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SUMMARY OF ACTIVITIES

OF THE

COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

90TH CONGRESS

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NOVEMBER 1968

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COMMITTEE ON THE JUDICIARY

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DONALD E. SANTARELLI, *Associate Counsel*
FRANKLIN G. POLK, *Associate Counsel*

[1] Elected to committee Oct. 10, 1968, H. Res. 1319.

NOTE.—James C. Corman, California, resigned from committee Aug. 1, 1968;
Herbert Tenzer, New York, resigned from committee Oct. 9, 1968.

SUMMARY OF ACTIVITIES OF THE COMMITTEE ON THE JUDICIARY, 90TH CONGRESS

When the 90th Congress came to a close, the records revealed that the Committee on the Judiciary of the House of Representatives carried a major responsibility in shaping some of the most significant legislation of national impact. Of the 24,227 bills and resolutions introduced in the House in the 2 years of the 90th Congress, 9,304 were referred to the Committee on the Judiciary. In terms of percentages, 38.4 percent of the total number of introduced bills and resolutions came to this committee. Further, of the 1,002 public and private bills enacted in this Congress, 40.5 percent, or 406 in number, resulted from original references to the committee. Of this number 74 were public laws, and 332 were private laws.

The 90th Congress enacted 640 public laws. Of this number, 74 derived from this committee. Those public measures which passed the House of Representatives but were not acted upon by the Senate numbered 16. Thus, 90 Judiciary Committee public bills passed the House of Representatives. The subcommittees and full committee met in public and executive sessions a total of 385 times.

Among the major legislation with which this committee dealt, we find:

(*a*) Public Law 90–123—To amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States.

(*b*) Public Law 90–198—To extend the life of the Civil Rights Commission.

(*c*) Public Law 90–219—To provide for the establishment of a Federal Judicial Center.

(*d*) Public Law 90–274—To provide improved judicial machinery for the selection of Federal juries.

(*e*) Public Law 90–284—To prescribe penalties for certain acts of violence or intimidation.

(*f*) Public Law 90–291—To provide compensation for law enforcement officers not employed by the United States killed or injured while apprehending persons suspected of committing Federal crimes.

(*g*) Public Law 90-296—To provide for the temporary transfer to a single district for coordinated or consolidated pretrial proceedings of civil actions pending in different districts which involve one or more common questions of fact.

(*h*) Public Law 90–351—To assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government. (Omnibus Crime Control and Safe Streets Act of 1968.)

(*i*) Public Law 90–578—To abolish the Office of U.S. Commissioner, to establish in place thereof within the judicial branch of the Government, the Office of U.S. Magistrate.

(*j*) Public Law 90–618—To amend title 18, United States Code, to provide for better control of the interstate traffic in firearms.

(*k*) House Joint Resolution 396 [1]—To amend the Constitution to provide for representation of the District of Columbia in the Congress.

(*l*) H.R. 2158—The Interstate Taxation Act was passed by the House but was not acted upon by the Senate. This measure grew out of 5 years of study by the Special Subcommittee on State Taxation of Interstate Commerce. During the course of that study, the subcommittee issued four volumes of interim reports. In addition, the subcommittee held hearings which covered a period of about 3 months in the 89th Congress. Previous hearings had also been held in 1961 and 1962.

One of the most far-reaching achievements of the Judiciary Committee is the completion of its work on the general revision of the copyright law, H.R. 2512, which passed the House, but action was not completed in the Senate.

It must also be noted that the committee has begun a thorough study of proposals leading to the general revision of the patent laws.

The following is a detailed analysis of the work of the committe including an analysis of the achievements of each of the subcommitteese

Tabulation of bills and resolutions referred to the Committee on the Judiciary

Introduced and referred to committee:		
Public:		
House bills	1,634	
House joint resolutions	881	
House concurrent resolutions	47	
House resolutions	41	
		2,603
Private:		
House bills (claims)	704	
House joint resolutions (claims)	1	
House resolutions (claims)	22	
House bills (immigration and nationality)	5,968	
House joint and concurrent resolutions (immigration and nationality)	2	
House resolutions (immigration and nationality)	2	
House bills (patents)	2	
		6,701
Passed Senate and referred to committee:		
Public:		
Senate bills	31	
Senate joint resolutions	19	
Senate concurrent resolutions	3	
		53
Private:		
Senate bills (claims)	52	
Senate bills (immigration and nationality)	304	
Senate joint and concurrent resolutions (immigration and nationality)	2	
		358
Total		9,715

[1] Pending in Rules Committee at time of adjournment.

PUBLIC BILLS AND RESOLUTIONS ENACTED INTO LAW

Number of law	Title	Number of bill or resolution
	ANTITRUST	
90–62	To extend the authority for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States.	S. 1648, H.R. 8630.
	BANKRUPTCY	
90–156	To amend secs. 334, 355, 367, and 369 of the Bankruptcy Act	H.R. 2519.
90–157	To amend secs. 64a, 238, 378, and 483 of the Bankruptcy Act and to repeal secs. 354 and 459 of the act.	H.R. 2517.
90–158	To amend secs. 337 and 338 of the Bankruptcy Act and to add new sec. 339	H.R. 2518.
90–161	To amend secs. 40c(1) and 52a of the Bankruptcy Act so as to reallocate part of the filing fee from the clerk's earnings to the referees' salary and expense fund.	H.R. 8632.
	CIVIL RIGHTS	
90–198	To extend the life of the Civil Rights Commission	H.R. 10805.
90–284	To prescribe penalties for certain acts of violence or intimidation	H.R. 2516.
	CODIFICATION AND REVISION OF LAW	
90–23	To amend sec. 552 of title 5, United States Code, to codify the provisions of Public Law 89–487. (Public Information.)	H.R. 5357.
90–83	To amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the code.	H.R. 5876.
90–620	To enact title 44, United States Code, "Public Printing and Documents," codifying the general and permanent laws relating to public printing and documents.	H.R. 18612.
90–623	To amend title 5, 10, and 37, United States Code, to codify recent law, and to improve the code.	H.R. 17864.
	COMMISSIONS	
90–70	To establish the Golden Spike Centennial Celebration Commission	S.J. Res. 10. H.J. Res. 362.
	COMPACTS	
90–181	To grant the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District compact.	S. 2514. H.R. 12010.
90–200	To give the consent of Congress to the State of Ohio to become a party to the agreement relating to bus taxation proration and reciprocity as set forth in title II of the act of Apr. 14, 1965 (79 Stat. 60), and consented to by Congress in that act and in the acts of Nov. 1, 1965 (79 Stat. 1157), and Nov. 2, 1966 (80 Stat. 1156).	H.R. 12912.
90–395	Granting the consent of Congress to certain additional powers conferred upon the Kansas City Area Transportation Authority by the States of Kansas and Missouri.	H.J. Res. 1111.
	COPYRIGHTS	
90–141	Extending the duration of copyright protection in certain cases	S.J. Res. 114.
90–416	Extending the duration of the copyright protection in certain cases	S.J. Res. 172.
	COURTS	
90–92	To provide for holding terms of the District Court of the United States for the Eastern Division of the Northern District of Mississippi in Ackerman, Miss.	S. 1465.
90–216	To create a new division for the western district of Texas	H.R. 8338.
90–217	To provide that the U.S. District Court for the Eastern District of New York shall be held at Brooklyn, N.Y., and Mineola, N.Y.	H.R. 8376.

