

SPEECH

"CONGRESS: THE FIRST BRANCH OF GOVERNMENT"

SANDHILLS AREA CHAMBER OF COMMERCE

SOUTHERN PINES, NORTH CAROLINA

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BACK IN 1972, AFTER THE UNITED STATES HAD MINED  
HAIPHONG HARBOR AND BOMBED HANOI, A JOKE CIRCULATED  
IN THE SENATE OF THE UNITED STATES THAT WENT SOMETHING  
LIKE THIS:

ONE SENATOR ASKING ANOTHER: "WHY WERE THE  
RUSSIANS SO SLOW TO REACT TO THE MINING AND  
BOMBING?"

THE OTHER SENATOR ANSWERING: "BECAUSE THEY  
ARE RULED BY A COMMITTEE AND WE BY ONE MAN."

THE TALE, OF COURSE, MAKES A POINT. PRESIDENTS OF THE UNITED STATES AT LEAST AS FAR BACK AS LINCOLN HAVE ACTED FIRST AND CONSULTED WITH CONGRESS LATER -- ESPECIALLY IN TIME OF WAR AND FOREIGN CRISIS.

BUT THE TALE, AS TOLD BY TWO SENATORS, MISSES THE ESSENTIAL POINT. BECAUSE IT IMPLIES THAT SOMEHOW CONGRESS HAS NO POWER OVER IMPORTANT DECISIONS DUE TO THE VICES OF POWER-USURPING MEN IN THE WHITE HOUSE.

THIS IS STRANGE TALK FROM MEN AND WOMEN WHO  
OFTEN REFER TO THEIR BRANCH OF THE GOVERNMENT AS  
"THE MOST POWERFUL LEGISLATURE IN THE WORLD."

THE FOUNDING FATHERS MADE CONGRESS  
THE FIRST BRANCH OF GOVERNMENT WHEN THEY DEVOTED  
ARTICLE I OF THE CONSTITUTION TO IT, AND DECLARED  
THAT "ALL LEGISLATIVE POWERS HEREIN GRANTED SHALL  
BE VESTED IN CONGRESS."

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THE POWERS SPELLED OUT AND IMPLIED IN THAT  
SECTION OF OUR FUNDAMENTAL LAW ARE ENORMOUS.

FIRST OF ALL, THERE IS THE POWER TO LEGISLATE --  
TO PASS THE LAWS THAT GOVERN OUR LIVES. (THE  
CONSTITUTION ALLOWS THE PRESIDENT TO SHARE IN THE  
LEGISLATIVE PROCESS BY GRANTING HIM THE VETO POWER.)  
INCLUDED IN ITS LEGISLATIVE PREROGATIVES ARE  
THE POWER TO TAX AND THE POWER TO SPEND.

SECTION 8 OF ARTICLE I FURTHER INVESTS IN CONGRESS THE POWER "TO PAY THE DEBTS AND PROVIDE FOR THE COMMON DEFENSE AND GENERAL WELFARE OF THE UNITED STATES."

FURTHER, THE POWER TO REGULATE COMMERCE WITH FOREIGN NATIONS AND AMONG THE STATES; TO BORROW AND COIN MONEY; TO SET UP COURTS INFERIOR TO THE SUPREME COURT; TO RAISE AND SUPPORT ARMIES; TO PROVIDE AND MAINTAIN A NAVY -- AMONG OTHERS.

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FINALLY, THERE IS THE SWEEPING LANGUAGE OF THE  
LAST PARAGRAPH OF SECTION 8. CONGRESS SHALL HAVE  
POWER "TO MAKE ALL LAWS WHICH SHALL BE NECESSARY AND  
PROPER FOR CARRYING INTO EXECUTION THE FOREGOING  
POWERS, AND ALL OTHER POWERS VESTED BY THIS  
CONSTITUTION IN THE GOVERNMENT OF THE UNITED STATES."

AND I HAVE NOT MENTIONED THE NON-LEGISLATIVE  
FUNCTIONS OF CONGRESS. AS EXAMPLES: 1) IT PROPOSES  
AMENDMENTS TO THE CONSTITUTION (THE PRESIDENT IS  
NOT INVOLVED); 2) IT MAY DECLARE WAR; 3) IT CAN  
IMPEACH AND TRY THE PRESIDENT OR OTHER CIVIL OFFICERS,  
INCLUDING JUDGES; 4) IT MAY RULE ON PRESIDENTIAL  
DISABILITY (UNDER THE 25TH AMENDMENT); 5) IT HAS THE  
POWER TO DECIDE WHETHER A PROSPECTIVE MEMBER HAS BEEN  
PROPERLY ELECTED OR SHOULD BE SEATED.

