

**The original documents are located in Box 21, folder “1975/01/03 HR11273 Federal Noxious Weed Act of 1974” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.**

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APPROVED  
JAN 3-1975

THE WHITE HOUSE

ACTION

WASHINGTON

Last day - Saturday, January 4

January 3, 1975

POSTED 1/4/75  
TO ARCHIVES  
1/6/75

MEMORANDUM FOR

THE PRESIDENT

FROM:

KEN COLE

SUBJECT:

Enrolled Bill: Federal Noxious Weed Act of 1974, H.R. 11273

BACKGROUND

This bill would authorize the Secretary of Agriculture to control the importation, interstate movement, and spread of certain noxious foreign weeds. All noxious weeds do about \$5 billion damage to U.S. crops per year.

The Administration generally supported legislation to prevent foreign noxious weeds from entering the U.S. but H.R. 11273 contains far broader federal authority including permit systems, quarantine authority and authority to cooperate with states in the eradication of noxious weeds.

ARGUMENTS FOR SIGNING

This bill will help control the noxious weed problem as existing authority is not adequate. Early eradication will avoid the need to use herbicides which has adverse environmental effects.

ARGUMENTS FOR POCKET VETO

The legislative history does not establish a convincing case that this bill would solve the noxious weed problem. Use of existing laws plus a much narrower bill would be adequate to deal with foreign weeds.

Implementation of this bill will likely lead to a major new Federal eradication program. Agriculture estimates that such a program will cost \$1 million annually but OMB believes the cost could easily grow to \$10-50 million a year.



STAFF AND AGENCY POSITIONS

The following recommend signature:

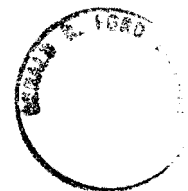
Phil Areeda (case for signing  
somewhat stronger)  
Max Friedersdorf  
Department of Agriculture  
Department of the Army

The following recommend pocket veto:

Roy Ash (see enrolled bill memo  
at Tab A)  
Ken Cole

DECISION - H.R. 11273

Sign (Tab B) \_\_\_\_\_ Pocket Veto \_\_\_\_\_  
(sign memorandum  
of disapproval  
at Tab C  
approved by  
Paul Theis)





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

DEC 31 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 11273 - Federal Noxious Weed  
Act of 1974  
Sponsor - Rep. Frey (R) Florida

Last Day for Action

January 4, 1975 - Saturday

Purpose

Authorizes a regulatory program to control the importation, shipment in interstate commerce, and spread of certain noxious weeds.

Agency Recommendations

Office of Management and Budget	Disapproval (Memorandum of Disapproval Attached)
Department of Agriculture	Approval
Department of the Army	Approval
Department of State	No objection
Department of the Treasury	No objection
Environmental Protection Agency	No objection (Informally)
Department of Justice	Defers to Agriculture
Office of the Special Representative for Trade Negotiations	No recommendation

Discussion

All noxious weeds in the U.S. do extensive damage to crops -- \$5 billion in damage according to estimates of the Department of Agriculture. Many of these weeds also have adverse effects on navigation, livestock, and fish and wildlife.



Control measures to deal with such weeds, particularly herbicides, can damage the environment. Given the magnitude of damages due to these weeds, there is an understandable desire to limit the entry into the United States of new noxious weeds which would inflict additional damage.

#### Provisions of the Bill

To remedy gaps in existing law, H.R. 11273 would establish a regulatory program to control the introduction, distribution and spread of noxious weeds -- defined in the bill to include foreign weeds new to the U.S. or not widely prevalent in the U.S. That program would involve:

- Prohibition of the importation and distribution in interstate commerce of noxious weeds except pursuant to a system of permits established by the Secretary of Agriculture.
- Prohibition of the sale, transportation, or transfer of any noxious weeds except in accordance with the act.
- Authority in the Secretary of Agriculture to establish quarantines of articles and conveyances to preclude the importation and dissemination of noxious weeds.
- Authority in the Secretary to quarantine areas infested with noxious weeds.
- Authority in the Secretary to seize and destroy articles and conveyances if he determines it necessary to prevent the dissemination of noxious weeds.
- Authority in the Secretary to cooperate with States and localities in the eradication of noxious weeds.
- Provision for punishment of violations under the act as a misdemeanor and for imposition of fines.
- Authorization for judicial review and certain other safeguards and administrative and enforcement measures.



### Administration Position

In testifying on a bill substantially similar to H.R. 11273 before the Senate Agriculture Committee, the representative of the Department of Agriculture stated:

"We support those provisions of the bills which would give the Department authority to prevent the introduction of new noxious weeds from foreign countries.

\* \* \* \*

"We believe that State and local officials, farm managers, and growers are in the best position to discover and deal with localized weed infestations. However, the Federal Government should provide leadership and coordination, and make expertise available to assist the States in the control of newly-introduced noxious weeds."

The reports of the Agriculture Committees essentially ignore the Department's position and base their support for the bill on the magnitude of damages to crops caused by all types of weeds. A broader version of H.R. 11273 passed the House under suspension of the rules. That earlier version was amended by the Senate committee, was passed by the Senate by voice vote, and the Senate version was repassed in the House without objection.

Agriculture's enrolled bill letter does not discuss the differences between H.R. 11273 and the position it took when the legislation was in committee, nor does it present any other analysis or reasoning in support of the sweeping authority which the enrolled bill would confer.

### Arguments in Favor of Approval

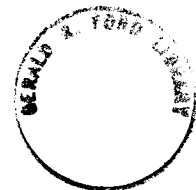
- Given the importance of noxious weeds in the production of food and fibers, and the potential adverse effects from the introduction of new strains of noxious weeds from foreign sources, there may be a Federal interest in restricting such weed introductions to the extent that private and State/local efforts fail to deal adequately with the problem.



- While there are several existing programs such as the Federal Seed Act that help control the spread of noxious weeds they have some gaps and deficiencies that prevent the operation of an effective regulatory program comparable to those now in effect for controlling livestock disease and pests.
- Local and State response to the influx of new, noxious weeds may not be adequate in terms of the potential, ultimate damage the weeds can cause in other States and areas -- better control at points of entry only deals with a part of the problem.
- Early eradication or suppression of noxious weeds will avoid the need for later massive use of herbicides with consequent adverse effects on the environment.

#### Arguments in Favor of Disapproval

- Most of the statements in the legislative history here relating to the nature and extent of weed damage deal with now widely prevalent weeds that would not come under the coverage of the bill.
- Use of existing authority (particularly in the Federal Seed Act) and limited new authority -- generally as proposed by Agriculture testifying before the Senate committee -- would be adequate to deal with new foreign noxious weeds -- new authority to deal with weeds now in the U.S. but not widely prevalent is no more justified than for widely prevalent weeds.
- Newly-arrived weeds typically have been and should continue to be taken care of in regular farm practices.
- State, local, and industry efforts can handle outbreaks of new weeds on their own, and, if an emergency arises, Agriculture can and does provide technical assistance.

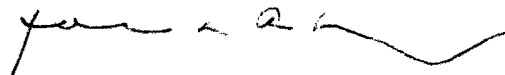


- Restrictions on importation cannot be completely effective and, therefore, the real thrust behind the bill is a major new Federal eradication program -- Agriculture's estimate of the cost of the program (about \$1 million annually) could well be unrealistically low -- experience with eradication programs (pests, for example) indicates they can be extremely costly and often relatively ineffective -- new weeds often prove impossible to contain with the result that an eradication program for a particular weed could over a period of years grow in annual costs to between \$10,000,000 and \$50,000,000 for an indefinite period.
- Eradication efforts under the bill would not be limited to those noxious weeds for which we have technology capable of effectively controlling the problem.
- New noxious weeds do not pose the same threat to public health or massive damage to crops as do animal disease and pests which are subject to broad State and Federal controls under existing law.
- Congress provided broader authority in H.R. 11273 than the major proponent (Weed Science Society of America) sought.

#### OMB Recommendation

We believe that the arguments in favor of disapproval clearly outweigh those favoring approval. Before reaching this position we explored with Agriculture whether it would be feasible to limit the scope of the program administratively and announce such an intention in a signing statement. We concluded, however, that this was not really feasible given the terms of the bill, nor was the department prepared to support a program limited to the measures we felt the problem justified.

We have prepared the attached Memorandum of Disapproval for your consideration. It states two major reasons for veto -- authority broader than the problem requires and an unjustified Federal role in noxious weed eradication programs.



Director

Enclosures





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JAN 2 1975

OFFICE OF THE  
ADMINISTRATOR

Dear Mr. Ash:

This is in response to the request of the Office of Management and Budget for the views of the Environmental Protection Agency on H. R. 11273, an enrolled bill "To provide for the control and eradication of noxious weeds and the regulation of the movement in interstate or foreign commerce of noxious weeds and potential carriers thereof, and for other purposes."

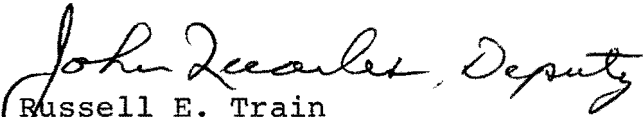
This Act would empower the Secretary of Agriculture to promulgate a regulatory system to identify noxious weeds, prevent their introduction into the United States, and curtail their unauthorized interstate movement, dissemination, and sale.

