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CHAPTER 28

Congressional Reform: The Legislative Reorganization Act of 1946

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Mr. President, when we think back to the nineteenth-century Senate, we can easily conjure up images of senators who enjoyed sufficient leisure to do their own research, draft their own legislation, and write their own lengthy speeches. Most members had no other office space than their desks in the Senate chamber or in their boardinghouse quarters near the Capitol Building. Today, the sites of many of those boardinghouses are covered with House and Senate office buildings where members have quarters that only barely seem to accommodate the increasing requirements of their diverse constituencies. In the middle of the last century, members who required staff assistance purchased it out of their personal funds during the usually abbreviated legislative year.

After World War I, demands on members' time and attention escalated rapidly as improved means of transportation and communication brought the electorate and the elected into greater proximity. As the national government assumed a greater role in the lives of everyday citizens, pressures on Congress multiplied. And, as the 1920's gave way to the Great Depression and the New Deal era of the 1930's, Congress demonstrated increasing inability to legislate with the deliberation and expertise that had characterized its course during the seemingly less complicated nineteenth century.[1]

Congress had slight opportunity to dwell on matters of internal organization and support during the depression and New Deal years. By 1940, however, many members were becoming painfully aware of the fate of representative bodies around the world at the hands of totalitarian regimes. Many recognized that a strong, effective Congress was the best protection against executive tyranny, foreign and domestic. Later that year, House Speaker Sam Rayburn warned that the ability of our democracy to survive was directly related to the ability of Congress to balance demands for adequate discussion against demands for prompt and effective action. Rayburn stressed the necessity of independent "technical competence" as the foundation of a solid legislative program. "A

great national legislature cannot safely rely on the technical assistance and advice which private interests are willing to provide." [2]

Jerry Voorhis, a Democratic representative from California, was an early and persistent critic of Congress' inability to maintain a strong and coequal role in the federal system. He warned that the future of constitutional government would be in jeopardy unless Congress insisted on exercising its traditional responsibilities with a force and vigor equal to that of the Franklin Roosevelt administration.[3]

Congress, in 1941, was ill-equipped to accept the Voorhis and Rayburn challenges. At that time, of every seven dollars it authorized the federal government to spend, Congress spent only one cent on itself. Its thirty-two-hundred-member staff was predominantly clerical and custodial, with not more than two hundred persons who could be considered legislative professionals. Senators were often required to use their office clerks as the principal staff of any committee they chaired, thus ignoring professional competence as the foundation for committee staffing.[4] This situation encouraged the traditional practice of creating additional committees as sources of prestige, office space, and extra staff for their chairmen.

On the eve of Pearl Harbor, Congress remained reluctant to supply itself with independent sources of expertise. Librarian of Congress Archibald MacLeish argued in vain for increased funding of his Legislative Reference Service. He justified his request on the assumption that the Congress had the right to "scholarly research and counsel in law, and history and economics at least equal to that of people who come before committees" from the executive branch and private interest groups.[5]

Strong opposition in the House of Representatives killed MacLeish's hopes of revitalizing his understaffed and obscure reference service. In the Senate, in June 1941, a similar fate awaited a measure introduced by Senator A.B. "Happy" Chandler of Kentucky. Chandler proposed that the Senate allow each member to hire one research expert at a competitive salary. His proposal died because many senators apparently believed it would establish a cadre of political assistants who would eventually be in a position to compete for their jobs.[6] The opposition had deep roots in the members' self-image. Congressmen feared the public would view the appropriation of tax dollars for staff experts as an open confession of members' inability to carry traditional legislative burdens.