PUBLIC BILLS AND RESOLUTIONS ENACTED INTO LAW—Continued

Number of law	Title	Number of bill or resolution
	CRIME AND CRIMINAL PROCEDURE	
90–123	To amend ch. 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States.	S. 676.
90–159	To amend the act of June 10, 1938, relating to the participation of the United States in the International Criminal Police Organization.	H.R. 2834.
90–291	To provide compensation for law enforcement officers not employed by the United States killed or injured while apprehending persons suspected of committing Federal crimes.	H.R. 11816.
90–351	To assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government (Omnibus Crime Control and Safe Streets Act of 1968).	H.R. 5037, S. 917.
90–371	To authorize the Bureau of Prisons to assist State and local governments in the improvement of their correctional systems.	H.R. 15216.
90–381	To prohibit desecration of the flag	H.R. 10480.
90–384	To repeal sec. 1727 of title 18, United States Code, so as to permit prosecution of postal employees for failure to remit postage due collections, under the postal embezzlement statute, sec. 1711 of title 18, United States Code.	H.R. 17024.
90–462	To amend the act of June 19, 1968 (Public Law 351, 90th Cong.)	S. 3679.
90–535	Setting penalties for unlawful transfer of travelers' checks bearing forged countersignatures	S. 1440.
90–618	To amend title 18, United States Code, to provide for better control of the interstate traffic in firearms.	H.R. 17735.
	HOLIDAYS, PROCLAMATIONS, AND COMMEMORATIONS	
90–4	Authorizing the President to proclaim "National CARIH Asthma Week"	S.J. Res. 4, H.J. Res. 94.
90–12	To designate Apr. 28–29, 1967, as "Rush-Bagot Agreement Days"	S.J. Res. 49, H.J. Res. 468.
90–101	To authorize and request the President to issue a proclamation commemorating 50 years of service to the Nation by the Langley Research Center.	H.J. Res. 799. S.J. Res. 109.
90–160	Designating February of each year as "American History Month"	S.J. Res. 26. H.J. Res. 58.
90–187	To amend the act of July 4, 1966 (Public Law 89–491)	H.R. 8629.
90–253	Authorizing the President to proclaim the period Feb. 11 through 17, 1968, as "LULAC Week"	H.J. Res. 947.
90–277	To provide for the designation of the 2d week of May of 1968 as "National School Safety Patrol Week."	S.J. Res. 72, H.J. Res. 1053.
90–281	To proclaim "National Jewish Hospital Save Your Breath Month"	H.J. Res. 933.
90–305	To designate May 20, 1968, as "Charlotte, N.C. Day"	S.J. Res. 131.
90–309	To provide for the observance of the centennial of the signing of the 1868 Treaty of Peace between the Navajo Indian Tribe and the United States.	S. 2745.
90–363	To provide for uniform annual observances of certain legal public holidays on Mondays	H.R. 15951.
90–405	Authorizing the President to proclaim Aug. 11, 1968, as "Family Reunion Day"	S.J. Res. 165.
90–406	To authorize the President to issue a proclamation designating the week of Oct. 13, 1968, as "Salute to Eisenhower Week."	H.J. Res. 1202. H.J. Res. 1302.
90–443	To authorize the President to designate the week of Aug. 4 through Aug. 10, 1968, as "Professional Photography Week."	S.J. Res. 181.
90–498	Authorizing the President to proclaim annually the week including Sept. 15 and 16 as "National Hispanic Heritage Week."	H.J. Res. 1299.
90–499	Authorizing and requesting the President to proclaim the week of Nov. 17 through 23, 1968, as "National Family Health Week."	H.J. Res. 1404.
90–558	Recognizing the significant part which Harry Truman played in the creation of the United Nations.	H.J. Res. 1459.
90–611	Extending greetings and felicitations to St. Louis University in the city of St. Louis, Mo., in connection with the 150th anniversary of its founding.	H.J. Res. 691.
	IMMIGRATION AND NATIONALITY	
90–215	To amend sec. 319 of the Immigration and Nationality Act to permit naturalization for certain employees of U.S. nonprofit organizations engaged in disseminating information which significantly promotes U.S. interest.	H.R. 2138.
90–369	To provide for the expeditious naturalization of the surviving spouse of a U.S. citizen who dies while serving in an active-duty status in the Armed Forces of the United States.	H.R. 10135.
90–609	To amend secs. 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees.	H.R. 2792.
90–633	To amend the Immigration and Nationality Act to provide for the naturalization of persons who have served in combatant areas in active-duty service in the Armed Forces of the United States.	H.R. 15147.

PUBLIC BILLS AND RESOLUTIONS ENACTED INTO LAW—Continued

JUDICIAL ADMINISTRATION AND PROCEDURE

Number of law	Title	Number of bill or resolution
90–219	To provide for the establishment of a Federal Judicial Center	H.R. 6111.
90–274	To provide improved judicial machinery for the selection of Federal juries	S. 989.
90–296	To provide for the temporary transfer to a single district for coordinated or consolidated pretrial proceedings of civil actions pending in different districts which involve one or more common questions of fact.	S. 159.
90–383	To amend sec. 127 of title 28, United States Code, to define more precisely the territory included in the 2 judicial districts of Virginia.	H.R. 13315.
90–466	To amend sec. 376(a) of title 28, United States Code (Judicial Survivors Annuity Act)	H.R. 9391.
90–522	To amend sec. 2733 of title 10, United States Code, to authorize the application of local law in determining the effect of claimant's contributory negligence, to clarify the procedure for appeal from certain claims determinations, and to limit the amount of attorney fees thereunder.	H.R. 10482.
90–578	To abolish the Office of U.S. Commissioner, to establish in place thereof within the judicial branch of the Government, the Office of U.S. Magistrate.	S. 945. H.R. 5502

JUDGES

90–90	To amend sec. 5(b) of the act of Mar. 18, 1966 (Public Law 89–372), so as to make the prohibition contained therein on the filling of certain vacancies in the office of district judge for the eastern district of Pennsylvania inapplicable to the first vacancy occurring after the enactment of such act.	S. 828.
90–347	To provide for the appointment of additional circuit judges	S. 2349.

PUBLIC CLAIMS

90–68	For the relief of the village of Brooklyn Center, Minn	H.R. 4496.
90–155	For the relief of the city of Pawtucket, R.I	H.R. 3799.
90–241	For the relief of the town of Bremen, Ind. (amended to read: For the relief of Marshall County, Ind.)	H.R. 11542. S. 2287. S. 1664, H.R. 9748.
90–295	For the relief of the city of El Dorado, Kans	H.R. 13669.
90–521	To permit the use of officers of any of the armed services on claims commissions	H.R. 206
90–525	Authorizing settlement of claims up to $5,000 which are incident to noncombat activity of the Coast Guard.	H.R. 8140.
90–561	To provide for the settlement of claims against the District of Columbia by officers and employees of the District of Columbia for damage to, or loss of, personal property incident to their service.	H.R. 859.
90–627	For the relief of Public Utility District No. 1 of Klickitat County, Wash	

MISCELLANEOUS

90–145	To extend the period during which Secret Service protection may be furnished to a widow and minor children of a former President.	H.R. 13165.
90–196	Congressional redistricting (and for the relief of Dr. Ricardo Vallejo Samala.)	H.R. 2275.
90–353	To permit black and white or color reproductions of U.S. and foreign postage stamps under certain circumstances.	H.R. 15972.
90–413	To amend sec. 1730 of title 18, United States Code, to permit the uniform or badge of the letter carrier branch of the postal service to be worn in theatrical, television, or motion-picture productions under certain circumstances.	H.R. 10773.
90–518	To amend sec. 1263 of title 18 of the United States Code to require that interstate shipments of intoxicating liquors he accompanied by bill of lading, or other document, showing certain information in lieu of requiring such to be marked on the package.	H.R. 5754.

Subcommittee No. I: General Jurisdiction Over Judiciary Bills as Assigned—Special Jurisdiction Over Immigration and Nationality

During the 90th Congress, Subcommittee No. I held 63 meetings: 17 meetings were public hearings on pending general legislation to amend the Immigration and Nationality Act, seven were executive sessions, 37 were on private immigration bills, and two were on public legislation to amend the Immigration and Nationality Act.

H.R. 2138, to provide that the period of residence abroad in the employ of certain U.S. nonprofit organizations engaged in disseminating information which significantly promotes U.S. interests shall be considered as constructive residence and constructive physical presence in the United States for naturalization purposes.

Public hearings were held on July 27 and August 4, 1967, and testimony was received from representatives of the Department of State, Department of Justice, Radio Free Europe Committee, and Radio Liberty Committee. The bill was reported by the subcommittee on October 11, 1967, considered and reported by the full committee on October 24, passed the House November 6, 1967, passed the Senate December 6, 1967, and was signed into law (Public Law 90–215) on December 18, 1967.

This legislation will affect employees of certain U.S. nonprofit organizations such as Radio Free Europe, Inc., and Radio Liberty Committee, who have been admitted to the United States for permanent residence but by virtue of their employment are necessarily regularly stationed abroad and thus are unable to satisfy the physical presence requirement and, in some cases, the residence requirement to be eligible for naturalization.

