

SEC. 8. (a) No proceeding, decision, or report of the Ombudsman conducted or made in accordance with the provisions of this Act shall be challenged, reviewed, quashed, or called into question in any court. No action, civil or criminal, shall lie against the Ombudsman or against any person holding any office or appointment under the Ombudsman, for anything the Ombudsman or such persons may do, report, say in the course of the exercise or intended exercise of their functions under this Act, unless it is shown that they acted in bad faith. The Ombudsman shall not be called to give evidence in any court, or in any proceeding of a judicial investigation of his functions.

(b) Any letter addressed to the Ombudsman and written by any person in custody on a charge of, or after conviction of, any offense under the laws of the United States, or by any inmate of any institution under the control of the Bureau of Prisons, shall be immediately forwarded, unopened, to the Ombudsman by the institution where the writer of the letter is detained or which he is an inmate.

(c) The provisions of this Act shall be in addition to the provisions of any other law or regulation under which any remedy or right of appeal is provided for any person, or any procedure is provided for the inquiry into or investigation of any matter, and nothing in this Act shall limit or affect any such remedy, right of appeal, or procedure. The powers conferred on the Ombudsman by this Act may be exercised by him notwithstanding any other provision of law to the effect that any administrative action or omission shall be final or that no appeal shall lie in respect thereof.

SEC. 9. Any person who willfully obstructs or hinders the Ombudsman in the proper exercise of his powers under this Act, refuses or willfully fails to comply with any lawful requirement of the Ombudsman under this Act, or willfully makes any false statement or misleads or attempts to mislead the Ombudsman in the exercise of his powers under this Act, shall be fined not more than \$1,000.

SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary, not in excess of \$100,000, to carry out the provisions of this Act.

As I remarked at our first hearing on this subject, any new idea is met with immediate opposition. Opposition to ombudsman today comes from many places: from elected officials, agency representatives, and occasionally from the press. But in general, it seems safe to say that the majority of Americans want and need some institution to help them fight their city hall; they want some place to complain about the operations of their government.

Recently, the subcommittee issued a committee print listing the ombudsman activities in 1967. Hawaii has become the first State in the Union to formally create the office. We were encouraged to find that bills to create a State ombudsman were introduced in some 27 State legislatures; several cities are also considering the creation of an ombudsman and, of course, several of my colleagues and I in the Senate have introduced bills to create various forms of Federal ombudsmen.

There is today a need for some grievance procedure whereby the complaining citizen can get his day in court. This function, in large part is handled at the Federal level by the elected representatives in Congress. There is still room for additional procedures. For this reason, we look forward to watching the recently activated Administrative Conference of the United States, which has the authority to take complaints from the public at large. We are pleased to welcome the newly appointed Chairman of the Administrative Conference, Prof. Jerre Williams, who will explore this subject with us this morning.

There are, of course, other areas of the Federal Government which need ombudsman-like review, including the Selective Service System, and farming and agriculture. As this Congress progresses, we will try to study these problems also. It is, of course, at the State and local level where the ombudsman can be most useful. We are encouraged by