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90th Congress }
1st Session }

COMMITTEE PRINT

GOVERNMENT

Storage

SUMMARY OF ACTIVITIES

OF THE

COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

90TH CONGRESS



JANUARY 1968

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(II)

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

The first session of the 90th Congress, as the record will disclose, required of the Committee on the Judiciary the undertaking of large responsibilities in the areas of the 19 jurisdictions conferred upon it by the rules of the House.

Of the 14,593 bills introduced in the first session, 5,780 were referred to the Committee on the Judiciary; that is, 39.6 percent of the total number of introduced bills and resolutions came to this committee. Further, of all the public and private laws enacted in this session, namely, 453, 47.6 percent or 216 in number resulted from original references to this committee. Of this 216, 30 were public laws and 186 were private laws. Subtracting the private bills, we find that of the 249 public laws of the Congress, 30 derived from this committee, reflecting the continuous and intensive activity of the committee. In addition to the 30 public bills enacted into law, 16 public bills processed by the Judiciary Committee were passed by the House of Representatives and are now pending in the Senate. This makes a total of 46 judiciary public bills which passed the House of Representatives.

The subcommittees and full committee met in public and executive sessions a total of 188 times during the first session. The committee completed work on two major bills which have not as yet received floor action. One of them is House Joint Resolution 396, to amend the Constitution to provide for representation of the District of Columbia in the Congress, and the other, H. R. 2158, to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce. House Joint Resolution 396 is before the Rules Committee awaiting a rule which has been requested, and H.R. 2158 is awaiting scheduling for floor action, a rule already having been granted.

Among the major achievements of this committee is the anticrime bill, H.R. 5037, awaiting action in the Senate, and H.R. 2516, to prescribe penalties for certain acts of violence or intimidation, which is scheduled for Senate floor action as the Senate's first order of business.

Other major legislation which became public law include:

- (a) The obstruction of criminal investigations proposal;
- (b) Extension of the Civil Rights Commission; and
- (c) The establishment of a Federal Judicial Center.

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 and is awaiting Senate action.

One public bill remains in conference, H.R. 11816, to provide certain benefits for law-enforcement officers not employed by the United States who are killed or injured while apprehending violators of Federal law.

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 committee including an analysis of the achievements of each of the subcommittees:

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

Introduced and referred to committee:

Public:

House bills	1, 187
House joint resolutions	589
House concurrent resolutions	37
House resolutions	40
Total	1, 853

Private:

House bills (claims)	521
House joint resolutions (claims)	1
House resolutions (claims)	7
House bills (immigration and nationality)	3, 131
House joint and concurrent resolutions (immigration and nationality)	1
House bills (patents)	1
Total	3, 662

Passed Senate and referred to committee:

Public:

Senate bills	20
Senate joint resolutions	17
Senate concurrent resolutions	3
Total	40

Private:

Senate bills (claims)	33
Senate bills (immigration and nationality)	191
Senate joint and concurrent resolutions (immigration and nationality)	1
Total	225
Grand total	5, 780

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

PUBLIC BILLS AND RESOLUTIONS ENACTED INTO LAW—Continued

Number of law	Title	Number of bill or resolution
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.	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
COMMISSIONS		
90-70	To establish the Golden Spike Centennial Celebration Commission.	S.J. Res. 10
COMPACTS		
90-181	To grant the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District compact.	S. 2514
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 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
COPYRIGHTS		
90-141	Extending the duration of copyright protection in certain cases.	S.J. Res. 114
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
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
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.	S.J. Res. 109 H.J. Res. 799
90-160	Designating February of each year as "American History Month".	S.J. Res. 26
90-187	To amend the act of July 4, 1966 (Public Law 89-491).	H.R. 8629
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
JUDICIAL ADMINISTRATION AND PROCEDURE		
90-219	To provide for the establishment of a Federal Judicial Center.	H.R. 6111
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
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.	H.R. 11542
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.	H.R. 2275

