



## When in Doubt, Form a Committee

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**I**F GOVERNMENT of, by, and for the people is not to perish, then government of the government must improve. After more than three decades of leaping and creeping growth, Federal agencies crowd each other like the cities and suburbs of the Eastern megalopolis. Jurisdictions clash and lines of policy collide. Careful planning in one office contradicts decisions in the next. Paper work consumes at least seven per cent of the administrative budget, or about \$9.5 billion this fiscal year.

These perils of size have been compounded by problems of style. Most of the Federal establishment's pyramids of authority were built for yesterday's specific jobs: constructing highways, running national parks, gathering unemployment data, improving medical services. To apply the promising new systems techniques—to build a road without destroying the adjacent park, to train the unemployed to fill jobs in new clinics—Federal agencies must advance beyond mutual tolerance to unprecedented working accords.

### What Is a Committee?

The traditional drives for honesty, efficiency, economy, and talent in the Federal service have not ended, but a new drive has begun. The battle cry on all fronts is "co-ordination." To achieve this goal despite fragmented laws, competing Congressional interests, and jealous internal and external lobbies, the bureaucracy has chosen not the shotgun or

the sword but its favorite blunt instrument: the committee.

The Bureau of the Budget has decisively defined an interagency committee as "any formally constituted committee, board, commission, council, conference, panel, task force, or other similar group, or any subcommittee or other subgroup thereof, that is composed of officers or employees of more than one department or agency of the Government and that is organized to meet from time to time for purposes of formulating advice or recommendations, or for any other stated purpose."

This umbrella covers such top-level bodies as the National Security Council, the Federal Council for Science and Technology, and the President's Committee on Recreation and Natural Beauty. It covers the Committee of Principals, which, with its subordinate Committee of Deputies, has hammered out foreign-policy positions since 1958 and since March, 1966, has been aided by the Senior Interdepartmental Group, which in turn is served by five Interdepartmental Regional Groups.

The Budget Bureau definition also covers hundreds of less prominent groups that cut horizontally and diagonally through the organization charts, and tangentially to them. One is the Census Advisory Committee on Small Areas. A second is the Conference on Arthropods of Public Health Importance. Others include the Interagency Committee on Fishermen's Bargaining Rights, the Proj-

ect Cloud Gap Steering Committee, the Interdepartmental Coordinating Committee on School-Age Pregnancies, and the Interdepartmental Coordinating Committee on Teen-Age Parents.

There is a committee to co-ordinate nearly every concern of man. There is a committee on shoes and at least one on ships. There is none on sealing wax, but there is one to test floor wax in Region 2 of the General Services Administration. And while neither cabbages nor kings have been co-ordinated, both may fall within the realm of the Commerce Department's Interagency Committee on Research in Great Society Programs.

The missions of some co-ordinating groups are relatively clear. The Toxic Micro-Organisms Panel of the Joint United States-Japanese Cooperation on Development of Natural Resources, for example, was established by bilateral communiqué in 1964, and is now planning next fall's joint U.S.-Japanese Symposium on botulism-mycotoxin, in which four agencies are investing a total of \$26,000. The Government Industry Steering Committee on Airline Sabotage, chaired by the Federal Aviation Agency, reviews the latest developments in bomb detection, while the Aircraft Emergency Arresting Systems Committee is seeking better ways to stop runaway jumbo jets on the ground.

The State Department's Panama Review Group and its field counterpart, the Panama Review Committee, oversee the work of the Washington Level Coordinating Committee and its field counterpart, the Canal Zone Information Coordinating Committee. Their assignment, according to the State Department, is to develop "opportunities to improve the Canal Zone's image in Panama and to clarify for audiences in Panama, the Canal Zone, Latin America, and the rest of the World, U.S. policy on the Canal Zone and the Canal."

State also sits on the Interagency Working Group on Psychological Operations in Critical Areas, a panel created in 1965, which is chaired by the U.S. Information Agency and includes members from Defense and the CIA. As USIA reported last spring, this body's purpose, "arising from

the experience of the Dominican Republic crisis of that year, is to co-ordinate planning by the member agencies for information and psychological warfare activities in future crises where U.S. Armed Forces are involved. It is necessary for this group to continue to watch and plan for potential crises, alerting the member agencies when an emergency impends."

