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HEARING BEFORE THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS UNITED STATES SENATE

NINETY-THIRD CONGRESS

FIRST SESSION

ON

THE NOMINATIONS OF LAURENCE E. LYNN, JR., TO BE ASSISTANT SECRETARY OF THE INTERIOR FOR PROGRAM DEVELOPMENT AND BUDGET, AND DALE KENT FRIZZELL, TO BE SOLICITOR OF THE DEPARTMENT OF THE INTERIOR

APRIL 16, 1973



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U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
OFFICE OF THE ASSISTANT SECRETARY FOR LAND MANAGEMENT
WASHINGTON, D. C.

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(II)

THE NOMINATIONS OF LAURENCE E. LYNN, JR., TO BE ASSISTANT SECRETARY OF THE INTERIOR FOR PROGRAM DEVELOPMENT AND BUDGET, AND DALE KENT FRIZZELL, TO BE SOLICITOR OF THE DEPARTMENT OF THE INTERIOR

MONDAY, APRIL 16, 1973

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The committee met, pursuant to call, at 9:30 a.m., in room 3110, New Senate Office Building, Senator Henry M. Jackson [chairman] presiding.

Present: Senators Jackson, Fannin, Hatfield, Hansen, and Bartlett.

Also Present: Jerry T. Verkler, staff director, and William Van Ness, chief counsel.

The CHAIRMAN. The committee will come to order.

The purpose of this morning's hearing is to receive testimony on the nominations by President Nixon of Mr. Laurence Lynn, Jr., and Mr. Kent Frizzell to important policymaking positions in the Department of the Interior.

Mr. Lynn has been nominated to be Assistant Secretary for Program Development and Budget. If confirmed, he will be responsible for Department-wide programs related to budget planning and development, policy and program analysis, and environmental project reviews.

Mr. Lynn is from the State of California and has previously served as an Assistant Secretary in the Department of Health, Education, and Welfare.

Mr. Frizzell has been nominated to be Solicitor of the Department of the Interior. If confirmed, he will serve as the Department's chief legal officer and will be the Department's third ranking official.

Mr. Frizzell is from the State of Kansas and since January 1972 has served as Assistant Attorney General, Land and Natural Resources Division of the Department of Justice. I should say at Wounded Knee for the last 3 weeks.

If there is no objection I will have the biographical sketches of both nominees printed in full at this point in the record.

[The biographical sketches of Laurence Edwin Lynn, Jr., and Kent Frizzell follow:]

BIOGRAPHICAL SKETCH OF LAURENCE EDWIN LYNN, JR.

ADDRESS

3269 Arcadia Place, N.W., Washington, D.C. 20015.

(1)

DATE OF BIRTH

June 10, 1937. Married, four children.

EDUCATION

Ph. D. (Economics) Yale University, 1966. A.B. (Economics) with honors, University of California, Berkeley, 1959.

THESIS

U.S. Foreign Economic Aid and the U.S. Balance of Payments, 1954-1963.

HONORS

Phi Beta Kappa; Yale University Scholarship; Ford Foundation Doctoral Dissertation Fellowship; Secretary of Defense Meritorious Civilian Service Medal; Presidential Certificate of Distinguished Achievement.

EXPERIENCE

June 1971-Present: Assistant Secretary for Planning and Evaluation, U.S. Department of Health, Education, and Welfare. Responsible for coordination of Department activities in economic and social analysis, policy development, policy and program evaluation, and long-range planning. Develops and participates in the administration of the Department's planning and evaluation systems.

September 1970-June 1971: Associate Professor of Business Economics, Graduate School of Business, Stanford University. Taught courses in economic analysis, decision-making in the public sector, and business in the changing environment to MBA candidates. Consultant to National Security Council on strategic intelligence, defense programs and policies; Department of Health, Education, and Welfare on higher education; Chief of Naval Operations on naval strategies and programs.

