01265

MILITARY RELATIONSHIPS WITH CONGRESS

9 December 1955

CONTENTS

Page

INTRODUCTION--Brigadier General F. E. Calhoun, USAF, Deputy Commandant, Industrial College of the Armed Forces..... 1

SPEAKER--Major General Joe W. Kelly, USAF, Director, Office of Legislative Liaison, Office, Secretary of the Air Force..... 1

GENERAL DISCUSSION..... 16

Publication No. L56-72

INDUSTRIAL COLLEGE OF THE ARMED FORCES

Washington, D. C.

Major General Joe William Kelly, USAF, Director, Office of Legislative Liaison was born in Waverly, Indiana, 19 January 1910. He attended DePauw University for one year prior to entering the United States 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 United States 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 of the Air War College, and immediately thereafter he was assigned to the faculty of the 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, in 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.

MILITARY RELATIONSHIPS WITH CONGRESS

9 December 1955

GENERAL CALHOUN: One of the advantages of our location here in the Washington area is our ability to take advantage of so many lectures from people who are the actual doers in so many important fields. Our subject this morning is Congressional Relations with the Military, or Military Relations with the Congress. The importance of this subject, of course, is self-evident.

This morning we have a speaker whose knowledge of this subject is first-hand knowledge, gained by the sometimes painful but always unrivaled means of actual experience. In previous assignments, as well as Director of Legislative Liaison for the Air Force, he has had a very intimate association with all of the complicated aspects of congressional relations.

It is a pleasure to welcome back to the college Major General Joe W. Kelly, U. S. Air Force.

GENERAL KELLY: General Calhoun and gentlemen: It is indeed a pleasure to be here today and talk to you about military-congressional relations. Except for the Navy, if we should start talking about congressional relations, I think there might be quite a silence. It just seems that the Navy, starting in with the ensign, is blessed with a complete understanding of congressional relations and getting along with Congress. The Army members will be a little sympathetic to the problems of congressional relations. They have had some difficulty, along with the Air Force. However, it is a subject that is vital to each one of us, not only as members of the service, but as individuals.

Before I start this, there are certain things that you should know: first, that the relations of the military services with Congress are axiomatic--we shall always be required to render service to the American people through their elected representatives in Congress; second, that definite and specific procedures exist to effect proper congressional relations; and, third, that we have specific duties and responsibilities when our work is destined for Congress.

All branches of the Government are controlled by Congress to a certain degree. All branches of the Government are looked into by

Congress to a certain degree, but none so completely as the military. We come under the scrutiny of Congress on every aspect of everything we do.

I would like to quote from the Constitution, 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, just what does this mean? If I were to ask any one in this group who is the Commander-in-Chief of the Armed Forces, I am certain that each one would answer correctly: "The President of the United States." But actually he is the Commander-in-Chief of only those forces that the Congress sees fit to provide.

We in the military are dependent upon the Congress for everything--pay, promotion, retirement, what kind of uniform we are going to wear, where we are going to have bases, what kind of equipment we are going to have, principally what our strategy is going to be, whether or not your dependents can accompany you, whether or not you will have housing, whether or not you will have commissaries and PX's. There isn't anything that you can think of or name in the military service that we are not directly dependent on the Congress for. This is not true of other government agencies to such a great degree.

Too often we, as individuals and as services, do not realize that importance of a Congressman. He is a very important man to us as an individual and as a service. Regardless of what you may think of any Congressman, don't ever underestimate him. He is a very important man to you and to your service. And don't forget that he represents 300,000 people. He has convinced the majority of them that he has something on the ball. Each one of us in the service should know our Congressman, know everything that we possibly can about him, and should certainly see that he knows something about our service.

We had a little incident happen in the Air Force shortly after I took this job as Director of Legislative Liaison. We had a congressional committee going out to several of our major commands on an inspection tour and for a briefing. We sent out word to the major commands that the committee was coming, and listed the members of the committee. We sent an escorting officer with them.

When the committee got to one of these major commands, they were met by an Air Force major general. He was introduced to the members of the committee. He finally got around to this one man and he said, "Boy, you must be new to this. I never heard of you before." Well, there was a little hair raising on the back; the Congressman's feelings were hurt a little bit. He said, "Yes. I am relatively new. This is my sixth term."

You would have thought that this senior officer would have looked up that committee in the Congressional Directory and found out where they came from and what they were interested in. But he didn't. And he wouldn't stop there. He said: "Hm, sixth term. Are you on any important committees?"

He said: "Not particularly. I am on the Armed Services Committee." This is a true story.

This Air Force major general refused to drop the subject there. He said: "On the Armed Services Committee. Do you know anything about the military?" By this time our Congressman was irate. He said: "Not a damn thing. I am a colonel in the Air Force Reserve."

When they got back to Washington, I got a phone call from this Congressman. He said: "Who in hell is Major General So-and-So?" And let me tell you, regardless of what the Air Force wants, if he ever comes over as a witness, our cause is lost.

It is just little things like that that caused us to put out a special book entitled "Congressional Committees." It is a sanitized version, but it tells you everything about Congressmen that we can possibly tell and put it out in an unclassified version.

We think all of our senior officers should know something about Congressmen, particularly when they are going up as witnesses, or when they are going to meet visiting congressional committees.

Look them up. Find out where they are from, what they are interested in, and everything about them. As I said, this Congressman is important to you as an individual and he is important to your service. Let us analyze him and see what he does, what makes him tick.

Actually we feel that it is good that he is important to you, because this man is the man who is most responsive to the will of the people, down at the grass roots. He faces them every two years, if he is a Member of the House; and he either reflects their will or he no longer represents them. So as to us in the military service, how we are getting along with Congress is just a reflection of how we are getting along with the people of the United States.

