

one of the matters which was specified. As summed up by the Senate Finance Committee in its report on Senate Concurrent Resolution 100:

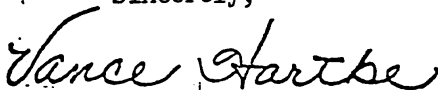
"This problem (dumping) concerns unfair trade practices in a domestic economy and it is difficult for us to understand why Congress should be bypassed at the crucial policymaking stages, and permitted to participate only after policy has been frozen in an international trade agreement."

Notwithstanding this clear warning by the Senate, the Office of the Special Representative persisted in negotiating the Antidumping Code which conflicts directly with, and, if the Code becomes effective, would amend the Antidumping Act of 1921 in many substantive respects. In point of fact the Code would emasculate the Antidumping Act of 1921 and for all practical purposes strike the Act from the statute books. As I mentioned earlier, the three points of conflict listed above are merely illustrative of a multitude of substantive changes in the Act. In my opinion, these changes would prevent it from imposing any meaningful restraint on the unfair trade practice of dumping.

This usurpation of Congressional functions should not be allowed to go unchallenged. I therefore intend to urge the Chairman of the Senate Finance Committee that an appropriate resolution should be favorably reported by the Committee and should be adopted by the Senate and by the House, expressing the sense of Congress that the Code should not become effective in the United States unless and until the Code has been approved by the Congress. The resolution should also advise the President to withdraw from the Code immediately, well before it is scheduled to become effective on July 1, 1968. The resolution should further advise the President that if he desires to have the Code become effective in this country, the United States must first withdraw from the Code and then submit it as a proposed international agreement to the Congress for approval. At that time, I will, of course, oppose Congress giving its approval to the complete emasculation of the Antidumping Act. The Act, which is concerned with the unfair trade practice of price discrimination in this market, needs to be strengthened not weakened and emasculated. This is the purpose sought to be achieved by S. 1726 which I introduced on May 9, 1967 for myself and for forty other Senators on both sides of the aisle.

I hope that you will agree with me that the action of the Office of the Special Representative in defiance of the clear will of the Senate constitutes usurpation of Congressional authority and must not be allowed to go unchallenged. If you do agree with me, I urge you to communicate your views to the Chairman of the Senate Finance Committee, to other members of the Senate and also to the Chairman of the Ways and Means Committee of the House and other members of the House.

Sincerely,



Vance Hartke
United States Senator