

ment to Senate Concurrent Resolution 109 with an amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Utah (Mr. Moss) proposes an amendment:

In lieu of the language proposed to be inserted by the House, insert the following new language:

That the Congress hereby determines and declares, pursuant to section 301(a) of the Congressional Budget Act of 1974, that for the fiscal year beginning on October 1, 1976—

(1) the recommended level of Federal revenues is \$362,500,000,000, and the amount by which the aggregate level of Federal revenues should be decreased is \$15,300,000,000;

(2) the appropriate level of total new budget authority is \$454,200,000,000;

(3) the appropriate level of total budget outlays is \$413,300,000,000;

(4) the amount of the deficit in the budget which is appropriate in the light of economic conditions and all other relevant factors is \$50,800,000,000; and

(5) the appropriate level of the public debt is \$713,100,000,000, and the amount by which the temporary statutory limit on such debt should accordingly be increased (over amounts specified in section 3(5) for the transition quarter) is \$65,900,000,000.

SEC. 2. Based on allocations of the appropriate level of total new budget authority and of total budget outlays as set forth in paragraphs (2) and (3) of the first section of this resolution, the Congress hereby determines and declares pursuant to section 301 (a)(2) of the Congressional Budget Act of 1974 that, for the fiscal year beginning on October 1, 1976, the appropriate level of new budget authority and the estimated budget outlays for each major functional category are as follows:

(1) National Defense (050):
(A) New budget authority, \$112,500,000,000.

(B) Outlays, \$100,800,000,000.

(2) International Affairs (150):

(A) New budget authority, \$9,100,000,000.

(B) Outlays, \$6,600,000,000.

(3) General Science, Space, and Technology (250):

(A) New budget authority, \$4,600,000,000.

(B) Outlays, \$4,500,000,000.

(4) Natural Resources, Environment, and Energy (300):

(A) New budget authority, \$17,000,000,000.

(B) Outlays, \$15,700,000,000.

(5) Agriculture (350):

(A) New budget authority, \$2,300,000,000.

(B) Outlays, \$2,000,000,000.

(6) Commerce and Transportation (400):

(A) New budget authority, \$18,200,000,000.

(B) Outlays, \$17,700,000,000.

(7) Community and Regional Development (450):

(A) New budget authority, \$7,400,000,000.

(B) Outlays, \$7,800,000,000.

(8) Education, Training, Employment, and Social Services (500):

(A) New budget authority, \$24,600,000,000.

(B) Outlays, \$23,000,000,000.

(9) Health (550):

(A) New budget authority, \$39,300,000,000.

(B) Outlays, \$37,900,000,000.

(10) Income Security (600):

(A) New budget authority, \$158,900,000,000.

(B) Outlays, \$139,300,000,000.

(11) Veterans Benefits and Services (700):

(A) New budget authority, \$20,100,000,000.

(B) Outlays, \$19,500,000,000.

(12) Law Enforcement and Justice (750):

(A) New budget authority, \$3,400,000,000.

(B) Outlays, \$3,500,000,000.

(13) General Government (800):
(A) New budget authority, \$3,600,000,000.
(B) Outlays, \$3,500,000,000.
(14) Revenue Sharing and General Purpose Fiscal Assistance (850):
(A) New budget authority, \$7,350,000,000.
(B) Outlays, \$7,350,000,000.
(15) Interest (900):
(A) New budget authority, \$40,400,000,000.
(B) Outlays, \$40,400,000,000.
(16) Allowances:
(A) New budget authority, \$2,850,000,000.
(B) Outlays, \$1,150,000,000.
(17) Undistributed Offsetting Receipts (950):
(A) New budget authority, —\$17,400,000,000.
(B) Outlays, —\$17,400,000,000.

SEC. 3. The Congress hereby determines and declares, in the manner provided in section 310(a) of the Congressional Budget Act of 1974, that for the transition quarter beginning on July 1, 1976—

(1) the recommended level of Federal revenues is \$86,000,000,000;

(2) the appropriate level of total new budget authority is \$98,300,000,000;

(3) the appropriate level of total budget outlays is \$102,200,000,000;

(4) the amount of the deficit in the budget which is appropriate in the light of economic conditions and all other relevant factors is \$16,200,000,000; and

(5) the appropriate level of the public debt is \$647,200,000,000 and the amount by which the temporary statutory limit on such debt should accordingly be increased is \$20,200,000,000.

Mr. MOSS. Mr. President, that is the language to which I referred in explaining the conference report and that is what the yeas and nays have now been ordered on, the amendment which is before us.

I, therefore, move we proceed with the vote.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Utah. The yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Idaho (Mr. CHURCH), the Senator from Hawaii (Mr. INOUE), the Senator from Wyoming (Mr. MCGEE), and the Senator from California (Mr. TUNNEY) are necessarily absent.

Mr. HUGH SCOTT. I announce that the Senator from Tennessee (Mr. BAKER), and the Senator from Michigan (Mr. GRIFFIN) are necessarily absent.

