MILITARY LEGISLATIVE RELATIONSHIP WITH THE CONGRESS

19 November 1954

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INDUSTRIAL COLLEGE OF THE ARMED FORCES

Washington, D. C.

Major General Joe William Kelly, Director, Office of Legislative Liaison, Office of the Secretary of the Air Force, was born in Waverly, Indiana, 19 January 1910. He attended DePauw University for one year prior to entering the U. S. Military Academy in 1928. Upon graduation he was commissioned in the Infantry and assigned to flying training, receiving his wings in 1933. During World War II he was a member of the U. S. Military Mission to Chile, commander of the 335th and 386th Bomb Groups in the ETO, and air inspector of the 9th Bomber Command. From 1946 through 1948, he was a student and then on the faculty of the Air War College. In October 1951 he was named commanding general of the Far East Air Force Bomber Command in Japan. He was appointed Director of Legislative Liaison, Office of the Secretary of the Air Force, August 1953. General Kelly holds the Distinguished Service Medal, Legion of Merit, Distinguished Flying Cross, Air Medal with nine Oak Leaf Clusters, and the Army Commendation Ribbon. His foreign decorations include the British Distinguished Service Order, Belgian and French Croix de Guerre, and the Chilean Legion of Merit. He is rated a command pilot. This is his first lecture at the Industrial College.

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COLONEL BARTLETT: Admiral Hague, General Niblo, Admiral Morrison, gentlemen: I would remind you of the two lectures you have had on the subject of public opinion--by Mr. Roscoe Drummond and Senator Sparkman. Today we take up an allied subject--closely related--examining in greater detail the subject of the legislative relationship between the military and the Congress.

Some of you have had assignments in the past in which you have been able to observe personally the conduct of this relationship. Certainly all of you appreciate the vital importance of this relationship in translating military policies and programs which you contemplate into actual authorizations, so that they can be accomplished.

We are fortunate in having with us today the Director of Legislative Liaison of the Office of the Secretary of the Air Force. I do not deprecate the abilities of his counterparts for the Army and the Navy, but the Air Force is a newcomer to the military family. And if perhaps at times we are handicapped by this, it may be that we are not always borne down by the weight of habit and tradition. I would say that we have had certain successes in this field, as well as in others.

You have all read the biography of our speaker today. As the head of the office which is charged for the Air Force with conducting this relationship, he is eminently qualified to talk to you about it.

It is a pleasure to introduce to you today Major General J. W. Kelly, United States Air Force.

GENERAL KELLY: Thank you, Colonel Bartlett. Admiral Hague and gentlemen: As I think most of the members of the Air Force in this room know, I have no legal background. I have been primarily a bomber commander. Probably the only reason I was selected for this job is that at one time or another throughout my career I have been investigated by most of the committees of Congress.

Now, our general setup for legislative liaison in the Army, Navy, and Air Force does not vary materially. I shall talk a very short time about the organization. We have Mr. Seaton, who is the Assistant

Secretary of Defense for Legislative Liaison. He is a former Senator. Under his guidance we have the Army, Navy, and Air Force legislative liaison setups.

I shall talk primarily of the Air Force in this connection. I am sure that the members of the Navy here will consider this almost as kindergarten stuff, because for some reason each Navy officer seems to be born with an understanding of congressional relationships. The Army has had considerable experience in recent months with congressional investigations. The Air Force is new at the business.

The Navy, with Admiral Nunn, a JAG officer, as head of legislative liaison, conducts its business a little differently from the way we do, in that the bureaus deal directly in answering congressional mail. The Army and the Air Force are somewhat similar, the only difference at the present time being that the Air Force works directly out of the Office of the Secretary of the Air Force. The Army at the present time works out of the Office of the Chief of Staff, and the Navy out of the Office of the Chief of Naval Operations. By directive from the Department of Defense this has been changed. The Army and the Navy are being--I don't know whether to call it "elevated" or not; but, anyway, their legislative liaison activities by DOD directive will be handled out of the Offices of the Secretaries of the Navy and the Army.

I think you men all realize the importance of good congressional relationships. So with that background in the general organization of the legislative liaison function--and I will say that we work very closely together--we have weekly meetings, Admiral Nunn, General Hauck, and I, and we discuss our problems. Of course we don't tell each other all our secrets. There are certain things we keep pretty much to ourselves. But we do work very closely together. We have weekly meetings, and we discuss the legislative program and the interests of various Members of Congress. So it is a truly unified effort on our congressional relationship.

As for the purpose of this talk, there are three things that you really should know. The first is that the Armed Forces relationship with Congress is axiomatic. We shall always be required to render service to the American people through their duly elected representatives in Congress. The second is that definite procedures exist for the proper congressional relationships. Third, that we have specific duties and responsibilities when our work is destined for Congress.