Public bills and resolutions pending in the Senate

<i>No. of bill</i>	<i>Title</i>
H.R. 421-----	To amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes.
H.R. 857-----	To repeal the "coolly trade" laws.
H.R. 2512-----	For the general revision of the copyright law, title 17 of the United States Code, and for other purposes.
H.R. 2513-----	Relating to national observances and holidays, and for other purposes.
H.R. 2516-----	To prescribe penalties for certain acts of violence or intimidation, and for other purposes.
H.R. 5037-----	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, and for other purposes (Law Enforcement and Criminal Justice Assistance Act of 1967).
H.R. 8140-----	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, and for other purposes.
H.R. 10480----	To prohibit desecration of the flag, and for other purposes.
H.R. 10482----	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. 11993----	To amend the act of Oct. 3, 1965. (Public Law 89-236.)
H.R. 206-----	To amend sec. 2733 of title 10 of the United States Code, to include authority for the settlement of claims incident to the non-combat activity of the Coast Guard while it is operating as a service in the Department of the Treasury, to increase the authority which may be delegated to an officer or civilian attorney under subsec. (g) of sec. 2733 from \$1,000 to \$2,500, and for other purposes.
H.R. 8654-----	To amend sec. 3731 of title 18, United States Code, to permit an appeal by the United States in certain instances from an order made before trial granting a motion for return of seized property and to suppress evidence.
H.R. 10773----	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. 555-----	To amend sec. 312 of the Immigration and Nationality Act to exempt certain additional persons from the requirements as to understanding the English language before their naturalization as citizens of the United States.
H.R. 13669----	To amend sec. 2734 of title 10 of the United States Code to permit the use of officers of any of the services on claims commissions, and for other purposes; to amend sec. 2734a of title 10 to authorize the use of Coast Guard appropriations for certain claims settlements arising out of Coast Guard activities; and to amend sec. 2736 of title 10 to authorize advance payments in cases covered by secs. 2733 and 2734 of title 10 and sec. 715 of title 32 involving military claims.
H.R. 5754-----	To amend sec. 1263 of title 18 of the United States Code to require that interstate shipments of intoxicating liquors be accompanied by bill of lading, or other document, showing certain information in lieu of requiring such to be marked on the package.

SUBCOMMITTEE NO. 1: GENERAL JURISDICTION OVER JUDICIARY
BILLS AS ASSIGNED—SPECIAL JURISDICTION OVER IMMIGRATION
AND NATIONALITY

During the first session of the 90th Congress, Subcommittee No. 1 held 38 meetings. Eight meetings were public hearings on pending general legislation to amend the Immigration and Nationality Act, three were executive sessions, and 27 were on private immigration bills.

Public legislation considered by the subcommittee and ordered favorably reported to the full committee included the following bills:

1. 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.

2. 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.

3. 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.

4. 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.

5. Additional hearings. The subcommittee also held hearings on April 19, April 26, and May 3 on the immigration aspects of the Mutual Educational and Cultural Exchange Act. Testimony was received from officials of the Department of State, Department of Justice, and various professional associations.

Hearings were held March 1 and November 1 on 14 bills to offer expeditious naturalization benefits to alien members of the U.S. military forces who have served or are serving during the Vietnam conflict. Testimony was received from Members of Congress, representatives of the Department of Justice, Department of State, and Department of Defense.

On November 1, the subcommittee also received testimony on H.R. 2792, to amend sections 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, from representatives of the Departments of State and Justice.

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

A summary of action on private immigration bills is attached.

