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Who's Running Now?

Ralph Nader's latest muckraker, *Who Runs Congress?*, is getting the usual share of headlines for a Nader project, heightened, of course, by the political season.

Though not intended as a partisan project, according to Nader, the release of the book a month before the election has inevitable political overtones. The book is the first release of the Congress Project on which Ralph



Nader and his battery of associates, sometimes numbering 1000, have been working for a year and a half. *Who Runs Congress?* was actually written by three of Nader's close associates — Mark Green, James Fallows, and David Zwick — with an introduction by Nader.

Bantam publishers advertised the book, the cover of which portrays the Capitol dome going up in flames, as "eye-opening and urgent." To the experienced political observer *Who Runs Congress?* will be a big yawn. The "eye-openers" include such startling revelations as:

- Congress is run by elderly committee chairmen;
- Congress has largely lost control of the legislative process to the President;
- Very few citizens know the name of their congressman; and
- Lobbyists, spending millions of dollars a year, frequently influence the outcome of legislation.

To the average reader of the daily news, the information they purchase will be old. Most of the "scandal" in the book is as old as the committee chairmen against whom Nader rails. The reader is treated to a rehash of the rise in milk prices pushed through by milk lobby contributions; to political campaigns; to the double billing and personal husbanding of political contributions by the late Sen. Thomas Dodd; to secret hideaways for drinking and logrolling maintained by the late House Speaker, Sam Rayburn, and Lyndon B. Johnson; and to the exploits of Bobby Baker, John Dowdy, Adam Clayton Powell and Daniel Brewster.

Nader, however, designed the book

to arouse the politically ill-informed "citizenry" — not the politically astute. From the lack of enthusiasm George McGovern and the Democrats have been generating with charges that the government is being sold to the highest bidder, Nader's similar charges about Congress can be expected to fall on deaf ears. New political scandal is just not titillating the public this year, much less old political scandal.

Despite its questionable shock value, the book is assembled in a highly readable fashion. Many of the basic problems of Congress—seniority, committee assignments, constituent problems, inadequate staffing, and the expenses of maintaining a congressional office—are assembled as a quick course

Congressional Profiles

A great deal of controversy has arisen in Congress over the accuracy and preparation of the individual congressional profiles. In order to calm many outraged Congressmen, Ralph Nader made numerous trips to the Hill early in the summer to meet with groups of Congressmen such as the Wednesday Group, the Democratic Study Group, and the New England Caucus. On each occasion, Nader tried to allay the members' fears by promising them a chance to review their profiles for purposes of accuracy prior to publication this week. If they questioned the accuracy of any point of fact, they were to report the errors to Nader, who would attempt to correct them.

Stories of errors and misrepresentations and the failure of Nader to do anything about them, are the latest sick jokes on Capitol Hill. They signal the need for readers of the profiles to view them in a critical light.

— Congressman Clarence "Bud" Brown (R-Ohio) took to the *Congressional Record* to explain an error which will appear in his profile and which is included in the book. As Congressman Brown explains it, he is cited as currently owning a radio station in his home town while at the same time serving on the communications subcommittee of the Interstate and Foreign Commerce Committee. Brown pointed out that he purchased the station in 1965, before his election to Congress. It was not until a year later that he was assigned to the Commerce Committee and still later to the subcommittee. Brown pointed out that he decided to sell the station but FCC regulations prohibit the sale of a station for three years after its inception. As soon as the three-year limitation expired, Brown sold the station in 1970. The Nader profile is two years out of date.

— Congressman Charles A. Mosher (R-Ohio) found a variety of errors and other cases of misrepresentation in his profile. In the chapter on staff, his administrative assistant is simply dismissed with the statement that she is an ex-airline stewardess. The administrative assistant was last a stewardess in the early 1940's. She has years of experience on Capitol Hill, including service as an assistant to three members of Congress and several committees. The implications of the profile and the facts differ.

— Congressman Pierre du Pont (R-Del.), reviewing his profile, found errors that necessitated a three-page letter. Errors included statements that the Congressman often opposed public works bills, when he voted for all of the four public works bills considered in the 92nd Congress. The changes were sent to Nader by registered mail, and the letter was twice refused, necessitating the Congressman to personally visit one of the project directors to hand-deliver the letter.

on the legislative process. Cases of misconduct are used to highlight the problems.