AND ON AND ON.



THE HOUSE MAY CHOOSE THE PRESIDENT IN THE  
EVENT OF A DEADLOCK IN THE ELECTORAL COLLEGE.

THE SENATE APPROVES OR REJECTS TREATIES AND  
PRESIDENTIAL APPOINTMENTS.

IN ADDITION, CONGRESS EXERCISES OVERSIGHT  
POWERS OVER THE EXECUTIVE BRANCH AND THE  
REGULATORY AGENCIES.

IN VIEW OF THE MASS OF POWER THE CONSTITUTION  
PLACES IN THE NATIONAL LEGISLATURE, WHY IS IT THE  
CONGRESS TODAY IS SOMETIMES REFERRED TO AS THE  
"BROKEN BRANCH" OF GOVERNMENT?

THE ANSWER IS -- IN LARGE PART -- THAT CONGRESS  
HAS (THROUGH ITS OWN ACTIONS) TRANSFERRED AWESOME  
MAGNITUDES OF POWER TO THE EXECUTIVE. CONGRESS,  
IN OTHER WORDS, HAS BEEN DONE IN BY ITS OWN HAND.

THE END OF AMERICAN PARTICIPATION IN THE VIETNAM WAR, THE EXTENSIVE USE OF IMPOUNDMENT (AFTER CONGRESS PASSES THE APPROPRIATIONS BILLS INTO LAW AND HE SIGNS THEM, THE PRESIDENT REFUSES TO SPEND THE MONEY) BY THE INCUMBENT PRESIDENT, THE AGGRESSIVE USE OF THE VETO POWER, THE BROAD CLAIMS OF EXECUTIVE PRIVILEGE, AND THE WATERGATE REVELATIONS -- ALL HAVE WORKED TO AROUSE MEMBERS OF CONGRESS TO FIND ANEW POWERS THE CONSTITUTION GAVE THEM LONG AGO.

FRANKLY, THE TEMPTATION TO ARROGANCE AND  
EXTRAVAGANCE IS GOING TO BE STRONG FOR CONGRESS IN  
THIS SESSION AS IT CONFRONTS A WEAKENED PRESIDENT.

CONGRESS' SELF-DISCIPLINE WILL BE TESTED THIS  
YEAR EVERY BIT AS MUCH AS THE PRESIDENT'S. --  
NOT JUST BY THE IMPEACHMENT PROCESS BUT BY THE  
BURDEN OF LEGISLATIVE RESPONSIBILITY IN AN  
ENVIRONMENT OF DEPLETED PRESIDENTIAL LEADERSHIP  
AND ERODED PUBLIC CONFIDENCE.

WHILE THREATENING HIM WITH REMOVAL FROM OFFICE, CONGRESS CAN, IF IT WISHES, PASS OR FORCE VETOES OF EVERY POLITICALLY ATTRACTIVE PANACEA UNDER THE SUN -- ALL THE WHILE DELAYING OR DUCKING THOSE DIFFICULT DECISIONS THE NATION'S ECONOMIC, POLITICAL AND INTERNATIONAL SITUATIONS REQUIRE.

BUT THE COST OF THAT COURSE OF ACTION WILL BE FURTHER PUBLIC DISILLUSIONMENT WITH THE GOVERNMENTAL PROCESS.

IMPEACHMENT IS THE PRIORITY BUSINESS OF  
THIS CONGRESS. THE REVELATIONS WE CALL "WATERGATE"  
HAVE DECREED THAT IT BE SO.

AND THE MANNER IN WHICH THE HOUSE DISCHARGES  
THIS RESPONSIBILITY IS CRUCIAL FOR THE QUESTION  
OF CONFIDENCE IN THE LEGITIMACY OF REPRESENTATIVE  
GOVERNMENT.

BUT IMPEACHMENT IS ONLY THE BEGINNING OF THE CHALLENGES FACING THIS CONGRESS -- FOR IF THE PEOPLE ARE SAYING ANYTHING THESE DAYS, THEY ARE SAYING: DO NOT FORGET THE PRACTICAL PROBLEMS OF OUR LIVES OR THE NEEDS OF OUR NATION.

THAT MEANS THIS CONGRESS WILL BE JUDGED BY  
ITS WILLINGNESS TO SHARE THE RESPONSIBILITY FOR  
THOSE HARD POLICY CHOICES FACING THE NATION --  
THE ALLOCATION OF SCARCE RESOURCES OF ENERGY,  
MATERIALS AND REVENUES; THE MANAGEMENT OF THE  
COUNTERVAILING FORCES OF INFLATION AND RECESSION;  
THE BALANCING OF DOMESTIC NEEDS AND INTERNATIONAL  
OBLIGATIONS.



