

However, when one gets into the executive branch one finds different views. The gentleman who was a short time earlier sitting in the chair that I am sitting in was a member of the executive branch and he then had a distinctly different viewpoint on many matters when he was in the executive branch than he had in the period prior to that, and I assume that he has now.

And the only time he was wrong was when he was in the executive branch. [Laughter.]

There is a tendency on the part of the executive branch, and the lawyers for the executive branch, to look at themselves as advocates for the executive branch, and to stretch the law as far as possible. That gentleman, as a lawyer, did that. He was for the executive branch at that stage.

We have to guard against that. From the standpoint of the committees, I think that here, regardless of which side of the aisle one is on, at any specific time, that there has to be more of a view to guarding the rights of Congress. Because if you have a right to access, then we of the press can have a right to access. Even though three-fourths of you may get bound up with the political party in power at some stage, there is always the chance that a few of you will be in there pitching to get the material free for us.

Mr. MOSS. Will the gentleman yield?

Mr. REID. Yes.

Mr. MOSS. I think that the comment you just made illustrates the fact that this is not a partisan question. It never has been; it isn't today. It is a political question, God knows, but not partisan.

On the matter of the access of the rights of the Congress, don't you think we would limit, if we had to point to a statute as the basis for the congressional right? Haven't we clearly, at least as clear as you can, haven't we a constitutional right to any information we require in the discharging of our duties as legislators?

Mr. MOLLENHOFF. I agree with you completely on that, Mr. Chairman. And one might handle this through the legislature and run into someone saying you have limited yourself because you only said you had this.

However, you might, in the legislative history, make this absolutely clear.

Mr. MOSS. I would make it very clear.

Mr. MOLLENHOFF. This is one of the things you can't repeat too often in the light of much that we hear from the other end of Pennsylvania Avenue in recent years. You must keep in mind that some of the times, when you have been able to get information from the other end of the avenue, on crucial matters, where there were big political fusses involved, it has been only because there was a specific right and you do have specific rights spelled out for the Joint Committee on Atomic Energy, the Joint Committee on Internal Revenue, the House Ways and Means Committee, and the Senate Finance Committee, they have the right to access to tax returns spelled out specifically for those committees, even though those are generally denied to Congress.

In the case of the AEC, in the Dixon-Yates case, establishing the facts, there were two or three committees that had an interest in some aspect of that particular transaction.