

Mr. BENJAMIN. I am interested in knowing that the Treasury has made this suggestion, because I get a little weary sometimes of being set up, the American Bar Association, by some of the agency witnesses as if we were concerned only with our clients. In some cases you might think they were saying that all we were trying to do is to make trouble for the agencies, and I would like to point out, as I did in an article in law and contemporary problems about the ABA program, that very often our suggestions are in the agency interest, and this is an instance; I mean the suggestion here is obviously not to get at more documents.

We are making a suggestion to make it perhaps more likely that something will be exempted by presidential order. But it seems to us, it seems to me at any rate, that that is a reasonable agency concern, and where there are reasonable concerns, we try to pay attention to them.

There is also a reference in this article of mine to the English experience of making reports available that has not been available before, and suddenly finding that there had been considerable improvement, according to one of the official witnesses, in their public relations.

I think the agencies quite often overlook that, that some of this remedial legislation really helps them in helping their public relations, and in the end they will be better off and accomplish more than if they were successful in their complete opposition to a lot of this.

Mr. Moss. I think there is great truth in that, and have frequently urged the agencies to consider the fact that they could improve their image by being a little bit more candid and a little freer. Frequently when they are trying to cover up by holding tight to the information, all they do is succeed in making an issue where one really did not exist. A little bit of fear perhaps, but that is about all.

Mr. Monagan and I are going to have to go over and respond to this rollcall. The committee will recess. We will get back as quickly as we can. It should not be more than about 15 minutes.

Would it be possible for you to remain so that when we get back Mr. Kass can ask a couple of additional questions?

Mr. BENJAMIN. I should think so, yes.

(Recess.)

Mr. Moss. The committee will resume.

Mr. Kass, you had some additional questions.

Mr. BENJAMIN. May I, before we begin, introduce Mr. Joseph B. Hyman, who does not need an introduction, I am sure. He has been working with the committee of which I am chairman, most usefully. He got lost looking for room 2147 instead of 2247.

Mr. Moss. This building is one where many are being lost today, including Members of the House.

Mr. KASS. Mr. Hanes, H.R. 5012, section (b), gives an individual who has been denied information by an agency of the Government the right to go into court and seek judicial relief to obtain that information.

Do you think, as a representative of the American Bar Association, that this would cause any problems for the courts? Do you favor this provision?