

DEPARTMENT OF DEFENSE LEGISLATIVE PROGRAM
AND RELATIONSHIPS WITH CONGRESS

10 November 1950

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Brigadier General Miles Reber was born in Washington, D. C., 27 March 1902. He was graduated from the United States Military Academy in 1923 as 2nd lieutenant, Corps of Engineers. From July 1925 to August 1926, he attended the School of Civil Engineering, Cornell University, from which he was awarded the CE degree. He is a graduate of the National War College, class of 1949. Following are some of the assignments he has held prior to and during World War II: Member of Board on Engineer Training Regulations, Extension Courses of the Engineer School, Fort Humphreys, Virginia; Military Aide at the White House; Instructor, Department of Civil and Military Engineering, United States Military Academy, West Point, N. Y.; Resident Engineer, Gallipolis Locks and Dam, Huntington Engineer District, Huntington, West Virginia; Military Assistant and Officer in Charge, Flood Control Division, Louisville Engineer District, Louisville, Kentucky; Chief, Operations Branch, Construction Division, Office, Chief of Engineers, Washington, D. C.; Division Engineer, Missouri River Division, and Service Command Engineer, Headquarters, 7th Service Command, Omaha, Nebraska; Chief, Contract Termination Branch, Readjustment Division, Headquarters, Army Service Forces. He was promoted to brigadier general in May 1944. From March 1944 to August 1947, he was Deputy Chief, Legislative and Liaison Division, War Department Special Staff. He returned to that position (then the Department of the Army Special Staff) in January 1948 and remained there until he became Chief of Legislative Liaison, the assignment which he now holds. He has received the Army Commendation Ribbon and the Distinguished Service Medal.

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COLONEL BARNES: Gentlemen, any serious attention to the subject of economic mobilization planning must include consideration of the legislative program needed to support the plans and of the relationships between Congress and the Department of Defense in the processing of the necessary legislation. These matters are the subject of today's lecture.

Our speaker is especially qualified to give you this information. He has been for over six years the Deputy Chief, and now Chief, of Legislative Liaison for the Department of the Army. That is something of a record, I should think, for length of time on a single assignment. But I imagine, when General Reber explains what his office is responsible for, it will be clear why he is not able to get anyone to take his place.

Scheduling this lecture for this particular period has turned out to be even more timely than expected. It gives you the chance to question the speaker on how the legislative program stood up under the test of the Korean incident. You should also not let him get away without explaining what plans are on the shelf for the immediate future.

It is a personal pleasure to present to you an old friend, Mr. Legislative Liaison himself, Brigadier General Miles Reber. General Reber.

GENERAL REBER: General Holman, Colonel Barnes, members of the faculty, and students of the Industrial College of the Armed Forces: It is particularly a privilege and a pleasure for me to be here this morning. It is also a very peculiar feeling for me to get on this platform. I should not tell you this, but the last time I appeared on this particular spot I was in a very small group who were taking a public speaking course while I was attending the War College. So you can imagine my feelings today.

Gentlemen, I am sure I don't have to tell you about the importance of public relations and public opinion to the armed services. I want you to look at congressional relations simply as a specialized form of public relations. I understand that later on Eric Sevareid is going to speak to you about public relations. I wish you would keep my few informal remarks this morning in mind when he comes on the platform later.

I know of no time in our history when the impact of public opinion and congressional opinion on the armed services has been

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as important as it is now. I don't have to tell you the situation we face today. I shall dwell this morning on what we have done in the past in our congressional relations and what we expect to accomplish in the future.

Sometimes I have found that when a person wants to talk about a subject, at the very outset it is a good idea to explain very briefly what we should not do. Let me tell you a little story about how not to maintain congressional relations.

Back in 1944 there was a soldier by the name of Love. I don't think that name has any particular implication. Anyway, he was stationed at an Army post in the South. He had been in the service about six months when he got a two weeks' furlough to go to Boston for at least two specific purposes. The first was to visit a crippled brother; the second was to see another brother who was being returned from overseas under the Army's then current rotation policy. He apparently did not say what else he would do. He had a very fine time, but unfortunately the Army tied it up a little--the brother who was due to come back on rotation was late.

This fellow, Love, wanted to get an extension of his furlough. He had been a ward politician and had not been in the Army very long, so he went to the only channel he knew--the political channel. He went to the office of his Congressman, who happened to be none other than the Honorable John McCormack, who was then and is now the Majority Leader of the House of Representatives. All the Boston office staff knew him, and they sent a telegram to his commanding officer in the southern camp, requesting an extension of the furlough. They signed that telegram "John W. McCormack, Majority Leader."

Mr. McCormack actually happened to have been in Washington at that time, but that made no difference. The point of my story is the answer to the telegram. It is quite a classic. It went just about as follows:

"Honorable John W. McCormack, Majority Leader, 1408 Federal Building, Boston, Massachusetts: If Private Love will apply through military channels for his furlough, due consideration will be given to it. No political interference of any kind is desired or wanted in this case." Signed So-and-So, Captain, Infantry.

Very shortly we in the legislative-liaison game got that telegram from Mr. McCormack personally. He is a great friend of the services. He said, "I am not angry. I understand these things. I only want to be sure of two things: first, that the boy gets his furlough if it is within your policies; and, second, that when he gets back to this camp down in the South, he is not put on the rock pile."

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He got his furlough. I don't believe he was put on the rock pile, and one Captain of Infantry got a very thorough education in congressional relations.

Gentlemen, with that informal beginning, I am going to continue in an informal vein because I believe that this subject can best be covered informally.

I have, however, organized my informal remarks into three major headings. First, I shall discuss with you the organization, functions, and responsibilities of the legislative-liaison agencies of the Department of Defense. Second, I shall describe as briefly and clearly as I can the regular legislative program and the emergency legislative program of the Department of Defense. Third, I shall take my hair down a little and indicate to you how we actually operate with the Congress, because I think that should be interesting and informative to you.

Before I start I want to mention two points that I know are self-evident, but they are so important that I must emphasize them. The first is the power of the Congress. We all know that the President of the United States is our Commander-in-Chief, and, as such, he has tremendous powers and responsibilities with respect to the armed services. But I think, if you analyze the situation carefully, you will immediately realize that, as great as the powers of the President are, Congress has more power over the armed services than has the President. Why? Actually the President is the Commander-in-Chief of only the armed services that the Congress gives him. Our authority to do anything stems from statutes. Most important, perhaps, is that we cannot do anything unless we have the money, and the Congress is the controller of the purse strings of the Nation. I mention that because you must remember it in all your dealings with the Congress.

In the second place, I want to clear up now the difference between congressional authorization of any particular thing and a congressional appropriation. I am sure most of you know this difference, but I want to point it out. In the first place, anything that the Army, Navy, or Air Force does has to be specifically authorized by Congress. In the second place, Congress must appropriate money to carry out that authorization.

