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Taxpayers Paid Rhodes' Ghostwriter

In the convivial atmosphere of the House, it is the Christian practice that only those without sin will cast the first mudball. Minority Leader John J. Rhodes (R-Ariz.) startled his colleagues, therefore, by flinging mud at Speaker Thomas P. O'Neill Jr. (D-Mass.) last year.

Now it has turned out that Rhodes was not without sin after all. He attacked Tip O'Neill in a book that was largely written by a House employee. Thus the taxpayers subsidized the scathing prose, but Rhodes pocketed the royalties.

The aforesaid book, "The Futile System," portrays O'Neill unflatteringly as a blustering partisan. This deeply offended O'Neill who expressed his indignation characteristically with a roar of outrage from the House floor.

The short, dapper Rhodes played the matador to the snorting, bull-like O'Neill. "The gentleman from Massachusetts," responded Rhodes deftly, "will find some very interesting reading in that book."

Now it is the Speaker's turn to call Rhodes' attention to some interesting reading. For we have learned that Rhodes used a ghostwriter named J. Brian Smith to put the book into literary form. Rhodes dictated the material; then Smith rewrote it.

The talented Smith was paid, however, not by Rhodes but by the taxpayers' largesse. Yet Rhodes collected the full \$8,000 in royalties.

Smith told us that his boss generously offered him part of the royalties. The ghostwriter turned down the offer, presumably because he had already been paid adequately by the taxpayers.

This raises an interesting legal question. It is against the law for a congressman to take kickbacks from his employees. If instead he takes the proceeds from an employee's public service, does this constitute a kickback?

In an anguished interview, Smith insisted there had been no impropriety. He acknowledged that he had worked on the book during office hours, but he said he had also labored over it evenings and weekends. "I put in my 40 hours for the government," he said.

There is more to the story. Smith has a sideline; he is a 50 per cent partner in the public relations firm of Smith and Harroff. Rhodes retained the firm last year to handle the advertising for his re-election campaign. For its efforts, the firm was paid \$12,500 in fees and commissions from the congressman's campaign collections.

Smith has renounced any income from the firm while he is working for the government, but he still has a stake in its welfare. For half of the company's assets will revert to him when he leaves the federal payroll.

Both Rhodes and Smith contend that their actions didn't violate the House ethics code in effect last year or the tougher new code adopted last week. This depends, of course, on the definition of a kickback.

Too Much Advice—Our federal administrators receive altogether too much advice, most of it bad, from a bewildering assortment of advisory committees. President Carter promised to clear out some of this bureaucratic underbrush if he made it to the White House. Within 30 days of his arrival, he created four new advisory committees.

This disturbs the Senate Subcommittee on Reports, Accounting and Management, which has tried to keep a check on advisory committees. The subcommittee found 61 committees, for example, advising the government what to do about energy. These committees were split into a multitude of subcommittees and task forces, all contributing advice on the same subject. The total number of advisory units, according to a careful account, exceeds 250.

The advice that comes from these 250 units, however, isn't as confusing and conflicting as might be supposed. For the Senate investigators found that the government had loaded the committees with advisers from the energy-industrial complex. Not surprisingly, these advisers agree overwhelmingly upon measures that would benefit the industry.

Apparently, it makes no difference that the law requires the membership on advisory committees to be balanced; all points of view are supposed to be represented. In a report not yet released to the public, the subcommittee notes wryly: "The requirement for balance is, at best, subjected to widely varying interpretations."

For example, 36 advisers have been appointed to advise the Federal Power Commission on the impact of the natural gas shortage. "Apparently," states the report, "the only consumers being considered by this committee were industrial consumers." The investigators found only one appointee from a public interest group; the other 35 came from corporations or government agencies.