

the movement toward the establishment of a Department of Energy and Natural Resources," the GAO report states. "We generally endorse its enactment." The GAO asks Congress, however, to consider "several residual issues" in enacting the legislation. These issues include:

Energy Conservation: The GAO report is concerned that the Secretary of the Department of Energy would have "only an advisory role in recommending goals for the automobile fuel economy standards program which would continue to be the responsibility of the Department of Transportation." The GAO recommends that this arrangement be reversed with the Department of Transportation having an advisory role. This recommendation is fully consistent with an amendment to the reorganization act introduced by Sen. Kennedy (D-Mass.) on April 7.

Energy Regulation: The report urges Congress to carefully examine the "implications of the inclusion of energy regulatory functions within an energy department." It specifically analyses the role of economic and health and safety related functions and recommends that these functions be handled jointly, while the policy and promotional aspects of energy are considered elsewhere in the department. The GAO attacks the Administration's proposal for placing economic regulation within the Department while leaving health and safety functions of both the Nuclear Regulatory Commission and

Department of the Interior within those agencies.

"We remain somewhat skeptical as to whether so-called 'health and safety' regulation can any longer be construed as truly 'noneconomic' in nature. Most, if not all, energy health and safety regulatory decisions affect the cost and timing of various forms of energy... More than anything else, the regulatory decisions of the Nuclear Regulatory Commission are likely to pace nuclear development in the years ahead."

Energy Coordination: The report urges the formation of a "high-level coordinating council" in the Executive Office of the President to be headed by the Secretary of the Department of Energy.

GAO Oversight: The GAO asks Congress to grant it the power to monitor the activities of the Department of Energy for Congress. "Because of the importance of energy as a national issue, the Congress may find it useful to reaffirm GAO's existing authority and statutorily assign GAO the responsibility to continuously monitor, evaluate, and report as it deems appropriate on the policies, plans, and programs of the Department of Energy with particular emphasis on the aspects needing close congressional scrutiny. As part of this reaffirmation, specific authority should be provided for access to all data and information within the possession or control of the Department."

Congress Snipes At Carter Energy Plans — But Won't Fight Whole Package

President Carter received a number of stinging setbacks to his most cherished legislative programs in the Congress last week, but won passive acceptance of fundamental institutional "reforms" which erode constitutional government. Thus, a House committee voted to maintain the Clinch River breeder reactor project which the Administration wants to shut down, but committees on both sides of the Hill passed the Dept. of Energy bill giving James Schlesinger police-state powers to impose the Carter energy austerity program.

The House Science and Technology Committee answered Carter's demand for an "indefinite delay" on the demonstration Clinch River (Tenn.) breeder reactor with a unanimous vote (37 to 0) to maintain the project. The committee action came after the Administration's proposed ban on plutonium (the fuel used in fast breeder reactors) technology was forcefully rejected at the International Atomic Energy Agency conference in Salzburg by the USSR, and the West Europeans and Japanese followed suit at the London summit.

Reflecting this international climate, the chairman of a fossil fuel and nuclear research subcommittee of the Science and Technology Committee Rep. Walter Flowers held a press conference after the vote and declared: "I'm convinced that every nation will have to go ahead with the breeder program... for economic development."

Asked by a reporter if he expected a call from Mr. Schlesinger, Flowers replied, "The administration is in the audience, and I don't think they're going to be very happy."

The Senate counterpart to the Flowers subcommittee, chaired by Frank Church, is expected to follow the House example and vote to restore Clinch River and the plutonium reprocessing at Barnwell, S.C. In a telephone interview with the Washington Post the day of the House vote, Church said, "I don't think there's anything to be gained by the U.S. renouncing the breeder and stopping developing the technology if the rest of the world is not going to follow suit."

At a recent speech at the Massachusetts Institute of Technology, Church doubted that Carter could convince even U.S. allies to forego reprocessing plants that produce plutonium and breeder plants that produce it. The breeder reactor is the "only technology which holds out the promise of relieving Europe and Japan of an unremitting dependence on foreign-held fuel supplies," Church said. "The flaw in the Administration's plan is that it fails to offer a satisfactory substitute for the world's diminishing supply of oil."

Despite brave talk, however, the House Committee voted the week before to retain Carter's 20 percent cuts in ERDA's nuclear energy budget, and even the Repre-

sentatives most vociferously opposed to the Carter energy plan have left this policy of destroying research and development unchallenged.