LET ME DIGRESS FOR A MOMENT ON ONE OF THESE PROBLEMS. CONGRESS, IN MY VIEW, WAS SLOW TO PERCEIVE AND ACT ON THE ENERGY CRISIS.

I CAN SAY, IN ALL MODESTY, THAT IT IS A PROBLEM WE ADDRESSED OURSELVES TO SOME TIME AGO IN THE JUSTICE DEPARTMENT.

LAST SUMMER I TESTIFIED BEFORE THE UNITED STATES SENATE SUBCOMMITTEE ON ANTITRUST AND MONOPOLY.

BEFORE THE HART COMMITTEE, I PRESENTED  
FACTS AS TO THE IMPACT OF THE ENERGY SHORTAGE AT  
THAT TIME ON THE PEOPLE OF NORTH CAROLINA, THE  
BUSINESS COMMUNITY AND GOVERNMENT ITSELF.

FURTHER, MY OFFICE WAS ALREADY CONDUCTING --  
BACK IN JUNE -- AN INVESTIGATION INTO THE  
MARKETING OF GASOLINE, AS WELL AS THE IMPACT  
OF MERGER ACTIVITY.

SINCE I HAVE TOUCHED UPON THE ENERGY CRISIS,  
LET ME ASSURE YOU THAT I AM FULLY AWARE OF THE  
POTENTIAL IMPACT OF THIS SHORTAGE ON ONE OF OUR  
MAJOR INDUSTRIES -- TOURISM.

I DO NOT NEED TO POINT OUT TO YOU THE  
IMPORTANCE OF THE TRAVEL INDUSTRY IN NORTH CAROLINA,  
AND ESPECIALLY IN THIS AREA.

I AM INFORMED THAT IT BRINGS APPROXIMATELY  
\$1 BILLION INTO THE ECONOMY OF OUR STATE.

ON THE ENERGY PROBLEM AND OTHERS -- FROM  
BUDGETARY AND TAX REFORMS TO WAGE-PRICE CONTROLS  
TO THE TRADE AND DEFENSE BILLS -- CONGRESS IN THE  
1973 SESSION SHOWED A TENDENCY TO WAVER, TO  
PROCRASTINATE AND, OFTEN, TO PASS THE BUCK.

SO CONGRESS BEGINS THIS YEAR WITH THE PUBLIC  
SCARCELY LESS SKEPTICAL OF ITS RELIABILITY THAN  
IT IS OF THE PRESIDENT'S

HOW CAN CONGRESS REDEEM ITS OWN REPUTATION  
AND SERVE THE PUBLIC INTEREST?

HERE ARE SOME SUGGESTIONS ON HOW CONGRESS  
CAN PUT ITS OWN HOUSE IN ORDER.

1. CONGRESS CAN ATTEMPT TO TAKE BACK WHAT  
IT HAS GIVEN AWAY -- TO PUT IT SIMPLY.

LET ME ILLUSTRATE BY DRAWING YOUR ATTENTION  
TO THE CATALOG OF EMERGENCY POWERS STATUTES.

WITHOUT PROVIDING FOR OVERSIGHT OR  
TERMINATION, CONGRESS HAS GRANTED ENORMOUS  
EMERGENCY POWERS TO THE EXECUTIVE.

ACCORDING TO A SPECIAL COMMITTEE OF THE  
UNITED STATES SENATE, THERE HAS EVOLVED OVER THE  
PAST FOUR DECADES A PATTERN OF LAWMAKING BY WHICH  
CONGRESS IN ALL BUT NAME HAS TRANSFERRED THE  
ESSENCE OF ITS CONSTITUTIONAL RESPONSIBILITY TO  
THE PRESIDENCY AND THE EXECUTIVE BUREAUCRACY.

FOR EXAMPLE, IF HE PROCLAIMS A NATIONAL EMERGENCY, A PRESIDENT MAY LEGALLY SEIZE PROPERTY, ORGANIZE AND CONTROL THE MEANS OF PRODUCTION, CALL UP RESERVE FORCES AMOUNTING TO 2 1/2 MILLION MEN, INSTITUTE MARTIAL LAW, SEIZE AND CONTROL ALL MEANS OF TRANSPORTATION, AND RESTRICT TRAVEL.

THIS ALL WITHOUT REFERENCE TO CONGRESS.



THE PATTERN IS CONSISTENT. CONGRESS, THROUGH ITS OWN ACTIONS, HAS TRANSFERRED AWESOME MAGNITUDES OF POWER TO THE EXECUTIVE.

