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8/25/76

APPROVED  
JUN 25 1976

THE WHITE HOUSE  
WASHINGTON  
June 24, 1976

ACTION

Last Day: June 29

Put in the room  
after 7 pm  
6/25/76  
Took to 1105  
6/28/76

MEMORANDUM FOR

THE PRESIDENT

FROM:

JIM CANNON *for Jim Cannon*

SUBJECT:

S. 18 - Control of the African Honeybee

Attached for your consideration is S. 18, sponsored by Senator Dole and six others.

The enrolled bill would strengthen the Secretary of Agriculture's authority to prevent the introduction and spread of diseases and parasites harmful to honeybees. The bill would prohibit the importation of honeybees in all of their life stages. Under existing law, only the importation of the adult honeybee is prohibited.

The bill would also authorize the Secretary of Agriculture to cooperate with State governments and the governments of Canada, Mexico and Central America in the prevention, control and suppression of undesirable honeybees, including the African or Brazilian strain.

Additional information is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Lazarus), NSC and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign S. 18 at Tab B.





EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

JUN 22 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 18 - Control of the  
African Honeybee  
Sponsors - Sen. Dole (R) Kansas and  
6 others

Last Day for Action

June 29, 1976 - Tuesday

Purpose

Strengthens the Secretary of Agriculture's authority to prevent the introduction and spread of diseases and parasites harmful to honeybees.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of the Treasury	No objection(Informally)
Department of State	No objection
Department of Justice	Defers to Agriculture

Discussion

Under provisions of the Honeybee Act, the importation of adult honeybees is generally prohibited. The Act's intent is to exclude foreign diseases of honeybees from the United States. However, there is no authority to prohibit the deliberate or inadvertent introduction of new honeybee parasites or highly undesirable strains of bees in cases where this occurs when non-adult honeybees enter the United States.



S. 18 would strengthen the existing Honeybee Act by prohibiting the importation of honeybees in all life stages from an egg to an adult, including semen. The Secretary of Agriculture could waive the prohibition for: (a) honeybees imported by the Department of Agriculture for experimental or scientific purposes; and, (b) honeybees or semen imported from countries which are free of harmful disease or parasites, including undesirable species or subspecies of honeybees.

In addition, the enrolled bill authorizes the Secretary of Agriculture, in consultation with the Secretary of State, to cooperate with Canada, Mexico and Central American governments in the prevention, control and suppression of undesirable honeybees, including the African or Brazilian honeybee. Such cooperative programs would also be authorized for the several States.

S. 18 would increase the penalty provision for violation of the Honeybee Act from \$500 to \$1,000 while retaining the existing provision for imprisonment for not more than one year.

In its enrolled bill letter, Agriculture addresses the need for this legislation:

"The Department considers it essential that Africanized bees be kept out of the United States. In South America, the African strain has become mixed with native honeybee strains. In so doing, the African bee has imparted to the local bees its most singular and potentially troublesome traits -- aggressiveness and excessive swarming. The resulting hybrids were often extremely vicious and difficult to handle, especially in the early crosses. In addition, they were so well adapted to the tropical climate that strains kept by other commercial beekeepers often could not compete in the areas where the Africanized strains appeared.

"There is a real possibility that this hybrid strain may be introduced into and spread within this country. If this were to occur, and if the hybrids behaved as in Brazil, it is likely that the present practice of maintaining apiaries in rural areas, often near human habitation, would not be tolerated by the public. This would interfere with the use of bees for crop pollination and adversely affect some of our most important fruit, vegetable, and seed industries.

"The administration of the import control provisions of the bill would not require additional appropriations. The need for any additional funds to undertake cooperative program activities depend upon future developments concerning the migration and spread of the African honeybee."

*James M. Frey*  
Assistant Director for  
Legislative Reference

Enclosures

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 23

Time: 130pm

FOR ACTION: Paul Leach  
Max Friedersdorf  
Kee Lazarus  
*NSC/S - OK*

cc (for information):

Jack Marsh  
Jim Cavanaugh  
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: June 23

Time: 200pm

SUBJECT:

S. 18 - Control of the African Honeybee

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

\_\_\_\_\_  
K. R. COLE, JR.  
For the President

NATIONAL SECURITY COUNCIL

June 24, 1976

MEMORANDUM FOR: JAMES M. CANNON

FROM: Jeanne W. Davis *WJD*

SUBJECT: *J* S. 18

The NSC Staff concurs in the proposed Enrolled Bill S. 18 - Control of the African Honeybee.



DEPARTMENT OF AGRICULTURE  
OFFICE OF THE SECRETARY  
WASHINGTON, D. C. 20250

June 18, 1976

Honorable James T. Lynn  
Director, Office of Management  
and Budget  
Washington, D.C. 20503

Dear Mr. Lynn:

In reply to the request of your office, the following report is submitted on the enrolled enactment of S. 18, "To amend the Act of August 31, 1922, to prevent the introduction and spread of diseases and parasites harmful to honeybees, and for other purposes."

This Department recommends that the President approve the bill.

The bill strengthens the current provisions of the Honeybee Act by prohibiting the importation of honeybees in all stages from egg to adult including semen. This would prevent the introduction of parasitic mites of the immature stages which are not present in the United States. Exceptions would be permitted for honeybees imported by the Department for scientific purposes; and for importations of bees or semen from those countries of the world which are free of diseases or parasites harmful to honeybees, including undesirable species or subspecies of honeybees. Also, the bill provides standby authority to cooperate with the several States, Canada, Mexico, the Central American countries, and Colombia in conducting such operations or taking such measures as may become necessary to protect against the spread of undesirable species or subspecies of honeybees.

The Department considers it essential that Africanized bees be kept out of the United States. In South America, the African strain has become mixed with native honeybee strains. In so doing, the African bee has imparted to the local bees its most singular and potentially troublesome traits--aggressiveness and excessive swarming. The resulting hybrids were often extremely vicious and difficult to handle, especially in the early crosses. In addition, they were so well adapted to the tropical climate that strains kept by other commercial beekeepers often could not compete in those areas where the Africanized strains appeared.

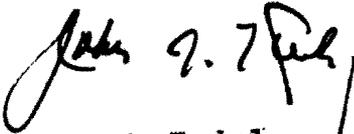
There is a real possibility that this hybrid strain may be introduced into and spread within this country. If this were to occur, and if the hybrids behaved as in Brazil, it is likely that the present practice of maintaining apiaries in rural areas, often near human habitation, would not be tolerated by the public. This would interfere with the use of bees for crop pollination and adversely affect some of our most important fruit, vegetable, and seed industries.

Honorable James T. Lynn

2

The administration of the import control provisions of the bill would not require additional appropriations. The need for any additional funds to undertake cooperative program activities depend upon future developments concerning the migration and spread of the African honeybee.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Knebel". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

John A. Knebel  
Under Secretary



DEPARTMENT OF STATE

Washington, D.C. 20520

JUN 18 1976

Dear Mr. Lynn:

This is in response to your request for comments on S. 18 enrolled bill "To amend the Act of August 31, 1922, to prevent the introduction and spread of diseases and parasites harmful to honeybees, and for other purposes."

As we pointed out in the letter from Mr. Holton to Mr. Ash, dated December 9, 1974, with reference to S. 3403, the earlier version of this bill, we believe it extremely important that steps be taken to prevent the introduction into the United States of undesirable species of honeybees, including the African bee, as well as harmful honeybee diseases and parasites. We note that Section 3 (b) provides that "Arrangements for the cooperation with foreign countries authorized by this Act shall be made through and in consultation with the Secretary of State." This provision will facilitate necessary cooperation and assure that actions taken will be consistent with the foreign policy objectives of the United States.

Accordingly, we concur in the objectives to be served by the bill and have no objection to its enactment.

Sincerely yours,

A handwritten signature in cursive script that reads "Robert J. McCloskey".

Robert J. McCloskey  
Assistant Secretary for  
Congressional Relations

The Honorable  
James T. Lynn,  
Director,  
Office of Management and Budget.

