

Energy Committee Sparks Controversy

by MAGGIE L. LAWSON

During November hearings on a resolution to establish an energy committee in the House, Rep. Ludlow Ashley (D-Ohio) conjured up the ghost of Petronius Arbitrator, a high-ranking member of the Emperor Nero's court.

Ashley suggested that Petronius Arbitrator may have erred on two counts: he opposed reorganization and he taught Nero how to fiddle.

While it is hard to say whether the members of the Select Committee on Committees who heard Ashley's testimony took heed from the example of Petronius, the committee did give the go-ahead to a resolution that would create an energy committee in the House. The measure, sponsored by Jerry M. Patterson (D-Calif.), passed with a 11-4 vote.

The Rules Committee recently reported the matter out, and it is expected to come up before the House within the next week or so.

Most members of Congress agree that something must be done to facilitate the passage of energy legislation in the House.

With 83 committees and subcommittees involved in energy matters, just trying to track down a piece of energy legislation has become something of a challenge. And of late, energy legislation has emerged from some rather strange places—places where one would hardly think to look—such as Education and Labor and Banking, Finance and Urban Affairs.

Congressmen don't want their constituents to think they're fiddling while the country runs out of fuel, but at present they apparently haven't come to a consensus about which form a new energy committee should take—or even if there should be one.

The Patterson resolution now has company. On its way through Rules, two substitute provisions got included.

In considering the energy committee measure, the House will now have several, rather different, choices.

If it adopts a proposal by Rep. Jonathan Bingham (D-NY), jurisdiction over energy would remain in the Interstate and Foreign Commerce Committee.

If the House goes with a proposal offered by Rep. Phil Gramm (D-Tex.), almost all energy jurisdiction

would go to one newly established committee. A possible exception would be tax jurisdiction, which would remain with the House Committee on Ways and Means.

The Patterson resolution is not as far-reaching as the Gramm substitute, but in calling for a reorganization of committee jurisdiction over energy, it far exceeds the changes proposed in the Bingham substitute.

Patterson's resolution would create a committee with responsibility for "national energy policy generally."

The committee would deal with "production, supply, marketing, pricing, regulation or conservation of energy resources not on public lands." It would have jurisdiction over fossil fuels, nuclear power for commercial purposes, solar power, and other "unconventional or renewable energy resources."

The Interior Committee would receive a jurisdictional grant over "environmental aspects of all energy matters, except those of standing committees with specific jurisdiction over environmental matters under existing laws."

Some members of Congress wonder whether creating another committee is a good idea. The House of Representatives has 22 committees already.

Rep. Bill Frenzel (R-Minn) has pointed out that no committee is to be abolished, although the Energy and Power Subcommittee of Commerce would undoubtedly lose some of its clout.

Proponents of the Bingham substitute hold that the present system of checks and balances on energy matters should be maintained.

They fear that environmental issues will be slighted by an energy committee that is charged with the responsibility of encouraging energy production.

A staff member at the Select Committee on Committees says he thinks these fears are groundless. "We attempted to give Interstate and Commerce jurisdiction over non-military nuclear energy in an effort to assuage the concerns of the anti-nuclear people, but this apparently hasn't allayed the apprehensions of some anti-nuclear members of the House," he said.

Others who favor the Bingham

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substitute think energy is just too far-reaching to be centered in any one committee.

"Energy goes through the mainstream of society like inflation, but we don't have an inflation committee," says Rep. John Dingell (D-Mich). Dingell is chairman of the Energy and Power Subcommittee of Interstate and Foreign Commerce, and heir apparent to the Chairmanship of the full committee upon the retirement next year of Chairman Harley Staggers (D-WVa).

Dingell's critics assert that the Michigan Congressman opposes the creation of a new energy committee because he's interested in protecting his own turf. The Energy and Power Subcommittee currently handles about 50 percent of all energy legislation.

Dingell gives other reasons for his opposition to the proposed energy committee. "We're talking economics," he says. "Even if the other committees aren't as large, a new committee will require enormous funding."

The Bingham substitute would create no new jurisdiction, says Dingell. "It represents a codification of existing traditions and customs that will be put into the rules so we know exactly where legislation is to go," said Dingell.

Supporters of the Patterson and Gramm proposals say the Interstate and Foreign Commerce Committee is far too big already, and shouldn't be made larger.

"Commerce has the largest workload, the largest budget, and the largest staff (more than 160) in the House," said one Select Committee staff member.

Someone at the Select Committee has even turned cartoonist to illustrate what might happen if Commerce gets additional jurisdiction over energy.

A roughly sketched drawing on the committee's office wall shows a whale—Commerce and Energy—gulping down little fishes (Banking, Interior and a number of other committees).

If either the Patterson resolution of the Gramm substitute passes, the House will be in for a massive game of musical chairs where committee assignments are concerned.

The Patterson resolution provides that the committee would begin operation prior to noon on January 3, 1981. Substitute language is likely to be added which would assure that the committee is created "immediately prior" to that date, so that current committee assignments would continue until the end of the present session.

If a new energy committee is created, a vast amount of power will be vested in the chairman, and already there is discussion of who is likely to end up with the post.

The congressmen most frequently mentioned as leading contenders for the chairmanship are Rep. Ashley, who chaired the Ad Hoc Energy Committee during the 95th Congress, and Rep. Dingell, who has been a leader in energy legislation during recent years.

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