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jobs for young people growing up on the farms, but the water supply was becoming either inadequate or too polluted to fill their needs.

Added to these problems, the lack of controlled streamflows limited the potential for recreation of the area which otherwise had superior attractions in scenery, mountain streams, forests, and climate. The water resource had, in many ways, become a seriously limiting factor.

In 1961, at the request of the North Carolina Department of Water and Air Resources, TVA began to develop a plan for a comprehensive water control system for the area—one which would deal not only with the problems of the past but also would meet these needs of the present and the future.

The plan that evolved is truly a product of local participation. It is a classic example of the workings of democracy at the grass roots. I need not detail for men of your experience that man has never been able to develop a plan for anything, at any time, anywhere, that was not opposed by someone. And often for good and understandable reason. The only solution is to understand and weigh the conflicting demands, reconciling whenever possible and giving greatest weight to those factors which promise the greatest long-term benefits for the largest number.

This was the difficult but vitally important approach TVA took in working with the people of the Upper French Broad. The plan was coordinated with state and Federal agencies, with individual community leaders, with city councils and chambers of commerce and civic clubs. It was developed with the participation of private businessmen, wildlife organizations, and similar groups throughout the area. Together, we believe we have come up with an overall plan that will accomplish the maximum possible benefits with the smallest possible amount of dislocation.

After studying many combinations of over 50 different dam and reservoir sites, the basic components of the plan emerged. It will include 14 small dams on the tributaries and headwaters of the French Broad, some 74 miles of channel improvements and a levee to be built along the low-lying portion of the Asheville waterfront. Project cost is estimated at \$115 million with a construction period of eight and one-half years.

In the proposal's cooperative planning and in the benefits it offers, the advantage of a comprehensive approach to resource development—and the flexibility inherent in such an approach—comes clearly into focus. The result is a multiple-purpose project for controlling floods, increasing water supply and enhancing water quality, boosting recreation potential and fish and wildlife habitat while at the same time offering greatly increased shoreline development potential.

Let's take a brief look at these individual benefits and what they will mean to the area.

Flood control remains a primary function, to be sure. Twin objectives of the plan's flood control design are to protect urban centers and to reduce farmland flooding sufficiently to enable the creation of new and expanded commercial farm enterprises in the area. This latter goal is urgently needed to increase farm income in the area. The system will control nearly 600 square miles of drainage area and provide a high level of protection to 13,000 acres of farmland as well as the major communities throughout the region. An appealing aspect of the flood control design is that no extreme reservoir drawdowns will be required—the kind that expose extensive bare areas along the reservoir shorelines.

Adequate water supplies is another crucial need. Growth of communities and the creation of new jobs in industries both now and in the future will depend on meeting

this need and meeting it promptly. I understand that a bill now before North Carolina's General Assembly recognizes this fact, and is designed to promote regional water systems—systems, it says, which are needed now by 50 counties in the State. The Upper French Broad plan will provide a stored water supply to fill current and projected needs throughout the area. Recognizing this contribution, the State has assured repayment of the project costs allocated to providing the water supply storage.

The Upper French Broad not only needs water in abundant supply, it needs clean water in abundant supply. The water control system will improve present water quality in the area's streams by substantially increasing low flow volumes during dry seasons. Coupled with corrective action being planned and carried out by municipalities and existing industries in the area and an effective pollution control program applied to future growth, the plan can help restore the river's usefulness for generations to come. The achievement of this goal cannot be overemphasized. It is a measure of how far the collective efforts of the people of this area have carried them. Not many months ago some reaches of the French Broad were so polluted that they were fit for use as little more than an open sewer. Today, responsible and responsive public and private action is attacking the problem with vigor. Certain nutrient concentrations which defy practical methods of treatment remain a problem. But the proposed water control plan can reduce these concentrations and make a major contribution to the restoration and preservation of the river's ecology.

The lakes will provide an added benefit in the form of new and valuable recreation centers in an area already blessed with great scenic beauty. Boating, swimming, and lake fishing will be added to present attractions such as mountain hiking, trout fishing, and camping. The State has been quick to recognize this opportunity. Plans are underway for state construction and operation of recreational and fish and wildlife facilities around the proposed lakes at an estimated initial investment of \$6.7 million.