From an academic standpoint, the book is poorly documented. Much of the material is derived from other published sources, but seldom acknowledged and never footnoted. Problems such as the excessive use of the *Congressional Record* for publication of trivia are explained by citing examples of some of the trivia. A stronger case against this abuse would be made by indicating the enormous cost to the taxpayer of printing the trivia.

However, in drying out some of the real problems, so many examples of willful misuse of office are cited that the reader is apt to conclude that "all politicians are crooks."

And, indeed, those who have worked in Washington, and with the Congress, are well aware that Congress has at least the same percentage of "crooks" in its body as in any similar random sampling of the general population. The pity is that at a time when Americans are cynical enough about government, the book fails to give honest balance and perspective by pointing out that there are a significant

number of hardworking and honest members of Congress. The legendary liberals, heroes and internal critics of Congress get their deserved mention — Paul N. McCloskey, Donald Riegle, Bella Abzug — but nowhere are mentioned the John Andersons, the Barber Conables, the Gilbert Gudes, and the Bill Frenzels.

Nader has expressed the hope that the Congress Project study will arouse Americans sufficiently to demand that the public interest be served by Congress. In the preface, Congress Project director Robert Fellmeth states that "the abdication or abuse of these powers places responsibility for correction with the one group capable of guaranteeing their proper exercise, the citizenry itself."

One would presume that, since by the book's own admission some of the present problems have been around for more than a century, then the citizenry is either happy with the set of circumstances or just doesn't give a damn. Actually, the problem is that the citizenry is not a single group as Fellmeth and, presumably, Nader would have us believe. The citizenry is the sum total of the lobbyists, the

businessmen, the labor unionists, and the constituents who aren't getting their Social Security payments. The citizenry is the people who are causing the Congressmen to divert their attention to the non-legislative activities that the book finds troubling. Rather than inspiring the citizenry to demand a halt to these practices, it is likely that the Nader book will inspire the citizen who is not already hounding his Congressman for more personal service to get on the phone to do so.

In fact, the best chapter of the book is "Taking on Congress: A Primer for Citizen Action," written by Douglas W. Cassel, Jr. In readable fashion, the chapter presents step-by-step advice for individual or collective lobbying action.

It is valuable that Congress has been the focus of reformist attention. Some good is bound to come from the Congress Project if only because a few congressional cages will be rattled. Whether the desired objective will be achieved, however, is highly questionable. Much will depend on the caliber and quality of the sections of the study yet to be published.

—PATRICIA GOLDMAN

Politics: Profile

WASHINGTON, D.C. — McGovern-watching is a partisan activity not confined to the surreptitious snooping of undercover operatives. The Nixon campaign organization has its very own, official McGovern watcher, Edward "The Judge" Failor.

Failor, a former Dubuque, Iowa municipal court judge, is one of the graduates of the Young Republican Syndicate and the Goldwater operation who is now prominent in the Nixon campaign organization. The former Bureau of Mines official also typifies the transposed Nixon officials who have jumped the narrow gulf between the federal government and the Committee to Re-elect the President.

Now special assistant to CRP Chairman Clark MacGregor, Failor first came to national prominence when he directed the Syndicate's operations at the 1959 Young Republican convention. Described by one former YR as the "oldest, living, breathing Young Republican," Failor was floor manager for the operations of F. Clifton White and the Syndicate. In this role, he was closely associated with such YR luminaries as Sen. Bill Brock (Tenn.), Congressman John Ashbrook (Ohio), State Sen. Donald "Buz" Lukens (Ohio), and Presidential aide William Timmons. Failor moved naturally from prominence on the floor of YR conventions — gained partly through his tan suits which were practically a symbol of Syndicate presence — to a key leadership role in the Draft Goldwater operation directed by White. Although over the YR age limit, Failor continued to help the Syndicate dominate the YR's nationally. In 1964, he was named Midwest coordinator for Goldwater and a year later he helped elect Tom Van Sickle national YR chairman in Miami Beach. His continuation on the Dubuque, Iowa bench during this period didn't enthrone local Democrats, but their protests were useless.

Failor was relatively quiescent in 1966, but he re-emerged in 1968 as the campaign manager for former Iowa State Senate Majority Leader David Stanley in Stanley's Senate race against then Gov. Harold Hughes (D). Although Stanley lost the race, Failor was credited with a respectable performance and meticulous attention to detail. Failor reportedly had a three-year contract with Stanley and in 1970 ran Stanley's primary campaign against Iowa Congressman Fred Schwengel (R) and lost again. "Blackie" Failor meanwhile became associated with the Chicago firm of Niles Communications Centers, Inc., as a media con-

sultant, which did the media work for the Stanley campaign.