It is possible for Congress to authorize and to appropriate in the same measure, but that is done only in unusual circumstances. Why? Under the rules of Congress, if there is in an appropriation bill a sum of money for a project that has not been previously authorized, that particular sum of money is subject to a point of order. That means that any one of the 435 Congressmen can get up on the floor and say, "Mr. Speaker" or "Mr. President," "I make a point of order against an appropriation for such-and-such a measure because it has not been authorized." That automatically and immediately eliminates that particular item from the appropriation bill.

To show you how important that is, we have a specific case in issue right now. At the beginning of the Korean episode we had to go up to Congress for our first supplemental appropriation. It was an emergency measure. There were quite a few public works for the Army, the Navy, and the Air Force for which we were asking funds in that first supplemental appropriation bill. A good many of those public works had not been specifically authorized. Nevertheless we put them in the first supplemental appropriation bill because of the emergency, and we then went to the chairmen of the Senate and House Armed Services Committees, the authorizing committees, and explained the situation. Mr. Vinson of Georgia, who is the Chairman of the House Armed Services Committee, said, "It's perfectly all right. I will make sure that no point of order is made against those specific projects." The same thing happened in the Senate. No point of order was made, and we have the money. But not more than one week ago Mr. Vinson sent very definite word to the legislative people in the Army, the Navy, and the Air Force that, "You people had better, by a darned sight, come in with authorizing legislation for any specific public works project that you are going to have in your next supplemental appropriation bill, and get it through my committee first. Otherwise, I won't allow an appropriation."

That is perfectly proper. It follows what have been congressional rules and policies for many years. But I mention it just to show the difference between authorization and appropriation.

I also mention it because my talk today is primarily on the authorization features of our handling of legislation. There is a separate budget organization in the Defense Department and in the Army, Navy, and Air Force for handling appropriations. We work very closely together, but theirs is primarily the money responsibility and ours is primarily the authorizing legislation responsibility.

So much for that. Let us look quickly at the over-all organization of the Department of Defense for legislative-liaison activities. In doing so, let us remember several important points.

First, the control of all legislative matters has been retained by the Secretary of Defense, but the operation is very much decentralized, as I will show you later.

The next point to remember very clearly is that we legislative-liaison people do not make policy. We carry out a policy, in the form of proposed legislation, that is made for us by the appropriate planning or policy-making agencies in our own departments and in the Department of Defense.

Finally, and I am very glad to say--this is purely a personal view, but I am sure other people share it with me--this whole legislative business, to me, in the last two or three years, especially in the last two years, has been a remarkable example of how well

unification works. We have gotten together on our level, the chiefs of the Army, Navy, and Air Force legislative sections; we have gotten the legislation that we feel is necessary for our own services; and we have resolved practically all the differences that have arisen. There have been a few differences, naturally, that have been far beyond our level to resolve. They have been turned over to our respective Secretaries, and, in all cases that I know of, except one or two, they have been resolved. That, in my opinion, is a mighty good plug for real unification.

With that beginning, let me show you a slide outlining the organization of legislative-liaison activities.

Chart 1, page 23, "Legislative Liaison Organizations."—In looking at this slide, please note two things, which I shall go into in more detail later. This upper block, of course, is the Defense bracket. Below that are the Army, Navy, and Air Force. The solid lines that come down and go across are the normal command lines. Just note right now—I will go into them later—that there are dotted lines, which signify coordination. They are very important. The second point to note is that there are differences in the legislative-liaison organizations of the three services. These differences have grown out of experience, they have grown out of the particular needs of those services, and they are a good and healthy thing, in my opinion.

Now let us go into the actual organization. Of course, at the top there is the Secretary of Defense. Under him there is a specific individual, the Assistant Secretary of Defense for legislative-liaison matters, Mr. Marx Leva, who heads up the entire Defense Establishment on legislation and congressional liaison. Under him are two major activities. The first one is the Office of the General Counsel, Mr. Felix Larkin, for legal and legislative activities. It contains the legal advisers of the Secretary of Defense on all legislative matters. The operator—remember, I said the control is still in the Secretary of Defense—is the Director of Legislative Liaison. He happens to be, at the present time, Rear Admiral Houser. There have been three of these officers since unification: first, an Army officer, General Wilton P. Persons; second, an Air Force officer, General McIntyre; and third, Admiral Houser.

It might seem strange that, since unification is so new, there has been this number of changes. Frankly, General Persons and General McIntyre had served long and faithfully and most efficiently in their own services before assuming this Defense responsibility, and they have retired. That is the reason for that number of changes in the last two years. It also illustrates the rotation between services.

Let us come down to the services themselves. Because it is in the center, let us take the Navy first. You see the command line coming down to the Navy. The Secretary of the Navy is at the top, and he has

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a counsel. Specifically, in the Navy, legislative matters are handled by the Under Secretary of the Navy, who, in turn, refers them to the Office of the Judge Advocate General of the Navy. The latter handles all legislative matters for the Department of the Navy. His office is organized into three sections. One is legislative, one is liaison, and the third is investigations.

Note this particularly; this works very well in the Navy. Not all the liaison activities with Congress in the Navy are concentrated in one office. The JAG performs some of them, but the Chief of Naval Operations and the Navy bureaus themselves actually have many liaison functions with the Congress. A specific example is the Bureau of Personnel which has many direct dealings on personnel matters.

On the other hand, the organization in the Army is quite different. In the Army it flows from the Secretary of the Army to the Chief of Staff, and there is only one office in the Army that is responsible for all legislative-liaison activities. That is my office. It is divided into three major divisions--legislative, liaison, and investigations. The Judge Advocate General of the Army is consulted frequently on the legal sufficiency of all legislative proposals. He is the final authority on that, but he is not responsible for the processing of legislation.

The Air Force, as you might expect, since the Army during the war handled the Air Corps congressional activities, has an organization very similar to ours. The Air Force has one office that handles legislative-liaison activities. That is under the Secretary of the Air Force, whereas ours is under the Chief of Staff, and it has the same three divisions we have--legislative, liaison, and investigations.

In the Army, the fact that I report to the Chief of Staff does not mean that I don't keep the Secretary of the Army fully informed and that I don't have access to him--I am very fortunate in that respect; I do have access to him--but the Army feels that our legislative and congressional matters should flow through military channels. The Air Force feels that it should go directly to the Secretary of the Air Force. There are a great many advantages in both systems. I won't go into the details, simply because I don't have time to do that.

So much, then, for the actual organization. Let us discuss very briefly how it works.

In 1948, to be exact, over one year after unification came into effect, the first real directive on the handling of legislative matters was put out by the Office of the Secretary of Defense. The date of that directive happens to be 29 October 1948. That shows that the whole subject received very careful and thorough analysis and study before its implementation was initiated. I won't go into the details of that directive, but I do want to say that it is practically unchanged as of today. It prescribes the procedure for handling all legislative matters.