And now a word about the status of this program—so important to the future of western North Carolina.

The planning is complete. The project has been studied and endorsed by such organizations as the Western North Carolina Regional Planning Commission, the North Carolina Department of Water and Air Resources, the North Carolina State Planning Commission, the State Wildlife Federation, and the State Wildlife Resources Commission. The plan also has the endorsement of Governors Scott and Moore, of the present and former county commissioners from each of the five counties in the area, of the city councils from every major community, and a host of other public and private groups within the region.

The Congress has appropriated some \$2.3 million to start construction. Expenditure of these funds has been deferred by the Office of Management and Budget because, in the competition among the many needs for Federal funds, they believe that other needs carry higher priority at this time. TVA believes the Upper French Broad project is an excellent and badly needed development program, and we are ready to begin construction the moment the money can be released.

Inherent in my remarks today has been the underlying theme that our water resource—precious as it is—does not stand alone, as a separate entity upon which those of us interested in its wise development can concentrate with singular, narrow purpose. Planning for water use must, in this modern world, concern itself with planning for land use as well. One of the most useful values created when a reservoir is impounded is the new shoreland—those acres lying along that

strategic line where land and water meet. These lands, properly utilized, hold almost unbelievable potential for economic growth.

One measure of this potential is illustrated by a 1967 North Carolina State Planning Report which projects a \$200 million investment directly resulting from the Upper French Broad project within 10 years following its construction.

Viewed in the light of this kind of potential, the development plan for this region takes on sweeping new dimensions. The project is seen clearly not as an end in itself but simply as a new tool to be used by the people of the area to build greater quality into their lives. Success will hinge on the degree of cooperative planning that goes into this effort. And here it also becomes clear that the engineering expertise provided by TVA in this area was perhaps the least of our contributions. Of far greater import is the spirit of cooperation, the sense of working together achieved by the whole spectrum of local organizations and individuals who have been intimately involved in this project's development from the beginning. The local Upper French Broad Development Commission, with whom we worked most closely, is a case in point. This group has been composed of seemingly tireless men from throughout the region who fostered a spirit of cooperative attack on the area's problems that should be its greatest asset for the future, long after the water control structures are completed.

Here, then, is a project designed for and by the people of a region undergoing the stresses and frustrations of rapid change. Beset with the common economic and environmental problems facing most of Appalachia today, it is lagging behind. But its leaders know the value of resource development and they are ready to match positive development programs against the region's problems. They have an excellent project ready to move full-speed ahead the moment national priorities make it possible to do so. They have TVA's pledge of full support and assistance. They need your continued support as well in this never-ending quest to which all of us as public servants are dedicated—the quest to help bring quality to men's lives.

THE NEED FOR LEGISLATION TO CONTROL PESTICIDE USE

Mr. MONDALE. Mr. President, the Subcommittee on Agricultural Research and General Legislation recently conducted 4 days of hearings on pesticide control legislation pending in the Senate.

The Senator from Wisconsin (Mr. NELSON) and the Senator from Minnesota (Mr. HUMPHREY) have introduced S. 660, the National Pesticide Control and Protection Act, to provide a comprehensive overhaul of the country's pesticide control laws.

Senator NELSON testified before the committee on the legislation, and his testimony is an outstanding statement on the issues involved in drafting improved pesticide controls. Of particular interest to me is his description of steps to encourage nonchemical means of pest control, including legislation that would establish pilot programs throughout the country to demonstrate that integrated biological and cultural practices will enable our farmers to grow better crops at less cost without chemicals.

Mr. President, I ask unanimous consent that Senator NELSON's testimony be printed in the RECORD.

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

STATEMENT BY SENATOR GAYLORD NELSON

I wish to commend the committee for conducting these comprehensive hearings on the important issue of the use and effects of pesticides. It is quite obvious to students of the pesticides problem that there is an urgent necessity for rational policies to protect human health and the environment while assuring an adequate food supply.