American entry into World War II escalated the already severe pressures on Congress. During Roosevelt's first two administrations, Congress alternated between the roles of acquiescent provider and stubborn critic. Its effectiveness varied inversely with the intensity of a particular crisis. In the months after the attack on Pearl Harbor, observers became increasingly critical of what appeared to be congressional intransigence, tolerable during peacetime but unforgivable while at war. In January 1942, a *New York Times* editorial greeted a returning Seventy-seventh Congress with the warning that it must "show itself more alert and efficient" than the previous session if the United States hopes to win the war without "needless loss of time and treasure and lives." [7]

Fragmentation of the committee structure generated particular criticism. Early in 1942, Arthur Krock, the *New York Times* columnist, expressed a common frustration at the amount of time wasted by executive branch officials in appearing repeatedly before committees the jurisdictions of which frequently overlapped or duplicated those of other committees. Commerce Secretary Jesse Jones appeared eighteen times before as many different committees to deliver his standard two-hour speech. Krock suggested in vain that

the eight military oversight committees be merged into a single House-Senate war inquiry unit. Senators tended to view these joint committees as potential threats to the Senate's "appellate" role in the legislative process. House members, too, had been traditionally wary of joint meetings, fearing that better-known and more politically secure senators would receive the lion's share of the credit while representatives would do the lion's share of the work.[8]

Early in 1942, Congress made an ill-starred effort to assert and strengthen its members' prerogatives. After minimal debate, the House and Senate passed bills extending Civil Service pension eligibility to the legislative branch. At the same time, they gave each member the option to buy unlimited gasoline at a time of strict rationing. An instant storm of protest arose over the so-called pension grab and the gasoline x-card issues. Spearheaded by the Junior Chamber of Commerce, Americans responded angrily to what they saw as a brazen act of self-aggrandizement by their elected representatives. The Jaycees instituted a Bundles for Congress program to collect old clothes, discarded shoes, and assorted trash for the apparently destitute and avaracious members. Sensitive to criticism in an election year, members quickly reversed themselves rather than argue that these "privileges" did not exceed those that executive branch employees already enjoyed.[9]

By mid-1942, Congress was in what one national magazine called a "touchy mood . . . more angry and disturbed than at any time in modern political history." [10] Members lashed out with defensive statements showing their frustration at being the public's whipping boy for wartime controls and regulations imposed by executive branch authority. Speaker Rayburn thundered that he was "damned tired of having Congress made the goat for everything." [11] Senator Joseph O'Mahoney demanded that the executive branch stop expanding its powers by "interpretation." [12] Senator Walter George of Georgia observed that "castigating Congress seems to have developed, of late, into a pernicious national pastime." Taking exception to "indiscriminate sniping and yowling," Senator George called for an end to such "thoughtless disparagement." He reminded critics that the executive, rather than Congress, had the sole responsibility for the conduct of the war. When faced with requests for huge appropriations, "all we can do is to ask, 'Do you really need all that?' Then we grant the funds."[13]

Up to this point, however, proposed remedies to these frustrations had lacked focus and detailed analysis. Early in 1941, the American Political Science Association, under pressure from its Washington members, had abandoned its traditional detachment from reform issues and established a Committee on Congress to study the operation of the legislative branch. The association appointed ten prominent political scientists and public administrators, and named Dr. George B. Galloway chairman.[14] Sixteen months later, the committee released a preliminary report, signaling a new campaign in the war for legislative reform.[15]

At the age of forty-three, George Galloway had established a solid reputation as a gifted scholar and political analyst. In 1926, he had received his doctorate from the Robert Brookings Graduate School of Economics and Government in Washington. The Brookings School was noted for its emphasis on training for research in the "practical problems of government policy." Its curriculum stressed close personal contact with federal officials.

As chairman of the Committee on Congress, Galloway set out to identify members who were sympathetic to legislative reform. In a series of off-the-record monthly din-

ners, the committee's members encouraged the congressional guests to express their frustrations and ideas. The committee then tried out the members' ideas on various political scientists. Finally, the committee returned to the congressmen to test the resulting syntheses. By mid-1942, an outline had emerged. The committee concluded unanimously that the decline in Congress' prestige and effectiveness was attributable to the "technical nature of modern public problems." [16] Although the imbalance in favor of the executive had been intensified by the unprecedented dominance of foreign and military issues, the committee predicted that the postwar period was likely to generate pressures of equivalent, if not greater, magnitude. The preliminary report focused on eight major congressional handicaps. They included the diversion of attention from national policymaking by local and private legislative demands, the lack of "adequate independent technical advice for lawmaking," the excessive number of committees, and the lack of facilities for sufficient oversight of executive administrative action. The report also cited insufficient clerical support, low pay for members and staff, and unrestrained lobby pressures.