Summary of action on private bills—Immigration and nationality

House bills:	
Private laws.....	67
Passed Senate amended.....	1
Tabled.....	589
Tabled (Senate bills passed in lieu).....	12
Pending in Senate.....	20
Recommitted by House.....	2
On Private Calendar.....	3
Pending before subcommittee.....	2, 437
Total, House bills.....	3, 131
House resolutions (approved).....	1
Senate bills:	
Private laws.....	80
Tabled.....	13
On House Private Calendar.....	3
Pending before subcommittee.....	95
Total, Senate bills.....	191
Senate concurrent resolutions (on House Private Calendar).....	1
Total, bills and resolutions.....	3, 324

SUBCOMMITTEE NO. 2: GENERAL JURISDICTION OVER JUDICIARY
BILLS AS ASSIGNED—SPECIAL JURISDICTION OVER CLAIMS

During the first session of the 90th Congress, the subcommittee held 55 meetings and conducted hearings on 26 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 and passed the House on July 11, 1967. 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 it was favorably reported to the House. H.R. 13669 passed the House on November 6, 1967. Two related bills, H.R. 204 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 in the settlement authority which may be delegated under section 2733 of title 10 and the equivalent section 715 of title 32 con-

cerning National Guard claims from \$1,000 to \$2,500. The amended bill passed the House on September 11, 1967.

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 and passed the House on June 5, 1967.

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 on September 11, 1967.

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, and the Senate December 14, 1967.

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, 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 was pending in conference at the conclusion of the session.

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.

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 reflecting comments made in the course of the consideration of the 89th Congress, H.R. 10216, was the subject of a subcommittee hearing on July 12, 1967.

Summary of bills

Bills referred to subcommittee:	
Public House bills	54
Public Senate bills	2
Private House bills	521
Private Senate bills	33
Private House resolutions	7
Private House joint resolutions	1
Bills on which final action was taken by subcommittee:	
Public House bills favorably reported	9
Public House bills adversely reported and tabled	27
Public Senate bills favorably reported	0
Private House bills favorably reported	122
Private House bills adversely reported and tabled	47
Private Senate bills favorably reported	20
Private House resolutions favorably reported	3

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

Referred to subcommittee:	
Private House bills	521
Private Senate bills	33
Total	554
Public House bills	54
Public Senate bills	2
Total	56
Grand total	610
Adversely reported by subcommittee:	
Private House bills	47
Public House bills	27
Private Senate bills	1
Private House resolutions	1
Total	76
Reported to House:	
Private House bills	122
Private Senate bills	20
Private House resolutions	3
Public House bills	9
Public Senate bills	0
Total	154
Passed House:	
Private House bills	83
Private Senate bills	15
Private House resolutions	2
Total	100
Public House bills	8
Public Senate bills	0
Total	8
Grand total	108
Laws enacted:	
Public	3
Private	39
Total	42
Private bills rejected under subcommittee rules	22

SUBCOMMITTEE No. 3: GENERAL JURISDICTION OVER JUDICIARY
BILLS AS ASSIGNED—SPECIAL JURISDICTION OVER PATENTS, TRADE-
MARKS, 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. During the first session of the 90th Congress a total of 42 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 work on the copyright law revision bill. On March 8, 1967, the full committee reported the revision bill as recommended by the subcommittee (H. Rept. 83). On April 6 and 11 this measure (H.R. 2512) was debated on the floor of the House, which passed the bill with a number of amendments. It is expected that the Senate will complete its work on the copyright revision during the second session of the 90th Congress.

Incidental to the revision project was the enactment of Senate Joint Resolution 114, which granted a further extension of the renewal term of any copyright subsisting on the date of approval of the resolution, where such term would otherwise expire before December 31, 1968. This marked a third general interim suspension of copyright expiration, pending enactment of the general revision. It reflects a wide consensus that the term of copyright should be substantially increased. The joint resolution became Public Law 90-141 on November 17, 1967.

At the close of the first session the subcommittee had commenced its consideration of S. 2216, to establish a National Commission on New Technological Uses of Copyrighted Works.

PATENTS

The first session of 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 and further hearings are planned. Much interest has been evinced in this project and a number of additional patent law revision measures have been introduced and will be considered by the subcommittee along with H.R. 5924 when hearings are resumed early in the second session.

MISCELLANEOUS

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.