Specifically, H. R. 11273 prohibits any person from knowingly moving any noxious weed--as identified in a regulation issued by the Secretary of Agriculture--into or within the United States unless authorized under a permit issued by the Secretary.

Furthermore, the Act provides the Secretary with emergency quarantine powers. It also allows authorized inspectors to conduct warrantless searches for noxious weeds coming into the United States or involved in interstate commerce and searches authorized by warrant of any premises in the United States for suspected violations in conjunction with this Act.

The Environmental Protection Agency defers to the Department of Agriculture in this matter and has no objection to the signing of this enrolled bill by the President.

Sincerely yours,

  
Russell E. Train  
Administrator

Honorable Roy L. Ash  
Director  
Office of Management and Budget  
Washington, D. C. 20503



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

Honorable Roy L. Ash  
Director, Office of Management  
and Budget  
Washington, D.C. 20503

December 26, 1974

Dear Mr. Ash:

In reply to the request of your office, the following report is submitted on the enrolled enactment of H.R. 11273, "To provide for the regulation of the movement in foreign commerce of noxious weeds and potential carriers thereof."

This Department recommends that the President approve the bill.

The bill provides authority for the Secretary to prevent the entry into the United States of new or not widely prevalent noxious weeds from foreign countries, to cooperate with the States in eradicating incipient infestations of such weeds before they can spread, and to quarantine areas in which such cooperative control or eradication measures are to be carried out.

Economically, no other pests of crops pose a more serious threat to food production than weeds. Current losses due to weeds, including costs of weed control, are estimated to be at least \$5 billion per year. No monetary value can be placed on the impact on the environment which results from efforts to control weeds, such as those which involve use of chemical herbicides.

Most weed pests presently in the United States and causing losses to American agriculture were originally of foreign origin. It is estimated that there are some 1,450 additional species of foreign weeds that could grow in the United States and become pests if they are permitted to enter. Under H.R. 11273, existing port of entry inspection activities would be expanded to cover foreign noxious weeds. If a foreign noxious weed with potential economic significance should slip through the Federal screen, the bill would permit the Secretary, together with State authorities, to take swift action to wipe out limited infestations before they can spread out of control.

It is estimated that enactment of H.R. 11273 would require additional expenditures of \$631,000 during the first year, \$1,071,000 in the second year, \$1,121,000 in the third year, and \$1,172,000 during each subsequent year.

Sincerely,

J. Phil Campbell  
Acting Secretary





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

DEC 30 1974

Honorable Roy L. Ash  
Director, Office of Management  
and Budget  
Washington, D.C. 20503

Dear Mr. Ash:

Attached as requested is a proposed signing statement for use by the President in connection with the recommended signing of the enrolled enactment of H.R. 11273, "To provide for the regulation of the movement in foreign commerce of noxious weeds and potential carriers thereof."

Because the need of all-out production of row crops in the U.S. has never been greater than now, we need the tool provided by this legislation to effectively combat the introduction initially in this country of noxious foreign weeds which could seriously inhibit production, escalate costs per unit of production and increase the cost to the consumer. This is particularly true as it relates to rangeland for cattle and farmland for crops.

With this legislation we can exercise inspection activities at ports of entry with fewer personnel demands than would be made for a subsequent eradication effort and, further, we can prevent the extension of any accidental infestations beyond a small area. Control of such unwanted imported weeds, Secretary Butz emphasizes, should not be limited to protection at ports of entry as under today's modes of travel noxious foreign weeds can be spread to points quite distant from the point of initial entry.

Sincerely,

A handwritten signature in cursive script, reading "Richard A. Ashworth".

RICHARD A. ASHWORTH  
Deputy Under Secretary

To the House of Representatives:

I have signed H.R. 11273, which is designed to prevent the entry into the United States of new noxious weeds of foreign origin.

Economically, no other pests of crops pose a more serious threat to American food production than weeds. Current losses due to weeds, including costs of weed control, are estimated to be at least \$5 billion annually.

Most of the weed pests now in the United States and causing these losses were originally of foreign origin. And it is estimated that there are some 1,400 more species of foreign weeds that could grow in the United States and become pests if they were permitted to enter.

This legislation will permit the Department of Agriculture to expand its existing port of entry inspection activities to keep out additional foreign weeds that have not yet crossed our borders.

One provision of H.R. 11273 will allow the Department of Agriculture to enter into cooperative agreements with the States to eradicate limited infestations of economically significant new foreign weeds that might slip through; it is not intended that large scale attacks be initiated on foreign weeds which have already become established in the United States. The bill will also provide authority for quarantines of areas in which cooperative eradication measures are carried out.

Control and eradication measures aimed at existing weeds should continue to be carried out both at the local level, and by the State governments. I urge the States not only to continue, but to step up their present weed control programs, and to modernize existing laws designed to prevent the spread of weeds.

I believe that expanded port of entry inspections, coupled with cooperative State-Federal follow-up eradication efforts, can help protect American agriculture from new cost burdens on food and fiber production. Never have such efforts been more important to the American economy than they are today.





DEPARTMENT OF THE ARMY  
WASHINGTON, D.C. 20310

27 DEC 1974

Honorable Roy L. Ash  
Director  
Office of Management and Budget

Dear Mr. Ash:

This is in reply to your request for the views of the Department of the Army on enrolled enactment H.R. 11273, 93d Congress, "To provide for the control and eradication of noxious weeds, and the regulation of the movement in interstate or foreign commerce of noxious weeds and potential carriers thereof, and for other purposes."

The Department of the Army recommends approval of the enrolled enactment.

The Act would authorize the Secretary of Agriculture to regulate the importation, movement in interstate commerce, and sale of what he determines to be noxious weeds, defined in the Act as "any living stage . . . of any parasitic or other plant of a kind, or subdivision of a kind, which is of foreign origin, is new to or not widely prevalent in the United States, and can directly or indirectly injure crops, other useful plants, livestock, or poultry or other interests of agriculture, including irrigation, or navigation or the fish or wildlife resources of the United States or the public health." Noxious weeds could not be imported, moved in interstate commerce, or sold except as pursuant to a permit issued by the Secretary of Agriculture. The Secretary would be authorized to issue quarantines and other regulations requiring the inspection of products and other articles to prevent noxious weeds from entering the United States. The Secretary would also be authorized to cooperate with other Federal, State and local agencies in carrying out operations or measures in the United States to suppress, control, prevent or retard the spread of any noxious weed.

Approval of this enactment is recommended since it would provide a means of controlling the introduction and proliferation of noxious weeds in the United States and thus reduce the injury to agriculture, navigation, livestock, fish and wildlife associated therewith.

Sincerely,

A handwritten signature in cursive script, reading "Howard H. Callaway", is written in black ink.

Howard H. Callaway  
Secretary of the Army



DEPARTMENT OF STATE

Washington, D.C. 20520

December 24, 1974

Honorable Roy L. Ash  
Director, Office of  
Management and Budget  
Washington, D. C.

Dear Mr. Ash:

Reference is made to Mr. Rommel's communication of December 23, 1974, enclosing for comment a copy of enrolled bill H. R. 11273, the "Federal Noxious Weed Act of 1974".

The Department of State perceives no objection to the approval of this enactment.

Cordially,

A handwritten signature in cursive script that reads "Linwood Holton".

Linwood Holton  
Assistant Secretary for  
Congressional Relations



THE GENERAL COUNSEL OF THE TREASURY  
WASHINGTON, D.C. 20220

DEC 24 1974

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

Attention: Assistant Director for Legislative  
Reference

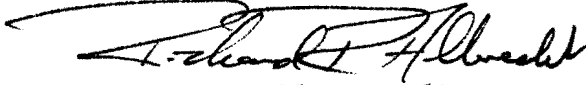
Sir:

Your office has asked for the views of this Department on the enrolled enactment of H.R. 11273, "To provide for the control and eradication of noxious weeds, and the regulation of the movement in interstate or foreign commerce of noxious weeds and potential carriers thereof, and for other purposes."

The enrolled enactment would prohibit any person from knowingly moving any noxious weed, identified in a regulation promulgated by the Secretary of Agriculture, into or through the United States or interstate, unless such movement is authorized under a general or specific permit issued by the Secretary.

The Department has no recommendation to make on the merits of the enrolled enactment. Our interest is confined to the role that would be played by the U.S. Customs Service in assisting in its enforcement. Insofar as this matter is concerned, the Department would have no objection to a recommendation that the enrolled enactment be approved by the President.

Sincerely yours,

  
General Counsel



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

DEC 24 1974

Honorable Roy L. Ash  
Director, Office of Management  
and Budget  
Washington, D.C. 20503

Dear Mr. Ash:

In compliance with your request, I have examined a facsimile of the enrolled bill (H.R. 11273), "to provide for the regulation of the movement in foreign commerce of noxious weeds and potential carriers thereof."