**I**N THE INTEREST of comprehension and rudimentary control, the Bureau of the Budget for the past few years has required all Federal departments and agencies to report each April on the existence, if not the activities, of most of the interagency committees they run. Budget Bureau Circular A-63, issued on March 2, 1964, also suggests that agencies should define "the scope and nature of the committee's assignment, the official to whom the committee will report, and what it is that the committee is expected to do, e.g., advise, investigate, report, recommend, etc."

Despite efforts by a small Budget Bureau staff to pursue Circular A-63, no grand total of interagency groups can be compiled, because various departments' reports are only more or less complete, subpanels are not always differentiated from parent groups, committees may be mentioned twice in a single year or not at all, and the entire Defense Department report has been classified. Nor is it possible to ferret out the active membership of most interagency groups, the frequency of their meetings, or their impact on anything. The reports do, however, illuminate some of the lengths to which committees may extend themselves in modern government.

In his 1967 report under A-63, Secretary of Labor W. Willard Wirtz listed the Interdepartmental Committee on International Labor Policy as one of the more than 120 groups with Labor Department membership. He observed: "Inadvertently, in the Department's 1965 report to the Budget Bureau, this Committee was reported abolished. It is still in existence and is chaired by the Department of Labor. Originally it was a subcommittee of the Interdepartmental Committee on International Social Policy which was established by Presidential letter on November

25, 1946. The Interdepartmental Committee on International Social Policy was terminated by Presidential direction in October 1951. However, the subcommittee subsequently became the Interdepartmental Committee on International Labor Policy and was established by the Department of State. When there is a disagreement on position papers for international meetings, this Committee discusses the matter and resolves the disagreement." The Secretary recommended that the panel be continued.

In 1965 the Department of Agriculture prepared a list of no fewer than 320 interagency projects in which USDA personnel were involved. These ranged from the Commodity Exchange Commission, the Condor Advisory Committee, and the Work Group on Flow Frequency Analysis to such lesser panels as the Interdepartmental Committee on Seasonal Adjustment, the Federal Advisory Committee on Water Data, and the Southeast Alaska Federal Safety Council. The Agriculture Department report last spring did not bring the Budget Bureau up to date on all 320 groups, but did note that secretarial costs for twenty-six panels run by the department had totaled \$12,560.08 in 1966. The smallest individual item, carefully reported on USDA Form AD-247, was \$12.60 for two meetings of the Arizona Rural Fire Defense Committee.

### **An Endless Proliferation**

Some panels, particularly task forces and working groups, are short-lived. Others may stand for years without sitting at all. The Budget Bureau seldom kills committees, since active groups generally can be justified by their sponsors, while the Bureau's capital with many agencies is too meager to be squandered on eliminating paper panels.

Once in a while, however, a group does die, as did the President's Task Force on Community Assistance. This body was created in 1964, but the Secretary of Commerce noted last May that its work had been hampered by "changes in membership and direction, and by the termination of the Area Redevelopment Administration" in 1965. He also noted that other groups "with similar purposes and overlapping membership have come into existence," and that

currently "neither Labor nor Commerce has a designated member . . . and the posts of Executive and Deputy Director of the Task Force are vacant."

Whenever a committee dies, another one springs up to take its place. In fiscal 1967 the Agriculture Department, for example, abolished twelve standing groups and thirty-six ad hoc bodies, but created twenty-one new ones. The Civil Service Commission ended fourteen but started twenty-six. The State Department reported a net loss of three, but Housing and Urban Development added several, including the Interagency Group on Flood Plain Occupancy Data and Studies, and the Interdepartmental Task Force on the Delaware Expressway. The HUD report, submitted last April 27, noted that the Joint Task Force on Health, Education and Welfare Services and Housing had "completed its work and was abolished," but the HEW report of May 29 recommended that the same committee be continued. (HUD might have been thinking of the Ad Hoc Committee to Prepare a Brochure on HEW-Housing Programs, also called the Ad Hoc Committee on New Programs in HEW-HUD. This thirteen-member subcommittee of the Joint Task Force, formed in 1963, was dissolved this year after publishing two editions of a fifty-page pamphlet.)

Last spring, without explanation, the Office of Emergency Planning announced the passing of the Advisory Committee on Emergency Systems for Resource Evaluation, the Interdepartmental Disposal Committee, the Interagency Task Force on Emergency Health Preparedness Items, the Stockpile Storage Committee, and the Interagency Committee on Essential Survival Items. About the same time, however, the President created the Coordinating Committee on Economic Planning for the End of Vietnam Hostilities. In a memorandum of March 1, the President directed this new group, headed by the chairman of the Council of Economic Advisers, "to begin at once a major and co-ordinated effort to review our readiness to make the economic adjustments which a termination of hostilities in Vietnam might require." At his news conference the following

day, the President declared: "We have, from the very beginning, tried to keep our hand out and our guard up."