**Department of Justice**  
**Washington, D.C. 20530**

June 21, 1976

Honorable James T. Lynn  
Director, Office of Management  
and Budget  
Washington, D. C. 20503

Dear Mr. Lynn:

In compliance with your request, I have examined a facsimile of the enrolled bill (S. 18), "To amend the Act of August 31, 1922, to prevent the introduction and spread of diseases and parasites harmful to honeybees, and for other purposes."

S. 18 would broaden the existing provision of Section 281 of Title 7, United States Code, which prohibits, with certain specified exceptions, the importation into the United States of adult honeybees by extending this prohibition, with the same exceptions, to all honeybees and honeybee semen. It provides that honeybees shall be imported into the United States only by the United States Department of Agriculture for experimental or scientific purposes or from countries determined by the Secretary of Agriculture to be free of diseases or parasites harmful to honeybees. An additional requirement is that the countries involved have in operation precautions adequate to prevent the importation thereinto of honeybees from other countries where diseases or parasites, or undesirable species or subspecies, of honeybees exist. S. 18 provides further that honeybees semen may be imported into the United States only from countries which meet this same standard, as determined by the Secretary of Agriculture, and under such rules and regulations as the Secretary of Agriculture and the Secretary of the Treasury shall prescribe. It is prescribed that all honeybees or honeybee semen offered for import or intercepted entering the United States, other than under the conditions prescribed in the bill, shall be destroyed or immediately exported.

The term "honeybee" is defined in the bill as "all life stages and the germ plasm of honeybees in the genus Apis, except honeybee semen."

In addition, S. 18 amends Section 282 of Title 7, United States Code, by increasing the penalty provision therein, upon conviction of violation of Section 281 of Title 7, United States Code, from \$500 to \$1,000 while retaining the existing provisions for imprisonment, upon conviction, for not more than one year and allowing for both a fine and imprisonment.

S. 18 authorizes the Secretary of Agriculture, either independently or in cooperation with states or political subdivisions thereof, farmers' associations, and similar organizations and individuals, to carry out operations or measures within the United States to suppress, control, prevent, or retard the spread of undesirable species and subspecies of honeybees. It authorizes the Secretary of Agriculture to cooperate with the Governments of Canada, Mexico, Guatemala, Belize, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, and Columbia, or the local authorities thereof, in carrying out necessary research, surveys, and control operations in those countries in connection with this same objective. The bill directs that the measure and character of cooperation on the part of such countries, including the expenditure or use of funds appropriated pursuant thereto, shall be such as may be prescribed by the Secretary of Agriculture pursuant to arrangements made through and in consultation with the Secretary of State. S. 18 also directs that in performing the operations or measures authorized in the Act, the cooperating foreign country, State, or local agency shall be responsible for the authority to carry out such operations on all lands and properties within the foreign country or State, other than those owned or controlled by the Federal Government of the United States, and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary.

This bill further provides that funds appropriated to carry out its provisions may also be used for printing and binding without regard to the restrictions of Section 501 of Title 44, United States Code, for employment, by contract or otherwise, of civilian nationals of the named countries for services abroad and for the construction and operation of research laboratories, quarantine stations, and other buildings and facilities.

Finally, S. 18 authorizes the appropriation of such sums of money as may be necessary to carry out its provisions.

The Department of Justice defers to the Department of Agriculture and to the Department of State as to whether this bill should receive executive approval.

Sincerely,

A handwritten signature in cursive script that reads "Michael M. Uhlmann".

Michael M. Uhlmann  
Assistant Attorney General

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 23

Time: 130pm

FOR ACTION: Paul Leach  
Max Friedersdorf  
Ken Lazarus

cc (for information): Jack Marsh  
Jim Cavanaugh  
Ed Schmults

FROM THE STAFF SECRETARY

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DUE: Date: June 24

Time: 200pm

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SUBJECT:

S. 18 - Control of the African Honeybee

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to Judy Johnston, Ground Floor West Wing

No objection -- Ken Lazarus 6/23/76

**PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.**

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon  
For the President



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET

DATE: 6-23-76

TO: Bob Linder

FROM: Jim Frey

Attached is the Treasury views letter on S. 18. Please have it included in the enrolled bill file.



THE DEPUTY SECRETARY OF THE TREASURY

WASHINGTON, D.C. 20220

JUN 22 1976

Director, Office of Management Budget  
Executive Office of the President  
Washington, D. C. 20503

Attention: Assistant Director for Legislative  
Reference

Sir:

Reference is made to your request for the views of this Department on the enrolled enactment of S. 18, "To amend the Act of August 31, 1922, to prevent the introduction and spread of diseases and parasites harmful to honeybees, and for other purposes."

The first section of the enrolled enactment would amend the Act of August 31, 1922, as amended, which prohibits the importation into the United States of adult honeybees of the genus *Apis*, to further limit the importation of honeybees and honeybee semen. Honeybees and honeybee semen imported under exceptions to the limitation would be subject to regulations prescribed by the Secretary of Agriculture and the Secretary of the Treasury.

The Department has not commented previously on this legislation; however, we have no objection to its approval by the President.

Sincerely yours,



George H. Dixon

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503



To-  
J. Cronin  
6-23-76  
12:15 p.m.

JUN 22 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 18 - Control of the  
African Honeybee  
Sponsors - Sen. Dole (R) Kansas and  
6 others

Last Day for Action

June 29, 1976 - Tuesday

Purpose

Strengthens the Secretary of Agriculture's authority to prevent the introduction and spread of diseases and parasites harmful to honeybees.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of the Treasury	No objection (Informally)
Department of State	No objection
Department of Justice	Defers to Agriculture

Discussion

Under provisions of the Honeybee Act, the importation of adult honeybees is generally prohibited. The Act's intent is to exclude foreign diseases of honeybees from the United States. However, there is no authority to prohibit the deliberate or inadvertent introduction of new honeybee parasites or highly undesirable strains of bees in cases where this occurs when non-adult honeybees enter the United States.

## CONTROL OF THE AFRICAN HONEYBEE

MAY 15, 1976.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. FOLEY, from the Committee on Agriculture,  
submitted the following

### REPORT

[Including the Congressional Budget Office cost estimates]

[To accompany S. 18]

The Committee on Agriculture, to whom was referred the bill (S. 18), to amend the Act of August 31, 1922, to prevent the introduction and spread of diseases and parasites harmful to honeybees, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 2, lines 20 through 25, and page 3, lines 1 and 2, strike subsections (c) and (d) in their entirety and insert in lieu thereof the following:

(c) Honeybees and honeybee semen imported pursuant to subsections (a) and (b) of this section shall be imported under such rules and regulations as the Secretary of Agriculture and the Secretary of the Treasury shall prescribe.

(d) Except with respect to honeybees and honeybee semen imported pursuant to subsections (a) and (b) of this section, all honeybees or honeybee semen offered for import or intercepted entering the United States shall be destroyed or immediately exported.

#### BRIEF EXPLANATION

This bill would make three main changes in the law applicable to honeybees.

First, it would prohibit the importation of honeybees in all of their life stages (from germ plasm to adult), except under certain specified conditions determined by the Secretary of Agriculture. Under present law, only adult honeybees are covered.

Second, the bill would permit the importation of honeybee semen only from countries which are determined to be free of undesirable species or subspecies of honeybees and which have adequate precautions in operation to prevent the importation of such undesirable honeybees and their semen. Importations into the United States could only be made under rules and regulations prescribed by the Secretary of Agriculture and the Secretary of the Treasury.

Third, the bill would authorize the Secretary to cooperate with State governments, organizations, and individuals and with the governments of Mexico, Colombia, Canada, and the Central American countries to eradicate and control the spread of undesirable species of honeybees, including all forms of the African (or Brazilian) honeybee.

#### BACKGROUND AND NEED FOR LEGISLATION

The following excerpts from the Senate Report 94-193 set forth the background and need for this bill:

The Honeybee Act of 1922 was originally enacted to exclude foreign diseases of honeybees from the United States. Since the known foreign diseases infected only the adult hive bee, *Apis mellifera*, the Act prohibited the importation of adults of this species alone. Subsequently, it was discovered that additional species of *Apis* could transmit diseases. Therefore, the Act was revised in 1962 to include all species of honeybees.