The result was announced—yeas 65, nays 29, as follows:

[Rollcall Vote No. 174 Leg.]
YEAS—65

- | | | |
|-----------------|-----------------|-----------|
| Bayh | Ford | Mansfield |
| Beall | Glenn | Mathias |
| Bellmon | Gravel | McClellan |
| Biden | Hart, Gary | McGovern |
| Brooke | Hart, Philip A. | McIntyre |
| Bumpers | Hartke | Metcalf |
| Burdick | Haskell | Mondale |
| Byrd, Robert C. | Hathaway | Montoya |
| Cannon | Hollings | Morgan |
| Case | Huddleston | Moss |
| Chiles | Humphrey | Muskie |
| Cranston | Jackson | Nelson |
| Domenici | Javits | Nunn |
| Durkin | Johnston | Pastore |
| Eagleton | Kennedy | Pearson |
| Eastland | Long | Pell |
| Fong | Magnuson | Percy |

- | | | |
|-------------|-----------|----------|
| Randolph | Stennis | Talmadge |
| Ribicoff | Stevens | Weicker |
| Scott, Hugh | Stevenson | Williams |
| Sparkman | Stone | Young |
| Stafford | Taft | |

NAYS—29

- | | | |
|---------------|-----------|------------|
| Abourezk | Dole | Packwood |
| Allen | Fannin | Proxmire |
| Bartlett | Garn | Roth |
| Bentsen | Goldwater | Schweiker |
| Brock | Hansen | Scott, |
| Buckley | Hatfield | William L. |
| Byrd, | Helms | Symington |
| Harry F., Jr. | Hruska | Thurmond |
| Clark | Laxalt | Tower |
| Culver | Leahy | |
| Curtis | McClure | |

NOT VOTING—8

- | | | |
|--------|---------|--------|
| Baker | Griffin | McGee |
| Church | Inouye | Tunney |

So the motion to concur in the amendment of the House with an amendment in the nature of a substitute was agreed to.

Mr. MOSS. Mr. President, I move to reconsider the vote by which the conference report was adopted.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

BEEF RESEARCH AND INFORMATION ACT—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of the conference report on H.R. 7656, which will be stated by title.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7656) to enable cattle producers to establish, finance, and carry out a coordinated program of research, producer and consumer information, and promotion to improve, maintain, and develop markets for cattle, beef, and beef products, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the RECORD of April 27, 1976, beginning at page 11438.)

The PRESIDING OFFICER. The time on this conference report is not to exceed 2 hours, to be controlled by the Senator from Alabama (Mr. ALLEN) and the Senator from South Dakota (Mr. ABOUREZK). Who yields time?

Mr. MANSFIELD. Mr. President, will the Senator yield me 1 minute, in which to announce to the Senate what the schedule will be for the remainder of the week and for the remainder of the month?

Mr. ALLEN. I yield.

The PRESIDING OFFICER. The Senate will be in order. The majority leader is about to make an important announcement.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, following the disposition of the pending

conference report, the Senate will return to the consideration of the Senate Resolution 400, establishing a Select Committee of the Senate on Intelligence Activities. It is my understanding that we will only start on opening statements and the like tonight.

Following the disposition of Senate Resolution 400, the Senate will proceed to the consideration of S. 1284, a bill to improve the effective enforcement of antitrust laws, to be followed, in turn, by S. 2477, a bill to provide more effective public disclosure of certain lobbying activities.

Following the disposition of these measures, the remainder of this month and the first weeks in June will be comprised of the consideration of the authorizations to be reported from the standing committees this week. These authorizations include:

Clean Air Act Amendments;
Foreign Military Aid;
Vocational Education and Higher Education Authorization;
Military Procurement Authorization;
Health Maintenance Organization Authorization;
Arts and Humanities Authorization;
National Science Foundation Authorization;
Emergency Medical System Authorization; and
Sea Grant Authorization.

Mr. ALLEN. I was happy to comply with the Senator's request.

BEEF RESEARCH AND INFORMATION ACT—CONFERENCE REPORT

The Senate continued with the consideration of the conference report on the bill (H.R. 7656) to enable cattle producers to establish, finance, and carry out a coordinated program of research, producer and consumer information, and promotion to improve, maintain, and develop markets for cattle, beef, and beef products.

Mr. ALLEN. Mr. President, I yield myself such time as I may require.

H.R. 7656 is important self-help legislation for the beef industry—an industry that has endured a long series of economic distortions.

This bill is only enabling legislation. It provides domestic cattle producers a vehicle by which they can vote in a national referendum on an order which, if approved, would create a Beef Board. In other words, the board is not created unless it is approved in a referendum of cattle producers. The order would be issued by the Secretary of Agriculture pursuant to the provisions of H.R. 7656. Members of the Beef Board would be cattle producers appointed by the Secretary from qualified nominees representing producers in each beef-producing geographic area.

The Beef Board would develop—subject to the Secretary's approval—a program of research, producer and consumer information, and promotion designed to strengthen the cattle and beef industry's position in the marketplace, and maintain and expand domestic and foreign markets and uses for U.S. beef.

The program would be financed from

assessments paid by cattle producers, not the public Treasury.

However, before the order could go into effect, it must be approved by cattle producers voting in a referendum.

The principal difference between the House-passed bill and the Senate amendments related to voting procedures for the referendum. At the first meeting of the conference committee, the Senate amendment was accepted.

The Senate amendment provided that a referendum would be approved if it was favored by not less than two-thirds of the producers voting, or in the alternative, if it was favored by a majority of the voting producers, if this majority owned not less than two-thirds of the cattle.

However, on December 15, 1975, the House recommitted the bill to conference. While the recommittal was without instructions, the major concern related to the voting procedures.

