

Mr. SCHLEI. Well, Mr. Chairman, I think it is possible to enact rules in certain areas that will improve the situation for everybody. But if you try to cover the whole gamut of the public information problem in the Federal Government—that is, in the executive branch—within the compass of one statute, either you will not have enough exceptions to cover some category of information that turns out to be crucial, or you will have enough rules to cover the gamut and the result will be that you actually shield more information than is now shielded.

I think that it is just too complicated, too ever-changing a problem to be covered by a closed system of rules. If you have enough rules, you end up with less information getting out because of the complexity of the rule system that you establish.

I think that there are areas where the making of rules could clarify the situation. It could make more information available than we now have. It would relieve administrators of headaches that they would like to be rid of. Make it available.

But I do not think that you can take the whole problem Federal Government-wide and wrap it up in one package. That is the basic difficulty, I think, on which we founder here.

That is why the Federal agencies are ranged against this proposal.

Mr. MOSS. Of course, that is an interesting statement—that the Federal agencies are ranged against the proposal. I believe I have had Justice, Treasury and the Federal Mediation and Conciliation Service indicate a desire to come here and testify.

And, as I understand, over on the Senate side last year there was Justice, Treasury, Internal Revenue Service, and Federal Trade Commission.

This does not seem to me to indicate a broad conviction on the part of the other departments and agencies—one, that the legislation would be onerous or, two, that they are overly concerned.

Mr. SCHLEI. Well, Mr. Chairman, I think that they have all, a great many of them—my impression has been that a great many of the departments and agencies have commented adversely and that the Bureau of the Budget has made an effort to provide an orderly presentation to the committee and not get a great, long string of agencies that would say more or less the same thing. We have tried to be economical about it.

But I think that there is quite widespread opposition within the executive branch to the attempt to cover the whole problem in one package as is attempted here. That really is the crux of the problem, I think.

There are many areas, individual areas, where we think rules could be formulated that would be constructive and helpful from the standpoint of the public, the standpoint of people who are working for the public and the Government.

Mr. MOSS. And I think it would have been helpful had we had that type of statement from the Government's lawyers, the Department of Justice.

Mr. SCHLEI. Well, Mr. Chairman, I deeply apologize. I can assure you that we have devoted many hours to working on that kind of approach. We just have not got to the point yet where we can come forward with it. But I am sure that this problem is not going to go away the day after tomorrow, and, hopefully, we will finish our work