The committee suggested several improvements as a basis for further discussion leading to a final report.[17] It urged Congress to consider at once a reform program that would highlight its deliberative role. Panel members argued that the focus should shift to committee hearings as the heart of the legislative process. They further suggested that the House and Senate hold full legislative sessions in the evening once or twice a week to "ratify" committee decisions. Congress should encourage radio stations to broadcast these sessions, even at the risk of competing with such favorites as the "Quiz Kids," "Information Please," or commentator Raymond Gram Swing. Finally, the committee members recommended that Congress take a four-day recess each month, so that members might return to their districts to capitalize on the radio publicity. They hoped this would increase respect for the members and for the institution.

While senators and representatives were pondering the association's report and planning their respective reelection strategies, President Roosevelt stepped up his campaign to force Congress to act on major administration proposals. On September 7, 1942, he sent a message to both houses recommending the passage of farm price support legislation. He threatened, "In the event that the Congress should fail to act, and act adequately, I shall accept the responsibility, and I will act." [18] The president got the legislation within his three-week deadline.[19]

Despite their compliance, members of the Senate and House were outraged at Roosevelt's tactics. On October 1, 1942, Representative Everett Dirksen of Illinois delivered a speech entitled "What Is Wrong With Congress?" Dirksen asserted that the Congress' low status in the public eye was directly related to its "fear of doing something for ourselves as an institution." Mindful of the pension grab and x-card affairs, he continued, "It is a very natural apprehension, for when we do, we are often at the receiving end of a lot of spicy, derogatory comment that has a great deal of reader interest." Dirksen concluded that the only thing wrong with Congress was that it had "failed to equip itself to cope with growing executive power and the bureaucracy." [20]

As the November 1942 congressional elections drew near, the widely read *Reader's Digest* reinforced Dirksen's point. It reported that only four of seventy-six congressional committees had "expert staffs prepared professionally even to cross-examine the experts of the executive branch." The remainder "trust to their own native amateur intel-

ligence." Concluding with an assessment that no incumbent congressman wanted to hear, the article labeled members "corner store wise-acres in an age of calculating-machine-trained researchers." [21]

On election day, congressional Democrats suffered badly. Republicans gained 47 seats in the House and 10 in the Senate. A number of members had decided to retire, so the net membership turnover within both parties was 106 in the House and 13 in the Senate.[22] Democrats retained narrow control in both Houses. It was clear to the leadership, however, that legislative reform would have a higher priority among a larger number in the new Congress.

In 1943, members introduced an unprecedented number of reform-oriented resolutions, ranging from a frivolous measure to create a Committee to Protect the Integrity of Congress to Dirksen's constructive Select Committee on Congressional Reorganization.[23] These resolutions varied, but most called for an improved method of liaison between Congress and the executive, reorganization of the committee system, legislative scrutiny of executive action, and increased use of experts.[24]

During 1943, six congressmen emerged as leaders in the movement to strengthen Congress. The most active advocates in the House were Estes Kefauver of Tennessee, A.S. "Mike" Monroney of Oklahoma, Dirksen, and Voorhis. Francis Maloney of Connecticut and Robert La Follette, Jr., of Wisconsin led the way in the Senate.

Kefauver spent most of his energy on a proposal to improve communications with the executive. His measure would have established a biweekly "report and question period" during which heads of executive agencies would appear voluntarily before Congress to report on their activities and answer members' questions. Kefauver believed that this procedure, modeled on British parliamentary practice, would promote more effective legislative oversight and do away with "cumbersome and irksome" special investigating committees.[25]

George B. Galloway served as the principal staff architect of congressional reform. *Eilene Galloway*

Like Kefauver, Voorhis was concerned with improving legislative oversight; he directed his attention, however, to strengthening staff resources. Based on his service on the Select Committee to Investigate Acts of Executive Branch Agencies, he concluded that executive agencies exceeded their authority because Congress often failed to define their specific powers and limitations. Voorhis believed that "better sources of information, better staff, and a better direction

of the work of its members" would ease this situation.[26]

During 1943, Dirksen and Monroney in the House joined the Senate's La Follette and Maloney to sponsor a series of identical bills to create a Joint Committee on the Organization of Congress.[27] This legislation revealed the clear imprint of Galloway's Committee on Congress. It called for study of the organization, operation, and staffing of each house, the relations between the Senate and House, the relations of Congress to the other two branches of government, and the relations among committees.

