

broad exception that could be stretched to hide all types of arbitrary and unfair activities in the handling of Government personnel.

I might say on this point, a woman came to me who was employed by a Government agency, and she was examined, given a physical examination, and then she was discharged a short time thereafter. She was never told why. Her lawyer and doctor tried to obtain access to this personnel material to find out what was wrong with her and so they could meet it. She was put into a position where she was being arbitrarily discharged, and she was never able to come to grips with this. This is the kind of cruel situation where this woman was up to my office week after week, month after month, asking help on her case. Her lawyer told her that it would be a very expensive venture for him to try to carry a fight for access to her records and she didn't have the money.

I say this is cruel, where a rule which is intended for a good purpose, to protect the Government employee, is distorted into a protection for the bureaucracy. I might add that there are a good many of the same cruelties inherent in the handling of the Otepka case by the State Department at the present time. This is another case where an agency of the Government is using secrecy to protect itself in the handling of Government personnel.

The third exception deals with protecting those matters which are "specifically exempted from disclosure by statute." This is less susceptible to any general misinterpretation since the withholding is under specific statutes.

The fourth exception deals with "trade secrets and other information obtained from the public and customarily privileged or confidential." This provision would seem to follow an agreed area, but the phrase "customarily privileged or confidential" could certainly be interpreted broadly by the bureaucrat who has a motive for wanting to broaden the area.

The fifth exception would exempt "intra- or inter-agency memorandums or letters dealing solely with matters of law or policy." Even if this is closely restricted in its application, it can be used to hide a great deal of information dealing with legal opinions and policy. It is often the erratic policy papers or the cleverly worded legal opinion that is the key document in such controversies as the tax scandals, the Dixon-Yates scandal, the stockpiling scandals, or the Billie Sol Estes scandals. The danger of the broadest secrecy flowing from this exception should be apparent to anyone who has examined the details of these scandals. The argument that all agency business cannot be carried on "in a goldfish bowl" may have some merit from a standpoint of efficiency. However, it is a short step to the philosophy that secrecy promotes efficiency, and that therefore secret government is something that should be promoted. It is precisely that philosophy that we are trying to end by supporting the pending legislation.

Exception 6 is for the purpose of protecting "personnel files, medical files, and similar matter, the disclosure of which would constituted a clearly unwarranted invasion of personal privacy." We have no quarrel with the exception if administered within the spirit of the report issued by the Senate Judiciary Committee last year, but we are aware of how this so-called protection of personnel files has been