

Congressional Calendar

Carter program may cause energy logjam in Congress

With President Carter's energy proposals now added to the potpourri of energy legislation on the Hill, the question between now and the August recess is whether the previously congressionally-initiated proposals will continue their breakneck speed through the Congress, or whether Congress will slow its activity to wait for the specifics of the Carter program.

Currently Carter staff aides and key congressional leaders are holding a series of meetings, centering on resolving points of disagreement between the pending congressional energy proposals and the White House plan, which is still in very general form. Their aim is to pass something, perhaps some form of Carter's energy mobilization board, before Congress recesses. Earlier it had been anticipated that Senator Henry "Scoop" Jackson's proposal for an energy mobilization board, added last week to his energy production bill, had a chance for both committee and Senate floor action before the recess, although serious legislation to the same effect has not yet moved on the House side.

But most elements of the program unveiled by the President in his bizarre Sunday night address to the nation have come under heavy congressional fire. The most substantive and potentially fatal blow to the Carter program may come from Senator Russell Long (D-La.), the powerful chairman of the Senate Finance Committee. Long's committee holds the fate of the Windfall Profits Tax in its hands,

and the revenues from that tax are to provide the \$142 billion for Carter's energy security fund and his synthetic fuels push. At hearings on July 18, Long and a majority of his committee members made quite clear that they felt the Windfall Profits Tax was anti-oil company demagoguery, and that the companies should be allowed to reinvest profits in conventional energy production without a Windfall Profits Tax, or that any tax be partially plowed back to the companies for conventional production.

In the hearing, Long attacked Carter for not inviting the oil producers to Camp David and referred to Carter and Energy Secretary Schlesinger as "the blind leading the blind." Privately, Long has stressed that he would rather see more emphasis on conventional oil and gas production and less on such ersatz forms as synthetic fuels. Long has also cryptically remarked, "Congress will be Congress," which means to many a long period of legislative-executive compromise and give-and-take. Observers note that unless the synthetic fuels aspect of Carter's program is railroaded through quickly, it will fall apart as its obvious unworkability becomes evident.

Since the guts of the Carter plan may be stuck in Long's committee quicksand, chances are that Congress may go ahead with bits and pieces of legislation already under consideration. The House Interstate and Foreign Commerce Committee has reported out a gasoline rationing bill which may quickly go to the House floor for passage. The Senate has already passed legislation along those lines.

Also possibilities for July action are the so-called "fast-track" proposals of Jackson and Congressman Morris Udall (D-Ariz.). These would give the Secretary of Energy, or a mobilization board, the authority to choose six energy development projects and speed them up with enhanced funding and by cutting through regulatory or environmental tangles. Synthetic fuel projects are likely targets if the legislation passes. Udall has marked his bill up and it is ready for floor action; Jackson's side of it is part of the overall bill which Jackson hopes to act on, in committee and on the floor, before the recess.

The final likely piece of legislation to move is the Senate version of the already-passed Moorehead Amendment mandating the production of synthetic fuels by the early 1980s. Action is pending in the Senate Banking and Energy committees.

Senate rejects immediate licensing moratorium on nuclear plants, but opens door to future shutdowns

In a series of votes on the Nuclear Regulatory Commission's 1980 authorization, the Senate rejected the Ted Kennedy and Gary Hart-sponsored attempts to impose an immediate, six-month moratorium on the licensing of new nuclear plants, but in a capitulation to Three-Mile-Island hysteria passed a dangerous amendment holding open the possibility of plant shutdowns nine months from now.

The latter amendment, the Hart-Simpson Amendment, man-

dates that any state which has not produced a plan for an emergency response to a nuclear plant accident and had that plan approved by the NRC faces the shutdown of some or all of the plants functioning in that state. This could affect some 16 states, having over 30 plants functioning within their borders. The states have nine months in which to devise plans (in some cases, such plans must pass state legislatures which may not convene again until next January) which must then run the NRC gauntlet.

Opposition to the proposal was led by Senators Bennet Johnston (D-La.) and Jim McClure (R-Idaho), who proposed various changes which would, in effect, have gutted the Simpson-Hart provisions. In a legislative sleight-of-hand, the leadership brought the Johnston-McClure Amendment up as the first order of business on Monday, July 16, rather than at the end of the day as previously scheduled. McClure and others had not even returned to the capital from their home states and the amendment lost by three votes, 40 to 37.

Later votes on the McGovern and Kennedy amendments lost by margins of 55 to 37, indicating the feeble but still existent support for nuclear energy in the U.S. Senate.

McCormick Commission proposes fusion energy drive

While the focus of President Carter's energy program and that of many Congressmen is on energy austerity and synthetic fuels boondoggles, the House Energy Sub-

committee of Congressman John McCormick is discussing what the centerpiece of a real energy development program must be—fusion energy. Congressman McCormick has formed a commission of key "outside experts"—including Dr. Robert Hirsch of Exxon, Dr. Richard Balzhiser of EPRI, Dr. Robert Conn of the University of Wisconsin, Ersel Evans of Westinghouse, Dr. Ken Fowler of Lawrence Livermore Laboratories, Dr. Harold Furth of the Princeton Plasma Physics Laboratory, Joseph Gavin of Grumman Aerospace, Dr. Henry Hebler of Boeing Engineering, Dr. John Landis of Stone and Webster Engineering, Dr. Tihoro Ohkawa of General Atomic, Bob Smith of PSE&G, and Dr. Alvin Trivelpiece of Science Applications, Inc.—to advise his subcommittee of the House Science and Technology Committee on the possibility and importance of developing fusion energy.

The subcommittee met last week with the Commission for hearings on Capitol Hill. Edwin Kintner, the head of the magnetic fusion program at the Department of Energy and Dr. Greg Canavan of the DOE's inertial fusion program testified. According to sources close to the committee, the Commission wants to have a \$100 to \$150 million increase in the magnetic fusion program for 1980 and a 50 to 100 percent increase for 1981. For the inertial program, it has been reported that the DOE's Foster Committee has called for a \$50 to \$100 million increase for development of the type of laser that would be used in a working fusion reactor. Most significantly, Cana-

van did not mention this or the Foster Committee at all. Sources indicate that Deputy Energy Secretary John Deutch told the fusion officials to restrict their testimony to the Carter administration's do-nothing approach to fusion.

Congressman Wydler, who spoke at the hearings last week, emphasized that any step-up in the fusion program had to be made in addition to a step-up in fission power expansion.

"Mini" Davis-Bacon repeal temporarily stalled

One of the several attempts at piecemeal repeal of the Davis-Bacon Act (which effectively guarantees union-scale wages on federally funded construction projects) was temporarily stalled on July 12, when the Tower Amendment to the military construction authorization was referred to the Senate Labor and Human Resources Committee for further study. That committee now has until July 26 to report the bill back to the floor, with or without recommendation. The committee cannot block the legislation.

The Tower Amendment exempts military construction projects from Davis-Bacon provisions and had passed the Senate Armed Services Committee earlier in the year by an overwhelming vote. The Senate Labor Committee is not expected to report with recommendation, however, and the issue will be resolved on the floor. Tower Amendment supporters still predict a fighting chance for passage.