within my province to call to your attention certain considerations and fundamental questions with respect to the action of this Department of Commerce official.

First, is it true, as this official maintained, that the executive branch of our Government has already reached final decisions with respect to the ODM investigation on watch imports, although the investigation has not yet been completed?

Second, how is it possible for the Government to reach such a decision when the Defense Mobilizer has not yet rendered his findings nor has the President undertaken an independent investigation as required by the statute?

Third, is the action taken by the Department of Commerce official a result of personal impropriety? Or does it represent a calculated effort by certain people within the executive branch to shape the conclusions of the Office of Defense Mobilization and the White House?

Fourth, is it proper for an official of the Commerce Department to pose as a spokesman for the United States Government and to urge the imposition of quotas on Swiss watch exports to the United States?

Fifth, and finally, if the Department of Commerce representative has acted wholly without authority and contrary to your personal wishes, will the executive department take steps so that (a) there can be no existing confusion or misapprehension regarding the United States trade policy in respect to quotas, and (b) there can be no further repetitions of such unfortunate and mischievous incidents?

I shall look forward to receiving your reply at your early convenience.

Yours sincerely,

THADDEUS M. MACHROWICZ,
Member of Congress.

U. N. UNIFICATION OF IRELAND

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, we have been waiting for a progress report from the United States delegation to the United Nations concerning its efforts to promote the unification of Ireland.

Have our representatives to the U. N. accomplished anything in this direction?

Are they consulting with the members of the British delegation, and with other delegates, as to ways and means for ending the unnatural division of this island into the agricultural south and the industrial north?

Millions of Americans who proudly trace their ancestry to Ireland have been patiently waiting for news of progress toward unification.

In this they are joined by every person in the free world who believes in right, and justice.

But there is no news.

Why?

We realize that the United Nations has to contend with many problems involving the defiance of its moral authority; the betrayal of the armistice agreement by the Chinese Reds and the North Koreans; the intransigence of Egypt under Colonel Nasser, and the

brutal conquest of Hungary by Soviet tanks. These and others.

The Republic of Eire rejects the use of force to unite Eire with the six north-eastern counties of Ulster which, since the beginning of time, have been an integral part of Ireland. Where would the United States be today if it were divided into two nations by civil war; or had partition imposed on it by alien conquerors who, knowing that the people were winning their fight for independence, negotiated a peace treaty on the basis of temporary partition? How would we feel if the promise to adjust the problem of partition was delayed by Britain for over 36 years?

The Republic of Eire bases its claim for unification on reason and morality, because, in the court of world opinion, it is clearly in the right.

The Government of the United States knows this to be true.

But what is our Government doing, through its representatives in the United Nations to achieve the unification of Ireland?

There is so little news of our progress. The silence is disturbing.

The inertia is perplexing.

There is no valid reason whatever to obstruct the unification of Ireland. Only the illusion of intolerance, a myth to which the British Government clings, stands in the way of a united Ireland. For Ireland was one, in language, in culture, and in geographical fact, long before it was occupied but never conquered by British imperialism. It is a sad reflection on the freedom-loving British people of today, who are anxious to rid their Government of the last vestiges of imperialism, that they acquiesce in the continued partition of their neighbor whose hills they can observe across the Irish Sea.

From Protestant Douglas Hyde, the first President of the Irish Republic, to Jewish Robert Briscoe, former lord mayor of Dublin; the people of Eire are a fine example to the world of democracy in action, where a man is respected or honored on his own merits and nothing else.

Millions of Americans admire the Republic of Eire and its warm-hearted people, who, incidentally, look for no hand-outs.

These Americans are bothered by the artificial division of Ireland against the will of the Irish people.

They insist that the moral obligation of the United States to use its good offices for the unification of Ireland, be taken out of the inactive file.

They ask for a progress report and for definite assurances that our representatives in the General Assembly of the United Nations will press for positive action to unite all of Ireland under one independent government of its own choice.

SENATOR WAYNE MORSE: FIGHTER FOR TVA

Mrs. Green of Oregon. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, as a Representative from the State of Oregon, I am proud of the senior Senator from my State—of his integrity of purpose, of his zeal in fighting on behalf of all of the people, and of his lion-hearted courage abiding by his deep convictions that what benefits the people most will ultimately benefit America most.

It is therefore very gratifying to note that Senator Morse's deeds do not go unnoticed beyond the borders of his own State but that the people of the Nation are also aware of the fact that he is exercising dynamic leadership in the United States Senate in attempting to secure the reversal of the power policies of the present administration and the substitution for them of a policy of utilizing fully our great natural resources for the greatest good of all the American people.

I was pleased, therefore, to note a letter sent to the editor of the Decatur Daily, published by Barrett Shelton, in Decatur, Ala., in which the writer, Mr. Bill Stewart, Jr., of Hartselle, Ala., points out the qualities which make the senior Senator from Oregon—WAYNE MORSE—a great Senator.

I include Mr. Stewart's letter to be printed in full in the CONGRESSIONAL RECORD:

Who has replaced the late, beloved Senator George W. Norris of Nebraska as the principal nonsouthern fighter for the Tennessee Valley Authority? In this writer's opinion the western author of the TVA Act and other far-reaching public service measures has been replaced by Oregon's vigilant Senator WAYNE MORSE. Although not popular in the South because of his civil-rights beliefs, it must be admitted that without a doubt our section would be in an even worse state without his support in the fight to keep TVA out of the hands of private business.

I had the pleasure of sitting in on a Senate debate when the principles of TVA were being debated on May 23. During a brief interlude in the educational tour taken by Hartselle's seniors, I learned that the TVA debate was going on so I caught a taxi to the Capitol Building. Despite the lack of Senators present, the temperature could not have been much hotter as Senator MORSE and Senator FRANK A. BARRETT, of Wyoming, a Republican, discussed very heatedly the issue of public versus private power.

Senator MORSE, always a severe critic of the administration's power policies, scored a direct hit every time the bewildered Senator BARRETT tried to defend President Eisenhower's views on TVA and other public-power units. As a part of the debate, the Senator from Oregon presented an editorial from the Denver Post which was entitled "So This Is Why Private Power Is Preferable to Public Power." This editorial, stated Senator MORSE, revealed very plainly the many advantages given the private power companies through Government subsidies, "fast tax writeoffs," and long-term low-interest loans.

Senator BARRETT tried but in vain to prove that the favors given the enemies of TVA were not favors at all but merely a use of the tax-amortization law. In a quick-fire debate, Senator MORSE shot back with more examples of malpractice by the present administration.

With a brief but fact-filled statement, MORSE informed the beguiled BARRETT that "Slowly but surely, there is unfolding the eye-opening story of a \$23-billion concession" to the United States private power industry. He stated that private power companies like those attempting to take over the TVA system are saved millions in interest. But on the other hand he pointed out, "Then the taxpayers are soaked because the Treasury must borrow money which it otherwise would have in its possession; and then it has to pay interest on the money."

With neither Senator SPARKMAN nor HILL in the Senate Chamber at the time of the unpublicized but highly significant debate, Senator WAYNE MORSE clearly drew the line between the proponents and the opponents of TVA.

The wrangle also showed that on the whole, the Democrats are the backers of TVA and the Republicans are against it in the United States Senate. Because of the poor attendance at the time of the debate Senator MORSE had only Senator PAUL DOUGLAS to back him up in his attacks. DOUGLAS joined in the drive against Senators BARRETT, HENRY DWORSHAK of Idaho, and EVERETT M. DIRKSEN of Illinois who defended President Eisenhower's policies.

Has a successor to Senator Norris been found? We believe he has in the person of Senator WAYNE MORSE, Democrat, of Oregon.

