

FEDERAL PUBLIC RECORDS LAW

(Part 1)

TUESDAY, MARCH 30, 1965

HOUSE OF REPRESENTATIVES,
FOREIGN OPERATIONS AND
GOVERNMENT INFORMATION SUBCOMMITTEE,
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

Present: Congressmen John E. Moss (chairman of the subcommittee), John S. Monagan, Robert P. Griffin, and Donald Rumsfeld.

Also present: Samuel J. Archibald, chief, Government Information; David Glick, chief counsel; Benny L. Kass, counsel; Jack Matteson, chief investigator; Robert Blanchard, investigator; and J. P. Carlson, minority counsel.

Mr. Moss. The subcommittee will be in order.

The Foreign Operations and Government Information Subcommittee begins consideration of bills introduced by 15 Members of the House of Representatives to establish a Federal public records law. The bills are based on many years of study—in the House of Representatives, in the Senate, and in the executive branch—of the problems created by restrictions on public access to Federal records.

Our task in these hearings will be to make a careful, objective assessment of the testimony of witnesses who will have helpful comments on the proposed solutions for Government information problems. We are faced with the challenge of reconciling, through established democratic processes, often conflicting needs: the need for people to be fully informed about the actions of their Government and the need for protection of information which, if indiscriminately disseminated, would make impossible the effective functioning of the Government.

The legislation before this subcommittee is based upon 10 years of study by the Government Information Subcommittee in the House of Representatives and upon careful and competent work by the Senate, particularly by the Administrative Practices and Procedure Subcommittee under the chairmanship of Senator Edward V. Long of Missouri. In the House, the 10 years of study has proved—among other things—the unfortunate fact that governmental secrecy tends to grow as Government itself grows.

The obvious need for adequate information in a democratic society needs no emphasis, for without the knowledge necessary to cast an intelligent vote, the value of the vote itself is diminished. And without the fullest possible access to Government information, it is impossible to gain the knowledge necessary to discharge the responsibilities of citizenship.