Also referred to Subcommittee No. 3 and enacted during the first session was S. 2514, granting the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District compact between West Virginia and Pennsylvania. This measure became Public Law 90-181 on December 8, 1967.

Another compact measure, H.R. 12912, granting the consent of Congress to the State of Ohio to enter into an existing interstate agreement relating to bus taxation proration and reciprocity, was processed by the subcommittee and passed the House on November 6, 1967. It passed the Senate on December 7, 1967 (Public Law 90-200).

The subcommittee also processed and the House passed H.R. 11254, for the relief of Jack L. Good, an inventor who would otherwise have been deprived of a patent which had been scheduled for allowance, due to circumstances for which he was not responsible.

Summary of bills referred and disposition

Bills referred to subcommittee.....	42
Bills on which hearings were held.....	6
Bills reported favorably to full committee.....	6
Bills reported adversely to full committee.....	4
Bills pending in subcommittee.....	32
	— 42
Bills reported to House.....	6
Bills passed House.....	6
Bills pending in House.....	0
	— 6
Bills pending in Senate.....	3
Bills which became laws.....	3

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, Subcommittee No. 4 processes other legislation as assigned, including legislation involving criminal law, holidays, and commemorations and Federal incorporation of private organizations.

During the first session of the 90th Congress a total of 339 bills was referred to the subcommittee. A summary of the principal subcommittee activities, dealing first with general legislation is as follows:

GENERAL LEGISLATION

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 measure passed the House on June 30, 1967.

Another measure processed by the subcommittee and favorably reported 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). The bill was approved by the House on November 29, 1967.

HOLIDAYS AND COMMEMORATIONS

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, and was pending in the Senate at the close of the first session.

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.

In addition, the subcommittee favorably reported H.R. 8629, a bill to amend the act of July 4, 1966, which established the American Revolution Bicentennial Commission (H. Rept. 509). Upon approval, this measure became Public Law 90-187 on December 12, 1967.

The subcommittee also considered and held hearings on approximately 20 measures which would provide for the uniform observance of certain holidays on designated Mondays. Following 5 days of public hearings ("Providing Monday Holidays," *Hearings*, Serial No. 7), on October 19, 1967, the subcommittee favorably reported to the full committee H.R. 11679, a bill to provide for uniform annual observance of certain legal public holidays on Mondays.

In addition, the subcommittee held 2 days of hearings on approximately 45 bills which would designate Columbus Day a legal holiday ("Columbus Day," *Hearings*, Serial No. 9).

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 28 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 the 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 approved H.R. 8632 (H. Rept. 646), a bill which reallocates part of the bankruptcy filing fee by transferring a portion of the fee charged by the Federal district court to the referees' salary and expense fund. Upon approval, this bill became Public Law 90-161.

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*, fol. Serial No. 10).

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 468 (S.J. Res. 49), to designate April 28-29, 1967, as "Rush-Bagot Agreement Days," became Public Law 90-12.

House Joint Resolution 799 (S.J. Res. 109), the President is hereby authorized and requested to issue a proclamation that the first week of October 1967 is an appropriate time to commemorate the 50 years of service to the Nation by 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.

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

Summary of bills referred and disposition

Bills referred to Subcommittee No. 4.....	339
Bills on which hearings were held.....	172
Bills reported favorably to full committee.....	11
Committee discharged.....	4
Bills reported adversely to full committee.....	142
Bills pending in subcommittee.....	182
Bills reported to House.....	10
Bills passed House.....	14
Bills pending in Senate.....	3
Senate bills disposed of.....	5
Bills which became public law.....	9

SUBCOMMITTEE NO. 5: GENERAL JURISDICTION OVER JUDICIARY BILLS
AS ASSIGNED—SPECIAL JURISDICTION OVER ANTITRUST MATTERS

This subcommittee exercises jurisdiction over a variety of subjects, including such topics as the Federal judicial system, Federal penal statutes, civil rights, legislative apportionment, antitrust legislation, and all constitutional amendments.