BILL STEWART, Jr.

HARTSELLE.

FBI FILES BILL

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CRAMER. Mr. Speaker, on Friday, I addressed the House relative to the reckless remarks of Drew Pearson in Friday's newspaper column in which he discussed the FBI files bill voted out the preceding Tuesday by the Judiciary Committee of the House, of which I am a member. In commenting on the bill, Pearson made derogatory remarks about the committee as well as Members of the House. For instance, he implied that the only reason the bill was voted out was because of fear by Members of the FBI, due to certain records kept by that agency on all Members, and stated that thus the FBI always gets priority treatment by Congress. I refer my colleagues to my remarks starting on page 10922 of the RECORD which, I believe, illustrate how asinine Pearson's statements on this matter are.

Again, today, Pearson carries a column on the same FBI bill which has now cleared the Senate Judiciary Committee and is the same as H. R. 7915 as reported by the House. It is my opinion that his statements today are as reckless and unsubstantiated as were those of Friday. Apparently he is carrying on a campaign of smear against this bill in an effort to falsely arouse opposition to this much needed emergency legislation in the hope some of the Members of Congress will bite. Recognizing this and being a cointroducer of the bill, I feel it is my duty again to show how ill advised he is on this matter, how he fractures the

facts and relies on wholly uncorroborated statements to build his distorted case.

Pearson states in an effort to arouse southern Congressmen, of which I am proudly one, against the bill that it might limit the defendants' right to search FBI records in civil-rights cases which the FBI might investigate in the future if the civil-rights bill is passed.

His words were:

Defense lawyers now have the right under Supreme Court rulings to examine earlier statements made to the FBI in order to impeach the testimony of witnesses. The FBI bill would curtail that right.

This is just not true. The mere reading of H. R. 7951, which is corroborated in the report on the bill, disproves this. I set out the wording of the added section to title 18, United States Code, chapter 233, in order that all members can avail themselves of the text of this bill and for the purposes of clarifying this discussion:

§ 3500. Demands for production of statements and reports of witnesses.

(a) In any criminal prosecution brought by the United States, any rule of court or procedure to the contrary notwithstanding, no statement or report of any prospective witness or person other than a defendant which is in the possession of the United States shall be the subject of subpoena, discovery, or inspection, except as provided in paragraph (b) of this section.

(b) After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce for the inspection of the court in camera such reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified. Upon such production the court shall then determine what portions, if any, of said reports or statements relate to the subject matter as to which the witness has testified and shall direct delivery to the defendant, for use in cross-examination, such portions, if any, of said reports or statements as the court has determined relate to the subject matter as to which the witness has testified. The court shall excise from such reports and statements to be delivered to the defendant any portions thereof which the court has determined do not relate to the subject matter as to which the witness has testified. If, pursuant to such determination, any portion of such reports or statements is withheld from the defendant, and the trial is continued to an adjudication of the guilt of the defendant, the entire reports or statements shall be preserved by the United States and, in the event the defendant shall appeal, shall be made available to the appellate court at its request for the purpose of determining the correctness of the ruling of the trial judge.

(c) In the event that the United States elects not to comply with an order of the court under paragraph (b) hereof to deliver to the defendant any report or statement or such portion thereof as the court may direct, the court shall strike from the record the testimony of the witness and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared.

The committee report, in discussing the bill clearly shows that all the defendant's present rights are protected and quotes Justice Burton in the Jencks case who states what the defendant's

rights have historically been in criminal cases and I quote from page 4 of the report:

It should be emphasized that this legislation in no way seeks to restrict or limit the decision of the Supreme Court insofar as constitutional due process of a defendant's rights is concerned. While defendant will be entitled to pertinent portions of the reports and statements of Government witnesses which the Government has in its files, he will not be entitled to rummage through confidential information containing matters of public interest, safety, welfare, and national security. He will be entitled to so much of the reports and statements as is relevant to a witness' testimony for the purpose of attacking the witness' credibility. The instant legislation, in securing this entitlement to defendant, authorizes the trial court to inspect the reports and statements and determine what portions thereof relate to the subject matter as to which the witness has testified and to direct delivery of those portions to defendant for his use in the cross-examination of the witness.

There is nothing novel or unfair about such procedure, as Mr. Justice Burton notes in his concurring opinion in the Jencks case. According to Wigmore, and as quoted by Justice Burton, such a procedure is customary:

"It is obviously not for the witness to withhold the documents upon his mere assertion that they are not relevant or that they are privileged. The question of relevancy is never one for the witness to concern himself with; nor is the applicability of a privilege to be left to his decision. It is his duty to bring what the court requires; and the court can then to its own satisfaction determine by inspection whether the documents produced are irrelevant or privileged. This does not deprive the witness of any rights of privacy, since the court's determination is made by his own inspection, without submitting the documents to the opponent's view." (VIII Wigmore, Evidence (3d ed. 1940), 117-118.)

Such provisions as this legislation contemplates effect a twofold beneficial purpose. It protects the legitimate public interest in safeguarding confidential governmental documents and at the same time it respects the interests of justice by permitting defendants to receive all information necessary to their defense.

As a matter of fact, upon recommendation of the Attorney General, the committee broadened the rules of evidence to the advantage of the defendant by accepting that portion of the Jencks case that held that a foundation of inconsistency between the testimony of the witness and the statement need not be established by the defendant before such a statement would be made available to the defendant, and thus statements which relate to the testimony of the witness must be made available to the defense without requiring that the defense first establish some inconsistency. Thus, the rights of the defendant are broadened over what they used to be by the omission from the FBI bill of language to upset this new rule of evidence, set out in the Jencks case, and, as the report states, the bill merely attempts to prevent the defendant from inspecting hearsay, irrelevant, and unverified material in the files which under no previous rules of evidence were ever made available to the defendant, and in order to make sure that the Jencks case is not

in the future, as in the past, too broadly construed. This disproves Mr. Pearson's first assertion. Pearson further states that:

Legal experts—

Without indicating who the so-called experts are—

now find the FBI bill would override not merely the Supreme Court but years of judicial procedure worked out by the courts and the American Bar Association to protect an individual from an oppressive Government.

And then he lists examples to support this opinion. The examples which I shall examine will clearly show how unexpert his expert advisors are—and they arouse my suspicions that he is his own expert—and that he doesn't mind fracturing a few more facts to reach certain preconceived ends so far as opposition to this bill is concerned. In each example a group of people he would like to stir up or scare into opposition to the bill are included, and I quote these examples he cites and refute them one by one.

First:

The National Association of Manufacturers: The FBI bill would permit a field day to the Government in antitrust prosecutions. General Motors, Du Pont, and any other corporation could be prosecuted without giving them the right to see the files of a competing firm on which the prosecution is based.

This is utterly false. Many such proceedings are civil in nature and the bill only applies to criminal cases. But, the report itself clearly states, and a reading of the bill substantiates this, that it has no effect whatsoever on books, records and evidence even in criminal cases other than statements of the witness. This is clearly pointed out in the report in the discussion of Rule 17 of the Federal Rules of Criminal Procedure in which it is correctly stated:

Rule 17 of the Federal Rules of Criminal Procedure relates to subpoenas and subsection (c) provides among other things that "the court may direct that books, papers, documents, or objects designated in the subpoena be produced before the court at a time prior to the trial or prior to the time when they are to be offered in evidence and may upon their production permit the books, papers, documents, or objects or portions thereof to be inspected by the parties and their attorneys." The Jencks decision did not involve this rule or any subpoena issued thereunder. Rule 17 (c) relates to the production of documentary evidence and objects. The Jencks decision involves only prior statements made by witnesses which could only be used as evidence in the event the prior statement is in some way inconsistent with the testimony of the witness at the trial and in such case, as the court carefully pointed out, its only use would be for purposes of impeachment. H. R. 7915 does not in any way restrict the application of rule 17 (c) unless it be contended that it authorizes the issuance of the subpoena in advance of trial for the production of statements of Government witnesses prior to their being called as witnesses. Such an application extends far beyond the purpose and language of rule 17 (c) and any such application of the rule to the statements of witnesses ought to be eliminated.