January 1969-August 1970: Assistant for Programs to Dr. Henry A. Kissinger, Assistant to the President for National Security Affairs. Directed the Program Analysis Staff (6 professionals), which was responsible for supervising comprehensive country and regional program analyses to be used as the basis for Presidential and NSC decisions on major policy and program issues; provide general staff assistance, direct interagency study groups, prepare studies and analyses on U.S. strategic intelligence estimates and capabilities, strategic arms limitation, defense strategies, programs and budgets, Vietnam policies and programs, other program-related issues.

April 1968-January 1969: Deputy Assistant Secretary of Defense (Economics and Resource Analysis), Office of the Assistant Secretary of Defense (Systems Analysis). Responsibilities included supervising and directing the work of a staff of 70, including 50 professionals, organized into the following divisions: Mobility Forces; Command, Control and Communications; Cost Analysis; Manpower Requirements; Special Economic Studies. Worked directly with the Secretary and Deputy Secretary of Defense, Assistant Secretaries of Defense, Secretaries and other senior civilian and military officials of the military departments.

February 1966-April 1968: Director of Strategic Mobility and Transportation Division and then of Economics and Mobility Forces in the Office of the Assistant Secretary of Defense (Systems Analysis). Directed extensive program of research, studies, and analyses on U.S. requirements for airlift and sealift forces, national maritime policy, economic impact of defense expenditures, related issues.

July 1965-February 1966: Weapon Systems Analyst, Office of the Assistant Secretary of Defense (Systems Analysis).

July 1963-July 1965: U.S. Army (1st Lieutenant, Infantry).

PUBLICATIONS

"Notes from HEW," in *Evaluation*, Fall, 1972.

"Economic Models in the Analysis of Military Strategic Mobility Requirements," in *Proceedings, 17th Military Operations Research Symposium*, Spring 1966.

"The Analysis of Strategic Mobility Problems," in *Papers—Seventh Annual Meeting, Transportation Research Forum*, November 1966.

"Strategic Mobility and Logistics," in *Proceedings, 20th Military Operations Research Symposium*, Fall 1967.

"Economic Impact of Defense Programs: Progress and Prospects," (with R. Riefler) *1967 Proceedings of the Business and Economic Section—American Statistical Association*.

"Statistical Analysis of Public Investment Decisions: Interest Rate Policy and Discounting Analysis," *Hearings Before the Subcommittee on Economy in Government of the Joint Economic Committee*, U.S. Congress, 90th Congress, 2d Session, Washington, D.C., U.S. Government Printing Office, 1968, pp. 141-150.

"Systems Analysis—Challenge to Military Management," in Cleland, David I., and King, William R., eds. *Systems, Organizations, Analysis, Management: A Book of Readings*, McGraw-Hill, 1969.

OTHER RESEARCH

Performed contract research and engaged in consultation of U.S. foreign economic assistance and the U.S. balance of payments for U.S. Agency for International Development. Reports submitted to A.I.D.: "U.S. Foreign Economic Assistance and the U.S. Balance of Payments, 1954-1962," "Analysis of Regional and Third Country Impact," "The Analysis of Tied Aid: Some Concepts and Methods." Author, "A Program to Compute Partial Correlation Coefficients," Yale Computer Center Memorandum No. 10, May 10, 1963, and "A Program for Obtaining Efficient Estimates of the Parameters of a Set of Single Equation Regressions," Yale Computer Center Memorandum No. 12, May 10, 1963. Participated in drafting chapter on defense programs and budgets for Brookings Institution analysis of the 1972 federal budget.

BIOGRAPHICAL SKETCH OF KENT FRIZZELL

PERSONAL AND FAMILY

Born February 11, 1929, Wichita, Kansas; married, wife Shirley, 5 children.

EDUCATION

Wichita Public Schools; Undergraduate Work at Northwestern University, Evanston, Illinois; B.A., Friends University, Wichita, Kansas; J.D., Washburn University Law School, Topeka, Kansas; Lecturer of Business Law, Wichita State University.

BUSINESS AND PROFESSIONAL

Assistant Attorney General, Land and Natural Resources Division, Department of Justice, Washington, D.C., 1972-1973; Kansas Bar Association, Member; American Bar Association, Member; Federal Bar Association, Member; Legal Counsel for Kansas, Republican National Committee, 1970-1971; Phi Alpha Delta Legal Fraternity.