The conference committee—at its second meeting—agreed to the voting procedures of the House-passed bill. That was the chief question in controversy. The Senate took the position that the referendum would be approved if approved by two-thirds of the producers or by 50 percent of those voting, if all 50 percent owned two-thirds of the cattle owned by those participating in the referendum. The House provision provided that it must be approved by two-thirds of the producers and that 50 percent of the producers had to participate in the referendum for it to be ordered, to be successful.

The argument made by the distinguished Senator from South Dakota at the time the bill was passed in the Senate was that under the Senate provision, it provided for—as he aptly said—one cow, one vote; whereas, the House provided for one producer, one vote.

The conferees did put in the provision which the distinguished Senator from South Dakota thought was the more democratic—that is, to let it be decided by the producers. In other words, a small producer, a producer of 10 head of cattle, would have the same vote as the owner of a herd of 1,000.

So this takes care of the small producer and it does not let the question be decided by the large producer.

The conference committee—at its second meeting—agreed to the voting procedures of the House-passed bill. The procedures are, I am informed, acceptable to cattle producers and the beef development task force, the group which represented the producers in the development of the legislation.

Under the voting procedures adopted by the conference committee, the Secretary is to register the producers not less than 10 days prior to the date of the referendum. The order, to be effective, must be approved by at least two-thirds of the producers voting in the referendum, and at least 50 percent of the registered producers must vote in such referendum.

It should be pointed out that the program developed by the Beef Board would not in any way usurp or replace an ongoing State beef promotional program now in existence. It would complement the existing beef promotional program.

Mr. President, I move the adoption of the conference report and I ask unanimous consent that there be printed at this point in the RECORD a summary of H.R. 7656, as adopted by the conference committee.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF H.R. 7656

H.R. 7656, as agreed to by the conference committee, authorizes the Secretary of Agriculture to issue a national order providing for the establishment of a Beef Board consisting of not more than 68 members, and alternates therefor.

(1) The Beef Board would develop, subject to the Secretary's approval, a program of research, producer and consumer information, and promotion designed to strengthen the cattle and beef industry's position in the marketplace, and maintain and expand domestic and foreign markets and uses for United States beef. The program would be financed from assessments paid by cattle producers. The Beef Board shall appoint from its members an executive committee, consisting of not less than seven nor more than eleven members broadly representative of the industry, to employ a staff, and conduct routine business, within the policies determined by the Beef Board.

No advertising, consumer education, or sales promotion program established under the Act may make use of false or misleading claims in behalf of cattle, beef, or beef products, or false or misleading statements with respect to quality, value, or use of any competing product.

(2) Members of the Beef Board would be cattle producers appointed by the Secretary from qualified nominees representing producers from each beef-producing geographic area.

(3) Approval by referendum among cattle producers engaged in the production of cattle, during a representative period as determined by the Secretary, would be required before the order could become effective. The order would not be effective unless the Secretary determines that it is approved or favored by not less than two-thirds of the registered producers voting in the referendum and at least 50 percent of the registered producers vote in the referendum. The Secretary is to register the producers not less than 10 days prior to the date of the referendum.

The Secretary is to take such precautions as he deems necessary to assure that the Government is reimbursed for its out-of-pocket expenses incident to the conduct of the referendum whether or not the order is approved. Such out-of-pocket expenses would include all costs incurred by the Government (except the salaries of Federal employees).

(4) The order could be terminated or suspended by the Secretary if he found that it obstructs or does not tend to effectuate the purposes of the bill. The Secretary may conduct a referendum at any time, and shall hold a referendum on request of 10 percent or more of the number of producers voting in the referendum approving the order, to determine if the producers favor the termination or suspension of the order.

(5) Funds to carry out the beef research and promotion program formulated by the Beef Board would be collected through a "value added" assessment system. Each buyer of cattle would collect an assessment from the producer-seller (based on the value of the cattle involved), and pass it on to the next buyer, with the slaughterer required to remit the assessment to the Beef Board. (If no sales transaction occurs at the point of slaughter, a fair value is to be attributed to the cattle at the time of slaughter. However, cattle slaughtered for his own home consumption by a producer who has been the

sole owner of the cattle are not subject to assessment.)

The Beef Board may exempt from or vary the assessment on breeding animals until time of slaughter.

The rate of assessment would be prescribed in the order, and the assessments are to cover all expenses of the beef research and promotion program, including the expenses incurred by the Secretary in conducting the referendum and otherwise administering the bill. However, the aggregate rate of assessment may not exceed one-half of 1 percent.

(6) Producers not favoring the program would have the right to obtain refund of the assessment if requested not more than 60 days after the end of the month in which the sale or slaughter of the cattle occurred. The Beef Board is to make a refund of the assessment within 60 days after the request is made.

(7) Persons willfully failing or refusing to collect any assessments required of them (or otherwise willfully violating any provision of the order issued by the Secretary) would be liable for a civil penalty of not more than \$1,000. The penalty would be in addition to any assessment payable by the producer or the slaughterer.

(8) The Beef Board is to submit to the Secretary, for approval, all plans and projects. The Board is to submit its fiscal year budget to the Secretary for approval. Copies of the budget are also to be submitted to the House Committee on Agriculture and Senate Committee on Agriculture and Forestry.

Mr. ALLEN. I reserve the remainder of my time.

Mr. DOLE. Mr. President, will the distinguished Senator yield?

Mr. ALLEN. I yield 5 minutes to the distinguished Senator from Kansas.