SOMETIMES the simple creation of a co-ordinating committee fills an administrative need—the need to show that something is being done. In other cases, committees may actually achieve what they are expected to do. Probably the most remarkable accomplishment by an interagency panel last year was the triumph of the Foreign Area Research Coordinating Group, headed by the State Department, which recently announced that twenty-one government agencies, including the CIA and other intelligence arms, have adopted a uniform code of procedures to govern Federal support of academic research on foreign countries, an investment totaling about \$35 million a year. The guidelines, which among other things prohibit secret financing of such research, are the product of a struggle for control over potentially sensitive projects that began with the international furore over Project Camelot in 1965.

Progress has also been reported in less newsworthy fields, by middle-level groups such as the Federal Interagency Committee on Education (FIACE), a relatively active body that operates at subcabinet levels with up to thirty-five members and a current staff of four. FIACE, with three standing subcommittees, not only promotes uniformity among agencies on educational endeavors such as the granting of fellowships to veterans, but also reaches out from time to time to lobby for the educational community within the government. Its most recent foray was last December, when a special task force sent the White House a report urging wide draft deferments for graduate students, a position offsetting the narrower recommendations of the Interagency Advisory Committee on Essential Activities and Critical Occupations.

The management of urban programs has predictably given Federal co-ordination its sternest test. The ultimate and elusive goal is "co-ordination" in its most athletic sense, a kind of governmental muscle tone that combines program strength with administrative agility. The cre-

ation of HUD in 1965 was a preliminary step, which elevated the housing agencies to the cabinet table. But the rapid advance in urban concepts, from physical renewal alone to the blend of physical and social rehabilitation embodied in the Model Cities program, has made closer working ties between departments imperative.

To achieve such harmony with minimal shuffling of offices, the administration has buttressed the committee approach with the "convenor order," a device which, while not supplanting interagency panels, at



least establishes who the chairman is and puts the influence of the White House behind his chair. The President launched this experiment in August, 1966, when he authorized the Secretary of HUD to "convene" meetings and conferences on programs affecting urban areas. So far HUD's convenor powers have been exercised on behalf of the pilot program of neighborhood service centers and the full-fledged Model Cities program. Full returns are not yet in, since the neighborhood centers are just emerging from the planning stage, and Model Cities has only progressed from pre-planning to planning. According to HUD spokesmen, however, the innumerable meetings convened to organize the two efforts have been highly productive.

One participant in the neighborhood centers program did observe that other agencies' co-operation

with HUD improved dramatically last spring when the program's management was elevated within HUD from a line office to the Office of the Secretary. This step was in accord with the general laws of bureaucratic gravity, under which problems tend to rise. Thus interlocking subcommittees of the cabinet, such as the President's Committee on Manpower and the Economic Opportunity Council, have been created one beside another to handle the problems that lower-level interagency alliances can't resolve. Thus the co-ordinating authority in a few particularly prominent fields has been raised from line agencies to adjuncts of the Executive Office of the President, such as the Office of Economic Opportunity and the Water Resources Council. Thus some critics of the present confusion have advocated still more exalted offices to co-ordinate co-ordination at the top.

#### Weaver's Web

Yet just as problems tend to rise, solutions tend to sink. A hint of the battle ahead was offered by HUD Secretary Robert C. Weaver in a September report to the President on behalf of a Joint Administrative Task Force created at Presidential direction last May to "dig deeply into the problem of unnecessary red tape" and cut the time required to process applications for Federal grants.

The Joint Administrative Task Force, Secretary Weaver reported, "completed a study of forty-two programs in four broad areas," involving eight departments and agencies. In the manpower field, the Task Force established a Systems Improvement Team, which analyzed some of the programs covered by the Cooperative Area Manpower Planning System developed last spring by the National Manpower Coordinating Committee. In the area of water and sewer programs, renewed efforts to cut confusion were made by a four-agency group representing the Interagency Coordinating Committee set up in 1965. Twenty-two programs embraced by the Model Cities concept were "placed under the microscope of a Model Cities System Improvement Team." Eleven programs in HEW, HUD, and OEO, to be included in the neighborhood centers pilot



program, were reviewed by an Inter-agency Study Group "under the joint sponsorship of the Bureau of the Budget and the Executive Officers Group," which made its recommendations to the Washington Interagency Review Committee in charge of the program.