In July 1943, Senator La Follette published an article that quickly rallied broad popular support to the less well-publicized reform proposals of the Galloway committee. La Follette cited the frustration surrounding the just-concluded Seventy-seventh Congress, noting that "probably no Congress in recent history suffered so much abuse and public derogation." Referring to the president's 1942 Labor Day ultimatum to Congress, La Follette suggested that it was "time for the American people to take stock of the situation, war or no war."[28] He singled out for special attention the excessive number of committee assignments for members and the problem of poor budget control. He noted that more than half of the Senate's members served on at least six committees, while some served on as many as ten. Finally, he observed that the president's budget bureau received funding three times greater than the combined staffs of the House and Senate's Appropriations committees. His solution, suggestive of the Galloway committee's finding, was to reduce drastically the number of committees and the size of each and to create more joint committees with expert staff. His objective was to allow more time for members to be legislators.[29]

In November 1943, the chances for an effective reorganization appeared better than

A. S. Mike Monroney led reform initiatives from the House in the 1940's and the Senate in the 1960's.
Library of Congress

ever. The *New York Times* carried a front page account of a news conference called by Dr. George Calver, the congressional physician. Calver announced that he would prescribe a "long period of rest and relaxation for an overworked, nervous, and underpaid Congress." The physician, perhaps influenced by those close to the Galloway committee, proclaimed that "a $10,000 salary looks good until after [the member] has paid his taxes, his Washington living expenses, his campaign expenses, and his bills for maintaining a house back home."[30]

By early 1944, the Maloney-Monroney bill, as the press called it, had become the reformers' principal vehicle. Congressional Re-

publicans joined the bandwagon, believing that, if the reform issue worked as well in the 1944 elections as it had in those of 1942, they stood a good chance to take control of Congress. Republican Senator Robert Taft speculated publicly that a GOP victory would increase the chances for legislative reform, and that Senate Republicans, out of power for nearly fifteen years, would be willing to reduce the number of committees since they had no chairmanships to give up.[31]

The League of Women Voters also recognized the suitability of congressional reform as an election issue. Galloway assisted the league in preparing a roundtable discussion on the organization of Congress for its 1944 national convention. The panelists included Representatives Kefauver, Dirksen, and Monroney.[32]

In June 1944, while the nation's attention was focused on post-D-day European military operations, the Senate Rules Committee recommended favorable consideration of the Maloney-Monroney resolution. Committee chairman Harry F. Byrd, Sr., stressed the importance of a permanent modernization program, noting that postwar demands would likely be more severe than those of the war years for a Congress geared to a prewar pace. The joint study committee was to have twelve members, six from each house, evenly divided by party. The Senate Rules Committee, sensitive to the prerogatives of each body, stipulated that the panel's recommendations must have the support of at least four members from each chamber.[33]

Preoccupied with demobilization, reconversion, and the summer recess, Congress appeared to be allowing the reform issue to slip away under the pressures of fall election campaigns. In September, Representative Monroney made a radio address to plead for action. He spoke of the crippling effect that Congress' limited resources had over its efforts to oversee the activities of three million executive branch employees. He claimed that Congress was trying to supervise the operation of a $78 billion government with tools fashioned fifty years earlier for a budget less than a half of 1 percent of that size. Monroney compared Congress' Legislative Drafting Service, with its eight employees and $83,000 budget, to the Agriculture Department's legislative section, which, he reported, employed six hundred persons at a cost of more than $1.6 million. The House and Senate Appropriations committees had twelve clerks to examine the entire national budget. Monroney argued that the increased cost of a larger congressional staff could easily be made up by carefully pruning executive budgets. He concluded his address with a plea for quick action on his resolution, noting that, of all the pending reform-related measures, only his was designed to study all of the suggestions.[34]