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What does it do, actually, so far as specific bills are concerned? Remember, Congress deals only with specific measures that are introduced in Congress in the form of bills. Those bills can come from two sources. They can start by individual Congressmen just dropping a measure in the hopper, as it is called in Congress, whereupon it becomes a bill. The second source is the Executive departments, which may make recommendations for legislation, which recommendations must go through the Bureau of the Budget to the Congress. They go up actually as a legislative proposal in final form--the proposed legislation is put in the hopper, becomes a bill with a number, and is considered by the Congress. Although the sources are different, the handling of both types of bills is the same after they reach the Congress.

Remember, I said we have centralized control but decentralized operation. Any specific measure that is introduced into the Congress is generally assigned as a specific responsibility of one of the three services--the Army, the Navy, or the Air Force. That service is made responsible for the monitoring of that piece of legislation from the moment it is introduced until it is finally passed--if it is a bill that we are lucky enough to get passed. In other words, that service follows it all the way through. That does not mean, however, that the other services don't have the opportunity to be consulted. They are, fully.

There are many kinds of bills that come up. You will say, "How is that assignment made?" This is how it is made:

In the first place, there are bills that relate solely or primarily to one service. Naturally, those bills will be assigned to the service to which they relate, in practically all cases. Let me give you an example. There is a measure pending right now--I won't try to describe it, because I frankly don't understand it--since it deals with the very complicated Navy promotion system. That is of interest solely to the Navy and the Navy has responsibility for it. The Navy, however, has coordinated it with the Air Force and the Army.

A second class of measures involves across-the-board legislation, with primary responsibility in one service--for example, selective service. The Army today is the greatest user--the sole user, actually--of selective service, although that measure has an impact on the Navy and the Air Force. So the Army has been assigned the responsibility for selective service.

Another example is the radar fence legislation, which is now law; it became law just last summer. That is primarily a responsibility of the Air Force, although it does have its impacts on the other services. That particular measure was the responsibility of the Air Force, and the Air Force followed it all the way through Congress.

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Another class of bills is that in which the impact is equal on all three services. An example is the Dependents' Allowances Act, which became law in September. That affects the Army, the Navy, and the Air Force equally, since we all have dependents. What does Defense do in assigning that type of legislation? Actually Defense tries to keep the legislative work loads of all three services about even, and, therefore, assigns that type of legislation on a work-load basis, as a general rule. That particular measure happened to be one on which the Navy was given the ball, and the Navy got it passed.

Finally, I would not complete the picture unless I told you about the last possibility. In a very few special cases the Department of Defense retains to itself the responsibility for a few special measures. At the present time, out of all the bills that are before all the services, I think there are only three specifically assigned to the Department of Defense. An example of this type of assignment is legislation on the Military Aid Program, in which the Department of Defense had very definite responsibilities. Defense kept the control and the handling of that particular measure. Defense also kept the control of the military justice bill because it had set up a special committee to draw up that bill under the direct supervision of the Secretary of Defense.

That, gentlemen, is how the system works when it is put into effect.

Now let me be a little more specific for just a minute. Let me show you the organization of our own outfit in the Army. I know you will forgive me for using the Army. I feel I should, for one very obvious reason: I am much more familiar with the Army than I am with the other organizations. I do want to point out, though, that all three of us operate under the same definite, general principles. There are differences in mechanics, yes; but those differences, in my opinion, are very minor. Let us look at the next slide.

Chart 2, page 24, "Department of the Army, Office, Chief of Legislative Liaison."—I will skip the chief, the deputy, and the executive; that is the normal organization.

I have a Plans and Policy Office, which is very important to me, personally. These are the people who live with the planners of the Army, so that at the very beginning the impact of possible or probable congressional reactions to plans is thoroughly considered. They are an advice-giving group, and they keep the chief and the deputy thoroughly informed as to the planning that is going on in the Army. Remember again, we do not make policy; we only advise in planning situations.

Let us take a quick look at the Legislative Division, the Liaison Division, and the Congressional Investigations Division.

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The Legislative Division consists primarily of lawyers. At the present moment I have 12. This is the division that does the actual handling of the bills assigned to the Army. That does not mean that this division writes all the bills or gets all the answers by itself for the reports on those bills. This is the monitoring and coordinating agency for the Army in dealing with legislation. When a bill comes in for report from the Congress, it is assigned to one specific officer in that division. He is responsible for seeing that the coordinated views of the Department of the Army, the Army policy makers, are obtained, put in final form, and transmitted through the Defense legislative system and the coordination that is prescribed in that system. This of course includes coordination with the Navy and the Air Force. This division also handles Executive orders and proclamations and various other things of that type and deals with the Bureau of the Budget for us on all legislative matters assigned to us.

The Liaison Division furnishes a personalized service, frankly, for Members of the Congress. That division, consisting of 13 officers, tries to find reasonable solutions for the problems that individual Congressmen have with the Army. Of course, we don't handle all congressional inquiries about the Army. Routine queries go to the appropriate staff agency; but all matters involving policy must come through us. We have authority, and a very useful authority, to go direct to any Army headquarters to get information that we need. In so doing, however, I want to make it very clear that we don't skip any rules. We stick to policy and we give the Congressman a prompt and full answer. In the great majority of cases the Member of Congress who has a constituent's problem is not particularly interested in the nature of the answer. What he wants is a prompt answer and a full answer. In a very few cases he is specifically interested in the nature of the answer and that is where the experience of this division comes in. If our answer has to be "no," we make sure that the Congressman has a clear and reasonable explanation for that answer.

Then there is the Congressional Investigations Division. We have a good many congressional investigations. The function of this small office is to see to it that, when a congressional investigation starts, the committee that is doing the investigating gets full and adequate information from the Army. Our people in this division are not the lawyers for the defense; they are the collectors of information, and they also have a very definite responsibility, naturally, to see that the Army's full story on the case is adequately presented to the investigating committee of Congress. Very frequently by their activities, and very proper activities, they are able to prevent useless congressional investigations. The same thing applies to the other services.

So much, then, for the actual Army organization. Let me now dwell for a few minutes on the legislative programs, both regular and emergency. I will make some specific references to legislation affecting procurement and industrial mobilization and refer briefly to the lessons we have learned from the Korean episode.

Before I do this, though, so that you won't think this activity is too well organized, I want to show you a chart that I call my "Don't-Hide-Your-Light-Under-the-Bushel" chart. You might call it "The Department of Utter Confusion" or "How Not to Organize a Legislative Liaison Outfit." This chart illustrates many of the numerous informal contacts we have to make, and have made in my personal experience in the last year.

It also illustrates the importance of coordination. I referred to it before, and I purposely waited to show you this chart before emphasizing it. Remember that dotted line of coordination on Chart 1? Well, while we follow command channels, we also have a very flexible coordination organization through which we deal directly with the legislative people in the other services and in Defense, and that is frankly invaluable to all of us. It certainly expedites business and it definitely helps the other services in understanding the problems of one specific service.

