

*Draft II*

STATEMENT BY THE PRESIDENT

The measure I sign today, S. 1160, revises section 3 of the Administrative Procedure Act to provide guidelines for the public availability of the records of Federal departments and agencies.

This legislation springs from one of our most essential principles: a democracy works best when the people <sup>have all the info</sup> know what ~~their government is doing~~. *that the security of the nation will permit.* They must have access to the policies and rules by which departments and agencies operate. Government officials should not be able to pull curtains of secrecy around decisions which can be revealed without injury to the public interest. Good government functions best in the full light of day.

At the same time, the welfare of the nation or the rights of individuals may require that some documents not be made available. As long as threats to peace exist, for example, there must be military secrets, a citizen must be able in confidence to complain to his government and to provide information just as he is--and should be--free to confide in the press without

fear of ~~intimidation or reprisal~~. *or being required to discuss or reveal his sources.*

Fairness to individuals also requires that information accumulated in personnel files be protected from disclosure. Officials within government must be able to communicate with one another fully and frankly without publicity. They cannot

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operate effectively if required to disclose information prematurely or to make public investigative files and internal instructions that guide them in arriving at their decisions.

I know that the sponsors of this bill recognize these important interests and intend to provide for both the need of the public for access to information and the need of government to protect certain categories of information. Both are vital to the welfare of our people. Moreover, this bill in no way impairs the President's power under our constitution to provide for confidentiality when the national interest so requires. There are some who have expressed concern that the language of this bill will be construed in such a way as to impair government operations. I do not share this concern.

I have always believed that freedom of information is so vital that only the national security, not the ~~whim~~ *desire* of public officials, *private collection* should determine when it must be restricted.

I am hopeful that the needs which I have mentioned can be served by a constructive approach to the wording and spirit and legislative history of this measure. I am instructing every official in this Administration to cooperate to this end and to make information available to the full extent consistent with individual privacy and with the national interest.

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I signed this measure with a deep sense of pride that the United States is an open society, in which the decisions and policies--as well as the mistakes--of public officials are always subjected to the scrutiny and judgement of the people.

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