The basic problem with the use of pesticides today is that there is rigid reliance on a single approach without regard for the adverse side effects to nature's eco-systems and to human health. There is a massive accumulation of evidence that in many areas of the globe there is serious disruption of the earth's life systems due to excessive use of pesticides. Predator insects have been eliminated along with the pests and the environment has been permeated with wide varieties of chemicals. Resistance has built up in pests, resulting in millions of dollars being spent to develop more compounds to replace those that once were advertised as cure-alls. There is convincing evidence that damage from the present practices of massive, indiscriminate introduction of pesticides in the environment have already exceeded whatever temporary benefits we have received.

The dangers wrought by our recklessness with pesticides have been well documented. But little attention has been paid to the unfortunate situation where chemical companies have reaped billions from unwary farmers who have paid for a program of pest control which is self-defeating in the long run.

In the legislation introduced by Senator Humphrey and myself, those who administer our pest control programs would have the responsibility for seeking alternate solutions to the massive, indiscriminate dosages of vast quantities of chemicals. The legislation lays the foundation for reliance by administrators on the scientific knowledge that we have to protect crops and enhance yields by means that rely primarily on biological controls and various crop-management procedures.

The whole field of pesticides, from development right through to the use, is controlled almost exclusively by the chemical industry. The objective of this industry is to promote and sell chemicals to a wide variety of buyers who are given little choice between using and not using chemicals. This has resulted in a gross misuse of chemical-technology to the extent that one expert in the field, Dr. Robert van den Bosch of the University of California, has said borders on chaos.

We have an opportunity for change. And we have arrived at the point in time where it is imperative that the Congress provides the leadership to promote that change.

Along with the National Pesticide Control and Protection Act (S. 660) introduced by Senator Humphrey and myself and the bill (S. 745) introduced by Senator Packwood at request of the Administration, I believe we have the necessary ingredients for comprehensive solutions to our massive pesticide problem. At least, we have the beginnings of a total effort.

All of us are aware that when DDT emerged as one of World War II's most celebrated heroes, some entomologists gleefully suggested that the war against pests may very well be over. In favor of man, of course. In 1945 the earth was dusted with 33 million pounds of DDT. By 1951 this figure had more than tripled, to 106 million pounds. Resistance by insects to DDT and other chemicals soon became a substantial factor, and demand was created for development of more and more compounds. We didn't recognize the failure of chemical-technology to control pests. Today, more than *one billion pounds* of pesticides—including insecticides, herbi-

cides, fungicides, rodenticides and fumigants—are produced annually in the United States. This already is five pounds for every American man, woman and child. But projections are that by 1985 this figure of one billion pounds will be increased six-fold.

Because of inadequate registration and records of use, we are not certain how many pounds of pesticides are utilized in this country and abroad. Clearly, however, the worldwide use is massive and the affect certainly will be catastrophic for the planet if our disastrous experiences thus far in this country are an indicator.

We now know that pesticides have been carried far beyond the area of application by wind and water and living organisms to the extent that residues have been found in the Adelle penguin in isolated regions of Antarctica and in dust high above the Indian Ocean. Biological magnification has caused high concentrations in the bodies or organisms high in the food chain. It has been shown, for example, that Americans carry in their bodies an average of 12 parts per million of pesticide residues, nearly twice the level allowed for most foods in interstate commerce.

A report by the Health, Education and Welfare Secretary's Commission on Pesticides and Their Relationship to Environmental Health (the Mrak Commission) concluded that, "Pesticides are now affecting individuals, populations and communities of natural organisms. Some, especially the persistent insecticide chemicals such as DDT, have reduced the reproduction and survival of non-target species."

The National Cancer Institute found that of 123 pesticide compounds tested, 11 induced a significantly increased incidence of tumors in laboratory animals. (The 11 included the insecticide Mirex.)

The Mrak Commission later added five chemicals to the list, and these are carcinogenic chemicals, aldrin, aramite, dieldrin, heptachlor and amitrole.

