

Mr. STAATS. Yes.

Mr. KENNEDY. I assume that means that an agency could make a regulation that it would submit no information to the Conference, is that correct?

Mr. STAATS. If it is prohibited from supplying that information otherwise. Now, there are some agencies which would like to go further in making this more restrictive even than this.

Mr. KENNEDY. Is there anything to restrict the agency's power to make a regulation on what information they will supply to the Conference?

Mr. STAATS. I do not think that it would be reasonable to assume that any President would be, as a matter of policy, willing to have such a regulation made if it were for the purpose of preventing the Conference from having legitimate information. I think this is something you have to leave—

Mr. KENNEDY. How about the independent agencies, Mr. Staats, which are not under the President's direction?

Mr. STAATS. I think you have to leave this to the good judgment of the individuals, and this is, again, one of the reasons that I emphasized so strongly in my earlier remarks the importance of having a cooperative attitude here, making the agencies feel that this is something that is going to help them do their job better. If they get the information—

Mr. KENNEDY. They get such information as they want to?

Mr. STAATS. If the superagency concept is the concept here, then I think you will find widespread resistance to this proposal, and I think that they would be perfectly accurate in having that concern.

Mr. FENSTERWALD. Would there be any objection to cutting down this limitation to apply to statutes only and not to regulations? In other words, they will have to give the Chairman information except as prohibited by statute?

Mr. STAATS. The reason for including "agency regulations" at this point has to do with the confidentiality provisions which have been applied in many areas, and I think that whatever regulations are in existence today with respect to confidentiality probably would have to apply here.

If there is other language which could accomplish this objective, this is certainly a point that we would not want to be too insistent upon, but I think the basic thought here is to protect the confidentiality regulations that are now in effect.

Mr. KENNEDY. You may not believe it, but I could even be on your side, but I just want to understand for the record the fact that you do not mean by this "or agency regulations" that agencies should go out and promulgate regulations to keep things secret from the Conference.

Mr. STAATS. That is right.

Mr. KENNEDY. And the only reason you have this in here is to protect those things which have in the past been considered matters of confidentiality?

Mr. STAATS. I think it is a perfectly fair point to have it on the record that this is the intent.

Mr. KENNEDY. So, then, we come back to the question I asked you before, and you were about to read subsection (c) of section 6 to me.