PUBLIC OFFICES HELD

Republican Precinct Committeeman, 1950-1964; Wichita Board of Education, Member 1959-1965, President 1963-1964; State Municipal Accounting Board, State of Kansas, Member 1961-1964, Chairman 1963; State Senator, State of Kansas, Twenty-fifth Senatorial District, 1965-1969; Attorney General, State of Kansas, 1969-1971; Republican Nominee for Governor, State of Kansas, 1970.

CIVIC AND OTHER

Sunflower Boys' State, Past President, 1960; Sedgwick County Campaign Chairman for United States Senator James B. Pearson, 1962 and 1966; State Legal Counsel, Kansas Jaycees, 1965; Judge Advocate, American Legion Department of Kansas, 1966; Trustee, Mid Continent Regional Educational Laboratory, 1966-1968; National Law and Order Committee of the American Legion, Member, 1968-1969; Who's Who in American Politics; Kansas Wildlife Federation, Member 1968-1971; March of Dimes, Campaign Director for Northeastern Kansas, 1971-1972.

CHURCH

St. Luke's Methodist Church, Wichita, Kansas; Director, Methodist Youthville, Newton, Kansas, 1964-1971.

The CHAIRMAN. The Chair will first recognize Senator Pearson. He has a committee appointment first and then Senator Dole.

STATEMENT OF HON. JAMES B. PEARSON, A U.S. SENATOR FROM THE STATE OF KANSAS

Senator PEARSON. Mr. Chairman, Senator Fannin, I appreciate the Chair's cooperation.

I am here with Senator Dole to introduce to the committee Mr. Kent Frizzell and to say that he has our highest endorsement, not only in the field of professional competence, but as a man who has served his community in many capacities.

We have been personal friends, I suppose, for some 15 years. I have watched his service first in playing a substantial role as a member, and I think, president of the board of education in Wichita, Kans., at a time of considerable turmoil and very difficult issues, and then to go on and serve in the State senate and as attorney general of our State.

He is accompanied here by one of his sons and his wife, Shirley. I would like to introduce you and your young man to this committee and to say once again I am sure he will serve with great competence and ability in the appointment made by the President.

The CHAIRMAN. Senator Pearson, thank you, and I appreciate, and certainly the committee does, your strong endorsement and recommendation coming from one such as you.

Senator PEARSON. He helped me to get elected to the U.S. Senate and bears some responsibility.

The CHAIRMAN. Senator Dole, we are delighted that you can be here to participate in the meeting this morning and we certainly welcome your comments regarding the nominee.

STATEMENT OF HON. ROBERT DOLE, A U.S. SENATOR FROM THE STATE OF KANSAS

Senator DOLE. I want to second, Mr. Chairman, what Senator Pearson has said. I do have a statement which I would like to have made a part of the record.

The CHAIRMAN. Without objection the entire statement will be included.

[The statement follows:]

STATEMENT OF HON. BOB DOLE, A U.S. SENATOR FROM THE STATE OF KANSAS

Mr. Chairman, it is a pleasure to appear before your committee today to introduce Kent Frizzell whom President Nixon has nominated to be Solicitor of the Department of the Interior.

The President has made a superb choice and one based on a clear example of proven ability. Kent Frizzell possesses personal and professional qualifications which will enable him to make a significant contribution to the work of the Interior Department as its Chief Legal Officer.

For the past 14 months, Kent Frizzell has been Assistant Attorney General of the United States in charge of the Division of Land and Natural Resources. And

in this brief period he has established himself as one of the most able, energetic, and effective sub-cabinet level officials in the administration. Directing a staff of 120 lawyers, he has led his division with diligence and imagination as he fulfilled the Government's law enforcement responsibilities in a number of critical areas.