Dr. Van den Bosch, who is scheduled to testify at this hearing, has pointed out the ironic situation in which man is exposing himself and his environment to well-documented dangers of pesticides and at the same time actually creating more pests than are eliminated. Target pest resurgences, secondary pest outbreaks and pest resistance that follow the dissemination of broad spectrum poisons, are creating more pests that are physically better able to withstand massive pesticide dosages.

The United States Department of Agriculture has said (Misc. Publication No. 1065, in March, 1969) that insecticides have had harmful effects on agriculture in a number of instances. The department said the application of insecticides to protect cotton led to drift that destroyed the beneficial insect-complex in citrus groves, necessitating the use of insecticides to control certain pests of citrus that ordinarily were controlled by beneficial insects. The use of malathion to control and eradicate certain cereal, forage and forest insect pests has destroyed honey bees and other insects necessary for crop pollination.

The Department of Agriculture states further that the application of persistent insecticides on potato lands has led to residues in sugar beets grown in the same soil the following year. The department reports that Congress has authorized appropriation of \$10 million to reimburse cranberry growers following confiscation of certain lots of cranberries found to contain illegal residues of a herbicide, which had been applied at the wrong time of the growing season.

Hundreds of thousands of dollars have been paid over the years to dairymen throughout the country as compensation for milk removed from the market due to the pesticide residues. Fish in farm ponds have been killed because of the drainage of insecticide wastes

from nearby lands into these ponds following heavy rains. And the application of persistent insecticides, such as dieldrin for the eradication of the Japanese beetle, led to low-level but significant residues in livestock grazing in the eradication area.

The Mrak Commission concluded:

There is a serious lack of information available on pesticide-use patterns.

Much contamination and damage results from the indiscriminate, uncontrolled, unmonitored and excessive use of pesticides.

Pesticides are now affecting individuals, populations and communities of natural organisms. Some, especially the persistent insecticide chemicals such as DDT, have reduced the reproduction and survival of non-target species.

Within the organochlorine group of pesticides, there is a wide range of potential for acute toxicity for man.

The organophosphate pesticides, particularly parathion, phosdrin and TEPP, are health hazards because of their high toxicity and ease of absorption by ingestion and the dermal or respiratory routes.

The Mrak Commission also recommended that the usage of certain persistent pesticides—including DDT, aldrin, dieldrin, endrin, heptachlor, chlordane, benzene hexachloride, lindane and compounds containing arsenic, lead or mercury—be restricted to specific essential uses which create no known hazard to human health or to the quality of the environment.

The recommendation, of course, was not new. Back in 1963, the President's Advisory Committee, or the Wiesner Committee, recommended that: "The accretion of residues in the environment (should) be controlled by orderly reduction in the use of persistent pesticides. As a first step the various agencies of the federal government might restrict wide-scale use of persistent insecticides, except for necessary control of disease vectors. . . . Elimination of the use of persistent toxic insecticides should be the goal."

Volumes of scientific materials have been published on the misuse of pesticides, and the tragic result of the carelessness. The case is well documented. Commenting on the knowledge of one of man's most toxic pesticides, DDT, Dr. Charles Wurster of the State University of New York at Stony Brook, one of the country's leading experts on pesticides, has said: "Our understanding of the relationship between DDT and avian reproduction is now quite conclusive. It's unusual to have such solid evidence where there is such a subtle question of environmental pollution and where the cause of the problem is so remote from the effect."

I need go no further in discussing the myriad examples of needless damage that has been caused by pesticides. Later this week, several distinguished scientists, who are experts on pesticides, will provide this committee with scientific data and reports to back up findings on the large-scale problems with pesticides. In addition to the two I already have mentioned, Drs. Van den Bosch and Wurster, this committee will hear Dr. Joseph Hickey and Prof. Orle Louks of the University of Wisconsin, Dr. Robert Rishbrough of the University of California at Berkeley, Dr. Charles Black of the Michigan Department of Natural Resources, Roland Clement of the Audubon Society in New York, Dr. David D. Peakall of Cornell University, Dr. Lucille Stickel of the Patuxent Wildlife Research Center, Dr. George Woodwell of the Brookhaven National Laboratory in New York and Dr. Umberto Saffiotti of the National Institutes of Health.