After the primary, Failor moved to Minnesota where he was a key consultant on the senatorial campaign of Clark MacGregor, for whom Niles was also doing media work. Failor's contributions are remembered as less-than-memorable. One local Republican said he was "scared to death" when he heard Failor was working at CRP.

Sen. Hubert Humphrey won and MacGregor moved to the White House. Failor left Niles and moved to the Bureau of Mines, which the Administration was attempting to bring under tighter control. There, Failor joined an old YR friend, Lew Helms, the Deputy Assistant Secretary of the Interior.

Failor was appointed to the post before Congressman Schwengel was informed of the nomination. Although Schwengel blocked the nomination for nearly six months because he felt Failor wasn't qualified, Failor stayed on.

"The Judge" has drawn criticism for his performance in the "enforcer" job at the bureau because he allegedly maintained *sub rosa* fine schedules far below the official schedule for violations of mine safety regulations. In a September 19, 1972 article, the *New York Times* noted: "Politics seems to dominate the bureau, where a former Republican party official, Edward D. Failor, was responsible for collecting fines for violations from the coal companies for 18 months until he resigned in June — to collect contributions for the re-election of President Nixon."

In a July 28, 1971 story, the *Wall Street Journal* noted: "(Bureau of Mines) assessors were faithfully following an unpublicized policy established by Edward D. Failor, the Nixon Administration's man in charge of mine safety penalties . . . Under his policy, owners are being assessed at a bargain rate well below the published version for 'imminent hazard' withdrawal orders — the most serious of several types of orders requiring withdrawals of miners from the pits."

In June 1972, Failor switched from assessing mine fines to assessing McGovern. With the clearance of Congressman Schwengel, who recognized that Failor's expertise lay more in politics than in mine safety, he was appointed to a top CRP job. In his new assignment, Failor keeps CRP and the White House informed on the activities of George McGovern, a man he's never met. Failor also meets daily with Charles Colson's White House strategy group.

After nearly a decade of running losing campaigns, "The Judge" may have finally found a winner. ■

Politics: People

● Rumors circulated in Washington after the Republican National Convention that Congressman **Jack Kemp's** (R-N.Y.) activities as a sponsor for the Tower-Kemp Plan for delegate allocation were motivated by two ambitions: a desire to challenge Sen. **Jacob Javits** (R-N.Y.) in 1974 and to gain conservative support for a Republican leadership position in the next Congress. When the rumors reached top Republican leaders in the New York congressional delegation, Kemp was sharply rebuked for his impertinence as a first-term Congressman. He has subsequently dropped his leadership ambitions.

● **F. Clifton White** is back in Republican presidential politics. White, director of Volunteers for Nixon-Lodge in 1960 and the chief architect of the 1964 Goldwater campaign, has been named consultant to **Clark MacGregor**, CRP campaign director. White, who is president of his own political consulting firm, is also president of the American Association of Political Consultants where he succeeded **Joe Napolitan** (the Democratic equivalent of White) as the AAPC president.

● Another former Goldwater aide, **John Grenier**, has been appointed "special counselor" to the Alabama CRP. Grenier, like White a member of the old Young Republican Syndicate, was executive director of the RNC during the Goldwater campaign, and ran for the Senate in Alabama in 1966.

● "Do you know that a strong move is afoot to 'reform' the Republican Party? **Ripon Society** liberals have announced plans to transform the GOP along the same lines which were recently adopted by the Democratic Party?" This message is being circulated in the mails by the **United Congressional Appeal**, a Washington-based group headed by **David M. Moltrop**, a self-proclaimed "crusader for free enterprise." The goal of UCA is to purge Congress of liberals and the Republican Party of the pernicious influence of the Ripon Society. The alternative to a conservative-dominated Congress, UCA points out, would be child-care legislation which would "establish tax-supported 'communes' for children, and indoctrinate them with sensitivity training, marxist economic theory, and libertine ideas on drugs and sex." Oh, where did we go wrong?

● Attorney **Edward Hidalgo**, former special assistant to the director of the U.S. Information Agency, has been appointed chairman of the new Spanish-Speaking Committee for Nixon. Hidalgo has been associated with law firms in Paris and Mexico City and has held several positions in the Defense Department.