This bill will waive the required 5-year period of continuous residence in the United States, the required 30 months of physical presence within that period, the required 6-month period of residence within a particular State, the loss of continuity of residence for remaining out of the United States for a year or more, and permit the naturalization of persons contemplated by this bill.

The persons who will be affected must have been admitted to the United States for permanent residence in accordance with all provisions of law, must have been continuously employed for a period of not less than 5 years after such admission for permanent residence by the specified organizations, and with the exception of the residence requirements, must satisfy all provisions of law relating to naturalization. This includes good moral character and attachment to the principles of the Constitution of the United States.

H.R. 2792.—The purpose of the bill is to eliminate all statutory references to the fees to be charged for services rendered pursuant to sections 281 and 344 of the Immigration and Nationality Act, and thus permit such fees to be set by the Attorney General and the Secretary of State on a fair and equitable basis commensurate with the services rendered.

Public hearings were held on November 1, 1967, and testimony was received from representatives of the Departments of State and Justice. The bill was reported by the subcommittee on January 31, 1968, reported by the full committee on February 12, 1968, passed the House April 1, 1968, passed the Senate October 11, 1968, and was signed into law (Public Law 90-609) on October 21, 1968.

H.R. 10135.—The purpose of the bill, as amended, is to permit immediate naturalization for an alien, male or female, widowed by the death of a U.S. citizen spouse on active duty in the U.S. Armed Forces, provided the alien has been admitted to the United States for permanent residence, is living in marital union with a U.S. citizen at the time of his death, and is otherwise qualified for naturalization. The amendment relieves the surviving spouse from satisfying all residence and physical presence requirements for naturalization.

The bill was reported by the subcommittee on January 31, 1968, with the amendment reported by the full committee February 12, 1968, passed the House March 4, 1968, passed the Senate June 24, 1968, and was signed into law (Public Law 90–369) on June 29, 1968.

H.R. 15147.—The purpose of the bill is to provide for expeditious naturalization of aliens who have served in an active-duty status in the Armed Forces of the United States in an area designated by the President as an area involving armed conflict with foreign forces.

Hearings were held March 1 and November 1, 1967, on 14 bills and testimony was received from Members of Congress, representatives of the Department of Justice, Department of State, and Department of Defense.

The bill was reported from the subcommittee February 7, 1968, reported by the full committee February 28, 1968, passed the House March 4, 1968, passed the Senate, amended, June 24, 1968, conference report filed October 10, 1968, both House and Senate agreed to report on October 11, 1968, and signed into law (Public Law 90–633) on October 24, 1968.

H.R. 15972.—The purpose of this bill is to permit black and white color reproductions of U.S. and foreign postage stamps under certain circumstances.

Public hearings were held on March 13, 1968, and testimony was received from representatives of the Congress, the Post Office, and the Secret Service. The bill was reported by the subcommittee March 13, 1968, reported from the full committee March 27, 1968, passed the House April 1, 1968, passed the Senate June 12, 1968, signed into law (Public Law 90–353) on June 20, 1968.

H.R. 555, as amended, to waive the naturalization requirement of an understanding of the English language for any person over 50 years of age who has been living in the United States for 20 years or more. Public hearing was held on this bill, two similar bills, and H.R. 3597, to amend section 301(b) of the Immigration and Nationality Act, on March 8, and testimony was received from the Department of Justice. The bill reported by the subcommittee on October 25, was amended to include the provisions of H.R. 3597, which provided that any person who acquired U.S. citizenship at birth abroad under section 301(a)(7) of the Immigration and Nationality Act shall not lose such citizenship if he returns to the United States to reside permanently prior to attaining the age of 18 and his alien parent acquired U.S. citizenship prior to the child's 18th birthday, and the provisions of H.R. 8992, which amended sections 320 and 321 of the Immigration and Nationality Act to change the critical age for automatic acquisition of U.S. citizenship by children through the naturalization of a parent or parents from 16 to 18 years. The bill, as amended, was reported by the subcommittee on October 25, was considered and reported by the full committee on November 17, 1967, and passed the House on December 4, 1967.

H.R. 857, repealing the "coolie trade" laws, was reported by the subcommittee on February 7, 1967, considered and reported by the full committee on March 2, and passed the House on March 20, 1967. No action taken by the Senate. This legislation previously passed the House in 89th Congress and no action was taken by the Senate. The purpose of the bill is to repeal the "coolie trade" laws

which prohibit the procuring, transportation, disposition, sale, or transfer of oriental persons as servants or apprentices, or to be held in service or labor.

H.R. 11993, to extend the life of the Select Commission on Western Hemisphere Immigration for 1 year and to provide a 1-year postponement on the commencement of a 120,000 annual ceiling on Western Hemisphere immigration, as provided in the act of October 3, 1965 (Public Law 89–236). The bill reported by the subcommittee on August 9, 1967, was considered and reported by the full committee on August 15, 1967, and passed the House August 21, 1967.

H.R. 15450.—The purpose of the bill, as amended, is to exempt from the numerical limitations on immigration any immigrant who continuously for at least 2 years immediately preceding the time of his application for admission to the United States has been, and seeks to enter the United States solely for the purpose of serving as missionary, brother, nun, or sister of a religious denomination, and whose services are needed by such religious denomination having a bona fide organization in the United States, and the spouse or child of any such immigrant, if accompanying or following to join him.

The amendment provides that a visa petition must be approved in order to qualify as a special immigrant under this bill.

Public hearings were held on March 27, 1968, and testimony was received from representatives of the Department of State and the Department of Justice. The bill was reported by the subcommittee on June 27, 1968, reported from the full committee on July 29, 1968, passed the House September 16, 1968, and passed the Senate with amendment on October 10, 1968. The House disagreed with the Senate amendment October 11, 1968.

H.R. 15651.—The purpose of the bill, as amended, is to authorize the Secretary of State and the Attorney General to issue regulations exempting visitors to the United States for 90 days or less from the visa requirements and from certain grounds of ineligibility. The committee amendments impose a penalty, in addition to the safeguards in the bill, of a 2-year period of ineligibility for an immigrant visa on any alien who overstays or otherwise violates his status after admission to the United States as a nonimmigrant under the provisions of this bill, and establishes a termination date for the legislation.

Public hearings were held on March 21, 1968, and testimony was received from representatives of the Department of State, the Department of Justice, and the Department of Commerce. The bill was reported from the subcommittee on May 16, 1968, from the full committee on June 4, 1968. No action was taken by the House.

S. 3488.—The purpose of the bill, as amended, is to facilitate the entry into the United States of not to exceed 205 inhabitants of the Bonin Islands and certain of their children within 2 years after enactment of this act, and to provide such aliens a means whereby they may petition for naturalization upon completion of the residence and physical presence requirements of section 316(a) of the Immigration and Nationality Act.

The bill was ordered reported by the subcommittee on September 25, 1968. The Senate passed the bill on June 12, 1968.

Additional hearings.—The subcommittee also held hearings on April 19, April 26, and May 3, 1967, on the immigration aspects of the Mutual Educational and Cultural Exchange Act. Testimony was re-

ceived from officials of the Department of State, Department of Justice, and various professional associations.

On February 21, 1968, hearings were held on H.R. 14806, H.R. 14807, and H.R. 14808, bills for the relief of certain distressed aliens from Sicily, Italy. Testimony was received from Members of Congress, the Department of State, members of Italian Immigration groups, and the publisher of an Italian newspaper.

Hearings were held on July 3, 1968, on the effect of the act of October 3, 1968, on immigration from Ireland and northern Europe. Testimony was heard from Irish Immigration groups.

On September 18, 1968, hearings were held on the effect labor certification has had on immigration from Ireland. Testimony was heard from the Department of Labor.

On April 3, April 10, May 22, and June 13, 1968, hearings were held on the operation of the act of October 3, 1965. Testimony was heard from the Department of State, the Department of Labor, and the Department of Justice.

A report on the Intergovernmental Committee for European Migration was prepared by the committee and submitted to the House as House Report No. 578.

Summary of private immigration bills and resolutions

Total number of bills and resolutions		6,278
Total number of private laws		216
House bills:		
Private laws	[1] 1	
Public law	[2] 91	
Pending in the Senate	2	
Passed the Senate amended	1	
On House Private Calendar	4	
Recommitted	26	
Senate bills passed in lieu	915	
Tabled	4,846	
Pending		5,968
House joint resolutions:		
Recommitted	1	
Senate joint resolution passed in lieu	1	2
House resolutions:		
Approved	1	
Pending	1	2
Total House bills and resolutions		5,972
Senate bills:		
Private laws	134	
Recommitted	2	
Tabled	19	
Pending	149	304
Senate concurrent resolutions:		
Recommitted	1	
Pending	1	2
Total Senate bills and resolutions		306

[1] H.R. 2275, a private bill, was amended by the Senate to add public legislation and became Public Law 90-196.