Later in my statement I will outline the need for a comprehensive overhaul of the present Federal Insecticide, Fungicide and Rodenticide Act.

Right now I would like to discuss what I believe to be a rational approach to the pesticide problem, one that will help restore a

proper ecological balance and stop the senseless assault on the environment, but one that has demonstrated it can greatly enhance the economic position of the farm producer and assure an adequate supply of food and fiber.

Mr. Everett Dietrick of Rialto, California, has been in the business of integrated pest management for 11 years, in the Coachella Valley. Several distinguished scientists, who have conducted vast amounts of research in the field of integrated control, have called Mr. Dietrick's work to my attention. He has traveled to Washington at his own expense to be here today to relate his experiences in managing insects in the field to maintain the populations of certain species below pest status.

Mr. Dietrick is an entomologist who was on the faculty of the University of California for 15 years prior to starting his own insect management business at Rialto. His professional staff contracts with several farmers in the Valley to balance the insect population biologically and by various crop management schemes. The important part of the total program is that chemicals are used only when essential, and then they are used sparingly and selectively so existing insect populations are not destroyed. The result is a program that does not harm the environment but which still enables the producer to grow quality crops that are free of chemical residues.

In fact, Mr. Dietrick says one of the greatest problems with the integrated insect management program comes from nearby farms where chemicals still are used. These chemicals sometimes drift into the fields where the integrated program is underway, kill segments of the insect population and disrupt the entire program.

My staff has advised me that the committee would hear Mr. Dietrick, who is scheduled to return to California this evening.

In the last session of Congress, I offered an amendment to provide additional funds for research into nonchemical means of pest control. The Congress approved \$1 million for that effort.

Of course, the United States Department of Agriculture is conducting some research in the area of integrated control. But it is abundantly clear that a high priority, accelerated program is needed.

I have begun to draft legislation, for this committee's consideration, that would provide funds for pilot projects in integrated insect management throughout the country. These pilot projects will be large enough and diverse enough so that the integrated control program can be adapted to the widely-varying crop situations.

Those who have conducted research and field work in the integrated control program point out there is a possibility for slight production decline during the period of transition from chemical use to the integrated program. One researcher described it as the "withdrawal period—something like getting a person off dope." The production decline, if it occurs at all, lasts no longer than a few months.

In the legislation that I am preparing, any farmer who would suffer any loss would be compensated for that loss, just as many are when their crops are removed from this market due to presence of pesticide residues.

I am confident that the integrated approach will work. Specialists in this program within the research division of the United States Department of Agriculture are similarly confident. In the case of Mr. Dietrick's work in California, it is known to work.

The legislation before this committee is a beginning to a rational pesticides control policy. Certainly, our present laws need revision to upgrade the controls we have over chemical pesticides. This need becomes more acute when we consider the manner in which our present laws, inadequate as they are, have been enforced.

In September, 1968, the U.S. General Accounting Office (GAO), in a report to Congress, cited the failure of the Agriculture Department to adequately enforce provisions of the Federal Insecticide, Fungicide and Rodenticide Act. GAO said the department was only seizing unsafe or ineffective pesticides from the initial site they were discovered without any further action to remove the same product from other locations.

In 1969, the House Government Operations Committee issued a discomfiting report on the "Deficiencies in Administration of Federal Investigations by its Intergovernmental Relations Subcommittee, under the chairmanship of Congressman L. H. Fountain.

The 71-page report represented a thorough indictment of the Agriculture Department's continuing failure to administer its responsibilities under the law in accordance with the intent of Congress.

Some of the findings:

1. Until mid-1967, the Agriculture Department's Pesticides Regulation Division failed almost completely to carry out its responsibility to enforce provisions of the Federal Insecticide, Fungicide and Rodenticide Act, intended to protect the public from hazardous and ineffective pesticide products being marketed in violation of the Act.

