

I think after reading it you may come to the tentative conclusion that in the instance you have described the concept of executive privilege was invoked not by the President, not even by an agent of the President, but by a bureaucrat in that hearing. You may very well come to the conclusion that the treatment that you received was not consistent with the statements which are claimed by the President in this letter, and it might be well to document this case you've brought before the committee and bring it before this committee.

Mr. Moss. There is a law, you know, that permits a member of the House to file a privileged resolution, calling upon an agency to produce records. It then brings the matter before the House and permits the House to act on it, particularly if it is a matter not presently being considered by a committee.

Mr. WYDLER. Well, that is a good piece of information to have. Unfortunately I didn't have it at the time that I could have utilized it, obviously, because I would have. However, what I did do, I went before the Appropriations Committee, who is considering the appropriations for this item to tell them about the matter, but if I had known about this privilege motion—I thank the members of the committee very much for their time.

Mr. Moss. All right. Thank you.

The next witness is Mr. Walter Potter, publisher of the Star-Exponent, Culpeper, Va., and representing the National Editorial Association, and he is accompanied by Ted Serrill. You have a statement?

Mr. POTTER. Yes, I have, sir.

STATEMENT OF WALTER B. POTTER, PUBLISHER, CULPEPER STAR-EXPONENT, REPRESENTING THE NATIONAL EDITORIAL ASSOCIATION

Mr. POTTER. My name is Walter B. Potter. I am publisher of the daily Star-Exponent in Culpeper, Va. I am appearing for the National Editorial Association, of which I am a director and chairman of its legislative committee. I am accompanied by Theodore A. Serrill, executive vice president of the National Editorial Association.

Organized in 1885, the National Editorial Association is a trade association of hometown newspaper publishers and editors from all 50 States. NEA membership includes more than 6,600 newspapers, more than 5,800 of which are weeklies or semiweeklies and 800 daily newspapers. Forty-four State newspaper associations are affiliated with NEA. Headquarters of the association are here in Washington.

NEA strongly supports the public records bill you are considering. In 1963, when a similar bill, S. 1666, was receiving active consideration in the Senate, our association adopted a formal resolution in support of that bill, and recommended its enactment. Mr. Serrill and I testified in favor of that bill at hearings in October, 1963, before the Senate Subcommittee on Administrative Practice and Procedure. That bill, sponsored by Senator Edward V. Long, was passed unanimously by the Senate in 1964, with only minor changes.

I might add that at the time I spoke in support of this bill, I quoted Representative John E. Moss, the chairman here, and chairman of the House Government Information Subcommittee which has done so much for the cause of freedom of information, and gave an example of