All the branches of our Government are checked on by Congress in one way or another, but the military is checked on specifically. We are referred to in the Constitution. I would like to read from the Constitution. This is article I, section 8:

> "Congress shall have power . . . To provide for the common defense . . . of the United States . . . ; To declare War . . . ; To raise and support Armies . . . ; To provide and maintain a Navy; To make Rules for the Government and Regulation of the land and naval Forces . . . ; To provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States . . . ."

Now, what does this mean? It means that generally we think of the President of the United States as our Commander in Chief; and that is correct. He is the Commander in Chief of the Armed Forces. But he is only the Commander in Chief of the Armed Forces which the Congress sees fit to provide. Congress controls everything about them--our pay, our promotion, where we are going to be based, what bases are going to be built, what equipment we are going to use, the P.X.'s, the commissary, retirement. There isn't anything that we in the Armed Forces have that is not completely controlled by Congress.

The Role of the Congressman

In a way that is very good, when you get back to the fact that the Congressman is the man who is most responsive to the will of the people. In other words when we deal with Congress, we are dealing directly at the grassroots with the will of the people. It is the will of the people, as expressed through their elected representatives, that determines our force structure, everything that we do. A Congressman, if he does not reflect the will of the people, no longer represents us. In the elections just past, we had a number of changes. There are many faces that will be new in the Congress which convenes in January.

There is one thing we want to remember about a Congressman. He is a very important person. He is a harassed and busy individual. You may think that some Congressmen are screwballs. You may not agree with them. You may think they are completely inadequate for the job. But, regardless of what you think of them, remember one thing--that man has convinced the majority of about 300,000 people that he is qualified to represent them. So he is a very important person.

In order to understand our relationship with Congress, it is very important that you understand your Congressman himself. Who is he? What does he do? As I said, he is a very important, harassed individual.

What are his duties? His first and most important job is to be reelected. The minute he is elected he starts working to be reelected. A famous legislator once said, "In order to become a statesman you must first be reelected." A Congressman's influence, his authority, his powers, increase with seniority. Without seniority he never becomes a committee chairman. He swings very little weight actually in the committee. So he must become reelected in order to become a statesman. Many of the gentlemen in Congress have been elected and reelected many times; they have become true statesmen.

How does a Congressman accomplish his work? Primarily, he accomplishes it in committees. He is working in some committee when Congress is in session. He usually starts work at nine thirty or ten o'clock in the morning, and he stays with the committee until twelve o'clock, when Congress convenes. But he also works on the floor. He works in the field of investigation. He has a tremendous amount of constituent work to handle. He is a very busy man.

If we were to break down a Congressman's activities after the first activity of becoming reelected, we would say that a Congressman legislates, investigates, and takes care of his constituents.

I will take up each one of those items in turn, but I would like to digress right here and say that it is very important to each member of the armed services to get to know his Congressman, to get to know him socially, to get to know him well.

Often we in the Air Force--and I speak specifically of the Air Force--meet our Congressman for the first time in an investigation, when we are on the defensive. It is because of this that we have been charged with immaturity, with poor management.

We should know everything about our Congressman. If we are commanding a base, if we have a job where we deal with Congressmen, we should know that Congressman. We should know something about how he feels, because he is thinking normally the way the people of that community are thinking. We must keep our fingers on the pulse of public opinion.

We should know what committees our Congressman is on, what his voting record is. We will probably not try to weigh his judgment. Mostly, they tell me, a Congressman never sees the light; he only feels the heat. But you should know the heat that is on your Congressman.

In that connection, when I took my present job, I made a little study of the senior officers of the Air Force in the Pentagon to find out how many knew their Congressmen or their Senators. Surprisingly, I found out that in about 9 cases out of 10 they not only did not know their Congressmen, but they didn't know what district they were from. We have officers in all three services who were appointed to the Naval Academy or the Military Academy by some Senator or Congressman now in Congress, who have never gone over and called on that man since they came back to Washington for duty. This is a very sensitive point. It is a very important point in public relations to know what that man is thinking, because that reflects the grassroots of public opinion.

In the Air Force we started a little campaign "Get to know your Congressman," because of a situation--and, incidentally, this happened at one of our major commands. I shouldn't be telling tales out of school, but I think this illustrates very well the necessity for the action that we are taking.

We had a congressional committee go out to one of our major commands. As is usual in legislative bodies in the Army, Navy, and Air Force, we sent a message out to the command that the following members would arrive on such-and-such a date. "They are going to inspect your command. We would like you to brief them on your activity."