2. Numerous pesticide products have been approved for registration over objections of the Department of Health, Education and Welfare as to their safety without compliance with required procedures for resolving such safety questions.

3. The Pesticides Regulation Division has approved pesticide products for uses which it knew, or should have known, were almost certain to result in illegal adulteration of food.

4. The Pesticides Regulations Division has failed to take adequate precautions to insure that pesticide product labels approved for registration clearly warn users against possible hazards associated with such products.

5. Information available to Federal Agencies concerning pesticide poisonings is inadequate and incomplete. The Pesticide Regulation Division has failed to make effective use of even the limited data available.

6. The Pesticides Regulation Division did not take prompt or effective cancellation action in cases where it has reason to believe a registered product might be ineffective or potentially hazardous.

7. The Pesticides Regulation Division has consistently failed to take action to remove potentially hazardous products from marketing channels after cancellation of a pesticide registration or through suspension of a registration.

8. The Pesticide Regulation Division has no procedures for warning purchasers of potentially hazardous pesticide products.

9. The Agriculture Research Service failed to take appropriate precautions against appointment of consultants to positions in which their duties might conflict with the financial interests of their private employer. Facts disclosed by the subcommittee investigation raised a number of serious conflict of interest questions.

Mr. Chairman, this is essentially the background for the legislation that Senator Humphrey and I have introduced. The legislation, S. 660, amends the Federal Insecticide, Fungicide and Rodenticide Act of 1947, and changes its title to the National Pesticide Control and Protection Act.

There is little dispute over the inadequacies of the present laws. The National Pesticide Control and Protection Act would provide a rigid testing program for pesticides in use and those being developed, it would establish a registration system so that all uses are better controlled and recorded and it makes administrators of pesticide programs more responsive by enabling private

citizens to gain easy access to information and to initiate court action to insure compliance.

In more detail, S. 660 would do these things:

It would transfer authority for pesticide regulation from the Department of Agriculture to the new Environmental Protection Agency—as is provided in the President's Reorganization Plan—with close coordination by the Department of Health, Education and Welfare. (Section 2)

It would revise the existing programs for testing (Section 8), registering (Section a, b, c) cancelling (Section 5-d), and suspending (Section 5-e, f) pesticides and pest control devices, and provide adequate emphasis on environmental and public health safeguards.

It would authorize the Administrator of the Environmental Protection Agency to require that potential users of certain hazardous pesticides obtain—prior to purchase—a certificate (Section 9) justifying the use. And some pesticides could be applied by qualified and approved pest control operators only.

It would require that all pesticides and pest control devices be thoroughly tested (Section 8) prior to sale by the Environmental Protection Agency and the Department of Health, Education and Welfare to disqualify potentially hazardous (Section 13) products before they are placed on the market.

It would establish a National Pesticide Research and Control Trust Fund, a fund which would be financed by assessments on pesticide sales, and which would be used to cover the expense of the regulation program, as well as the extensive research program (Section 18). The funding program proposed here is not altogether adequate. It is presented mainly for discussion purposes. Because of the obvious public interest in the testing and regulatory programs, substantial allocations from the general fund for these programs perhaps would be appropriate.

It would allow individual citizens to bring court suits against persons, companies or governmental agencies for violations of the Act or failure to enforce its provisions (Section 15).

It would enable interested parties to obtain access to government-held information on pesticide regulation and research except for data on formulas and formulations (Section 10).

It would establish control over all pesticides and pest control devices produced in the United States, regardless of whether they are shipped in intrastate, interstate or foreign commerce (Section 5). It should be emphasized that pesticides and devices that are exported must (Section 4) meet all requirements of registration in the United States before shipment for use in any other part of the world.

It would place emphasis on the review of biological and non-chemical means of pest control alternatives to the use of chemical pesticides (Section 2-9).

