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722 votes, 50.9 percent of the total votes cast being in favor of the proposal. At the same election, a proposal to approve the construction of a coal- or lignite-fired electric power plant was approved by an overwhelming majority of some 21,000 votes, with 77.4 per cent of the total favoring the proposal.

We would need a study of the motivations of the Austin voters before we could determine the reasons for such a marked difference in the degree of support for the traditional and the nuclear-powered plants. While economic factors might be one possible reason for the difference, these factors do not appear to be too important since the voters were asked to approve a total of \$337 million for the construction of traditional facilities and only \$61 million for participation in the nuclear power plant construction. Differences in the public's perception of the relative safety of the two sources of electric power could be one of the important determinants of the great difference in degree of approval, but it would not be valid to conclude this was the most significant factor without an actual study of voter decisions.

Another indication of the volatile nature of opinion on this issue came from the mail response to two programs featuring the nuclear power plant controversy aired over some 200 National Educational Television stations. Mail response to two programs on "The Advocates," originating at station WGBH in Boston, shifted from a majority approving nuclear plants in 1971 to a majority disapproving them in 1974. In the earlier response, 60 per cent favored nuclear plants and 40 per cent opposed them; in the 1974 response, 58 per cent of the mail votes showed disapproval compared with 42 per cent in favor of such construction.

The National Analysts survey shows that there is a widespread concern over environmental protection, with 78 per cent of the public feeling that environmental protection is either a "serious" or a "very serious" problem. More than half (54 per cent) stated that it was a "very serious problem." Only a small minority (7 per cent) said that environmental protection was either "not at all serious" or "not serious."

The seriousness of the conviction regarding the importance of environmental protection is shown by the fact that almost twice as many people were willing to accept the rationing or restriction of electricity than were willing to approve the construction of a power plant "where it may interfere with the balance of nature."

Although some of the groups most active in the environmental protection movement are also active in the opposition to the nuclear power plant program, our data suggest that concern over environmental protection and opposition to the nuclear power plant construction program are far from identical attitudes—78 per cent regarding environmental protection as either a "serious" or "very serious" problem compared with 44 per cent so regarding nuclear power plant construction.

Supporters of the nuclear power plant program, cognizant of this widespread concern for environmental protection, are emphasizing the claim that fossil fuel as a source of electrical energy presents more of a threat to the environment than nuclear power. Opponents of the program, of course, vigorously dispute the claim.

In the battle for public approval, apparently the supporters of the nuclear power plant program currently have an edge over the opponents, but our assessment leads us to conclude that public opinion on the issue is far from solidified. Therefore, it is possible that public opinion could shift dramatically in either direction, depending on the course of future events and the relative effectiveness of the public information campaigns of the protagonists in the controversy.

(About the author—Alfred E. Goldman is president of National Analysts, a division of Booz, Allen & Hamilton, Inc., international management consultants. He received his BS and MA degrees in psychology from City College of New York and his PhD in clinical psychology from Clark University. Prior to joining National Analysts, he was a research associate at the Harvard University School of Public Health and assistant director of psychological services at Norristown State Hospital.)

EVERYONE MUST OBEY THE COURTS

Mr. MONDALE. Mr. President, many years ago Mr. Justice Felix Frankfurter wrote:

No one, no matter how exalted his public office or how righteous his private motives, can be judge in his own case. That is what courts are for.

It has long been a basic tenet of our constitutional system that the courts are the proper place for the resolution of public and private disputes and that everyone must obey the courts.

Again, the words of Mr. Justice Frankfurter:

When in a real controversy . . . an appeal is made to law, the issue must be left to the judgment of courts and not the personal judgment of one of the parties. This principle is a postulate of our democracy.

Yet, we are witnessing a strange jig, being danced by the President of the United States and his counsel, with respect to the President's plans with regard to obedience of the U.S. Supreme Court.

I am appalled that the President is unwilling to say that he will obey the High Court. The President's conduct represents a presumptuous affront to the dignity of the Court as well as a serious blow to public confidence in our governmental processes and the rule of law.

Repeatedly over the past several weeks, high White House officials have turned away questions as to the President's willingness to obey a Supreme Court decision. Most recently, Mr. St. Clair in California last night repeatedly refused to say that the President would obey the Court.

I cannot understand the President's apparent unwillingness to say, simply, that he will obey the U.S. Supreme Court. Such a statement is little to ask of a lawyer, a member of the Supreme Court bar, a former Member of Congress, and the chief law enforcement officer of the Nation. Such a statement would seem to represent nothing more than a reaffirmation of commitment to the rule of law. Yet, we do not get an answer.

Mr. St. Clair says that he does not want to put pressure on the Court by discussing Presidential compliance. But is not that precisely what Mr. St. Clair is doing? It appears that the President and his counsel are engaged in psychological warfare with the Court. The refusal to affirm obedience appears to be an attempt to scare the Justices into second-thoughts about the merits of the controversy by planting seeds of doubt in their minds as to the enforceability of a decree.

Such tactics have frequently backfired throughout our constitutional his-

tory. And such conduct represents a serious affront to the fairness and objectivity of the members of the High Court.

Perhaps the President is, indeed, seriously entertaining the possibility of actual disobedience of a future Court order. Perhaps he believes that the Court could not enforce an order directed against the President.

However, although the Court has no troops to enforce its orders, the army of public opinion could not help but look unkindly on disobedience of our highest judicial tribunal.

Whatever the President's motives may be, his conduct strikes a hammer-blow to an already shattered public confidence in our Government. His unwillingness to submit himself, in advance, to obedience causes many to doubt whether our system of justice remains strong, whether there are differing systems of justice for the mighty and the weak, and whether the fabric of our constitutional structure can stand the strain.

These doubts should not be allowed to exist. And, more importantly, they should not be engendered by the refusal of the Chief Executive to simply state that he will obey the Supreme Court.

The Court may not—because of questions of standing or justiciability—ever reach the merits of the controversy between President and Special Prosecutor. The Court may rule in the President's favor on the merits.

But, whatever the Court ultimately rules, the President should immediately tell the American public that he will obey that ruling. Any other course of conduct questions the legitimacy of our ultimate dispute-settlement mechanism and fosters public confusion and doubt.

Again, the words of Mr. Justice Frankfurter:

If one man can be allowed to determine for himself what is law, every man can. That means first chaos, then tyranny.

PROTECTION OF INDEPENDENT FUEL DEALERS

Mr. CHURCH. Mr. President, the time has come for Congress to enact legislation to aid the independent fuel dealer. In the wake of the energy crunch, they have become the pawns in a marketing game being conducted by the Nation's major oil companies.

Time is of the essence and I urge the members of the Commerce Committee to report out what has been called the "dealer day in court" legislation. The Senate has already passed such a measure three times. But each time it became the victim of circumstances, once being left out of a conference report, and once vetoed, as a part of the emergency energy legislation, by the President.

I have written a letter to Senator MAGNUSON, chairman of the Commerce Committee, setting forth a history of this legislation, its current need, and a suggested vehicle for bringing the matter before the full Senate. I urge its consideration.

Mr. President, I ask unanimous consent that my letter to Senator MAGNUSON,