Representative Monroney got his wish, but not until after the November elections. In mid-December, with four days remaining in the life of the lame-duck Seventy-eighth Congress, the House briefly debated and passed the Maloney-Monroney resolution. The Senate quickly concurred. On the last day of the session, members of the newly established joint study committee readily elected Senator Maloney and Representative Monroney chairman and vice-chairman, respectively.[35]

At the beginning of the Seventy-ninth Congress in January 1945, Francis Maloney's Senate colleagues had come to regard him as a senator's senator—a hard-working, soft-spoken, and nonpartisan mediator of internal Senate disputes. He chaired one of the five standing committees to which he was assigned and served on three other special committees as well as several commissions.[36] He looked on his new chairmanship as a golden opportunity to make inroads against Congress' killing workload.

Death denied Francis Maloney the chance to engage that opportunity. On January 16, 1945, he died of a heart ailment, complicated by influenza and exhaustion.[37] Later that same day, the National Planning Association released yet another survey that documented congressional shortcomings and gave particular poignancy to Maloney's passing.[38] The association, cofounded by George Galloway, had selected Robert Heller, a Cleveland engineer and management analyst, to study Congress from a "practical engineering angle." The Heller report, drafted in part by Galloway, concluded that Congress would lose the public confidence essential to its functioning unless it was strengthened.[39] The report urged Congress to place greater emphasis on major policy issues and less on such details as running the District of Columbia government or dealing with private claims legislation. Observing that Congress was operating "with hand tools in a mechanized age," the report offered fourteen recommendations. They included a 150-percent pay raise for members, a majority and minority legislative policy committee for each house, expansion of staff resources, a report-and-question period, and basic procedural reforms related to the selection of committee chairmen and Senate cloture.[40] Congressional reformers were pleased to have the additional ammunition that the report provided but concluded that it displayed little familiarity with the day-to-day operations and traditions of Congress.[41]

At the start of 1945, the strongest impediments to legislative reform were preoccupation with the final military operations in Europe and the suspicion by senior House members that they had little to gain and much to lose from a change in the status quo. Few could argue in principle with the study committee's concept, but reformers were apprehensive that congressional elders would kill the infant at the hour of its birth. Accordingly, George Galloway pressed his American Political Science Association Committee on Congress to issue its final report with appropriate fanfare in order to push Congress to reauthorize the joint committee for the new session. Early in February, as Allied forces began their final drive on Berlin, the Galloway committee released a refined version of the 1942 preliminary study.

In 1946, Robert M. La Follette, Jr., won passage of his reform bill and lost his reelection bid.
Library of Congress

It asserted that Congress needed to "modernize its machinery and methods to fit modern conditions if it is to keep pace with a greatly enlarged and active executive branch." The committee observed that "this is a better approach than that which seeks to meet the problem by reducing and hamstringing the executive. A stronger and more representative legislature, in closer touch

with, and better informed about, the administration, is the antidote to bureaucracy."[42] Several days later, after explicitly removing the joint committee's authority to study matters of rules and procedure, the Senate joined the House in renewing the panel's life. Robert La Follette succeeded Francis Maloney as chairman.[43]

The joint committee quickly named George Galloway as its director and sole staff member.[44] Galloway was well aware of the distinction between getting Congress to study an issue and moving it to effective legislative action.[45] The first of these tasks had consumed four years of his life. He realized that the second would require equal amounts of careful planning and good fortune. The composition of the joint committee gave Galloway reason for encouragement. La Follette, Monroney, and Dirksen offered outstanding reform credentials. Senator Elbert Thomas of Utah, holding a doctorate in Chinese political thought, epitomized the scholar-in-politics. In the late 1930's, he had worked effectively with La Follette on the latter's civil liberties committee. Observers of that earlier body noted that La Follette's style was to probe for facts, grilling witnesses "sharply, steadily, and coldly, working with the . . . precision and power of a steel riveter." Thomas, on the other hand, "genially encouraged witnesses to relax and unbend. He probed for attitudes rather than details, setting witnesses up while La Follette knocked them down."[46] The average length of the joint committee members' congressional service was fourteen years. Four of them had served at least twenty years.[47]