As head of the division with jurisdiction over a vast range of new environmental protection statutes, he has been vigorous and successful in showing the administration's determination to put these laws to effective use. Perhaps the most convincing evidence of his success is the \$7 million judgment granted to the Government under the Clean Air Act against the Ford Motor Company for falsifying automobile emissions data. This judgment is the largest ever obtained in the environmental protection field. However, not to be out-done in the non-environmental field, the Land and Natural Resources Division under Kent's leadership also secured the largest judgment (\$1 billion) ever recorded against a third party by the Federal Government in the offshore drilling case against the State of Louisiana.

And only recently Kent has been thrust into prominence as the Government's chief spokesman at the negotiations to settle the controversy at Wounded Knee, South Dakota. Resolving this conflict was a most difficult and demanding assignment, and he handled it with skill, determination and a convincing demonstration of personal integrity which won him great respect from Federal officials and Indian leaders, alike. Throughout his service in the Justice Department, Kent has exhibited a continuing concern for our Indian citizens. His experience and involvement in Indian affairs will be a great asset as he fulfills his responsibilities in the Interior Department, and it should also be a major source of confidence and encouragement for the Indians with whom the Department is charged to deal. They will know that Kent Frizzell is a fair, objective and proven leader who can and will deal with them straightforwardly as individuals—not as wards or second class citizens.

Before coming to Washington Kent was active in a wide variety of civic endeavors in his home town of Wichita and in the State of Kansas. These services to his State and community included membership on and the presidency of the Wichita Board of Education, service as State legal counsel for the Kansas Jaycees and as judge advocate for the Kansas Department of the American Legion, two terms as a State Senator and membership on the board of directors of a Methodist home for disadvantaged youth.

He possesses the highest professional qualifications for this post. Since graduating from the Washburn University School of Law in 1955, he has had significant experience as a private practitioner and active member of the Kansas, Federal and American Bar Associations. And he brought to his service in the Federal Government a valuable understanding of the challenges and responsibilities involved in the administration of justice gained in service as attorney general of Kansas.

While attorney general of Kansas, he built a solid reputation as a vigorous, fair and diligent law enforcement officer. He organized a young and competent staff, and his office provided the State with the highest quality civil and criminal legal services. Of particular note was his expansion of efforts in the consumer protection and antitrust fields. One indication of the effectiveness of these initiatives can be seen by comparing the total of \$42 million collected by the State in antitrust judgments and settlements during his service as attorney general with the total of only \$50,000 collected in the entire preceding century.

Legal practitioner, innovative administrator and public-spirited citizen, this record marks Kent Frizzell as a well-qualified nominee who will bring to the Department of the Interior the same energy and dedication he has shown in his impressive career in Kansas and at the Department of Justice.

I believe this nomination is another clear example of the President's determination to vest responsibility in young, talented people at the highest levels of his administration and to provide this Nation with the best possible quality of government.

I appreciate this opportunity to appear before the committee and take great pride in introducing to you a fellow Kansan, Kent Frizzell.

Senator DOLE. I think the chairman pointed out what Kent Frizzell has been doing in the past 14 months and he has been doing it, I think, very effectively, not only with reference to the place in South Dakota,

but in other areas with reference to the Clean Air Act and I think in the nonenvironmental field the Land and Natural Resources Division under his leadership secured the largest judgment, \$1 billion, ever recorded by a third party in the offshore drilling case.

So I know Kent is an outstanding young lawyer who has the enthusiasm and possesses the quality of initiative and resourcefulness needed.

I believe it is an outstanding appointment and I add my endorsement to the President and Senator Pearson.

The CHAIRMAN. Thank you. We deeply appreciate your endorsement and recommendation of Kent Frizzell and we wish to express our appreciation to both Senators from Kansas for being here this morning.

I know you have other meetings like all of us so we will excuse Senator Dole.

Thank you very much.

Now, the Chair would like to call on Secretary John Whitaker for a statement.

STATEMENT OF HON. ROGERS C. B. MORTON, SECRETARY OF THE INTERIOR, DELIVERED BY JOHN C. WHITAKER UNDER SECRETARY

Mr. WHITAKER. Thank you, Mr. Chairman. I would like to first mention with regard to the Secretary's health that he finished his last treatment last Friday. He is going to take a couple of weeks off and should be back here at the same time Congress convenes from the Easter recess and everything looks just perfect at the moment.