[2] 78 of these cases were approved by the Senate by inclusion in 1 House bill which also included 1 Senate bill. The House concurred with the amendment, with an amendment deleting the Senate bill, and the Senate did not concur with the House amendment.

Subcommittee No. 2: General Jurisdiction Over Judiciary Bills as Assigned—Special Jurisdiction Over Claims

During the 90th Congress, the subcommittee held 96 meetings and conducted hearings on 52 days. These included both public and private measures.

The subcommittee considered a group of bills providing for the amendment of laws concerning the settlement of claims arising from activities of the Armed Forces. H.R. 10482 was introduced in accordance with an executive communication sent to the Congress by the Air Force. The bill provided for the amendment of section 2733 of title 10, in order to make local law determinative on the question of contributory negligence, and the section was further amended to clarify the procedure for appeal. H.R. 10482 was favorably reported, passed the House and Senate, and was approved as Public Law 90–522. H.R. 201 was a bill considered by the subcommittee and provided for the amendment of three sections of chapter 163 of title 10, United States Code, the "Military Claims" chapter of that title. The amendments would clarify the application of the law to appointments of officers to claims commissions, and modify the restriction concerning noncombat claims in incidents arising from the operation of certain aircraft. The bill further provided for the changes necessary to permit expeditious settlement of claims arising from Coast Guard activity. After subcommittee consideration a revised bill, H.R. 13669, was introduced and, after passing both Houses, was enacted as Public Law 90–521. Two related bills, H.R. 205 and H.R. 206, were the subject of a subcommittee hearing on July 25, 1967. This legislation would authorize the settlement of Coast Guard claims in the same manner as is now provided for the other military services in section 2733 of title 10. H.R. 206, as reported by the subcommittee, included the provisions of both bills, and further provided for an increase from $1,000 to $2,500 in the settlement authority which may be delegated under section 2733 of title 10 and the equivalent section 715 of title 32 concerning National Guard claims. The bill, H.R. 206, became Public Law 90–525. H.R. 203, a bill to provide for settlement, under international agreements, of claims arising from certain noncombat activities of the Armed Forces, was the subject of a subcommittee hearing on January 31, 1968. This bill would have clarified the authority of the Government to pay claims in accordance with existing international agreements. It was favorably reported and passed the House on April 1, 1968.

H.R. 8140 was introduced in accordance with the recommendations of an executive communication from the District of Columbia government and provided coverage for District of Columbia employees under the Military Personnel and Civilian Claims Act of 1964. This act provides authority to pay for personal property losses of government employees when the losses are suffered incident to their employment. The bill was favorably reported, passed the House and Senate and was approved as Public Law 90–561.

H.R. 10773 was introduced in accordance with the recommendations of an executive communication from the Post Office Department. The

bill provided for the amendment of section 1730 of title 18 of the United States Code to permit letter carrier uniforms and badges to be worn in theatrical, television, and motion picture productions. The bill was favorably reported and passed the House and Senate and was approved as Public Law 90–413.

The subcommittee considered a number of public bills providing relief to political subdivisions of States. H.R. 4496, which passed the House and Senate and was enacted into law on August 21, 1967, as Public Law 90–68, provided for the payment of the Federal share for certain civil defense equipment to the village of Brooklyn Center, Minn. H.R. 3799, enacted as Public Law 90–155, extended similar relief to the city of Pawtucket, R.I. Another bill, H.R. 11542, relieving Marshall County, Ind., of an obligation to repay an amount equal to the Federal share paid in connection with the purchase of communications equipment, dealt with the same general subject matter. It passed the House on December 4, 1967, the Senate December 14, 1967, and became Public Law 90–241. S. 1664, for the relief of El Dorado, Kans., passed both Houses and was approved as Public Law 90–295. H.R. 859, for the relief of Klickitat County, passed the House on May 20, 1968, and became Public Law 90–627. H.R. 3165 concerning Hood River County, Oreg., was favorably reported and passed the House on June 3, 1968. A bill for the relief of the city of Sacramento, Calif., was the subject of a hearing on May 22, 1968.

H.R. 339 and a group of similar bills providing compensation for the survivors of law-enforcement officers killed or injured while apprehending persons for committing Federal crimes were the subject of subcommittee hearings on April 5 and 19, and May 18, 1967. After subcommittee consideration, a revised bill, H.R. 11816, was introduced and was favorably reported to the House. H.R. 11816 passed the House on September 11, 1967. The bill passed the Senate in an amended form on September 14, 1967, and after approval of a conference report by both Houses was enacted as Public Law 90–291. Several bills providing for comparable compensation to firemen under certain circumstances were the subject of a hearing on September, 25 1968.

Amendment to the law to require Federal supervision of contracting procedures in connection with public works contracts in order to prevent bid shopping was the subject of subcommittee consideration in the first session of the 90th Congress. On June 28 and July 29, 1967, the subcommittee held hearings on bills proposing amendments to the law on this subject. An amended bill was reported to the full committee.

The subcommittee continued its consideration of the question of limitations on attorneys fees by Federal law. Bills on this subject were considered by the subcommittee in the 89th Congress and a bill based on the legislation considered during the 89th Congress, H.R. 10216, was the subject of a subcommittee hearing on July 12, 1967. The revised bill, H.R. 15150, was reported to the full committee and became the basis of the committee amendment to S. 1073 as reported to the House on July 22, 1968.

Summary of bills

Bills referred to subcommittee:	
Public House bills	83
Public Senate bills	4
Public House resolutions	1
Private House bills	704
Private Senate bills	52
Private House resolutions	22
Private House joint resolutions	1
Bills on which final action was taken by subcommittee:	
Public House bills favorably reported	17
Public House bills adversely reported and tabled	31
Public Senate bills favorably reported	2
Public House resolutions favorably reported	1
Private House bills favorably reported	178
Private House bills adversely reported and tabled	99
Private Senate bills favorably reported	40
Private House resolutions favorably reported	10

The following tabulation indicates the work of this subcommittee in connection with claims against the Government:

Referred to subcommittee:	
Private House bills	704
Private Senate bills	52
Private House resolutions	22
Private House joint resolutions	1
Total	779
Public House bills	83
Public Senate bills	4
Public House resolutions	1
Total	88
Grand total	867
Adversely reported by subcommittee:	
Private House bills	99
Public House bills	31
Private Senate bills	3
Private House resolutions	2
Total	135
Reported to House:	
Private House bills	167
Private Senate bills	30
Private House resolutions	10
Public House bills	13
Public Senate bills	2
Total	222
Passed House:	
Private House bills	141
Private Senate bills	30
Private House resolutions	7
Total	178
Public House bills	13
Public Senate bills	1
Total	14
Grand total	192

Laws enacted:	
Public	11
Private	116
Total	127
Private bills rejected under subcommittee rules	26
Private bills administratively settled	11
Private bills vetoed	3

Subcommittee No. 3: General Jurisdiction Over Judiciary Bills as Assigned—Special Jurisdiction Over Patents, Trademarks, and Copyrights and Over Revision of the Laws

In addition to its special jurisdiction in the area of patent, trademark, and copyright legislation and over revision of the laws, this subcommittee processes other legislation, as assigned, including legislation involving congressional consent to interstate compacts. During the 90th Congress a total of 53 measures were referred to Subcommittee No. 3. A table showing the disposition of these measures appears below. Highlights of the subcommittee's activities are as follows:

COPYRIGHTS

In the 90th Congress, the subcommittee continued its consideration of copyright law revision legislation. On May 8, 1967, the full committee reported the revision bill as recommended by the subcommittee to the House (H. Rept. 83). On April 6 and 11, 1967, the bill (H.R. 2512) was debated in the House and was passed with a number of amendments. The Senate Copyright Subcommittee held additional hearings on the revision measure but was unable to complete its work during the remainder of the 90th Congress. It is expected that the Senate Copyright Subcommittee will resume work on copyright law revision early in the 91st Congress.

