

# News of Science

## Congress Dissatisfied with the Executive's Role in Science

Problems in the administration of science are causing a widening breach between the executive and legislative branches of the Government. This is perhaps one of the most significant matters brought out by the latest Congressional hearing on bills S.676 and S.586 for the creation of a Federal Department of Science and Technology. On 28 May the Subcommittee on Reorganization and International Organization of the Senate Committee on Government Operations, which is under the chairmanship of Senator Hubert H. Humphrey (D-Minn.), met to receive testimony supplemental to that heard during its April sessions, and to consider S.1851, a bill that was introduced on 5 May to provide that a Commission on a Department of Science and Technology be formed to study the need for such a department. The study commission bill resulted from recommendations offered at the April meeting.

As had been pointed out at the preceding hearings, the objective of the committee is to "place emphasis" upon the need for reorganization of federal science activities and to promote better centralization and coordination of federal science programs and operations. In his opening statement, Senator Humphrey stressed that bills S.676 and S.586 should be considered merely as an approach to the problems involved and that they in no way represent the conclusions of the committee. Through its hearings, the committee hopes to develop testimony that will lead to the approval of legislation to accomplish its objectives.

### Waterman's Testimony Shows Issue

Congress' dissatisfaction with the executive department's role in science legislation emerged clearly when committee members commented on testimony by Alan T. Waterman, director of the National Science Foundation, who opposes both the new science department and the study commission. To support his position, Waterman referred to the measures that have been taken by the Presi-

dent since Sputnik to strengthen science and its use in the Federal Government.

He mentioned the President's action in appointing James F. Killian as special assistant for science and technology. He pointed out that the reorganization and reassignment of the Science Advisory Committee to report to the President "has been an impressive step" toward assisting the Government in the solution of some of the most urgent problems having to do with science and technology. He observed that other actions of significance include the reinstatement of the Office of the Science Adviser in the Department of State and the appointment of scientific attachés; the enactment of the Department of Defense Reorganization Act, which included the setting up of the Office of Director of Research and Engineering; and the passage of legislation creating the National Aeronautics and Space Administration and the National Aeronautics and Space Council, presided over by the President. Finally, he referred to the President's establishment of the Federal Council for Science and Technology as a further step that will promote closer cooperation among government agencies with research and development programs.

At the close of this summary, the following exchange took place between Waterman and Humphrey.

Waterman: "I believe that this council will be an effective mechanism for achieving the desired objectives, particularly because of the fact that the chairman of the Council, Doctor Killian, is also Special Assistant to the President and brings directly to the President those matters which need to be considered by the President personally."

Humphrey: "What does this wonderful council ever say to us?"

Waterman: "Well, as I take it, Mr. Chairman, the council would make recommendations to the President as to the allocation of responsibilities among the Departments and Agencies in matters of coordination, and thereafter, each agency would deal with the Congress with respect to the program so allocated. It would have the strength of agreement among the agencies and the President's decision so that each agency would then

carry out its part and the Congress would understand that full coordination had been achieved."

Humphrey: "Let me tell you what my view of it is. I understand the reports of those councils are Executive Privilege reports. Members of Congress never see them. We see the reports as they are filtered, strained, restrained and constrained. . . . We see them after they have been given a working over by the Bureau of the Budget and everybody else. . . ."

"I use this opportunity . . . to protest this kind of treatment and withholding of privileged material. It just makes it impossible for a committee of Congress to ever get full information upon which to take constructive action. . . ."

"I am going to say here that if we can't be trusted with this material, we ought not to be elected to public office, and I don't think some of the people that are appointed are any more trustworthy than some of us who have been elected."

### Specialists Refuse to Testify

Congressional irritation is not limited to the inaccessibility of executive branch background reports. A number of Senators feel particular pique over the refusal of various specialists on Executive Office commissions and councils to testify before investigating committees on the grounds that it would be inappropriate for Presidential advisers to do so. For this reason, a letter from Killian, written on 31 March, was introduced into the hearing record. It read in part:

"I appreciate very much being invited to testify at the hearings to be held by the Senate Committee on Government Operations and Bill S.676 to create a Department of Science and Technology.

"Under normal circumstances, I would welcome the opportunity to testify. Under present circumstances, I believe it to be inappropriate for me to do so because of my advisory functions here in the White House."

### Congressional Concern Summarized

Senator Humphrey defined the Congressional concern when he made the following remarks to the committee.

"I have a feeling that only when these councils in the Executive Office of the President share frankly with legislative representatives—openly, candidly, cooperatively—will there be real cooperation and coordination of the federal science activities. . . . When there isn't that kind of esprit de corps between the two branches, executive and legislative, and a legislative subcommittee has to dig around and do its own investigation and sleuthing, that is when the trouble starts."

Ernest S. Gruening (D-Alaska) is also worried about what he described at the hearings as "the gaps that exist between the executive branch of the Government and the Congress." In referring to the situation, he used the terms "dichotomy" and "lack of entente."

Still another participant, Ralph Yarborough (D-Tex.), added his note of protest by pointing out that the success of the executive branch's science advisory bodies depends in large measure upon the personal rapport between the President and his science adviser. Emphasizing that these "organs" exist solely at the will of the President, Yarborough asked: "Will they function effectively, or even exist, when the climate of opinion changes or when the White House has a new occupant?"

