

INFORMATION MANDATE SET BY STATUTE

Mr. Moss. I think we should take a look at the language of the statute, because I played a role in the drafting of this language working rather closely with Congressman McCormack of Massachusetts, chairman of the Select Committee on Astronautics and Space Exploration.

The language says:

Information obtained or developed by the Administrator, in the performance of his functions under this chapter, shall be made available for public inspection except where they find (a) information authorized or required by Federal statute to be withheld and (b) information classified to protect the national security, provided that nothing in this chapter shall authorize the withholding of information by the Administrator from the duly authorized committees of the Congress.

Now then, the question doesn't go to whether you have a responsibility to make available to the public information on Russian space activity, but if such information is possessed by your agency, then you do have the responsibility.

This language does not say that this is limited only to the activities of the agency, but it says, "Information obtained or developed by the Administrator in the performance of his functions."

Dr. SIMPSON. Yes, sir.

Mr. Moss. Now we could perhaps say that it isn't a function for the Administrator to know what the Russians are doing, but I think, Doctor, you would agree with me that would be a rather farfetched interpretation.

Dr. SIMPSON. Yes, sir.

Mr. Moss. Of the act itself, because inherently, whether or not it is classified, the Administrator, in order to program for our Government's activities, has to have the fullest of knowledge, however he may obtain it, of the activities of the Russians.

And so having developed that information, from whatever source, it is clearly encompassed within the language, and the intent of the statute as written by the Congress. And so I say that you do have a mandate to make it available.

Now whether you make it available through some regular publication, or whether it is available upon request, that comes down to a matter of policy. But the language does not bar you nor limit you in any way to make available only the activities of your own agency.

Mr. HARDY. As a matter of fact, it requires it.

Dr. SIMPSON. No, sir. Please, sir, I thought I made clear that we disseminate—I have brought Mr. Day with me. We have a very large program of gathering and disseminating information relevant to the space effort from all sources, all unclassified sources. I do not disagree with that.

I was attempting, or what I really intend to say is that whatever classified information which comes through the Administrator's office cannot then be put out as part of an assessment of how we stand in relation to the Russians. That is to say, everything that the Administrator has, classified information received by the Administrator—