SENATE RESOLUTION 135—SUBMISSION OF A RESOLUTION PROPOSING THE DESIGNATION OF NORWEGIAN-AMERICAN DAY

(Referred to the Committee on the Judiciary.)

Mr. MONDALE. Mr. President, on behalf of Senators HUMPHREY, JACKSON, NELSON, BENSON, and myself, I am today introducing a resolution proposing the designation of October 9, 1975, as Norwegian-American Day.

From the earliest explorations of the North American continent nearly 1,000 years ago until the present day, the sons and daughters of Norway have made important contributions to our country and its culture. Nearly a century and a half ago on October 9, 1825, the sloop Restaurationen arrived in New York Harbor. This ship brought the first organized company of Norwegians to the United States. Today there are more than 3 million citizens of the United States who were either born in Norway or are of Norwegian descent.

Foremost among the ancient Norwegians whose names are well known in our history was Lief Ericson, who in 986 discovered and 15 years later landed on the North American coast, naming it Vinland. Later, in 1355 Paul Knutson set sail for Greenland. One scholar has argued that a part of Knutsen’s expedition may have continued on to America and been responsible for the Kensington Rune Stone (1328) in northern Minnesota.

The influence of other well-known Norwegians has spread to America, particularly of noted writers such as Ibsen, of musicians of the caliber of Edward Grieg and Ole Bull, and of diplomats such as Trygve Lie.

Americans of Norwegian origin have from the early 19th century played an important role in the development of our Nation, including its literature, politics, education, business, and science. Knute Nelson, Laur Larsen, Ole Rolvaag, Thorsten Veblen, and Victor Lawson are but a few of the distinguished Americans of Norwegian descent.

The Norwegian Parliament—Storting—has designated July 4, 1975, as a day for commemoration of the 150th anniversary of the salling of the sloop Restaurationen from Stavanger, Norway: Now therefore, be it

Resolved, that it is the sense of the Senate that in order to help the Congress and the Nation gain a better understanding of the immense and important contributions of the Norwegians to American life, the day of October 9, 1975 be designated Norwegian-American Day.

SENATE RESOLUTION 136—SUBMISSION OF A RESOLUTION TO AMEND THE STANDING RULES OF THE SENATE

(Referred to the Committee on Rules and Administration.)

Mr. MONDALE. Mr. President, the months since the resignation of Richard Nixon as President of the United States and the resignation of the Cabinet officers of the executive branch have witnessed an improvement in executive-congressional relations of real importance.

Yet despite this improvement, substantial problems remain in assuring executive branch accountability to the Congress. Policymaking in some vital areas to the Nation remains chaotic, and too often the existing congressional committee structure is unable to pinpoint responsibility for these policy decisions.

The problem of overlapping and inconsistent Cabinet department jurisdictions continues to hamper the effective operations of the executive branch. And the relationship of key employees within the White House and the Cabinet officers still poses problems in assuring accountability of the executive to the legislative branch.

The events surrounding the Watergate affair revealed the dangers inherent in the ability of a few men on the White House staff—responsible to no one, mostly without the sobering experience of electoral politics, and beyond the reach of Congress—to control policy. And these events led to a rethinking of the respective roles of the legislative and the executive branches.

As part of this rethinking, we should attempt in as many ways as possible to increase Congress’ ability to conduct meaningful dialog with those officials in the executive branch in whose offices responsibility for policymaking decisions should rest. This attempt should focus on both Congress and the Cabinet officers and agency heads in better touch with each other.

By making those executive branch figures whose confirmation by the Senate is required by law more accountable to the people—through the Congress—we will encourage the shift away from a White House staff of a few unelected and unresponsive individuals and reassert the proper role of the Congress and the Cabinet officers.

As one step in this process, I am submitting today a Senate resolution to provide for the establishment of a question and report period, somewhat analogous to that in use in many parliamentary systems around the world. This resolution is similar to one which I submitted in June of 1973.

This is neither a new nor a radical idea. It was proposed in the first Congress, which in creating the Office of the Secretary of the Treasury, declared that “he shall make, report and give information to either branch of the legislature either in person or in writing” as other House might require. Indeed, during this first Congress, a question period occurred before the House 8 times, and before the Senate 14 times.

In 1864, a select committee of the House and in 1881, a select committee of the Senate recommended the right to the floor of both Houses for Cabinet officers both to answer questions and to participate in debate. In 1912, President Taft, in a message to Congress, made virtually the same recommendation. And throughout the 1940’s and 1950’s, Senator Estes Kefauver championed the idea of a “question hour” and first introduced legislation of the type I am introducing today.

Nor does this proposal affect the constitutional doctrine of separation of powers. The Constitution clearly gives the President the power to “require the opinion in writing of the principal of­­ficer in each of the executive depart­­ments upon any subject appertaining to the duties of their respective offices.” This proposal would not diminish this right in the slightest. It merely would allow an additional dimension to the role of these executive officers—that of spirited and productive dialog with members of the legislative branch.

The proposal does not call for the sub­­penal of executive officers to appear before the Senate. It is framed in terms of “requests” to appear, because the central thrust of this proposal is to increase—rather than decrease—the dialog between and mutual responsibilities of Cabinet-level officers and the Senate.

Under terms of this proposal, the heads of executive departments and agency heads would—pursuant to written questions propounded by Members of the Senate. Such a question period would occur at least once every week when the Senate is in session, and would last for no more
than 2 hours. Senators would submit written questions to the committee having jurisdiction over the subject matter of the question, and if the committee approves the question, it would be transmitted to the head of the department or agency involved, with an invitation to appear before the Senate.