The CHAIRMAN. I hope you express to Secretary Morton our good wishes to him and we are delighted to see that he is coming along so well.

Mr. WHITAKER. I would like to read the Secretary's statement, if I may, Mr. Chairman.

It is a great pleasure to appear before you this morning to endorse the nominations of Laurence E. Lynn, Jr., to be Assistant Secretary of the Interior for Program Development and Budget and Dale Kent Frizzell to be Solicitor of the Department of the Interior.

Both nominees are eminently qualified for the respective positions President Nixon has nominated them.

Dr. Lynn succeeds John W. Larson as Assistant Secretary. He has been Assistant Secretary for Planning and Evaluation of the Department of Health, Education, and Welfare since June 30, 1971.

Dr. Lynn has an outstanding record in government and education. He received his A.B. degree from the University of California at Berkeley in 1959 and his Ph. D. in economics from Yale University in 1966. He was elected to Phi Beta Kappa at Berkeley.

From 1963 to 1965 he served as an officer in the U.S. Army.

From 1965 to 1969 Dr. Lynn held several positions with the Department of Defense. He was a weapons system analyst 1965-66; Director of the Strategic Mobility and Transportation Division, 1966-67; Director of Economics and Mobility Forces 1967-68; and Deputy Assistant Secretary of Defense for Economics and Resource Analysis.

During 1970-71 he was associate professor of business economics at the Stanford University Graduate School of Business.

From January 1969 until September 1970, Dr. Lynn was an assistant to Dr. Henry A. Kissinger at the White House and directed a staff with responsibility for many areas of study, ranging from strategic intelligence estimates to defense strategies, programs, and budgets. He holds the Presidential Certificate of Distinguished Achievement.

Dr. Lynn will have responsibility for Departmentwide programs related to budget planning and development, policy and program analysis, and environmental project reviews.

Mr. Frizzell has been Assistant Attorney General, Land and Natural Resources Division, since January 11, 1972. Before joining the administration, he was attorney general of the State of Kansas from 1969 to 1971, and engaged in the private practice of law at Topeka, Kans. from 1971 to 1972.

From 1963 to 1969, Mr. Frizzell was an associate, then a partner in the Wichita, Kans., law firm of McCarter & Wettig. He served as a Kansas State senator from 1965 to 1969. Between 1955 and 1963, he was in the private law practice in Wichita and in 1955-56 was a lecturer in business law at Wichita State University.

Mr. Frizzell attended Northwestern University and Wichita State University, received his B.A. degree from Friends University at Wichita in 1953, and his LL.B. degree from Washburn University Law School at Topeka, Kans.

He served in the U.S. Marine Corps Reserve from 1948 and 1952.

Mr. Frizzell's experience in handling land and natural resource problems, plus his broad knowledge of Federal-State relationships, are outstanding qualifications for the post he will fill.

As you may know, Mr. Chairman, he has served since March of 1972 as Chairman of the Federal Bar Association's Council on Natural Resources, a public service position that requires extensive knowledge of the natural resources.

This post is filled by appointment of the President of the Federal Bar Association.

Mr. Chairman, both of these gentlemen have proven records of service to their Government and I know these records will be enhanced as members of the team dedicated to carrying out the wishes of the President in meeting the wide range of demands facing the Department of the Interior.

In meeting these demands we will continue to work closely with this committee and the Congress toward wise study and development of the Nation's resources in a continuing effort to satisfy the growing environmental and energy needs of the American people.

I believe both of these nominees will do outstanding jobs. I am very pleased they are joining the Department of the Interior.

If I may, Mr. Chairman, a few personal comments.

I knew Kent Frizzell when I was at the White House when he first came on as Assistant AG for Land and Natural Resources about a year ago.

He has done an extremely excellent job of handling some very tough litigation that involved Interior, EPA, and the Corps of Engineers. He has worked in a very businesslike, efficient way and is very competent.