Now, let's take a look at this very important man, this Congressman. His first and his most important job is to be reelected. The minute he is elected, he starts planning his campaign for reelection. As one famous legislator said: "In order to become a statesman, you must first be reelected."

Your Congressman's influence, power, and authority increase very much like in the military--with seniority. We have men over there that have been reelected many times, who have become true statesmen. Mr. Carl Vinson, Chairman of the Armed Services Committee, is starting his 42nd year in Congress consecutively in January. He is a true statesman. He has been elected and reelected.

In addition to this job of being reelected, a Congressman is a very busy and harassed individual. He accomplishes his work primarily in the committees. The committees usually meet at nine thirty and carry right on until noon. At noon they meet on the floor of the House and the Senate, often going long into the night. They are on investigative committees. Then they take care of their constituents' business.

Now, many Members of Congress and Senators get as many as five hundred letters a day. Each one must be answered in detail, correctly, and with dispatch.

If we were to say, What does a Congressman do? we would say: He legislates, he investigates, and he takes care of his constituents.

Now, we in the Air Force and in the Army, and to a certain degree in the Navy, have our legislative liaison sections divided into

those three categories--legislation, investigation, and helping the Congressman take care of his constituents. My office is divided into a Legislation Section, and Investigative Section, and a Congressional Section, which is that business of helping the Congressman take care of his constituents.

Let us take up each one of those items of what a Congressman does just briefly. The first is legislation. I would like to review your high school civics for you for a very short time on legislation.

As you all know, there are two categories of public law. There is enabling legislation, authorizing legislation; and there are the appropriations.

Now, the magnitude of the appropriations and the detailed work connected with them are such that throughout the Department of Defense the actual appropriation bills are handled by the Director of the Budget in all of the services. In the Department of Defense all other categories of public law and all other relations with Congress are handled through the offices of legislative liaison.

I am sure that each and every one of you at one time or another has said: "There ought to be a law." Well, I would like to have you, if you are thinking about "There ought to be a law," to consider that very carefully, because this law-making is a very time-consuming, expensive, and tedious process.

Let's just assume that you do come up with an idea that there ought to be a law. Let's say that you have gotten it in such form as to be presented to your staff--your general staff or your CNO. It finally gets up to the legislative liaison people, and they determine as to whether or not we are going to go ahead with this process.

The first thing we do in any one of the services when you people come up with an idea that there ought to be a law is to see the JAG, the Judge Advocate General. He researches and determines whether or not we actually need that law. If he says that we have authority to do this, that's the end of it. We put out an Air Force letter, an Army regulation, or a Navy regulation and go ahead and do it. But if he has determined that there has to be a law, why, then, this time-consuming, tedious, and expensive process starts.

In the Air Force we have a Legislative Policy Counsel, who considers this idea. Should he decide that, "Yes; we do want a law," we draft it up in the form that we think it should be in.

We then have to go to the Army and the Navy for coordination. They may have an idea very similar. They may object strenuously. Recently the Air Force came up with a bill to provide flying training in the ROTC. When we went to the Army, we were calling for 35 hours orientation flying in ROTC. The Army said: "That's a hell of a fine idea. We buy it. But instead of 35 hours, we want 210 hours. We could thus train all of our liaison pilots in ROTC and the Air Force wouldn't have to train them for us any more." Well, we objected to that on the basis that the great amount of flying hours would jeopardize the whole piece of legislation. After much haggling, we ironed out a satisfactory compromise.

But after coordination with the Army and Navy, if you still have a bill, you then go to OSD and try to get it into the legislative program. If OSD buys it, and we still feel we ought to have a law, we get it in the proper form after Army and Navy coordination, and we go back to the Bureau of the Budget to see if it is in consonance with the President's program.

If the Bureau of the Budget buys it and says it agrees with the President's program, we are not through by a long shot. We have to go then to all other interested government agencies.

We have a bill right now that has been held up for two years in Health Welfare and Education waiting coordination. The bill has actually passed. We got a friend to introduce it for us. It is going through. But that shop over there held it up because it's a bill to grant degrees out at the Air Force Institute of Technology, and they came up with the idea that they should form a commission to examine the granting of degrees in all educational institutions in the United States.

When you get coordination throughout the other interested government agencies, it comes back to the Bureau of the Budget and back to the Department of Defense, and you are then ready to go to the Hill with your letter to the Speaker and your letter to the President of the Senate. Then you go over there with your people. You produce witnesses before the committee to justify why you should have this bill.

If it gets out of the committee, passes the floor of the House, and goes to the Senate, it gets in one of their committees. You go back over there and justify to that committee why you should have your bill. If it gets out of this committee and passes the floor of the Senate, and the bill has not been amended, it is then ready for signature, and comes back to you. If it has been amended, there has to be a conference and the conferees must agree.

After the bill gets through all this procedure, it is brought back to the Department of Defense to see if it is the same bill that went over, or if it has any semblance to a bill that we would like to have. If it is, then it must go back to the Bureau of the Budget to see whether it is still in consonance with the President's program. If it is not acceptable to either the Bureau of the Budget or the Department of Defense, we must write a veto message for the President and urge him to veto it. However, if we agree, we then take the bill to the President for signature, and we have a bill from your original idea that "There ought to be a law."

Going through this process takes a minimum of two years. On the Air Force Academy bill it took six years. Several other bills that we have in mind are still on the calendar, and it will take much longer than that. The President has an OSD calendar of bills, and it has 1246 bills on it. Some of them have been on that calendar for a long, long time. It is a very time-consuming and lengthy process.

