



a report from

2nd congressional district of arizona

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## Congressional Oversight

# Making Things Work

"I hope that the 96th Congress would really go down as the Congress in which oversight came back into its own."

*--Minority Leader John Rhodes  
House of Representatives*

Not long ago, I found myself thinking about my grandfather, and it struck me that the federal government of his day had very little impact on the way he lived, did business or carried on his affairs. Washington was a remote place, in charge of delivering the mail, keeping an army, printing money and perhaps granting homestead patents. What the government did meant little to him -- because it didn't do very much.

If you had asked a cab driver or bartender back then to name the five most powerful men in Washington, chances are that Calvin Coolidge wouldn't even have been mentioned. (With luck, he might have ranked fifth.) The Speaker of the House would have been first.

Things today are far different.

Obscure legislation can put you out of business, add to the cost of a new car, affect the clothing you wear on some jobs, and when a Shah in a country called Iran loses his job, it may mean you and I can't get to work because our neighborhood service station is suddenly low on gas.

The Speaker of the House, once the most powerful of Washington men, no longer can promise Presidents this or that package of legislation. And Calvin Coolidge would be

truly astonished to see today's President -- not only the most powerful man in Washington, but the most powerful man on Earth.

What we have is a government dramatically altered by events: the Depression of the 1930s, World War II, the Cold War, the explosion of air travel, computers, centralized energy, and a doubling and then a tripling of our population.

The Depression would never again allow the Congress to worry only about delivering the mail and homestead patents. Because chaos had been precipitated by a stock market crash. Congress moved to regulate it. When banks collapsed, Congress provided loans for home ownership. Government had involved itself in social ills, and the pace was destined to accelerate.

A far cry from my grandfather's day.

Out of chaos had come a new pace and a new role for government. No longer would it be the passive observer; from this point forward, it would be the active leader.

\* \* \*

But Congress began to express alarm at the growth of Presidential power, and at the legislation that it had churned out for the past 15 years, first to combat a Depression, and later, a global conflict.

That alarm eventually became the Legislative Reorganization Act of 1946, the first formal recognition of a new concept for our national lawmakers. Today, the concept is known simply as "oversight", a mechanism that allows us to check what has gone on before. Now, there are good and healthy signs that it has found both new interest and new believers.

The reason for this new interest? We are entering an austere budget year. President Carter wants to hold the federal deficit at \$29 billion (or less), and there will be far fewer adventurous new programs.

Instead, a good share of the work of this Congress can be expected to shift to the oversight committees in both the House and the Senate -- committees that are there to serve as watchdogs on one or another government functions, agencies or departments. One might deal with intelligence operations, another with government operations generally, another military affairs, and so on.

I see this as a good sign. We need to get to the work of reviewing much of what has gone on before, and we should put our old programs to some new tests:

- \* Has the *intent* of legislation been carried out -- or badly distorted?
- \* Is money appropriated by Congress for essential programs being wisely spent -- or wasted?
- \* Are agencies that were created for a specific function *really* performing -- or are they just snowing us?
- \* Are the taxpayers getting the most for their money?

I'm looking forward to all this new attention to oversight. It's a mechanism I feel more than a little familiar with, and one that needs all the help it can get.

Last year, I was proud to have sponsored one of the biggest congressional oversight workshops ever held in Washington.

Working with the Congressional Research Service, an arm of the Library of Congress, we put together a program that drew a huge crowd. Virtually every House committee, and some in the Senate, was represented. An important product of that meeting: Congress is now at work on a manual on congressional oversight. I'm proud to have played a part in that.

I wasn't alone in my pleasure -- House Minority Leader John Rhodes showed up at the meeting to give his hearty endorsement.

\* \* \*

Oversight is not new to the House Interior Affairs Committee, which I head, and where we have broken some new ground:

- \* The Interior Committee became the first to meet with officials of the department it oversees (Interior), not on Capitol Hill, but on *their* ground.
- \* A program of Historic Preservation Oversight is underway, to learn what historic preservation can mean to localities by keeping buildings on the tax rolls.
- \* As chairman of the Interior Committee, I have asked the Bureau of Land Management to report back to us on a regular basis. The practice could become a model for other committees and agencies.
- \* For the first time in the history of the Congress, the Interior Committee -- at my direction -- has an oversight subcommittee to handle all the vast areas of jurisdiction.

