

I told Mr. Moss, in response to his inquiry, what he considered to be a case of suppression, that I would take it up with the Commission, and at our regular meeting on April 12 we took the matter up and we officially released the dissent.

This, of course, created no sensation because everybody had it anyway, but we officially released it on April 12.

I think I said that the question was first raised with me on April 11. I think it was April 10, sir, just to correct the record.

On April 17, after his opinion had been in circulation for exactly 2 weeks, the majority first issued its own opinion explaining its reasons for issuing its order.

Now, this is the case of the suppression of Mr. Morgan's opinion.

Mr. BROTZMAN. When was the majority opinion—

Mr. SWIDLER. What is that, sir?

Mr. BROTZMAN. When was the majority opinion first ready?

Mr. SWIDLER. On the 17th, sir. It took a while to write.

Mr. BROTZMAN. That was the first time it was ready?

Mr. SWIDLER. Yes, sir.

Mr. BROTZMAN. So you couldn't have published it earlier had you wanted to?

Mr. SWIDLER. No, sir. There were four of us. We all had to agree on it and circulate it.

Of course, we had no opportunity to persuade Mr. Morgan because he had already issued his.

I think that this was not good practice; that in an agency no opinions should be issued, if possible, until they are all issued.

Mr. BROTZMAN. Well, let me ask you—

Mr. SWIDLER. But I do think there is a special point here, that Mr. Moss made and which has merit: This was a case where an order was issued first.

I think that in such a case perhaps there is reason for permitting a statement of the reasons for the dissent in an exceptional case promptly.

Our present regulations which we adopted after the intervention of Mr. Moss, provide that as a matter of agreement among us, that in the circumstances in the future, a dissenting opinion may be issued on 24 hours' notice to the others, unless the dissenter happens to think that this would be unwise in a particular situation, in which case he may—he doesn't need to give even the 24 hours' notice, but I might say that since that time there have been no further instances of opinions being issued separately, and the majority and minority opinions have always been issued together.

Mr. BROTZMAN. Now let me ask you this:

Now, normally, when your Information Office issues a press release, do you do this on a limited basis, and by that I mean, do you send it to a particular locale where it is particularly involved with the issue presented, or do you send it out on a general basis?

Mr. SWIDLER. Oh, we send it out on a general basis.

We have a list of people who get all of our press releases and it goes out to everybody.

Mr. BROTZMAN. I would like to move on to one other area—

Mr. SWIDLER. Our press releases are all issued about 3,000 copies, ordinarily, and they are the bread-and-butter type of releases which