Now, not only are we interested in the Armed Services in the bills that we introduce and sponsor and justify, we must examine every bill that is introduced into Congress. And there are thousands. We must examine them to see what effect they will have on the military or the Department of Defense. We must examine them in detail. We do this by dividing up the bills roughly one-third to the Army, one-third to the Navy, and one-third to the Air Force. We write a report on that bill.

In the last session the Treasury Department introduced a bill allowing the Department of Justice to have certain rights of trial over people in the Treasury Department for certain offenses. In studying the bill we found that, should that bill go through in its present form, it would give the Justice Department courts martial jurisdiction over everyone in the military for every offense except AWOL. Luckily for us, it did not go through in that form.

The Navy was not quite so fortunate with one of their bills. This happened to be a bill that they were sponsoring themselves. It was a very innocuous bill; didn't mean much. It changed the Marine ration. They sponsored it, and it went through, was signed, and became law. Then in the research they found out that it would repeal a bill after a number of years which was a rider on it which creates the Chief of the Bureau of Yards and Docks. They don't generally let it be known, but they are operating on an interim basis right now, because the Navy hasn't proceeded yet to recreate the Chief of the Bureau of Yards and Docks.

It is very important that we should scrutinize and get a proper report not only on our own bills that we are sponsoring--we sometimes get in trouble with bills that we are sponsoring--but on all other bills. The Reserve Bill last year got into such a hassle that I am sure what we are fighting for now is not the bill that we really thought it was when everyone was supporting it.

So let me reiterate. When you say "There ought to be a law," examine and scrutinize it yourself. Make sure that you feel there should be a law, because it is a time-consuming and expensive process.

However, this legislative duty of the Congress and of the Armed Services is the one that we call the pay-off. We can haul Senators around, send special airplanes for them, we can help them take care of their constituents, the Navy can take them on carriers, the Army can take them on maneuvers, and so on; but if you don't get the legislation that you want; all of that is in vain. Good legislation is the fruit of your efforts with the Congress.

Now, I spoke about the importance of this Congressman and his duties. I don't want you to get the idea that I am down-grading any of the professional staff of Congress or of the committees. Too often we tend to overlook those professional staffs. They are very important to us also. The professional staffs of the Armed Services Committees in both the House and Senate are all reserve officers or retired officers of the Armed Services. They know us from both sides of the river. They know us over on the Hill. They know us over in the Pentagon. They know us out in the field. And they are very important to us, along with the Congressmen.

It just so happens that the Chief Counsel of the House Armed Services Committee is a colonel in the Air Force Reserve, Colonel Bob Smart. He has a mobilization assignment in my office and is very helpful. The

Chief Counsel of the Senate Armed Services Committee has been Major General Vernon Nudge, who used to command the First Cavalry Division. He is a retired officer and he has been very helpful to the Army and all the Armed Services. He is retiring and is being replaced by Colonel Ballou, who has just retired from the Army. I am sure the Army is very anxious to keep him in as Chief Counsel. The Navy, the Marines, and the Army have representatives as counsels on those committees. So don't forget. If you are going over there as a witness, or going over to see a committee, we have someone there who knows something about the military who is working with those committees.

I have touched lightly on the legislative aspects of a Congressman's duties. I would like to move on now to the investigative aspects of a Congressman's duties.

I used to wonder why Congress investigates. When I was in command at Carswell two years ago, I spent three weeks before the Johnson Committee trying to explain why I let a tornado come through Forth Worth Labor Day afternoon and tear up some B-36's; and I wondered why they were investigating. I have been investigated by most of the committees for one thing or another. I think that might be one reason why I finally ended up in this job. But I have been up here in this job now for a little while, and I understand why the committees investigate.

They investigate, first, because it is inherent in their duty to investigate if it might lead to legislation. They investigate, secondly, because it is their duty to get the facts before the people. And they really get them before the people. And they investigate, thirdly, because we make mistakes. We are not infallible by any means.

I think you all, being in the logistic business, probably have heard about the chain link fence. About the time of Korea the Air Force went out and bought enough chain link fence to fence in the entire United States. We were questioned by congressional committees why we were buying all this fence. We justified each foot of it. The only trouble was that up until about two months ago we still hadn't put it all up. We make periodic reports to Congress what we are doing with that chain link fence that we bought back in the early 1950's. We made a mistake, but we would never admit it. We are still defending it right down to the last.

You may think that little things don't make an impression with Congress, little investigations. We had a very simple one at Andrews Field. Some boy wrote to his Congressman, and his letter was sent over to one of the committees, saying that they didn't have any overcoats out at Andrews and he was cold. Well, we queried Andrews. Andrews said: "We have plenty of overcoats. We have a surplus. In fact, we just sent some up to Samson."

We gave that reply back to the committee. They had a staff member who didn't have anything to do, so he drove out to Andrews. And of the first twelve people that he stopped, seven of them didn't have overcoats and couldn't get overcoats; and we were made out a bald-faced liar. It doesn't help the service when you are made out that.

I could stand up here all day and quote mistakes that we have made. But we don't always make mistakes. We do some pretty good jobs once in a while. We work with committees on investigations. We had a bribery case out in Cincinnati not so long ago. The Air Force was working with the FBI. We cut the congressional committee in on it. We told them what was going on. When the thing finally broke and there was a lot of adverse publicity in the newspapers, the committee stepped in and said: "We have been working with the Air Force on this all the time, and it is perfectly O.K."

We had some other investigations that have been very good--they are very worth while--pointing out mistakes that we have made. We had one little investigation that may be some help to you who are in logistics. We have a very brilliant contracting officer out in one of our procurement areas. We had a contract with this firm for dehydrating hamburgers and packing them for in-flight luncheons. The contract read that he was to dehydrate them 30 percent and pack them horizontally in the cans.

