

To Hell with Congress, the Oil Belongs to Texas

By RICK BROWN
(First of two parts)

State Senator Walter Mengden's energy crisis talk here brought up some interesting lines of thought. The Treaty of Annexation whereby Texas entered the union as a state is still valid and has been upheld by the Supreme Court. Treaties are on an equal footing with the U. S. Constitution, i. e. all laws passed by the Congress conflicting with the treaty are null and void. And certain provisions of the treaty insure Texans virtual immunity from suffering an energy shortage should citizens of Texas choose to

invoke the rights granted them in the treaty. Hearing the talk prompted a diligent search through several monolithic volumes of verbiage in order to satisfy myself as to the validity of Sen. Mengden's claims. Success rewarded my efforts in two ways: 1) Article V of the constitution states in part, "... all Treaties made ... under the Authority of the United States, shall be the Supreme Law of the Land;" and 2) The Supreme Court ruled in 1953 in the Texas tidelands case that the treaty is still quite valid (if it weren't we wouldn't be a state). The

crux of Sen. Mengden's message, that still valid annexation provisions insure Texans all the energy we need if we so desire, also seems to be quite true.

A brief history review is in order. On March 1, 1845 the U. S. Congress passed a joint resolution admitting Texas to the union. Reluctant to accept the substantial debts the Texas Republic had incurred, Congress specified that "Texas shall retain all public debts." Realizing the difficulty Texas would have paying for its debts, the congress further stipulated that Texas "... shall also retain all the vacant and unappropriated lands lying within its limits, to be applied to the payment of the debts and liabilities of said Republic of Texas, and the residue of said lands, after discharging said debts and liabilities, to be disposed of as said State may direct." Those "said residues" of the "said land" comprise about 22 million acres which is still held by the state. Fortunately there is "black" gold in them thar hills.

All of which brings us to the meat of Sen. Mengden's talk. Since the annexation provi-

sions give us unquestioned authority to use lands as we so desire, Texans may tag oil produced on the public lands of Texas to be first used in Texas, (despite any congressional ruling for mandatory equal allocation of energy) then, if a surplus exists, and it would, to sell the remainder outside the state.

According to a recent issue of U. S. News and World Report, New York, which has virtually no state oil and gas production of its own, has one of the lowest levels of energy shortage in the nation while Texas, which produces 38 per cent of the nation's oil, is experiencing "brown-outs" in San Antonio and Austin. The reason, the federal government establishes guidelines on production and distribution of oil and gas. Since consumer states far outnumber producer states the attitude of Congress, predictably enough, has been to favor the consumer states at the expense of the producers, e. g. Texas. The price of natural gas at the well-head is approximately eight times below market price.

The federal government has set 8c per cubic foot as the maximum rate to be charged for the last 17 years. San Antonio stated a willingness to pay 65c per cubic foot. Their offer falls on deaf ears. The revenue gained would benefit producer states, primarily Texas, Kansas, La., and Cal. It would increase the price paid for natural gas in the other 46 states. The result, change of the ridiculously low price of oil.

The revenue received by Texas from lease of its land to oil companies is directly proportional to the marketed price of gas or oil produced. Present royalties are set as one-sixth of the revenue produced from the sale of the resources. That revenue recently goes in large part to finance the TAMU systems. An increase in oil and gas lease revenues would directly affect A&M.

The second half of this probe into a concept in fighting the energy shortage in Texas will be presented in tomorrow's Battalion.



Listen Up--

Disrespect Denounced for Fountain

Editor:

It seems that a certain few of the students at this university insist upon trying to degrade our facilities. Besides the fact that bathing in the Memorial Student Center pond is childish, the MSC honors men who have fought and died for our country. It is a memorial and should be treated as such. Such antics as throwing soap in the MSC pond must fall into the same category as bathing in it.

It is not funny to those of us who appreciate the beauty of the MSC and would like to keep it beautiful. After all, we have paid for part of the complex, so why not try to keep it beautiful for our guests? I, for one, do not like to make excuses for Aggies

who do not respect our property.

Richard Krueger '75
★ ★ ★

Editor:

In your recent editorial concerning the removal of hats as one enters the MSC it becomes obvious that there is a need for some correct definitions of some very loosely used words.