H.R. 11273 would provide authority for a regulatory system designed to prevent the introduction into the United States of noxious weeds from foreign countries. The bill prohibits any person from knowingly moving any noxious weeds -- identified in a regulation issued by the Secretary of Agriculture -- into or through the United States or interstate unless authorized under a general or specific permit issued by the Secretary. The Secretary would be authorized to take action against incipient infestations of noxious weeds.

The Department of Justice defers to the Department of Agriculture concerning whether this bill should receive Executive approval.

Sincerely,



W. Vincent Rakestraw  
Assistant Attorney General



OFFICE OF THE SPECIAL REPRESENTATIVE  
FOR TRADE NEGOTIATIONS

EXECUTIVE OFFICE OF THE PRESIDENT  
WASHINGTON  
20506

MEMORANDUM

December 24, 1974

TO: Mr. W. H. Rommel  
Assistant Director  
for Legislative Reference

FROM: H. C. Williams

SUBJECT: Enrolled Bills - S.4206 - H.R. 11273 - H.R.2933

(1) S.4206. The President should veto this bill. This bill would raise milk to 85% of parity (currently about \$7.69) 17 percent above the current level of support. This level, mandatory through March 31, 1976, would be adjusted at the beginning of each quarter beginning April 1, 1975. This level should greatly stimulate production, especially beginning in the last half of 1975 when feed supplies increase, and feeding of other types of livestock will have diminished resulting in more reasonable feed prices. (The immediate effect would be to place upward pressure on feed grains and feedstuffs). This would probably require increased governmental purchases of dairy products, and would also result in higher consumer prices. Pressure for tightened import restrictions would also ensue.

(2) H.R. 11273. We do not have strong views on this bill. It is our understanding that this bill would simply add noxious weeds to the materials currently covered by APHIS.

(3) H.R. 2933. The President should veto this bill. The U.S. has granted a duty concession to Turkey and the United Kingdom and bound this duty in the GATT on this product. This bill could be viewed as a new non-tariff barrier which will nullify or impair the concession granted. This could open us up to retaliation or requests for compensation.

RECEIVED

*W. J. Maloney*  
for HCW

MEMORANDUM OF DISAPPROVAL

I have today withheld my approval from H.R. 11273, the Federal Noxious Weed Act of 1974.

This bill would authorize the Secretary of Agriculture to control the importation, interstate movement, and spread of noxious foreign weeds new to the U.S. or not widely prevalent in the U.S.

I find this bill unacceptable for two major reasons: (1) it confers authority on the Secretary of Agriculture out of all proportion to the problem presented by new noxious weeds, and (2) it imposes responsibilities on the Federal Government that should be assumed by States, localities, and the agricultural industry.

Existing laws such as the Federal Seed Act already authorize a number of measures to prevent the spread of noxious weeds. While it is true that additional authority to control new noxious weeds can be justified, I consider it unnecessary to establish such broad restrictions as permit systems and the imposition of quarantines, as contemplated by H.R. 11273. Nor do I believe it necessary to attempt to eradicate noxious weeds already in the country but not widely prevalent as this legislation proposes. Such weeds should be eliminated in the same way as others presently are.

In short, H.R. 11273 would make the Federal Government responsible, in cooperation with the States, for the eradication of new and not widely prevalent noxious weeds, wherever found. I firmly believe that eradication of weeds, whether they be new, old or not widely prevalent, is basically a responsibility of the food and fiber growers with appropriate support from the concerned States and localities. While a case can be made for Federal support of eradication of new weeds at points of entry into this country, Federal eradication responsibilities should otherwise be limited to technical assistance.

For the foregoing reasons, I am withholding my approval from H.R. 11273. I would be willing to consider legislation which would limit the Federal role to strengthening controls over newly-introduced noxious weeds at points of entry into the United States and providing technical assistance for their eradication inside the U.S. Such a bill, along with existing law, will reflect what I believe to be the proper role the Federal Government should play in the control of noxious weeds.

THE WHITE HOUSE,



Date: January 1, 1974

Time: 11:00 a.m.

FOR ACTION: Mike Duval  
 Max Friedersdorf  
 Phil Areeda  
 Paul Theis ✓ *ok / past*  
 NSC/S

cc (for information): Warren Hendriks  
 Jerry Jones  
 Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Thursday January 2

Time: noon

SUBJECT:

Enrolled Bill H.R. 11273 - Federal Noxious Weed Act of 1974

## 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

1974 DEC 2 AM 8 28

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.

Warren K. Hendriks \_\_\_\_\_  
 For the President

Memorandum of Disapproval

OK/105

I have today withheld my approval from H.R. 11273, a bill ~~to provide for the control and eradication of noxious weeds, and the regulation of the movement in interstate or foreign commerce of noxious weeds and potential carriers thereof, and for other purposes.~~ *the Federal Noxious Weed Act of 1924.*

This bill would authorize the Secretary of Agriculture to control the importation, interstate movement, and spread of noxious foreign weeds new to the U.S. or not widely prevalent in the U.S.

I find this bill unacceptable for two major reasons <sup>(1)</sup> it confers authority on the Secretary of Agriculture out of all proportion to the problem presented by new noxious weeds, and <sup>(2)</sup> it imposes responsibilities on the Federal Government that should be assumed by States, localities, and the agricultural industry.

Existing laws such as the Federal Seed Act already authorize a number of measures to prevent the spread of noxious weeds. While it is true that ~~some~~ additional authority to ~~deal more effectively with~~ <sup>control</sup> new noxious weeds can be justified, I ~~see no need to seek such sweeping con-~~ <sup>consider it unnecessary to establish such</sup> ~~trols~~ <sup>as permit systems and the imposition of quarantines,</sup> as contemplated by H.R. 11273. Nor do I believe ~~that such~~ <sup>it necessary</sup> a program ~~should attempt to deal with weeds already in the~~ <sup>to eradicate noxious</sup> country but not widely prevalent. ~~Such weeds should be eliminated in the same way as~~ <sup>as this legislation progresses.</sup> ~~controlled like any others presently are.~~ <sup>Such weeds should be</sup>

*(in short)*

H.R. 11273 would make the Federal Government responsible, in cooperation with the States, for the eradication of new

and not widely prevalent noxious weeds, wherever found. I firmly believe that eradication of weeds, whether they be new, old or not widely prevalent, is basically a responsibility of the food and fiber growers with appropriate support from the concerned States and localities. While a case can be made for ~~limited~~ Federal support of eradication of new weeds at points of entry into <sup>(this country.)</sup> ~~the U.S.~~ Federal eradication responsibilities should otherwise be limited to technical assistance.

For the foregoing reasons, I am withholding my approval from H.R. 11273. I would be willing to consider <sup>legislation</sup> ~~an enacted~~ bill which <sup>would</sup> limit the Federal role to strengthening controls <sup>over</sup> ~~of~~ newly-introduced noxious weeds at points of entry into <sup>United States</sup> ~~the U.S.~~ and providing <sup>in their eradication inside the U.S.</sup> ~~supporting~~ technical assistance. Such a bill, along with existing law, will reflect what I believe to be the proper role the Federal Government should play in the control of noxious weeds.

THE WHITE HOUSE

January, 1975



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 939

Date: January 1, 1974

Time: 11:00 a.m.

FOR ACTION:

Mike Duval  
Max Friedersdorf  
Phil Areeda *sign*  
Paul Theis  
~~MSC/S~~ *no obj*

cc (for information):

Warren Hendriks  
Jerry Jones  
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Tuesday, January 2

Time: noon

SUBJECT:

Enrolled Bill H.R. 11273 - Federal Noxious Weed Act of 1974

ACTION REQUESTED:

- |   |   |
|---|---|
| <input type="checkbox"/> For Necessary Action     | <input type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply              |
| <input type="checkbox"/> For Your Comments        | <input type="checkbox"/> 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



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 939

Date: January 1, 1974

Time: 11:00 a.m.

FOR ACTION: Mike Duval  
Max Friedersdorf  
Phil Areeda ✓  
Paul Theis  
NSC/S

cc (for information): Warren Hendriks  
Jerry Jones  
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Thursday January 2

Time: noon

SUBJECT:

Enrolled Bill H.R. 11273 - Federal Noxious Weed Act of 1974

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

*Although not clear, the case for signing  
seems somewhat stronger than the case for veto  
P. Areeda*

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.

Warren K. Hendriks \_\_\_\_\_  
For the President

MEMORANDUM OF DISAPPROVAL

I have today withheld my approval from H.R. 11273, a bill "To provide for the control and eradication of noxious weeds, and the regulation of the movement in interstate or foreign commerce of noxious weeds and potential carriers thereof, and for other purposes."

This bill would authorize the Secretary of Agriculture to control the importation, interstate movement, and spread of noxious foreign weeds new to the U.S. or not widely prevalent in the U.S.

I find this bill unacceptable for two major reasons -- it confers authority on the Secretary of Agriculture out of all proportion to the problem presented by new noxious weeds, and it imposes responsibilities on the Federal Government that should be assumed by States, localities, and the agricultural industry.