#### II.

Recent studies by the Department of Agriculture have revealed that immature honeybees can also carry the dangerous mite pest, *Acarapis woodi*, in their respiratory tracts. Moreover, it has been discovered that a significant number of noxious honeybee parasites and diseases occur abroad that are unknown in this country. The African (or Brazilian) honeybee also poses a potential threat to the American beekeeping industry.

The threat is illustrated by the following quotation from the National Academy of Sciences' final report on the African honeybee, June 1972:

"A strain of honeybee not yet present in North America seems likely to enter that continent from the South if its spread is neither hindered nor helped through human agencies. This strain, now rapidly extending its range in South America, has both objectionable and dangerous attributes. Because of its unprovoked mass stinging and because of frequent swarming and absconding, the Brazilian honeybee is dangerous to people and animals and is difficult to manage."

#### III.

The African honeybee was deliberately imported into Brazil from Africa for research purposes in 1956. Shortly thereafter, queen bees were accidentally liberated and this honeybee strain, known to be highly aggressive and irritable, began spreading throughout South America at the rate of about 200 miles per year.

The strain has mixed with other breeds of honeybees in South America, and has imparted its extremely aggressive traits to the local bee population.

These hybrids are often extremely vicious and difficult to handle. Accidental encounters with livestock and people have resulted in mass stings that sometimes cause death.

More importantly, the spread of the African or Brazilian honeybee could lead to multi-million-dollar losses to American agriculture. If this hybridization should spread to the United States and contaminate domestic strains, the present practice of maintaining bee hives in rural areas, often near human habitation, would probably not be tolerated by the public. This would seriously interfere with the use of bees for crop pollination.

#### IV.

One of the most important roles of the beekeeping industry in U.S. agriculture is in the pollination of crops. It is estimated by the Department of Agriculture that the value of crops requiring pollination is \$1 billion. The value of crops not requiring pollination, but where the honeybee increases seed production and quality of the crop, is estimated to be \$6 billion. The value is unknown for the pollination of ornamentals and wildlife food plants. In addition to the value of the honeybee as a pollinator, the value of honey production in 1973 was \$105,766,572; the value of beeswax was \$3,135,544.

Because of its aggressive foraging for food, domestic bees have disappeared in areas where the African honeybee strain has appeared. Also, African honeybees may take over hives of other bees. This, in turn, creates another loss because the African honeybees may "abscond" or suddenly leave the hives to migrate to other areas. This leaves the beekeeper without producing bees and the adjacent crops without a honeybee pollinator agent. From less than two dozen swarms that escaped from colonies in Rio Clara, Brazil, in 1956, the African or Brazilian honeybee has now spread over an area equal to the continental United States.

#### V.

Currently, a Federal permit is not necessary to import live honeybee comb and brood for any reason whatsoever. Thus, immature forms of the African honeybee could legally be introduced from Africa or South America either deliberately or in shipments containing other bee strains.

Until the Honeybee Act is amended, any beekeeper or other person who has heard rumors that African or Brazilian strains of bees produce more honey can legally import viable semen, eggs, larvae, and pupae in any quantity from any country. Professional or amateur scientists can obtain live immature stages for laboratory or field experimentation. In short, the United States is extremely vulnerable to the delib-

erate or inadvertent introductions of new honeybee parasites and highly undesirable strains of bees.

Although some States have legislation regulating the entry of honeybees and hive equipment into their jurisdictions, many do not. Present legislation does not, therefore, provide necessary protection for the Nation's beekeepers and producers of food. The National Academy of Sciences has recommended that the Department of Agriculture seek the cooperation of Central American countries in erecting hive traps and genetic and other barriers across the Isthmus of Panama. However, under existing law, the Department of Agriculture does not have authority to proceed in implementing these recommendations.

#### SECTION-BY-SECTION ANALYSIS

##### SECTION 1. BAN ON IMPORTATION OF HONEYBEES

*Section 1* of the bill amends section 1 of the Act of August 31, 1922, popularly known as the Honeybee Act, to prohibit the importation of all honeybees of the genus *Apis*, including all life stages and the germ plasm of such genus. Such prohibition is for the purpose of preventing (1) the introduction and spread of diseases and parasites harmful to United States honeybees, and (2) the introduction of genetically undesirable germ plasm of honeybees. (Under existing law, the importation of all honeybees of the genus *Apis* in the adult stage is prohibited in order to prevent the introduction and spread of diseases dangerous to the United States adult honeybee.)

The ban on imports would not apply to honeybees imported into the United States (1) by the Department of Agriculture for experimental or scientific purposes, or (2) from countries determined by the Secretary of Agriculture to be free of diseases or parasites harmful to honeybees and undesirable species or subspecies of honeybees, and to have in operation precautions adequate to prevent the importation of honeybees from other countries where there are harmful diseases or parasites, or undesirable species or subspecies, of honeybees.

Honeybee semen may be imported *only* from countries determined by the Secretary to be free of undesirable species or subspecies of honeybees and which have in operation precautions adequate to prevent the importation from other countries of undesirable species or subspecies of honeybees and their semen.

(Diseases and parasites are not carried by semen, and there is, therefore, no reason to deny the United States beekeeping industry access to new genetic material from desirable species or subspecies.)

Both honeybees and honeybee semen imported pursuant to subsections (a) and (b) of section 1 could be imported only under such rules and regulations prescribed by the Secretary of Agriculture and the Secretary of the Treasury, and except with respect to honeybees and honeybee semen imported pursuant to subsections (a) and (b) of this section, all honeybees and honeybee semen offered for import or intercepted entering the United States would be destroyed or immediately exported.

#### SECTION 2. PUNISHMENT FOR UNLAWFUL IMPORTATION

*Section 2* of the bill amends section 2 of the Honeybee Act to provide that any person violating any provision of section 1 of the Act or any regulation issued under it shall be fined not more than \$1,000 or imprisoned for not more than one year, or both. The fine under existing law is \$500.

#### SECTION 3. ADDITION OF NEW SECTIONS

*Section 3* of the bill adds new sections 3, 4, and 5 to the Honeybee Act.

Subsection (a) of new section 3 authorizes the Secretary—either independently or in cooperation with States or political subdivisions thereof, farmers' associations, and similar organizations, and individuals—to carry out operations or measures in the United States to eradicate and control the spread of undesirable species or subspecies of honeybees.

Subsection (b) of new section 3 authorizes the Secretary of Agriculture to cooperate with the governments of Canada, Mexico, and Central America in a program of eradication and control of undesirable species or subspecies of honeybees, including the African (or Brazilian) honeybee. The measure and character of cooperation carried out on the part of such countries shall be such as may be prescribed by the Secretary of Agriculture. Arrangements for such cooperation shall be made through and in consultation with the Secretary of State.

Subsection (c) of new section 3 provides that the cooperating foreign country, State, or local agency shall be responsible for the authority to carry out such operations or measures on all lands and properties within the foreign country or State, other than those owned or controlled by the Federal Government of the United States, and for such other facilities and means as the Secretary of Agriculture determines to be necessary.

The new section 4 provides that funds appropriated to carry out the Honeybee Act may be used for (1) printing and binding without regard to 44 U.S.C. 501 (which provides with exceptions, that all Government printing shall be done at the Government Printing Office); (2) for employment, by contract, or otherwise, of civilian nationals of Canada, Mexico, and Central American countries for services abroad; and (3) for the construction and operation of research laboratories, quarantine stations, and other buildings and facilities.

The new section 5 authorizes the appropriations of such sums as may be necessary to carry out the Act.

#### COMMITTEE CONSIDERATION

A public hearing was held April 29, 1976, before the full Committee on Agriculture on S. 18 and its House companion bill (H.R. 5242, by Mr. Foley and Mr. Wampler).

Dr. Harry C. Mussman, Associate Administrator of the Animal and Plant Health Inspection Service, testified for the Department in sup-

port of H.R. 5242, if amended as suggested by the Department and as provided in S. 18, as passed by the Senate.

