

literature, has already been distributed. I am familiar with certain rulings of the Supreme Court and apparently this is the only procedure we can use in view of the Court ruling. Do you have any idea whether or not there is a means by which we can set standards to determine obscenity on items that would be handled by the Post Office Department and not run afoul of these decisions of the Court which basically allow you to send anything in the world you want to send?

Mr. WENCHEL. We have struggled with this problem for years and we just have not been able to come up with anything satisfactory. The problem is that when you attempt by legislation to define something as obscene you run into the question of whether the courts will allow that definition to stand.

Mr. THOMPSON. Courts usually require each item to stand on its own, do they not?

Mr. WENCHEL. That is correct.

Mr. THOMPSON. And that you can't prejudge something by a set of standards as to whether it is obscene or not. You have to have that particular item transmitted and then the decision can be made?

Mr. WENCHEL. That is correct. Of course, a good deal of this material passes through the mails as first-class mail and obviously it is not subject to inspection.

Mr. THOMPSON. One further question. With the decisions that have been handed down by the Court, for all intents and purposes the Congress is powerless to do anything about handling obscene mail other than what we have done with this present law. Would that be a fair statement of fact?

Mr. WENCHEL. In my opinion, Congress could not redefine obscenity to make it broader than the courts believe is the constitutional standard for it.

Mr. THOMPSON. So we have in effect done what we can do by simply making known to the public that if they do receive some unsolicited or obscene mail they want to stop—they don't want to receive any more from this particular mailer and it has to be that particular mailer—they can notify their postmaster and the Postmaster General will ask this mailer to remove them from the mailing list. If they fail to, an injunction can be obtained against that person from sending any further mail?

Mr. WENCHEL. Yes. There is one further provision in the law. That is, a person is not only not to send anything further himself, but he is not supposed to sell the mailing list with that name on it.

PART 1.—OVERALL AGENCY OPERATIONS

Mr. BROOKS. The subcommittee today is looking at the programs of the Department to determine if it is operating efficiently and effectively. We plan to look first at the overall management of the Department. Then we will want to look at each of your programs with particular emphasis on how much it is costing, how much is being performed, what the postal user, the taxpayer, is getting in return.

General, would you be so kind as to introduce the officials accompanying you here at this time?

Mr. WATSON. I have Mr. Belen, Deputy Postmaster General; Ralph Nicholson, finance officer; Mr. Amos Coffman, facilities; Dr. Packer,