Existing laws such as the Federal Seed Act already authorize a number of measures to prevent the spread of noxious weeds. While it is true that some additional authority to deal more effectively with new noxious weeds can be justified, I see no need to seek such sweeping controls as permit systems and the imposition of quarantines, as contemplated by H.R. 11273. Nor do I believe that such a program should attempt to deal with weeds already in the country but not widely prevalent -- such weeds should be controlled like any others.

H.R. 11273 would make the Federal Government responsible, in cooperation with the States, for the eradication of new

and not widely prevalent noxious weeds, wherever found. I firmly believe that eradication of weeds, whether they be new, old or not widely prevalent, is basically a responsibility of the food and fiber growers with appropriate support from the concerned States and localities. While a case can be made for limited Federal support of eradication of new weeds at points of entry into the U.S., Federal eradication responsibilities should otherwise be limited to technical assistance.

For the foregoing reasons, I am withholding my approval from H.R. 11273. I would be willing to consider an enacted bill which limits the Federal role to strengthening controls of newly-introduced noxious weeds at points of entry into the U.S. and providing supporting technical assistance. Such a bill along with existing law will reflect what I believe to be the proper role the Federal Government should play in the control of noxious weeds.

THE WHITE HOUSE

January , 1975

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

To -  
J. Hendricks  
12-31-74  
6:30 P.M.



DEC 31 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 11273 - Federal Noxious Weed Act of 1974  
Sponsor - Rep. Frey (R) Florida

Last Day for Action

January 4, 1975 - Saturday

Purpose

Authorizes a regulatory program to control the importation, shipment in interstate commerce, and spread of certain noxious weeds.

Agency Recommendations

Office of Management and Budget	Disapproval (Memorandum of Disapproval Attached)
Department of Agriculture	Approval
Department of the Army	Approval
Department of State	No objection
Department of the Treasury	No objection
Environmental Protection Agency	No objection (Informally)
Department of Justice	Defers to Agriculture
Office of the Special Representative for Trade Negotiations	No recommendation

Discussion

All noxious weeds in the U.S. do extensive damage to crops -- \$5 billion in damage according to estimates of the Department of Agriculture. Many of these weeds also have adverse effects on navigation, livestock, and fish and wildlife.

## CONTROL OF NOXIOUS WEEDS

DECEMBER 9, 1974.—Ordered to be printed

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

### REPORT

[To accompany H.R. 11273]

The Committee on Agriculture and Forestry, to which was referred the bill (H.R. 11273) to provide for the regulation of the movement in foreign commerce of noxious weeds, and potential carriers thereof, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill (as amended) do pass.

#### SHORT EXPLANATION

H.R. 11273 would provide authority for a regulatory system designed to prevent the introduction into the United States of noxious weeds from foreign countries. The bill prohibits any person from knowingly moving any noxious weeds—identified in a regulation issued by the Secretary of Agriculture—into or through the United States or interstate unless authorized under a general or specific permit issued by the Secretary. The Secretary would be authorized to take action against incipient infestations of noxious weeds.

#### COMMITTEE AMENDMENT

The Committee amendment strikes all after the enacting clause of H.R. 11273 and inserts in lieu thereof an amendment in the nature of a substitute. The principal differences between H.R. 11273 as passed by the House and the bill as amended by the Committee are as follows:

(1) The definition of "noxious weed" is clarified in the Committee amendment to make it clear that the definition applies to weeds of foreign origin that are new or not widely prevalent in the United States.

(2) The general prohibition against persons knowingly moving any noxious weeds into the United States, under the Committee amendment, would apply only to noxious weeds identified in a regulation issued by the Secretary of Agriculture. Notice and a public hearing (if requested by any interested person) would be required before the issuance of such a regulation. The prohibition is also extended to movements through the United States or interstate.

(3) Under the Committee amendment, the prohibition against any person knowingly delivering or receiving for transportation in foreign commerce any ~~advertisement to sell or otherwise deal~~ in noxious weeds would also apply to interstate commerce.

(4) Under the Committee amendment, the Secretary would be authorized to issue quarantines and regulate the interstate movement of products, articles, and means of conveyance from the quarantined areas in order to prevent the interstate spread of noxious weeds. The quarantines and regulations would be of limited duration unless issued after a public hearing. Federal-State cooperative efforts are authorized to carry out operations or measures in the United States to control or eradicate incipient infestations of noxious weeds.

(5) A specific exemption is made in the Committee amendment for shipments of seed subject to the Federal Seed Act.

(6) The specific authority in the House bill for the Secretary to cooperate with the governments of Canada and Mexico in carrying out surveys and control operations in those countries has been deleted.

#### BACKGROUND AND NEED

Weeds are plants growing where they are not desired. They compete with desirable economic plants for water, light, mineral nutrients, and other plant growth requirements, and reduce yields. Weeds cut the efficiency of labor, cultivating equipment, and harvesting machinery on farm lands. Some weeds are poisonous to humans and livestock; others harbor insect vectors of disease-producing organisms. Weeds also ruin lakes, ponds, waterways, parks, and other recreation areas, as well as interfering with utilities, highways, and railroad rights-of-way.

#### LOSSES CAUSED BY WEEDS

Economically, no other pests of crops pose a more serious threat than weeds. The most recent reliable figures compiled by the Department of Agriculture, averaging losses for the years 1951 through 1960, show that weeds reduce the farm value of crops by 12.5 percent annually. The average yearly loss in crop value for that decade was \$2.5 billion; during such period, farmers spent another \$2.5 billion attempting to control weeds. Based on production data for 1971, weeds reduced the value of crops in that year by approximately \$3.3 billion. In his testimony before the Senate Subcommittee on Agricultural Research and General Legislation, Dr. E. G. Rodgers estimated that the current losses due to weeds (including the costs of weed control) are at least \$5 billion.

No monetary value can be placed on the impact on the environment that results from efforts to control weeds. In recent years, farmers have relied heavily on chemical methods of control. By 1968, approxi-

mately 46 percent of the Nation's cropland acreage was being treated with herbicides. In some areas, persistence of herbicide residues in the soil or water caused injury to later crops or interfered with programs of land management. Herbicide residues may also occur in food, fish, and potentially potable water.

#### MOVEMENT OF WEEDS

Most weed pests presently in the United States and causing losses were originally of foreign origin. Of the 200 important weed pests listed in the 1895 Yearbook of Agriculture, 108 came in from other countries. It is now estimated that there are some 1,450 additional species of foreign weeds which could grow in the United States and become pests if they are permitted to enter.

The current rate of international traffic in people and articles provides countless opportunities for the accidental introduction of noxious weeds. Some weeds are imported deliberately for innocent purposes, but prove to be destructive when released and allowed to spread. (Three examples of such "innocent" weeds are (1) *Halogeton glomeratus*, which was mixed in a Russian shipment of wheatgrass seed intended to be sown as a forage crop—the weed is poisonous to livestock; (2) hydrilla, which was imported for use as an ornamental in home aquariums and accidentally released into Florida waterways—the weed clogs waterways and is ruinous to fishing; and (3) giant foxtail, which entered the United States mixed in millet seed imported from China—the weed infests cultivated fields and greatly reduces crop yields.)

Once introduced into the United States, noxious weeds can be spread either in conveyances or on the wind and waterways. Shipments of seeds, seed screenings, grain, hay, sod, and manure can harbor weed seeds. Used farm equipment being moved into another State may provide transportation for seeds or parts of noxious weeds. The moving water of rivers and streams is an ideal vehicle for the spread of undesirable aquatic plants.

#### EXISTING AUTHORITY

As of 1969, all States had seed laws which designated certain weeds as "noxious", covering a total of 137 species. Most of the State laws contained provisions requiring labeling of seeds to show their weed content. The Federal Seed Act (7 U.S.C. 1551-1611) requires labeling of agricultural seed shipped in interstate commerce to show the noxious-weed seed content in accordance with the requirements of the State into which the seed is shipped. It also prohibits rates of occurrence of noxious-weed seeds in such agricultural seed in excess of the maximum set by the State of destination. The Act prohibits importation of seed containing any noxious weed seeds but allows imported seed to have up to two percent by weight of other weed seeds. Nine weeds are designated under the Act as "noxious" for purposes of the prohibitions on imported seed. The Act authorizes the Secretary to designate additional "noxious weeds". Screenings of certain agricultural seeds are allowed entry without restriction on their weed seed content under the Act when imported for other than seeding purposes.



The Federal Plant Pest Act (7 U.S.C. 150aa-150jj) restricts the importation or interstate movement of parasitic plants such as witchweed, or their reproductive parts.

Movement of water hyacinths, alligator grass, or water chestnut plants is prohibited by section 46 of Title 18 of the United States Code.

Under the Act of July 14, 1952 (7 U.S.C. 1651-1656), the Federal Government has authority to control and eradicate *Halogeton glomeratus*, but has taken little action because the weed was already beyond control when the law was enacted.

Other Federal laws provide some authority for control of noxious weeds in national forests and other lands under Federal Government control (see, e.g., 16 U.S.C. 580h, and 43 U.S.C. 1241).