\* Each Interior subcommittee now is to conduct its own budget oversight hearings with regard to the agencies and programs under its jurisdiction. This either wasn't done, or was done only sporadically, in years past.

\* \* \*

Let me run through a very brief example of the kind of oversight with which I've become directly involved.

This particular situation involves nuclear power, an energy source that I believe can only work when the public can be confident that all its aspects are being safely regulated.

During the last three years, the House Subcommittee on Energy and the Environment, which I also chair, has conducted an inquiry into security measures designed to protect materials that might be used to make nuclear bombs and warheads. What we wanted to know was whether the plants at which these materials are processed were protected from would-be terrorists and international burglars.

These inquiries indicated to me that for a long time security has been lax. It may be, in fact, that some nuclear explosive materials were stolen some years ago. We have tried to get to the bottom of whether there was a theft, and if so, how it happened. We have sought at the same time to pinpoint past and present security defects so that we can know whether the necessary corrective actions have been taken. We want also to determine what Congress might do to help insure that nuclear thefts do not occur.

This is no easy task. There has been progress, but we are not finished. We will follow through until we are satisfied that the security job is being done right. To bring about change takes time, patience and a lot of hard work. That's what oversight is all about.

\* \* \*

There are some other approaches, and areas, that Congress ought to look into this year.

\* One of the areas involves the regulatory agencies. A year or so ago, the airline industry was deregulated, and the result was that terminals around the country were barely able to handle the business. We have a surge of healthy competition, and who benefits? The consumer *and* the airline industry.

All of which might make you ask, "Well, why stop there? If this worked so well with the airlines, let's move along in other areas that need help."

We should -- and can. One agency long a peeve of mine in this regard has been the Interstate Commerce Commission.

The ICC, created long ago to insure that a burgeoning railroad industry did not monopolize American shipping, has really outlived its usefulness. Among other things, it has

brought us the incredible regulation that says if a trucker hauls cotton from Marana to Los Angeles, he can't return with a load of steel. Another trucker has the franchise for that. So, in this era of shrinking supplies of expensive gasoline, we wind up with both trucks traveling empty one-way. That's ridiculous.

Where regulatory agencies are impeding free enterprise and the free market, where they are contributing to a rise in prices instead of helping them remain stable, where they are crimping productivity and threatening to put companies out of business instead of encouraging a healthy economy, one can no longer wonder if these sorts of agencies are justified. One may only wonder why we've put up with them as long as we have.

\* Another approach deals with so-called Sunset Legislation -- an idea with increasing appeal. Already a number of states have put such laws on the books. Simply, they require agencies of government to periodically justify their existence or face automatic extinction.

Critics of this approach claim that agencies might become so preoccupied with justifying themselves that nothing else would get done. I reject that notion.

There are too many examples where agencies or bureaus have existed far longer than the reason that led to their creation.

Last year, the Congress tried to tackle one of these -- the Renegotiation Board. This agency was created during the Korean War as a temporary agency. The function that it was supposed to perform -- recovery of "excessive profits" from contractors doing business with the government -- has instead, according to Senate Majority Whip Alan Cranston, become a case of costing the taxpayers \$140 million a year. Republicans and Democrats alike moved to kill it, and we thought we had succeeded. But the board is back again this year, asking for a new budget.

That's only one example. This sort of duplication and waste can be stopped, and I think Sunset Legislation could get the job done.

\* \* \*

Techniques, procedures and programs that are suited to one age don't always meld with another. Where we find that to be true, we should begin to cut, to weed out the wasteful and inefficient, and to get to this job of "making things work."

Americans today are angry and frustrated. The cost of living has doubled in 10 years and still we face only the prospect of more double-digit inflation.

The legislative questionnaire mailed in January showed that residents of the 2nd Congressional District want a balanced budget and a cut of \$30 billion in federal spending. Whether we can achieve that in a single year is open to question, but the Congress owes the American people nothing less than its best effort.

I've outlined a few approaches here about how the Congress can review old programs, how it can take a new look at government regulations, how it can even set time limits on agencies and programs that it creates.

Our citizens don't mind paying taxes for programs that really work and really help people. But they are tired of programs which waste their money and regulations which stifle rather than promote broad public purposes.



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