

Forest Service and the BLM lay down restriction for a 90-day period that would prohibit the sale of any logs from our Federal lands for export purposes for the duration of those 90 days.

Mr. TERZICK. That is correct.

Senator MORSE. That would not, in any way, stop the exportation of the logs that the Japanese already have in the pipeline—that they have bought and paid for, that are waiting delivery to them. Those contracts have been consummated, and those logs would continue to flow to Japan during that 90-day period.

Mr. TERZICK. That is right, sir. I believe we have to live up to our commitments. A contract is a contract and we should live up to it.

Senator MORSE. You are saying to the Federal Government we think what you ought to do now is lay down a restriction that will provide that no bidders in any Federal timber sale for 90 days shall bid on those logs, if their purpose is to export those logs?

Mr. TERZICK. That is correct.

Senator MORSE. Would it be at all difficult to enforce such a restriction?

Mr. TERZICK. I don't believe so, Senator. I believe that agencies have that authority. I think somewhere in my testimony I quoted a section of the Organic Act of 1897 which to my way of thinking, and I am not an attorney, empowers the agencies to do this.

Senator MORSE. I am not talking about the question of legal authority for the departments to lay down such a moratorium restriction. I am proceeding on the assumption that they have the legal power to do it.

Mr. TERZICK. I think so.

Senator MORSE. I am only talking about the mechanics for enforcing their restrictions. Let's assume a hypothetical. There is a sale and the sale goes to purchaser *x*. But he isn't going to touch those logs for 6 or 9 months. When he does proceed to harvest them, however, you discover that he is going to ship them to Japan. For that 90-day period, whatever logs are purchased during that 90-day period, they are going to be so marked or identified or branded that they won't be able to be shipped to Japan during that 90-day period or 6-month period or a year period, is that what you include in this moratorium proposed?

Mr. TERZICK. That is correct, sir. I believe the logs ought to be branded so that there can't be any subterfuge by some American firm buying the logs, bidding on the logs and buying them and then in turn selling them to Japan at a profit.

Senator MORSE. The moratorium proposal amounts, in one respect, to serving notice on Japan that we have called a halt pending further negotiations in attempts to reach understanding in regard to what our future policy will be beyond this 90-day period. But you offer it because at least it has the advantage or the effect of giving notice now to Japan that unlimited purchases of logs by them in the United States has come to an end. Is that your purpose in part?

Mr. TERZICK. That is correct.

Senator MORSE. You are offering it, among your reasons for offering it to make this clear before our representatives go into negotiations with Japan on February 20. Do you think that the parties to the negotiation ought to be put in a position where they understand this growing insistence in our own country that there has got to be a halt