#### NEED FOR NEW LEGISLATION

The Federal Seed Act and the State seed laws are not adequate to prevent the introduction of weeds that are injurious to agriculture and other resources. Such laws relate principally to the distribution of seed for planting purposes and do not reach other means by which injurious weeds can be disseminated into the United States. For example, seeds or screenings of seed sold for animal feed, or crushing for oil or other manufacturing uses are not covered by these laws. Further, the laws do not provide a mechanism for preventing the introduction of noxious weeds by carriers such as farm machinery, sod, or fertilizer.

The Federal Plant Pest Act and the other Federal statutes are too narrow in coverage to reach all plants of foreign origin that are of concern to United States agriculture.

New Federal legislation is, therefore, needed to prevent the entry of new noxious weeds from foreign countries, and to permit the Department of Agriculture to cooperate with the States in eradicating new infestations before the weeds can spread throughout the country.

#### COMMITTEE CONSIDERATION

On October 3, 1974, the Subcommittee on Agricultural Research and General Legislation held a public hearing on H.R. 11273 and S. 2728. Witnesses at the hearing included the Honorable Lou Frey, Jr., Dr. E. G. Rodgers, past President of the Weed Science Society of America, and Dr. F. J. Mulhern, Administrator, Animal and Plant Health Inspector Service, United States Department of Agriculture.

On November 20, 1974, the Committee on Agriculture and Forestry ordered favorably reported H.R. 11273, as amended by the Committee. The amendment incorporates provisions authorizing the Secretary of Agriculture to issue quarantines and take action against incipient infestations of noxious weeds.

#### SECTION-BY-SECTION ANALYSIS

##### Short title

The first section of the bill provides that the short title is the "Federal Noxious Weed Act of 1974".

##### Section 2. Statement of findings and policy

Section 2 contains legislative findings concerning the inimical effects of noxious weeds and a Congressional determination that the regulation of transactions in, and movement of, noxious weeds is necessary to prevent and eliminate burdens upon interstate and foreign commerce, and to protect the public welfare.

##### Section 3. Definitions

Section 3 contains definitions of the terms used in the bill. Among other terms, "noxious weed" is defined as meaning any living stage of any parasitic or other plant which is of foreign origin, is new to or not widely prevalent in the United States, and can directly or indirectly injure crops, other useful plants, livestock, or poultry or other interests of agriculture, including irrigation, or navigation or the fish or wildlife resources of the United States or the public health.

##### Section 4. Prohibitions against commerce in noxious weeds

Section 4 provides that no person shall knowingly move any noxious weed—identified in a regulation issued by the Secretary—into or through the United States, or interstate, without authorization from the Secretary by general or specific permit and unless such movement is in accordance with such conditions as may be prescribed in the permit or in regulations. The Secretary may refuse to issue a permit for the movement of any noxious weed when he believes such movement would involve a danger of dissemination of noxious weeds into the United States or interstate. The restriction on interstate movement would apply only to movements from areas quarantined under section 5 of the bill.

Section 4 also prohibits the knowing sale, purchase, barter, exchange, gift, or receipt of noxious weeds moved in violation of the bill and prohibits the knowing delivery or receipt for transportation or the transportation in interstate or foreign commerce of advertisements to sell, purchase, barter, exchange, give or receive noxious weeds prohibited from movement in such commerce.

##### Section 5. Quarantines

Section 5 authorizes the Secretary to issue such quarantines and other regulations requiring inspection of products and articles of any character whatsoever and means of conveyance as a condition of their movement into or through the United States and otherwise restricting or prohibiting such movement, as he deems necessary to prevent the dissemination into the United States of any noxious weeds.

Section 5 also provides that whenever the Secretary has reason to believe that an infestation of noxious weeds exists in any State, Territory, or District, he may by regulation temporarily quarantine such jurisdiction, or a portion thereof, and by regulation restrict or prohibit the interstate movement from the quarantined area of any products and articles of any character whatsoever and means of conveyance, capable of carrying such noxious weeds. The quarantine and regulations would expire ninety days after their promulgation.

Section 5 provides, however, that if, after public hearing, the Secretary determines, on the basis of the information received at the hearing and other information available to him, that a quarantine and regulations are necessary in order to prevent the interstate spread of noxious

weeds from any State, Territory, or District in which he determines an infestation of noxious weeds exists, and to protect the agriculture, commerce, fish or wildlife resources of the United States or the public health, he shall promulgate such quarantine and other regulations as he determines are appropriate for such purposes. It is intended that a quarantine would be imposed only with respect to an area in which control, eradication, or other measures are to be undertaken pursuant to section 9 of the bill.

*Section 6. Powers of the Secretary to prevent dissemination of noxious weeds*

Subsection (a) of section 6 authorizes the Secretary, as an emergency measure in order to prevent the dissemination of any noxious weed, to seize, quarantine, treat, destroy, or otherwise dispose of, any products, articles, or means of conveyance moving into or through the United States or interstate if there is reason to believe they are infested by or contain any noxious weed, or which have moved into the United States or interstate if there is reason to believe they were infested by or contained any noxious weed at the time of such movement. Noxious weeds, products, articles, or means of conveyance moving or having moved into the United States or interstate in violation of the bill or regulations are also subject to emergency measures under this section.

Subsection (b) authorizes the Secretary to order the treatment, destruction, or other disposal of products, articles, means of conveyance, or noxious weeds subject to disposal under subsection (a) in a manner determined appropriate and without cost to the Federal Government. The Secretary may apply to the appropriate United States district court for enforcement of such order by injunction, mandatory or otherwise.

Subsection (c) prohibits the destruction, exportation, or return to shipping point of origin, or the ordering of such, under section 6 of any product, article, means of conveyance or noxious weed unless the Secretary believes that there is no less drastic action which would be adequate to prevent the dissemination of noxious weeds into the United States or interstate.

Subsection (d) provides that the owner of any product, article, means of conveyance or noxious weed destroyed or otherwise disposed of by the Secretary under section 6 may bring an action in the United States District Court for the District of Columbia, within one year of the destruction or disposal, and recover just compensation for such property if the owner establishes that the destruction or disposal was not authorized under the bill.

*Section 7. Inspection powers*

Section 7 authorizes inspectors to stop persons or means of conveyance and inspect any noxious weeds, products and articles carried thereby to determine whether noxious weeds are being moved contrary to the bill or the regulations thereunder. This authority may be exercised without a warrant in the case of persons or means of conveyance moving into the United States. Also, no warrant is necessary in the case of persons or means of conveyance moving through the United States or interstate if the inspector has probable cause to believe that such person or means of conveyance is carrying any noxious

weed subject to the bill. Inspectors are also authorized to enter, with a warrant, any premises in the United States for the purposes of inspection or other action necessary under the bill. Any judge of the United States or of a court of record of any State, Territory, or District or any United States commissioner may issue such warrants for the entry of such premises.

*Section 8. Penalties*

Section 8 provides that any person who violates section 4 or 5 of the bill, or any regulations promulgated under the bill, shall be guilty of a misdemeanor and subject to a fine not exceeding \$5,000 or imprisonment not exceeding one year, or both.

*Section 9. Federal-State cooperative efforts*

Section 9 authorizes the Secretary to cooperate with other Federal agencies, agencies of States, Territories, or Districts, or political subdivisions thereof, farmers' associations, and similar organizations, and individuals in carrying out operations or measures in the United States to eradicate, suppress, control, or prevent or retard the spread of any noxious weed. The Secretary is authorized to appoint employees of other agencies of the Federal Government or any agencies of any State, Territory, or District, or political subdivisions thereof, to assist in administration of the bill, pursuant to cooperative agreements with such agencies, whenever he determines that such appointments would facilitate its administration.

Section 9 provides that the cooperating State or other governmental agency involved shall be responsible for the authority necessary to carry out such activities on all lands and property within its jurisdiction other than those owned or controlled by the United States Government, and for such other facilities and means as the Secretary deems necessary.

*Section 10. Regulations*

Section 10 authorizes the Secretary to issue such regulations as he deems necessary to carry out the provisions of the bill. However, any regulation identifying a noxious weed under section 4 shall be issued only after publication of a notice of the proposed regulation and, when requested by any interested person, a public hearing on the proposal. Any such regulation shall be based upon the information received at any such hearing and other information available to the Secretary and a determination by the Secretary that the plant is within the definition of a noxious weed in section 3(c) and that its dissemination in the United States may reasonably be expected to have, to a serious degree, one or more of the effects specified in section 3(c).

*Section 11. Appropriations*

Section 11 authorizes the appropriation of such sums as are necessary for the administration of the bill and directs that any sums so appropriated shall be available for expenditure for aircraft and other means of conveyance, and for other expenses necessary to carry out the purposes of the bill. However, unless specifically authorized, no part of such sums shall be used to pay the cost or value of property injured or destroyed under section 9.



*Section 12. Applicability to other Federal statutes*

Section 12 provides that the bill shall not apply to shipments of seed subject to the Federal Seed Act. Nor does the bill amend or repeal any of the provisions of the Federal Seed Act, the Plant Quarantine Act, the Federal Plant Pest Act, or any other Federal statute. The bill does not affect the applicability of section 46 of Title 18 of the United States Code.