Chart 3, page 25, "Coordination."—Let us take a quick look at this chart. Actually we have made all the contacts shown in the chart. I won't go into details, but we have actually called the White House, too. That is not normal business, I can assure you.

My only point in showing you this chart is to have you realize that we must preserve flexibility and common sense and speed in dealing with congressional matters.

I know you are all aware that military strategy and planning must conform to national objectives. So must a legislative program. The adoption of any new plans or the changing of existing plans may require new legislative authorization. If that is true, then a decision must be made as to whether or not to seek new legislation or change the plan. That is obvious. Therefore, all approved plans, both current and projected, form the basis for the legislative program of the Department of Defense. I say that to show you that our legislative program is not a hit-or-miss affair. It is tied very closely to national objectives and the objectives of the military forces.

Let us take a quick look at this chart. I think it will explain what I mean.

Chart 4, page 26, "Postwar National Security Program."—These are some of the postwar national security program objectives. Some of them have already been taken care of. Unification has. UMT is still under consideration. In world-wide intelligence definite steps forward have been taken. We have secured considerable legislation on research and development. There is stand-by legislation on industrial preparedness. A strong military establishment is our objective. That covers many legislative items, many of which are now law. Then there are civil defense and military cooperation.

You will note that a good many of those objectives either have been actually completed on a legislative basis or, to your knowledge, have been started. I can assure you that every one of them that has not been completed is either in the current regular legislative program or in the emergency program of the Department of Defense.

Now for the regular legislative program. I think the best way to explain that program is to tell you how this year's legislative program was formulated. Remember, I said that it is based on national objectives and major military factors. In June the Department of Defense sent the three services a directive saying that we would submit by the first of August of this year the measures that we felt should be considered by the Eighty-second Congress, the Congress that starts next January.

Incidentally, that directive had been discussed informally with the heads of the legislative-liaison outfits of the Army, Navy, and Air Force. I had personally seen it and made comments on it before it came to me officially. So had General Hall of the Air Force, and so had Admiral Russell of the Navy.

When we in the Army got the directive, we put it out to our staff sections. We had to do two things. We had to decide what legislation we then had in the 1950 program that had not been passed by the Congress and that we still wanted. If we did not want some of that legislation, we had to decide whether we would drop it or whether we would postpone it. We also had to decide what new measures we needed. Mind you, this was early in June.

The Army staff sections studied all these factors. Then they came to us with their recommendations. We are, again, a coordinating and monitoring agency, not a policy-forming agency. We put all these recommendations together, got them in final legislative form, and got our program approved by the Chief of Staff and the Secretary of the Army. We then sent it, on the first of August, despite the start of the Korean situation in between, to the Department of Defense. Navy and Air Force did the same thing on the same day. At the same time, we sent the Navy and Air Force our program, and they sent us theirs.

On 21 August 1950 the comments of the other services on the respective Army, Navy, and Air Force programs were sent to the Department of Defense. They were also sent to the other interested services. In other words, there was coordination all the way across the board.

Of course, there were differences of opinion. Those differences of opinion are resolved, generally, in an organization known as the Legislative Council of the Department of Defense, which consists of Mr. Leva, whom I mentioned already, the Assistant Secretary; Mr. Larkin, the General Counsel; Admiral Houser, the Director of Legislative Liaison for the Department of Defense; and the heads of the

legislative-liaison activities of the three services; plus the legislative-liaison people of the Munitions Board, the Research and Development Board, and the Personnel Policy Board.

That group met during the week of the seventeenth to the twenty-third of September. It was in session all afternoon every afternoon of that week.

We had under consideration 117 measures submitted by all services and by the Munitions Board and the other boards. We came out of that meeting with an approved program for forwarding 46 measures. "What happened to the others?" you may very properly ask. Well, because of the Korean situation, many of the others were not in final form; they were hurried in at the last minute. Others are suspended by mutual agreement and still others need further study.

Because of the Korean situation, we had a supplemental meeting on the twenty-third of October. Defense did not wait, however, to submit to the Bureau of the Budget the measures that we had approved. The approved 46 went forward to the Bureau of the Budget on the sixteenth of October. On the twenty-third, we had our supplemental meeting, solved many of the remaining differences, and got together much additional information. These supplemental legislative proposals are now being finally reviewed by Defense and will go forward within the next few days to the Bureau of the Budget.

Now let us look quickly at some of the measures.

Chart 5, page 27, "Important Measures Under Consideration for Presentation to Eighty-second Congress."--Not all of these have been approved finally. Extension of selective service has. UMT has not, but probably will be soon--a personal opinion solely. There are measures for strengthening the Reserves, the ROTC, and additional public works. There is research and development. This latter measure proposes primarily to give the Army and the Air Force more authority to put them on a parity with the Navy. Contract settlement, patents secrecy, civilian employee training, and hours of duty are others that have been approved. It is my guess that those ten items shown on this chart will be the principal measures in the 1951 legislative program.

I cannot leave this subject without referring to one very important thing, and that is the emergency legislative program. I have just explained our regular legislative program, which goes forward every year to the Congress. Incidentally, that can be added to later if necessary, and generally is. But we must have a stand-by legislative plan to take care of full mobilization for war. You people know better than I do how many additional powers are needed by the armed forces in time of war. We need full selective service, we need controls of all kinds, and we need rationing--we need everything of that type for a full-scale war.

We have in the three services a complete stand-by file of all the measures that the three services and the Department of Defense feel will be necessary in time of war. They are written up. They are in final form. Even letters of transmittal have been prepared. So all we have to do, when we get word from proper authority, is go to the file, take them out, and put them in the congressional mill.

In that connection, it is very interesting to note that the specific piece of legislation that probably affects your work, at least in the Industrial College, more than any other is not in our file. That is in the file of the National Security Resources Board. It is a 20-title emergency act all ready to be put into effect when the need for a full industrial and economic mobilization arises. We have copies of that act, of course, and have studied it, and it has been coordinated with us, but the primary responsibility for that particular piece of legislation rests in the National Security Resources Board.

What about Korea? What happened in the legislative field? We in the legislative game found ourselves, in my opinion, in very much the same position in which the actual military operators in our services found themselves. We were all ready for a full-scale mobilization or an all-out war. That is what our emergency legislative program was geared to. We did not have such a mobilization or war, so our emergency legislative plan did not quite fit the Korean situation. We had to improvise. We did take some specific measures out of our file and put them into effect, but we had to draw up others to fit the exact conditions which our services faced this summer. We got emergency legislation to Congress very rapidly, and we managed to get through nine measures.

Of foremost importance, and one with which you are all familiar, is the law that gives us authority to extend enlistments until July 1951, regardless of whether or not they have expired.

