

New Congress: Election Produces Changes in Key Committee Posts

Several congressional committees of special interest to the scientific community will have new chairmen as a result of last week's elections and the earlier party primaries. However, it is too early to predict the significance of these changes.

Ralph Yarborough of Texas, chairman of the Senate Committee on Labor and Public Welfare, which has jurisdiction over the health agencies and over the Office of Education and the National Science Foundation (NSF), was defeated in the Democratic primary. Yarborough, a liberal, will be succeeded as chairman by Harrison A. Williams, of New Jersey, also a liberal and one with close ties to organized labor. Although Williams has been interested primarily in labor matters, he may choose to take over the chairmanship of his committee's subcommittee on health, where, again, he would succeed Yarborough. Edward M. Kennedy of Massachusetts will continue as chairman of the Special Subcommittee on NSF, and Claiborne Pell of Rhode Island presumably will remain chairman of the Education Subcommittee.

Disarmament Subcommittee

With Albert Gore of Tennessee defeated for reelection, the chairmanship of the Foreign Relations Subcommittee on International Affairs and Disarmament becomes vacant. Frank Church of Idaho, a dove like Gore, ranks next in seniority but he may not wish to give up his chairmanship of the Latin American affairs subcommittee. Hubert H. Humphrey of Minnesota, a former chairman of the disarmament subcommittee, will be back in the Senate and no doubt will be heard from on arms control matters.

Emilio Q. Daddario, chairman of the House Subcommittee on Science, Research, and Development, decided not to seek reelection to his seat in order to run—unsuccessfully as it turned out—for governor of Connecticut. The new chairman of the subcommittee will be John W. Davis of Georgia, an amateur astronomer who is said to share Daddario's concern for the well-being of science. Altogether, there will be

four vacant seats to be filled next year on the science subcommittee. Besides Daddario, George Brown of California and Donald E. Lukens of Ohio, both defeated in Senate primaries, and Berttram L. Podell of New York, who will seek assignment to a new committee, will be leaving.

A change in House Appropriations Committee assignments could put the subcommittee responsible for funding NSF and the National Aeronautics and Space Administration in new hands. The present chairman of this subcommittee is Joe L. Evins of Tennessee, who may decide to seek the chairmanship of the Appropriations Subcommittee on Public Works, now vacant because of the death of Michael J. Kirwan of Ohio. The jurisdiction of the Public Works Subcommittee includes the Atomic Energy Commission, the U.S. Army Corps of Engineers, and the Tennessee Valley Authority, all of which are highly important to Evins' district, which extends eastward from central Tennessee to include Oak Ridge. The ranking member under Evins on both of these subcommittees is Edward P. Boland, a liberal Democrat from Massachusetts, but it is not clear at the moment how subcommittee chairmanships will be reassigned.

The elections produced relatively little change in the makeup of the House and Senate, but a few observations about the outcome of campaign efforts by university people and by a new breed of environmental activists are in order.

Many students and professors, reacting to the invasion of Cambodia last May, committed themselves to the support of peace candidates—and did so to some effect, even though the defeat of such candidates as Gore in Tennessee and Joseph D. Tydings in Maryland was a setback to their cause. On the whole, efforts on behalf of House candidates appear to have had more effect, and been more successful, than those on behalf of Senate candidates.

For instance, the Universities National Anti-War Fund (UNAF) raised some \$250,000 and put money into 51 House races and 14 Senate races. More

than 20 of the House candidates won election, and 12 of those either defeated incumbents or won seats that had become vacant. Many of the UNAF-supported candidates who lost were challenging well-entrenched incumbents. Six or seven Senate candidates (Senator Hartke's reelection being still in dispute) supported by UNAF won. But these included several incumbents and two other popular candidates—Adlai Stevenson III of Illinois and John Tunney of California—who defeated underdogs.

The student entry into congressional politics, so loudly proclaimed last May, appears never to have developed much strength as a national movement. However, in some races students played an important part—Father Drinan's successful race in Massachusetts being a good example. Students made a strenuous, but unsuccessful, effort to save Allard K. Lowenstein of New York, who launched the "dump LBJ" movement in 1968; the lines of Lowenstein's district had been redrawn to make it preponderantly Republican.

Students "Lazy," Not Cynical

Mark Talisman, a Democratic staff man on Capitol Hill who ran a clearinghouse for students interested in joining campaigns, says that students helped elect enough new members to make the next Congress considerably more liberal and "antiwar" than the present one. According to Talisman, "laziness," rather than cynical withdrawal, accounts for the fact that more students did not actually take part in congressional campaigns.

Environmental issues appear to have been a factor in a number of congressional races this year, although there were no "pro-pollution" candidates. The League of Conservation Voters, a recently organized political arm of the Friends of the Earth, rated all House incumbents according to their votes on up to ten measures that had come before Congress. These included measures to fund the supersonic transport project and to allow increased timber harvesting in national forests, both strongly opposed by "environmentalists," as well as proposals to deny money for completion of the Cross Florida Barge Canal, to increase appropriations for water-pollution control, and to establish parks and wilderness areas.