Incidental to the copyright law revision project was the enactment of Senate Joint Resolution 114 and Senate Joint Resolution 172, whose effect is to grant extensions of the renewal terms of subsisting copyrights where such terms would otherwise have expired before December 31, 1969. These joint resolutions mark the third and fourth general interim suspension of copyright expiration pending enactment of the general revision. Their adoption reflects a wide consensus that the term of copyright should be substantially increased. Senate Joint Resolution 114 became Public Law 90–141 on November 17, 1967, and Senate Joint Resolution 172 became Public Law 90–412 on July 23, 1968.

PATENTS

The 90th Congress also saw the initiation of a major project for the general revision of the patent laws (title 35 of the United States Code). By communication dated February 21, 1967, the President of the United States transmitted to Congress the proposed Patent Reform Act of 1967, with the following stated purposes:

(1) To raise the quality and reliability of U.S. patents.

(2) To reduce the time and expense of obtaining and protecting a patent.

(3) To speed public disclosure of scientific and technological information.

The measure was introduced by Mr. Kastenmeier as H.R. 5924. Ten days of hearings were held by the subcommittee between April 17 and June 8, 1967. In the second session, hearings were held on H.R. 13951, introduced by Mr. Poff, which reflects the views of the American Bar Association.

It is expected that further work will be done in both Houses during the 91st Congress to produce enactment of a patent law revision measure. Meanwhile, the hearings of the subcommittee held in 1967 and 1968 have been printed as serial No. 11.

INTERSTATE COMPACTS

Three measures involving congressional consent to interstate compacts were processed by the subcommittee and became law during the 90th Congress; namely, S. 2514, granting the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District compact, between West Virginia and Pennsylvania, which became Public Law 90–181 on December 8, 1967; H.R. 12912, granting the consent of Congress to the State of Ohio to enter into an existing agreement relating to bus taxation proration and reciprocity, which became Public Law 90–200 on December 14, 1967; and House Joint Resolution 1111, granting the consent of Congress to certain additional powers conferred upon the Kansas City Area Transportation Authority between the States of Kansas and Missouri, which was approved on July 11, 1968, as Public Law 90–395. A further measure involving interstate relations which was processed by the subcommittee and which passed the House but failed of enactment in the Senate was H.R. 15421, a bill to enact the interstate agreement on detainers into law.

MISCELLANEOUS

During March, April, and May of 1968, the subcommittee conducted 8 days of public hearings on the so-called judicial review legislation, H.R. 1198 and S. 3, bills to provide effective procedures for the enforcement of the establishment and free exercise clauses of the first amendment to the Constitution. These hearings have been printed and published as serial No. 19. Shortly after the close of the hearings, in *Flast* v. *Cohen* (392 U.S. 83), the Supreme Court, on June 10, 1968, went a long distance in clarifying the law with respect to standing to sue, with the result that enactment of the judicial review legislation has not been pressed.

Another measure processed by the subcommittee in the 90th Congress was H.R. 9391, which amends the Judicial Survivors Annuity Act to permit a judge who is unmarried at the time he takes office and who does not marry until after expiration of the 6-month period in which he must elect to participate in the judicial survivors annuity system an opportunity to join that system. The bill became Public Law 90–466 on August 8, 1968.

The subcommittee also processed H.R. 17024, a bill to repeal section 1727, title 18, United States Code, so as to permit prosecution under the embezzlement statute for failure to remit postage due col-

lections. The bill was signed into law on July 5, 1968, as Public Law 90–384.

Another measure enacted into law during the 90th Congress, which was handled by the subcommittee, provided relief for an inventor, Jack L. Good, who would otherwise have been deprived of a patent which had been scheduled for allowance, due to circumstances for which he was not responsible. The measure in question was H.R. 11254 which became Private Law 90–211 on April 12, 1968.

During the first session of the 90th Congress the subcommittee processed H.R. 13165, to extend the period during which Secret Service protection may be furnished to a widow and minor children of a former President. Authorization for such protection, in the case of Mrs. Kennedy and her minor children, would otherwise have expired on November 22, 1967, the fourth anniversary of President Kennedy's assassination. The measure became Public Law 90–145 on November 17, 1967. (Before the sine die adjournment of the 90th Congress, a further change was made in the authorization for Secret Service protection of the widow of a former President and her minor children. The new provision is found in Public Law 90–608. It authorizes the protection of a former President and his wife during his lifetime, the person of the widow of a former President until her death or remarriage, and minor children of a former President until they reach 16 years of age.)

REVISION OF THE LAWS

Supplements to the United States Code

Supplement III to the 1964 edition of the United States Code was edited and published after the adjournment of the first session of the 90th Congress. It contained the general and permanent laws enacted during the 89th Congress and the first session of the 90th Congress. It consisted of two volumes totaling almost 3,400 pages. Although there were only 249 public laws enacted during the first session, many of them were unusually voluminous.

The President approved 390 public laws in the second session, making the total for the 90th Congress, 640 public laws. These are being reviewed for classification to the United States Code and will be incorporated in cumulative supplement IV. In order to expedite the publications of that supplement, the committee's law revision counsel commenced furnishing printer's copy to the Government Printing Office on October 11, 1968. The copy delivered by October 31, comprised the first 17 titles of the code, containing the laws through Public Law 90–539. The later laws, classified to the various titles of the code, will be inserted on galley proofs.

It is estimated that supplement IV will consist of three volumes totaling almost 5,000 pages.

One of the new editorial improvements incorporated in these supplements is a system of several hundred internal reference notes following sections that are referred to in other sections of the code, indicating the section that contains the internal reference. These should be extremely useful to the Congress, the bench and bar, and the public.

Enactment of titles of the United States Code

The committee's program of enacting the titles of the United States Code, with the view of making the entire code law that can be amended directly, made further progress with the enactment of the bill, H.R. 18612, to enact title 44, "Public Printing and Documents," which became Public Law 90–620. In addition, a bill, H.R. 17864, to bring up to date, by including later laws, several of the titles of the code that had been previously enacted, was introduced and became Public Law 90–623.

Supplements to the District of Columbia Code

At the end of the 89th Congress, the committee published a new edition of the District of Columbia Code, containing the general and permanent laws in force on January 9, 1967, in the District of Columbia (except such laws as apply to the District by reason of being general and permanent laws of the United States).

Supplement I to that edition was prepared and published after the adjournment of the first session of the 90th Congress, containing the laws enacted during that session. Reorganization Plan No. 3 of 1967, which abolished the existing three-commissioner form of government for the District and established in its place a single Commissioner and a nine-member Council form of government, affected hundreds of sections of the code. These changes were reflected in supplement I. The supplement also contained notes of judicial decisions affecting sections of the code through October 1967.

The laws enacted during the second session, like those affecting the United States Code, will be incorporated in supplement II, which will be cumulative. In order to expedite the publication of supplement II, copy was furnished to the Government Printing Office beginning in August 1968. Galley proofs have been received covering all the titles of the code. Before returning the galleys to the Government Printing Office, the balance of the laws, classified to the various titles of the code, will be inserted.

It is estimated that cumulative supplement II, containing the laws of the 90th Congress, and notes of decisions through October 1968, will consist of one volume, totaling between 400 and 500 pages.

One of the new editorial improvements incorporated in these supplements is a system of several hundred internal reference notes following sections that are referred to in other sections of the code, indicating the section that contains the internal reference. These should be extremely useful to the Congress, the bench and bar, and the public.

Enactment of titles of the District of Columbia Code

The committee's program of enacting the titles of the District of Columbia Code, with the view of making the entire code law that can be amended directly, made further progress with the preliminary work on the drafting of a bill to enact the first 10 titles of the District of Columbia Code, relating to the government of the District. Several hundred sections of these titles have been affected by Reorganization Plan No. 3, abolishing the former Board of Commissioners, and establishing a single Commissioner, and a District of Columbia Council. It is hoped that the bill will be ready for introduction early in the first session of the 91st Congress.