SINCE 1933, CONGRESS HAS PASSED OR RECODIFIED OVER 470 STATUTES DELEGATING TO THE PRESIDENT POWERS THAT HAD BEEN THE PREROGATIVE AND RESPONSIBILITY OF THE LEGISLATIVE BODY SINCE THE BEGINNING OF THE REPUBLIC.

NO CHARGE CAN BE SUSTAINED THAT THE EXECUTIVE BRANCH HAS USURPED POWERS BELONGING TO CONGRESS, BUT CONGRESS WOULD DO WELL TO RECLAIM WHAT IT HAS LET SLIP THROUGH ITS FINGERS.

2. THE TIME HAS COME FOR CONGRESS TO ADOPT A NEW SYSTEM TO DEAL MORE EFFECTIVELY WITH A BUDGET THAT WILL SURPASS \$300 BILLION IN FISCAL YEAR 1975.

THERE IS A CRYING NEED TO TIE TOGETHER VOTES ON SPENDING WITH AVAILABLE TAX-PRODUCED REVENUE, AND TO EXERCISE GREATER OVERSIGHT OVER SPENDING PRIORITIES. LONG-TERM COSTS OUGHT TO BE GIVEN MORE CONSIDERATION WHEN PROGRAMS ARE BEGUN.

MANY TIMES THE ARGUMENT IS HEARD THAT "THIS PROGRAM WILL NOT COST MUCH." IT MAY NOT THE FIRST YEAR, BUT IT PROBABLY WILL FIVE YEARS LATER. (A CASE IN POINT IS THE NEW MILITARY RETIREMENT PAY SCALES WHICH WILL ADD BILLIONS TO FUTURE BUDGETS.)

AS MANY OF YOU KNOW, SEN. ERVIN HAS INTRODUCED THE BUDGET REFORM ACT WHICH IS NOW BEFORE THE SENATE. THE HOUSE HAS ALREADY PASSED ITS VERSION OF BUDGET REFORM LEGISLATION.

BRIEFLY, THIS LEGISLATION WILL ALLOW CONGRESS TO ESTABLISH NEAR THE BEGINNING OF EACH SESSION THE APPROPRIATE LEVEL OF REVENUES, SURPLUS OR DEFICIT, AND THE APPROPRIATE LEVEL OF SPENDING IN MAJOR CATEGORIES SUCH AS DEFENSE, EDUCATION, ENVIRONMENT.

THE BILL CALLS FOR SEPARATE BUDGET COMMITTEES  
IN THE HOUSE AND SENATE -- MANY COMMITTEES IN BOTH  
BODIES NOW DEAL WITH TAXES AND LEVELS OF  
APPROPRIATIONS -- BACKED UP BY AN EXPERT CONGRESSIONAL  
COUNTERPART OF THE INCREASINGLY POWERFUL OFFICE OF  
MANAGEMENT AND BUDGET (OMB) IN THE PRESIDENT'S  
EXECUTIVE OFFICE.

THIS LEADS ME TO ANOTHER NECESSARY REFORM.

3. CONGRESS HAS NO STANDING COMMITTEE REGULARLY OVERSEEING THE PRESIDENCY AS A UNIT (AS DISTINGUISHED FROM THE CABINET DEPARTMENTS AND AGENCIES). THE PERSONNEL, BUDGET AND RESPONSIBILITIES OF THE EXECUTIVE OFFICE OF THE PRESIDENT (E.O.P.) HAVE GROWN IN LEAPS AND BOUNDS. SINCE 1970, NINE NEW OFFICES WITHIN THE E. O. P. HAVE BEEN CREATED.

BOTH HOUSES OF CONGRESS SHOULD HAVE COMMITTEES TO RIDE HERD ON A GROUP OF SPECIAL OFFICES SURROUNDING THE OVAL OFFICE.

IN CONCLUSION, IF THE MEMBERS OF CONGRESS WANT TO EXERCISE REAL POWER -- INSTEAD OF DELUDING THEMSELVES WITH THE ILLUSION OF POWER -- THE TIME HAS COME TO USE WHAT THE CONSTITUTION GAVE THEM.

WITH GREAT POWER COMES GREAT RESPONSIBILITY. IF CONGRESS USES ITS POWERS WITH RESTRAINT, IT WILL SERVE AS AN IMPORTANT CHECK AND BALANCE IN OUR CONSTITUTIONAL SYSTEM.

WITHOUT OPERATIVE CHECKS AND BALANCES AMONG OUR NATIONAL INSTITUTIONS, WE WILL NOT HAVE A GOVERNMENT OF LAWS.