That commander should immediately have gone to the congressional record and digest and have looked up the members of that committee, known what committees they were on, where they were from, and everything about them. He neglected to do that.

The committee arrived and was introduced to this commander. As one of the committee was being introduced to the commander, he said, "Gee, you must be new in Congress. I never heard of you before." The Congressman said, "Well, I am relatively new. This is my fifth term."

The commander didn't take his cue. He said, "Hm, fifth term. Are you on any important committees?" The Congressman obviously was quite irritated, and he said, "I guess not. I am only on the House Armed Services Committee."

You would think that by this time the commander would have had sense enough to be silent, but he wasn't. He said, "Armed Services Committee. Do you know anything about the military?" By this time the Congressman was incensed and he said, "Not very much. I happen to be a reserve colonel in the Air Force."

That Congressman came back to Washington and called me up and said, "Who in h--- is General so-and-so?"

If that general ever represents the armed services before the House Armed Services Committee, our cause is lost.

We must know these men and know them well, so that we are talking to them not on the defensive, but about mutual problems and mutual understandings.

Legislation

Back now to the subject of legislation. There are two categories of legislation, and all three services handle those two categories of legislation the same. There is the appropriation act and there is the enabling or authorizing act.

The appropriation act is a very complicated, technical bill. So, as a result of that, all three services handle the appropriation act through their director of the budget or comptroller. The Legislative Liaison section comes into the act. My office deals with Congress; and, if I may use the word, we do a little lobbying. But the technical aspects of the appropriation act are handled by the director of the budget or the comptroller for the various services, and also at the Department of Defense level.

We handle enabling or authorizing legislation completely, however, in our work of legislative liaison.

This may be somewhat of a review of high-school civics, but let's just go through the procedure of getting a law through Congress. It is a very tedious, lengthy, and expensive proposition.

Let us suppose that one of you comes up with a proposal of something that you want to do. You don't know whether it will be accepted, but you feel that it is important. Maybe you send a paper to your department stating, "We should do this." It is circulated around the staff, and they say, "This is a good idea." Then it goes to your judge advocate general, and he reviews it, to see if we have legal authority to do it or if we will need further authority.

If he comes in and says, "We can do it," there is no problem. You write a regulation or maybe you just send out a letter, and that ends the procedure. But if he comes in and says "We have no authority to do this; we require legislation," then you start off on this lengthy, tedious procedure.

First you must draft the legislation in the best way that you think you can get it, for presentation to the Congress; the majority of the bills are processed through your own staff.

You must then go to the other services--Army, Navy, or Air Force--and get complete coordination. Often the other services have a similar bill and they are sympathetic toward yours. Many times they will have antipathy toward your bill and object strenuously.

But let us suppose that we get the coordination of the Army, Navy, and Air Force. The proposed bill then goes down to OSD and becomes a part of the OSD legislative program for that year.

OSD then goes to the Bureau of the Budget. The Bureau of the Budget must determine whether or not this item is in consonance with the President's program.

If the Bureau of the Budget passes it, it is not through yet. It goes to the other Government agencies. We have a bill that must have been held for four years over in the Department of Health, Education, and Welfare. The bill is now the law. It was held up for coordination over in Health, Education, and Welfare. We had a friend introduce the bill without it being coordinated. It has to go through that procedure. If you get complete coordination in all of these other Government agencies, it then comes up to the Department of Defense and is assigned as an action item to either the Army, Navy, or Air Force.

In the Air Force, in the section I am with, we prepare a letter to the Speaker, and we send the final draft of the legislation to the

Congress. When it gets to the Speaker, he refers it to the appropriate committee; usually, in our case, to the Armed Services Committee. It has hearings. We produce witnesses and we justify our position on the bill.

Should it pass the House of Representatives, the bill then goes to the Senate. There it is referred to a committee; there are more hearings and we justify our position again.

Should it pass there without amendment, it then goes, signed by the Speaker and the President of the Senate, back to the Department of Defense for review, back to the Bureau of the Budget for review, and finally to the President. Of course if there are any amendments, it goes back to conference; there will be more hearings, more witnesses, and we justify our position over there.

All of these processes normally take a minimum of two years. It is a lengthy, tedious, and expensive procedure. So any time you think "there ought to be a law," just stop and think. We have plenty of laws already. If you look far enough, you will find that there is a law covering most everything.

Another part of our duties concerns legislation where we appear as witnesses and take up questions in which we have no real interest. Someone else will introduce a piece of legislation. On all the thousands of bills that are introduced in each Congress, we must review every one of them to see what implications they have for the armed services. These are allocated almost completely to the Army, Navy, and Air Force as action agencies to review.