The contractor came in to see the contracting officer and he said: "When you dehydrate these hamburgers 30 percent, they turn into little round, hard balls, just like hand-balls. I am at a loss to know how to pack them horizontally in the can." He added: "It doesn't make any difference whether they are vertical or horizontal."

Well, this smart contracting officer rejected his contract because it did not meet the specifications. He asked the contracting officer, "What can I do?" In a moment of jest the contracting officer said, "Why don't you write to your Congressman?" Well, he did.

If any of you have ideas of that kind, I would like to see you after this class and tell you what happened as a result of that simple little suggestion.

Also at times we quibble. We just stand and we quibble. The Air Force has been accused of selling silver wings as scrap, and tin. Not long ago we were accused by the Congress of selling a very expensive computer, that cost them hundreds of dollars, at a surplus sale for 18 cents each. Well, we went over and said: "You got it all wrong. We didn't sell them for 18 cents. We sold them for 23 cents." We lose a lot of skin.

We have come up with some pretty good rules, we feel. The first thing is, when you find an investigation brewing, get a prompt reply in. Admit when you are wrong and indicate corrective action taken.

Now, you all heard of the Navy investigation of the hamburger and the catsup. Tons of hamburger and gallons of catsup for every pound of hamburger. Lots of publicity for the Secretary of the Navy. They just defended that thing right down to the last, defended every pound.

We were over there at the same time on excess clothing. We had bought too many uniforms for the Air Force, a hell of a lot too many. Well, we went up there and said "Here is what we did, and here is what we are doing to correct it." The Navy got all the bad pages, and we never saw a thing in there about our excess clothing. The report came out and actually complimented us on the corrective action we had taken. And we tied it up worse than the Navy ever did.

By experience we have found that if you defend to the last ditch, you are going to end up there.

I have touched lightly on the legislative aspects and the investigative aspects. I would like to touch now on a Congressman's duty of taking care of his constituents.

This applies not only to us in the legislative liaison business, where it is a terrific volume of business; but out in the field also. Actually in my office alone we average about six or eight thousand personal visits from Members of Congress, 50 to 60 thousand letters directed to us, and some 60 to 75 thousand telephone calls that require written answers, just on this constituent business.

A man will write to his Congressman about anything, and does. The principal reason they write to their Congressman is because they are misinformed. Actually about 99 out of 100 of all requests that come into our office or into any place in the field are because of lack of information. And usually it is not the man in the service who writes to his Congressman. It is his mother, it is his wife, his grandmother, or his aunt, or someone of that nature.

So we have a duty in the military of keeping our people informed and thereby lessening that burden of duty on the Congressman. And let me tell you, if a Congressman gets a letter from someone, he will take the case and he will fight it to the bitter end. That's a part of his job of getting reelected.

Also we in the military have a very bad habit of saying "No" first and then looking for the answer. When you are answering a Congressman's inquiry and you say "Yes," that's the end of it. That's all you've got to say. But if you say "No," you've got to give him a darned good answer. It's got to be responsive and make sense. I am not saying that our answers can be stereotyped or routine. I am merely saying that a good answer nine times out of ten, well written, well presented, will take care of the situation.

Now, all these letters are important. All these queries are important. Speed is important. We pay very close attention to those things. In fact, we insist that a Congressman who writes gets an answer within 48 hours. It may be an interim reply, but he gets an answer within 48 hours from the time we receive his request.

Accuracy must also be emphasized. We had a nasty one here just a short time ago in which we wrote the most beautiful letter back to this Congressman. The only trouble was he was talking about Panama City, Florida, and we were talking about Panama City, Panama.

We had another one more recently where I got a call from a Congressman out of his district who wanted this boy sent home on emergency leave. It was a true emergency, verified by the Red Cross and everyone else. The boy was overseas. I assured him that a wire was going out to the commander of his unit within the hour ordering this boy home on emergency leave. He was very happy.

About four days later I got a call, "Where is this boy?" Well, we checked and found that the wire, instead of going to Europe, where

the boy was, had gone out FEAF, and they hadn't found him out FEAF, because he wasn't there. We lose a lot of benefit. Just like that general, if I ever go up as a witness and that man is there, I am going to be in trouble.

In taking care of his constituent's business a Congressman is interested in anything that affects his business--public works activities, procurement, ROTC activities, anything. We just announced day before yesterday that we were deactivating 28 ROTC sites. Our phone has been ringing ever since. Five of them were in Massachusetts. I've had more calls from Senator Saltonstall, of Massachusetts, than you can shake a stick at. Any time you deactivate anything, your preparation has to be good. Everyone is willing to open something, but it is very hard to close something down.

A Congressman is interested in anything that goes on in his district that affects his opportunity of being reelected.

Now, this year is an election year. With Democratic chairmen of committees and with Republican statutory appointees in the Defense Department, it is going to be an investigative year out of this world. This is also going to be a year for constituent business. So we must be alert. We must be courteous and tactful. We must be responsive to his interests.

I have touched on legislation, investigation, and taking care of the Congressman's constituents. There are a few other little odds and ends that I would like to discuss briefly with you.

Many of you probably have in mind that those of us in legislative liaison are sitting over in back rooms in the halls of Congress teaching Congress the facts of life. Nothing could be further from the truth. As my predecessor told me: "Don't try to enlighten them. They never see the light; they just feel the heat."

However, we do have in all of the services some experts on going over on the Hill. They know the people over there. They know what makes them tick, what they are interested in.