Laurinburg, North Carolina

Bill  
J.T.  
C. Anderson  
Shel

Major industries include Aluminum Company of America (magnet wire) with 100 - 250 employees; Butler Manufacturing Company (pre-fabricated metal buildings) with 100 - 250 employees; Charles Craft Inc. (Textile fringe and trimmings) with 50 - 100 employees, and one of several little textile plants; John Mansville Corp. (railroad shoes, brake blocks, etc.) with 100 - 250 employees; McGraw-Edison Company (electric alarms, timers, wrist watches) with 250 - 500 employees; Spring Mills, Inc. (cotton) with 250-500 employees; Waverly Mills, Inc. (corded yarns man-made fibre) with 500-1000 employees.

Newspaper: Laurinburg Exchange;

James Millingan is publisher and

John Moore is editor.

Wade Dunbar, Jr., is the president of the Laurinburg  
Industrial Development Corporation.



SANDHILLS AREA

MAJOR INDUSTRIES INCLUDE: FLETCHER SHUTTLES, INC. (SHUTTLES) WITH 100-250 EMPLOYEES; CAROLINA SOAP & CANDLE MAKERS WITH 100-250 EMPLOYEES; PROCTOR-SILEX CORP. (STEAM IRONS) WITH 500-1000 EMPLOYEES; TRIMBLE PRODUCTS INC. (JUVENILE FURNITURE) WITH 250-500 EMPLOYEES; STANLEY FURNITURE CO. WITH 250-500 EMPLOYEES; CARTHAGE FABRICS CORP. (SYNTHETIC FABRICS) WITH 100-250 EMPLOYEES; QUALITY MILLS, INC. (KNIT SHIRTS) WITH 250-500 EMPLOYEES; J. P. STEVENS (GULISTAN CARPET) IN ABERDEEN.

NEWSPAPERS: SOUTHERN PINES PILOT (SAM RAGAN); SANDHILL CITIZEN (CLIF); MOORE COUNTY NEWS (ROBERT EWING).

Dear friend and family  
I have been thinking of you  
and your family very much  
lately.

How are you?

I hope you are all  
well and happy. I have  
been thinking of you  
very much lately.

I hope you are all  
well and happy. I have  
been thinking of you  
very much lately.

I hope you are all  
well and happy. I have  
been thinking of you  
very much lately.

Title

SPEECH

"GOVERNMENT AND THE ECONOMY"

YMCA

Burn Center

Cyprus fibrosis

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~~First Page~~ First Page

I WOULD LIKE TO DISCUSS WITH YOU TONIGHT THE ROLE OF THE  
FEDERAL GOVERNMENT IN THE ECONOMY OF THIS LAND.

BUT FIRST LET ME ADDRESS MYSELF TO SOME FIRST PRINCIPLES.  
THE CONSTITUTION OF OUR STATE TELLS US "THAT A FREQUENT  
RECURRENCE TO FUNDAMENTAL PRINCIPLES IS ABSOLUTELY NECESSARY TO  
PRESERVE THE BLESSINGS OF LIBERTY."

THE CREED OF YOUR ORGANIZATION (J.C.'S) CITES SOME FUNDA-  
MENTALS WITH WHICH I WHOLEHEARTEDLY AGREE. IN PARTICULAR, I  
WOULD SINGLE OUT YOUR BELIEF THAT ECONOMIC JUSTICE IS BEST WON  
BY "FREE MEN THROUGH FREE ENTERPRISE" AND YOUR PREFERENCE FOR  
A "GOVERNMENT OF LAWS (NOT MEN)".

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NEVER WERE THESE PRINCIPLES MORE RELEVANT. AND IF  
ENDORISING THESE TWO BASIC CONCEPTS ATTACHES TO ONE THE  
LABEL OF "CONSERVATIVE" - THEN I PROUDLY WEAR IT.

FURTHER, I BELIEVE IN THE JEFFERSONIAN IDEA THAT  
GOVERNMENT SHOULD BE AS CLOSE TO THE PEOPLE AS POSSIBLE  
IN ORDER TO INSURE A RESPONSE TO NEEDS. I HAVE LONG BEEN  
AN ADVOCATE OF STATE GOVERNMENTS USING THE POWERS THEY  
HAVE TO MEET THEIR RESPONSIBILITIES TO THEIR CITIZENS  
WHENEVER THE NATURE OF THE PROBLEM AND THE RESOURCES  
REQUIRED ALLOW THEM TO DO SO.

NEVER WERE THESE PRINCIPLES MORE RELEVANT. <sup>And</sup> IF ENDORSING  
 THESE TWO BASIC CONCEPTS ATTACHES TO ONE THE LABEL OF  
 "CONSERVATIVE" -- THEN I PROUDLY WEAR IT.