We had a little bill last year that looked as innocuous as a bill could look. It was a bill to grant the Attorney General authority to take over jurisdiction of certain cases in the Treasury Department. It didn't seem like a very important bill when we reviewed it. But we found out later that the language of the bill was such that it gave the Attorney General court martial jurisdiction over all the Armed Forces for everything except AWOL. This shows that you must read all your bills carefully.

The Navy had a very unfortunate experience last year. There was another innocuous little bill; it didn't seem very important. In fact, they supported it on the Hill. The bill was passed and signed into law. The Navy now finds that it repealed a bill and did away with the Chief

of the Bureau of Yards and Docks. So it left the Navy in the position where its Chief of the Bureau of Yards and Docks does not exist right now. He is serving on an interim basis until they can get new legislation and recreate his position.

So you see that this process of legislative liaison is very expensive and tedious. We produce witnesses. We try to coach them; try to tell them who will be friendly toward them and who will be antagonistic, and possibly what questions will be asked. If possible, we try to provide some of the questions, if we can work it around that way.

There is one thing you must never forget in dealing with Congressmen. A Congressman is a very important individual. He also has an administrative assistant. So you have the professional staffs of the members of all the committees. They are also very important individuals, because normally a Congressman is a very busy, harassed man. His administrative assistant will probably write you a letter. It will probably be signed by the Congressman. So the professional staff men on the Armed Services Committees are members of the committee. They govern the operations of the committee. They will create the letter taking the committee's position.

Most of the counsel to the Armed Services Committees are men who know us from both sides of the fence. They have served with the armed services. The chief counsel of the Senate Armed Services Committee is General Mudge, who commanded the 1st Cavalry Division. He knows plenty about the Army and also the other services. The chief counsel of the House Armed Services Committee is Bob Smart. He is a colonel in the Air Force. He knows an awful lot about us. So we have to be very careful how we deal with Bob Smart. Each one of the counsels on the Armed Services Committees has reserve background. John Blandford, of the House Armed Services Committee, is in the Marine Reserve. He was a commander in the Navy. And so on; each one of them has a military background. They are plenty capable of advising those committees of some of our shortcomings, as well as favoring us somewhat when the time is ripe.

Don't ever undersell the professional staff of these committees or these Congressmen. And don't forget that girl who is sitting in the office typing. They are all important. Sometimes it is much more important to know the girl who is typing his letters than it is to know the Congressman.

Investigation

With that we will leave legislation and go into the second field--investigation. What do Congressmen investigate and why?

They investigate anything under the sun, at all echelons, at any time. When I was commanding the 19th Division down at Fort Worth, we had a tornado that tore up a bunch of B-36's. I spent three weeks in front of the Johnson Committee of the Senate trying to explain why I let this act of God happen at Fort Worth.

I have often wondered why Congressmen investigate. They investigate because we make mistakes. They investigate because it is inherent in their power to investigate anything if it might require legislation to correct. Again, they investigate just to get the facts before the people. And they get plenty of publicity. They get the facts before the people in their investigations.

We are often inclined to think that we don't need this investigation; we are among the infallible ones. I would like to cite some examples. I am not criticizing any particular service. I could cite some for the Army, Navy, or Air Force. But, since I am representing the Air Force, these examples will all be Air Force examples.

A couple of years ago we had a congressional committee come to see the Air Force about some chain link fence we had bought, enough to fence in the United States. We went back to the committee and told them about this chain link fence; that we needed every foot of it, needed it badly. We justified it in detail. That was fine, but then they said, "You have had that chain link fence for two years. Why haven't you put it up yet?" We are still losing a lot of hide over that one. We haven't gotten that chain link fence settled with the congressional committee as yet. Had we come up and said, "Yes, we have it. We have taken this action to correct," we would have saved a lot of skin.

We had a little case over at Andrews. Someone said that the boys there were cold; didn't have any overcoats. So we got on the telephone and called up Andrews and said, "What is the overcoat situation over there?" They said, "We have a surplus. We just shipped some up to Middletown." So back we went to the committee to say, "Someone is giving you a bad story. We have lots of overcoats over at Andrews." One of the Congressmen drove over to Andrews that afternoon. The first airman he met without an overcoat he asked about overcoats.

The airman told him: "We don't have any overcoats, we can't get any overcoats, and we are cold." So we are right in the process of going back to the committee and trying to save our hide and explain why we told them that.

We had a case about some very expensive computers that we sold as surplus property. We were accused by a congressional committee of selling these very expensive computers for 18 cents each. We went up and said, "You are completely wrong. You have the wrong story. We sold those for 23 cents." We were quibbling, and got treated accordingly. When you start defending to the last ditch, you sure end up in it.

