

Mr. Griffin was on the subcommittee.

Mr. GRIFFIN. I am trying my best to remember the specific instance. My general recollection is in agreement with the gentleman.

Mr. MOSS. I believe it involved a case where, if the law had been followed to its ultimate, the payment of certain funds would have been ruled illegal by the Comptroller General as a result of a statutory provision in one of the foreign aid authorization acts.

Mr. SCHLEI. Something about the inspector general's office.

Mr. MOSS. It involved the office of the inspector general in the Agency for International Development. And it was resolved, as many of these conflicts are, by both sides backing down a little, moving into the gray area of accommodation, rather than a showdown on either side.

Mr. SCHLEI. Well, if I may offer the view very respectfully, Mr. Chairman, I think that that way of resolving these disputes is very often the best way of resolving them from the standpoint of the public interest, and that we are all better off because that was the case. There was no clear-cut victory on either side.

Mr. MONAGAN. Mr. Chairman, I am sorry Mr. Hardy is not here. I am sure he could comment much more pungently than I on the solution. But perhaps the staff could check the facts.

(The material referred to follows:)

STAFF MEMORANDUM

MAY 7, 1965.

To : Congressman John E. Moss.

From : Benny L. Kass.

The facts discussed referred to an investigation in 1961 by Foreign Operations and Monetary Affairs Subcommittee of the House Committee on Government Operations, under the chairmanship of Representative Porter Hardy. The subcommittee began an investigation into the operations of the International Cooperative Administration programs in Peru and attempted to obtain the necessary documents and reports. Although a formal claim of "executive privilege" never was made, State Department witnesses who appeared before the subcommittee were initially instructed by their department not to testify. When President Kennedy learned of this matter, he immediately ordered the instructions rescinded, and 24 hours later the witnesses were ready to cooperate with the subcommittee.

Mr. GRIFFIN. Perhaps this is an instance in which the committee should provide the witness with a memorandum, instead of the other way around, and ask him to comment.

Mr. MONAGAN. I merely make the point that there are difficulties that we could find a formula for that would not be reached by the approach that is taken by the witness.

Thank you, Mr. Chairman.

Mr. MOSS. Mr. Griffin.

Mr. GRIFFIN. Mr. Chairman, I want to apologize first for being a little bit late. I was attending to other duties also important to a Congressman. On this particular occasion, a ninth-grade class of Western Junior High School, of which my son is a member, is visiting this committee room to get a firsthand view of our Congress in action.

Mr. Schlei, I will not attempt to interrogate you. I would comment, however, that I am disappointed that the thrust of your statement is a complete rejection of the bill.

I can understand that the bill may not be perfect and that perhaps there are other areas that should be exempt. As I read your state-