

Ask Wartime Powers For Schlesinger's Energy Dept

Months before President Carter's energy policy address to the U.S. Congress, a team of policy makers headed by James R. Schlesinger had set forth their plans for implementing Carter's April 21 proposals.

To scrap U.S. scientific and technological capacities in a "predictable and certain" fashion, these Rockefeller-linked think tankers announced that they required a cabinet-level Department of Energy, chiefed by former Secretary of Defense Schlesinger, and invested with dictatorial war-time powers to set energy production levels and to determine fuel prices — with the aid of the U.S. armed forces if necessary.

The creation of such a national energy police bureau, demanded by Carter "without delay" on April 21, is the meat of the Energy Reorganization Act (Senate Bill 826, H.R. 4263), introduced by pro-Carter Senators Ribicoff (D-Conn.), Humphrey (D-Minn.), Nunn (D-Ga.), Percy (R-Ill.), and others in March and scheduled to be considered by Congress next month.

This legislation would institutionalize under Schlesinger's control an extra-constitutional branch of the U.S. government, exercising what British empiricist John Locke characterized as the "fourth, coercive power of government." An April 7 amendment to the bill by

Massachusetts Senator Ted Kennedy tells the whole story. The Kennedy amendment would authorize the Energy Department to create its own consumer affairs office responsible nationally for "every aspect of energy production, transportation, distribution, retailing, and even use." Moreover, Schlesinger's agency would be empowered to carry out any program of control it chose, completely bypassing the Congress in the process.

Cutting out the Congress

The Energy Reorganization Act "eliminates entirely the requirement for any further authorization," Rep. Walter Flowers (D-Ala.), charged at recent hearings on the bill before the House Government Operations Subcommittee on Legislation and National Security (see EIR, April 19, 1977; Vol. IV, No. 16). Flowers' aide, following the hearings, added that the bill gives Schlesinger a "blank check," while congressional oversight would be virtually eliminated."

According to the testimony of American Federation of Government Employees President Kenneth Braylock at the same hearings, the new Energy Department is modeled on the CIA's personnel structure. Braylock condemned provisions in the bill authorizing former CIA Di-

The Energy Reorganization Act

The following are excerpts from Senate Bill 826, the Energy Reorganization Act, which was introduced for the Administration on March 1 by Senators Ribicoff, (D-Conn.), Byrd (D-W.Va.), Chiles (D-Fla.), Cranston (D-Calif.), Glenn (D-Ohio), Heinz (R-Pa.), Humphrey (D-Minn.), Inouye (D-Haw.), Jackson (D-Wash.), Javits (R-N.Y.), Nunn (D-Ga.), Percy (R-Ill.), Randolph (D-W.Va.), Roth (R-Del.) and Stevenson (D-Ill.). A house version of the bill, H.R. 4263, has also been introduced.

The excerpts are limited to sections dealing with the creation of a "volunteer" force and bringing in other personnel outside of Civil Service accountability. The Energy Secretary's authorization to use the armed forces is also included:

Sec. 607 "...he (the Secretary) may appoint not more than six hundred of the scientific, engineering, professional, and administrative personnel of

the Department without regard to such (Civil Service) laws..."

Sec. 611 "(a) The Secretary is authorized to recruit, train, accept, and utilize, without regard to the civil service and classification laws, rules, and regulations, the services of individuals without compensation as volunteers for or to the aid or facilitate the work of the Department..."

(c) Except as otherwise provided in this section, a volunteer under this section shall not be deemed to be a Federal employee and shall not be subject to the provisions of laws relating to Federal employment..."

Sec. 612 "(a) The Secretary is authorized to provide for participation of Armed Forces personnel in carrying out his functions. Members of the Armed Forces may be detailed for service in the Department by the Secretary concerned...pursuant to cooperative agreements with the Secretary."