Yarborough's reference to rapport with the science adviser raised a point that has especially disturbed some Congressmen: the great reliance that has been placed on Killian personally. Almost every witness at the recent hearings, whether for or against the bills being considered, referred to his special role. Congressional spokesmen noted that on the very day that the committee was discussing Killian's unusual importance, his resignation was announced.

### **Retired Officers' Role in Defense Industry To Be Studied**

In early July a special subgroup of the Armed Services Committee of the House of Representatives will look into the role of retired officers in the defense industry. The group, the subcommittee for special investigations, headed by Representative F. Edward Hébert (D-La.), will examine charges recently made that former military personnel who, on retirement, take jobs with Defense Department contractors in industry are unduly influencing the placement of contracts. The matter has come up in past years, but no conclusive action has been taken. It came up again early this month when Representative Alfred E. Santangelo (D-N.Y.) attempted to amend the Department of Defense appropriation bill by adding a provision that would prohibit the awarding of any contracts to companies which employ military officers who have been retired for less than 5 years. Two votes were taken on Santangelo's proposal. The result of the first—a standing vote—was 131 to 130 against the amendment. Following this Santangelo called for a "teller" vote, which allows for greater accuracy. This resulted in 125 "ayes" and 147 "noes." (The discrepancy in the total number of votes was the result of changes in the

number of House members on the floor in the course of the voting.)

The following day another approach to the problem was initiated by Representative Charles Bennett (D-Fla.) when he introduced a bill (HR 7555) to prohibit the employment by industrial concerns which do defense work for the Government of persons who had worked in the defense establishment. Bennett had introduced similar bills in both the 82nd and 83rd congresses, but there had been little response.

### **Problem is Complex**

The question that the special investigation committee will study is this: What is involved when a retired officer takes a job with a firm that does a great deal of defense work? In many cases the individual involved simply goes from one side of the table to the other. During his military services a man may be the contracting officer who orders certain items of equipment for his base or unit. He may, on retirement, be offered a selling position by the firm with which he had had dealings.

The House debate brought out two conflicting views of the role that such ex-officers may have if they accept jobs with defense contractors. Santangelo, speaking for his amendment, cited two major points. "Persons within the Department [of Defense] who may be looking forward to possible employment with a certain organization after retirement can display partiality and favoritism without ever realizing it. Further, prominent military figures in retirement can have a great influence over their former subordinates who are still in the Department. Contact at social and professional gatherings between active and retired officers can provide a perfectly natural setting for influence and favoritism." After citing very large increases in capital investment on the part of three airplane companies since 1952, Santangelo asked his fellow members this question: "Why do these industrial contractors engage or hire retired military or naval officers at inordinate salaries? Is it because of their technical knowledge or is it because of their relationship with their former colleagues or former subordinates who are at the levers of control?"

As the vote indicates, more than half the House members were opposed to legislation designed to prohibit officers from taking jobs in industry after retirement. The case for the opposition was put by Representative Samuel S. Stratton (D-N.Y.): "I think there are two points that ought to be borne in mind by the House. In the first place, we are denying to our defense industries, if this amendment goes into effect, the services

and assistance of the very people who have had the most experience in the fields of weapons and related matters. . . . If this amendment were to go through in this extreme form, we would actually be jeopardizing our own national defense. We would be throwing out the baby with the bath. Secondly, this House not too long ago adopted the so-called 'hump' bill for the Navy, and we are expected soon to be presented with a similar piece of legislation for the Air Force, under which valuable officers in the higher ranks will be forced to retire before their time with a lesser return in retirement pay. If this amendment were to be adopted, therefore, we would be foreclosing to these loyal officers, many with families still to educate, the chance of entering certain fields of gainful employment after their forced retirement, particularly those fields where they are best qualified and best able to serve.

### **Obligation to Whom?**

More complex issues are also involved, however. For the officers concerned, especially the graduates of the service academies, the problem becomes a very difficult one. During the debate that followed Santangelo's proposal, a case in point was offered by another member. He told of a colonel currently in service who is an expert in nuclear energy. All of the officer's higher schooling had been paid for by the Government, from West Point through graduate work at the Massachusetts and California institutes of technology. The colonel had served for 20 years and was entitled to retirement at any time. Or, if he chose, he could stay on and complete 30 years' service. The colonel put his problem this way. "I have a family of four youngsters all going to high school at the present time, about ready to go to college. I have the opportunity to retire and to go to work for one of the larger companies at a salary twice what I am now receiving. To whom do I owe the obligation? Do I owe it to the country who gave me my education, . . . who sent me to MIT and to CalTech, and for whom I have worked through the years? Or do I owe the obligation to my family, to take my pension and go out into newer fields where I can double my salary?"

### **Debate May Be Long**

Because of the complexity of the retired-officer problem and the fact that there are strong arguments on both sides, the Hébert investigation may be long and involved. Apart from the main issue, there is a possibility that another matter, currently in the news, will impinge on the investigation. This is the "munitions lobby," on which President Eisenhower has recently commented. In