It also turned out that he knew a great deal of Indian law and, as you know, he has done an outstanding job at Wounded Knee. Many of you saw his picture on the front of the New York Times 2 Satur-

days ago when he signed the agreement there for the U.S. Government with the AIM's leadership.

The fact that that agreement has failed to be implemented in no way takes away, I think, from the superb coolheaded negotiations that Kent performed out there under some very demanding conditions.

I first knew Larry Lynn by reputation when he was on Henry Kissinger's staff and later an Assistant Secretary of HEW. That reputation was outstanding so the Secretary and I looked him up as a possible candidate for this job.

The first thing we discovered was that Cap Weinberger was calling and saying you don't want Larry to come over to Interior because we need him at HEW. We also found out Elliot Richardson was trying to take him from HEW over to Defense with him. So when you get all that kind of talent bidding on this kind of talent you know you have something good working for you.

I know, Mr. Chairman, Kent Frizzell and Dr. Lynn will be tremendous additions to the Secretary's team and I don't think we could have better nominees than those selected by the President.

Thank you.

The CHAIRMAN. Thank you, Secretary Whitaker. I regret I have some other commitments and will have to leave, but certainly it would appear that both of these gentlemen have very fine qualifications and good background, both by way of academics and experience.

Well, first of all, I am going to ask Senator Fannin to preside and I think we should hear first from the Assistant Secretary, Mr. Lynn.

Mr. Lynn, we would be delighted to have your statement. Tell us what you are going to do.

You may be excused, Mr. Secretary. I see no need for you to stay unless you wish to.

Mr. WHITAKER. Thank you.

The CHAIRMAN. You may proceed, Dr. Lynn, and make a statement.

I think each of the witnesses should do that, and then we will turn it over to questions and I will ask Senator Fannin to preside.

STATEMENT OF LAURENCE E. LYNN, JR., NOMINEE TO BE ASSISTANT SECRETARY OF THE INTERIOR FOR PROGRAM DEVELOPMENT AND BUDGET

Mr. LYNN. Mr. Chairman, it is an honor to appear before this committee. I have supplied a biographical sketch to the members of the committee, and I have also supplied a financial statement.

I am delighted to have been nominated by the President for the post of Assistant Secretary of Program Development and Budget. I would be happy to respond to any questions the members of the committee may have concerning any aspect of my background or my qualifications for this post.

Thank you, Mr. Chairman.

Senator FANNIN [presiding]. Thank you, Dr. Lynn, and we do have your complete résumé, a very impressive one indeed.

Mr. LYNN. Thank you, sir.

Senator FANNIN. We welcome you here this morning, and I know you are going to be of great service to the Department.

I understand, Dr. Lynn, that the duties of your Department, or of your particular position as Assistant Secretary for Interior for Pro-

gram Development and Budget, increased. Would you want to comment on that?

Mr. LYNN. Yes, sir. I am taking a position which is a combination of the post that was held by Assistant Secretary Larson, then called Assistant Secretary for Program Policy, and the Budget Office, which had formerly been part of the Office of Assistant Secretary for Management and Budget.

So I have an operation that combines Mr. Larson's previous responsibilities with the responsibilities of supervising the Budget Division.

Senator FANNIN. Well, I would say with your background—and I understand the record shows that you worked with Dr. Kissinger at the White House, and also directed the responsibility for many areas of study, which included programs and budget—that you will perform admirably in this activity.

Senator Hatfield, do you have any questions?

Senator HATFIELD. No, Mr. Chairman. I would just like to say that I think it is to the administration's great credit to have such outstanding persons before this committee for confirmation. I am most impressed by the extraordinary background and record of both of these gentlemen, especially Dr. Lynn who comes from Stanford. That in itself is a sufficient recommendation as far as I am concerned. And Senator Fannin, I am sure, feels the same way.

To Mr. Frizzell I would say a man who has this outstanding background in State government, as well as his own professional background, is eminently qualified for Solicitor.

I am just very proud to pass a positive vote for the confirmation of both of these gentlemen.

Senator FANNIN. Senator Hansen.