● Responding quickly to **Sargent Shriver's** aspersions on pro football linemen as "thick," the Committee to Re-elect the President prepared radio transcripts from professional gridders protesting the denigration of their profession. Los Angeles Ram's defensive tackle **Merlin Olsen** offered to "sit down with Mr. Shriver and talk about some basic economic theory, or for that matter, we can talk about advanced economic theory. But perhaps he wouldn't want to sit down with a 'dull-witted lineman.'" Olsen has a master's degree in economics from Utah State University.

● New York State Sen. **Roy M. Goodman** has been named chairman of the Temporary State Charter Revision Commission of New York City. When asked about possible plans for a 1973 mayoral bid, the progressive Republican replied, "It's pretty hard for me to see how I can put this car in shape for the next couple of decades and at the same time try to become the chauffeur." The commission is to submit its product to the voters next year.

● Conservatives have begun a move to oust RNC General Counsel **Fred C. Scribner, Jr.**, whose informal legal opinions on Rule 30 were considered objectionable by conservatives at Miami Beach. Scribner, a Maine native, has held the RNC post since 1952, except for a six-year interruption when he was a top Treasury Department official. In a recent article on the **Ripon Society** suit contesting the delegation allocation formula, the conservative weekly **Human Events** charged "there are new indications that Scribner will not resolutely defend the delegate-allocation formula approved by the Miami convention." Although Scribner was recently re-appointed to his post by RNC Chairman **Robert Dole**, there are indications Dole may resign after the November election.

● The **United Republicans of California** will not back the American Independent Party's **John Schmitz** for President — not because many of the leadership wouldn't like to — but because the UROC rules forbid endorsement of a non-Republican candidate. The UROC, which supported Congressman **John Ashbrook** in the California presidential primary, is now embroiled in an internal squabble as the result of its official neutrality. Many UROC members were dissatisfied with the UROC's anti-Nixon positions.

● Meanwhile, law and order candidate Schmitz has pledged, if elected, not to enforce any cross-town busing orders from the federal judiciary. For Schmitz, law apparently depends on who's ordering it.

● Support for President Nixon has split another conservative California Republican group. This time, Nixon opponents walked out of a directors' meeting of the **California Republican Assembly** in a dispute over the CRA's endorsement of the President.

● Congressman **Paul N. McCloskey** (R-Cal.) has a new opponent in the November general election. McCloskey, who defeated two conservative Republicans for the GOP nomination in the 17th C.D., now faces a write-in challenge from Nixon-supporter **James G. Knapp**. Knapp is expected to hurt McCloskey more than Democrat **James Stewart**. McCloskey came to Massachusetts to aid Republican congressional candidate **Howard Miller**, who's running against Congresswoman **Louise Day Hicks** (D).

● In New Jersey Sen. **Clifford P. Case** recently appointed **Leslie Blau**, a 72-year-old real estate broker, to be his campaign manager. Though Case's opponent, former Congressman **Paul Krebs**, was once a CIO president in New Jersey, Case has received the endorsement of the state AFL-CIO. Krebs announced a "walking tour" of the state but it turned out to be a drive-in walking tour. Krebs drives into a town . . . then walks around. Case's lead is considered insurmountable.

● **Fayette, Miss. Mayor Charles Evers** had unexpectedly kind words for President Nixon lately. He praised some of the Administration's efforts in the fields of housing and construction industry hiring, criticized the War in Vietnam and the Nixon stand on busing, and said, the Democrats "do a lot of hollering and screaming on minority rights but it is hard to distinguish between the Democrats and the Republicans in this election."

● Sen. **William B. Saxbe's** September 13th press conference in Washington was notable for its candor in an election year — even from a Senator noted for his candor. Saxbe, who called the press conference primarily to criticize the Senate-passed version of the revenue-sharing bill, went on to criticize the taxing promises of both Nixon and McGovern. He said President Nixon's pledge not to raise taxes was not "altogether honest" and McGovern's proposals were "a fraud on the American people." Saxbe, who referred repeatedly to the "bunk" being mouthed by politicians this year, said, "I think the basic question that comes before us today is the ability to govern ourselves in this country. If we think that we can put out this kind of crap (the revenue-sharing bill) to the people and that they are going to buy it and like it — I just tremble at the thought of what is going to happen in years to come."