The Committee on Rules and Administration would also receive a copy of the question, along with a request for allotment of time in a question period to provide an opportunity for questioning of the question. The Rules Committee will determine the dates and length of time of each question period, and will allot the time in such period to the department or agency head who has indicated his readiness to answer. To conserve time and consolidate questioning in subject-matter areas, any one question period shall be taken up by questions approved by one committee.

In the latter half of each question period, oral questions may be asked, but these must be germane to the subject matter of the written questions. The time in this latter hour will be equally controlled by the chairman and ranking minority member of the committee which has approved the questions.

Senators will be given advance notice at least 2 days before the question period by printing of the time of each question period and the written questions to be answered in the Record, and the proceedings of the question period will be printed in the Record.

In addition, this resolution provides that question period proceedings may be televised and broadcast on radio live. In an era of mass communication, it is important to provide for both print and electronic media coverage to insure wide dissemination of the proceedings conducted under provisions of this resolution.

During the early 1940's, Walter Lippmann noted that—

"The two branches of Government (executive and legislative) will quarrel endlessly as to the right to information concerning the unity it needs and the collective wisdom it should have, as long as the responsible men at both ends of Pennsylvania Avenue deal with one another suspiciously and at arm's length."

That remark remains true today. Never has there been a greater need for a regularized procedure during which Congress can question the policies of the executive branch, and the executive branch's responsible officers can defend their proposals and actions. Essential to this process is its openness. In contrast to congressional inquiry, often conducted under provisions of the Committee on Rules, which is the entire Senate—not just a few Senators—will be able to question and hear the executive branch's defense.

Hopefully, this system of close questioning of Cabinet-level officers will result in Cabinet posts being filled with men and women who appreciate the need for defending articulately the proposals or actions of an administration will lead to a greater involvement for those individuals in formulating the policies and actions of their departments.

Most importantly, this resolution will enable Congress and the people to secure the Nation's right to have free and open debate on the central policies guiding us.

As Arthur Schlesinger, Jr., has observed, a question and report period of the type which I am introducing today could have "quite extensive consequences for the ability and willingness of the Congress to carefully scrutinize their actions."

As for the President, a question hour could subtly alter the balance of his personal power both as against his cabinet, whose members would have the chance to acquire new visibility and develop their own relationships with Congress and the electorate, and as against Congress, which would have the opportunity of playing off his own Cabinet against himself.

This legislation is not without risks. It will mean a rearrangement of institutional relationships whose consequences we cannot totally foresee. But it is certainly worth these risks in order to enable the Congress to increase the respect of the President and his principal agents for the ability and willingness of the Congress to carefully scrutinize their actions.

My proposal will not—and was not designed to—replace or supplant any of the valuable committee procedures now available to this body. In fact, the proposal, as I have outlined it, specifically preserves for committees the right to approve questions before they are brought to the attention of the executive officer whose answer is requested by a Senator.

Rather, this proposal is designed to give the Congress—and the American people—the right to information concerning important policies and actions of the executive branch, in a forum carefully controlled by time and germaneness so as to insure that productive questioning results.

Senator Kefauver proposed question-period legislation in the mid-1940's, the support of the American people for this idea was clearly evident. A Gallup poll conducted in the fall of 1943 showed 72 percent in favor of the proposal, and only 7 percent opposed. Clearly, this idea has new and more crucial relevancy today. In recent years, the faith of the American people in their Government has fallen steadily. We must stop this decline of trust in Government. We must, at this crucial juncture in relations between the executive and legislative branch, attempt to restore both Congress power to know and the power of Cabinet officers—rather than White House staff—to formulate policy and publicly defend that policy.

The resolution which I am introducing today is certainly not the entire solution to the monumental problem. But without it, the trust of the American people in their Government may continue to erode. And as the late Adlai Stevenson noted:

"Public confidence in the integrity of the democratic process is the lifeblood of democracy; and when we lose faith in the system we have lost faith in everything we fight for."

We must begin restoration of this public trust in Government. And, as a select committee of the Senate noted in 1881, the question period may enable us to begin this task:

This system will require the selection of the strongest men to be heads of departments, and we will require them to be well equipped with the ability and willingness to face the public weal, and thus stimulate their abilities and their efforts and will thus assuredly result in the good of the country.

Mr. President, I ask unanimous consent that the text of this resolution be printed in the Record at the conclusion of my remarks.

The following no objection, the resolution was ordered to be printed in the Record, as follows:

S. Res. 138
Resolved. That rule X of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"3. There shall be held in the Senate, on at least one day in any one calendar week in which the Senate is in session, a question and report period, which shall not consume more than two hours, during which heads of each department, agency or independent establishment heaIth or instrumentality within the Executive branch are requested to answer orally, written and oral questions propounded by Members of the Senate. Each written question shall be submitted in triplicate to the committee having jurisdiction of the subject matter of such question, and, if approved by such committee, one copy shall be transmitted to the head of the department, agency or instrumentality concerned, with an invitation to appear before the Senate, and one copy to the Committee on Rules and Administration with a proposal, in substance, that the question period shall be printed in the Record for such day. Live television and radio coverage of proceedings authorized under this paragraph shall be permitted. The Committee on Rules and Administration shall establish appropriate procedures for providing such coverage."

KENNEDY