Thus, Mr. Pearson is proven wrong on his first example, not that he has ever

been the champion of the NAM. The second example he uses I quote:

Of interest to taxpayers—in tax cases against you, the Government could seize your files and financial statements and you would have no access to them.

This is utterly and ridiculously false. In the first place, this has never been the rule of evidence, because the defendant is always entitled to any records which he provides for the investigating officers and, secondly, for the same reason as stated in the first example, the bill only applies to statements of the witness, not to records and other documents. And of course, any statements of the defendant are always available to him, so, this entire "scare the taxpayer" example is fallacious. And certainly no "legal expert" would support this second example as a legal principle. The third example he uses and I quote:

Of interest to lawyers—

And now Mr. Pearson becomes a lawyer's lawyer—

The FBI bill wipes out rule 16 of the Federal Rules of Criminal Judicial Procedure, namely the right of discovery.

This is the poorest lawyer's lawyer advice I have gratuitously received in some time and of course just is not so. The bill retains all the present discovery procedures as the report states and I quote:

Suggestion has been made that H. R. 7915 would eliminate pretrial discovery and inspection as it presently exists in criminal cases. There is no merit to such suggestion. Rule 16 of the Federal Rules of Criminal Procedure cover the subject of discovery and inspection and provide that prior to trial and upon motions of the defendant the court may order the attorney for the Government to permit the defendant to inspect and copy "designated books, papers, documents, or tangible objects, obtained from or belonging to the defendant or obtained from others by seizure or by process, upon a showing that the items sought may be material to the preparation of his defense and that the request is reasonable." Rule 16 does not apply to written or other statements made by Government witnesses. Rule 16 was not involved in the Jencks decision and is not affected by H. R. 7915.

Thus, all three examples are unquestionably made up out of whole cloth in an effort to scare certain segments of our citizenry in an effort to stymie this much needed legislation.

Then to obscure the situation further and to make it appear that innocent people will suffer from trumped-up charges by the FBI if files are not opened to the defendant he gives as an example one case of obvious injustice to a Tom Mooney which preceded the establishment of rule 16. To imply that the FBI or any Government agency will fabricate charges is in itself—and particularly on the record of the FBI—untenable. But the example cited took place before the enactment of rule 16 and would be protected by that rule now, in that the bill does not in any way affect the right of discovery. Thus, this example is the use of most brazen scare techniques.

I would recommend to Mr. Pearson that in the future he might read the bill and the report thereon before he starts a scare campaign against it—especially when it involves such a vitally needed

bill designed to prevent the breakdown of law enforcement and criminal procedures which would result in numerous criminal escapees from receiving their just punishment as a protection of the general welfare. Congress must act in the public interest when criminals are permitted to go scott free as the result of the Jencks case ruling, which has already been the proven effect in some cases as the report indicates.

As a southerner and as a cointroducer of the FBI bill I refuse to be scared by Mr. Pearson's smear tactics and I am sure the Members of Congress recognize them for what they are.

THE IMPACT OF IMPORTED FOREIGN OIL ON THE DOMESTIC OIL INDUSTRY

The SPEAKER. Under the previous order of the House the gentleman from Oklahoma [Mr. STEED] is recognized for 15 minutes.

Mr. STEED. Mr. Speaker, I have asked for this time today to again call attention of the Congress to a dangerous and appalling situation still confronting the Nation's domestic oil industry because of the continued growth of an undue quantity of imported foreign oil.

During the last several years I have served on a subcommittee which has studied the retailing of gasoline in America, and its many problems. Price wars continue to rage throughout the Nation and to anyone who will study the mass of testimony available, it ought to be apparent that the basic and fundamental reason for these price wars is the oversupply of gasoline that these foreign imports have imposed upon the country.

Tens of thousands of small independent gasoline retailers already have gone bankrupt, many of them direct victims of this import situation. Unless some relief is obtained, thousands more are condemned to the same misfortune in the months ahead.

In addition to this sideline of victims of big corporate greed, we know that the domestic oil industry represents a segment of our economy that is sick and that soon will include most of the small independent oil producers as further victims of this greed.

On this very day that I make this plea more than 1½ million barrels of foreign oil are being brought into the United States in competition with that domestic industry. These imports of oil no longer supplement domestic production as Congress intended when it passed the defense amendment to the Trade Agreements Extension Act in 1955. These 1½ million barrels of oil now supplant an equivalent amount of production from oilfields in Illinois, Arkansas, Louisiana, Texas, Oklahoma, and all other States where there is oil production.

There are many who would have you believe that this foreign oil is desperately needed—that the domestic industry is not capable of meeting our needs. However, that is not the case. The domestic oil-producing industry today has shut-in productive capacity of over 2 million barrels daily which could be produced if there was a market for the oil.

Crude oil production reached a peak of 7,717,000 barrels daily in March of this year. It has been reduced each month since then and, based on announced production allowables, will probably average no more than 6,900,000 barrels daily in July. While domestic production is being cut back month after month, imports continue to increase.

When Congress passed the defense amendment there were assurances that in regard to oil, any importation in excess of the ratio between imports and domestic crude production in 1954 would be considered a threat to the national security and actions taken to reduce imports to that level.

Yet, since the passage of the defense amendment, oil imports have continued at increasing rates to exceed that ratio—the maximum deemed safe for national security.

While the Nation's demand for crude oil has increased more than 7 percent since 1955, total well completions in the United States have dropped more than 10 percent. The number of rotary rigs active in fields across the Nation has dropped more than 11 percent and the primary phase of oil exploration, that of geophysical and core drilling crews, has dropped more than 15 percent since 1955.

These decreases come at a time when the domestic oil industry should be expanding its activities all across the country in its search for new reserves to provide the energy demands of our hungry economy.

The flood of foreign oil and its effect on every State of the Union is becoming more damaging every day.

Last week the Governor of Texas stated that when the Texas Railroad Commission cut oil-well production in that State to 13 days last month, it meant a loss of State revenue of nearly \$50 million. This is revenue that would go to build more schools and would eventually have found its way into the tax coffers of other States through the construction purchases of Texas.

In my own State of Oklahoma, which was the first State to enact conservation legislation in order to protect the Nation in assuring a future supply of oil, the drilling activity has continued to go down as imports of foreign crude oil continue to rise. The number of rotary rigs active, for example, during the first half of 1957 averaged only 230, compared with 317 for the same period last year, a decline of 27 percent. Almost 1,200 fewer wells have been drilled than during the same period last year.

These are the effects of excessive imports on only two States of the Nation, but these effects will ultimately be felt by every other State. If Oklahoma and Texas oil revenues drop, then other industries must bear the brunt of an increased tax load to make up for the loss in oil revenues or if this is not done, vital programs planned for the welfare of the State must be postponed or abandoned.

While oil imports have been increasing, what has been done by the administration which promised you and me in 1955 that crude oil imports would be held within their 1954 ratio?

There have been studies, investigations, conferences with importers and testimony taken from the domestic industry as to the effects of these imports.

Yet not until our western allies faced an economic crisis due to the closure of the Suez Canal and the loss of Middle East oil, did these imports decrease one barrel.