Summary of bills referred to Subcommittee No. 3 and disposition

Bills referred to subcommittee	55
Bills on which hearings were held	16
Bills reported favorably to full committee	14
Bills reported adversely to full committee	4
Bills pending in subcommittee	37
Bills reported to House	14
Bills passed House	13
Bills pending in House	1
Bills pending in Senate	2
Bills which became law	11

Subcommittee No. 4: General Jurisdiction Over Judiciary Bills as Assigned—Special Jurisdiction Over Bankruptcy and Reorganization

In addition to its special jurisdiction in the area of bankruptcy and reorganization, the subcommittee processes other legislation as assigned, including legislation involving judicial administration, criminal law, Federal incorporation of private organizations, and holidays and commemorations. During the 90th Congress a total of 456 bills were referred to Subcommittee No. 4. A summary of the principal subcommittee activities, dealing first with general legislation, is as follows:

GENERAL LEGISLATION

Judicial administration

A measure designed to bring about a major reform of the first echelon of the judicial system was processed by the subcommittee and became law. After hearings the subcommittee favorably reported S. 945, the Federal Magistrates Act (hearings, serial No. 17; H. Rept. 1629). This measure will replace the obsolete Commissioner system with a system of U.S. Magistrates. It will eliminate the anachronistic fee system of compensation, give to the Magistrates and expanded trial jurisdiction over minor criminal offenses, and also permit Magistrates to be assigned additional duties of assistance to the judges of the district courts. This measure became Public Law 90–578 on October 17, 1968.

Criminal law

A measure occasioned by a number of flag-burning incidents in various parts of the United States and in foreign countries was processed by the subcommittee. After 5 days of public hearings on over 100 measures ("Desecration of the Flag," hearings, serial No. 4), the subcommittee favorably reported H.R. 10480, a bill which prohibits and punishes certain public acts of desecration of the flag (H. Rept. 350). The bill became Public Law 90–381 on July 5, 1968.

Another measure processed by the subcommittee was H.R. 5754, a bill which amended section 1263 of title 18, United States Code, relating to the labels required on interstate shipments of intoxicating liquors (H. Rept. 652). This bill became Public Law 90–518 on September 26, 1968.

The subcommitte also processed S. 1440, a bill to make it a Federal crime to transport in interstate commerce a travelers check bearing a forged countersignature (H. Rept. 1728). This bill became Public Law 90–535 on September 28, 1968.

The subcommittee considered and held 5 days of hearings on approximately 20 measures which would provide for the uniform observance of certain holidays on designated Mondays ("Providing Monday Holidays," hearings, serial No. 7). In addition, the subcommittee also held 2 days of hearings on approximately 45 bills which would designate Columbus Day a legal holiday ("Columbus Day," hearings, serial No. 9). The outgrowth of both of these sets of proposals was H.R. 15951 (H.Rept. 1280). This measure established Columbus Day as a public holiday to be observed on a Monday and also provided for the observance on a Monday of Washington's Birthday, Memorial Day, and Veterans Day. The measure became Public Law 90–363 on June 28, 1968.

The subcommittee approved Senate Joint Resolution 10, a measure to establish the Golden Spike Centennial Celebration Commission (H. Rept. 491). The measure became Public Law 90–70 on August 22, 1967.

The subcommittee voted its approval of H.R. 2513, a bill establishing a Commission on National Observances and Holidays, whose duty would be to recommend to the President those observances it finds to be of national significance warranting Federal recognition (H. Rept. 120). The bill was approved by the House on March 20, 1967, but was not acted upon by the Senate.

The following bills, which became public law, were acted upon in the House by unanimous consent:

House Joint Resolution 94, authorizing the President to proclaim "National CARIH Asthma Week," became Public Law 90–4.

House Joint Resolution 799 (S.J. Res. 109), authorizing the President to proclaim the first week of October 1967 to commemorate the 50 years of service of the Langley Research Center, became Public Law 90–101.

Senate Joint Resolution 26, designating February of each year as "American History Month," became Public Law 90–160.

House Joint Resolution 947, designating February 11 through 17, 1968, as "LULAC Week," became Public Law 90–253.

Senate Joint Resolution 72 (H.J. Res. 1053), designating the second week in May as National School Safety Patrol Week, became Public Law 90–277.

House Joint Resolution 933, designating March as "National Jewish Hospital Save Your Breath Month," became Public Law 90–281.

Senate Joint Resolution 131, designating May 20, 1968, as "Charlotte, N.C., Day," became Public Law 90–305.

S. 2745, to provide for the observance of the centennial of the signing of the 1868 treaty of peace between the Navajo Indian Tribe and the United States, became Public Law 90–309.

House Joint Resolution 1302, designating the week of October 13, 1968, as "Salute to Eisenhower Week," became Public Law 90–406.

House Joint Resolution 1299, designating annually the week including September 15 and 16, as "National Hispanic Heritage Week," became Public Law 90–498.

House Joint Resolution 1404, designating the week November 17 through 23, 1968, as "National Family Health Week," became Public Law 90–499.

House Joint Resolution 691, extending greetings to St. Louis University in connection with the 150th anniversary of its founding, became Public Law 90–611.

FEDERAL CHARTERS

With the cooperation of the Comptroller General of the United States the subcommittee processed and referred to the General Accounting Office for its review the annual audit reports to the Congress of approximately 53 federally chartered organizations.

MISCELLANEOUS

The subcommittee approved H.R. 2834, a bill which would increase the statutory ceiling on the total annual dues authorized to be paid for membership of the United States in the International Criminal Police Organization (H. Rept. 507). This measure became Public Law 90–159 on November 28, 1967.

BANKRUPTCY AND REORGANIZATION

In the exercise of its special jurisdiction over bankruptcy and reorganization, subcommittee considered several measures. Four of these, H.R. 2517, H.R. 2518, H.R. 2519, and H.R. 8632, were favorably reported by the subcommittee, approved by the House, and became public law. H.R. 2517 (H. Rept. 123) amends the Bankruptcy Act to improve the machinery for processing debts that were incurred in debtor relief proceedings under chapters X, XI, and XII of the act, where such debtor relief is abortive and bankruptcy supervenes.

H.R. 2518 (H. Rept. 121) delineates creditor committee functions and simplifies the recovery of costs and expenses of such committees in arrangement proceedings under chapter XI of the Bankruptcy Act.

H.R. 2519 (H. Rept. 122) amends the Bankruptcy Act with respect to the time limitation on the filing of claims in arrangement proceedings under chapter XI. It is designed to correct certain difficulties and confusion created by 1963 amendments to the act, while retaining the objectives of that legislation by requiring creditors to file their claims in order to participate in an arrangement.

H.R. 2519, H.R. 2517, and H.R. 2518, were approved on November 28, 1967, as Public Laws 90–156, 90–157, and 90–158, respectively.

The subcommittee also held 2 days of public hearings on H.R. 1057 and H.R. 5771, bills to amend the Bankruptcy Act relative to the use of chapter XIII ("Wage Earner Plans Under the Bankruptcy Act," hearings, serial No. 10).

A statistical summary of the subcommittee's activities during the 90th Congress follows:

Summary of bills referred to Subcommittee No. 4 and disposition

Bills referred to subcommittee	456
Bills on which hearings were held	179
Bills reported favorably to full committee	15
Committee discharged	19
Bills reported adversely to full committee	0
Bills pending in subcommittee	124
Bills reported to House	14
Bills passed House	33
Bills pending in Senate	5
Senate bills disposed of	11
Bills which became law	23

Subcommittee No. 5: General Jurisdiction Over Judiciary Bills as Assigned—Special Jurisdiction Over Antitrust Matters

Subcommittee No. 5 exercises jurisdiction over a variety of subjects including the Federal judicial system, the Federal Criminal Code, civil rights, and other matters as assigned.

During the 90th Congress the subcommittee had referred to it 374 bills. Hearings were held on 85 of these measures, of which 18 were favorably reported to the full committee and 169 were reported adversely.

Committee reports on 17 measures were filed with the House of Representatives; 15 of these proposals became public law, two bills were pending in the Senate at the end of the 90th Congress. However, the subject matter of these proposals was incorporated in public law.[1] A summary of the principal subcommittee activities follows:

ANTICRIME PROGRAM

On February 6, 1967, the President in his message on the report of the National Crime Commission recommended a series of measures to be taken to increase law enforcement, prevent crime, and improve judicial administration. This anticrime program was embodied in the following five bills introduced by Chairman Celler:

H.R. 5037, the Safe Streets and Crime Control Act of 1967;

H.R. 5038, to assist in combating crime by creating the U.S. Corrections Service;

H.R. 5384, the State Firearms Control Assistance Act of 1967;

H.R. 5385, to provide for the establishment of a Federal Judicial Center; and

H.R. 5386, the Right of Privacy Act of 1967.

