

ADMINISTRATIVE OMBUDSMAN

TUESDAY, JANUARY 16, 1968

U.S. SENATE,
SUBCOMMITTEE ON ADMINISTRATIVE PRACTICE AND
PROCEDURE OF THE COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The subcommittee met, pursuant to notice at 10:10 a.m., in Room 3110, New Senate Office Building, Senator Edward V. Long of Missouri (chairman of the subcommittee), presiding.

Present: Senator Long of Missouri (presiding).

Also present: Bernard Fensterwald, Jr., chief counsel; Benny L. Kass, assistant counsel; William G. Ohlhausen, assistant counsel; Bernard J. Waters, Senator Dirksen's office, minority counsel.

Senator LONG. The committee will be in order.

This morning the Senate Subcommittee on Administrative Practices and Procedure resumes hearings on the subject of ombudsman. A little less than 2 years ago when our subcommittee first began studying this concept, it was necessary to explain what the word "ombudsman" means. Since our hearing with the Swedish ombudsman in March of 1966, there has been a lot of activity in this field. Today it is not necessary to explain the meaning of the word.

(S. 1195 follows:)

[S. 1195, 90th Cong., first sess.]

A BILL To establish the Office of Administrative Ombudsman to investigate administrative practices and procedures of selected agencies of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subchapter III of chapter 5 of title 5 of the United States Code is amended by renumbering section 576 as section 577, and inserting a new section 576 entitled "Administrative Ombudsman".

SEC. 2. As used in this Act, the term—

(a) "Ombudsman" means the Administrative Ombudsman duly appointed and serving under the provisions of this Act.

(b) "Office" means the Office of the Administrative Ombudsman established by this Act.

(c) "Agency" shall include the Social Security Administration, Veterans Administration, Internal Revenue Service, and the Bureau of Prisons, and any officer, employee, or member thereof acting or purporting to act in the exercise of his official duties.

(d) "Administrative act" includes any action, omission, decision, recommendation, practice, or procedure.

SEC. 3. (a) There is hereby created an establishment of the Government to be known as the Administrative Ombudsman, which shall be independent of the executive department and under the direction and control of the Administrative Conference. There shall be in the Office an Ombudsman and a Deputy Administrative Ombudsman who shall be appointed by the Ombudsman and shall perform such duties as may be assigned to him by the Ombudsman. During the absence or incapacity of the Ombudsman, or at any time at which there is no Ombudsman, the Deputy shall act as Ombudsman.