

Ferdie J. Deering NOV. 29 1977

Bureaucrats Get Lawmaking Power

OUR nation has drifted much farther into the realm of laws made by bureaucrats, rather than by elected representatives of the people, than may be generally recognized.

Congress doesn't take time to write all the laws it enacts. Congress delegates lawmaking authority to appointed employees of government. This might not be constitutional but it has become an ingrained practice that may be unstoppable.

Recently, a speaker told an Oklahoma bankers' convention that proposed legislation and regulations, if put into effect, would be "the death knell" of independent banking in the United States.

The implication was that the federal bureaus have been given authority by Congress or may receive power to regulate independent banks out of their independence.

A spokesman for the American National Cattlemen's Association warned Oklahoma livestock producers to expect further governmental encroachment and interference

with their industry.

The same sort of problem exists in virtually every industry — transportation, steel-making, car manufacturing, food processing, oil and gas, communications. It stops nowhere.

Farmers are supposed to operate for the next four years under Public Law 95-113, which consists of well over 100 pages of legalistic phraseology in fine print.

Probably few farmers have even seen a complete copy of the law, and these have not found it easy to understand. They must rely upon federal employees to interpret it for them. And, besides, what is written is only a part of what they must obey.

Under Title IV, relating to wheat, Congress has written: "The secretary (of agriculture) is authorized to issue such regulations as the secretary determines necessary to carry out the provisions of this section."

At least 15 times in this one law, similar statements specifically delegate to the secretary of agricul-

ture power to make regulations that have full force and effect of law.

Business men, individuals and institutions are subject to similar rule by appointed officials, because for decades, Congress has written regulatory authority into all kinds of legislation.

Jokes have been made about dictatorial "commissars of agriculture" in communistic countries, but the United States may be approaching a government with commissars for everything!

The legal capability of an individual office holder to issue regulations with the force of law is an awesome power. This apprehension is heightened when it is noted how many people advocate further centralization of controls in Washington.

Our fourth president, James Madison, anticipated this danger. He said: "There are more instances of abridgment of the freedom of the people by gradual and silent encroachments of those in power than in violent and sudden usurpations."

C. FRED WILLIAMS
President

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Mr. Ferdie Deering
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Dear Ferdie:

You have exceeded your ability this week with your editorials which have appeared in the Daily Oklahoman. I have read them with great interest and take this opportunity to say congratulations. My prayer and desire for America is that more minds would flow in this same stream of thought.

Best wishes to you and your loved ones for a splendid and spiritual Christmas season.

Sincerely yours,


Marvin H. Hall

MHH:jlc