FURTHER, I BELIEVE IN THE JEFFERSONIAN IDEA THAT GOVERNMENT  
 SHOULD BE AS CLOSE TO THE PEOPLE AS POSSIBLE IN ORDER TO INSURE  
 A RESPONSE TO NEEDS. I HAVE LONG BEEN AN ADVOCATE OF STATE  
 GOVERNMENTS <sup>using the power they have to</sup> MEETING <sup>their citizens</sup> THEIR RESPONSIBILITIES TO ~~THE PEOPLE WITHIN~~  
<sup>1</sup> ~~THEIR BOUNDARIES, INsofar as it is possible given~~ <sup>wherever</sup> THE NATURE OF  
 THE PROBLEM AND THE RESOURCES REQUIRED <sup>allow them to do so,</sup>

ON THE OTHER HAND, I BELIEVE THAT A REPRESENTATIVE GOVERNMENT ELECTED BY A FREE PEOPLE HAS MORAL AND POLITICAL OBLIGATIONS TO FULFILL. THESE OBLIGATIONS WERE RECOGNIZED IN 1787, BY THE FOUNDING FATHERS, IN THE PREAMBLE TO OUR NATIONAL CONSTITUTION ESTABLISHING THE FEDERAL GOVERNMENT:

"WE THE PEOPLE OF THE UNITED STATES, IN ORDER TO FORM A MORE PERFECT UNION, ESTABLISH JUSTICE, INSURE DOMESTIC TRANQUILITY, PROVIDE FOR THE COMMON DEFENSE, PROMOTE THE GENERAL WELFARE, AND SECURE THE BLESSINGS OF LIBERTY TO OURSELVES AND OUR POSTERITY, DO ORDAIN AND ESTABLISH THIS CONSTITUTION..."

*Therein lies the most succinct and definitive statement of the role of Gov't under union*



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*to forget to agree with*  
IF RECOGNIZING THESE OBLIGATIONS, MAKES ME A "LIBERAL", THEN  
I AM PROUD TO WEAR THAT LABEL, ALSO. FOR GOVERNMENT MUST ENDEAVOR  
TO PROVIDE FOR OUR CITIZENS THOSE THINGS WHICH THEY CANNOT VERY  
WELL PROVIDE FOR THEMSELVES - - SUCH AS THE "COMMON DEFENSE" OR  
PHYSICAL SECURITY FROM EXTERNAL THREAT. THE PEOPLE CANNOT DO  
EVERYTHING FOR THEMSELVES.

FURTHER, I BELIEVE THAT GOVERNMENT SHOULD PROVIDE THE SERVICES  
REQUIRED TO LIBERATE PEOPLE BY AFFORDING THEM THE ENVIRONMENT FOR  
INDIVIDUAL SUCCESS. THIS DOES NOT MEAN *that government can always provide;* ~~GUARANTEE~~ EQUAL RIGHTS;  
IT DOES MEAN <sup>it</sup> GUARANTEEING EQUAL OPPORTUNITY. *to achieve*  
*result*

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5 - 10 to 13

NOW LET ME TURN TO THE ROLE OF THE NATIONAL GOVERNMENT IN  
OUR ECONOMY.

AS YOU ALL KNOW, THIS ROLE HAS GROWN LIKE <sup>"</sup>TOPSY<sup>"</sup> IN THIS  
CENTURY - - UNDER VARIOUS ADMINISTRATIONS - - AS THE COMPLEXITY  
OF THE ECONOMY HAS INCREASED.

TO "PROMOTE THE GENERAL WELFARE" IS A BROAD MANDATE, AND THE FEDERAL GOVERNMENT WEARS SEVERAL HATS (SO TO SPEAK).

IT IS REGULATOR, PROMOTER, MANAGER AND PROTECTOR. IT PERFORMS THESE RULES IN A WIDE VARIETY OF WAYS. IT REGULATES BUSINESS AND LABOR. BUT IT ALSO PROMOTES BUSINESS AND LABOR. IT ASSISTS FARMERS (AND SOMETIMES IT UNDERMINES THEM). ~~MORE ABOUT TOBACCO LATER.~~ IT MANAGES SUCH CIVILIAN AGENCIES AS THE ATOMIC ENERGY COMMISSION AND THE TENNESSEE VALLEY AUTHORITY. IT NOW TRIES TO MANAGE THE ECONOMY THROUGH FISCAL AND MONETARY POLICIES. AND IT ACTS AS PROTECTOR IN CONSUMER AFFAIRS, HEALTH, EDUCATION, SCIENCE, THE ENVIRONMENT, AND ON AND ON.

LET ME GIVE YOU SOME EXAMPLES TO ILLUSTRATE THESE ROLES.

