

Mr. RUMSFELD. I think you have made a good point.

Mr. MOSS. We wrote into the statute, the basic statute originating the National Aeronautics and Space Administration, a clear policy for free information to the American public. As you recall, just a few weeks ago we filed a report reflecting the investigative hearings of this committee last year criticizing the Space Administration for its failure to carry out the responsibilities placed on it by law and, in fact, delegating them to the Defense Department.

Mr. RUMSFELD. I think this is a good argument for better staffing by congressional committees. If we stopped the witnesses every time something was classified in our committee, and pursued it as to whether or not it properly should have been classified, we wouldn't get much work done.

Mr. MOLLENHOFF. Mr. Chairman, let me say that there two classic cases: The firing of MacArthur and the TFX investigation from the standpoint of procedure to get around this. Those cases demonstrated a really effective check. In the firing of MacArthur, you had two committees on the Senate side that met together to take up the investigation. All of the testimony was taken in executive session because there was a great deal of classified material.

Then you had this testimony cleared by the Pentagon the same day, but you had both Democrats and Republicans there to make sure that it wasn't warped one way or the other in the clearance.

The same thing was true in the TFX investigation. McClellan's committee held hearings behind closed doors on a new weapons system, and yet that same day that transcript was cleared and it came back so that we had access to a cleaned-up transcript at the end of the day. There was the check there of Democrats and Republicans who could raise their complaints if they thought something was improperly deleted from the transcript.

I say this is probably the ultimate in fairness.

Mr. MOSS. My point is that it is the congressional responsibility. They can take the advice of the Executive, but they are not bound by it.

Mr. RUMSFELD. I have a question that relates to the subject that has not been brought up at all in this series of hearings we have been holding.

One hears from time to time about circumstances where members of the press—and I suppose other people, lobbyists, Members of Congress, and others—receive information from employees of the executive branch of the Federal Government under circumstances where the individual receiving the information is well aware that he is not to have that information, and it comes as a favor to the individual whether for friendship (some quid pro qua) or simply because the employee has an axe to grind. I don't know how widespread this is. I would be curious to know if you could give us some feel for it.

Mr. FRANDSEN. Mr. Chairman, I certainly don't have any knowledge of any cases in which information was obtained for money or gifts.

Mr. RUMSFELD. For friendship?

Mr. FRANDSEN. Maybe other people do, but I don't know of any.

But, obviously, when there are areas of contention going on within an agency, and information is perhaps not available now—to the extent that it would be if this legislation is passed—certainly people