

Letters and Statements in Support of Federal Public Records Law Legislation Submitted for the Record

MEMBERS OF CONGRESS

STATEMENT OF HON. EDWARD V. LONG, A U.S. SENATOR FROM THE STATE OF
MISSOURI

Mr. Chairman, your bill, H.R. 5012, is to be commended as is your entire undertaking. I have long been interested in this subject, and during the last session of Congress, as chairman of the Senate Subcommittee on Administrative Practice and Procedure, I was fortunate in having an opportunity to try and do something about undue secrecy in Government.

Since the original introduction of the freedom of information bill in the Senate, instances of spurious withholding of information by Government agencies have reemphasized this important problem. Free institutions are in danger of collapse without the informed criticism of an electorate. The people only control their Government so long as they have a voice in its decisions; and if this voice is to be meaningful and constructive, the people must have a way of informing themselves of governmental activity. The two go hand in hand.

It was gratifying that S. 1666 of the 88th Congress successfully passed the Senate. It was an important first step; but only a first step. Because of this fact, it is imperative that the similar objectives and mutual cooperation continue between our respective subcommittees. The support and assistance of the Senate subcommittee shall continue until the idea of the free flow of information is made part of the law of the land.

Action of these measures may not be too far off. There is growing public indignation and frustration over the wrongful withholding of Government records. One proof that this situation exists, is the large number of Senators and Congressmen that have already pledged their support for this legislation. Fully 21 Senators cosponsored S. 1160, the current Senate freedom of information bill. They include the Honorable Senators Anderson, Bartlett, Bayh, Boggs, Burdick, Case, Dirksen, Ervin, Fong, Hart, Metcalf, Morse, Moss, Nelson, Neuberger, Proxmire, Ribicoff, Smathers, Symington, Tydings, and Yarborough. In addition, I understand that 15 of your colleagues, Mr. Chairman, have introduced legislation touching on this same subject.

A few words should be said about our program in the Senate. S. 1160, of course, amends section 3 of the Administrative Procedure Act. A separate bill, S. 1336, has been introduced by Senator Dirksen and me. This bill is a complete revision of the entire act. The provisions of section 3 of S. 1336 are identical with those of S. 1160. Additionally, section 3 is controlled by other sections of the act in that it is the only section which applies to the whole Federal Government rather than to administrative agencies exclusively; and section 3 also borrows its definitions from the more complete text. We have announced hearings in the Senate on the entire revision on May 12, 13, and 14. This session, it will be fortunate, Mr. Chairman, to have the benefit of your studies, and we are optimistic that through our combined efforts this legislation will be passed in the very near future.

The records of the House of Representatives are replete with instances of your fine work in the freedom of information field, Mr. Chairman, and there is little that I can add that will embellish the record of those years of important public service. It is known that the work which you have done and are now doing will add immeasurably to the fund of knowledge which exists on access by the public to Government information. It was never the intention to thrust upon any Government agency a poorly drawn public information policy. The Senate has exhaustively studied every comment and criticism which came to its attention. However, your informed judgments are most welcome and will surely aid in ferreting out any deficiencies which may still exist in the texts of the various proposals.