It would require the Administrator of the Environmental Protection Agency and the Secretary of Health, Education and Welfare to determine that benefits from the use of any pesticide would be substantially greater than potential detriments to the public health, safety and welfare and the environment before a pesticide registration would be approved (Section 5). In making that determination, the two officials would be compelled to consider the following criteria:

A. the specificity of the pesticide and the nature and extent of harm done to non-target organisms;

B. the persistence and mobility of the pesticide or its by-products and their incorporation into non-target organisms;

C. the toxic, carcinogenic, mutagenic, teratogenic and other health effects of the pesticide or its by-products;

D. the adequacy of the knowledge of its effects on the public health, safety and welfare or the environment; and

E. the availability of safe and effective biological and nonchemical alternative means of pest control to control the pests specified in the registration or registration application.

Instead of relying on the present procedure of reviewing research data supplied by industry, the Administrator of the Environmental Protection Agency and the Secretary of Health, Education and Welfare would be authorized to conduct or contract for independent research on those pesticides desired to be registered.

The bill would streamline the present cancellation procedure by greatly reducing the period of time for administrative hearings and review of a proposed cancellation from upwards of 400 days under existing law down to 150 days under the new measure.

The suspension system itself is in need of revision. Under existing law, the Department has to determine that there exists an "imminent hazard to the public" before suspension can be ordered. This condition has been an obstacle to the immediate suspension of a number of questionable pesticides. Under the proposed legislation, suspension would be allowed when the Administrator of EPA or the Secretary of HEW determines that the use of a pesticide presents a serious actual hazard to man or the environment, or that it presents a serious potential hazard which may become a serious actual hazard before cancellation proceedings can be carried out.

The bill also provides a new authority for pesticide control—preliminary suspension. Under it, the Administrator of EPA or the Secretary of HEW could suspend use of a pesticide for up to 90 days if there is reason to believe that the pesticide may constitute a serious actual or serious potential hazard. The suspension period would allow time for obtaining information to support a firm determination.

If either the Administrator of EPA or the Secretary of HEW determine that use of a particular pesticide would endanger the environment or public health, safety, and welfare, the purchase and use of that pesticide can be restricted to persons who have obtained a certificate for such purchase and use from an authorized agent of the Administrator. In as many instances as possible, this agent will be the local county agent or his representative. The certificate will indicate the specific pesticide authorized for purchase, the maximum amount that may be purchased and the manner in which the pesticide is to be used.

In addition, the use of any pesticide can be limited to approved pest control operators if either the Administrator of EPA or the Secretary of HEW determine that use otherwise would constitute a serious actual or serious potential hazard to man or the environment.

In order to finance the expanded regulatory functions of the proposed legislation along with the new research responsibilities, a National Pesticide Research and Control Trust Fund is established. Assessments will be made on the sale of domestic pesticides and the importation of foreign products to provide revenue for the trust fund.

Under the present statute, it is not clear what the rights of individuals are for involvement in court actions with violators of the law or agencies not carrying out the law.

This bill would enable a person or group of persons who alleges injury or alleges substantial harm to the environment, or who alleges irreparable injury or harm will occur as a result of a violation of the Act to file a civil suit for damages or for injunctive relief in the district court of the United States.

In addition, an individual or group may file for injunctive relief against the Administrator or the Secretary of HEW if either

official takes action inconsistent with the Act or fails to take action required by the Act.

The Agriculture Department has interpreted the existing act as forbidding the public release of virtually all information obtained by the agency in its regulatory function. For example, there is no present way for an individual citizen or an interested scientist to review the safety data submitted by a manufacturer to the Department either before or after a pesticide is approved for marketing.

The Administrator of EPA is required by this legislation to make available upon request by any interested party all records maintained in the administration of the Act except the formulas and formulations of pesticides that he determines to be a trade secret and not protected by a patent or other safeguard.

Present law does not provide regulation for pesticides manufactured, sold and used within a single state and specifically excludes pesticides produced in the U.S. for foreign export from the provisions of the Act.

This bill covers every pesticide and pest control device which is distributed, sold or offered for sale in any State, or which is shipped in any State, or which is received from or sent to any foreign country.

While it is essential that the present pesticide regulatory system be substantially improved, the main goal should be a greatly decreased level of use of chemical pesticides in the United States.