Also appearing before the Committee to present testimony were representatives of The American Beekeeping Federation, Inc., and the Eastern Apicultural Society. An additional statement for the hearing record was submitted by Roger A. Morse, Professor of Apiculture, Department of Entomology, Cornell University, New York, and Glenn Gibson, The American Honey Producers Association, Inc. A question was raised during the consideration of this legislation over the inclusion of sections 3 and 4 of the bill. Two of the statements submitted to the Committee questioned the need for these sections which permit the Secretary to enter into cooperative agreements both within and outside the United States to control the spread of the undesirable honeybees.

The Committee, however, felt that in this case "an ounce of prevention is worth a pound of cure" and that by giving the Secretary the proper authority to move quickly and effectively to prevent and control the introduction or spread of the Africanized honeybee, both the nation's agriculture and population could be adequately protected.

Another argument lodged against this bill was that genetic use of the aggressive Africanized honeybee was blocked by the bill. This is not true, because under section 1(a)(1) the Department could import honeybees for experimental or scientific purposes.

#### COMMITTEE AMENDMENT

The Committee amendment clarifies section 1 of the bill by specifically including honeybee semen in subsections (c) and (d). Thus it is clear that both honeybees and honeybee semen that are imported pursuant to subsections (a) and (b) of section 1 are subject to the joint rules and regulations of the Secretaries of Agriculture and Treasury as well as to destruction or immediate exportation if improperly imported.

Under the bill and the Committee amendment honeybee semen could not under any circumstances be imported from countries which the Secretary determines are infested with undesirable honeybee species or subspecies.

#### ADMINISTRATION POSITION

The Department of Agriculture recommended the enactment of S. 18 as set forth in the following statement presented by Dr. Harry C. Mussman, Associate Administrator, Animal and Plant Health Inspection Service, USDA, at the public hearings:

STATEMENT OF DR. HARRY C. MUSSMAN, ASSOCIATE ADMINISTRATOR, ANIMAL AND PLANT HEALTH INSPECTION SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the committee, I appreciate the opportunity to appear before the committee to express the views of the Department on H.R. 5242 and S. 18. I am accompanied by Mr. Tom Darling, Assistant Deputy Administrator, Plant Protection and Quarantine Programs, and by Dr. Marshall D. Levin, Deputy Assistant Administrator,

Plant and Entomological Sciences, Agricultural Research Service. Dr. Levin is a recognized expert on apiculture.

The Department's reports on H.R. 5242 and S. 18 recommended enactment with certain suggested amendments. As passed by the Senate, S. 18 incorporates these amendments. We continue to recommend enactment of S. 18, or of H.R. 5242 if similarly amended. For this reason, our comments will address S. 18.

Essentially, S. 18 would do two things:

First, it would strengthen the current provisions of the Honeybee Act by prohibiting the importation of honeybees in all stages from egg to adult including semen, with certain exceptions. Excepted would be honeybees imported by the Department for scientific purposes; and importations of bees or semen from those countries of the world which are free of diseases or parasites harmful to honeybees, including undesirable species or subspecies of honeybees.

Second, it would provide the Department with standby authority to cooperate with the several states, Canada, Mexico, the Central American countries and Colombia in conducting such operations or taking such measures as may become necessary to protect against undesirable species or subspecies of honeybees.

In 1972, a committee of the National Research Council of the National Academy of Sciences completed a study of the African honeybee problem in Brazil. The report contained several recommendations, including the need for legislation to give the Department authority to deal effectively with the potential problems which could result from the introduction of the so-called African bee into the United States. The legislation under consideration would provide this authority. Enactment of the bill is important because of the threat that strains of the Africanized bees could be imported or accidentally introduced.

The Department considers it essential that Africanized bees be kept out of the United States. In South America, the African strain has become mixed with native honeybee strains. In so doing, the African bee has imparted to the local bees its most singular and potentially troublesome traits—aggressiveness and excessive swarming. The resulting hybrid foraged so effectively that strains kept by other commercial beekeepers often could not compete in those areas where the Africanized strains appeared. Of equal importance, these hybrids were often extremely vicious and difficult to handle, especially in the early crosses.

There is a real possibility that this hybrid strain may be introduced into and spread within this country. If this were to occur, and if the hybrids behaved as in Brazil, it is likely that the present practice of maintaining apiaries in rural areas, often near human habitation, would not be tolerated by the public. This would interfere with the use of bees for crop pollination and adversely affect some of our most important fruit, vegetable, and seed industries. The bill would en-

able the Department to cooperate with other countries in efforts to establish physical, chemical, behavioral, or other barriers to the overland movement of the Africanized bee into the southwestern United States.

Over the years, this Committee has actively supported legislation to authorize the Department to cooperate with foreign countries in efforts to detect, control and eradicate agricultural pests and diseases. In 1947, for example, the authority to combat foot-and-mouth disease and rinderpest was first extended to include Mexico. More recently, in 1971, this authority was broadened to include other animal diseases and pests and extended to include Canada, the Central American countries and Colombia. In this session of Congress, the authority of the Department to deal with plant pests was broadened and extended to include cooperative activities against a wide range of plant pests in all countries of the Western Hemisphere.

These actions resulted from the recognized need to deal with such problems as the Mediterranean fruit fly, Venezuelan equine encephalomyelitis and others, before they are allowed to spread naturally into the United States. Sections 3 and 4 of S. 18 would provide similar authority to deal with such problems that might occur if the northward spread of the Africanized honeybee continues. In exercising this authority, the Department would have to submit a detailed plan to the Congress to support a request for funds. No additional funds would be needed for administering the import provisions of the bill since they would be enforced by our inspectors already at ports of entry.

Mr. Chairman, this concludes my remarks. My colleagues and I will do our best to respond to questions.

#### CURRENT AND 5 SUBSEQUENT FISCAL YEAR COST ESTIMATE

Pursuant to clause 7 of Rule XIII of the Rules of the House of Representatives, the Committee estimates that there would be no cost incurred by the Federal Government during the current and the five subsequent fiscal years as a result of the enactment of this legislation as an outbreak is not expected within that time frame.

A similar cost estimate was submitted to the Committee by the Department of Agriculture which stated:

At this time, we do not project the migration of the bee to any of these countries during the next five years. If this projection is correct, no funds would be required for this provision during the five-year period. If the projection is faulty, due to unanticipated events, the level of funding would depend on mutual agreement with the cooperating countries; the extent of the threat; and action by the Congress on proposals which would be submitted at that time.

#### INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(1)(4) of Rule XI of the Rules of the House of Representatives, the Committee estimates that enactment of S. 18, as amended, will have no inflationary impact on the national economy.

Rather, the Committee expects that its effect will be salutary through providing increased protection to the honeybee industry, which plays a highly significant role in many aspects of American agriculture, and through providing a means by which the Federal Government can act to prevent the introduction of an insect into this country that might prove to be severely damaging to the health of the American people.

#### BUDGET ACT COMPLIANCE (SECTION 308 AND SECTION 403)

The provisions of clause 2(1)(3)(B) of Rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 (relating to estimates of new budget authority or new or increased tax expenditures) are not considered applicable. The estimate and comparison prepared by the Director of the Congressional Budget Office under clause 2(1)(3)(C) of Rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974 submitted to the Committee prior to the filing of this report are as follows:

CONGRESS OF THE UNITED STATES,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, D.C., May 14, 1976.

HON. THOMAS S. FOLEY,  
*Chairman, Committee on Agriculture, U.S. House of Representatives, Longworth House Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for H.R. 5242/S. 18, Honeybee Act Amendments.

Should the Committee so desire, we would be pleased to provide further details on the attached cost estimate.

Sincerely,

ROBERT LEVINE,  
*Deputy Director.*

CONGRESSIONAL BUDGET OFFICE

COST ESTIMATE

MAY 14, 1976.

1. Bill number: H.R. 5242/S. 18.
2. Bill title: Honeybee Act Amendments.
3. Purpose of bill:

The Brazilian or Africanized honeybee is a South American bee known for its proclivity to sting and its ability to drive out more docile varieties of honeybees. American beekeepers fear that the Africanized species could become established in this country if it were imported or allowed to migrate north. Infestation of the many hives maintained near human populations would not be tolerated by the public and could adversely affect farmers who depend on honeybees as pollinating agents.

