

ORGANIZATIONS AND INDIVIDUALS

STATEMENT OF JOHN F. GRINER, PRESIDENT, AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

The primary objectives of H.R. 5012, the bill under consideration by this committee, is desirable. However, the American Federation of Government Employees is concerned with several exceptions to the application of the proposed enactment which should be modified in the interest of many Federal employees who may be affected by its provisions.

Maximum information about the operations of the Federal Government is a worthwhile objective. We believe that information which is legitimately sought and which does not involve national security should be made available. To that extent, we believe H.R. 5012 should receive our indorsement.

However, we are in disagreement with two of the eight exceptions to the general principle of disclosure as enunciated in this measure. First there is exception (2) which concerns matters "related solely to the internal personnel rules and practices of any agency."

It is certainly not defensible for Federal agencies or installations to refuse to disclose their basic personnel policies and yet that has happened altogether too often in years past, as evidenced by comments we have received from time to time from our members. It is, therefore, wrong in our opinion to write into law justification for such a practice.

Publications containing such statements of overall Federal personnel policy as the Federal Personnel Manual, Civil Service Commission Position Classification Standards, and the Handbook X-118, stating qualification standards for Classification Act positions are available upon subscription from the Government Printing Office. The same is true of the Postal Manual which contains the personnel policy and regulations of the Post Office Department. Personnel manuals of other individual agencies are not so easily obtainable. Requests for copies of small sections of manuals are frequently complied with, but not for copies of an entire manual other than a single copy intended for a union's national office. The response usually will be that the limited supply does not permit distribution to that extent.

It is also our belief that the personal file of a Federal employee should not be made available for public inspection. This situation relates to exception (6) which is included in this bill.

Maintaining limited availability of an employee's personal file suggests two related aspects of the problem of obviating the invasion of individual privacy. First, to what extent should inspection of such a file be permitted? It is our view that such inspection should be permitted only to authorized representatives of the employing agency management. Inspection beyond that limit should be predicated only on considerations of national security.

Unless withholding of information in an employee's own personal file would be detrimental to his physical or mental health, we believe the employee has an unquestioned right to know its contents. Agencies usually withhold that portion of the file having to do with qualifications or material relating to investigation of loyalty or security matters. The employee should have the right to inspect the nonsecurity contents of his file.

Inspection of a personal medical file is a more complex problem. The ability of the individual employee to examine his medical file meaningfully may be open to question as would be the desirability of the employee perusing medical findings which could be emotionally disturbing or physically harmful. In such instances, the employee's physician or attorney should be permitted to examine the file and advise the employee of the contents to an extent which will assure the protection of his interests and yet not adversely affect his health.

Thank you, Mr. Chairman, for the opportunity to comment on H.R. 5012.