We have had some very good cases too. We had a case out at Cincinnati of bribery in the disposal of surplus property. We investigated it, found that it was so. Then we went over to the committee and told it, "This is going to break soon in the local press, but we are on top of it. We have taken corrective action. It is true. There was bribery."

It was turned over to the FBI and the Department of Justice. So when it came up to the committee, it knew we had been in the act all the time. They said they had been helping the Air Force uncover it.

In our experience in dealing with congressional committees, we have found that the best thing is a prompt and honest reply. Admit when you are wrong and indicate the corrective action taken. But, as I said, this defending to the last ditch is poor stuff.

You people, being the Industrial War College, know all about the Small Business Administration. We have had a lot of business with it in procurement. We get lots of investigations in that field. We had one very recently of a contractor out in the Midwest who had a contract to provide dehydrated hamburgers for the Air Force. Those hamburgers were to be dehydrated exactly 30 percent, and they were to be packed in cans horizontally instead of vertically. The contractor came up to the contracting office and said: "Unfortunately, when I dehydrate these hamburgers 30 percent, they turn into little round rubber balls, just like handballs. And it doesn't make a bit of difference whether they are packed horizontally or vertically."

The contracting officer said: "Well, I am sorry. I appreciate your problem. But the contract says specifically, in writing, that they

have to be packed horizontally. I am going to have to reject them," which he did. The contractor said, "What is my next step?" The reply was, "Why don't you write to your Congressman?" He did. We are still answering that one.

I think that should impress upon you the importance of the investigative ability of Congressmen. They legislate, they investigate, they take care of their constituents. In these first two fields we do a lot of work for the Congressman. But this taking care of his constituents is another item in his job of getting reelected.

Congressional Inquiries

Just taking care of their constituents for them results in the Air Force--with the Army and Navy it is probably higher--to about 6,000 personal visits by Members of Congress each year; to about 60,000 telephone calls and about 45,000 letters, each requires a written answer.

We should just remember that when a man writes to his Congressman, we have somehow or other slipped up on our job. If we can't take care of him through military channels and keep him informed and satisfied, then he is going to write to his Congressman. It is a part of our education and information program that normally, when a man does write to his Congressman, he is appealing to the court of last appeal. He has lost his appeal to every other place and he hopes that his Congressman will take care of him. And, believe me, that Congressman is going to take care of him, because he is a constituent; he is a vote.

Now, in the answers to these things, 99 times out of 100 all you need is a good routine answer that the Congressman can send back to his constituent. Of course there is the exceptional case that requires tedious research and so on.

There is one thing that we should remember. When we say "No," it takes a darn good explanation. When we say "Yes," that is all we have to say. But if we will remember that an individual in writing to his Congressman is making his appeal to the court of last resort, perhaps that will make it easier for us at times.

All of these letters are important. We treat them just as if that Congressman had walked all the way over to the Pentagon to our office

and said, "Help me." The answer may be routine, but we treat every one of them as important.

We have a rule--and I imagine the other services do too--that the answer will go back within 3 days. If we can't get the answer back in that time, we send an interim reply and tell the Congressman what we are doing.

In these letters speed is important and accuracy must be emphasized. We had a case where we wrote a beautiful letter. The only trouble was the Congressman was talking about Panama City, Florida, and we were talking about Panama City, Panama.

We had another one here the other day. A Congressman called up and wanted emergency leave for a man who was overseas. We checked with personnel and they said, "The emergency leave is granted." They sent a wire about this man overseas, to send him home. We notified the Congressman that the man was on his way. All right--the necessary wires had gone out.

Seven days later the Congressman called and said, "Where is this man?" Well, we checked again with personnel and found that they had sent the message to the Pacific instead of to Europe. A lot of time was wasted because of the giving of inaccurate information.

I am sure you all realize that the Legislative Liaison section doesn't make up these answers any more than we make policy. We use the various staffs. We get the authority. We are merely the go-between. We try to put the answers in the best English possible.

We also answer all the President's mail concerning the armed services--we for the Air Force, General Hauck for the Army, and Admiral Nunn for the Navy. When someone writes the President a letter, he is some Congressman's constituent. The letter comes down to us for the answer. It is sent either from the message center in the White House or by the Congressman. We have a tremendous amount of mail in constituent business.

So much for those three items. A Congressman legislates, investigates, and takes care of his constituents.

Visits From Members of the Congress

The Congressman is also interested in many other activities. Principally, he is interested in anything that goes on in his district--public works, shipbuilding, ROTC sites, business construction--anything that is going to affect his possibility of being reelected.