We have a very tough member of the Appropriation Committee, who is respected throughout the Armed Services. We found out that he is one man who was instrumental in getting the law through creating the Silver Star. He was going over to Europe this summer. I was

over there also. So I happened to tip off one of our commanders on this fact about the Silver Star. This committee came in, and the commander said: "Why, Congressman, I see you are wearing the Silver Star." Well, for three hours he had a dissertation on the Silver Star, its creation, everything about its award, and so on. That committee report says that that commander's unit is the best command that they have ever seen any place in the Armed Services.

So if you have an occasion to see your Congressman--and each and every one of you should see him--you should know him. You should let him know how many wives, brothers, sisters, aunts, and uncles you've got back home voting. It might be of some assistance to you to come and see your legislative liaison, Army, Navy, or Air Force, and let them give you a few little timely tips that might help you in that interview. Certainly if you are called as a witness, you must get some advice from people who are daily in this business.

Now, there is one thing. When I took this job, General Spaatz called me in and said: "Joe, when you go up on the Hill, whenever you are asked a question, wherever possible answer it 'Yes' or 'No.' Don't ever deliberately tell a lie, but" he said, "for God's sake don't blab the whole truth."

Too many in the military, when they are asked a question by a Member of Congress, whether they know the answer or not, think they must give an answer. We had a very bad case where the commanding officer of one of our fields was up here testifying about the need for Wherry housing on his base, and he was asked by the committee: "Why do you want to put this Wherry housing on the base instead of off of the base?" He didn't know the answer; so he made up one real fast. He said, "To escape taxation." As a result of that little statement, at the present time we have seventeen cases in the state supreme courts throughout the United States attempting to tax on-base Wherry housing in the Armed Services.

If you don't know the answer, don't make one up. You can't continually go before Congress and say "I don't know" and not appear stupid. But there are plenty of ways of saying "I don't know" without appearing stupid.

I was over in Europe with a committee, and we were in one of our major commands over there. An air installations officer was giving us a briefing on construction in Europe. Out of a blue sky one

of the committee members asked him: "What is the reenlistment rate over here?" The guy didn't have the least idea what it was, but he came up with an answer "48 percent." We are still trying to correct the impression that we have a 48 percent reenlistment rate. The guy didn't know. It was none of his business. He could very easily have answered that without appearing stupid.

We went on from that place down to Spain. Admiral Mead was giving us a briefing down there, and he was asked by the chairman of the committee what percentage of the heavy equipment that had been used over in North Africa they had been able to bring over from North Africa and properly utilize in Spain. Admiral Mead looked at the chairman and he said: "Mr. Chairman, that is right in my field. I can give you an answer that would be approximately correct. But," he said "since this is vital and my office is just down the hall, at the conclusion of this briefing I will prepare a memo for the record which I am certain will be absolutely correct, and you will have your information." Now, that is saying "I don't know" without appearing stupid. After the hearing was over, he went down to his office, got the proper information, had it inserted in the record, and it was correct right down to the last piece of equipment.

So, just because a Congressman asks a question, that is no reason that you must feel that you must give an answer whether you know it or not.

Now, in addition to all of these other things we do, we try to keep the Armed Services--and I am speaking specifically of the Air Force now--informed of the legislative objective for the coming year. During the question period I would be very happy to answer any questions about any specific legislation that you would like to ask about. I have carefully avoided doing that in this portion of my speech. But if you should be called as a witness, as I said, you don't have to be worried. All you have to do is to be polite, punctual, and know your subject.

I would like to have you keep these major points in mind in congressional relations: First, Congress establishes and supports the military. Second, Congressmen as individuals are very important persons. Third, accuracy, promptness and completed staff work at every step spell success and fruitful legislation. Lastly, you in the military make the policy. We in the legislative liaison merely try to implement it.

Thank you very much.

COLONEL BARRETT: Gentlemen, General Kelly is ready for your questions.

QUESTION: Will you comment on the possibility of this legislation on academy tours giving us greater latitude?

GENERAL KELLY: We have a bill which would give credit for ROTC participation and West Point and Annapolis and the Air Force Academy. It is in the hands of a task force right at the present time. Representative Sterling Cole, of New York, introduced such a bill last year.

At the present time the provision in there to give every one in the service credit for any ROTC duty probably is going to defeat the bill right with the Bureau of the Budget. Any one who has had two years of college and taken the obligatory first two ROTC and is then drafted, gets credit for it. In the Air Force alone the cost of the bill in its present configuration would run about 80 million dollars in increased military pay. So I don't think that at the present time in its present form it has much chance to get through.

QUESTION: What action is the Department of Defense contemplating with respect to the Courts Martial Manual as a result of the decisions of the Supreme Court?

GENERAL KELLY: The recent decision of the Supreme Court in the Toth case, and also on those other cases where the dependents of people were overseas with the military and the military does not have courts martial jurisdiction--it won't do us any good to change the Manual. It will take substantive law to change that.

We are in the process at the present time, and the Air Force has been given the job, of drafting legislation to take care of that and introduce it early in this session of Congress. The General Counsel and the Judge Advocate General are working with the Defense Department at the present time drafting a bill to take care of all jurisdiction over civilians and dependents traveling with the military forces.

At the present time all of the services have some pretty messy cases which, if this decision stands, bringing in murder, rape, and

everything right on down, will go unpunished unless corrective legislation is introduced and passed.

QUESTION: What are the prospects of early passage of the survivors benefits bill by the Senate in its present form?

GENERAL KELLY: I think that the survivors benefits bill has a very good chance of early passage. As you well know, the survivors benefits bill in its present form cuts across many government agencies. You have the Veterans Administration. You have social security. There has not been terrific opposition to the bill, even the opposition that we anticipated. There are questions of jurisdiction; and when you get into the social security aspect of it, that is, where the funds are going to come from, there will be some questions there. Senator Byrd has raised those questions already. He is chairman of the committee that is going to hear this bill. We have been assured an early hearing, however; and the people of the Hardy Committee did such a good job on the legislation that I feel we should be successful with that bill in almost its exact present form.