Even then the importing companies, in order to maintain their import base in the United States, increased crude oil imports from Venezuela while Europe was crying for oil to fuel its factories and heat its homes.

This did not bother the importing companies, however, for they had to make sure that American industry never found out it could get along without imported oil.

During the Suez crisis the man responsible for keeping a checkrein on these importers told a Congressional committee that he was disappointed in the importing companies' attitude in regard to these Venezuelan imports.

In all this time while oil imports continue to soar and create havoc in the domestic industry and violate all national security standards, the administration has issued plea after plea for voluntary controls by the importing companies.

It is ridiculous to expect major American companies who are responsible to stockholders and boards of directors to carry out the national security policy of the United States Government. If the Government itself cannot carry out that policy, how can it expect a handful of international companies to do so?

On April 23 of this year the Director of the Office of Defense Mobilization certified to the President that crude oil imports threaten the national security.

Under the law the President is required to initiate his own study to determine if the ODM certification is correct.

Before making the certification to the President, ODM obtained from the importing companies their import schedules for the last half of 1957. These schedules indicated that the companies planned to import an average 1,260,000 barrels daily of crude oil alone—not considering products—during this period compared with an average of 656,000 barrels daily during the base year of 1954 considered to be the defense standard.

Despite this large scheduled increase in crude oil imports over the base year, the President waited 2 long months before appointing a committee to carry out this study. During this period crude oil imports increased from 906,000 barrels daily in April, to 1,025,000 in May and to 1,150,000 in June.

During this period the Director of ODM again appealed to the companies involved to voluntarily reduce their schedules for the last half of this year. He used a new tactic—personal conferences with each company—but the result was the same. Schedules filed just last week with the Texas Railroad Commission indicate that the importing companies still plan to bring in an unprecedented million and a quarter barrels daily of crude oil during the third quarter of this year.

In his statement announcing the formation of the new Committee the President urged the Committee to look at national security in "its broadest aspects."

This indicates a complete new study Cabinet Committee appointed last week. If this is true, does it mean we will have 3 more years of delaying action by the administration with Mr. Gray pleading on the one hand with the importing companies to voluntarily reduce their imports and the importing companies blithely expanding their foreign production and importation into the United States on the other hand?

If this happens, the domestic oil industry, as we know it today, will no longer exist. The thousands of independent domestic producers, who incidentally drill almost 90 percent of all the wildcat wells drilled in the United States, will have to abandon their operations for lack of adequate funds from a proper share of the domestic market.

Thus, what is needed now from this Cabinet Committee appointed last week by the President is not more study of the oil imports problem but definite action to curtail imports within the 1954 ratio, a ratio which the administration itself has said is necessary to maintain a strong and dynamic oil industry to meet the energy needs of the United States in peace or in times of national emergency.

THE LATE MRS. GRACE COOLIDGE

THE SPEAKER. Under the previous order of the House the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, yesterday I was deeply shocked and grieved by the passing of Grace Coolidge in her house at Northampton, the lovely and gracious widow of Calvin Coolidge, the 30th President of the United States. We in the Commonwealth of Massachusetts are inordinately proud. She will, I am sure, rank in history as one of the most wonderful wives who ever graced the White House: Lovely of character, gracious, gentle, handsome, a tower of strength, a great mother, a great wife, a great woman, a great lady. She had a tremendously big heart and in her work for the deaf which she was doing when she met Calvin Coolidge, a young struggling lawyer of Northampton, she was performing a wonderful service. She was greatly beloved by the students of the college for the deaf where she worked. Her associates said there had never been anyone like her and they doubted if there would be another like her because of the way she worked with the students.

I saw her in hospitals for our service men and women and I saw wan faces light up when she stopped and spoke. They knew her genuine interest and real sympathy—there never was any pretense about her.

I asked her once if she did not find it hard and depressing. She said, "Oh, no, the children are so wonderful and I feel I am helping them. They deserve everything that anyone can give them. They are entitled to a fuller and a happier life."

The last time I saw Grace Coolidge was in the lobby at the Ritz Carlton Hotel in Boston. She put her arms around my neck. She had just come from a baseball game. She was a tremendous fan and devoted to the great national sport of our country, as are thousands and thousands of others in the United States. She did much for baseball, she did much for everything she went into.

Grace Coolidge was a great worker in her church. She worked in every line of endeavor in the church. She was a very economical housewife and I wish, Mr. Speaker, that this country had men and women more like Calvin Coolidge and his wife, people who believe in paying their bills and who believe in living within their budget and who believe in a great and solid economy for our country. They had the simple, unpretentiousness of splendid character.

We cannot adequately measure what the Coolidge family did for the United States and for the world. Every diplomat who visited the White House spoke of Grace Coolidge's charm and friendliness. She was a most valuable ambassador of good will.

Calvin Coolidge was devoted to his wife, and he wrote the following about her:

I have seen so much fiction written on this subject that I may be pardoned for relating the plain facts. We thought we were made for each other. For almost a quarter of a century she has borne with my infirmities and I have rejoiced in her graces.

He was a tremendous admirer of her beautiful traits of mind and heart. She was a devoted wife to him and a gay and understanding mother of their two sons. She had a lovely spirit, a zest for life and happiness. She was somewhat restrained when in the White House because she felt that Mr. Coolidge and the country might not approve. But those fortunate to attend their State dinners will never forget her gracious charm or his kindly courtesy.

Grace Coolidge kept the faith in every way. My deepest sympathy goes to her fine son and grandchildren and to all who knew and truly loved her.

I enclose an editorial and a brief biographical sketch from the New York Times of July 9:

MRS. COOLIDGE DIES; WIDOW OF PRESIDENT

NORTHAMPTON, MASS., July 8.—Mrs. Grace Goodhue Coolidge, widow of Calvin Coolidge, former President of the United States, died today at her home. Her age was 78.

Mrs. Coolidge had been in failing health in recent years. She was suffering from a heart ailment, complicated by a kidney disorder. Several times she had left her home, Road Forks on the outskirts of town to enter the Cooley Dickinson Hospital for treatment. Her last stay was from February 25 to March 7.

Her son, John Coolidge, of Farmington, Conn., was at his mother's bedside when death came at 12:50 a. m.

Mrs. Coolidge's death reduces to three the number of living former First Ladies: Mrs. Woodrow Wilson, Mrs. Franklin D. Roosevelt, and Mrs. Harry S. Truman.

In Washington, President and Mrs. Eisenhower expressed their regret over Mrs. Coolidge's death.

"Mrs. Eisenhower and I join with her many friends and admirers in expressing

our deep regrets and our sympathies to her family," the President said.

He named Senator LEVERETT SALTONSTALL, Republican, of Massachusetts, to represent him at the funeral.

Mrs. Coolidge will be buried Friday in Plymouth, Vt., beside her husband and their other son, Calvin, Jr., who died during his father's administration.

A POPULAR FAVORITE

Few chateaux of the White House ever achieved popularity as universal as that accorded to Mrs. Coolidge. Her friends and admirers were legion, her enemies and critics, it seemed, nonexistent. Her utter simplicity, her femininity and dignity, and her radiant warmth of manner endeared her to the multitude and to individuals alike, and were balanced repeatedly in the public prints against her husband's habitual stiffness and terse conversation.

Americans generally found themselves approving and a little touched at the sincere tone of Mrs. Coolidge's reiteration of her reverence for the White House and for the role she filled temporarily as its mistress. Her pride in its past and her interest in her predecessors was a form of patriotic expression that lent her an unwonted solemnity in the performance of her official duties.