Mr. DOLE. Mr. President, I join the chairman of the Agriculture Subcommittee (Mr. ALLEN) today in support of approving the Joint Conference Committee Report on H.R. 7656, the Beef Research and Information Act.

This is bootstrap legislation designed to help our cattlemen help themselves. The changes made by the conference committee in the recent session now have unified the support of most of the farm organizations to the bill and we expect prompt approval of the report today.

SUMMARY OF PROVISIONS

The Senator from Alabama has very accurately described what has happened in the conferences and the history of this legislation and the summary of its provision. H.R. 7656 does authorize the Secretary of Agriculture to issue a national order providing for the establishment of a Beef Board of not more than 68 members representing producers from each beef-producing geographic area.

The Beef Board would develop, subject to the Secretary's approval, a program of research, producer and consumer information, and promotion designed to strengthen the cattle and beef industry's position in the marketplace, and maintain and expand domestic and foreign markets and uses for U.S. beef.

Approval by referendum among cattle producers by not less than two-thirds of the producers voting in the referendum, after registration 10 days in advance. At least half of those producers registering must vote.

The Senator from Alabama has pointed up the differences in the referendum and how they were finally resolved. I

CXXII—863—Part 11

think that, on reflection, we now have a better provision before us.

The order could be terminated or suspended by the Secretary or on request of producers.

Funds for the beef research and promotion program would be collected through a "value added" assessment system from the producer-seller based on the value of the cattle involved.

The rate of assessment would be prescribed in the order, and the assessments are to cover all expenses, including the expenses incurred in conducting the referendum but not to exceed .5 percent.

Producers not favoring the program would have the right to obtain refund of the assessment if requested not more than 60 days after date of sale.

The Beef Board is to submit to the Secretary, for approval, all plans and projects and budgets.

Mr. President, the cattlemen of this Nation pride themselves on operating on their own. They do not ask for price supports. As far as I know the majority never have. They are proud of their independence. The provisions of this legislation will assist them in continuing their efforts to provide an adequate and reasonably priced supply of beef. The Senator from Kansas believes that this legislation will be helpful in preserving that production and in increasing their ability to export this high-quality, protein-rich food to other nations.

I ask my colleagues' approval of the conference report.

Mr. President, I ask unanimous consent that a list of organizations supporting this legislation be printed in the RECORD.

I will say, in summary, that there are 11 national beef organizations supporting this approach, as shown by the list.

In addition, the legislation is supported by the American Farm Bureau Federation, the National Grange, some 15 beef councils, some 10 national breed associations, and 45 States cattlemen's associations.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

ORGANIZATIONS ENDORSING THE BEEF RESEARCH AND INFORMATION ACT

NATIONAL BEEF ORGANIZATIONS

1. American National Cattlemen's Assn.
2. American National CowBelles
3. Associated Milk Producers, Inc.
4. Competitive Livestock Marketing Assn.
5. Livestock Laws Reform Commission
6. National Livestock & Meat Board
7. National Livestock Feeders Assn.
8. National Livestock Dealers Assn.
9. National Livestock Producers Assn.
10. U. S. Beef Breeds Council
11. United Dairy Industry Assn.

NATIONAL FARM ORGANIZATIONS

1. American Farm Bureau Federation
2. National Grange

STATE BEEF COUNCILS

1. California Beef Council
2. Colorado Beef Board
3. Idaho Beef Council
4. Illinois Beef Industry Council
5. Kansas Beef Council
6. Michigan Beef Industry Commission
7. Minnesota Beef Research and Promotion Council
8. Montana Beef Council
9. Nebraska Livestock Foundation

10. North Dakota Beef Council
11. Ohio Beef Marketing Program
12. Oregon Beef Council
13. South Dakota Beef Council
14. Washington State Beef Commission
15. Wyoming Beef Council

NATIONAL BREED ASSOCIATIONS

1. American Brahman Breeders Assn.
2. American Hereford Association
3. American International Charolais
4. American Polled Hereford Assn.
5. American Simmental Assn.
6. International Brangus Breeders
7. International Maine Anjou Assn.
8. North American Limousin Assn.
9. American Angus Association
10. American Red Angus Assn.

STATE CATTLEMEN'S ASSOCIATIONS

1. Alabama Cattlemen's Association
2. Arkansas Cattlemen's Association
3. Arizona Cattle Feeders Association
4. Arizona Cattle Growers Association
5. California Cattlemen's Association
6. Colorado Cattle Feeders Association
7. Colorado Cattlemen's Association
8. Florida Cattlemen's Association
9. Georgia Cattlemen's Association
10. Hawaii Cattlemen's Council
11. Idaho Cattle Feeders Association
12. Idaho Cattlemen's Association
13. Illinois Livestock Association
14. Indiana Beef Cattle Association
15. Iowa Cattlemen's Association
16. Kansas Livestock Association
17. Louisiana Cattlemen's Association
18. Maryland Cattlemen's Association
19. Michigan Cattle Feeders Association
20. Minnesota Livestock Feeders Assn.
21. Mississippi Cattlemen's Association
22. Missouri Cattlemen's Assn.
23. Missouri Livestock Feeders Assn.
24. Montana Stockgrowers Association
25. Nebraska Livestock Feeders
26. Nebraska Stockgrowers Association
27. Nevada Cattlemen's Assn.
28. North Carolina Cattlemen's Assn.
29. North Dakota Stockmen's Assn.
30. Ohio Cattlemen's Association
31. Oklahoma Cattlemen's Assn.
32. Oregon Cattlemen's Association
33. Pennsylvania Cattlemen's Assn.
34. South Dakota Stockgrowers' Assn.
35. South Dakota Livestock Feeders Assn.
36. Tennessee Livestock Assn.
37. Texas Cattle Feeders Assn.
38. Texas & Southwestern Cattle Raisers
39. Utah Cattlemen's Association
40. Washington Cattle Feeders Assn.
41. Washington Cattlemen's Association
42. Western Montana Stockman's Assn.
43. Wisconsin Cattlemen's Association
44. Wyoming Stock Growers Association
45. Virginia Cattlemen's Association