This callow disregard by congressmen for long-range consequences to the nation was most reflected in the fact that the Dept. of Energy, already widely identified as creating an extraconstitutional "fourth branch" of government, breezed through committee in both House and Senate May 9. Not one Senator on the Government Affairs Committee voted against the bill, and its House counterpart rubber-stamped the legislation 37 to 2. The only significant alteration to the Administration's bill was the addition of a "regulatory board," a body hand-picked by Carter to set natural gas prices and divert criticism away from Schlesinger. While the House version jabbed here and there at some of the bill's more outrageous features, such as the provision allowing Schlesinger to recruit an energy SS of "volunteers" outside any other government control, the core of Carter's extralegal apparatus remained untouched.

All sides are now predicting easy passage when the bill reaches the floor of both houses sometime within the next two to four weeks. Although some Congressmen are planning to wage a fight over specific aspects of the bill, particularly the role and organizational location of the Federal Power Commission, only a handful are ready to reject the legislation as a whole.

Similarly, the Energy Research and Development Administration's order to destroy 250,000 booklets on nuclear energy has gone uncontested in Congress. The rationale for the bookburning is that the booklets contained "errors" — they favorably describe the "efficient and

economical" energy potentials of plutonium reprocessing and the fast breeder reactor.

Edwin Stokely of ERDA's Office of Public Affairs explained the decision to destroy the booklets was made the week after Carter condemned the advanced nuclear technologies as "dangerous" and contrary to his no-growth energy plan. Asked why such preemptory action was taken while policy on reprocessing and the breeder is still being debated in Congress, Stokely answered, "I'm just a civil servant doing my job." The only publicized reaction to this lawless action to date appeared in the May 12 issue of the *Knoxville Oak Ridger* which called Schlesinger's suppression of the ERDA report "Hitlerian."

In related Congressional action and inaction, the House Appropriations Subcommittee on Public Works voted overwhelmingly May 10 to restore 17 of 18 water projects cut by Carter and to begin new construction on 12 additional projects.

The following day a House Health Subcommittee sniped at Health, Education, and Welfare Secretary Joseph Califano on the Administration's proposal to slash hospital costs by drastically cutting back health care. Reps. Rostenkowski (D-Ill), Pike (D-NY), and Gradison (R-Ohio) all expressed reservations, with Gradison observing, "We're being asked to buy a pig in a poke."

In two instances this week — votes on Carter's consumer agency legislation and Carter's on-site registration electoral reform bill — last-minute arm-twisting by Vice President Mondale in the early hours of the morning saved the Administration from "certain" defeat. Before Mondale's intervention, a congressional rebellion had been widely touted by the President's opponents.

Carter Vote Bill Debate: A New Watergate?

Voicing the growing sentiment on Capitol Hill that the Carter Administration is suppressing opposition to its program, Senator Mark Hatfield (R-Ore.) this week termed the Justice Department's handling of its testimony in favor of the Administration's Universal Voter Registration bill a "cover-up that has all the earmarks" of a new Watergate. Such claims by Hatfield and other Senate Rules Committee members led the White House to deploy Vice President Mondale to personally pressure committee members to support the faltering bill. The bill was subsequently reported out of committee on May 13 by a vote of 5-4.

Mondale is credited with having swung the vote of Sen. Claiborne Pell (D-R.I.) against a resolution presented by Sen. Hatfield and Sen. Griffin (R-Mich.) to cross-examine Attorney General Bell and other Justice Department officials on the cited cover-up of internal Justice Department memos warning against the bill. Pell admitted receiving "several phone calls" from Mondale,

resulting in his promise to help the bill leave the committee despite his claim that "I have no commitment to support it on the Senate floor." The arm-twisting of Pell resulted in a 5-4 vote against the Griffin-Hatfield resolution and the later favorable vote on the bill itself.

White House pressure tactics have angered committee members and other congressmen who have charged that the Administration has not acted in good faith. Soon after the Rules Committee voted on the bill, members of the Senate Judiciary Committee were discussing undertaking their own investigation of the cover-up charges. Griffin, Hatfield, and Sen. Allen (D-Ala.) have pledged to take the fight, including their evidence of material which was suppressed from the committee, onto the floor of the Senate.

One, Two, Many Memos

Despite White House claims to the contrary, at least three memos have circulated within the Justice Depart-