It was illustrative of her versatility that she could and did negotiate the elaborate receptions for such celebrities as Queen Marie of Rumania (first reigning sovereign ever to be received officially in the United States); the Prince of Wales (now the Duke of Windsor), and Charles A. Lindbergh, with cordiality and correctness, but that she initiated at the club meetings of Senators' wives an informality of routine that greatly popularized the sessions.

A daughter of a Vermont deacon, she was born on January 3, 1879, at Burlington, where she grew to young womanhood and was educated in the public schools. Her father, Capt. Andrew I. Goodhue, a steamboat inspector on Lake Champlain, holding office through appointment by Grover Cleveland, had a comfortable income, so that it was by choice and not by necessity that she sought a career after being graduated with the class of 1902 from the University of Vermont.

In college she was popular without being outstanding. She was active in dramatics and participated in several Shakespearean productions.

TAUGHT IN SCHOOL FOR DEAF

Until she left home to become a teacher in the Clarke School for the Deaf at Northampton, where she was to meet a rising young attorney named Calvin Coolidge, she had assisted her mother with the housework, since there was no maid in the Goodhue household. Her culinary achievements were only mediocre, as she admitted with amusement when asked to contribute to volumes of recipes by famous people.

On October 4, 1905, after 3 years on the faculty of the institution in which she retained an interest throughout her lifetime, she was married to Mr. Coolidge and began housekeeping in a home at Northampton. Throughout her husband's rise from mayor of the city to State senator and then to lieutenant governor, they maintained a home in one-half of a two-family frame house in that community.

When he was elected governor of Massachusetts and they went to Boston to occupy the executive mansion, their scale of living was expanded for the first time to include such luxuries as a family automobile.

Two sons were born—John, who like his father graduated from Amherst College, and Calvin, Jr.

Mr. Coolidge was inaugurated as Vice President of the United States in 1921, at which time they first took up residence in the National Capital. In an account of her experi-

ences in Washington, written after her husband's retirement, Mrs. Coolidge named Mrs. Thomas Marshall as mentor and friend who inducted her into the ceremonial rites of social affairs at the Capital, preparing her for the position of White House mistress to which she succeeded after the death of President Warren G. Harding.

Extensive renovation of the upper floor of the Executive Mansion during their occupancy forced the Coolidges to move for a time to the Patterson House in Dupont Circle, Mrs. Coolidge, true to her domestic instincts, was greatly interested in the plans for enlarging the third floor, and, with the housekeeper, offered many suggestions that were incorporated into the plans.

Her only hobby during these years was knitting, at which she was so proficient that some of her handwork was entered in national competitions and in at least one drew an honorable mention. She pursued quietly a special service to the hospitalized veterans of World War I in Walter Reed Hospital at Washington. Her visits there were frequent.

One of her recreations was walking—perhaps her favorite. Almost any morning she could be seen emerging from the White House grounds, a Secret Service agent accompanying her, for a brisk turn through the adjacent streets.

When Mr. Coolidge issued his famous pronouncement, "I do not choose to run," and Herbert Hoover followed him into office, the Coolidges returned to their home in Northampton and to private life. Not long afterward they purchased a wooded estate, the Beeches, where they lived while Mr. Coolidge resumed his law practice in Northampton. There, on January 5, 1933, she found her husband dead on the floor when she returned from a shopping tour.

An old friend, Mrs. Florence B. Adams, came to live with her at the Beeches. In the summer of 1936 the two women made an extensive tour of Europe, and during their absence most of the furnishings were disposed of and an auction held of the remaining articles. The estate was then put up for sale and Mrs. Coolidge went to share her friend's establishment in Northampton.

In 1940 she accepted the honorary chairmanship of the Northampton committee formed to collect money for the Queen Wilhelmina fund for the Dutch victims of the German invasion.

NOTED AS INTERVENTIONIST

Mrs. Coolidge, before the entry of the United States into World War II, showed that she was an interventionist. She became, in 1941, honorary chairman of the Hampshire County Fight for Freedom Committee. At a meeting of that body in Northampton she revealed that she had received "some protests for taking this position." One letter, she said, had likened her to an "old-age destroyer." She became, in the same year, a member of the new national women's organization of the National Fight for Freedom Committee.

Throughout her White House days and later Mrs. Coolidge showed great interest in early American furniture. In the White House she discovered several pieces of historic value, among them a chair that had been owned by Andrew Jackson, and had them renovated and displayed in the White House.

In the years after the death of her husband, many rumors arose concerning the former First Lady: It was said she might marry, that she might accept one of many positions offered to her. None of the predictions came true, and Mrs. Coolidge remained as retiring as she had been in the White House.

In January 1943, she declined the position of head of the Massachusetts Women's Defense Corps, but she took a keen interest in the Waves who trained at Smith College in Northampton and lent her house to them

rent-free for 2 years and moved into a neighbor's home. It was in that summer that the late Senator Carter Glass, of Virginia, introduced a resolution granting her an annual pension of \$5,000. The measure passed readily.

One of the most surprising things about the mild-mannered Grace Coolidge was her interest in baseball; she was a fan during her White House days, even though President Coolidge was uninterested in the sport. For years afterward she was known as the No. 1 fan of the former Boston Braves.

Mrs. Coolidge's son, John Coolidge, is president of the Connecticut Manifold Forms Company of Hartford, and resides with his wife and 2 daughters, aged 18 and 13, in Farmington, a suburb.

THE MURPHY GENERAL HOSPITAL (MASSACHUSETTS)

Mrs. ROGERS of Massachusetts. Mr. Speaker, I was in New England over the weekend and I found a great and tremendous resentment, bitterness and unhappiness because of the possibility of the Murphy General Hospital up there being closed. They resent the fact that patients are being sent far out of State at present in order for Murphy to make a poor patient load. The Senate left out last Friday a certain provision that might have been helpful in keeping the hospital running, but the money is still in the bill. I understand that petitions with thousands and thousands of names are being sent to the Senators and to the Members of the House to keep that hospital open. We need it desperately and I am absolutely certain that if this hospital is closed we will all regret it. The Chelsea Naval Hospital would have a very great additional expense if they had to open a new building and staff it as contemplated if Murphy closes. No economy would be made there. The Fort Devens Hospital would have to have an additional staff. Many of its buildings are unsuitable.

Mr. Speaker, I urge Members of the House to help us in Massachusetts and in New England to keep that hospital open. I believe that if the conferees of the House and Senate Defense Appropriations Committee unite that it is the sense of the conferees that the Murphy General should be kept open. Then the hospital would continue to operate. It would be a tremendous tragedy to close it.

I do not understand why we are pretending to economize at the expense of our sick service men and women and our disabled veterans. The House has passed some legislation, but the other body has not passed any legislation that amounts to anything, affecting our disabled veterans during the past 2 years. Nothing has been done in the other body. We passed some beneficial legislation in the House but it failed in the Senate.

Mr. Speaker, we are giving billions and billions of dollars abroad; we are giving billions and billions of dollars for other activities in this country. Why Mr. Speaker, are our soldiers and veterans neglected? We must take care of four ex-service men and women. They should be our just responsibility. Without them we would have no freedom in America today.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ALLEN of California for July 9 and 10 on account of personal business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. ROGERS of Massachusetts, twice, for 5 minutes each, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. SULLIVAN to include extraneous matter in her remarks on H. R. 6814.

Mr. JARMAN and to include extraneous matter.

Mr. ALGER.

Mr. BYRD.

Mr. HANDY.

Mr. ANFUSO (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. WATTS.

Mr. SAYLOR and to include extraneous matter.

Mr. VANIK and include an article on civil-rights laws, notwithstanding it exceeds the limit and is estimated by the Public Printer to cost \$192.50.