When a Member of Congress or a constituent visits you, you have a great opportunity to do a service for the armed services. Your various legislative liaison sections--Army, Navy, Air Force--will make arrangements to keep you informed. There are two things that you want to remember. Be courteous, tactful, and responsive to his inquiry.

Perhaps you will be called as a witness before a committee in an investigation or just go over to support a piece of legislation. All you have to do is to know your subject, be courteous, tactful, and responsive.

If the committee asks you a question and you don't know the answer, say so. Don't make it up on the spot and give the committee an answer just because it asks the question. Too often we have people who think that when a Congressman asks a question, they have to give an answer.

We had a case not too long ago where we had a prairie fire and it burned up a lot of houses belonging to one of our bases. Congress had the post commander up to testify. He was asked why he didn't have those houses on the base instead of off on the prairie. He didn't know the answer, so he thought he had to make up one. He guessed it was to escape taxation. We are being investigated on that. It is in the Supreme Court. They are about to come back at us for taxes on all those prairie houses on our bases. So, if you don't know, say so.

I am very often sent over to Europe. I was traveling with a congressional committee just a couple of months ago. We were up in Germany. The committee asked a briefing officer, who was briefing them on the reenlistment situation, "What is your reenlistment rate over here?" It wasn't in his field, but he thought he had to give an answer, and he gave it wrong. We are still trying to correct that erroneous impression that he gave those Congressmen on the reenlistment rate in Germany.

We also went down to Spain; we did a considerable amount of construction down there. We had a Navy admiral who was testifying, and

he was asked: "How much of the equipment over in North Africa have you been able to bring over to Spain and use on this construction program in Spain?" He gave them an answer. He said: "Gentlemen, I know in rough figures. But, since this is a congressional committee, I want to make certain that you get the right answer. If you will permit me, after this hearing breaks up, I will go back to my office and write you a memorandum, which I can sign, and send it to you, and which will give the correct information. I do not desire at this time to make a rough guess."

That is the way to handle things like that. I said, this may seem like kindergarten stuff to the Navy, because they know this business. The admiral in Spain proved that they do.

Reports on Congressional Activity

There are other things that our Legislative Liaison does. We put out a legislative digest. It includes the annual report of the Secretary, and what happens on the Hill each day. We read the congressional record. We see what is in it. We notify the various agencies that are involved.

We put out a weekly status report. We try to keep track of where Congressmen are going on trips. We escort them. We try to take the offensive in problem areas.

Many people have the idea that we are sitting in the halls of Congress in a back room, telling the Members of Congress the facts of life. Nothing could be further from the truth. Each one of the services does have some experts who know their way around on the Hill. They know the people. They know what they are thinking. They know how to approach them.

So, if you should go over on the Hill to see some Congressman, drop by your legislative liaison office, Army, Navy, or Air Force, and get a little advice before you go over and tackle this gentleman over there. The number of experts that can go over to the Hill is limited in all the services.

Conclusion

If your Congressman calls you directly or writes you, what should you do? You should give him a prompt answer if it is something within

your field. If not, call in your legislative liaison and turn the problem over to him.

There are some major points I want you to keep in mind.

1. Congress establishes and supports the armed services.

2. Congressmen as individuals are very important persons.

3. Accuracy, promptness, and completed staff work at every step spell success in our business.

4. The armed services staff makes up the policy, and we in Legislative Liaison merely implement it.

Gentlemen, when I took this job, an old hand at the game came to me and said: "There is one thing I want to tell you about this job. In dealing with Congress wherever possible answer a question with a 'Yes' or a 'No.' Don't ever deliberately tell a lie; but, for God's sake don't go blabbing the truth."

In the question period I will be very happy to touch on some of the legislation that is now pending in the Department of Defense.

Thank you.

COLONEL BARTLETT: Are there any questions?

QUESTION: Sir, the Secretary of the Air Force announced the proposed legislative program last month. Will you comment a little bit on the possibilities of that program going through?

GENERAL KELLY: I really am not supposed to comment on any legislative program that has not been cleared by the Bureau of the Budget. I talked with Mr. Talbot, just before coming over here, about his legislative program. I had a session with Mr. Vinson yesterday, for about an hour. He had a press conference immediately afterward. Following the press conference, Mr. Vinson and I discussed this with the Secretary.

I went to see Mr. Vinson yesterday. He is going to be chairman of the House Armed Services Committee. He is starting his forty-first year in Congress. I might say parenthetically that he has decided

that, since this is his forty-first year in Congress, he would now make this a career.