Mr. DOLE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. ABOUREZK. Mr. President, I am opposed to the conference report on H.R. 7656, the beef checkoff bill. I believe it should be defeated. The House and Senate conferees have agreed to the House version of the procedure for establishing a referendum on this multimillion dollar advertising program. Although I believe the new voting procedure is much improved over the other one, it does not in any way alter the main content of the legislation.

This bill would tax every livestock producer in this country to pay for slick advertising that will benefit the food chainstores and the other parts of the meat industry that are in a position to determine their own profits. It will not directly benefit the average livestock

producer, who has never been and, under this bill, will not be a determinant of his own profits.

Every time I hear this bill explained, I hear a new story. It seems clear that its supporters are talking about some lofty ideal, some cure-all for the livestock industry that has nothing to do with this legislation.

I might just say at this point, Mr. President, that this legislation is opposed in South Dakota by representatives of small cattle producers. For example, it is opposed by the South Dakota Farmers Union and by the Meat Promoters of South Dakota. Both organizations represent many, many small producers throughout the State who are of a like mind with small producers throughout the country.

I understand that this bill will, according to the sponsors mean millions of dollars in research that will benefit cattlemen. I have also been told it will pay for millions of dollars of advertising to "educate" consumers about beef. Then, I am told it will pay for millions of dollars of promotion to help big city people understand the plight of the cattlemen.

Mr. President, those are nice ideas, but there is nothing in this legislation to assure that. There is nothing to prevent the corporate interests in the meat industry—the chainstore monopolies, the packing houses, the large feedlots, speculators—from dominating and directing this program.

The so-called promotional program for beef will be directed by the Secretary of Agriculture, Mr. Earl Butz. He will name every member of the board of directors, and all major decisions must be approved by him.

Mr. President, this is a mandatory taxing procedure. Granted, there is a refund provision provided for in the legislation. However, under the refund provision, the refund must be asked for after the money is paid. That is another place where it is discriminatory against small producers, many of whom will not be able to set up the bookkeeping procedures to apply for refunds, while large cattle producers will be able to afford to apply for refunds once they have paid it in, because they can afford the bookkeeping staff to do so.

In my opinion, the Government, through Secretary Butz, is put in a position of absolute power over this program that is touted as one to be run by producers. I happen to think that Secretary Butz is on the wrong side of the fence. He has long been closely associated with the giant corporations in agriculture. He has served on the board of Ralston Purina, International Minerals & Chemicals, and the J. I. Case Co., which has since blossomed into Tenneco, one of the biggest conglomerates now competing with the small farmer and interfering with his markets.

Obviously, Earl Butz did not exactly step off the tractor or out of a cow-calf livestock operation into his job over at the Department of Agriculture. I think he is precisely the wrong person to be naming the board of directors to run a program supported by money mandatorily taxed from livestock producers, most of them small producers. And he cer-

tainly is the wrong person to be acting as a censor over the ideas and concepts of the Beef Board.

Mr. President, I have felt for a long, long time that consumers and food producers ought to be working together. Consumers have a great deal more in common with livestock producers than either of these groups have with giant companies like Safeway, or A. & P., or United Brands.

This is one reason that I have tried to get consumer representation on the Beef Board. If the advertising, researching, promoting, and educating are to be aimed like a cannon at consumers, why in the world should not at least one representative from a bonafide consumer organization be on the board of directors? If nothing else, it would help win the support of consumer groups for this type of legislation.

The Senate did put consumers on the Beef Board when the legislation was considered here. But the conferees decided to knock them off the Board entirely and to set up five "consumer advisers" stripped of all powers, and who would have none of the already limited powers of the Beef Board members.

As far as I can determine, these so-called consumers advisers would have about as much influence as the spectators at a public hanging. The adviser idea is a sham, pure and simple. The consumer organizations are not deceived by this, as evidenced by their continued opposition to the bill.

And the sham becomes more real when you remember that Mr. Butz, the conglomerate "farmer's" friend over at USDA, is the person who appoints the consumer advisers. Now, who would these consumer advisers be? We recently got a very good indication of the kind of consumers Mr. Butz would choose.

Mr. Butz recently chose the eight members of the USDA Agricultural Advisory Committee on Regulatory Programs. This committee is supposed to look over all regulations that affect the food industry and make recommendations on what rules ought to be changed or, heaven forbid, thrown out. The Secretary named a woman named Jane Armstrong as the consumer representative.

Ms. Armstrong happens to be the vice president of Jewell Food Stores, Inc., one of the country's large food chains.