ONE MEANS THAT GOVERNMENT USES TO REGULATE BUSINESS IS THROUGH ANTITRUST POLICY. THE SHERMAN ANTI-TRUST ACT OF 1890 WAS DESIGNED TO ENCOURAGE COMPETITION IN BUSINESS AND PREVENT THE GROWTH OF MONOPOLIES. FOR BY THE END OF THE 19TH CENTURY GIANT CORPORATIONS AND FINANCIAL HOLDING COMPANIES WERE THREATENING TO DOMINATE THE ENTIRE ECONOMY. SMALL BUSINESSES WERE BEING DRIVEN TO BANKRUPTCY.

Beata Case

delegitimacy in 1963

Scotland  
1963  
200  
2561  
1970  
4  
3366

18

13

LET ME TURN YOUR ATTENTION TO ANOTHER ROLE OF THE FEDERAL GOVERNMENT.

IT IS THE CHIEF MANAGER OF THE ECONOMY--FOR BETTER OR WORSE.

ONE TOOL IT USES IN THIS ROLE IS FISCAL POLICY. THAT IS, GOVERNMENT SPENDING, TAXATION, AND BORROWING.

inflation

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THE COST-OF-LIVING ROSE 8.8% IN 1973 - THE MOST  
IN ANY YEAR SINCE 1947 (LABOR DEPARTMENT).

IN THIS TIME OF SOARING INFLATION I HAVE BEEN  
CONCERNED - AS I AM SURE YOU HAVE - BY THE REPORTS ON  
THE SIZE OF THE FISCAL YEAR 1975 BUDGET ABOUT TO BE  
PROPOSED. LET ME MAKE IT CLEAR THAT BOTH CONGRESS AND  
THE PRESIDENT WILL BEAR RESPONSIBILITY FOR THE SIZE OF  
THAT BUDGET.

21.

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THE FISCAL YEAR 1975 BUDGET SUBMITTED TO CONGRESS WILL  
RECOMMEND EXPENDITURES OF BETWEEN \$300 BILLION AND \$305 BILLION,  
ACCORDING TO BUDGET DIRECTOR ASH. THIS IS ABOUT \$30 BILLION,  
OR 11% MORE THAN THE OUTLAYS FOR THIS FISCAL YEAR.



White 24-25

23.

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REVENUES FOR F Y 1975 ARE ESTIMATED AT NEARLY \$295 BILLION BY MR. ASH, MAKING FOR A DEFICIT OF APPROXIMATELY \$10 BILLION (COMPARABLE TO F Y 1974).

HOWEVER, I SHOULD NOTE THAT A PROMINENT REPUBLICAN ECONOMIST FORMERLY IN THE TREASURY DEPARTMENT, DR. MURRAY WEIDENBAUM, WARNED LAST WEEK THAT THE ADMINISTRATION WAS UNDERSTATING THE SIZE OF THE DEFICIT. HE PREDICTED THAT THE DEFICIT WOULD BE \$22 BILLION.

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*I am also extremely about*

~~BUT WHAT CONCERNS ME EVEN MORE~~ IS THE GROWTH OF AN IMPERSONAL BUREAUCRACY THAT IS REMOVED FROM THE PEOPLE'S CONTROL -- A PROLIFERATION OF AGENCIES WITH NO NOTICEABLE DEMOCRATIC CONTROLS OVER THEM.

CONGRESS, IN MY VIEW, IS LARGELY TO BLAME FOR THIS SITUATION. IT HAS TOO READILY DELEGATED AWAY ITS LAWMAKING POWER. THIS MEANS THE EROSION OF REPRESENTATIVE DEMOCRACY.

27.

*deleted 28*

*18*

FOR EXAMPLE, CHANGES IN THE TOBACCO ALLOTMENT PROGRAM --  
WHICH AFFECT THE WAY OF LIFE OF THOUSANDS OF NORTH CAROLINIANS --  
APPEAR IN THE FEDERAL REGISTER AS REGULATIONS PROMULGATED BY  
THE SECRETARY OF AGRICULTURE. *Most people don't even*

*know what the Federal Register is.*

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BUT THE DANGER IS NOT CONFINED TO REGULATIONS THAT CONGRESS, BY GRANTING RULEMAKING POWER TO ADMINISTRATORS, HAS ALLOWED TO OCCUR.

WITHOUT PROVIDING FOR OVERSIGHT OR TERMINATION, CONGRESS HAS GRANTED ENORMOUS EMERGENCY POWERS TO THE EXECUTIVE. ACCORDING TO ~~THE~~ <sup>a</sup> ~~SPECIAL~~ <sup>Senate</sup> COMMITTEE ON THE ~~TERMINATION OF THE NATIONAL EMERGENCY OF THE UNITED STATES SENATE~~, THERE HAS EVOLVED OVER THE PAST FOUR DECADES A PATTERN OF LAWMAKING BY WHICH CONGRESS <sup>"in the words of one writer"</sup> "IN ALL BUT NAME, HAS TRANSFERRED THE ESSENCE OF ITS CONSTITUTIONAL RESPONSIBILITY" TO THE PRESIDENCY AND THE EXECUTIVE BUREAUCRACY.