Mr. CANFIELD (at the request of Mr. TEAGUE of California).

Mr. WILLIAMS of Mississippi (at the request of Mr. McCORMACK) and to include related matter.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 294. An act for the relief of Mrs. Marion Huggins; to the Committee on the Judiciary.

S. 556. An act to provide for the conveyance of certain real property of the United States situated in Clark County, Nev., to the State of Nevada for the use of the Nevada State Board of Fish and Game Commissioners; to the Committee on Interior and Insular Affairs.

S. 562. An act for the relief of Hideko Takiguchi Pulaski; to the Committee on the Judiciary.

S. 591. An act for the relief of Seol Bong Ryu; to the Committee on the Judiciary.

S. 1071. An act for the relief of David Mark Sterling; to the Committee on the Judiciary.

S. 1268. An act for the relief of Don Q. Gee; to the Committee on the Judiciary.

S. 1276. An act for the relief of Emilio Valle Duarte, to the Committee on the Judiciary.

S. 1321. An act for the relief of Junko Matsuoaka Ekrieh; to the Committee on the Judiciary.

S. 1335. An act for the relief of Sandra Ann Scott; to the Committee on the Judiciary.

S. 1353. An act for the relief of Ayako Yoshida; to the Committee on the Judiciary.

S. 1452. An act for the relief of Francesca Maria Arria; to the Committee on the Judiciary.

S. 1472. An act for the relief of Triantafilla Antul; to the Committee on the Judiciary.

S. 1478. An act for the relief of Klara Fritzsche; to the Committee on the Judiciary.

S. 1496. An act for the relief of Nicoleta P. Pantelakis; to the Committee on the Judiciary.

S. 1502. An act for the relief of Erika Otto; to the Committee on the Judiciary.

S. 1509. An act for the relief of Fumiko Bigelow; to the Committee on the Judiciary.

S. 1570. An act for the relief of Julia Fodor; to the Committee on the Judiciary.

S. 1641. An act for the relief of Yong Ja Lee (Mina Kuhrt); to the Committee on the Judiciary.

S. 1645. An act to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road widening purposes; to the Committee on Merchant Marine and Fisheries.

S. 1773. An act to validate a certain conveyance heretofore made by Central Pacific Railway Co., a corporation and its lessee, Southern Pacific Co., a corporation, to the State of Nevada, involving certain portions of right-of-way in the city of Reno, county of Washoe, State of Nevada, acquired by the Central Pacific Railway Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356); to the Committee on Interior and Insular Affairs.

S. 1783. An act for the relief of Randolph Stephan Walker; to the Committee on the Judiciary.

S. 2069. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain; to the Committee on Interior and Insular Affairs.

S. 2080. An act relating to the computation of annual income for the purpose of payment of pension for non-service-connected disability or death in certain cases; to the Committee on Veterans' Affairs.

S. 2413. An act to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district; to the Committee on the Judiciary.

S. 2449. An act to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958; to the Committee on Armed Services.

S. J. Res. 103. Joint resolution to provide for the permanent preservation and proper display of the "Flag of Liberation"; to the Committee on House Administration.

ENROLLED BILLS AND A JOINT RESOLUTION SIGNED

Mr. BURLERSON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1359. An act for the relief of Mrs. Theodore (Nicole Xantho) Rousseau;

H. R. 1754. An act for the relief of Eleanor French Caldwell;

H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson; and

H. J. Res. 316. Joint resolution for the relief of certain aliens.

BILLS AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLERSON, from the Committee on House Administration, reported that that committee did on this day present

to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 1754. An act for the relief of Eleanor French Caldwell;

H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson; and

H. J. Res. 316. Joint resolution for the relief of certain aliens.

ADJOURNMENT

Mr. LOSER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 35 minutes p. m.) the House adjourned until tomorrow, Wednesday, July 10, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1025. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend the Alaska Public Works Act (63 Stat. 627, 48 U. S. C., sec. 486, et seq.) to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works"; to the Committee on Interior and Insular Affairs.

1026. A letter from the Chairman, Public Utilities Commission of the District of Columbia, transmitting a report of its official proceedings for the year ended December 31, 1956, pursuant to paragraph 20 of section 8 of an act approved March 4, 1913, also balance sheets and other financial and statistical data, pursuant to paragraph 14 of section 8 of the above-mentioned act; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOLEY: Committee on Agriculture. H. R. 8308. A bill to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes; with amendment (Rept. No. 706). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 6562. A bill relating to the north half of section 33, township 28 south, range 56 east, Copper River meridian, Alaska; with amendment (Rept. No. 773). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 8054. A bill to provide for the leasing of oil and gas deposits in lands beneath inland navigable waters in the Territory of Alaska; with amendment (Rept. No. 774). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOPER: Committee on Ways and Means. H. R. 8381. A bill to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes; without amendment (Rept. No. 775). Referred to the Committee of the Whole House on the State of the Union.

Mr. GORDON: Committee on Foreign Affairs. S. 2130. An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes; with amendment (Rept. No. 776). Referred to the

Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 1244. A bill to provide for the development by the Secretary of the Interior of Independence National Historical Park, and for other purposes; with amendment (Rept. No. 777). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 6709. A bill to implement a treaty and agreement with the Republic of Panama, and for other purposes; with amendment (Rept. No. 778). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. S. 18. An act for the relief of Alessandro Renda; without amendment (Rept. No. 707). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 80. An act for the relief of Maria Adelaide Alessandroni; without amendment (Rept. No. 708). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 164. An act for the relief of John G. Michael; without amendment (Rept. No. 709). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 239. An act for the relief of Maria Parisi; without amendment (Rept. No. 710). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 249. An act for the relief of Theodora Hegeman; without amendment (Rept. No. 711). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 250. An act for the relief of Kyu Yawp Lee and his wife, Hyung Sook Lee; without amendment (Rept. No. 712). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 251. An act for the relief of Edith Elisabeth Wagner; without amendment (Rept. No. 713). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 255. An act for the relief of Fumiko Shikanuki; without amendment (Rept. No. 714). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 255. An act for the relief of Aristeia Vitogianes; without amendment (Rept. No. 715). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 284. An act for the relief of Miyako Ueda Osgood; without amendment (Rept. No. 716). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 303. An act for the relief of Gaetano Mattioli Cicchini; without amendment (Rept. No. 717). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 307. An act for the relief of Noemi Maria Vida Williams and Maria Loretta Vida; without amendment (Rept. No. 718). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 308. An act for the relief of Maria Caccamo; without amendment (Rept. No. 719). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 368. An act for the relief of Jose Medina-Chavez (Joe Medina); without amendment (Rept. No. 720). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 525. An act for the relief of Rhoda Elizabeth Graubart; with amendment (Rept. No. 721). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 526. An act for the relief of Tikva Polsky; without amendment (Rept. No. 722). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 530. An act for the relief of Shun Wen Lung (also known as Van Long and Van S. Lung); without amendment (Rept. No. 723). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 560. An act for the relief of Alec Ernest Sales; without amendment (Rept. No. 724). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 583. An act for the relief of Stanislay Maglica; without amendment (Rept. No. 725). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 592. An act for the relief of Anton Revak; without amendment (Rept. No. 726). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 622. An act for the relief of Georgina Mercedes Llera; without amendment (Rept. No. 727). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 629. An act for the relief of John Eicherl; without amendment (Rept. No. 728). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 650. An act for the relief of Isabella Abrahams; with amendment (Rept. No. 729). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 653. An act for the relief of Mrs. Elsie Hermine van Dam Hurst; without amendment (Rept. No. 730). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 701. An act for the relief of Karl Eigil Engedal Hansen and his wife, Else Viola Agnethe Hansen, and their minor child, Jessie Engedal Hansen; with amendment (Rept. No. 731). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 767. An act for the relief of Christo Pan Lycouras Mauroyenis (Maurogenis); without amendment (Rept. No. 732). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 785. An act for the relief of Helga Binder; without amendment (Rept. No. 733). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 788. An act for the relief of Thelma Margaret Hwang; without amendment (Rept. No. 734). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 804. An act for the relief of Georgios D. Christopoulos; without amendment (Rept. No. 735). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 827. An act for the relief of Guillermo B. Rigonan; with amendment (Rept. No. 736). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 833. An act for the relief of Vida Letitia Baker; with amendment (Rept. No. 737). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 874. An act for the relief of Cornelis Vander Hoek; with amendment (Rept.