The league contributed more than \$40,000 to selected incumbents and other candidates, including a few gubernatorial candidates such as Cecil An-

drus, who won the governorship of Idaho in a contest dominated by environmental issues. For example, Paul S. Sarbanes received \$8,000 for his successful campaign in the Democratic primary against George H. Fallon of Maryland, chairman of the House Public Works Committee and friend of the "highway lobby"; Sarbanes then went on to win in the general election. In Florida, Lawton Chiles, who defeated William C. Cramer in the contest for

the Senate, received financial support from the national league through the Florida League of Conservation Voters. The environmental issue was significant in Florida, where an aroused conservation constituency has developed over such questions as the Miami jetport, the Cross Florida Barge Canal, and the siting of a power plant on Biscayne Bay.

Marion Edey, the young woman who directs the League of Conserva-

tion Voters, says that hundreds of letters were received from candidates purporting to "love the environment" and seeking league endorsements, which were given out sparingly. Environmental Action, Inc., a group formed by students and other young people, put out a list of House incumbents called "The Dirty Dozen." Of the dozen, five were defeated and a sixth was running behind with absentee ballots still to be counted.—LUTHER J. CARTER

Tax-Exempt Litigation: IRS Curbs Draw Widespread Opposition

Despite an abundance of opposition and a dearth of support, the Internal Revenue Service is continuing its investigation of the tax-exempt status of charitable organizations that litigate on public issues. Until recently only the civil rights movement brought suits on behalf of large segments of the population, but in the past few years litigation initiated by environmental and consumer groups has given citizens a voice in decisions which had been the prerogative of industry and government.* While IRS officials insist that new regulations are necessary because of the recent proliferation of groups litigating in the public interest, many opponents of the IRS action see the investigation as an attempt by the Nixon Administration to curtail lawsuits that protect the environment or the consumer at the expense of private business.

IRS concern with tax-exempt litigation came to light last February when the newly founded National Resources Defense Council (NRDC) applied for tax-exempt status to litigate in environmental matters. IRS ruled that NRDC would be exempted from tax only if it refrained from litigation. After NRDC lawyers pushed for a clarification, IRS announced on 9 October that it was investigating the tax-exempt status of all organizations "which litigate or support litigation for

what they determine to be the public good in some chosen area of national interest."

The final IRS decision, due by 9 December, could affect such diverse groups as the National Audubon Society, the Center for Law and Social Policy, the NAACP Legal Defense Fund, and the Environmental Defense Fund.

For these and similar groups the IRS decision is crucial since groups denied tax-exempt status by the IRS might encounter financial difficulties, particularly if a large part of their income is donated by tax-exempt foundations. Contributions to a nonexempt group are not deductible, and tax-exempt

foundations are prohibited from supporting activities declared noncharitable by the IRS.

Although this IRS investigation is one of a series of crackdowns on tax-exempt activity, which included the withdrawal of tax-exempt status from the Sierra Club, the issues raised here are separate and revolve around two questions:

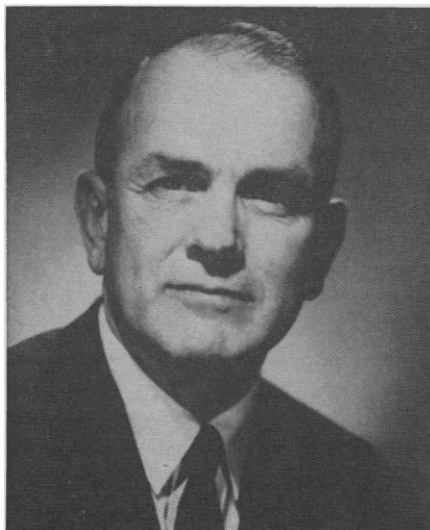
1) Are groups interested in new areas of popular concern, such as environmental and consumer protection, entitled to tax-exempt status as charitable organizations? Until now, such groups have been granted tax-exempt status as educational organizations.

2) May an organization with goals accepted as charitable by the IRS use litigation as a means to further these goals?

If IRS is, in fact, attempting to eliminate litigation which is unpopular with business interests, it is attempting delicate legal surgery, since both questions overlap areas which IRS has stated it does not want to affect. The distinctions that IRS has made so far suggest that the decision to regulate a certain type of activity is being followed by a search for justifications.

In the 9 October announcement IRS distinguished between groups which litigate broadly in the public interest and those acting on behalf of poor or underprivileged persons, declaring that those acting for the poor would not be affected. Both types of groups, however, have initiated similar environmental and consumer lawsuits, and any argument which IRS offers that litigation in the public interest is an improper tax-exempt activity would apply to both groups. (In a communication to NRDC, IRS declared that "litigation is a coercive activity, like boycotts, picketing, demonstrations, and disruptive protests and therefore should not be charitable.")

Another distinction offered in the



Randolph W. Thrower, Commissioner, Internal Revenue Service

* See "Conservation Law I: Seeking a Breakthrough in the Courts" (*Science*, 19 December 1969) and "Conservation Law II: Scientists Play a Key Role in Court Suits" (*Science*, 26 December 1969).