

reciprocal transportation of property in interstate commerce by any person not engaged in transportation by motor vehicle as a regular occupation or business. All farmers are exempt under this provision and also under subsection 8.

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"The farmer's operations are included in the exemptions that are in the bill. Every bit of trucking they do in transporting their own property is exempt; and the committee, after full consideration, felt that where the cooperatives go into the regular trucking business as such, that they should come within the provisions of the bill as to reasonable regulations." (79 Cong. Rec. 12221)

Congressman Whittington then stated:

"If the bill covers the matters that are intended to be covered by the proposed amendment, then the acceptance of the amendment would be merely a clarification of the bill, because many Commissions are rather hesitant as to the meaning of the word 'casual.'" (79 Cong. Rec. 12221)

Mrs. BROWN. In the report accompanying S. 752, as amended, it stated on page 15, and I quote:

The need for Commission rule-making power to administer the provisions of the Committee amendment is obvious.

The report goes on to give examples of the provisions of the bill which should be interpreted in rulemaking proceedings. Among those specified would be the establishment of guidelines covering the definition of the term "necessary for" and "incidental to" in accordance with the intent of this legislation.

Of course, there are areas of investigation in such a proceeding other than those mention in this report and no doubt found upon careful analysis of the bill and would be included therein.

In a similar situation, the Commission institute rulemaking proceedings into and concerning the matter of the terms "agricultural commodities not including manufactured products thereof." This was used in section 203(b) (6) of the Interstate Commerce Act. This case was the determination of exempted agricultural commodities and is reported in 52 MCC 511.

There we construed what at that time we considered the meaning of this exemption and with respect to what commodities were included therein.

So, I have no doubt that the rulemaking proceeding as suggested in the Senate report will be very helpful as an effective way to administer the proposed legislation.

Mr. FRIEDEL. I want to compliment you for your very fine opening statement.

Mr. PICKLE.

Mr. PICKLE. Thank you, Mr. Chairman.

Mrs. Brown, is there agreement between the Interstate Commerce Commission and the Department of Agriculture with respect to S. 752?

Mrs. BROWN. It is my understanding that the Department of Agriculture and the Commission agree in regard to the position taken in S. 752.

Mr. PICKLE. Do we have a representative of the Department of Agriculture who will testify later this morning?

Mr. FRIEDEL. Yes.

Mr. PICKLE. Now, is the Department of Defense satisfied about S. 752 at this date?

Mrs. BROWN. To my knowledge, the Department of Defense and the Department of Transportation have not changed their position. However, I don't understand that they are going to testify.