QUESTION: General, could you name the five ROTC units which were disestablished in Massachusetts? I suppose one was Harvard?

GENERAL KELLY: That was at the head of the list. Another was the Lowell Institute of Technology. I do not have them all. There were 28 of them all told that were disestablished. They will no longer take freshmen starting next year. But I don't have the list here with me.

But we have some other problems at our bases. You have the SCARWAF aviation engineer problem--the Army is taking that over. That leaves Camp Walters and Camp Mills sitting out there. We just declared Walters permanent and built 520 houses on it. We are going to have quite a problem there.

QUESTION: If the officer personnel act passes, I believe it will permit a project to be set up to try and bring in all of this personnel legislation together and modernize it and bring it up to date. Do you know how we stand on that?

GENERAL KELLY: We are in the process right now of trying to fortify the officer personnel act and get it amended with the proper amendments. We haven't gotten too far along with it, but we do have the ideas jelled.

However, when you have the Regular Officer Augmentation Act--that is a bill right now--Secretary Wilson has stated that he wants 50 percent of all the forces regular--we have a bill that we are having a lot of difficulty with the Bureau of the Budget on our regular officer augmentation. The Air Force bill calls for us to have some 68,000 regular officers. At the present time we are only 16 percent regular. We are supposed to go to 58 percent within two years. So we are having quite a bit of discussion over at the Bureau of the Budget. They gave tentative approval, but there's a 5 percent figure in there which we have gone back to the Bureau of the Budget about.

You have regular officer augmentation. You have equalization of retirement. Both are separate bills. You have so many separate bills that when you start codifying to get the bill in the shape you want it, you run up against a very great problem.

Now, your equalization of retirement bill is a bill that allows you to retire at the last temporary grade held. We have already held preliminary hearings in the Armed Services Committee and with the counsels and staffs on that bill. We had our witnesses over there. We have been assured of a very early hearing on that bill, and I think I can predict that we should have passage on that. You know, that bill runs out in 1957, but, since I am still a permanent Colonel, I am very interested in it.

QUESTION: For many years we had wine messes in the Armed Services. Several years ago, without any legislation, they were closed. I heard some rumors to the effect that this action on the part of the Department of Defense was done under congressional pressure. I have never heard any discussion on that subject. I wonder if you will discuss it for us.

GENERAL KELLY: Well, I don't usually say anything against the Congress, but it was done under effective duress--"You are either closing out or we are going to close you out on all alcoholic beverages."

At the present time the Department of Defense is considering establishing some other messes, as remote, and opening up liquor sales a little bit looser. We have been threatened that if we do, this same Congressman who threatened us before will introduce legislation to prohibit the sale of alcoholic beverages on any military installation. In an election year no one could vote against it, that is, no one in Congress. If he introduces the bill, it will go through.

With all of these 18-year-old sons being drafted, if anyone gets up and says he is voting to give those boys liquor--they couldn't do it. There are a lot of things you can do in other than an election year, but you can't do it in an election year.

Very strangely, people who have had no opposition in Congress for years are getting serious opposition this year. It might be because of their pay raises to themselves. Mr. Vinson, who, as I said, has been there 42 years, has his first serious opposition this year. The speaker of the Georgia House of the Legislature is running against him. Mr. Vinson is out campaigning like mad. For the first time in his life he has put a telephone in his house.

Does that answer your question? It was done under pure duress--"Either you close some of them down or we are going to close them down every place for you by law."

QUESTION: You mentioned in your talk that you had some 1,200 pieces of legislation on the docket, that is, the Department of Defense legislation docket. Obviously, you are going to have additional ones introduced this year in this next session of Congress; and, obviously, Congress is not going to pass it all for you. How do you determine what the committees will call up in sort of a priority system?

GENERAL KELLY: We get together--I see Mr. Kennedy here, from the Department of Defense--with his shop, under Mr. Ross, Assistant Secretary of Defense for Legislative Affairs, we get the services together, and we review the priorities that we wish to establish on all legislative matters. Each one of the services comes and reviews their own. Then we get together the three services and the Department of Defense and we determine the priorities.

We then, you can call it lobbying or whatever you want, we work on the committees to get our particular priorities. They may accept it, or a committee may have another piece of legislation all ready to take up and may disregard our bill. As I said, we have had preliminary hearings on the equalization of retirement, survivors' benefits, and so on. Even when Congress is out of session we work with the committee staffs, to be prepared on our priority items, and to have an expeditious and early hearing as soon as we can talk to the chairman and get him to hear it. But the chairman is the one man that controls what is going to be brought up in that committee.

But we do have the counsels and the staffs reviewing all of the legislation. One piece of legislation that the Navy is taking action on, and all of the services are joining with them and forming a task force to really push it, is this bill on substandard quarters--to allow you to occupy substandard quarters and not lose full commutation and have to pay fair rent. I think you will get early action on it. We just sent it back to the Bureau of the Budget recently because it did not include bachelors. We have amended it to include bachelors occupying substandard quarters. We haven't gotten an answer back from the Bureau of the Budget yet as to what the monetary implications of that would be. But the Navy feels that it is one of their "musts" and we agree with them. So we are helping to push it.

QUESTION: We relied very heavily in our officer and noncommissioned officer clubs for years on slot machines. When they were abolished, a good many of us had the feeling that it was because the subject was not adequately explained to Congress. Would you care to discuss that problem?

