

(Following is an excerpt from S. Rept. No. 806, 86th Cong., "Governmental Organization for Space Activities," a report of the Senate Committee on Aeronautical and Space Sciences, made by its Subcommittee on Governmental Organization for Space Activities, wherein is discussed at pp. 15-17 the withholding of information described above.)

FINDINGS

The findings of the subcommittee are based upon 747 pages of printed hearings as well as additional supporting material.

II. THE SPACE COUNCIL AND THE COMPREHENSIVE PROGRAM

6. Activities of the National Aeronautics and Space Council are considered confidential by the President. He has directed that the work of the Council comes within the scope of Executive privilege. Congress, therefore, has difficulty in obtaining information concerning overall space policies, plans, programs, and accomplishments.

Dr. Glennan was questioned at some length concerning the operations of the Space Council.

"Mr. SMITH. Could you tell us what the procedure is whereby the Space Council reviews these programs once they reach the Space Council level?

"Dr. GLENNAN. As I said, Mr. Counsel, I think the activities of the Space Council, being advisory to the President, are confidential in nature, and I think the constitutional situation of separation of powers is pertinent.

"Mr. SMITH. There is no way that Congress can find out then what the decision is that is reached once these two programs reach the Council level?

"Dr. GLENNAN. The final decision, of course, is the President's decision, and this is evidenced, it seems to me, by the approved budget which he sends to Congress.

"Each agency then defends its request to substantiate it (p. 14).

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"Senator SMITH. Mr. Chairman, may I ask a question? I am troubled by all this, and I would like to ask this question: It seems to me that counsel has been asking some very pertinent and very reasonable questions. My question is, are we not receiving answers as a committee because this is an open session? In other words, could you answer the questions if the committee was in closed session or could you not answer them at all (p. 31)?

"Dr. GLENNAN. I think, Senator Smith, I couldn't answer them at all.

"Senator SMITH. Then, Mr. Chairman, it seems to be rather useless to sit here and listen to questions that are not going to be answered (p. 32).

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