Let's consider "Aggie." A true Aggie is a soldier, statesman and knightly gentleman. He rides hard, shoots straight and lives his life in such a way that he can look any man in the eye and tell him to go to hell, if need be! His scientific and military training makes him the invaluable citizen-soldier. He is ready to lay down his life to defend freedom and liberty. An Aggie is a superior

breed of man, and it has been the discipline and traditions of the Corps that has molded this breed. From the heart of the Corps comes the incomparable Spirit of Aggieland. It is this Spirit that has given A&M that "uniqueness" which has made it famous the world over. Even to the casual observer it is obvious that the Corps is still the backbone of the school.

Tradition is another word all too frequently misused. A tradition is not something that needs to be approved by a ruling body. Rather it is something that does evolve and is handed down from the past as an inherited culture. Instead of fighting against the principles that build greatness, why not challenge the non-reg's to become Aggie enough to proudly

honor Aggie traditions instead of setting your pen to destroy them.

Consider that Aggie traditions have been honored and admired by men such as General Douglas MacArthur, President Dwight D. Eisenhower, Audie Murphy (ad infinitum) but have suddenly become a "headache" for such men as Jack Williams and Buck Williams.

Aggies, they've got us surrounded. Don't let 'em get away. Dr. Jim Syler, '77 Athens, Tex.

Any attempt to define an Aggie, other than saying he is a student at TAMU, is purely philosophical. Your definition includes only students in the Corps, what about the other 15,000 students here?—Ed.

Batt Commentary

Cleaner Senate Owed

A proposal to define the duties and responsibilities of members of the Student Senate failed recently to muster enough votes for passage and addition to the Student Senate by-laws.

The by-laws, which are separate from the Student Government Constitution, give the Senate policing power over itself. They specify voting procedures, membership guidelines and an absence policy.

The bill considered by the Senate would have given the Judicial branch of Student Government the power to review individual senator participation at Senate meetings and in committees and issue Writ of Mandamus. Unfortunately for students, some senators have blocked a bill that is extremely necessary.

The resolution would have provided that Senators become:

1. informed on all legislative issues and make their views available to constituents,
2. attend all Senate meetings in accordance with absence policy expressed by by-law 12, and
3. participate actively on a Senate committee and/or Senate project(s).

These could be enforced by a writ secured by any student from the Judicial Board through a hearing. The writ, nothing more than a slap on the wrist, would encourage senators to be informed and available to constituents. Furthermore, it would alleviate dead weight in the Senate if potential senatorial candidates knew individual constituency could get one.

If the election of a student to the Senate means representing the views of others, why are senators so scared of the Judicial Board? Senators know what they should be doing and if that is not viewed as right by their constituency, then anyone interested should take action.

Some point out that if a senator doesn't care about the rules, then he won't care about the threat of a Writ of Mandamus. But, a writ would be good since it is hard to band together enough students to call for a recall election (called at the request of a petition by 20 per cent of a representative's constituency).

Senators receive a letter from Student Government Veep Shariq Yosufai before each meeting, have two weeks to gather opinions on legislative issues before voting and can go by the Student Government office as a last resort for information.

The second point of the revisions resolution was redundant to the existing by-law (12). It stipulated that accumulation of 10 points for unexcused absence from Senate meetings, excused absences and tardies or partial attendance would result in the removal of a Senator from his position. An unexcused absence is worth five points and the others are worth two.

Already the Senate has eight persons who have 10 or more points and we can see no move to remove them. In fact, the Student Government Executive Committee may suspend the rule for each person. By virtue of the existing by-laws action should be initiated to expedite removal from office if these senators can't live by the rules. No objections were offered to the last part by senators because that is what senators are elected for, to participate for their constituency. However, a good number of senators have never dreamed of actually working in a position of responsibility and stay away from this type of activity.

If a senator doesn't thing his position on the Senate is one of responsibility and doesn't care enough to abide by the rules, he should be removed. Student Government establishes so little direct communication with the students being represented that the Senate is obligated to clean house occasionally to expel representatives who will not participate.

The Battalion

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