No. 738). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 904. An act for the relief of Christoula Antonios Chegaras; without amendment (Rept. No. 739). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 908. An act for the relief of Kuo York Chynn; without amendment (Rept. No. 740). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 973. An act for the relief of Yun Wha Yoon Holzman; without amendment (Rept. No. 741). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 987. An act for the relief of Leonardo Finelli; without amendment (Rept. No. 742). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 988. An act for the relief of Satou Yamakage Langley; with amendments (Rept. No. 743). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1083. An act for the relief of Maria Maniates; without amendment (Rept. No. 744). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1112. An act for the relief of Matsue Harada; with amendment (Rept. No. 745). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1171. An act for the relief of Harry Siegbert Schmidt; with amendments (Rept. No. 746). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1192. An act for the relief of Irma B. Poellmann; without amendment (Rept. No. 747). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1251. An act for the relief of Florinda Mellone Garcia; with amendments (Rept. No. 748). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1360. An act for the relief of Mrs. Geraldine Elaine Sim; without amendment (Rept. No. 749). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1376. An act for the relief of Chong You How (also known as Edward Charles Yee), his wife, Eng Lai Fong, and his child, Chong Yim Keung; without amendment (Rept. No. 750). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1566. An act for the relief of Arthur Sew Sang, Kee Yin Sew Wong, Sew Ing Lin, Sew Ing Quay, and Sew Ing You; without amendment (Rept. No. 751). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1581. An act for the relief of Sheu Shei Lan and Chow Shong Yep; without amendment (Rept. No. 752). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1833. An act for the relief of Janos Schreiner; without amendment (Rept. No. 753). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 387. Joint resolution for the relief of certain spouses and minor children of citizens of the United States; with amendment (Rept. No. 754). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. House Joint Resolution 393. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain persons; with

amendment (Rept. No. 755). Referred to the Committee of the Whole House.

Mr. HILLINGS: Committee on the Judiciary. House Joint Resolution 374. Joint resolution for the relief of certain aliens; with amendment (Rept. No. 756). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H. R. 1741. A bill for the relief of Ikuko Morooka Mahoney; without amendment (Rept. No. 757). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 1797. A bill for the relief of Maria Sausa; with amendment (Rept. No. 758). Referred to the Committee of the Whole House.

Mr. HILLINGS: Committee on the Judiciary. H. R. 1868. A bill for the relief of Daniel Adamson; with amendment (Rept. No. 759). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. S. 615. An act for the relief of Josephine Ray; without amendment (Rept. No. 760). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H. R. 1595. A bill for the relief of Vanja Stipic; with amendment (Rept. No. 761). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 1663. A bill for the relief of Dean E. Fosmoe; with amendment (Rept. No. 762). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 3583. A bill for the relief of Chandler R. Scott; with amendment (Rept. No. 763). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 4544. A bill for the relief of Louis S. Levenson; without amendment (Rept. No. 764). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6527. A bill for the relief of Horace Collier; without amendment (Rept. No. 765). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 8280. A bill for the relief of Mrs. Alberta S. Rozanski; without amendment (Rept. No. 766). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 8281. A bill for the relief of Paul Nelson; without amendment (Rept. No. 767). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 8282. A bill for the relief of James E. Driscoll; without amendment (Rept. No. 768). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 1652. A bill for the relief of Rajka Markovic and Krunoslav Markovic; without amendment (Rept. No. 769). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. H. R. 5721. A bill for the relief of Marian Diane Delphine Sachs; without amendment (Rept. No. 770). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 392. Joint resolution for the relief of certain aliens; with amendments (Rept. No. 771). Referred to the Committee of the Whole House.

Mr. HILLINGS: Committee on the Judiciary. H. R. 1851. A bill for the relief of Dezzrin Boswell Johnson; with amendments (Rept. No. 772). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H. R. 3920. A bill for the relief of Joseph E. Miller; without amendment (Rept. No. 779). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURNS of Hawaii:

H. R. 8595. A bill to provide a reduced rate for air parcel-post service between the United States and its Territories and possessions, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CRAMER:

H. R. 8596. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence so as to safeguard individual rights without hampering effective and intelligent law enforcement; to the Committee on the Judiciary.

By Mr. DORN of South Carolina:

H. R. 8597. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

By Mr. JONES of Alabama:

H. R. 8598. A bill to amend title II of the Social Security Act so as to permit the State of Alabama to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. KEAN:

H. R. 8599. A bill to amend title II of the Social Security Act so as to provide that the exception from "wages" made by section 209 (1) of such act is not applicable to payments to employees of a State or a political subdivision thereof for employment covered under voluntary agreements pursuant to section 218 of such act; to the Committee on Ways and Means.

By Mr. KEATING:

H. R. 8600. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence so as to safeguard individual rights without hampering effective and intelligent law enforcement; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 8601. A bill to amend title II of the Social Security Act to permit employees of certain nonprofit organizations who are members of public retirement systems to be included under State agreements as State or local employees for purposes of social-security coverage; to the Committee on Ways and Means.

By Mr. LAIRD:

H. R. 8602. A bill to amend the provisions of the Social Security Act to consolidate the reporting of wages by employers for income-tax withholding and old-age, survivors, and disability-insurance purposes, and for other purposes; to the Committee on Ways and Means.

H. R. 8603. A bill to amend chapter 223 of title 18 relating to demands for production of statements and reports of witnesses; to the Committee on the Judiciary.

By Mr. McGOVERN:

H. R. 8604. A bill to create a Supply and Service Administration as a department in the Department of Defense, to provide that at least 25 percent of the procurement contracts by the Administration shall be let to small business, to protect the Government's interest in certain patent rights, and for other purposes; to the Committee on Armed Services.

By Mr. MASON:

H. R. 8605. A bill to amend the Internal Revenue Code of 1954 to repeal the taxes imposed on the transportation of persons and property; to the Committee on Ways and Means.

By Mr. MICHEL:

H. R. 8606. A bill to amend the Civil Service Retirement Act with respect to annuities of survivors of employees who are elected as Members of Congress; to the Committee on Post Office and Civil Service.

By Mr. SPRINGER:

H. R. 8607. A bill to authorize the transfer of certain housing projects to the city of Decatur, Ill., or to the Decatur Housing Authority; to the Committee on Banking and Currency.

By Mr. UDALL:

H. R. 8608. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on House Administration.

By Mr. BARING:

H. R. 8609. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States relating to the payment of pensions to veterans who are domiciled in a State veterans' home; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. McCORMACK:

H. R. 8594. A bill to authorize Hon. ALBERT P. MORANO, Member of Congress, to accept and wear the award of the Cross of Commander of the Royal Order of the Phoenix conferred upon him by His Majesty the King of the Hellenes; considered and passed.