Subcommittee No. 5 held public hearings on these and related bills for 12 days in March and April 1967 ("Anticrime Program," hearings, serial No. 3).

Omnibus Crime Control and Safe Streets Act

The subcommittee favorably reported H.R. 5037, a bill to assist State and local governments in reducing the incidence of crime, and to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government (H. Rept. 488). The measure provides a program of Federal grant assistance (1) to encourage States and local governments to prepare and adopt comprehensive law enforcement plans; (2) to stimulate allocation of new resources and the development of technological innovations, improved training, and significant new facilities for crime prevention and control; and (3) to encourage research, development, and training to improve law enforcement. The measure was approved by the House of Representatives on August 8, 1967. In the Senate, H.R. 5037 was substantially amended by the addition of titles concerning admissibility of confessions and eye witness testimony, wiretapping and electronic surveillance, firearms control, and other matters. The measure was approved by the Senate on May 24, 1968. On June 6,

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[1] The subject matter of H.R. 421 (penalties for inciting riots) and H.R. 8654 (providing an appeal by the United States from orders suppressing evidence) was incorporated in Public Law 90-284 (Civil Rights Act of 1968) and Public Law 90-351 (Omnibus Crime Control Act of 1968), respectively.

1968, the House agreed to the bill as amended by the Senate. Upon Presidential approval on June 19, 1968, the measure became Public Law 90–351.

Gun Control Act of 1968

Another measure of manifest national significance affecting criminal law enforcement processed by Subcommittee No. 5 was H.R. 5384, a bill to provide for better control of interstate traffic in firearms. Hearings on this legislation were held as part of the subcommittee's overall hearings on the crime program. The subcommittee favorably reported H.R. 5384 with an amendment and the measure was pending before the full Judiciary Committee at the close of the first session of the 90th Congress.

As noted above, the Senate, in its consideration of H.R. 5037, the Omnibus Crime Control and Safe Streets Act, added a title concerning firearms control which parallel the provisions of H.R. 5384, but only prohibited interstate mail order shipments of pistols and revolvers. One day following Presidential approval of H.R. 5037, the full Judiciary Committee, on June 20, 1968, favorably reported to the House H.R. 17735, a measure designed better to control the interstate traffic in all firearms and ammunition (H. Rept. 1577). H.R. 17735 was approved by the House on July 24, 1968, and subsequently an amended version of the bill was approved by the Senate. Thereafter both Chambers approved a conference substitute (H. Rept. 1956), the Gun Control Act of 1968 which became Public Law 90–618 on October 22, 1968.

Federal Judicial Center

In its deliberations on the bill to establish the Federal Judicial Center the Judiciary Committee reported H.R. 6111, which was identical to H.R. 5385 (H. Rept. 351).

H.R. 6111 establishes in the Federal judiciary a Federal Judicial Center to foster improvements in the administration of justice. The Center will (1) stimulate, coordinate, and conduct research and studies in all areas of Federal judicial administration; (2) stimulate, develop, and conduct programs of continuing education and training for personnel in the judicial system; and (3) provide staff, research, and planning assistance to the Judicial Conference of the United States and its committees.

The measure passed the House on June 19, 1967, and the Senate approved an amended version on November 17. Thereafter a conference substitute was approved by both Chambers (H. Rept. 996) and the measure became Public Law 90–219 on December 20, 1967.

Obstruction of criminal investigations

Recommendations of the President to prohibit the obstruction of Federal criminal investigations were embodied in S. 676, a bill favorably reported by the subcommittee. This legislation provides penalties for attempting to obstruct the communication to a Federal criminal investigator of information relating to a violation of a Federal criminal law and thus extends to informants and potential witnesses protections now afforded witnesses and jurors in judicial, administrative, and congressional proceedings. S. 676 became Public Law 90–123 on November 3, 1967.

CIVIL RIGHTS

Another measure processed by the subcommittee was H.R. 2516, a bill to prescribe penalties for certain acts of violence or intimidation, and for other purposes. As reported by the subcommittee, this bill also contained a provision penalizing interstate travel in aid of riots. The full committee favorably reported H.R. 2516 (H. Rept. 473) but deleted the provisions of the measure which penalized inciting riots. H.R. 2516 passed the House on August 16, 1967. The full committee separately reported the provisions dealing with incitement to riot in H.R. 421 (H. Rept. 472) which also had been referred to the subcommittee. H.R. 421 passed the House on July 19, 1967. The Senate amended H.R. 2516 by adding to it titles prohibiting discrimination on the grounds of race, color, religion, or national origin in the sale or rental of residential housing, and titles protecting the rights of Indians among other matters. Also included in the Senate amendment to H.R. 2516 was an amended version of H.R. 421, dealing with incitement to riot. Subsequently the House considered and agreed to the Senate amendment to H.R. 2516 and the measure became Public Law 90–284 on April 11, 1968.

H.R. 10805 (Public Law 90–198) extended the life of the Civil Rights Commission for an additional 5 years. The bill was amended by the Senate by placing a limit on the appropriations for this agency for the fiscal year ending June 30, 1968, and for each of the 4 succeeding fiscal years the sum of $2,650,000 for each such fiscal year. The life of the Commission, by the enactment of this legislation, has been extended from January 1, 1968, to January 1, 1973.

U.S. COURTS

Measures enacted into law relating to the U.S. courts included:

(*a*) S. 828 (Public Law 90–90) which would repeal the ban of filling vacancies existing in the temporary judgeships in the eastern district of Pennsylvania as to the first vacancy occurring in a judgeship in that district;

(*b*) S. 1465 (Public Law 90–92) which provided for the holding of a term of court for the eastern division of the northern district of Mississippi at Ackerman, Miss.;

(*c*) H.R. 8338 (Public Law 90–216) providing for the creation of a new division for the western district of Texas and authorizing terms of court to be held at Odessa and Midland. In addition, this law revamped the existing divisions known as the Pecos and El Paso divisions by transferring counties from the existing divisions to the new division;

(*d*) H.R. 8376 (Public Law 90–217) which provided that the Federal District Court for the Eastern District of New York may be held at Mineola in addition to Brooklyn, N.Y.;

(*e*) H.R. 13315 (Public Law 90–383) improving the definition of the Federal judicial districts in Virginia; and

(*f*) S. 159 (Public Law 90–296) which provided for the temporary transfer to a single district for coordinated or consolidated pretrial proceedings of civil actions pending in different districts which involve one or more common questions of fact. The purpose

of the legislation was to provide significant improvements in judicial administration to insure uniform and expeditious treatment of the pretrial procedure in multi-district litigation.

Another bill involving procedure in the U.S. courts was H.R. 8654. This bill would amend section 3731 of title 18 of the United States Code to permit an appeal by the United States in certain instances from an order made before trial granting a motion for the return of seized property and to suppress evidence. The bill was approved by the House, and subsequently by Senate amendment its provisions were incorporated into the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90–351).

Jury Selection and Service Act of 1968

A measure of significant importance to Federal jury selection procedures approved by the subcommittee was S. 989, the Jury Selection and Service Act of 1968. The aim of the measure is to assure all litigants that potential Federal jurors will be selected at random from a representative cross section of the community and that all qualified citizens will have the opportunity to be considered for jury service. The bill became Public Law 90–274.

Additional circuit judgeships

The subcommittee also voted its approval of S. 2349 which provided for the creation of nine additional circuit judgeships in the following circuits:

One each in the third, sixth, and 10th circuits, two additional judgeships in the fifth circuit, and four additional in the ninth circuit. In addition the legislation made permanent four temporary judgeship positions in the fifth circuit. Upon approval this measure became Public Law 90–347.

CONGRESSIONAL REDISTRICTING

After a series of executive sessions the subcommittee favorably reported H.R. 2508, a bill to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives. The bill was favorably reported by the full committee to the House (H. Rept. 191) and was approved by the House on April 27, 1967. The Senate approved an amended version of the bill and thereafter a House-Senate conference reported a conference substitute (H. Rept. 435). By unanimous consent in the House the conference report was recommitted to conference; thereafter on October 26, 1967, another conference report (H. Rept. 795) was approved by the House. Subsequently the Senate disagreed to the conference report.