Galloway moved quickly. Several days after his appointment, the joint committee held the first of thirty-nine public hearings. In less than four months, the joint committee heard 102 witnesses, and produced a printed record exceeding fifteen hundred pages.[48] Due to schedule conflicts and the largely record-building nature of the hearings, members' attendance was generally poor.[49] Consequently, Galloway had the responsibility of developing, with little guidance from committee members, recommendations that would survive severe congressional and public scrutiny. One observer noted that Galloway moved into this assignment with "great tact and distinction" and that the "rapport between the dynamic and thoughtful co-chairmen and Dr. Galloway was virtually perfect."[50] Without the creative and wholehearted support of these three men, the joint committee's report would have joined in oblivion scores of other soon-forgotten advisory committee documents.

At the end of the first month of hearings, the nation got a new president. Harry Truman had risen from obscurity to distinction due largely to his role as chairman of an important Senate investigating committee.[51] In April 1945, few knew better than Truman the frustrations of an over-worked, understaffed, and poorly paid Congress. During his Senate years, he had found it necessary to supplement his income by placing his wife on his office payroll.[52]

On the surface, the joint committee could hardly have asked for a better climate in which to work. A new chief executive, the winding down of a long war, and the introduction of the atomic bomb all pointed to a new and uncertain era. Clearly, the times required a stronger and more responsive Congress to check the all too familiar independence of the executive; yet, an overly sympathetic executive might remove much of the force from the reformers' arguments.

Galloway moved quickly to exploit the strategic possibilities of the newly dawning age. He organized an extensive program of public education to generate grassroots support.[53] To civic groups, magazines, radio networks, and film makers Galloway provided arguments, reports, testimonials, and vast

amounts of his time. Appreciating the value of the Heller report's brevity and popular focus, he sent eighty thousand copies to newsstands. The League of Women Voters, as a consequence of Galloway's success in providing three key congressmen as speakers for its 1944 convention, placed congressional reform at the top of its priorities list.

Galloway capped his publicity efforts when he engineered a major cover story in a June 1945 issue of *Life* magazine. Entitled "U.S. Congress: It Faces Great New Tasks With Outworn Tools," the article focused on the overburdened congressman "too busy to do the job right." *Life* informed the nation that "with few important exceptions, congressional procedure is the same as it was in 1789." [54]

Galloway did not overlook the educational needs of those in Congress who would eventually vote on the joint committee's recommendations. He compiled and distributed copies of articles and lists of bills related to strengthening Congress.[55] With great tact, he prodded his panel's members to use their influence on other congressmen.

In October 1945, as the joint committee's members struggled over tentative recommendations, Mississippi's Theodore Bilbo, *Life* magazine's candidate for the "worst man in the Senate," conducted a personal three-day filibuster against a bill to repeal land grant railroad rates.[56] Another magazine quoted a nervous representative as fearing that "unless we straighten it [the congressional system] out, the American people are going to straighten us out . . . the people might get too mad and go too far for the public good."[57]

Late in 1945, the Truman honeymoon ended. Congress struggled with issues associated with the United Nations Charter, tax reduction, international monetary reform, and executive reorganization.[58] The congressional physician suggested that each house convene at 1:00 p.m., instead of noon, so that members could "eat a decent lunch." [59]

On March 4, 1946, after nearly a year of study, the joint committee submitted thirty-seven recommendations to Congress.[60] The first category of proposals sought to reorganize the committee structure and improve legislative coordination and accountability. The committee recommended that Congress consolidate its eighty-one standing committees into thirty-four. Each committee would have fewer members, more carefully defined jurisdiction, stronger executive oversight, and four additional staff experts.[61] Additionally, each house was urged to create legislative policy committees. Members of the majority policy committees would serve as a formal council, meeting regularly with the president "to facilitate the formulation and carrying out of national policy." [62]

The second group of recommendations sought to provide improved support facilities for members. They included a major expansion of the Legislative Reference Service, an administrative assistant for each member, and the establishment of a Congressional Personnel Office. The office would reduce the prevailing chaos surrounding employment standards, pay scales, and tenure rights. This category also included a proposed 50-percent pay raise for members, improved legislative budget surveillance, registration of lobbyists, home rule for the District of Columbia, and transfer of noncurrent official records to the National Archives.[63]