By Mr. BENTLEY:

H. R. 8610. A bill for the relief of Pasquale Furlio; to the Committee on the Judiciary.

By Mrs. BOLTON:

H. R. 8611. A bill for the relief of Li-Chen Hsu; to the Committee on the Judiciary.

By Mr. DENNISON:

H. R. 8612. A bill for the relief of Janos (John) Kapka, wife, Edith, and children, Edith Rosemary, Georgette, Janos, Jr., Alice, Steven, and Mary Valery and mother-in-law, Antonia Majer; to the Committee on the Judiciary.

By Mr. DORN of South Carolina:

H. R. 8613. A bill for the relief of Mrs. Hedwig Thomason; to the Committee on the Judiciary.

By Mr. FASCELL:

H. R. 8614. A bill for the relief of George W. Davis, Mary Alma Knowles, and A. A. Whitcar & Sons; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H. R. 8615. A bill for the relief of Carlos Ochoa-Sanchez (also known as Carlos Lopez Sanchez); to the Committee on the Judiciary.

By Mr. LESINSKI:

H. R. 8616. A bill for the relief of Angja Nikolovska Stoyanova; to the Committee on the Judiciary.

By Mr. NATCHER:

H. R. 8617. A bill for the relief of Nobuyuki Tamai; to the Committee on the Judiciary.

By Mr. POAGE:

H. R. 8618. A bill for the relief of Henry M. Lednicki; to the Committee on the Judiciary.

By Mr. SMITH of Wisconsin:

H. R. 8619. A bill for the relief of Mrs. Clare M. Ash; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H. R. 8620. A bill for the relief of Kinft House; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

303. By Mr. HALLECK: Petition of citizens of Lafayette, Ind., favoring legislation to

prohibit the transportation of alcoholic beverage advertising in interstate commerce and its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

304. By the SPEAKER: Petition of president, Oil Heat Institute of Long Island, Inc., Long Island, N. Y., petitioning consideration of their resolution with reference to favoring

decontrol of natural gas at the wellhead to permit a full and free competition among the various home-heating fuels, thus protecting the rights of the consumer, without unduly favoring any one fuel over the others; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Idaho Power Co. Fast Tax Writeoff—
Chronology of Actions Taken

EXTENSION OF REMARKS

OF

HON. ESTES KEFAUVER

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Tuesday, July 9, 1957

Mr. KEFAUVER. Mr. President, at the time the bill to authorize a high dam at Hells Canyon was under consideration, I suggested that it would be in the public interest, and certainly would be useful in the consideration of the matter, if the President directed the departments and the various agencies of the Government which had to do with the rapid tax writeoff benefit to the Idaho Power Co. to prepare a chronology of the events in connection with that action, along the same line as the chronology prepared in connection with the Dixon-Yates matter.

When he was asked about the suggestion at a press conference, the President stated that no request had been made directly to him for such a chronology.

On July 3, 1957, I wrote a letter to the President, suggesting that such a chronology would be helpful. I ask unanimous consent that the letter be printed in the CONGRESSIONAL RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MY DEAR MR. PRESIDENT: I note from a transcript of your press conference of today that in answer to a question from Mr. Robert Spivack, of the New York Post, as to whether you would ask all departments and agencies to get up a chronology of actions taken in regard to the Idaho Power Co. fast tax writeoff, you had this to say:

"I don't know. Senator KEFAUVER hasn't asked me. If he has said any such thing, he has said it for public consumption, and not to get any action, because he has not made any such request of me."

I made the statement on the floor of the United States Senate and it appears on page 9947 of the CONGRESSIONAL RECORD of June 21, 1957.

Frankly, Mr. President, I had thought that an official statement on the floor of the Senate, carried in the CONGRESSIONAL RECORD, was an official suggestion, and required no further direct communication with you. The only other time that I have had direct communication with you about such a topic was following your press conference on June 29, 1955, when in answer to a question about the role of Adolph Wenzell in the Dixon-Yates deal you said he was never called in or asked a single thing about the Dixon-Yates contract and that as quickly as the Dixon-Yates matter came up Mr. Wenzell resigned. I did feel constrained at that time to write you and inform you personally of the role

played by Mr. Wenzell throughout the negotiations, a position similar to that which the Justice Department is now taking in defending the Government against the suit filed by Dixon-Yates.

In order that there may be no misunderstanding in this case, I do indeed think it would be a public service for you to order an official chronology, from all bureaus, agencies, and departments, in the Idaho Power tax writeoff, giving all conferences, all personnel attending the conferences, and making public all papers having to do with this deal.

As in the Dixon-Yates case, we have been met with the plea of privilege concerning the participation of White House staff members who were named in one of the documents we saw. Governor Pyle refused our invitation to appear before the committee. We have been met with the plea of privilege concerning memorandums. We learned about the position of Interior Secretary Seaton in opposing the writeoff only after we had originally been led by the testimony of Mr. Gordon Gray to believe that the Interior Department approved it.

As in the Dixon-Yates deal, we feel that we are not getting the full facts, and that perhaps you, too, have not been given the full facts. It was for these reasons that I made the statement that I did on the floor.

Looking forward to your cooperation, I am,
Yours sincerely,

ESTES KEFAUVER,
United States Senator.

House Postmaster Honored

EXTENSION OF REMARKS

OF

HON. JOHN C. WATTS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1957

Mr. WATTS. Mr. Speaker, it gives me a great deal of pleasure to bring to the attention of the Members that the Postmaster of the House of Representatives, Mr. H. H. Morris, was recently honored with the presentation by his fellow employees of a silver plaque commemorating his 25 years of service as an employee of the House of Representatives.

Although "H," as he is known by his many friends here on the Hill, hails from Henry County, New Castle, Ky., and is therefore technically a constituent of mine, I would not be presenting a true picture of the situation if I did not add that "H" is a real "constituent" of every Member. I say this because in his 25 years on the Hill "H" has won many friends on both sides of the aisle and has rendered faithful and competent service in the best tradition of an employee of the House of Representatives.

"H" came to the House in 1932 as an employee of the late Virgil Chapman—then a Representative from the Sixth District of Kentucky. In 1952, it was to my benefit and pleasure to have him serve as my secretary until he was elected to his present position as House Postmaster.

I consider it a real privilege to commend him at this time for his achievement and excellent service.

Eighty-fifth Anniversary of Popular
Science Monthly

EXTENSION OF REMARKS

OF

HON. RICHARD L. NEUBERGER

OF OREGON

IN THE SENATE OF THE UNITED STATES

Tuesday, July 9, 1957

Mr. NEUBERGER. Mr. President, a magazine dedicated to informing the American public on scientific advancement is this year celebrating its 85th anniversary. I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement which I have issued in connection with the work of the magazine, Popular Science monthly.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

America is recognized and admired throughout the world for its technological leadership. This enviable situation has been brought about not only because of our outstanding scientists, teachers and technical schools, but also because of the hunger for knowledge of the American people.

This interest in technological matters, which is a main source of our industrial strength, is nurtured and encouraged by many springs of knowledge including the government, our fine schools and some outstanding American publications.

One of these publications, Popular Science monthly, celebrated its 85th anniversary in May of this year, and as a long-time reader and occasional contributor to Popular Science, I should like to call attention briefly to its role in reporting and interpreting science and mechanical advances for these many years. As an example of its treatment of important problems, the magazine has started an educational guidance series of articles on how gifted children should be prepared for college, how average students may be aided, how to help children who will not go to college and many other subjects which will be of great aid both to parents and educators. This series is aimed at building a better relationship between parents and educators.

But in addition to analyzing such current problems, Popular Science has also been alert to the advances of science, and the