I went in and he said: "Joe, there are two very important items of legislation that we are going to have to take up first in Congress. They are the most important." I said, "What are they, Mr. Vinson?" He said, "The first is the pay raise for you." I said, "That is fine." He said, "We are going to take that up first. On our first day we are going to start hearings on that. I have already instructed counsel to take up that military pay raise as the first item of business." He said: "There is going to be only so much money this year, and we want to get that before someone else gets it. The only reason we are taking up your pay raise first is so we can take up second that which is more important, and that is a pay raise for Congress." He said: "It would hardly look right for us to come in with the first item of business a pay raise for the Members of Congress. We will get yours first, and then we will get ours."

We discussed the pay raise. He held a press conference and announced that the military pay raise would be the first item. He said he wasn't for a raise for Congress of 10 percent all at once. He thought it should be 3 percent at a time.

Then he said that all items to be considered this year before the House Armed Services Committee would be on an incentive basis. He said: "Let us take the people who are with the lowest morale and the greatest need and give them a big pay raise. The man who is in his first enlistment doesn't need a pay raise. He is already there. We are just wasting our money. Let us give it to the man who is coming up for his second hitch, the officer who is coming up and getting to where he can get a big job in industry. Let us get a pay raise for him. Of course we will have to give the privates some pay raise, or they are going to say that this bill is designed only for the brass."

Mr. Talbott has announced that he will stand for nothing less than a 25 percent pay raise for lieutenant colonels and up. That is his program. He says: "The only reason that the armed services--our generals, admirals, and colonels, have never gotten a good raise is that they always downgrade themselves. So I am not going to go for a pay raise for the enlisted men in the Air Force, because that would mean that they wouldn't give the generals more than 3 percent. We are going to go in for 25 percent."

He has proposed that to the Department of Defense. He also announced it in a speech yesterday in New York.

Mr. Vinson and the Department of Defense feel that all legislation should probably be on the incentive basis--medical care of dependents, survivors' benefits, equalization of survivors' benefits, the general pay raise, dependent housing. Those are all items on the priority list for all services.

One of the first and most important items that is coming up in the Congress is the extension of selective service, the draft act.

The Navy and the Air Force are not using draft personnel. However, if you do away with the draft, our volunteers are going to fall considerably. So one of the most important first items that must be taken up is the extension of selective service.

QUESTION: On this problem of the chain link fence, when I was over in Okinawa, we had gotten the fence, but couldn't get the money to put it up. How do you deal with Congress on a problem like that? If you don't get the money to put it up, arguing about putting it up won't get you anywhere.

GENERAL KELLY: I think I had better explain just how we do it. They have tied this thing all up in strings in Congress. You get the Public Works Committee to authorize you to build something or to buy something. Then you get the appropriation to go ahead and do what has been authorized. But they tied another string on to it. On each item in excess of 25,000 dollars, you have to go back to four congressional committees and get their approval to expand the money that has already been authorized and appropriated. You go to the Real Estate and Construction Subcommittee of the House and the Construction Subcommittee of the Senate Armed Services Committee. That is Mr. Cunningham's committee and Senator Duff in the Senate. You go to Mr. Davis' committee of the Appropriation Committee. You go to Senator Ferguson's committee in the Senate Appropriations. That is another lengthy and tedious process. So, when you get through over there, if the item is over 25,000 dollars, you have to get those four committees to give you permission to do it. That accounts for a lot of the reasons why it takes two years before we can complete some operations.

QUESTION: General, would you say something about legislation by rider?

GENERAL KELLY: Legislation by rider is a very, very sore spot with the Congress itself. We were asked last year in the Department of Defense--and the Air Force happens to be the action agency on that--to introduce a point of order bill which would, in other words, throw out all riders on appropriation legislation, and require Congress to create substitute legislation for all rules, regulations, and laws that are now in effect by virtue of the riders.

Last year there were very few riders. The Armed Services Committee joined with the Post Office and General Services, among others; and they warned the Appropriations Committee that they will raise a point of order to anything coming out with a rider on it as a substitute for legislation. That point of order bill is pending before Congress right now. The fact that it is pending and can be called up at any time will tend to reduce the number of riders.

The services complain bitterly about riders. But about 80 percent of the riders are on there by virtue of one of the services giving its consent for the rider to be put there. The recent restriction on the weight of household goods is a rider. Your retirement amendment is a rider. The Davis Amendment on the number of promotions is a rider. They are all riders on appropriation acts. Fortunately these riders on annual appropriations acts were not reserved in the last session of Congress, and we hope they will not be renewed in the coming session.

The tendency is to get away from rider legislation. It is a very sore point among the Congressmen themselves. They feel very keenly about anyone who is trying to stick riders in at this time.

This point of order bill is one bill that the Department of Defense has introduced, which, if it passes, will abolish all riders on appropriation acts.