The Secretary was to choose an "objective" member of the academic community for the board. He chose E. M. Foster, who happens to be on the board of directors of the Stanger Co.—a manufacturer of artificial food additives. Mr. Foster is also head of the Food Research Institute at the University of Wisconsin. Interestingly, the institute is bankrolled by the corporate food industry.

This kind of conflict of interest is certainly not foreign to Mr. Butz. After all, while he was gracious enough to accept the taxpayers' money in his position at Purdue University, he saw no problem in also serving on the boards of the companies I mentioned earlier, as well as a large insurance company.

I shudder to think of who he is going to appoint to the token consumer advisory slots, not to mention the Beef Board itself.

Mr. President, if the Senate wants to do the right thing, and not shove an abominable multimillion dollar ripoff onto livestock producers who are already in financial trouble, then you will defeat H.R. 7656.

So long as the small producer is not guaranteed benefits from a national meat promotional effort, so long as the Government has its fingers wrapped around what is falsely advertised as a producer's program, so long as the wedge is driven between consumers and producers, so long as this program is mandatory, so long as the corporate interests dominate this type of program, I will oppose it.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. ALLEN. Mr. President, the conference report provides that this beef board shall be set up only if approved by two-thirds of the producers, large and small, and only if 50 percent of the producers participate in the referendum.

Now, this is a most stringent provision. Obviously, the small producers outnumber by far, manyfold, the large producers yet their vote counts just the same as that of a large producer, and if the small producers do not vote this board into existence, there will be no board.

If they do not like the provisions, all they have got to do is one of two things: either vote against it or refrain from voting, because half the producers have got to vote for it to be a valid referendum.

So if the producers, large and small, want to band together and vote an assessment upon themselves why should they not be permitted to do so?

Mr. ABOUREZK. Mr. President, will the Senator yield?

Mr. ALLEN. Let me finish.

The egg producers have such a board; the cotton producers have such a board; the potato producers have such a board; and the wool producers have such a board. Why then should not the cattle producers have such a board if they see fit?

Much has been made about the fact that a producer who pays this assessment—by the way, it cannot be more than one-half of 1 percent of the sale price of the cattle; in other words, it could not run more than \$1 for a \$200 sale.

If the producer does not want to pay that \$1 or wants to get it back or if it should run to \$5 or \$10, if he had a large sale, then all he would have to do is apply for his money back. How much bookkeeping does that take?

The Senator from South Dakota seems to think that would be a great bookkeeping problem, that they would not have the staff to apply for their assessment back. Well, I do not think a fellow would have much trouble just signing up a little application for his money back and filling it out. That does not take a whole lot of bookkeeping, because if a check came in they would not have any difficulty spending the money and I assume it would not take a whole lot of bookkeeping.

Mr. ABOUREZK. Mr. President, will the Senator yield for a question?

Mr. ALLEN. Yes.

Mr. ABOUREZK. What kind of book-

keeping procedure is it going to require to get a refund? Does the Senator from Alabama know?

Mr. ALLEN. Yes, apply for it.

Mr. ABOUREZK. But how many receipts would have to be provided with it?

Mr. ALLEN. It is something to be worked out. It is not provided for in the bill, the Senator knows that. That is what you have got the beef board for.

Mr. ABOUREZK. Would not the producer have to save up all of his sales slips?

Mr. ALLEN. I do not suppose he would be going into the market every day. If he went into the market every day it would get him changing from being a small producer into a large producer.

Mr. ABOUREZK. But, be that as it may, would he not have to save up all of his documentation and show proof that he had paid that assessment?

Mr. ALLEN. As I say, that is a regulation to be worked out by the beef board. I would assume he would have to make some sort of a showing. I think he would get some sort of receipt when he made his payment. He would send that in. I would assume it would not take a whole lot of bookkeeping.

Mr. ABOUREZK. Would the Senator agree it is somewhat more complicated than sending in the application, as the Senator originally said?

Mr. ALLEN. No, I would not.

Mr. ABOUREZK. With the documentation?

Mr. ALLEN. No. I am not writing the regulations. If the board is approved, you have got a beef board acting under the direction and subject to the approval of the Secretary, and that would formulate the procedure on getting the assessment back. I do not know what procedure they would have. I guess they would have to have some sort of a showing that the tax was paid, otherwise it would not be proper to be making refunds unless some sort of showing was made on that.

So I do not know what more the distinguished Senator from South Dakota would have had the conference committee do. They acceded to his request that the House provision on the referendum be written into the law and, I might say to the distinguished Senator from South Dakota that in the Senate Agriculture Committee I voted for the House procedure and against the Senate procedure because I thought it was more democratic to leave it to the producers, large and small, with each one having a vote. That is the way it ended up. We accommodated the distinguished Senator from South Dakota in this regard, and I am surprised he is not giving his wholehearted support to this conference report.

But I am willing to yield back the remainder of my time if the distinguished Senator from South Dakota wishes to do so; otherwise I will reserve the remainder of my time.

Mr. ABOUREZK. I will yield it back in a moment.

I only want to respond to the statement my friend from Alabama just made about the refund provision.

There is little doubt, Mr. President, that most small producers who did not

want to participate in this program will not want to sacrifice the time and inconvenience to go through the procedure of applying for the refund while most big producers would have a great deal more money accrued in that particular account and would think it was worth the trouble. They might even have an extra bookkeeper around to help fill out the applications to send in for the refund. Of course, that is contemplated under this legislation. Most small producers would not bother with it, and I think the Senator knows that. Small producers will not bother with \$5 or \$10 if there is more than \$5 or \$10 worth of bookkeeping attached to it.

