



NEWS from U.S. Senator Bob Dole

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HIGHLIGHTS OF DOLE SUBSTITUTE FOR THE CPA

The Dole substitute is based on the House bill and is intended to bring the best of the Senate and House bill together.

1. KEY ISSUE--LABOR EXEMPTION. The House provision is included in the substitute and the main exemption is for PRIVATE negotiations. Private negotiations of any other type in business are also exempted so that the "labor exemption" does nothing for labor that is not already done for business and management. The "exemption" is entirely consistent with intent and power of the Act.

All Federal proceedings relating to labor are subject to the Administrator's participation.

The full nature of the exemption from the House bill and the Federal proceedings relating to labor under the ACA's jurisdiction will be spelled out in a colloquy between Senators Dole and Ribicoff.

2. The exemptions for small businesses and for the FCC are included from the Senate bill.
3. A farm provision to prevent the self-defeating possibility that the efforts of ACA to get lower prices for food might drive farmers out of business is included. Also, the Administrator is charged with helping farmers as consumers obtain materials such as fertilizer and equipment at a fair and reasonable price.

OTHER IMPORTANT PROVISIONS:

4. Term of Administrator--4 years. Removal of Administrator--at discretion of the President.
5. OMB by-pass of Senate is deleted.
6. Interrogatory power under information gathering provision:
 - a. no independent authority for ACA--Administrator must work through Federal agencies;
 - b. interrogatories must be within agency's "authority," not "subject-matter" jurisdiction;
 - c. catch-all of FTC transmitting interrogatories where no other agency has authority is deleted;
 - d. burden of proof is on agency to refuse to transmit interrogatories;
 - e. ACA does not have burden of proof when court orders are sought to enforce interrogatories since ACA is required to already have shown cause.