Press reaction was generally favorable, although some commentators took the joint committee to task for dodging the "hard questions" of rules and procedure.[64] One noted that even these "mild" recommendations were "being welcomed with less than whole-hearted approval by Congress," and that the joint committee lacked the authority to convert its proposals into legislation.[65]

At this point, La Follette and Monroney effectively took the reins of leadership from Galloway and began the task of salvaging the joint committee's proposals. In the Senate, existing procedure dictated splitting the recommendations and sending them to committees according to subject. La Follette realized that several hostile committee chairmen were prepared to bottle up the proposals indefinitely. Accordingly, he offered a resolution that would convert the Senate members of the joint panel into a temporary legislative committee.[66] Ironically, this was in direct opposition to the joint committee's recommendation to rely on established standing committees rather than limited-tenure special committees.[67] La Follette's promise that the special committee would submit no proposal to change Senate rules convinced the Senate to grant his request. In mid-May, sensing growing support for action in the face of continued legislative chaos and the 1946 elections, La Follette succeeded in placing the bill directly before the Senate for action.[68]

On June 6, 1946, the Senate began debate. One newspaper noted that the legislation faced a triple threat of "pride, patronage, and politics."[69] By approving the bill, members would acknowledge that they could not do it all by themselves; they would stand to lose treasured patronage positions; and many of them remained reluctant to be in the position of voting themselves increased benefits in an election year.

Debate centered primarily on the patronage threat and the pay raise. La Follette gradually yielded on both issues. On June 10, 1946, he broke an impasse by dropping the proposal to set up a personnel "czar" and by cutting in half the amount of the salary increase. He held fast, however, on the reduction of committees, the "keystone of the arch of this whole plan."[70] The Senate then quickly passed the bill by a margin of 49 to 16.[71]

The bill moved to the House. There it rested for six weeks on the Speaker's desk. Monroney and Dirksen used their considerable skills in attempting to negotiate the conditions of its movement to the House floor where it enjoyed majority support. Speaker Rayburn, despite earlier support for reform, recognized in the bill extensive challenges to his autonomy. Policy committees would rationalize the murky decision-making process and fix accountability.[72] The House of that day, far more than the Senate, was controlled by its leadership. Rayburn realized that procedural uncertainty worked to his advantage. Establishment of party policy committees would undermine that advantage and strike at his power to resolve difficulties by appointing special committees or deciding among various disputants.

The bill's managers reluctantly agreed to the Speaker's condition that the policy committee provision must be dropped. They exercised a bit of political legerdemain by cutting in half the five-thousand-dollar salary increase and then granting each member a tax-free twenty-five-hundred-dollar "expense allowance." Galloway called Rayburn's eleventh hour maneuvers "an astonishing piece of political piracy . . . a travesty on the democratic process."[73]

On Thursday, July 25, 1946, as a second atomic test took place at Bikini, Monroney and Dirksen resisted a hailstorm of floor amendments to secure House passage by a vote of 229 to 61.[74] Senator La Follette was then faced with a major tactical decision. If he tried to reconcile the Senate bill with the weaker House version, it would have spelled certain defeat for the entire program. He had simply run out of time. The following day, members were beginning to drift away from the sweltering capital. Soon, Congress would probably lack the necessary quorum to con-

At the White House, members of Congress watched as President Truman signed the Legislative Reorganization Act on August 2, 1946.
Eilene Galloway

tinue its work. La Follette, therefore, presented the weaker bill on July 26, and the Senate readily agreed to it. Several days later, on August 2, President Truman signed the measure, calling it "one of the most significant advances in the organization of Congress" since its establishment.[75]

Mr. President, I shall now turn briefly to a discussion of the short-term accomplishments of this landmark piece of legislation. Its framers had, as I have indicated, three basic objectives. These included a fundamental streamlining of the committee structure, development of a professional staff, and greater legislative control of the federal budget process. The reorganization act succeeded for the most part in the first two areas and failed in the latter. The measure, despite its supporters' earlier hopes, did not address matters of floor procedure or structural changes in relations between the legislative and executive branches.[76]