H.R. 5242 would protect the domestic honeybee by prohibiting the importation of honeybees in all of their life stages, except under certain specified conditions. Under existing law, only adult honeybees are excluded. Such a prohibition would prevent the introduction or infestation by undesirable species. The bill also authorizes the Secretary of Agriculture to cooperate with the states, farm organizations, individuals, and the governments of Canada and Central Amer-

ica to eradicate or control the spread of undesirable varieties of honeybees.

4. Cost estimate: Additional Federal costs could be incurred if the Department of Agriculture initiates a program to prevent African honeybees from migrating into North America. The cost estimate is shown in the table below:

*Costs*

Fiscal year: 1977 \_\_\_; 1978 \_\_\_; 1979 \_\_\_; 1980 \_\_\_; 1981 1.0 to 5.0

5. Basis of estimate:

Federal efforts to control the importation of undesirable species and the introduction of harmful parasites at the U.S. border should not result in additional costs. Inspection teams of the Animal and Plant Health Inspection Service already monitor products crossing the border and additional staff is not considered necessary.<sup>1</sup>

However, costs will be incurred if the Department of Agriculture attempts to stem the northern migration of the Africanized honeybee. In a 1972 report on the threat posed by this bee, the National Academy of Sciences stated that the migration would require action in the Central American isthmus within 4 to 6 years. The report suggested that a genetic barrier could be the best control strategy.<sup>2</sup> The Animal and Plant Health Inspection Service utilizes this technique in its screwworm control program which now costs about \$25 million. If a similar program were required to control the migration of honeybees, costs could reach \$25 to \$30 million. The \$1 to \$5 million range represents CBO's estimate of the costs during the first year of the program.

6. Estimate comparison:

In its report accompanying S. 18, the Senate Committee on Agriculture and Forestry included a statement on program costs. The Committee concluded that no additional costs would be incurred in carrying out the import restrictions, but did not estimate the cost of the control program in Central America. The Committee asserted that an estimate could not be developed until the problem becomes better defined. The Department of Agriculture agrees.

7. Previous CBO estimate: None.

8. Estimate prepared by: Robert M. Gordon (225-5275).

9. Estimate approved by: James L. Blum, Assistant Director for Budget Analysis.

OVERSIGHT STATEMENT

No summary of oversight findings and recommendations made by the Committee on Government Operations under clause 2(b)(2) of Rule X of the Rules of the House of Representatives was available to the Committee with reference to the subject matter specifically addressed by S. 18, as amended.

No specific oversight activities, other than the hearing accompanying the Committee's consideration of S. 18, as amended, and related bills were made by the Committee within the definition of clause 2(b)(1) of Rule X of the Rules of the House of Representatives.

<sup>1</sup> Animal and Plant Health Inspection Service, U.S.D.A.

<sup>2</sup> National Academy of Sciences, "Final Report, Committee on the African Honeybee," Washington, 1972.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

ACT OF AUGUST 31, 1922

\* \* \* \* \*

Section 1. [In order to prevent the introduction and spread of diseases dangerous to the adult honeybee, the importation into the United States of all honeybees of the genus *Apis* in the adult stage is hereby prohibited, and all adult honeybees offered for import into the United States shall be destroyed if not immediately exported: *Provided*, That such adult honeybees may be imported into the United States by the United States Department of Agriculture for experimental or scientific purposes: *Provided further*, That such adult honeybees may be imported into the United States from countries in which the Secretary of Agriculture shall determine that no diseases dangerous to adult honeybees exist and that adequate precautions have been taken by such countries to prevent the importation of honeybees from countries where such dangerous diseases exist, under rules and regulations prescribed by the Secretary of the Treasury and the Secretary of Agriculture.] (a) *In order to prevent the introduction and spread of diseases and parasites harmful to honeybees, and the introduction of genetically undesirable germ plasm of honeybees, the importation into the United States of all honeybees is prohibited, except that honeybees may be imported into the United States—*

(1) *by the United States Department of Agriculture for experimental or scientific purposes, or*

(2) *from countries determined by the Secretary of Agriculture—*

(A) *to be free of diseases or parasites harmful to honeybees, and undesirable species or subspecies of honeybees; and*

(B) *to have in operation precautions adequate to prevent the importation of honeybees from other countries where harmful diseases or parasites, or undesirable species or subspecies, of honeybees exist.*

(b) *Honeybee semen may be imported into the United States only from countries determined by the Secretary of Agriculture to be free of undesirable species or subspecies of honeybees, and which have in operation precautions adequate to prevent the importation of such undesirable honeybees and their semen.*

(c) *Honeybees and honeybee semen imported pursuant to subsections (a) and (b) of this section shall be imported under such rules and regulations as the Secretary of Agriculture and the Secretary of the Treasury shall prescribe.*

(d) *Except with respect to honeybees and honeybee semen imported pursuant to subsections (a) and (b) of this section, all honeybees or honeybee semen offered for import or intercepted entering the United States shall be destroyed or immediately exported.*

(e) As used in this Act, the term "honeybee" means all life stages and the germ plasm of honeybees of the genus *Apis*, except honeybee semen.

SEC. 2. [That any person who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding \$500 or by imprisonment not exceeding one year, or both such fine and imprisonment, in the discretion of the court.] Any person who violates any provision of section 1 of this Act or any regulation issued under it is guilty of an offense against the United States and shall, upon conviction, be fined not more than \$1,000, or imprisoned for not more than one year, or both.

SEC. 3. (a) The Secretary of Agriculture either independently or in cooperation with States or political subdivisions thereof, farmers' associations, and similar organizations and individuals, is authorized to carry out operations or measures in the United States to eradicate, suppress, control, and to prevent or retard the spread of undesirable species and subspecies of honeybees.

(b) The Secretary of Agriculture is authorized to cooperate with the Governments of Canada, Mexico, Guatemala, Belize, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, and Colombia, or the local authorities thereof, in carrying out necessary research, surveys, and control operations in those countries in connection with the eradication, suppression, control, and prevention or retardation of the spread of undesirable species and subspecies of honeybees, including but not limited to *Apis mellifera adansonii*, commonly known as the African or Brazilian honeybee. The measure and character of cooperation carried out under this subsection on the part of such countries, including the expenditure or use of funds appropriated pursuant to this Act, shall be such as may be prescribed by the Secretary of Agriculture. Arrangements for the cooperation authorized by this subsection shall be made through and in consultation with the Secretary of State.

(c) In performing the operations or measures authorized in this Act, the cooperating foreign country, State, or local agency shall be responsible for the authority to carry out such operations or measures on all lands and properties within the foreign country or State, other than those owned or controlled by the Federal Government of the United States, and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary.

SEC. 4. Funds appropriated to carry out the provisions of this Act may also be used for printing and binding without regard to section 501 of title 44, United States Code, for employment, by contract or otherwise, of civilian nationals of Canada, Mexico, Guatemala, Belize, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, and Colombia for services abroad, and for the construction and operation of research laboratories, quarantine stations, and other buildings and facilities.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

## CONTROL OF THE AFRICAN HONEYBEE

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JUNE 13 (legislative day, June 6), 1975.—Ordered to be printed

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Mr. DOLE, from the Committee on Agriculture and Forestry,  
submitted the following

## REPORT

[To accompany S. 18]

The Committee on Agriculture and Forestry to which was referred the bill (S. 18) to amend the Act of August 31, 1922, to prevent the introduction and spread of diseases and parasites harmful to honeybees, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

## SHORT EXPLANATION

The bill would strengthen the existing Honeybee Act by prohibiting the importation of honeybees in all of their life stages (from germ plasm to adult) except under certain specified conditions. Under existing law, only the importation of the adult honeybee is prohibited.

The bill would also authorize the Secretary of Agriculture to cooperate with State governments, organizations, individuals, and the governments of Mexico, Canada, and the Central American countries to eradicate and control the spread of undesirable species of honeybees, including all forms of the African (or Brazilian) honeybee.