So it is contemplated in this legislation. I remain convinced that it is nothing more than a ripoff of the small producers. It takes money from them in a way that in most cases they are not going to get back in any way, shape or form.

I am ready to yield back the remainder of my time.

Mr. ALLEN. I would like to make one comment based on what the Senator just said.

He has indicated that the small producer does not stand to gain by this. Obviously, that is not correct. He would have the same potential for gain as a large producer in that the research that was made under this program would be of benefit to him.

He might put more pounds on a head of cattle. The consumption of beef might be increased, benefiting him as a producer.

The Senator says it is going to be a ripoff on the small producer. It is certainly no more of a ripoff on the small producer than it is the large producer, because the large producer is paying a proportionately larger assessment than the small producer.

Also, the small producer, as the Senator knows, does not pay anything at all for beef consumed for himself and his family, of course.

Mr. ABOUREZK. I understand that. But the Senator's statement is that it is about the same size ripoff?

Mr. ALLEN. No. I say if it is a ripoff, as the Senator says. I do not concede it is. If he does not think it is of benefit to him, he simply does not have to vote for it, or to refrain from voting would be the same thing.

Mr. ABOUREZK. If the Senator will yield, it seems to me it is much better for the producer that does not want to participate in this program in the first place, and that is exactly what is happening. If 51 percent of all producers vote for it and 49 against, we have the 49 percent of the people who are unhappy. There is not unanimity in this program.

Mr. ALLEN. It takes two-thirds, I call to the Senator's attention.

Mr. ABOUREZK. I am sorry, the Senator is correct.

But there is not unanimity in the community of cattle producers around the country.

I apologize for the error: If the one-third minus 1 percent does not want it, they are burdened with a program

they did not ask for and really do not want to be into. Also, there is no provision in the legislation that I can see that would prevent somebody who voted for the program from applying for a refund later on.

Mr. ALLEN. That is correct.

Mr. ABOUREZK. In other words, all the large producers could vote for the program, get into it and start applying for refunds right away.

Mr. ALLEN. Correct.

Mr. ABOUREZK. And take advantage, as the Senator said, of previous benefits the advertising might have and still get all their money back.

Mr. ALLEN. So could the small producer.

Mr. ABOUREZK. Whereas the small producer, putting in 5 or 10 bucks, might say, "Forget it, let it stay in there."

He will be paying for an advertising program for the big dudes who do not pay their own way.

It is like our Federal tax system, is it not?

Mr. ALLEN. I do not see too much similarity.

ADDITIONAL STATEMENTS SUBMITTED ON THE CONFERENCE REPORT ON H.R. 7856

Mr. TOWER. Mr. President, last year, I cosponsored introduction of the Beef Research and Consumer Information Act in the Senate. I felt it was good legislation which would provide a self-help mechanism to the cattle industry. With the improvements which have been made during the consideration of this legislation by both the Senate and House, I believe it is a bill worthy of our strong support.

From the beef producers' standpoint, this "self-help" bill will further organize and manage the economic interests of their industry. To effectively meet the needs of an increasingly complex beef economy, a forceful and intelligent promotional, marketing, and educational program is required on a national scale. Of highest priority is to make each cattelman in this country aware of new and proven ways in which he can better develop his production and marketing operations. With this greater sophistication, the beef producer will be better able to assure us all of a dependable supply of beef at prices which we, as informed consumers, will realistically expect to pay.

When I say "informed consumer," I refer to an objective which will be strived for through this national beef research and information program. Just as beef producers will reap educational benefits from this program, so too will shoppers. All of us should have some understanding of the significance to domestic beef production and prices of such factors as beef imports and high feed costs.

In general, the consumer needs to know why beef prices rise and fall, who is profiting or suffering losses from erratic prices, and by how much. Above all, the shopper at the beef counter must realize that cattlemen are working in the best interests of the country, and are entitled to make a decent living while doing so.

It is my hope that a spirit of cooperation and mutual understanding between

beef producers and consumers will be fostered by this legislation. I noted this morning at hearings before the Committee on Agriculture and Forestry that representatives of the Consumer Federation of America, as well as the major farm organizations, were present to testify in support of the Farmers Market Act and similar legislation which was introduced last year by Senator HUMPHREY and myself. At the hearings, Senator HUDDLESTON commented to the young lady from the Consumer Federation that he felt a growing awareness among consumer advocates of the difficulties faced by those who provide food and fiber for the United States. I think this is laudable, and absolutely necessary. We owe it not only to those in agriculture, but also those who are served by agriculture, to find ways in which cooperation and understanding can be developed.

Mr. President, this bill does just that, and I believe if for no other reason, it merits enactment. I would urge my colleagues to support the bill with me, for the benefit of American ranchers and consumers.

Mr. ABOUREZK. Mr. President, I am ready to yield back the remainder of my time.

Mr. ALLEN. I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. STAFFORD). All time is yielded back. The question is on agreeing to the conference report on the Beef Research and Information Act. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Idaho (Mr. CHURCH), the Senator from Hawaii (Mr. INOUE), the Senator from Wyoming (Mr. MCGEE), the Senator from California (Mr. TUNNEY) and the Senator from New Mexico (Mr. MONTAYA) are necessarily absent.