GENERAL KELLY: I don't know really. I was out in the field. But again, that slot machine law applied nation-wide. You couldn't transport slot machines in interstate commerce.

It is much like liquor in the mess. No one would dare vote against such a bill except those from Nevada. You couldn't go to the voters and say: "I voted for the slot machines to debauch your 18-year-old sons that are being drafted." So once again, they don't see the light; they feel the heat.

QUESTION: There has been quite a lot of talk in the last years--it seems to have died down a lot in the past few months--with regard to making the services more attractive, both to keep those people in who are in the services and to attract others in. Housing is one thing that seems to me to be most important, permanent housing.

I think it was back in 1951 or thereabouts that a top limit was put on the size of construction of family quarters for any person in the military. I think it applied to quarters for all people in the Government. And, if I am not mistaken, it was 100,000 square feet.

A year or two ago a bill was introduced, I believe, into Congress to lift that limit and to put it back to the limit more or less in effect as it was before the war. I am wondering if that has been the practice and has come to pass.

GENERAL KELLY: The so-called Capehart Bill or Capehart Amendment, the Rains Bill, or whatever you want to call it, that passed the last session with a lot of undercover lobbying--I don't like to use that word, but we did--we did get that bill through, which allows the Armed Services to build houses at an average cost of $13,500--the Wherry house is about $8,100--and for an average cost of $13,500, if you build them in units of a thousand or five hundred, you can get a pretty good house. That bill passed, and only yesterday we got the final instructions and word to go on with that; and the Air Force advertised for bids on one thousand houses on the first unit under that bill at Abilene, Texas.

I think the majority of our housing, public housing for people in the military, in the future will be under that act rather than appropriated housing. Certainly you are not going to accept Wherry housing. It can't compete against the $13,500 housing. That is civilian borrowed money, backed up by FHA. The Department of Defense owns those houses the minute they are completed; and we pay off that money out of commutation.

I think we will get some very good housing. The houses that are designed for Abilene on a $13,500 basis are very, very good houses. I don't offhand know the floor space and so on, but that's our first batch of houses under that bill. We have been working out regulations with FHA and the Department of Defense. But that bill only passed the last day of Congress.

We have a large number of appropriated houses, already appropriated for. But I am just of the opinion--and this is my personal opinion--that all houses that are to be built for the military in the future will come under the Capehart Bill if it works as we think it will. It will give us much better housing.

QUESTION: Could you give us the benefit of your experience as to conflicts with local authorities and with Congress in the case of complaints, like, for example, aircraft noise?

GENERAL KELLY: I have been on both sides of this. One thing you have to do is to give a prompt reply. Get the guy out there to visit your base. Let him be aware of your problems.

Too often in the military--I have seen this happen from time to time in all three services--when you have a congressional committee

or a Congressman visit you, you show him only the good things on the base. You don't show him the bad things. Or you can get some commanders who will show nothing but the bad things. You have to let him be aware of your problems. You have got to know him.

I had a very influential Congressman call me not too long ago and he said: "I want that base commander down here at such-and-such a place fired." I said, "Gee, what's the trouble?" He said: "Well, that base commander we used to have was a hell of a nice guy. We got along great. But this guy is running around with the wrong people. One of my friends had the mortuary contract down there and this base commander has cancelled the mortuary contract on one of my friends. I want him out of there. He is no good."

I said: "Have you met him? Do you know him?" He said, "No. I don't know him at all, but my friends tell me he is no good."

Well, on a later occasion this Congressman called me and said: "Gee, I have an emergency. Here I am down in my district and I've got to get back to Washington. Have you got anything flying from my district up to Washington?" I said, "I'll take care of you."

I called this base commander and said: "You call that Congressman and you fly him up here to Washington. On the way up you get acquainted with him."

He did. That base commander is the greatest guy in the world with that Congressman now. He has no trouble with him at all. That Congressman is fighting for anything that that base commander wants to do. But as long as he didn't know him, didn't know his problems, and as he was taking the mortuary contract away from one of his friends, he was out.

There was another fellow down at Jacksonville. He turns his problems over to the Congressman from down there, and he and the Congressman get along fine.

COLONEL WALSH: I was going to ask a question, but your answer leads into it. You could break it this way: What happened to the mortuary contract? In other words, if the Congressman doesn't see the light but only feels the heat, the question then is, To what extent does the Congressman turn the heat on us and we have to be responsive?

GENERAL KELLY: The mortuary contract was cancelled. He took the Congressman out with the chaplain and with his surgeon and they inspected the mortuary. He took the Congressman out and let him see the property. And they cancelled it. He said: "Fine. I agree with you."

It just happened that this particular Congressman was a retired Army colonel. He had had a lot of combat experience. He knew the problems. But this guy hadn't shown him the courtesy, right in his home town--and he a new base commander--of even calling him.

You have got to know these guys. As I said, the Navy are experts on that. I see more blue coats over there on the Hill swishing in and out. The Navy has a couple of people who sit up there, and if things are not going right in a hearing or on the floor, you see one get up and go around to the telephone out in the hall, and in fifteen minutes there are eight admirals there.

QUESTION: Would you care to enlighten us a little on the recent problem of senators and aircraft?

GENERAL KELLY: The Senate preparedness Committee asked us to prepare a list of congressional travel starting the 1st of January 1952, all congressional travel by air, and by military sea transport, by carrier, and everything else. They have also asked us to prepare a list of travel of civil officers and statutory appointees.

There is a lot of travel by air. A lot of it is justified as essential and so on. It happened that I was over with the Senate Appropriations Committee. Before they left, we made up the itinerary. We did considerable work. You always do. There were some twenty-eight people on this trip. There's a lot of work.