## COMMITTEE AMENDMENTS

On page 2, after line 14, the Committee (1) inserted a new subsection (b) to permit the importation of honeybee semen from countries where bee diseases and parasites may exist, but where there are no undesirable species of honeybees and (2) revised lines 15 through 24 of page 2 and lines 1 and 2 of page 3 to make technical and conforming changes.

On page 3, line 12 through line 9 of page 4, the Committee revised the new proposed section 3 to authorize the Secretary of Agriculture to eradicate Africanized honeybees (or any other undesirable species) in the event they are introduced into the United States.

## BACKGROUND AND NEED FOR LEGISLATION

## I.

The Honeybee Act of 1922 was originally enacted to exclude foreign diseases of honeybees from the United States. Since the known foreign diseases infected only the adult hive bee, *Apis mellifera*, the Act prohibited the importation of adults of this species alone. Subsequently, it was discovered that additional species of *Apis* could transmit diseases. Therefore, the Act was revised in 1962 to include all species of honeybees.

## II.

Recent studies by the Department of Agriculture have revealed that immature honeybees can also carry the dangerous mite pest, *Acarapis woodi*, in their respiratory tracts. Moreover, it has been discovered that a significant number of noxious honeybee parasites and diseases occur abroad that are unknown in this country. The African (or Brazilian) honeybee also poses a potential threat to the American beekeeping industry.

The threat is illustrated by the following quotation from the National Academy of Sciences' final report on the African honeybee, June 1972:

A strain of honeybee not yet present in North America seems likely to enter that continent from the South if its spread is neither hindered nor helped through human agencies. This strain, now rapidly extending its range in South America, has both objectionable and dangerous attributes. Because of its unprovoked mass stinging and because of frequent swarming and absconding, the Brazilian honeybee is dangerous to people and animals and is difficult to manage.

## III.

The African honeybee was deliberately imported into Brazil from Africa for research purposes in 1956. Shortly thereafter, queen bees were accidentally liberated and this honeybee strain, known to be highly aggressive and irritable, began spreading throughout South America at the rate of about 200 miles per year.

The strain has mixed with other breeds of honeybees in South America, and has imparted its extremely aggressive traits to the local bee population.

These hybrids are often extremely vicious and difficult to handle. Accidental encounters with livestock and people have resulted in mass stings that sometimes cause death.

More importantly, the spread of the African or Brazilian honeybee could lead to multi-million dollar losses to American agriculture. If this hybridization should spread to the United States and contaminate domestic strains, the present practice of maintaining bee hives in rural areas, often near human habitation, would probably not be tolerated by the public. This would seriously interfere with the use of bees for crop pollination.

## IV.

One of the most important roles of the beekeeping industry in U.S. agriculture is in the pollination of crops. It is estimated by the Department of Agriculture that the value of crops requiring pollination is \$1 billion. The value of crops not requiring pollination, but where the honeybee increases seed production and quality of the crop, is estimated to be \$6 billion. The value is unknown for the pollination of ornamentals and wildlife food plants. In addition to the value of the honeybee as a pollinator, the value of honey production in 1973 was \$105,766,572; the value of beeswax was \$3,135,544.

Because of its aggressive foraging for food, domestic bees have disappeared in areas where the African honeybee strain has appeared. Also, African honeybees may take over hives of other bees. This, in turn, creates another loss because the African honeybees may "abscond" or suddenly leave the hives to migrate to other areas. This leaves the beekeeper without producing bees and the adjacent crops without a honeybee pollinator agent. From less than two dozen swarms that escaped from colonies in Rio Clara, Brazil, in 1956, the African or Brazilian honeybee has now spread over an area equal to the continental United States.

## V.

Currently, a Federal permit is not necessary to import live honeybee comb and brood for any reason whatsoever. Thus, immature forms of the African honeybee could legally be introduced from Africa or South America either deliberately or in shipments containing other bee strains.

Until the Honeybee Act is amended, any beekeeper or other person who has heard rumors that African or Brazilian strains of bees produce more honey can legally import viable semen, eggs, larvae, and pupae in any quantity from any country. Professional or amateur scientists can obtain live immature stages for laboratory or field experimentation. In short, the United States is extremely vulnerable to the deliberate or inadvertent introductions of new honeybee parasites and highly undesirable strains of bees.

Although some States have legislation regulating the entry of honeybees and hive equipment into their jurisdictions, many do not. Present legislation does not, therefore, provide necessary protection for the Nation's beekeepers and producers of food. The National Academy of Sciences has recommended that the Department of Agriculture seek the cooperation of Central American countries in erecting hive traps and genetic and other barriers across the Isthmus of Panama. However, under existing law, the Department of Agriculture does not have authority to proceed in implementing these recommendations.

## VI.

On June 3, 1975, the Subcommittee on Agricultural Research and General Legislation conducted a hearing on S. 18. Appearing as witnesses were Dr. Frank J. Mulhern, Administrator, Animal and Plant

Health Inspection Service, U.S. Department of Agriculture; Robert M. Ray, Chairman, Legislative Committee, American Beekeeping Federation; P. A. Yelverton, President, American Bee Breeders Association; and Homer P. Powers, State Apiarist, Virginia Department of Agriculture and Commerce, representing the Apiary Inspectors of America.

All the witnesses expressed their support of the legislation. Dr. Mulhern noted that the Department, in its report on S. 18, recommended amendments to (1) permit the importation of honeybee semen from countries where bee diseases and parasites may exist (but where there are no undesirable species of honeybees) and (2) authorize the Secretary of Agriculture to eradicate Africanized honeybees (or any other undesirable species) in the event they are introduced into the United States.

On June 10, 1975, the Committee on Agriculture and Forestry amended S. 18 to incorporate the suggested amendments of the Department and agreed to report the bill to the Senate.

### SECTION-BY-SECTION ANALYSIS

#### SECTION 1. BAN ON IMPORTATION OF HONEYBEES

*Section 1* of the bill amends section 1 of the Act of August 31, 1922, popularly known as the Honeybee Act, to prohibit the importation of all honeybees of the genus *Apis*, including all life stages and the germ plasm of such genus. Such prohibition is for the purpose of preventing (1) the introduction and spread of diseases and parasites harmful to United States honeybees, and (2) the introduction of genetically undesirable germ plasm of honeybees. (Under existing law, the importation of all honeybees of the genus *Apis* in the adult stage is prohibited in order to prevent the introduction and spread of diseases dangerous to the United States adult honeybee.)

The ban on imports would not apply to honeybees imported into the United States (1) by the Department of Agriculture for experimental or scientific purposes, or (2) from countries determined by the Secretary of Agriculture to be free of diseases or parasites harmful to honeybees and undesirable species or subspecies of honeybees, and to have in operation precautions adequate to prevent the importation of honeybees from other countries where there are harmful diseases or parasites, or undesirable species or subspecies, of honeybees.

The new *section 1* also provides that honeybee semen may be imported only from countries determined by the Secretary to be free of undesirable species or subspecies of honeybees and which have in operation precautions adequate to prevent the importation from other countries of undesirable species or subspecies of honeybees and their semen.

(Diseases and parasites are not carried by semen, and there is, therefore, no reason to deny the United States beekeeping industry access to new genetic material.)

#### SECTION 2. PUNISHMENT FOR UNLAWFUL IMPORTATION

*Section 2* of the bill amends section 2 of the Honeybee Act to provide that any person violating any provision of section 1 of the Act or any regulation issued under it shall be fined not more than \$1,000 or imprisoned for not more than one year, or both. The fine under existing law is \$500.

#### SECTION 3. ADDITION OF NEW SECTIONS

*Section 3* of the bill adds new sections 3, 4, and 5 to the Honeybee Act.

Subsection (a) of new *section 3* authorizes the Secretary—either independently or in cooperation with States or political subdivisions thereof, farmers' associations, and similar organizations, and individuals—to carry out operations or measures in the United States to eradicate and control the spread of undesirable species or subspecies of honeybees.

Subsection (b) of new *section 3* authorizes the Secretary of Agriculture to cooperate with the governments of Canada, Mexico, and Central America in a program of eradication and control of undesirable species or subspecies of honeybees, including the African (or Brazilian) honeybee. The measure and character of cooperation carried out on the part of such countries shall be such as may be prescribed by the Secretary of Agriculture. Arrangements for such cooperation shall be made through and in consultation with the Secretary of State.