Shortly after that rejection the Senate amended a private immigration bill, H.R. 2275, by adding a new section which banned the election of a Congressman at Large for each State entitled to more than one Representative. The House concurred in the Senate amendment with an amendment exempting the States of Hawaii and New Mexico, for the 91st Congress, from the ban on Congressmen at Large. The Senate agreed to the House amendment and the bill became Public Law 90–196 on December 14, 1967.

MISCELLANEOUS

Technical assistance to State correctional institutions

The subcommittee approved H.R. 15216, a bill authorizing the Bureau of Prisons to assist State and local governments in the improvement of their correctional systems. The measure became Public Law 90–371 on July 1, 1968.

Other hearings held

The subcommittee held 4 days of hearings on S. 1602, H.R. 10238, and H.R. 10239, bills to create a Northwest Regional Service Corporation to provide a central location for various training centers and programs (serial No. 20).

The subcommittee also held 2 days of hearings on H.R. 15215 and related bills, providing criminal penalties for the manufacture, advertisement for introduction, or introduction into interstate commerce of motor vehicle master keys (serial No. 15).

Another measure on which 2 days of hearings were held by the subcommittee was H.R. 16666, a bill to amend title 18 of the United States Code, to prohibit enterprises of gambling.

A statistical summary of the subcommittee activities during the 90th Congress follows:

Summary of bills referred to Subcommittee No. 5 and disposition

Bills referred to subcommittee	374
Bills on which hearings were held	85
Bills reported favorably to full committee	18
Bills reported adversely to full committee	169
Bills pending in subcommittee	187
Bills reported to House	17
Bills passed House	17
Bills pending in Senate	2
Senate bills disposed of	6
Bills which became law	15

Antitrust Subcommittee: Summary of Activities, 90th Congress

LEGISLATIVE

During the 90th Congress, 25 legislative proposals affecting the antitrust laws were referred to the Antitrust Subcommittee.

One bill, H.R. 8630, to extend the authority for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States, was reported favorably by the Jusiciary Committee, House Report No. 388, June 26, 1967. This bill passed the House on July 27, 1967, and on August 9, 1967, became Public Law 90–62. Public Law 90–62 extends to June 30, 1969, the procedures for formulation, organization, and operation of voluntary agreements or programs, among investment bankers and companies, finance companies, pension funds, charitable trusts and foundations, and educational institutions, to provide for joint action determined to be needed to safeguard the balance-of-payments position of the United States. Participants in authorized voluntary agreements or programs have a limited immunity from the antitrust laws and the Federal Trade Commission Act.

A series of bills, referred to as the "Failing Newspaper Act," would have granted an exemption from the antitrust laws for certain joint

newspaper operating agreements. Subsequent to hearings in the Senate on companion legislation, a substitute bill, H.R. 19123, the Newspaper Preservation Act, was jointly sponsored by Representatives Edmondson, Steed, Belcher, Kastenmeier, and Matsunaga. Public hearings were held on September 18, 19, 25, and 26 and October 3, 1968, on H.R. 19123 and related bills. Testimony was received from public and private witnesses.

INVESTIGATIVE

Early in January 1967, the Antitrust Subcommittee initiated a study of antitrust and monopoly problems in the electronic computer industry. The purposes of the subcommittee's study were: First, to delineate present market position of companies in the computer industry in order to determine whether any company possesses monopoly power as defined by the antitrust laws. Second, to define current marketing practices employed by the companies in the computer business in order to determine whether there are (*a*) unreasonable restraints on trade, or (*b*) attempts to monopolize or monopolization. Third, to determine whether existing antitrust legislation is adequate to cope with the present market structure of the computer industry, or whether, in the light of the importance of this industry there should be (*a*) additional legislation to deal with an oligopolistically structured market, or (*b*) legislation to require divestiture, or (*c*) additional Government regulation in this particular industry.

On February 7, 1967, letters requesting file materials were sent to the following leading computer manufacturers:

International Business Machines.
Control Data Corp.
Sperry Rand Univac.
Honeywell.
General Electric.

In response to the committee's letters, the computer manufacturers commenced to assemble and deliver the requested documentary materials. In April, compliance with the committee's letters, when considered in conjunction with requests for comparable information from the Department of Justice Antitrust Division, was asserted to constitute a harsh burden. Accordingly, the subcommittee's investigation was suspended temporarily in order to permit the Department of Justice investigation or proceed without interference.

On July 25, 1967, Chairman Celler announced that the Antitrust Subcommittee would conduct an inquiry into the business practices of the automobile insurance industry.

The decision to study current automobile insurance business practices was made public at a joint meeting held by Chairman Celler, Representative William M. McCulloch, ranking minority member of the Committee on the Judiciary and of its Antitrust Subcommittee; Representative Peter W. Rodino, Jr., a member of the Committee on the Judiciary and the Antitrust Subcommittee; Representative William T. Cahill, a member of the Committee on the Judiciary. On June 30, 1967, Messrs. Rodino and Cahill by letter jointly had requested Chairman Celler to authorize a study of the automobile insurance industry.

To assist the Committee on the Judiciary in reaching a determination as to the most effective course to pursue in an examination of the automobile insurance industry, Chairman Celler directed the staff of the Antitrust Subcommittee to prepare a study. The staff study, which was to be completed in approximately 60 days, was to include the following: First, an analysis of Federal-State legal and regulatory relationships; second, an evaluation of current practices in the automobile insurance industry that generate problems and complaints; third, an analysis of the adequacy of State regulation of the automobile insurance industry; fourth, delineation of areas that warrant further investigation, including a definition of needed statistical and financial data and industry and regulatory conduct relevant to the inquiry; and, fifth, procedures recommended for the conduct of any necessary further investigation.

The staff report, House Report No. 815, entitled "Automobile Insurance Study" was presented to the committee on September 30, 1967. The staff report stated:

> Materials in the preceding chapters of this report make it abundantly clear that further investigation of the automobile insurance system in the United States is in order. Further investigation is mandatory should Congress find it necessary to enact constructive legislation that would alter the present automobile insurance regulatory system.
>
> Information set forth in this report shows that, by any objective standard, performance of the automobile insurance business in the United States is unsatisfactory. The system is slow, incomplete, and expensive. The companies and organizations involved in furnishing this service to the public in many respects do a poor job.
>
> Legislation that is designed to improve performance in the U.S. automobile insurance business involves decision on two fundamental policy issues. A substantial body of factual information should be collected before these basic policies are decided. The policy decisions are:
>
> (1) Shall the Federal-State relationship that is established in the McCarran-Ferguson Act for regulation of the automobile insurance business be continued?
>
> (2) Does the function of the automobile under modern economic and social conditions require changes in U.S. compensations systems applicable to individuals that suffer economic losses and personal injury as a result of automobile accidents?
>
> Resolution of these policies presents delicate questions that involve States rights and Federal preemptive jurisdiction. Investigation of State regulation of automobile insurance companies should be specifically authorized by appropriate Federal authority.

The staff report recommended that the Federal Trade Commission be authorized to conduct the comprehensive investigation therein outlined into the organization and performance of the automobile insurance system in the United States. On November 16, 1967, the Judiciary Committee accepted this recommendation and voted to refer the automobile insurance study to the Federal Trade Commission.

On October 16, 1967, the subcommittee published a document entitled "The Celler-Kefauver Act: Sixteen Years of Enforcement." This publication contained an analysis of enforcement experience under the Celler-Kefauver Act that had been prepared by Dr. Willard F. Mueller, Director, Bureau of Economics, Federal Trade Commission.

On February 1, 1968, the responsibilities of the ad hoc special subcommittee that had been established February 23, 1966, to investigate judicial behavior in the U.S. Court of Appeals for the 10th Circuit were transferred to the full Committee on the Judiciary for resolution.

On the basis of information and materials obtained by the ad hoc special subcommittee, supplemented by additional information with respect to financial transactions obtained through further investigation, a report was prepared dated April 30, 1968, entitled "Report of Investigation of Judicial Behavior in the 10th Circuit U.S. Court of Appeals." Drafts of this report were distributed to the members of the Committee on the Judiciary on June 4, 1968.

Summary of bills referred to Antitrust Subcommittee and dispositions

Bills referred to subcommittee	25
Bills on which hearings were held	16
Bills reported favorably to full committee	1
Bills reported adversely to full committee	0
Bills pending in subcommittee	24
Bills reported to House	1
Bills passed House	1
Bills pending in House	0
Bills pending in Senate	0
Bills which became law	1

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