During the first session of the 90th Congress this subcommittee had referred to it 265 bills. Hearings were held on 75 of those bills, of which 13 were reported favorably to the full committee, 130 proposals were reported adversely to the full committee, and at the adjournment of the first session of this Congress there were pending in the subcommittee 122 legislative proposals.

Twelve reports were filed with the House of Representatives; eight of those proposals became public law, four were pending in the Senate at the end of the first session.

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. Testimony was received from the Attorney General and representatives of other agencies in the executive branch, numerous Members of Congress, and a broad spectrum of specialists in crime prevention, law enforcement, and the administration of justice. The following organizations provided testimony or information to the committee in support of legislation in the anticrime program:

National Association of Counties.

National League of Cities.

National Sheriffs' Association.

National Council on Crime and Delinquency.

Americans for Democratic Action.

National Association of Attorneys General.

National Council on Crime.

International Association of Chiefs of Police.

U.S. Conference of Mayors.

The American Legion.

International Conference of Police Associations.

The files of the committee contain resolutions and other manifestations of support from numerous civic organizations, municipal councils, State and local boards of pardons and paroles, municipal and State probation departments, and mayors and other elective and appointive municipal officers.

SAFE STREETS

H.R. 5037, as amended, provides Federal financial support to supplement the expenditures of States and units of general local government in their efforts to cope with lawlessness by improvement of law enforcement and the administration of criminal justice. The bill provides a program in the Department of Justice 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 and to increase respect for law and order.

H.R. 5037 is the heart of the national strategy against crime. Under it, the Federal Government seeks to create and guide new investment consonant with our historical conviction that law enforcement and criminal justice administration must continue to be primarily local responsibilities. Crime is essentially a local problem that must be dealt with by State and local governments. Lawlessness, however, has been shown by the President's Commission on Law Enforcement and Administration of Justice to be a national phenomenon that reached into every section of the country. National assistance is needed to support and encourage greater effort by State and local governments to find new answers to the threats presented by criminal activity.

In its deliberations on H.R. 5037, the Judiciary Committee changed the name of the bill to "Law Enforcement and Criminal Justice Assistance Act of 1967." The committee, in addition, adopted a number of substantive changes for the purposes of reinforcing administrative controls on the functioning of the grant programs embodied in the bill.

The committee deleted all authority to use grant funds authorized by the bill for the purpose of direct compensation to police and other law enforcement personnel other than for training programs or for the performance of innovative functions. Deletion of authority to use Federal funds for local law enforcement personnel compensation underscores the committee's concern that responsibility for law enforcement not be shifted from State and local government level. It is anticipated that local governments, as the cost for research, innovative services, training, and new equipment developments are shared by the Federal Government in the programs authorized in the bill, will be able to devote more of their local resources to the solution of personnel compensation problems. The committee recognizes that adequate compensation for law-enforcement personnel is one of the most vexing problems in the fight against crime.

Additional administrative safeguards in the exercise of the authority delegated to the Attorney General by the bill were included. To this end, provision was made for judicial review of any action by the Attorney General to terminate or suspend payments to an authorized grantee. In addition, in the promulgation of regulations to implement the act, there must be compliance with the requirements for notice and hearing prescribed by the administrative procedure chapter of title 5 of the United States Code.

In order to maintain close surveillance over appropriations for the grant programs authorized, the committee provided designated allocations of funds for each title for the fiscal year ending June 30, 1969. For each succeeding fiscal year, only such sums may be appropriated as Congress may by law hereafter authorize.

H.R. 5037 passed the House of Representatives on August 8, 1967. In its consideration of the legislation, the House made substantial changes in the grant programs embodied in the bill. Foremost among the amendments adopted by the House were changes made in titles I and II to require the Attorney General to make "block" grants to State planning agencies. As recommended by the Judiciary Committee, the legislation would have permitted the Attorney General to deal directly with cities, counties, and other units of local government, as well as State agencies in the administration of the grant program. One effect of the amendment that authorizes block grants to the States is that control and responsibility for the administration of the program will be divided between the Department of Justice and the various States. Local law-enforcement officials in counties and municipalities may become dependent upon State officials for Federal grants in their anticrime programs.