We actually scheduled their departure from Madrid back to Washington. There is no MATS schedule from Madrid to Washington. Before they departed, I called for a special airplane to haul them from Madrid back to Washington.

This particular committee attracted considerable attention every place they went. There was a large number of people traveling with them. The newspaper people started following them before they had even left the United States. It just so happened that Jimmy Lucas, of Scripps Howard, followed them very closely.

During the progress of their trip overseas they found that there was a special mission that had taken Mr. Dulles to Geneva for the Geneva Conference. If they could get those congressmen to wait two days in Madrid, postpone their departure for two days, they could use the same airplane that took Mr. Dulles over to Geneva to bring them back. So they sent a wire out--I wasn't there. I wish I had been--to the committee asking if they could wait two days. They sent a wire back and said "No."

Some disgruntled person in the headquarters in Europe gave Jimmy Lucas copies of both of those wires. They denied that they asked for a special airplane, and we backed them up. It's just as simple as that.

QUESTION: It appears that some of our problems in living on military bases is due to pressure groups working on Members of Congress. I would like your view on how we as individuals or as a group could express our views best to Congressmen and eliminate some of that pressure.

GENERAL KELLY: You are right. There are pressure groups working on military housing. Every time we try to build housing, this Builders Association and real estate lobby start working against us. On the PX's, of course, it is the lobby of the Retail Merchants Association.

I don't know the best way to work against them, except to present our case. Certainly we are getting more and more veterans in the Congress, who understand the problems. We have around 70 percent of them veterans in Congress now. If we can know those people who were in the service and acquaint them with our problems, just recall some of their problems while they were in the service, I think that is about the best way that we can do it.

But to start a maverick organization to fight these units--Mr. Talbott, when he was Secretary of the Air Force, was outspoken against them. He went at them proper. He's not with us any more.

QUESTION: I had in mind more specifically some sort of organization that would be service-wide.

GENERAL KELLY: There are a couple of organizations service-wide right now working on survivors benefits. Unless they are controlled in their actions or really guided, they can do us really more harm

than good. You have two organizations that I know of. One of them is sort of a maverick outfit. The other is pretty well guided. It is headed by an admiral's wife on active duty, working with a task force on survivors benefits. The other is sort of free lance.

I got into a lot of trouble over here last year when I told the class that I opened everyone's mail in the Air Force if it had a congressional print on it. If there is a franked letter comes into the Pentagon addressed to the Air Force, my office opens it, and we start answering it. It may be addressed to you personally; but if it is in a franked envelope, it's official business.

We do that because we have to give the same answer to everyone who writes in on a subject. If someone writes to you and you and you--and you never get a letter from just one person, because when you write to your Congressman, you don't just write to one of them. You write to all of them from your state, to all your Senators and Congressmen--we open the letters and prepare the answers. If it is addressed to you personally, we will send it over for you to sign, or to coordinate. But if you don't do that, he will get fourteen different answers from fourteen different letters.

It is the same way with these wives' clubs. Unless they are very closely controlled--it is good, but it has got to be controlled.

I am not adequately covering the subject, but I think you might get the idea.

After I told about opening these franked letters, somebody stood up out there and wanted my opinion about my authority to do it. I have had some pretty mad people, who got personal letters from Congressmen and we opened them. They come around and say: "You are opening my personal mail. I am going to sue you" and so on. I say: "Wait a minute. If there's a frank on it, it can't be personal. It's got to be official. If it's personal correspondence with your Congressman, let him write to you at your home." This is the Secretary's and the Chief of Staff's orders that we do this. We open the Secretary's and the Chief of Staff's mail from Congress too.

QUESTION: I have one more question. On two different occasions members of the secretariat of House committees--I think one was the Military Affairs, if I remember correctly--approached me on this problem of household goods, the weight limitation. They could recite

more statistics about how much the military services were being discriminated against versus the State Department in people of about the same rank. They get 17 or 18 thousand pounds and we get 10 thousand pounds. They were just as adamant at the poor presentation that the services made to justify an increase. They were so poor that the committee themselves couldn't take it upon themselves to go ahead and arbitrarily increase it. Yet they knew it was justified. I wonder if you would care to comment on that.

GENERAL KELLY: You get people over there who don't know their subject. We lost a bill last year in the Air Force which we thought was very important, because our witness just absolutely tied it up completely. We couldn't salvage it. We have got to, right at the top, realize the importance of proper legislation and be prepared. You have people up there who know you from both sides of the river. So a poor selection of a witness will lose your point every time.

Very seldom will a Congressman pick it up and do it for you. You have got to sell your case, so that your committee report comes out justifying it. It has actually happened time and time again, where we have a poor witness who doesn't know his subject, that we lose our legislation right there. We have tried to salvage it, but we lost it.

We lost one last year that we felt was very important. We lost it simply because we picked the wrong guy. He went over there and antagonized the committee. He didn't know how to say "I don't know" without betraying ignorance. I don't think we will ever get the legislation, not as long as the same people are on that committee.

It is a problem. When you start off to get legislation, it's hard work. It is lengthy, time-consuming, tedious, and expensive, as I said. It's not just something that you walk over and talk to the man and someone on the staff and say: "We have got to get our household goods raised 10,000 to 17,000." You have to build a case and justify it and convince them, re-justify and re-convince. It's steady, hard, tedious slogging. There's nothing flashy in getting legislation. But it's important, and everyone at every echelon has to realize the importance of it. And certainly the people that are selected to go over there as witnesses have to be carefully selected and carefully screened.

COLONEL BARRETT: General Kelly, on behalf of the College, I wish to thank you for your presentation and your patience in answering questions.

(27 Jan 1956--250)B/mmg

B46630