

News from Senator

BOB DOLE



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DOLE SAYS ELIMINATION OF KANSAS CITY DOE HEARINGS AND APPEALS OFFICE 'ILL-CONSIDERED'

WASHINGTON -- In testimony today before a Senate subcommittee chaired by Missouri Sen. Thomas Eagleton, Sen. Bob Dole (R-Kan.) called for the Department of Energy to retain its regional office in Kansas City, Mo.

The regional Office of Hearings and Appeals considers requests ranging from independent gasoline stations to major oil refineries for exemptions and relief from federal regulations concerning gasoline and oil supplies. The Department of Energy has proposed either eliminating the office entirely, or, more recently, converting it into a "satellite office" which would be little more than an information center. Decision-making ability would be transferred to the Chicago office.

Dole cited the rapid increase in requests received by the office in the past few months as evidence that plans to reduce the powers of the regional office "make little administrative sense."

"The Kansas City Office of Hearings and Appeals has been swamped since the Economic Regulatory Administration published Activation Order Number One in February," Dole said. "This order altered the base period for motor gasoline allocation for the months of March, April and May. While the regional office was only considering 20 cases on March 7 of this year, the caseload had increased to 92 on March 27. By May 25, the workload stood at 290 cases. This amounts to an increase of 1,450 percent in only two and one-half months. There is no indication that activity at the regional office will let up.

"This hardly seems like the appropriate time to reduce staff and authority. Each one of these pending cases involves a dealer or supplier whose continued financial viability depends upon the timely consideration of his appeal. These 300 appeals will be delayed further if they are sent to a Chicago regional center for final disposition along with hundreds of other appeals already pending in Chicago. It makes more sense to move the Chicago office to Kansas City. In 1978, the Kansas City office handled a workload 25 percent greater than Chicago's.

"Many businessmen, unsophisticated in dealing with government, are now facing rapidly changing and immensely complicated government energy regulations. These government rules often determine the nature and extent of their business. Sometimes, these rules present a hardship that merits specific governmental relief. When this happens, it is important that the dealer or supplier have a convenient location where the options for relief can be explained, the case considered, and prompt relief ordered.

"This is particularly crucial in the food producing states of the Midwest, where fuel is the lifeblood of our agricultural economy. Farmers need fuel to plant and harvest, and truckers need fuel to transport the crops. Time is of the essence. Moving decision-making powers from Kansas City to Chicago would only serve to delay the appeals process, make relief more difficult, and threaten food production.

"Finally, closing the Kansas City office seems administratively unwise. Last fall, the Department of Energy combined the entire Chicago Offices of Enforcement and Counsel with the corresponding offices in Kansas City. These are now known as the District Offices of Counsel and Enforcement, and are located in Kansas City. Additionally, the necessary personnel support and records management functions have been moved to Kansas City. The Office of Hearings and Appeals works closely with these divisions. It seems counterproductive and administratively inefficient to relocate the appeals office in Chicago. The Kansas City office has the support apparatus needed to efficiently consider applications for relief."

Today's hearing was in the subcommittee on governmental efficiency of the Senate Governmental Affairs Committee.