At the termination of the first session, the Senate had not acted on H.R. 5037.

FIREARMS

A measure of critical national importance processed by the subcommittee was H.R. 5384, a bill to provide for better control of the interstate traffic in firearms. Hearings on this legislation were held as part of the subcommittee's overall hearings on the crime program ("Anti-Crime Program," *Hearings*, Serial No. 3). The subcommittee favorably reported H.R. 5384, with an amendment which struck out all after the enacting clause and inserted a substitute bill. This measure was pending before the full committee at the close of the first session.

FEDERAL JUDICIAL CENTER

In its deliberations on the bill to establish the Federal Judicial Center, the Judiciary Committee reported H.R. 6111, a bill introduced by Representative Corman, identical to H.R. 5385.

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.

This bill had its origin in the experience of the Judicial Conference over the last 10 years with the practical administrative problems that confront Federal judges. In an effort to find solutions for these problems, the Judicial Conference, on an ad hoc basis, has established some 15 committees concerned with programs of research, continuing education, or training. None of these committees, however, has been adequately staffed or supported, and solutions have not been found to the administrative problems of the judiciary. In September 1966,

a Special Committee on Continuing Education, Research, Training, and Administration, was formed by the Judicial Conference to review and evaluate all 24 of the research programs then in existence. In the course of its studies, the special committee developed the concept of a Federal Judicial Center for the purpose of seeking knowledge of the best methods of judicial administration.

H.R. 6111 has not been a subject of controversy. It passed the House on June 19, 1967, on suspension of rules, after it had been unanimously recommended by both Subcommittee No. 5 and the full Judiciary Committee. The Senate acted on the bill on November 17, 1967, and incorporated a number of grammatical and stylistic changes that were resolved on December 6, 1967, after the report of the committee of conference. H.R. 6111 became Public Law 90-219 on December 20, 1967.

OBSTRUCTION OF CRIMINAL INVESTIGATIONS

In his February 6, 1967, message to the Congress, the President requested enactment of legislation to make it a Federal crime to coerce or threaten a person who is willing to give vital information to Federal investigators, thus extending additional protection to potential witnesses at the beginning of an organized crime investigation before a grand jury has been convened.

This recommendation was embodied in S. 676, and passed the Senate on June 13, 1967. The purpose of the proposed legislation is to amend chapter 73, title 18, United States Code (relating to obstruction of the administration of justice), by adding a new section that prohibits the obstruction of Federal criminal investigations.

Sections 1503 and 1505 of chapter 73, title 18, presently prohibit attempts to influence, intimidate, impede, or injure a witness or juror in a judicial proceeding, a proceeding before a Federal agency, or an inquiry or investigation by either House of the Congress or a congressional committee. However, attempts to obstruct a criminal investigation or inquiry before a proceeding has been initiated are not within the proscription of those sections. The proposed legislation would remedy that deficiency by providing penalties for attempting to obstruct the communication to a Federal penal law, thus extending to informants and potential witnesses and jurors in judicial, administrative, and congressional proceedings.

S. 676 passed the House on October 3, 1967, and 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. No. 473) but deleted the provisions of the measure which penalized inciting riots. H.R. 2516 passed the House on August 16, 1967, and was pending in the Senate at the close of the first session of the 90th Congress. The full committee separately reported the provisions dealing with incitement to riot in H.R. 421 (H. Rept. No. 472) which had

been referred to the subcommittee. H.R. 421 passed the House on July 19, 1967.

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 Commission, by the enactment of this legislation, has been extended from January 1, 1968, to January 1, 1973.