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Editorial

The Republicans are in trouble. Admittedly, the reelection of President Nixon is accepted as a foregone conclusion by everyone except George McGovern, but the state of the Republican Party is considerably dimmed by an examination of other races.

Republican governors in Illinois, Delaware, and Washington are in trouble because of their politically courageous stands on state taxing. The Republican governor of New Hampshire was defeated in a September 12 primary because of just such a stand. Other Republicans are waging strong gubernatorial battles against Democratic-held state houses in North Dakota, Missouri, and Rhode Island, but with the exception of Herbert DeSimone in Rhode Island, the races are close.

Republicans repeatedly speak of winning control of the Senate. However, Republican seats left vacant in Idaho, Kentucky and South Dakota are in jeopardy and the reelection of Senators Robert Griffin (Michigan), Mark O. Hatfield (Oregon), Howard Baker, Jr. (Tennessee) and John Tower (Texas) is not yet assured. The Republicans need to pick up five extra seats this year to win Senate control. They have possible openings in Alabama, Georgia, Louisiana, Montana, New Mexico, North Carolina, Okla-



homa, Rhode Island, and Virginia but in most of these races the Democrats lead. A net GOP gain of three seats would be an accomplishment.

Republican prospects in the House are even more dismal. With the President predicted to win a landslide victory, optimistic suggestions of Republican gains usually stop at 20-25, not the 39 needed for control. With 57 incumbents retiring voluntarily or involuntarily, the GOP would seem to have its best opportunity in years for a House take-over. But a take-over is almost outside the realm of possibility. Of the 55 congressional candidates who lack an opponent in November, 44 are Democrats and all but 16 of the 55 are from the South. (The "southern strategy" has curious overtones when congressional seats continue to go Democratic by default and when the Vice President refuses to endorse a Republican senatorial candidate in Mississippi over Sen. James O. Eastland (D).

The cooperation of the Committee to Re-elect the President could help many candidates, but thus far it has too often been given reluctantly, if at all. Congressman William S. Mailliard (R), for instance, is in a tight reelection campaign in his San Francisco district. Yet, CRP operatives initially refused to have their precinct workers

carry Mailliard literature and only grudgingly agreed to aid the Mailliard operation.

The pity is that President Nixon seems unwilling to end nearly 20 years of Democratic congressional control. He has waged, through his presence and non-presence, a patriotic campaign for the preservation of his office. He has not sought a Republican Congress which might be more amenable to his policy proposals. He has not sought a Republican Congress whose committee chairmen would in many instances be more progressive than the current Southern incumbents.

Instead, the American public has been witness to a curious paradox. While the President works easily toward a predicted election triumph, ignoring the rest of the GOP ticket, Republicans across the country are scrambling to clutch at his coattails and simultaneously pin the McGovern tail on the opposition donkey. "Four more years" has assumed an ironic meaning, for it now appears to mean four more years of Democratic congressional control — as well as four more years of a Republican presidency.

But the failure of the President to energize his party is only one of the failures of this election campaign. The strident rhetoric and bumbling operation of the McGovern campaign has been matched by an ominous silence on the issues at the White House and the spectacle of nefarious deeds by staff members at the Committee to Re-elect the President. The reports of the Watergate break-in and its related investigations have been highly unsettling, but the reports of the American electorate's complacency in accepting such purported political espionage are still more unsettling. That is perhaps the worst commentary on the state of politics: that our expectations could have fallen so low. The silence at the White House has not been comforting. Presidential Press Secretary Ronald Ziegler recently found more than a dozen ways to say "no comment" to questions on the subject. The President's silence has not been confined to allegations of political misconduct, however. He has been unwilling to take the initiative in discussing the issues and priorities on which his second term would be based. That, too, is lamentable.

Is it any wonder that the American people are bored? The caliber of political discussion this year has not been high. The caliber of political operation has been lower. Whatever the margins of a Nixon landslide, the caliber of politics is on a downslide. ■

The order of publication of the magazine and newsletter will once again be reversed in November. The November 1 newsletter will be printed in time to bring readers last-minute campaign coverage. The November FORUM magazine will be printed after the election in order to provide a speedy analysis of the November 7 election results. Remember to mail the Reader Survey forms from the October FORUM as soon as possible.

SEN. HATFIELD TO SPEAK

Sen. Mark O. Hatfield (R-Oregon) will address the Tenth Anniversary Dinner of the Ripon Society in Boston on Saturday evening, December 9.

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