*Section 13. Applicability to State statutes*

Section 13 provides that the bill does not invalidate the provisions of the laws of any State or political subdivision thereof, or of any Territory or District of the United States, as those laws relate to noxious weeds, except that no such jurisdiction may permit any action that is prohibited under the bill.

*Section 14. Separability*

Section 14 provides that if any provision of the bill or the application thereof to any person or circumstances is held invalid, the remainder of the bill and the application of such provision to other persons and circumstances shall not be affected thereby.

DEPARTMENTAL VIEWS

Dr. F. J. Mulhern, the Department of Agriculture witness at the hearing on H.R. 11273 and S. 2728 held by the Senate Subcommittee on Agricultural Research and General Legislation on October 3, 1974, expressed support for the provisions of the bills which would authorize a regulatory system designed to prevent the introduction of noxious weeds into the United States. Dr. Mulhern's prepared statement reads as follows:

STATEMENT OF DR. F. J. MULHERN, ADMINISTRATOR, ANIMAL AND PLANT HEALTH INSPECTION SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. Chairman: I am Dr. F. J. Mulhern, Administrator of the Animal and Plant Health Inspection Service. With me is Dr. Warren C. Shaw of the Agricultural Research Service.

We appreciate this opportunity to give the Department's views on S. 2728 and H.R. 11273, bills to provide for the control of noxious weeds.

We support those provisions of the bills which would give the Department authority to prevent the introduction of new noxious weeds from foreign countries.

Most weed pests presently established in the United States, and now causing losses to American agriculture and other interests, are of foreign origin. Of 200 important weed pests listed in some of the early Yearbooks of Agriculture, 108 had been introduced from other countries. We estimate that there are now some 1,450 additional species of foreign weeds which could grow in the United States and become pests if they are permitted to enter.

The Department already has programs in operation to prevent the introduction of insect pests, plant diseases, and nematodes. Plant Quarantine inspectors are stationed at ports of entry to examine in-

coming cargo, baggage, vehicles, and other potential carriers. These programs have been effective in reducing insect, disease, and nematode infestations in the United States. For example, border inspection and enforcement activities have been successful in preventing entry of the Durra stalk borer, a devastating pest of corn.

We believe that entry of new weed pests can be reduced or eliminated through an extension of the authority of these same Plant Quarantine inspectors to take action with respect to carriers of weeds, their seeds and other reproductive parts.

The Department believes that the remaining provisions of these bills address important areas of concern in noxious weed control. Certainly, international cooperation, surveys of weed infestations, and the elimination of incipient infestations are essential to prevent the establishment of new noxious weeds. But in view of current budgetary and personnel constraints, we feel the additional Federal authority for international programs, surveys, and control of incipient infestations is not the proper approach at this time.

For example, the provisions for international cooperation in survey and eradication programs would involve potentially large expenditures of funds in foreign countries. It seems to us that first efforts should be directed at establishing an international exchange of information with our neighbors on weeds which might be a potential threat to this country. Information gained would be invaluable in planning our port and border inspection activities.

We believe that State and local officials, farm managers, and growers are in the best position to discover and deal with localized weed infestations. However, the Federal Government should provide leadership and coordination, and make expertise available to assist the States in the control of newly-introduced noxious weeds.

Mr. Chairman, in order to clarify and perfect the bills under consideration, the Department wishes to submit a few draft amendments. With your permission, we will transmit these to you shortly.

I shall be pleased to answer any questions the Subcommittee might have.

COST ESTIMATE

In accordance with section 252 of the Legislative Reorganization Act of 1970, the Committee estimates that the cost to be incurred by the Federal Government during the current and five subsequent fiscal years as a result of the enactment of H.R. 11273 would be as follows: \$631,000 (current year); \$1,071,000 (second year); \$1,121,000 (third year); \$1,172,000 (during each of the fourth, fifth, and sixth years). This same cost estimate was informally submitted to the Committee by the Department of Agriculture.

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## NOXIOUS WEED CONTROL

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DECEMBER 12, 1973.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

### REPORT

[To accompany H.R. 11273]

The Committee on Agriculture, to whom was referred the bill (H.R. 11273) to provide for the regulation of the movement in foreign commerce of noxious weeds and potential carriers thereof, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 8, line 20, strike out the words "section 10" and insert in lieu thereof the words "section 6".

Page 9, line 2, strike out the words "not specifically repealed in this section." and insert a period after the word "laws".

#### PURPOSE

The purpose of the bill is to provide statutory authority for the regulation of the movement of noxious weeds into the United States.

The bill would authorize the Secretary of Agriculture to issue quarantines and other regulations requiring the inspection of products and articles of any character whatsoever and means of conveyance in order to keep noxious weeds from entering the United States. The Secretary would also be authorized to impose such other conditions upon the movement into the United States of noxious weeds as he deems necessary to prevent their dissemination and resulting crop damage throughout the Nation.

#### NEED

There is at the present time no specific statutory authority prohibiting or regulating the introduction of noxious weeds as such into the United States. Existing plant quarantine laws generally protect

the Nation against plant diseases and pests and against the introduction of plant seeds which contain excessive weed seeds. However, the Committee was informed that the exact number of weeds is unknown. Of these, an estimated 30,000 species or more have wide distribution, about 1,800 cause serious losses and most major cultivated crops are subject to competition by as many as 200 species of weeds. Between 20 and 30 species compete with individual crops and must be controlled each year for effective and meaningful yields.

The Committee also was informed by the testimony of Dr. E. G. Rogers, President of the Weed Science Society of America, that many of these weed species that exist today in the United States originated in some other part of the world and if we had practiced effective weed prevention over the years to exclude from our country these weed species of foreign origin, our current staggering losses due to weeds and costs of their control likely would have been much less than the presently estimated annual minimum of \$5 billion. If additional weed species are introduced, however, these annual costs most probably will increase even further in future years.

Dr. Rogers also pointed out and the Committee was convinced that the probability is high that further introduction of weeds into this country will occur unless preventive steps are taken. About 1,400 species of weeds not now in the United States are known to exist and cause economic problems in other countries of the world. Any one of these weeds, if introduced, could add materially to our annual expenditures for control. Weed species introduced in recent years include witchweed found in 1957 in South Carolina, and hydrilla found in south Florida about 1960. Witchweed has caused great losses in corn yields in the Carolinas, and considerable sums of both Federal and State moneys have been expended in control efforts.

#### COMMITTEE CONSIDERATION

The Subcommittee on Conservation and Credit held public hearings on H.R. 7278 by Mr. Frey on September 13, 1973. As introduced, H.R. 7278 contained many of the provisions in H.R. 11273, but it extended regulatory authority into interstate commerce as well as authorizing additional Federal-State cooperative efforts in weed control. Reservations on these latter provisions were expressed by the Department of Agriculture witnesses and in other statements submitted to the Subcommittee.

On September 19, 1973, the Subcommittee considered H.R. 7278 and on October 30, 1973, the Subcommittee unanimously approved H.R. 7278 with amendments designed to limit its application to regulating the introduction of noxious weeds from foreign nations only. On November 6, 1973, Mr. Frey introduced H.R. 11273 as a clean bill containing the Subcommittee's recommendations. On November 12 and November 14, 1973, the Full Committee considered H.R. 11273 and on the latter date this bill was ordered favorably reported to the House with two Committee amendments by a 25-0 division vote in the presence of a quorum.

#### COMMITTEE AMENDMENTS

The Committee amendments are clerical in nature. They correct an internal section reference and clarify the provision in the bill which specifically preserves existing weed control laws.

#### COMMITTEE INTENT

Section 3(c) of H.R. 11273 defines the term "noxious weed". While the Committee recognizes the Secretary's broad authority to designate which plants come within the definition, it is the basic intent and priority of this legislation to regulate those noxious weeds which are not yet present or are not widely distributed in the United States.

#### CURRENT AND FIVE SUBSEQUENT FISCAL YEARS COST ESTIMATE

Pursuant to Clause 7 of Rule XIII of the Rules of the House of Representatives, the Committee estimates the cost to be incurred by the Federal Government during the current and the five subsequent fiscal years as a result of the enactment of this legislation would be \$500,000 per year.

The same cost estimate was submitted to the Committee by the Department of Agriculture as follows:

DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY,  
Washington, D.C., December 5, 1973.

MR. HYDE MURRAY,  
Associate Counsel, Committee on Agriculture,  
House of Representatives.

DEAR MR. MURRAY: This is to confirm information given you by telephone on November 28, 1973, on the costs of H.R. 11273, Federal Noxious Weed Act.

It is estimated that the cost of administering the proposed act will be \$500,000 per year.

Sincerely,

/s/ JOHN C. FOLTZ.