Subsection (c) of new *section 3* provides that the cooperating foreign country, State, or local agency shall be responsible for the authority to carry out such operations or measures on all lands and properties within the foreign country or State, other than those owned or controlled by the Federal Government of the United States, and for such other facilities and means as the Secretary of Agriculture determines to be necessary.

The new *section 4* provides that funds appropriated to carry out the Honeybee Act may be used for (1) printing and binding without regard to 44 U.S.C. 501 (which provides, with exceptions, that all Government printing shall be done at the Government Printing Office); (2) for employment, by contract, or otherwise, of civilian nationals of Canada, Mexico, and Central American countries for services abroad; and (3) for the construction and operation of research laboratories, quarantine stations, and other buildings and facilities.

The new *section 5* authorizes the appropriations of such sums as may be necessary to carry out the Act.

#### DEPARTMENTAL VIEWS

In a letter to the Chairman dated June 2, 1975, the Department of Agriculture recommended the enactment of S. 18 if amended to incorporate certain changes, which the Committee adopted. The letter from the Department reads as follows:

DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY,  
Washington, D.C., June 2, 1975.

HON. HERMAN E. TALMADGE,  
Chairman, Committee on Agriculture and Forestry,  
U.S. Senate.

DEAR MR. CHAIRMAN: This is in reply to your request for a report on S. 18, a bill "To amend the Act of August 31, 1922, to prevent the introduction and spread of diseases and parasites harmful to honeybees, and for other purposes."

This Department recommends that the bill be enacted, if amended as suggested in the attachment to this report.

The bill would strengthen the existing Honeybee Act (7 U.S.C. 281, 282) by prohibiting the importation of honeybees in all stages, from germ plasm to adult, except by the USDA for experimental or scientific purposes; or from countries determined by the Secretary to be free of diseases or parasites harmful to honeybees and undesirable species of honeybees, and which have precautions to prevent importation of undesirable strains of honeybees. The present Act only prohibits importation of the adult stage.

The bill would provide authority for the Department to monitor the various commercial avenues of entry for bees at all life stages and control permissible importations to eliminate the risk of accidental release.

If amended as we suggest, the bill would also authorize the Secretary to cooperate with State governments, organizations, individuals, and the governments of Mexico, Canada, and the Central American countries to eradicate and control the spread of undesirable species of honeybees, including pure or hybrid forms of *Apis mellifera adansonii*, the African bee. The bill would further enable the Secretary to cooperate with other countries to establish physical, chemical, behavioral, or other barriers to the overland movement of the Africanized bee into the southwestern United States.

The African honeybee was deliberately imported into Brazil from Africa for research purposes in 1956. Shortly thereafter, queen bees were accidentally liberated and this honeybee strain, known to be highly aggressive and irritable, began spreading throughout South America at the rate of about 200 miles per year.

The strain has mixed with other breeds of honeybees in South America, and has imparted its extremely aggressive traits to the local bee population. These hybrids forage so aggressively that other strains kept by commercial beekeepers cannot compete in areas where the Africanized genes have appeared. These hybrids are often extremely vicious and difficult to handle. Accidental encounters with livestock and people have resulted in mass stings that sometimes cause death.

If this hybridization should spread to the United States and contaminate our domestic strains, the present practice of maintaining apiaries in rural areas, often near human habitation, would not be tolerated by the public. This would seriously interfere with the use of bees for crop pollination and would cripple some of our most important fruit, vegetable, and seed industries.

Presently, eggs, larvae, pupae, and semen of the honeybee *Apis mellifera* and all other species of bees in the genus *Apis* can be imported into the United States without restriction. Thus, immature forms of the African honeybee could legally be introduced from Africa or South America either deliberately or in shipments containing other bee strains.

While research has now demonstrated that the parasitic mite, *Acarapis woodi*, could also be introduced in brood, of much greater importance is the need to exclude mites of the genus *Varroa* and of the genus *Tropilaelaps*. These parasites of the immature forms are not found in the United States now but are serious pests of the genus *Apis* in Asia and the Orient.

No additional appropriations would be needed for administration of the bill's import control provisions. Estimates for implementing section 3 of the bill must be developed as the problem with undesirable bees becomes better defined in the Central American countries, or, if amended as we suggest, when such bees begin to appear in the United States.

In accordance with the requirements of section 102(2)(C) of Public Law 91-190, a statement of this bill's effect upon the environment is attached.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

RICHARD A. ASHWORTH,  
Deputy Under Secretary.

[Attachment:]

1. On page 2, at line 15, designate the last sentence of subsection (a) as (c) and insert a new subsection (b) as follows: "(b) Honeybee semen may be imported into the United States only from countries determined by the Secretary to be free of undesirable species or subspecies of honeybees, and which have in operation precautions adequate to prevent the importation of such undesirable honeybees and their semen."

2. On page 2, at line 15, after the word "Honeybees" insert the words "and honeybee semen"; and after the words "pursuant to" delete "paragraph (2) of this subsection" and insert in lieu thereof "subsections (a) and (b) of this section".

3. On page 2, at line 19, change "(b)" to "(d)" and insert after "honeybees" the words "and honeybee semen".

4. On page 2, at line 20, delete the words "paragraph (1) or (2) of subsection (a)" and insert in lieu thereof "subsections (a) and (b)".

5. On page 2, at line 21, insert "or honeybee semen" after "honeybees".

6. On page 2, at line 24, change "(c)" to "(e)".

7. On page 3, at line 2, after the word "Apis" insert a comma and the words "except honeybee semen".

These amendments are needed in order to permit importation of honeybee semen from countries where bee diseases and parasites may exist, but where there are no undesirable species of honeybees. Diseases and parasites are not carried by semen. Therefore, since the health of

domestic bees would not be threatened by the importation of semen, there is no reason to deny the United States beekeeping industry access to new genetic material.

8. The new section 3 of the Act of August 31, 1922, to be added by section 3 of the bill is amended to read as follows:

SEC. 3. (a) The Secretary of Agriculture either independently or in cooperation with States or political subdivisions thereof, farmers' associations, and similar organizations and individuals, is authorized to carry out operations or measures in the United States to eradicate, suppress, control, and to prevent or retard the spread of undesirable species and subspecies of honeybees.

(b) The Secretary of Agriculture is authorized to cooperate with the Governments of Canada, Mexico, Guatemala, Belize, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, and Colombia, or the local authorities thereof, in carrying out necessary research, surveys, and control operations in those countries in connection with the eradication, suppression, control, and prevention or retardation of the spread of undesirable species and subspecies of honeybees, including but not limited to *Apis mellifera adansonii*, commonly known as the African or Brazilian honeybee. The measure and character of cooperation carried out under this subsection on the part of such countries, including the expenditure or use of funds appropriated pursuant to this Act, shall be such as may be prescribed by the Secretary of Agriculture. Arrangements for the cooperation authorized by this subsection shall be made through and in consultation with the Secretary of State.

(c) In performing the operations or measures authorized in this Act, the cooperating foreign country, State, or local agency shall be responsible for the authority to carry out such operations or measures on all lands and properties within the foreign country or State, other than those owned or controlled by the Federal Government of the United States, and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary.

This amendment is needed to give the Secretary authority to act swiftly and effectively to eradicate or suppress the Africanized bee or any other undesirable species of honeybees within the United States, in the event that they are accidentally or intentionally introduced into the United States.

#### COST ESTIMATE

In accordance with section 252 of the Legislative Reorganization Act of 1970, the Committee estimates that there would be no increase in Federal costs in carrying out the import restrictions of the bill. A precise cost estimate of the increased costs needed for implementing the control and eradication program authorized by section 3 of the bill is not practicable. Cost estimates for implementing the program would have to be developed as the problem with undesirable bees becomes better defined in the Central American countries.

The Committee's cost estimate is in accord with the estimate furnished by the Department of Agriculture.

#### CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

ACT OF AUGUST 31, 1922

\* \* \* \* \*

Section 1. [In order to prevent the introduction and spread of diseases dangerous to the adult honeybee, the importation into the United States of all honeybees of the genus *Apis* in the adult stage is hereby prohibited; and all adult honeybees offered for import into the United States shall be destroyed if not immediately exported: *Provided*, That such adult honeybees may be imported into the United States by the United States Department of Agriculture for experimental or scientific purposes: *Provided further*, That such adult honeybees may be imported into the United States from countries in which the Secretary of Agriculture shall determine that no diseases dangerous to adult honeybees exist and that adequate precautions have been taken by such countries to prevent the importation of honeybees from countries where such dangerous diseases exist, under rules and regulations prescribed by the Secretary of the Treasury and the Secretary of Agriculture.] (a) *In order to prevent the introduction and spread of diseases and parasites harmful to honeybees, and the introduction of genetically undesirable germ plasm of honeybees, the importation into the United States of all honeybees is prohibited, except that honeybees may be imported into the United States—*

(1) *by the United States Department of Agriculture for experimental or scientific purposes, or*

(2) *from countries determined by the Secretary of Agriculture—*

(A) *to be free of diseases or parasites harmful to honeybees, and undesirable species or subspecies of honeybees; and*

(B) *to have in operation precautions adequate to prevent the importation of honeybees from other countries where harmful diseases or parasites, or undesirable species or subspecies, of honeybees exist.*

(b) *Honeybee semen may be imported into the United States only from countries determined by the Secretary of Agriculture to be free of undesirable species or subspecies of honeybees, and which have in operation precautions adequate to prevent the importation of such undesirable honeybees and their semen.*

(c) *Honeybees imported pursuant to subsections (a) and (b) of this section shall be imported under such rules and regulations as the Secretary of Agriculture and the Secretary of the Treasury shall prescribe.*

(d) *Except with respect to honeybees imported pursuant to subsections (a) and (b) of this section, all honeybees offered for import or intercepted entering the United States shall be destroyed or immediately exported.*

(e) *As used in this Act, the term "honeybee" means all life stages and the germ plasm of honeybees of the genus *Apis*, except honeybee semen.*

SEC. 2. [That any person who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding \$500 or by imprisonment not exceeding one year, or both such fine and imprisonment, in the discretion of the court.] *Any person who violates any provision of section 1 of this Act or any regulation issued under it is guilty of an offense against the United States and shall, upon conviction, be fined not more than \$1,000, or imprisoned for not more than one year, or both.*

SEC. 3. (a) *The Secretary of Agriculture either independently or in cooperation with States or political subdivisions thereof, farmers' associations, and similar organizations and individuals, is authorized to carry out operations or measures in the United States to eradicate, suppress, control, and to prevent or retard the spread of undesirable species and subspecies of honeybees.*

(b) *The Secretary of Agriculture is authorized to cooperate with the Governments of Canada, Mexico, Guatemala, Belize, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, and Colombia, or the local authorities thereof, in carrying out necessary research, surveys, and control operations in those countries in connection with the eradication, suppression, control, and prevention or retardation of the spread of undesirable species and subspecies of honeybees, including but not limited to *Apis mellifera adansonii*, commonly known as the African or Brazilian honeybee. The measure and character of cooperation carried out under this subsection on the part of such countries, including the expenditure or use of funds appropriated pursuant to this Act, shall be such as may be prescribed by the Secretary of Agriculture. Arrangements for the cooperation authorized by this subsection shall be made through and in consultation with the Secretary of State.*

(c) *In performing the operations or measures authorized in this Act, the cooperating foreign country, State, or local agency shall be responsible for the authority to carry out such operations or measures on all lands and properties within the foreign country or State, other than those owned or controlled by the Federal Government of the United States, and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary.*

SEC. 4. *Funds appropriated to carry out the provisions of this Act may also be used for printing and binding without regard to section 501 of title 44, United States Code, for employment, by contract or otherwise, of civilian nationals of Canada, Mexico, Guatemala, Belize, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, and Colombia for services abroad, and for the construction and operation of research laboratories, quarantine stations, and other buildings and facilities.*

SEC. 5. *There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.*

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# Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the nineteenth day of January,  
one thousand nine hundred and seventy-six*

## An Act

To amend the Act of August 31, 1922, to prevent the introduction and spread of diseases and parasites harmful to honeybees, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Act of August 31, 1922, as amended (42 Stat. 833; 76 Stat. 169; 7 U.S.C. 281), is amended to read as follows:

“(a) In order to prevent the introduction and spread of diseases and parasites harmful to honeybees, and the introduction of genetically undesirable germ plasm of honeybees, the importation into the United States of all honeybees is prohibited, except that honeybees may be imported into the United States—

“(1) by the United States Department of Agriculture for experimental or scientific purposes, or

“(2) from countries determined by the Secretary of Agriculture—

“(A) to be free of diseases or parasites harmful to honeybees, and undesirable species or subspecies of honeybees; and

“(B) to have in operation precautions adequate to prevent the importation of honeybees from other countries where harmful diseases or parasites, or undesirable species or subspecies, of honeybees exist.

“(b) Honeybee semen may be imported into the United States only from countries determined by the Secretary of Agriculture to be free of undesirable species or subspecies of honeybees, and which have in operation precautions adequate to prevent the importation of such undesirable honeybees and their semen.

“(c) Honeybees and honeybee semen imported pursuant to subsections (a) and (b) of this section shall be imported under such rules and regulations as the Secretary of Agriculture and the Secretary of the Treasury shall prescribe.

“(d) Except with respect to honeybees and honeybee semen imported pursuant to subsections (a) and (b) of this section, all honeybees or honeybee semen offered for import or intercepted entering the United States shall be destroyed or immediately exported.

“(e) As used in this Act, the term ‘honeybee’ means all life stages and the germ plasm of honeybees of the genus *Apis*, except honeybee semen.”.

SEC. 2. Section 2 of the Act of August 31, 1922 (42 Stat. 834; 7 U.S.C. 282), is amended to read as follows:

“SEC. 2. Any person who violates any provision of section 1 of this Act or any regulation issued under it is guilty of an offense against the United States and shall, upon conviction, be fined not more than \$1,000, or imprisoned for not more than one year, or both.”.

SEC. 3. The Act of August 31, 1922, is further amended by adding the following new sections:

“SEC. 3. (a) The Secretary of Agriculture either independently or in cooperation with States or political subdivisions thereof, farmers’ associations, and similar organizations and individuals, is authorized

to carry out operations or measures in the United States to eradicate, suppress, control, and to prevent or retard the spread of undesirable species and subspecies of honeybees.

“(b) The Secretary of Agriculture is authorized to cooperate with the Governments of Canada, Mexico, Guatemala, Belize, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, and Colombia, or the local authorities thereof, in carrying out necessary research, surveys, and control operations in those countries in connection with the eradication, suppression, control, and prevention or retardation of the spread of undesirable species and subspecies of honeybees, including but not limited to *Apis mellifera adansonii*, commonly known as the African or Brazilian honeybee. The measure and character of cooperation carried out under this subsection on the part of such countries, including the expenditure or use of funds appropriated pursuant to this Act, shall be such as may be prescribed by the Secretary of Agriculture. Arrangements for the cooperation authorized by this subsection shall be made through and in consultation with the Secretary of State.

“(c) In performing the operations or measures authorized in this Act, the cooperating foreign country, State, or local agency shall be responsible for the authority to carry out such operations or measures on all lands and properties within the foreign country or State, other than those owned or controlled by the Federal Government of the United States, and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary.

“Sec. 4. Funds appropriated to carry out the provisions of this Act may also be used for printing and binding without regard to section 501 of title 44, United States Code, for employment, by contract or otherwise, of civilian nationals of Canada, Mexico, Guatemala, Belize, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, and Colombia for services abroad, and for the construction and operation of research laboratories, quarantine stations, and other buildings and facilities.

“Sec. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.”

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*

June 17, 1976

Dear Mr. Director:

The following bills were received at the White House on June 17th:

S. 18 ✓  
S. 3161 ✓

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder  
Chief Executive Clerk

The Honorable James T. Lynn  
Director  
Office of Management and Budget  
Washington, D.C.