Mr. HUGH SCOTT. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Massachusetts (Mr. BROOKE) and the Senator from Michigan (Mr. GRIFFIN) are necessarily absent.

The result was announced—yeas 65, nays 27, as follows:

[Rollcall Vote No. 175 Leg.]

YEAS—65

Allen	Goldwater	Mondale
Bartlett	Gravel	Moss
Bayh	Hansen	Nunn
Bellmon	Hart, Gary	Packwood
Bentsen	Hartke	Pearson
Brock	Haskell	Percy
Buckley	Hatfield	Randolph
Burdick	Helms	Roth
Byrd,	Hollings	Scott,
Harry F., Jr.	Hruska	William L.
Cannon	Huddleston	Sparkman
Chiles	Humphrey	Stafford
Clark	Jackson	Stennis
Cranston	Johnston	Stevens
Culver	Laxalt	Stone
Curtis	Leahy	Symington
Doie	Long	Taft
Domenici	Magnuson	Talmadge
Eastland	Mansfield	Thurmond
Fannin	McClellan	Tower
Fong	McClure	Young
Ford	McGovern	
Garn	Metcalf	

NAYS—27

Abourezk	Bumpers	Durkin
Beall	Byrd, Robert C.	Eagleton
Biden	Case	Glenn

Hart, Philip A.	Morgan	Ribicoff
Hathaway	Muskie	Schweiker
Javits	Nelson	Scott, Hugh
Kennedy	Pastore	Stevenson
Mathias	Pell	Weicker
McIntyre	Proxmire	Williams

NOT VOTING—8

Baker	Griffin	Montoya
Brooke	Inouye	Tunney
Church	McGee	

So the conference report was agreed to. The PRESIDING OFFICER. The Senator from Nevada is recognized.

ORDER FOR RECOGNITION OF SENATOR RIBICOFF

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after the Senator from Nevada has completed his remarks the distinguished Senator from Connecticut (Mr. RIBICOFF) then be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED STANDING COMMITTEE ON INTELLIGENCE ACTIVITIES

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the unfinished business, Senate Resolution 400, which the clerk will state.

The second assistant legislative clerk read as follows:

A resolution (S. Res. 400) to establish a Standing Committee of the Senate on Intelligence Activities, and for other purposes.

The Senate resumed the consideration of the resolution.

Mr. CANNON. Mr. President, before I get to discuss the history and action by the Committee on Rules and Administration on Senate Resolution 400, I state that several Senators, including myself, representing groups of Senators holding various points of view have been meeting and discussing the possibility of working out a compromise version. While our resolve might not be completely satisfactory to all parties, it is the best possible compromise we could reach. Later on I propose to offer this substitute as a proposed amendment in the nature of a substitute for the committee substitute as reported.

Mr. President, the Committee on Rules and Administration on April 29, 1976, reported Senate Resolution 400, to establish a Standing Committee of the Senate on Intelligence Activities, and for other purposes, with an amendment in the nature of a substitute for the resolution as referred to the committee, and an amendment to the title of the resolution. The title amendment reads "A resolution establishing a Select Committee on Intelligence."

The committee substitute would establish a permanent select, not a standing committee, on intelligence with oversight jurisdiction over the intelligence community but without legislative jurisdiction; it proposes to leave within the standing committees on Armed Services, Foreign Relations, the Judiciary, or any other committee their existing legislative jurisdiction with respect to intelligence activities.

The select committee would have subpoena power, a staff, and funds to keep itself informed so as to equip itself to provide effective oversight of the intelligence community.

Before the committee voted to report the substitute amendment it had adopted numerous perfecting amendments to the resolution as opposed to the form in which it was referred to the Committee on Rules and Administration.

Some of those perfecting amendments were unanimously approved while others were agreed to by a bare majority vote. The amendments changed various parts of the resolution while leaving some portions thereof unamended although many of them were not favored by various members of the committee. Hence, when there were no further perfecting amendments to be offered to the resolution, the question was put on agreeing to a complete substitute amendment for the resolution, which was agreed to by a vote of 5 to 4.

The committee, both in the case of perfecting amendments to the resolution and the substitute therefor, proposed that the intelligence committee not be made a standing committee, but instead a select committee. The perfecting amendments approved by the committee before agreeing to the substitute proposed to give the select committee sequential, concurrent jurisdiction over the Central Intelligence Agency, the intelligence activities of all other departments and agencies of the Government, the organization and reorganization plans affecting intelligence activities within Government agencies, as well as authorization for appropriations for practically all such agencies.

The substitute for the resolution reported by the committee would not extend any legislative jurisdiction to the select committee. The composition of the select committee as approved by the Committee on Rules and Administration was virtually the same in both the amended version and the substitute therefor.

In my opinion, in observing the action taken by the Committee on Rules and Administration, the committee was very much concerned with, and emphasized Congressional oversight of the intelligence activities of the Administration but at the same time it was particularly concerned that national security secrets were not to be leaked or divulged to our enemies abroad. The Rules Committee wanted to establish a committee fortified with the powers to do a good job without doing harm to the operations of the intelligence agencies of the Government in carrying out their functions and duties for which they were created. The committee was particularly concerned to tighten up the provisions of the resolution for preventing the leakage of information as well as the provision authorizing the committee to make public classified information; it was the feeling of a majority of the committee that confidential and secret information should not be released by the committee but that the committee when requested by the administration or agencies there- of to keep certain information confiden-