You have a lot of irritants. We had a staff meeting yesterday and we talked about congressional irritants--things the armed services do that are irritating Congress. The Navy has a lieutenant commander who was passed over in World War II, who thinks his pass-over was completely unjustified and says so. He practically lives over on the Hill. He has made himself a lot of friends and also a lot of enemies.

But every time the Navy has a bill, there probably will be a rider attached to it by one of his friends to promote this commander to captain. The Navy has lost a lot of legislation because of that; if you put an amendment in a bill for public works or appropriations or anything, to promote a commander to captain, we all know it is just an irritant. These riders become irritants.

There is another irritant to Congress, which is not a lot of help to anybody--that is on your oil reserves. Every time they do anything about oil reserves, they have to go to these four committees and get approval--if they want to sell, drill, or do anything else. It is just an irritant to them.

Our jet noises in large communities are a congressional irritant. Ed Murrow's program mentioned that Madison, Wisconsin, was the first community to try to combat that. A large percentage of the mail of the Congressmen from Long Beach, California; Milwaukee and Madison, Wisconsin; and Chicago is concerned with jet noise. The Navy gets the same thing out around San Diego.

To get back to your question, everyone is trying to outlaw riders. They are unpopular with the services and with Congress. But everyone is guilty of it. People say to themselves, "It takes two years to get this bill through all the operations. If I could just sneak it in there, I would have it."

We have had officers who have been promoted by riders. We get everything under the sun by rider. It is much easier to get something that way than by going through this lengthy, tedious, and expensive process. This other bill is already up there in Congress. You have another thing you want to get done. It is so much less expensive and time-consuming if you can get some friend to offer it as an amendment and get it through.

QUESTION: General, you mentioned that there are definite channels of approach for the services to go to Congress with their proposals. Are there likewise definite channels for Congress to get to the services for information, particularly with respect to constituents; and do they follow them?

GENERAL KELLY: Yes, there are definite procedures, channels, set up for Congressmen to come to the services. They don't always follow them.

All services have a House Liaison Office right in the House Office Building. They are right there to accept their questions and their problems, and to get the proper answers. But Congressmen don't always follow them. We in the Air Force have a definite procedure. We are trying to persuade the Congressmen to stay in the legislative liaison channels.

QUESTION: This Contingency Option Act was a long time in developing. I think one of the main criteria was that it was to be supported. Have you noted any effect in Congress of the various exceptions to this? Do those influences generally affect their opinions and perhaps persuade them to consider otherwise.

GENERAL KELLY: There has not been enough time since the date of passage of that act to get much reaction from Congress. Also Congress is out of session. The Senators who are in town are aware of it. We have not had an opportunity to get their reaction. But it has come up as a point of interest. Those selections, the benefits are so low that there must be something wrong with the bill. It is under study. That doesn't give you an answer to your question, but that is about where it is.

QUESTION: Does that sort of thing exert much influence on Congress.

GENERAL KELLY: It does only if we bring it strictly to the attention of Congress.

In that connection the Bates Subcommittee is holding hearings right now on the survivor's benefit equalization. It is coming up with recommendations to the House Armed Services Committee on all phases of survivors' benefits, throughout the services, throughout the Government. They are optional. The committee will come up with some recommendation on it.

QUESTION: I don't think you mentioned anything about press releases. Are you protected from the results of your handling of press releases?

GENERAL KELLY: We are not protected on the press releases at all. We work hand in glove in our office with Public Information, now called Information Services. In fact, our offices are adjacent.

Most of the trouble we get into on press releases in our particular field is where we give advance information to a Congressman on things that are going on in his district, and he breaks it to his constituents; it leaks through normal channels.

The press in the Department of Defense is handled completely at the Department of Defense level. Right now you don't make any releases in the Air Force, Navy, or Army. You make them from the Department of Defense. You may originate them in the Air Force, but they are cleared at the Department of Defense level.

We in Legislative Liaison are actually coordinating with the press, but we don't furnish it any information. We furnish our own to the Members of Congress, usually 15 minutes before the press gets it.

QUESTION: Could you tell us anything about the flight pay legislation?

GENERAL KELLY: All legislation under consideration is back on a percentage basis. No flat sum is up now. It is back on a percentage basis, just as for all hazardous duty. I think it gives a slight increase over the presently established rate, but it is purely on a percentage basis rather than a flat rate.

COLONEL BARTLETT: General, I know there are many more questions, but we have a twelve-o'clock rule. I know that the class considers this as one of the outstanding lectures that we have had here. Therefore, on behalf of the Commandant and all our students, I thank you for a most outstanding success in this area.

(27 Jan 1955--250)S/sgh

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