31.

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IF HE PROCLAIMS A NATIONAL EMERGENCY, A PRESIDENT MAY LEGALLY SEIZE PROPERTY, ORGANIZE AND CONTROL THE MEANS OF PRODUCTION, CALL RESERVE FORCES AMOUNTING TO 2 1/2 MILLION MEN TO DUTY, INSTITUTE MARTIAL LAW, SEIZE AND CONTROL ALL MEANS OF TRANSPORTATION, AND RESTRICT TRAVEL. THIS ALL WITHOUT REFERENCE TO CONGRESS.

"THIS LARGE BODY OF POTENTIAL POWER REMAINS AN UNDERLYING THREAT TO DEMOCRATIC GOVERNMENT" SAYS THE SPECIAL COMMITTEE.

"THE COMBINATION OF ACTIVIST PRESIDENTS, PERMISSIVE CONGRESSES, AND A SERIES OF GREAT CRISES...HAVE ALL CONTRIBUTED TO THE EROSION OF THE STRUCTURE OF DIVIDED POWERS, THE BEDROCK OF OUR CONSTITUTIONAL SYSTEM."

THE PATTERN IS CONSISTENT, CONGRESS, THROUGH ITS OWN ACTIONS, HAS TRANSFERRED AWESOME MAGNITUDES OF POWER TO THE EXECUTIVE. SINCE 1933 CONGRESS HAS PASSED OR RECODIFIED OVER 470 SIGNIFICANT STATUTES DELEGATING TO THE PRESIDENT POWERS THAT HAD BEEN THE PREROGATIVE AND RESPONSIBILITY OF THE LEGISLATIVE BODY SINCE THE BEGINNING OF THE REPUBLIC.

MANY ARGUE TODAY THAT THE EXECUTIVE BRANCH IS RESPONSIBLE FOR THIS TREND AND HAS USURPED POWERS BELONGING TO CONGRESS. WHAT IS ALARMING IS THE FACT THAT THE TRANSFER OF POWER ACTUALLY HAS BEEN IN ACCORD WITH DUE PROCESS OF NORMAL LEGISLATIVE PROCEDURES.

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LET ME CLOSE BY STATING MY CONFIDENCE IN OUR SYSTEM  
AT A TIME WHEN THE POLLS SHOW THE CREDIBILITY OF  
GOVERNMENT AT AN ALL TIME LOW.

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THIS IS A COUNTRY THAT DARED TO DREAM THAT PEOPLE OF ALL NATIONALITIES, RACES AND RELIGIONS MIGHT LIVE UNDER ONE NATIONAL ROOF, AND IN PEACE. IT WASN'T AS EASY AS WE DREAMED IT MIGHT BE, BUT AT LEAST WE DREAMED IT. THE EXPECTATION IS THERE AND THE WILL TO ACHIEVE IS STILL ALIVE AND STRONG.



35.

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THIS IS A COUNTRY THAT DREAMED ABOUT A BALANCE OF  
GOVERNMENTAL POWERS -- SO THAT THERE WOULD BE NO TYRANTS, NO  
CONCENTRATION OF POWER IN A PRESIDENT, OR A CONGRESS, OR A SUPREME  
COURT. IT IS NOT AN EASY PROMISE TO FULFILL--BUT WE ARE TRYING.

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THIS IS A COUNTRY THAT DARED TO DREAM THAT WITH THE WILL TO WORK AND PLENTY OF OPPORTUNITY, EACH CITIZEN COULD "PURSUE HAPPINESS" AND FIND IT.

BUT WHAT WE HAVE IN AMERICA IS THE DESIRE FOR THE IDEAL AND THE CAPACITY TO CHANGE, TO ADAPT, TO COPE IN AN EFFORT TO ATTAIN IT.

GIVEN VIGILANCE, TIME, PERSISTENCE, AND A SENSE OF HUMOR, THIS DEMOCRACY WILL MOVE AGAIN.

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IN CONCLUSION, I WOULD REMIND YOU OF THE WORDS OF THOMAS  
JEFFERSON - - SO MANY OF HIS SAYINGS AND WRITINGS RELATE TO OUR  
NEEDS TODAY ---

"PATRIOTISM IS NOT A SHORT AND FRENZIED BURST OF EMOTION  
BUT THE LONG AND STEADY DEDICATION OF A LIFETIME."