This legislation requires that before the Administrator can register a pesticide he must consider the availability of safe and effective alternative biological and nonchemical alternative means of pest control to deal with the pests to be eliminated by the pesticide. It also requires the authorized agent issuing the certificate for purchase and use of certain pesticides to review the possibility of areawide control of pests by biological and non-chemical means of pest control before issuing the certificate.

Reform of our pesticide law is justified now. The need for reform is now. In my judgment, this legislation can provide the foundation for reform.

RURAL REVENUE SHARING

Mr. DOLE. Mr. President, rural revenue sharing is being examined by all segments of our Nation, rural and urban.

The rural plan is similar to the other plans in its intent to delegate the Federal regulating powers to the State and local governments. These government bodies are closer to the people who receive the benefits from the Federal programs, and therefore can be more responsive to the local need for these funds.

George L. Smith, a capable agricultural writer and editor of the Kansas Farmer magazine, discussed the potential of rural revenue sharing in the State of Kansas in a recent editorial in that publication. I ask unanimous consent that Mr. Smith's editorial be printed in the RECORD.

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

NIXON WOULD RECHARGE RURAL AMERICA

[Recently] President Nixon invited members of the farm press in the midwest to Des Moines for a briefing about agriculture and rural America. He brought with him four members of his Cabinet: Secretaries Hardin, Morton, Romney and Stans. The obvious purpose of the meeting was to explain the President's Special Revenue Sharing proposal to the farm writers knowing

that we, in turn, would pass the word along to you.

A couple of my brother farm writers commented that the meeting was just a political exercise. Perhaps. . . Politics or not revenue sharing for rural America appears to have some advantages for Kansans. Mr. Nixon is quite aware of our problems. He mentioned low farm income, inadequate housing, credit needs, poor health facilities, and more. He also pointed out the U.S. exceeds the rest of the world in agricultural production by a wider margin than we lead in any other area or industry. Recognizing the contributions agriculture makes . . . in terms of our high standard of living, and agriculture's importance to the balance of payments, he said, "For the first time agriculture and rural America will be given due priority, which it has not had in the past."

The President explained that it is essential for rural America to get fair and equal treatment; essential to develop a sound economy for the family farm, adequately financed. He said we must develop opportunities for education and employment or we will have the continuing problem of rural erosion (migration) which adds to the problems of the cities.

Mr. Nixon admitted all this is a big order and there is no simple answer. Progress can be made, he said, through Rural Development and Revenue Sharing. He called this a process, not a program. It calls for additional funds totaling \$1.1 billion (an increase of 25 percent) to be spent in rural America for education, health, transportation, environmental improvements, housing, or for whatever local authorities may choose. Money would be shared with the states based on need. Need would be determined by such things as loss of rural population and rural per capita income. This, and other information, would be applied to a formula and the states would get the funds automatically. A state with high out-migration and low rural per capita income would receive more funds than a state with less out-migration and higher per capita income. Kansas would get about \$20 million.

State and local governing bodies would determine how the money would be spent. The only Federal stipulation is that Special Revenue Sharing funds be used to benefit rural residents. We are not at the bottom in rural per capita income but we are near the bottom among the states in population growth which indicates a heavy out-migration from rural areas.

Revenue sharing is in keeping with the President's philosophy of returning government back to the people. He believes we Kansans know more about the needs of our state and its communities than do bureaucrats in Washington. I subscribe to that.

If some Kansas money should return home through revenue sharing, at least the State Legislature and other governing bodies will be bound to use it to benefit rural residents. That's one part of the President's proposal I like. We were told that emphasis will remain on trying to improve net farm income since that is the key to a better life for all rural citizens. I agree.—George L. Smith in the Kansas Farmer

THE WORK OF THE SENATE SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY, 1971

Mr. BAYH. Mr. President, as the new chairman of the Juvenile Delinquency Subcommittee, I should like to comment on the work that this judiciary subcommittee has done in the past 10 years under the chairmanship of Senator Dodd.

I will submit for the record some of the achievements the Senate has made toward the prevention of youth crime and