We also got a law to suspend temporarily the statutory ceilings on the strengths of the Army, Navy, and Air Force. There is no statutory ceiling now as a result of that emergency legislation and won't be until 1 July 1954 unless Congress, of course, enacts further legislation.

A third measure was the drafting of doctors. You are fully familiar with that.

We still have some additional measures in all stages of coordination and preparation that we consider as emergency. Probably the most important of those is the question of hazardous duty pay for the combat soldier in the actual theater of combat.

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How do we work up at Capitol Hill? Very briefly, this way: Our major purpose in dealing with the Congress is to be sure that it has full information on what the services want. That is our job and we find that Congress wants that information.

We talk to many Congressmen. I talk to them every day when Congress is in session. However, when I do that I am only backing the legislative program of the Department of Defense. Some people may call that lobbying. If it is, I admit that I am guilty. But the Congress wants that kind of service, and it is going to get the best that I am able to furnish. The Navy and Air Force legislative representatives are furnishing the same type of service, and probably better. That is what the Congress wants.

We deal closely with the committees. We take information up to them; we furnish them data. We are at their call whenever they want additional information on our legislative proposals, and we are always ready to explain Army, Navy, or Air Force situations and problems to them.

As an example, just this Monday morning I went up with a team of G-2, Intelligence, and G-3, Operations, from the Army, and we briefed Chairman Vinson thoroughly on the Korean situation. We gave him highly classified information. That is going to pay off. He now has a much better understanding of our mutual problems, Army, Navy, and Air, and he will abide strictly by all security requirements.

I didn't do that briefing, because I am not qualified, but my job was to get the proper people there to do that sort of thing. If that is lobbying, all right; but that is what we do, in words of one syllable.

I want to leave three thoughts with you. The first is that the Department of Defense is a statutory creature that depends for its existence upon the Congress of the United States and, naturally, upon the people of the United States. Congress is our Board of Directors; let us treat them as such.

Second, there is in each service an organization that deals with legislative-liaison activities. We are there for your service, to assist you in your congressional problems, and we request your assistance when we have to come to you with our congressional problems.

Third, all major planning, unless it is transformed into legislation, is not effective. We might as well not have any plan as one that we are sure will not be accepted by the American people and, consequently, the American Congress. That is important.

In closing, so that I don't leave you with the wrong impression that everything is nice and rosy in the legislative-liaison field, especially in the Army's part of that field, let me read you an

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actual letter that I got from a Member of Congress not so long ago, fortunately before the Korean episode. This is dated June 1950:

"Dear General: Having received two letters from your office today, I have been able to maintain my score with the Army. It is still zero.

"I am very persistent, and some one of these days the chances are, when no one is looking, one of my requests will slip through. If and when that happens, I will let you know so that you can revise the last paragraph of your form letter. Sincerely yours." Member of Congress.

COLONEL BARNES: General Reber is ready for your questions, gentlemen, but first he is going to take a moment to discuss this across-the-board legislation that is sponsored chiefly by non-Department of Defense agencies, such as the 20-title bill and the Defense Production Act.

GENERAL REBER: Gentlemen, frankly, I was pushed for time. I had quite a subject to cover in a short period, and I did leave out one thing that I wanted to mention in connection with the emergency situation in Korea.

The Defense Production Act of 1950 is the only emergency measure that has been passed since Korea that relates primarily to your field. That was sponsored by the Executive Office of the President and the National Security Resources Board. It is law now and we are operating under it.

As to the 20-title bill, there has been thorough and complete coordination. One phase of it, the manpower phase, was discussed for at least a year. There was some question as to whether selective service should be in that bill or should be with the Department of Defense solely. The final decision was that selective service should be in that 20-title bill.

So much for that. The coordination across the board with respect to the other departments is good now and is constantly improving. This whole problem of coordination in the Army, Navy, and Air Force and with the other Federal agencies is really a new subject, and all of us are learning more about it every day. We have not solved all the problems by any means, but we are working on them and I think we are improving.

There is one other important thing that I would like to point out. Our regular legislative program, which has been finalized except for the supplemental part of it, is the only over-all coordinated legislative program that goes to the Bureau of the Budget from any government

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department at the present time. The other government departments have received information on how we operate, and I should not be a bit surprised if, in future years, they follow some of our principles. And we may learn a considerable amount from them as they develop their plans for a unified legislative program.

QUESTION: General Reber, oftentimes when a bill comes up on the floor in Congress some horse trading takes place, and one Congressman agrees to something in the bill and will let it get by provided he can get something later in some other bill. Do you have representatives on the floor who can keep you informed of last-minute changes? And if something comes up contrary to what you would like to have done, what can you do about it?

GENERAL REBER: That is a very good question, and I think I can answer it best by telling you a little story of what happened a few years ago, in 1944.

We have friends in Congress who are very much interested in the armed services. They watch things of that kind. Each party, as you probably know, has a group of so-called "watchdogs" on the floor at all times, to be sure the other party does not slip something over on them. Included in those watchdogs are people who are looking out for the interests of the armed forces, and they are very good, I can assure you.

That does not always work out perfectly, though. Back in 1944 somebody slipped a joker into the Independent Offices Appropriations Act, a bill that had nothing to do with the then Army or Navy. The joker provided, for the first time in history, a penalty for the use of government automobiles under certain conditions. In other words, a person using a government automobile for an official trip could not stop en route and do any private business with that automobile. That has been against the law for many years, but there was no penalty for violation. For the first time, in 1944, this little hooker in the Independent Offices Appropriations Act subjected the violator to a fine of \$1,000. Also, we were not supposed to send automobiles out to officers' quarters in the Washington area, under a strict interpretation of the law, and bring officers down to work. We saw this provision for a \$1,000 fine, but, frankly, we caught it too late to prevent its passage by the Senate, which was the normal congressional body finally acting on appropriation bills. But there was still the conference. As you know, when a bill passes both Houses and there are differences, it has to go to conference.

So we talked to some of our friends among the conferees. They agreed it should not have been made applicable to the Army or Navy. As a matter of fact, this provision was not aimed at the Army or Navy; it was aimed at some of the other government departments. However, it actually hit the Army and Navy, and a strict interpretation—mind you, this was in 1944—would have required General Marshall, who lived at

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Fort Myer at that time, to get a taxicab to go down to the Pentagon Building to get official news of the landing in Normandy, which was then only a week or so in the future. Our friends said, "We will take care of that. Don't you worry."

Involved in that bill was a very critical political question on the Tennessee Valley Authority, and the conferees met about eight times and did not agree. Finally, they met the ninth time, without any notice to anybody, our friends were not present, and the bill was reported out of conference with that hooker still in it.

Of course, the services have gotten away from its worst features in appropriate cases by careful interpretations by their JAG's since then, but that is an indication that the system does not always work.