Senator HANSEN. I don't have any questions, Mr. Chairman. I join with you and the chairman, as well as Senator Hatfield, in applauding the administration for having nominated these two gentlemen for the respective roles to which they aspire.

As one not privileged to go to Stanford, I must say off the record—
[Comment made off the record.]

Senator HANSEN. Seriously, I do commend the President.

I know that you are going to have many tough decisions to make. If I could just make an observation or two. I would say that because of our increased environmental awareness, I think a great challenge is being made to the Department of Interior and some of its agencies, such as the Bureau of Reclamation.

It seems to me we conclude several things to be true that may not necessarily be so. For many years we have had a great outpouring of agricultural abundance in this country. I suppose most people look upon farmers as people who add to problems rather than people who make it possible for others to live as well as we do.

That opinion is not widely held throughout the world because probably more than half the people throughout the world don't have the adequate diets such as we do in this country.

Part of the reason we have been able to is that we have made great investments, not only in reclamation projects—which have not contributed to the surplus plaguing the Government—but in other areas which has made it possible for people to enjoy a wider abundance of good things.

That has been one positive factor. Another has been because of the scientific research we have had in this country, we have been able to advance productivity. Despite fewer people being engaged in farming, the farm output per man-hour rises almost astronomically.

So it has been easy for people to discount and discredit some of the good programs that the Bureau of Reclamation has had along with others.

Now, if we do find that because of environmental laws that have been passed we are no longer able to use herbicides and pesticides and different kinds of plant nutrients and fertilizers that have made possible these great yields, I am not sure we will be in the enviable position we have been.

So I would say as you prepare the budget for the Department, Dr. Lynn, I know you will have reason to question and to examine very closely the wisdom of some of the programs that have long flourished under the Department of Interior.

I say this not unaware of the fact that our chairman is from the great State of Arizona and they have a very worthwhile project down there that they hope to get working on one of these times.

I just hope we look at all of the evidence before we too quickly write off some of the efforts I think our country should be undertaking.

We know our population is increasing. There is less good farmland made available for the production of crops each and every year. Also, as our dependence on foreign sources of energy increases, I think a change in the attitude of our Government here could help.

Parenthetically, I would have to say that I think we might well ask ourselves, what really are the main objectives? What are our highest priority issues in this country? Is it to try to bring the Federal budget more nearly in balance through higher taxes on the things we import and in changing our tax laws around, or should we be looking at what our needs are in this country and see what might be done within the United States to satisfy this?

I am inclined to think that that ought to be our first goal, to see that we do not become necessarily dependent upon foreign countries for energy. It is going to take a lot of money. I don't think it is the sort of program that can be resolved by one big Federal appropriation to set up one big research agency.

Rather, I believe there is great strength in the good judgment and in the collective wisdom of many people working on many projects. So I would favor wide differences in order to encompass as many people as we can, rather than put all the eggs in one basket.

As we expand the opportunity for different minds to bring into play their ideas, I think we increase geometrically the chances of success.

These are just some of the concerns that I have. I certainly want you to know that I respect each of you very much for what I know about you.

Mr. Frizzell, I had an opportunity of talking to you a few days ago. I think your background in the State government ought to equip you well for the important responsibilities you propose now to undertake, and here again it is my feeling that all of the distilled wisdom of this country is not found in Washington. There is great strength in State government and State legislators and I think along with that it is

inherent in our concept of government in this country that perhaps we cherish the right to make decisions for ourselves though we may make wrong decisions occasionally, than to relinquish that privilege to someone else and have more of the answers come from the outside most of the time.

I just think the average American would rather have the privilege of saying what he thinks ought to be done to be an active and real participant in determining what he is going to do as an American citizen and to that extent I applaud the President in appointing someone who brings to Washington your intimate respect and knowledge as to how State government can be made more important.

Thank you.

Senator FANNIN. Senator Bartlett.

Senator BARTLETT. Mr. Lynn and Mr. Frizzell, I applaud each of you, too, on the fine records you have made. I compliment the President for selecting each of you for these important positions of trust and responsibility.