The act sought to reduce the jurisdictional confusion that resulted from a proliferation of committees. It did so in two ways. First, it eliminated obsolete committees and consolidated others. This reduced the number in the Senate from thirty-three to fifteen, and in the House from forty-eight to nineteen. Under the act, senators were assigned two committees instead of as many as nine. Representatives served on one instead of five. Of course, the reduction in the number of standing committees was offset by an expansion in the number of subcommittees, but the reformers contended, with some merit,

that members would be able to concentrate their energies in more carefully focused subject areas. The Senate sought to prohibit establishment of special committees, but the House successfully fought that provision in the act's final version; nonetheless, both chambers severely limited the creation of special committees. In 1946, there were twelve such panels in Congress. Three years later, only one existed. The reorganization act also sought to reduce jurisdictional confusion by carefully defining each committee's legislative responsibilities. For the Senate, these definitions were incorporated into Rule 25 of the Senate's rules.

In a move to restrain autocratic chairmen, the act required committees to set regular meeting days, to open a majority of sessions to the public, and to keep transcripts of hearings. Committee chairmen were obligated to bring bills to a final vote, and to ensure that measures approved with a majority of committee members present be reported promptly to their respective houses. Witnesses were directed to submit written testimony in advance of their appearance before committees, thereby allowing members sufficient time to prepare questions.

The act's second major contribution was to expand and improve the quality of committee professional staff. It authorized each standing committee to appoint four professional and six clerical staff members. Previously, committee staffs had divided their labors between committee work and constituency services for individual members. The change promoted growth of technical expertise that reinforced Congress' investigatory role in the years following World War II. To further strengthen congressional staff resources, the act upgraded the Legislative Reference Service to a separate department within the Library of Congress, doubled its appropriation, and provided for creation of a staff of senior specialists in subject fields roughly equivalent to those of the standing committees. Significantly, these specialists were to be paid at a rate comparable to that of their counterparts in the executive branch. Finally, the act expanded the bill drafting service available through the office of Legislative Counsel. It is important to note here the indispensability of such a facility for ensuring Congress' independence of executive dictation.[77]

The principal failing of the 1946 Legislative Reorganization Act came in its efforts to provide more effective control of the federal budget process. The measure established a Joint Budget Committee, consisting of the members of the Senate and House Appropriations committees and the Senate Finance and House Ways and Means committees. That panel was given responsibility for preparing annual estimates of federal receipts and expenditures. These estimates were to be tied to a concurrent resolution placing a limit on annual appropriations. Unfortunately, the joint committee, with more than one hundred members, proved too unwieldly to operate effectively. It was unable to obtain accurate spending estimates early enough in each fiscal year to apply them to specific agency funding requests. Consequently, this procedure was abandoned after 1949. In the decade that followed, the Senate, on five different occasions, passed legislation to reestablish the joint committee, but, each time, the House defeated the measure as a threat to the prerogatives of its Appropriations Committee.[78]

The Legislative Reorganization Act of 1946 contained a number of other important reforms, including a pay increase for members, bringing their salaries from $10,000 to $12,500 per year, and a $2,500 tax-free expense allowance. It also finally brought members under the provisions of the Civil Service Retirement Act; it created the Daily Digest section of the *Congressional Record*; and

it established a procedure for the registration of lobbyists, requiring them to file quarterly spending reports with the secretary of the Senate and the clerk of the House.

There were several reforms, desired by the Senate and opposed by the House, that were dropped from the final version but immediately embodied in subsequent legislation. The first was a provision for establishing Senate majority and minority policy committees.[79] A second important reform permitted senators, for the first time, to hire administrative assistants.

Mr. President, the significance of the Legislative Reorganization Act of 1946 is that it began, rather than completed, a process of institutional self-evaluation that continues today. The process it set in motion led to the establishment in 1965 of another Joint Committee on the Organization of Congress, chaired by Mike Monroney who, by then, had moved to the Senate. The work of that body came to fruition with the passage of the Legislative Reorganization Act of 1970 and other reforms that I shall discuss at another time.