U.S. COURTS

Among the measures enacted into law relating to the U.S. courts were:

(a) S. 676 (Public Law 90-123) which has been explained hereinbefore;

(b) S. 828 (Public Law 90-90) 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;

(c) 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.;

(d) H.R. 8338 (Public Law 90-216) provided for the creation of a new division for the western district of Texas and authorized 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;

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

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 passed by the House, amended, and was pending in the Senate at the end of the first session of the 90th Congress.

CONGRESSIONAL REDISTRICTING

The proposal, H.R. 2508, which would 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, also included a provision for a formula for equality of population in drawing district lines. Such a proposal had been the subject of many hearings in past Congresses. After a series of executive sessions in subcommittee the bill was ordered reported favorably to the House, amended. After House passage, the Senate amended the bill and a conference was held. This conference met in executive session on seven different occasions. The House adopted a conference report to accompany this legislation but subsequently the Senate rejected the report.

Shortly after that rejection, the Senate amended a private immigration bill, H.R. 2275, by adding a new section to that bill which banned the election of a Congressman at Large for each State entitled to more than one Representative. The House then concurred in the Senate amendment with an amendment which provided that States entitled to more than one Congressman could not elect him at large in subsequent Congresses except the States of Hawaii and New Mexico could continue to elect their Congressmen at Large for the 91st Congress. The Senate agreed to the House amendment. This bill became Public Law 90-196 on December 14, 1967.

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

Summary of bills referred and disposition

Bills referred to Subcommittee No. 5.....	265
Bills on which hearings were held.....	75
Bills reported favorably to full committee.....	13
Bills reported adversely to full committee.....	130
Bills pending in subcommittee.....	122
Bills reported to House.....	12
Bills passed House.....	12
Bills pending in Senate.....	4
Senate bills disposed of.....	3
Bills which became public law.....	8

ANTITRUST SUBCOMMITTEE—SUMMARY OF ACTIVITIES, 90TH CONGRESS
FIRST SESSION

LEGISLATIVE

During the first session of the 90th Congress, nine 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 Judiciary 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.

Summary of bills referred and dispositions

Bills referred to Antitrust Subcommittee.....	9
Bills on which hearings were held.....	0
Bills reported favorably to full committee.....	1
Bills reported adversely to full committee.....	0
Bills pending in subcommittee.....	8
Bills reported to House.....	1
Bills passed House.....	1
Bills pending in House.....	0
Bills pending in Senate.....	0
Bills which became public law.....	1

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. Secondly, 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. Thirdly, 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.

The business of making and selling computers for Government, educational, and industrial uses has had an exceptional growth over the last decade. In 1956, only Sperry Rand and International Business Machines were active in the commercial computer market. In that year IBM's business amounted to \$100 million; and Sperry Rand's was \$70 million. By 1965, a number of additional companies had entered the market, and the total volume of business was estimated at approximately \$5 billion. In 1966 alone, computer installations increased by 50 percent, to number 40,000 systems in the United States. It is estimated that by 1970 there will be 70,000 systems in the United States.

In structure, the computer industry is out of balance; one company dominates the industry. IBM has approximately two-thirds of the world market, and from 70 to 80 percent of the U.S. business. IBM is reported to have 81 percent of the 23,000 computer orders outstanding as of January 27, 1967.

The relationship of Government operations to the computer business is significant. The Federal Government is the largest single user of computers in the United States. By June 1965, over 2,000 computers had been installed in Federal agencies, with related costs of over \$1 billion. In addition to the computers used direct by Government agencies, private industry uses many computers in connection with Government-sponsored contracts. It is estimated that the Federal Government finances more than 30 percent of the national total of computers.

Statistics show that the electronic computer industry at the present time is, and for many years, has been, out of balance in competitive structure. Moreover, the significance of computers to innovation in our modern interrelated society cannot be overstated. Antitrust

enforcement officials must keep abreast of these emerging technologies if future markets are to remain accessible to all operators that have the means and are eligible to participate.

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 to 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, and 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.