The product of all this was a report declaring that processing time for grant applications could be reduced by an average of fifty per cent. Applications for Hill-Burton hospital construction funds, for example, could be handled in five working days instead of eleven. Community action programs could be financed in eighty-eight workdays instead of 135. Urban-renewal projects, the report announced, could be approved in an average of 295 working days (one year plus seven weeks) instead of the current average of 495 days.

"Ahead," said Secretary Weaver, "are the large tasks of completing implementation, examining additional programs, and developing bold and innovative methods to co-ordinate Federal activities still more effectively."

SO THE BATTLE goes on. The Department of Transportation has been established, but the President's proposal to merge the Labor and Commerce Departments was referred to the President's Advisory Committee on Labor-Management Policy, which in turn referred the idea to a working group headed by the Budget Bureau. After promoting the creation of regional economic development commissions to decentralize administration of combined Federal-state programs and promote long-range regional planning, the administration has now ordered the Secretary of Commerce to co-ordinate these commissions, and has created a new committee of Assistant Secretaries from ten agencies to do the job.

The ultimate weapon, as always, is Presidential power. Unless and until this power is used to prune the bureaucracy, weed out duplications, and combine narrow programs into flexible new forms, "co-ordination" will remain more a cliché than an accomplishment. As currently practiced by Executive committees, co-ordination has already become a big word with little meaning.

## The Pros and Cons Of Stop and Frisk

RICHARD H. KUH

SAMUEL LASKY, an off-duty New York City patrolman, was showing in his sixth-floor Mount Vernon apartment one afternoon in the summer of 1964 when he heard a noise at his front door. He went to the peephole and saw two men tiptoeing in the hall. He immediately phoned the local police, threw on some clothes, and returned to his door. The two men were heading quietly toward the stairs. With his service revolver in hand, Lasky ran into the hall. The tiptoes ran, too, but Lasky succeeded in apprehending one of them, John Francis Peters, who claimed that he had been looking for a girl friend, a married woman, in the building. Chivalrously, he refused to divulge her name. Lasky frisked Peters—that is, he patted Peters's clothing to see if he was carrying a weapon. He felt a hard object, which on inspection turned out to be a plastic case containing picks, wrenches, and a tension bar.

Peters was charged with possession of burglars' tools. His attorney sought to have the charge dismissed on the ground that Peters's detention and frisking were in violation of his Constitutional rights against unlawful search and seizure. When this argument proved unsuccessful, Peters pleaded guilty, reserving his rights, under New York State procedure, to appeal. And appeal he did. Ultimately, after taking the case through the state's appellate courts without success, Peters pressed his claim in the United States Supreme Court.

### Is Suspicion Enough?

Last December 11 and 12, Peters's case was argued before the Justices in Washington, along with two other cases involving "stop and frisk," one from New York and one from Ohio. At this writing, the three cases are *sub judice*—fully argued but as yet undecided.

"Stop and frisk" is the police power to stop someone—forcibly, if re-

sisted—without formally placing him under arrest, when his actions, although not obviously criminal, arouse strong suspicion. For instance, a patrolman on his beat hears a woman scream inside an apartment building and moments later sees a man leaving the building. The policeman knows of no crime; but shouldn't he stop the man and ask a few pertinent questions, or perhaps detain him while the source of the scream is being checked? Without the stop-and-frisk power, he could not intervene.

In this and hundreds of similar situations, the police clearly have no power to arrest the suspect. They can make an arrest only when they believe their prisoner has committed or is committing a specific known crime, and when they are ready to charge him with it, book him at a local station house, and bring him to the criminal courts to answer the charge. Short of that, they rely on the stop-and-frisk power, which involves far less of an intrusion or deprivation of freedom. They need only have a reasonable suspicion of criminal conduct, not a reasonable cause to believe a specific crime has been committed. After a field investigation, including possibly a quick search, the suspect must be turned loose or, if further information has been turned up, he must be formally charged with a crime and arrested.

The difference in the two words "suspicion" and "belief," and in the results to flow from them, has heated the tempers of both civil libertarians and champions of police power. Extremists on both sides of the controversy over the stop-and-frisk power are rooting for a winner-take-all decision by the Supreme Court: one group would bar police from stopping anyone unless his acts are so blatantly dangerous as to justify placing him under arrest, while the other would broadly ratify continued police stopping on suspicion with few if any limitations upon the