#### ADMINISTRATION POSITION

The Department of Agriculture witness at the hearings on H.R. 7278 expressed support for the provisions of that bill which authorize a regulatory system designed to prevent the introduction of noxious weeds into the United States. H.R. 11273 is designed to do just that. Dr. F. J. Mulhern's full statement is as follows:

STATEMENT OF DR. F. J. MULHERN, ADMINISTRATOR, ANIMAL AND PLANT HEALTH INSPECTION SERVICE, ACCOMPANIED BY DR. WARREN SHAW, AGRICULTURAL RESEARCH SERVICE; AND JOSEPH F. SPEARS, ACTING DIRECTOR, PROGRAMS DEVELOPMENT AND APPLICATION, PLANT PROTECTION AND QUARANTINE PROGRAMS, A.P.H.I.S.-U.S. DEPARTMENT OF AGRICULTURE

Dr. MULHERN. Thank you. Mr. Chairman and members of the committee, I appreciate the opportunity to appear before your committee to express the views of the Department concerning H.R. 7278. I am accompanied by Mr. Joseph F. Spears of my staff and Dr. Warren C. Shaw, plant physiologist, staff scientist, National Programs Staff of the Agricultural Research Service.

We support the provisions of the bill which authorize a regulatory system designed to prevent the introduction of noxious weeds from foreign countries.

Concerning provisions of the bill for Federal-State cooperative efforts to deal with noxious weed infestations within this country, the Department and other involved Federal agencies have not completed a thorough evaluation of the problem. Admittedly, there is a substantial lack of reliable data for defining the extent of the noxious weed problem at which the several provisions of the bill are directed. This lack of data is sufficient to preclude a positive recommendation at this time that enactment of the bill in its entire content represent the only direction upon which to embark on a program to deal with the noxious weed problem. This is particularly true with regard to section 9. There has been no opportunity to identify the role and responsibility of State agencies and local groups and associations in organized cooperative efforts to eradicate, suppress, or control the newly discovered noxious weeds. Because this would be an entirely new program, present budgetary and personnel constraints within the Department carry a considerable impact in trying to determine the priority of funds for undertaking a new program in relation to concentrating funds and personnel on current programs.

There is real need for initiating regulatory measures to prevent the introduction of noxious weeds in this country because they lower the productivity and efficiency of land use, cause large losses in irrigation water, and reduce water use efficiency.

They also impair human health, especially to persons who suffer from various forms of asthma and hayfever; reduce efficiency in the use of production and harvesting equipment; clog waterways and thereby interfere with navigation; and ruin lakes, ponds, parks, and other recreational areas.

To control the weeds now in this country, cultural, mechanical, and biological methods are used on more than 400 million acres of cultivated crops each year. Additionally, various weed control practices are utilized on millions of acres of hay, pasture, rangelands, non-agricultural lands, aquatic sites, and rights-of-way. Chemical weed control alone was used as a standard farm practice in 1972 on more than 150 million acres, about 50 percent of our total harvested crop acreage. In 1959, 1962, and 1965, the acres treated with herbicides were 53 million, 71 million, and 120 million. This trend is expected to continue.

Weeds reduce agricultural production on all levels by an estimated 8 percent per year. The cost to American agriculture of weed control and losses caused by weeds approximates \$5 billion each year. A substantial portion of this cost is caused by weeds introduced from foreign countries.

The current traffic of people and other items has increased manyfold the opportunities for introducing noxious weeds into the United States. In fiscal year 1972, an article of significance to agricultural quarantine was removed every 2 minutes from travelers' baggage and cargo entering through our borders.

A recent worldwide survey of weed plants conducted by Agricultural Research Service scientists identified more than 1,450 species of weeds which would be of economic significance if permitted to become established in the United States. Without regulating the importation of weeds, many of these species can be expected to find their way into this country to intensify existing environmental problems and economic burdens.

Our legislative report on H.R. 7278 is being reviewed. It will be submitted shortly and will include specific language changes in support of our position for regulating the importation of noxious weeds.

Mr. Chairman, we will be pleased to respond to any questions you or members of the committee may have.



# Ninety-third Congress of the United States of America

AT THE SECOND SESSION

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

## An Act

To provide for the control and eradication of noxious weeds, and the regulation of the movement in interstate or foreign commerce of noxious weeds and potential carriers thereof, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Noxious Weed Act of 1974".*

SEC. 2. The importation or distribution in interstate commerce of noxious weeds, except under controlled conditions, allows the growth and spread of such weeds which interfere with the growth of useful plants, clog waterways and interfere with navigation, cause disease, or have other adverse effects upon man or his environment and therefore is detrimental to the agriculture and commerce of the United States and to the public health. The uncontrolled distribution within the United States of noxious weeds after their importation or interstate distribution has like detrimental effects and allowing such distribution encourages and facilitates the burdening and obstructing of interstate and foreign commerce, and is inimical to the public interest. Accordingly, the Congress hereby determines that the regulation of transactions in, and movement of, noxious weeds as provided in this Act is necessary to prevent and eliminate burdens upon and obstructions to interstate and foreign commerce and to protect the public welfare.

SEC. 3. As used in this Act, except where the context otherwise requires:

(a) "Secretary" means the Secretary of Agriculture of the United States or any other person to whom authority may be delegated to act in his stead.

(b) "Authorized inspector" means any employee of the Department of Agriculture, or any employee of any other agency of the Federal Government or of any State or other governmental agency which is cooperating with the Department in administration of any provisions of this Act, who is authorized by the Secretary to perform assigned duties under this Act.

(c) "Noxious weed" means any living stage (including but not limited to, seeds and reproductive parts) of any parasitic or other plant of a kind, or subdivision of a kind, which is of foreign origin, is new to or not widely prevalent in the United States, and can directly or indirectly injure crops, other useful plants, livestock, or poultry or other interests of agriculture, including irrigation, or navigation or the fish or wildlife resources of the United States or the public health.

(d) "United States" means any of the States, territories, or districts of the United States.

(e) "Interstate" means from any State, territory, or district of the United States into or through any other State, territory, or district.

(f) "District" means the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States.

(g) "Move" means deposit for transmission in the mails, ship, offer for shipment, offer for entry, import, receive for transportation, carry, or otherwise transport or move, or allow to be moved, by mail or otherwise.

SEC. 4. (a) No person shall knowingly move any noxious weed, identified in a regulation promulgated by the Secretary, into or through the United States or interstate, unless such movement is authorized under general or specific permit from the Secretary and is made in accordance with such conditions as the Secretary may prescribe in the permit

and in such regulations as he may promulgate under this Act to prevent the dissemination into the United States, or interstate, of such noxious weeds.

(b) The Secretary may refuse to issue a permit for the movement of any such noxious weed when, in his opinion, such movement would involve a danger of dissemination of such noxious weeds into the United States or interstate.

(c) No person shall knowingly sell, purchase, barter, exchange, give, or receive any such noxious weed which has been moved in violation of subsection (a), or knowingly deliver or receive for transportation or transport, in interstate or foreign commerce, any advertisement to sell, purchase, barter, exchange, give, or receive any such noxious weed which is prohibited from movement in such commerce under this Act.

SEC. 5. (a) The Secretary may promulgate such quarantines and other regulations requiring inspection of products and articles of any character whatsoever and means of conveyance, specified in the regulations, as a condition of their movement into or through the United States and otherwise restricting or prohibiting such movement, as he deems necessary to prevent the dissemination into the United States of any noxious weeds, and it shall be unlawful for any person to move any products, articles, or means of conveyance into or through the United States contrary to any such regulation.

(b) Whenever the Secretary has reason to believe that an infestation of noxious weeds exists in any State, territory, or district, he may by regulation temporarily quarantine such jurisdiction, or a portion thereof, and by regulation may restrict or prohibit the interstate movement from the quarantined area of any products and articles of any character whatsoever and means of conveyance, capable of carrying such noxious weeds, and after promulgation of such quarantine and other regulations, it shall be unlawful for any person to move interstate from a quarantined area any such products, articles, or means of conveyance, specified in the regulations, except in accordance with such regulations: *Provided, however,* That such quarantine and regulations shall expire at the close of the ninetieth day after their promulgation.

(c) However, if, after public hearing, the Secretary determines, on the basis of the information received at the hearing and other information available to him, that such a quarantine and regulations are necessary in order to prevent the interstate spread of noxious weeds from any State, territory, or district in which he determines an infestation of noxious weeds exists, and to protect the agriculture, commerce, fish, or wildlife resources of the United States or the public health, he shall promulgate such quarantine and other regulations as he determines are appropriate for such purposes, and thereafter it shall be unlawful for any person to move interstate from any quarantined area any regulated products, articles, or means of conveyance except in accordance with such regulations.

SEC. 6. (a) Except as provided in paragraph (c) of this section, the Secretary may, whenever he deems it necessary as an emergency measure in order to prevent the dissemination of any noxious weed, seize, quarantine, treat, destroy, or otherwise dispose of, in such manner as he deems appropriate, any product or article of any character whatsoever, or means of conveyance, which is moving into or through the United States or interstate, in bond or otherwise, and which he has reason to believe is infested by any noxious weed or contains any such weed, or which has moved into the United States, or interstate, and which he has reason to believe was infested by or contained any noxious weed at the time of such movement; and any noxious weed, product, article, or means of conveyance which is mov-

ing into or through the United States, or interstate, or has moved into the United States, or interstate, in violation of this Act or any regulation hereunder.