QUESTION: Last year I spent three months in the Pentagon on a committee under the direction of General McNarney. It was a management committee, and our mission was to effect immediate economies in the medical departments of the three services. The first proposition that was given to us was to discontinue immediately dependent medical care. To my surprise at least, I found that the Navy actually has a law authorizing dependent medical care, but the Army and Air Force are skating on very thin ice. What is the present status of legislative authorization for that care?

GENERAL REBER: That problem has been very thoroughly considered over the last few years by the Legislative Council to which I referred and by the policy-making agencies in the Army and Air Force. At the present time, for numerous reasons that I, unfortunately, cannot discuss very freely from this platform, we have decided to continue on the legislative basis as we now stand. However, we are fully aware of that problem, and when the opportunity seems to present itself for getting additional legislation for the Army and the Air Force, I am sure it will be seized. I know that it is the feeling of the Secretary of the Army--and I am sure it is the feeling of the Secretary of the Air Force, although I naturally cannot speak for the Air Force with equal firmness--that we shall do everything in our power to continue the medical care of our dependents.

QUESTION: General Reber, I wonder if you would comment on how you receive information, and what action you take in connection with it, on the occasional crackpot legislation that is dumped in the box by individual legislators.

GENERAL REBER: Any bill that is put in the hopper is referred to a committee. That may be the end of the bill. It may go no further than a reference to the committee. It may just lie there until the Congress adjourns. On the other hand, it may be referred to a committee and the committee may take some action.

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This is something I did not discuss because it is a detail, and I am glad you brought this question up. We have in our shop one fellow, a civilian, who does nothing but watch the "Congressional Record," and he gets up a digest every day that the Congress is in session of what happened during the preceding day. That digest is sent to all responsible staff agencies in the Department of the Army. The Navy and Air Force have similar systems.

The minute there appears on such a digest one of these crazy bills, we know about it. If it is particularly crazy, or it looks as though it has any chance of getting somewhere, then it is our responsibility to find out from the appropriate staff agency of the Army what the effect of that measure would be.

Then, very frankly, I am at perfect liberty to discuss the Army's position on that particular piece of legislation with the chairman of the committee or an appropriate strong member of the committee. And this procedure is not formal, gentlemen; it is very informal; but it is effective.

In that way, we keep our eyes and ears wide open to peculiar legislation that would have a detrimental effect on the services.

QUESTION: General, some of us have about concluded that in an all-out war we would need a very large army, which would require the maximum efficiency of the labor force to support it. That conclusion leads us to think that probably a national service act will be required--under that name or some other name. I suppose that would be a responsibility of the Executive Office, but could you give us any information as to whether or not it has been considered? And is it in a pigeonhole somewhere?

GENERAL REBER: It is in a pigeonhole, frankly. That is where it is.

It has been thoroughly looked into, and, if I may make a few personal remarks on that subject--these are purely personal and not official in any way--I think the resolution of that whole question depends, very frankly, on just how serious the war is. I personally don't think we could get legislation of that type at the beginning of a major war unless we were getting walloped horribly in many places.

This is the reason I make that statement. Let me give you some history of the so-called "work or fight" bill of 1944, which was in some respects very similar to this legislation. The question of universal service--the question of utilizing fully the manpower and womanpower of this Nation--was batted around in Congress all during World War II; nothing happened. There were conferences, discussions, and everything else, but nothing happened--until the Battle of the Bulge. Very shortly after the Battle of the Bulge got under way

this so-called "work or fight" bill was introduced, and it went through the House very rapidly because the Battle of the Bulge looked bad at first from the Washington angle. Many of you may have been over there. Unfortunately, I was over here. A good many people over here, especially a good many politicians, were worried about the Battle of the Bulge, and that bill passed the House very easily. Then the situation in the Bulge improved, and when the bill got to the Senate, the Senate committee started stalling. We went forward in Europe, we crossed the Rhine, and the bill collapsed. Of course, there was not any real need for it at that time when final victory was just around the corner; but the story illustrates a principle to me. We only get tough wartime controls in our democracy when the war is tough.

I am going to give you another illustration that I think is very important to remember in dealing with Congress--the question of selective service. In the early winter of 1948 a very high-ranking Member of the House of Representatives told me personally--and he is very definitely a friend of the Army, Navy, and Air Force and is a strong supporter of national defense--that he did not think we had a chance of extending selective service. I think he was right at that time. But, you will remember, in February and March of 1948 we had a considerable war scare that changed the feeling not only of Congress but of the country, and we got selective service.

The same thing happened this year. Congress was blowing hot and cold on selective service in the spring. As soon as things began to pop, Congress got busy, and we have an extension of selective service.

The reaction of the country to our situation in military matters, or rather the critical nature or lack of critical nature of that situation, is very important to remember, in my opinion, in doing any forecasting--and that is a dangerous game--on political possibilities or possibilities of getting legislation.

QUESTION: From this discussion of emergency legislation, I gather that the purpose of emergency legislation is to enable the armed forces, when a dire emergency arises, to get into gear and do things quickly.

GENERAL REBER: That is right.

QUESTION: General, you have explained to us pretty well what happens when a bill we don't want is introduced in Congress by someone other than the military services. I am a bit curious about your mechanics of stopping a bill that has a great deal of impetus from our own service and that, after you examine it, you find does not make sense, based on the temper of Congress at the time.

GENERAL REBER: If I understand that question, it is a rather difficult one to answer.

Do you mean a situation where we sponsor a bill and then suddenly realize, after we get it in Congress, there is not much chance of getting it passed?

QUESTIONER: That is one angle. The other angle is that our policy people want it, but your people, from their operations experience, say, "We are beating our heads against a wall."

GENERAL REBER: Yes. I think I can discuss that phase clearly.

The legislative people are consulted all the way through in the development of policy. However, that is only one impact on the final decision as to that policy. The decision is made, if it is a very vital one, of course, by the Chief of Staff or the Secretary.

Regardless of whether or not we feel, honestly, that we do not have much chance of getting a bill passed, it is our job to get up there and get it passed if it is a matter of definite importance to our particular service and has been cleared by the Department of Defense. We have had several of those measures in the past. We don't get every bill passed by any means, but it is our job--it is my job, Bill Hall's job, and George Russell's job--just as soon as duly constituted authority decides it wants a particular measure for the Army, Navy, or Air Force, to get it passed regardless of whether or not we think there is any chance of that being done.

That may not fully answer the question, but it is at least part of the answer.

QUESTION: You spoke a little while ago of lobbying, General. When you see that a bill desirable from our point of view is not going to go through, do you approach those in Congress who are liable to stop it, or do you rely on our friends in Congress to do our so-called lobbying for us?

GENERAL REBER: That is a question, very frankly, of judgment. And you can get a lot of good advice from very competent people up there.

