

EXPERIENCE OF THE SENATE SUBCOMMITTEE ON DISARMAMENT ON THE
DECLASSIFICATION OF GOVERNMENT DOCUMENTS AND TESTIMONY

Statement of Senator Hubert H. Humphrey, Chairman, to the Special
House Subcommittee on Government Information

Achieving a balance between informing the public and preventing the dissemination of information which would be injurious to the Nation's security is one of the great problems that confronts our Government at the present time. In this effort both the executive and legislative branches have a responsibility.

The Congress has been wise to establish special committees to study this problem and to take or recommend action when agencies of the executive branch appear to be restricting unduly the availability of information to the public. In addition to these special committees the other committees of the Congress must also be alert constantly to guard against the deliberate or inadvertent suppression of important data when national security is not involved.

The purpose of this testimony is to share with the Special Government Information Subcommittee of the House Committee on Government Operations the experience of the Senate Foreign Relations Subcommittee on Disarmament with the declassification of information by the executive branch. I am presenting this statement in response to a request from the distinguished chairman of the subcommittee, John E. Moss.

It is not my intention to suggest that the specific cases I cite be investigated further. Rather, it is to show that information is withheld for reasons that cannot be justified in the name of national security and to stress the need for vigilance on this matter by all congressional committees.

Over the past year the Subcommittee on Disarmament held a number of hearings, many of them in executive session. In all cases the executive session was held because the witness requested it. Usually, after such a session the transcript of the hearing was submitted to the executive agency or agencies involved for review. The executive agency then marked those parts of the testimony that, in its opinion, should remain classified. In order to determine whether this classification was justified, the subcommittee and its staff reviewed carefully the testimony after it was returned by the executive officials. When the reason for the classification was not self-evident, the executive officials were questioned about it. Frequently a reason other than security was given for restricting the information. When these erroneous reasons were pointed out, the executive officials often lifted the classification label.

The experience of the Subcommittee on Disarmament suggests that in a great many cases the executive branch censors testimony for insufficient reason. In order to correct this practice the committees of the Congress and their staffs ought to review carefully all testimony