(b) Except as provided in subsection (c) of this section, the Secretary may order the owner of any product, article, means of conveyance, or noxious weed subject to disposal under subsection (a) of this section, or his agent, to treat, destroy, or make other disposal of such product, article, means of conveyance, or noxious weed, without cost to the Federal Government and in such manner as the Secretary deems appropriate. The Secretary may apply to the United States District Court, or to the United States court of any territory or possession, for the judicial district in which such person resides or transacts business or in which the product, article, means of conveyance, or noxious weed is found, for enforcement of such order by injunction, mandatory or otherwise. Process in any such case may be served in any judicial district wherein the defendant resides or transacts business or may be found, and subpoenas for witnesses who are required to attend a court in any judicial district in such a case may run to any other judicial district.

(c) No product, article, means of conveyance, or noxious weed shall be destroyed, exported, or returned to shipping point of origin, or ordered to be destroyed, exported, or so returned under this section, unless in the opinion of the Secretary there is no less drastic action which would be adequate to prevent the dissemination of noxious weeds into the United States or interstate.

(d) The owner of any product, article, means of conveyance, or noxious weed destroyed, or otherwise disposed of, by the Secretary under this section, may bring an action against the United States in the United States District Court for the District of Columbia, within one year after such destruction or disposal, and recover just compensation for such destruction or disposal of such product, article, means of conveyance, or noxious weed (not including compensation for loss due to delays incident to determining its eligibility for movement under this Act) if the owner establishes that such destruction or disposal was not authorized under this Act. Any judgment rendered in favor of such owner shall be paid out of the money in the Treasury appropriated for administration of this Act.

SEC. 7. Any authorized inspector, when properly identified, shall have authority (a) without a warrant, to stop any person or means of conveyance moving into the United States, and inspect any noxious weeds and any products and articles of any character whatsoever, carried thereby, and inspect such means of conveyance, to determine whether such person or means of conveyance is moving any noxious weed, product, article, or means of conveyance contrary to this Act or any regulation under this Act; (b) without a warrant, to stop any person or means of conveyance moving through the United States or interstate, and inspect any noxious weeds and any products and articles of any character whatsoever carried thereby, and inspect such means of conveyance, to determine whether such person or means of conveyance is moving any noxious weed, product, article, or means of conveyance contrary to this Act or any regulation thereunder, if such inspector has probable cause to believe that such person or means of conveyance is moving any noxious weed regulated under this Act; and (c) to enter, with a warrant, any premises in the United States, for purposes of any inspections or other actions necessary under this Act. Any judge of the United States or of a court of record of any State, territory, or district, or a United States commissioner, may, within his respective jurisdiction, upon proper oath or affirmation showing probable cause



to believe that there are on certain premises any products, articles, means of conveyance, or noxious weeds subject to this Act, issue warrants for the entry of such premises for purposes of any inspection or other action necessary under this Act, except as otherwise provided in section 9 of this Act. Such warrants may be executed by any authorized inspector or any United States marshal.

SEC. 8. Any person who knowingly violates section 4 or 5 of this Act, or any regulation promulgated under this Act, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding \$5,000, or by imprisonment not exceeding one year, or both.

SEC. 9. (a) The Secretary is authorized to cooperate with other Federal agencies, agencies of States, territories, or districts, or political subdivisions thereof, farmers' associations, and similar organizations, and individuals in carrying out operations or measures in the United States to eradicate, suppress, control, or prevent or retard the spread of any noxious weed. The Secretary is authorized to appoint employees of other agencies of the Federal Government or any agencies of any State, territory, or district, or political subdivisions thereof, as collaborators to assist in administration of the provisions of this Act, pursuant to cooperative agreements with such agencies, whenever he determines that such appointments would facilitate administration of this Act.

(b) In performing the operations or measures authorized by subsection (a) of this section, the cooperating State or other governmental agency shall be responsible for the authority necessary to carry out the operations or measures on all lands and properties within the State or other jurisdiction involved, other than those owned or controlled by the United States Government, and for such other facilities and means as in the discretion of the Secretary are necessary.

SEC. 10. The Secretary is authorized to promulgate regulations necessary to effectuate the provisions of this Act. However, any regulation identifying a noxious weed under section 4 of this Act shall be promulgated only after publication of a notice of the proposed regulation and, when requested by any interested person, a public hearing on the proposal. Any such regulation shall be based upon the information received at any such hearing and other information available to the Secretary and a determination by the Secretary that the plant is within the definition of a noxious weed in section 3(c) of this Act and that its dissemination in the United States may reasonably be expected to have, to a serious degree, any effect specified in section 3(c).

SEC. 11. There are hereby authorized to be appropriated such sums as Congress may from time to time determine to be necessary for the administration of this Act. Any sums so appropriated shall be available for expenditures for the purchase, hire, maintenance, operation, and exchange of aircraft and other means of conveyance, and for such other expenses as may be necessary to carry out the purposes of this Act. However, unless specifically authorized in other legislation or provided for in appropriations, no part of such sums shall be used to pay the cost or value of property injured or destroyed under section 9 of this Act.

SEC. 12. The provisions of this Act shall not apply to shipments of seed subject to the Federal Seed Act (53 Stat. 1275, as amended; 7 U.S.C. 1551 et seq.) and this Act shall not amend or repeal any of the provisions of said Act or of the Plant Quarantine Act of August 20, 1912 (37 Stat. 315, as amended; 7 U.S.C. 151-154, 156-164a, 167), the Federal Plant Pest Act (71 Stat. 31; 7 U.S.C. 150aa-150jj), or any other Federal laws.



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SEC. 13. The provisions of this Act shall not invalidate the provisions of the laws of any State or political subdivision thereof, or of any territory or district of the United States relating to noxious weeds, except that no such jurisdiction may permit any action that is prohibited under this Act.

SEC. 14. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of such provision to other persons and circumstances shall not be affected thereby.

*Speaker of the House of Representatives.*

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

December 24, 1974

Dear Mr. Director:

The following bills were received at the White House on December 24th:

S.J. Res. 40 ✓	S. 3481 ✓	H.R. 8958 ✓	H.R. 14600 ✓
S.J. Res. 133 ✓	S. 3548 ✓	H.R. 8981 ✓	H.R. 14689 ✓
S.J. Res. 262 ✓	S. 3934 ✓	H.R. 9182 ✓	H.R. 14718 ✓
✓ S. 251 ✓	✓ S. 3943 ✓	✓ H.R. 9199 ✓	✓ H.R. 15173 ✓
✓ S. 356 ✓	✓ S. 3976 ✓	✓ H.R. 9588 ✓	✓ H.R. 15223 ✓
✓ S. 521 ✓	✓ S. 4073 ✓	✓ H.R. 9654 ✓	✓ H.R. 15229 ✓
✓ S. 544 ✓	✓ S. 4206 ✓	✓ H.R. 10212 ✓	✓ H.R. 15322 ✓
✓ S. 663 ✓	H.J. Res. 1178 ✓	✓ H.R. 10701 ✓	✓ H.R. 15977 ✓
✓ S. 754 ✓	✓ H.J. Res. 1180 ✓	✓ H.R. 10710 ✓	✓ H.R. 16045 ✓
✓ S. 1017 ✓	✓ H.R. 421 ✓	✓ H.R. 10827 ✓	✓ H.R. 16215 ✓
✓ S. 1083 ✓	✓ H.R. 1715 ✓	✓ H.R. 11144 ✓	✓ H.R. 16596 ✓
✓ S. 1296 ✓	✓ H.R. 1820 ✓	✓ H.R. 11273 ✓	✓ H.R. 16925 ✓
✓ S. 1418 ✓	✓ H.R. 2208 ✓	✓ H.R. 11796 ✓	✓ H.R. 17010 ✓
✓ S. 2149 ✓	✓ H.R. 2933 ✓	✓ H.R. 11802 ✓	✓ H.R. 17045 ✓
✓ S. 2446 ✓	✓ H.R. 3203 ✓	✓ H.R. 11847 ✓	✓ H.R. 17085 ✓
✓ S. 2807 ✓	✓ H.R. 3339 ✓	✓ H.R. 11897 ✓	✓ H.R. 17468 ✓
✓ S. 2854 ✓	✓ H.R. 5264 ✓	✓ H.R. 12044 ✓	✓ H.R. 17558 ✓
✓ S. 2888 ✓	✓ H.R. 5463 ✓	✓ H.R. 12113 ✓	✓ H.R. 17597 ✓
✓ S. 2994 ✓	✓ H.R. 5773 ✓	✓ H.R. 12427 ✓	✓ H.R. 17628 ✓
✓ S. 3022 ✓	✓ H.R. 7599 ✓	✓ H.R. 12884 ✓	✓ H.R. 17655 ✓
✓ S. 3289 ✓	✓ H.R. 7684 ✓	✓ H.R. 13022 ✓	
✓ S. 3358 ✓	✓ H.R. 7767 ✓	✓ H.R. 13296 ✓	
✓ S. 3359 ✓	✓ H.R. 8214 ✓	✓ H.R. 13869 ✓	
✓ S. 3394 ✓	✓ H.R. 8322 ✓	✓ H.R. 14449 ✓	
✓ S. 3433 ✓	✓ H.R. 8591 ✓	✓ H.R. 14461 ✓	

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 Roy L. Ash  
Director  
Office of Management and Budget  
Washington, D. C.