

It is not illogical to assume that many in the Government having the duty to release public information might naturally be inclined to be more guarded in these releases rather than perhaps running the risk of being charged by superiors with releasing too much, and I think a more explicit law would remedy this situation. H.R. 5021 would direct heads of departments to prescribe regulations for the conduct of their departments and make all records available to any person in accordance with published rules. Persons denied access to authorized records could file suit in a U.S. district court which would have the authority to order that such records be produced. The eight specific categories of sensitive Government information which would be protected from disclosure under H.R. 5021 are as follows:

- (1) National defense and foreign policy secrets specifically protected by Executive order;
- (2) Documents related solely to internal personnel rules and practices of an agency;
- (3) Information specifically protected by other laws;
- (4) Privileged trade secrets, commercial or financial information obtained from the public;
- (5) Agency memorandums dealing solely with matters of law or policy;
- (6) Personnel and medical files;
- (7) Investigatory files compiled for law enforcement; and
- (8) Examination, operating, or condition reports used by agencies responsible for the regulation of financial institutions.

Since coming to Congress, I have become increasingly aware of the lack of information disseminated to the American people on many phases of Government operations. I think the people have a definite right to know what their Government is doing in nonsensitive areas and that the news media should likewise have full access to such records. I do not believe that any agency of Government would argue in good faith against the intent of this proposed revision, for the bill contains sufficient safeguards for protecting vital defense information and other sensitive data. It would make it possible for all agencies to follow a uniform system to insure adequate dissemination of authorized information, thereby removing some of the confusion resulting from differing policies. Government by secrecy, whether intentional or accidental, benefits no one and, in fact, injures the people it is designed to serve. This legislation under consideration today will establish a much needed uniform policy of disclosure without impinging upon the rights of any citizens.

Thomas Jefferson once said, "A popular government without popular information or the means of acquiring it, is but a prolog to a farce or a tragedy, or perhaps both." The responsibility belongs to the Congress, and I therefore hope that your committee will give favorable consideration to this legislation. Thank you again for inviting me to present my views here today.