

or other nondefense areas that would be excluded if we changed this language?

Mr. HANES. You mean, Mr. Monagan, such matters would be excluded from the exemption; is that right?

Mr. MONAGAN. Right.

Mr. HANES. I think that is possible, and we debated considerably as to whether we should make this suggestion. Last year when we met with the staff of the Senate subcommittee, and subsequently when Mr. Benjamin testified on S. 1663, we had made this suggestion.

At that time we were told by the counsel for the Senate subcommittee that it was his feeling that the present language was more restrictive than national security.

Now, I think we could debate that at length as to which is less restrictive or more restrictive. We do not have a strong feeling, at least I do not, and I believe Mr. Benjamin would echo this, that we do not have a strong feeling about this particular suggestion. But it did seem to us that the subject matter which is primarily intended to be included in the exemption is that which relates to national security.

Mr. MONAGAN. That may very well be.

Mr. HANES. Yes.

Mr. MONAGAN. And I just wanted to clarify your thinking.

Mr. HANES. I can conceive of circumstances in foreign policy when there might be something that for the advantage of the country should be subject to exemption that would not be included within national security.

But, basically, I think what we are getting at is the national security.

Mr. BENJAMIN. I would like to add to that that what we are talking about here is the permissible content of an Executive order, and I think it is well to be somewhat general in talking in those terms.

We are assuming now that the President will exercise the Executive privilege to say that this is exempt from disclosure, and there are certainly things that are referred to generally as internal security, for example, which he might well want to include, and which I would be the last to say he would be arbitrary in including. Therefore, I do not like to be quite as limiting, quite as much as of limitation on the presidential powers as suggested by these two categories which I think do not quite cover the field that he might well take into account.

Mr. MOSS. I would suggest that the amendment proposed does broaden it rather than limit. The counsel for Treasury, in an appearance before the committee, recommended that it be broadened by changing "defense" or "foreign policy" to "security". We discussed it at length then because the present Executive order 10501, which was originally issued by President Eisenhower, relates to defense, and authorizes, of course, the three categories of classification and the procedures for protecting information.

We were actually drafting a bill in conformity with that Executive order. But I think that the security does broaden here, because certainly the security of the Nation is more than just protecting it from any overt action.

Mr. MONAGAN. Oh, yes.

Mr. MOSS. It is the financial security, the well-being of the Nation.

Mr. MONAGAN. I think we have covered the point anyway.

Thank you.