In the short time I have been in Washington I have found this committee and your Department to be very actively engaged in areas of extreme importance to the country and I have also found that there is an area in which we have opportunities to cooperate and work together and I am certainly looking forward to that from each of you.

Also, I found certain areas of different positions through separation of the branches of government and I know that in my position that the executive branch may take that as different from the legislative, through such talent as you all have, that our task will be a very challenging one.

So I am looking forward to working with you and looking forward to any challenges that may exist, and I am looking forward also this afternoon to voting for your nomination.

Mr. LYNN. Thank you.

Senator FANNIN. Thank you, Dr. Bartlett.

I am very pleased that you gentlemen made a decision to accept these positions. I feel we are fortunate in having you and Dr. Lynn. I feel you are really ahead of your time as far as the work that you are doing.

Here you had your thesis "U.S. Foreign and Economic Aid and U.S. Balance of Payments in 1964 and 1963." I notice your research and publications on allied subjects. So you realize, as Senator Hansen has said, the seriousness of our problems of today.

I don't think there is any more urgent need than for us to face up to these challenging problems that we have with us and I know you are in a position to lend great assistance in that regard.

This morning to illustrate what we have ahead of us, I have an Indian leader in my office, president of one of the tribes in Arizona, and he was talking to me about a subject which you wouldn't expect an Indian to be discussing—hydroponics.

They are now installing a plant in Yuma, Ariz., on a reservation and he was explaining the return that would come to the tribe after this investment is made. Then we have in our State now a successful geothermal steam well that has come forth in the past few months. So we are in a position where we can do something about many of our problems, but will we do that and will we really be able to accom-

plish what some seem to think is almost impossible; that is, to get our balance of payments and balance of trade back in order.

But you are in a unique position to assist in these problems.

Mr. Frizzell, with what the gentleman from Kansas had to say about you this morning and the two very distinguished Senators and leaders in the Congress, I am sorry my colleagues did not have a chance to hear them tell of your accomplishments and their great respect for you and pride that you are going to be in this position.

We welcome you this morning.

The meeting will recess until this afternoon. At that time the confirmations will be voted on, but I know how we feel and certainly, as I stated before, we are very proud that you have accepted this responsibility to serve the Nation at this particular time, and because of your talents you will be of great help.

The meeting will recess until 1:30.

Mr. FRIZZELL. Thank you, Senator.

[Whereupon, at 10:05 a.m., the committee was recessed, to be reconvened at 1:30 p.m.]

EXECUTIVE SESSION

MONDAY, APRIL 16, 1973—1:30 P.M.

The chairman announced that a quorum was now present, and that the committee would now consider the nominations of Mr. Lynn and Mr. Frizzell. The Chair announced that the committee had taken testimony this morning concerning these two nominees. The financial statements on each had been passed out to the members and in their judgment there appeared to be no conflict of interest in either case. The chairman said he would entertain a motion to report favorably the nomination of Mr. Lynn. Senator Fannin so moved and Senator Metcalf seconded the motion. There being no objection, the committee ordered reported favorably the nomination of Mr. Laurence Lynn to be an Assistant Secretary of the Interior for Program Development and Budget.

The Chair then stated that he would entertain a motion to report favorably the nomination of Mr. Fizzell. Senator Fannin so moved and Senator Metcalf seconded the motion. There being no objection, the committee ordered favorably reported the nomination of Mr. Kent Frizzell to be the Solicitor of the Department of the Interior.

Senator Hatfield said he would like the record to show that after listening to the testimony this morning he felt that these two nominees had superb credentials and background. The chairman said he, too, was impressed with their qualifications, background, and experience.

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EXECUTIVE SESSION

MONDAY, APRIL 16, 1973—1:55 P.M.

The clerk in attendance said a document was now before the committee and he would like to discuss the nomination of Mr. [Name] and Mr. [Name]. The clerk announced that the committee had taken action on the nomination of Mr. [Name] and that the nomination of Mr. [Name] was still pending. The clerk then asked if there were any other nominations or if the committee should proceed to the next item on the agenda. The clerk then asked if there were any other nominations or if the committee should proceed to the next item on the agenda.

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