There are two ways of handling that problem. If you happen to know personally the individual who is opposing your legislation, there is no harm at all--and he does not mind it either--in going to him and discussing fully with him the importance of that measure to the Army, Navy, or Air Force. On the other hand, if you don't know him very well--and, very frankly, I don't know all the Members of Congress well at all, although I have had a speaking acquaintance with quite a few of them in the past few years--then you could go

to some of our advisers up there and say, "What is your best judgment in this matter? Should I go and see Mr. So-and-So, or will you find somebody who will go to see him?" That is expected, it is normal, and it is done. I have talked with many people--I won't mention their names, naturally--who have opposed legislation of vital importance to the Army and to the Defense Establishment. I have also assisted the Air Force and the Navy in such situations, and they have done the same for me.

There is no cut-and-dry answer. It is a question of judgment.

COLONEL BARNES: Thank you very much, General Reber. We will be able to make a great deal of use of what you have told us. You have been very frank and covered the subject comprehensively. And we appreciate your giving us your time.

(4 Jan 1951--350)S

CHART 1. LEGISLATIVE LIAISON ORGANIZATIONS

LEGISLATIVE (LEG.) LIAISON (LN.) INVESTIGATIVE (INV.)

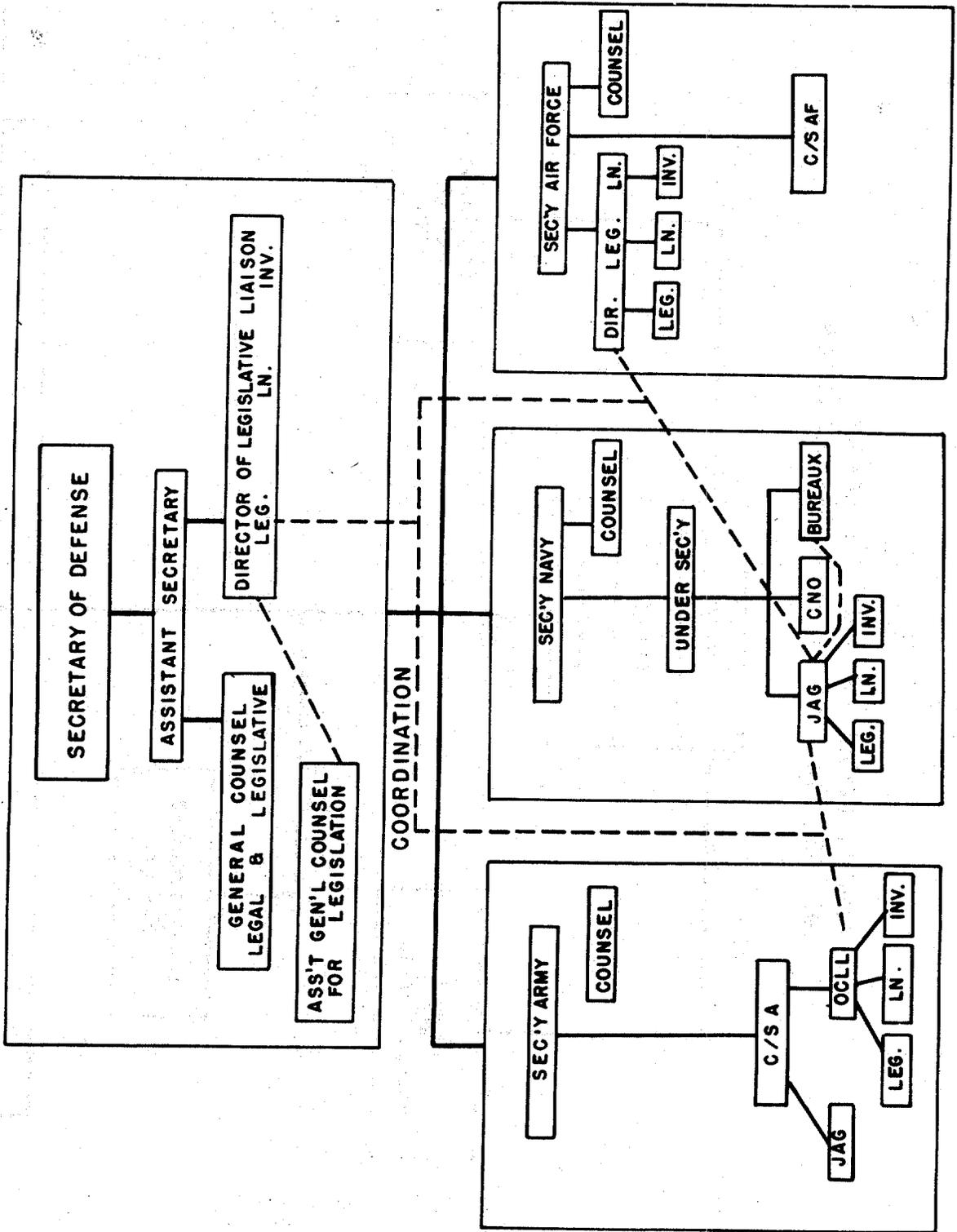


CHART 2. DEPARTMENT OF THE ARMY
OFFICE, CHIEF OF LEGISLATIVE LIAISON

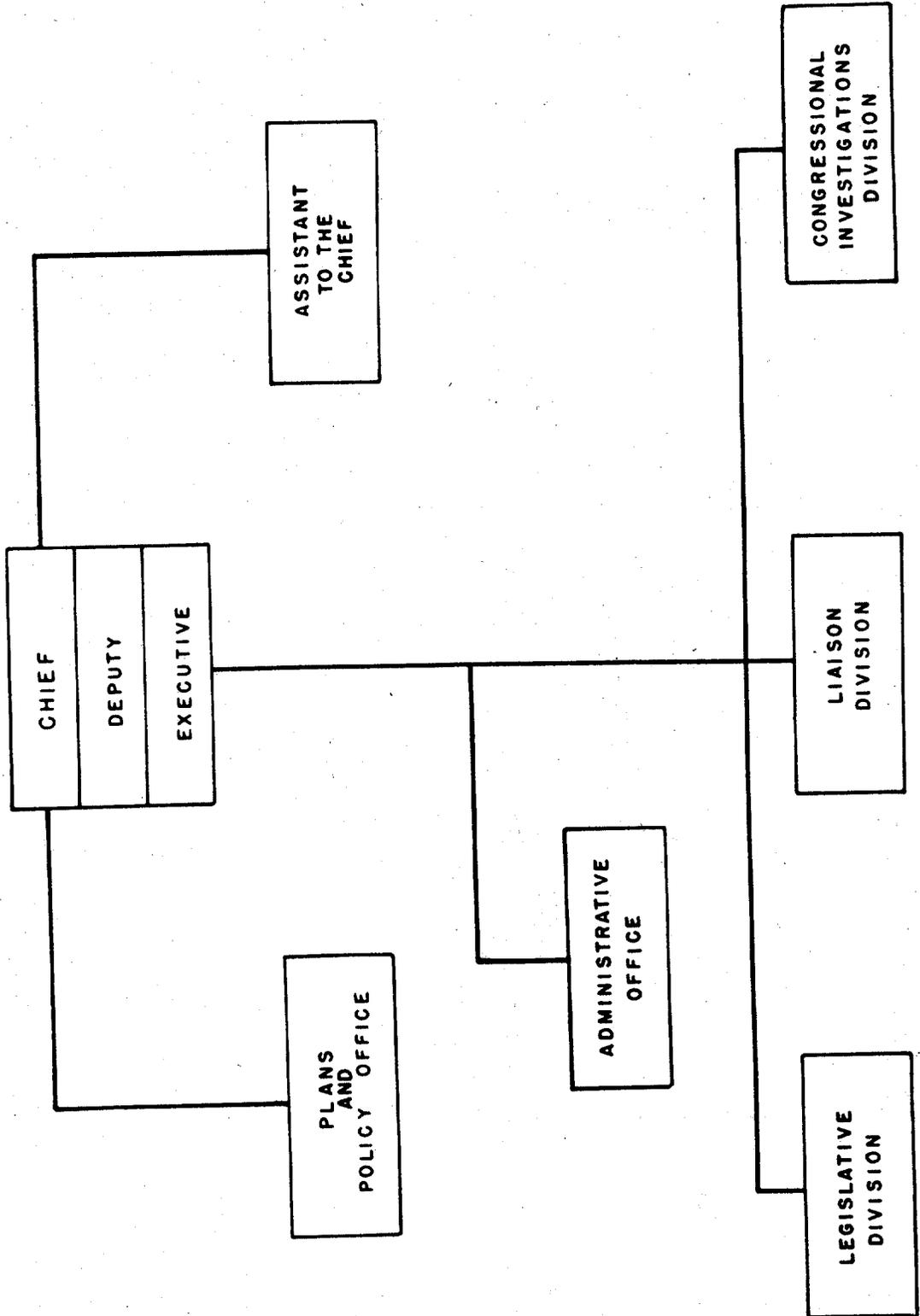
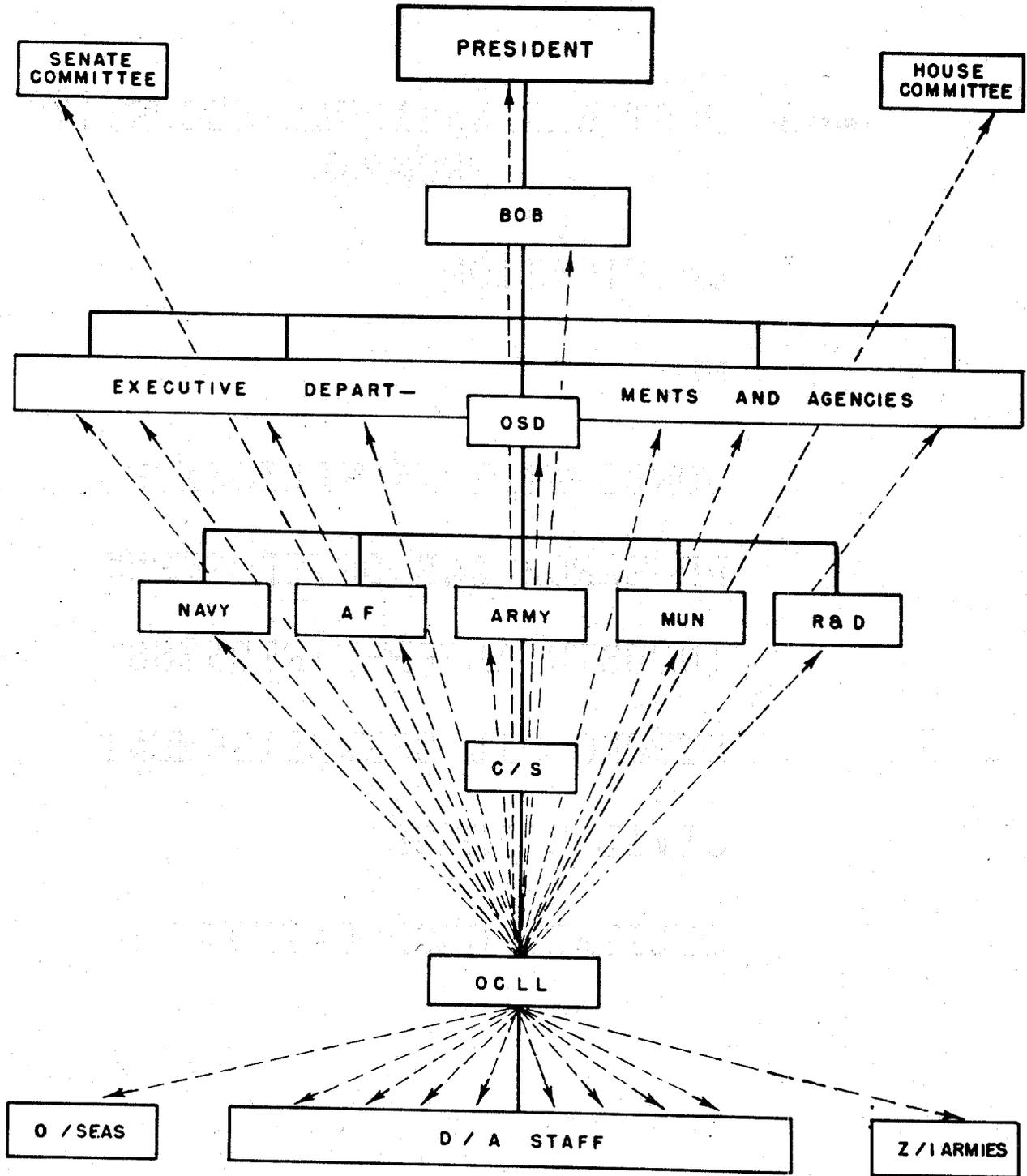


CHART 3. COORDINATION



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**CHART 4. POST WAR NATIONAL SECURITY
PROGRAM**

UNIFICATION

UMT

WORLD-WIDE INTELLIGENCE

RESEARCH AND DEVELOPMENT

INDUSTRIAL PREPAREDNESS

STRONG MIL ESTABLISHMENT

CIVIL DEFENSE

MILITARY COOPERATION

**CHART 5. IMPORTANT MEASURES UNDER
CONSIDERATION FOR PRESENTATION
TO 82d CONGRESS**

SELECTIVE SERVICE

RESEARCH & DEVELOPMENT

UMT

CONTRACT SETTLEMENT

RESERVES

PATENTS SECRECY

ROTC

CIVILIAN EMPLOYEE TRAINING

PUBLIC WORKS

HOURS OF DUTY (8 HR. LAW)

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