

whoose through Congress, to win within nine months what in all likelihood will be unanimous endorsement of both chambers?

REP. JOHN Moss (D-Calif.), the author, godfather, and vocal champion of the freedom-of-information concept over the last decade, explains it one way:

You had to develop a public dialog," he suggests.

"You had to educate the American people and the Congress itself on the need for such legislation."

Biggest boost for the bill came in the 1964 Presidential election campaign, he said.

Republicans made freedom of information, and alleged suppression and management of the news, a major campaign issue.

THE BENEFIT was twofold, Moss points out:

- It dramatized the issue for the public.

- It put the White House in a position so that — even though administrations of both parties have long opposed such legislation — executive branch opposition now had to be muted and legalistic.

Rep. Donald Rumsfeld (R-Ill.), a key member of Moss' government operations subcommittee that voted the bill to the floor, has a somewhat different explanation of the measure's unusual legislative history:

"The unanimous action after years of delay results from the growing size and complexity of the federal government, from its increased role in our lives, and from the increasing awareness by Americans of the threat involved in government secrecy on vital records effecting their fate."

Rumsfeld — in what Democrats doubtless would contend was a politically motivated diagnosis — said that the policies of the Johnson administration in particular have spotlighted for the people the need for such legislation.

"With the continuing tendency toward managed news and suppression of public information that the people are entitled to have, the issues have at last been brought home forcefully to the public," he declared.

WHATEVER the reason, the measure will be brought before the House June 20 under a special procedure used

House Rules Committee is by-passed and the measure goes directly from committee to the floor, with time for debate limited to 40 minutes.

To compensate for this extraordinary dispatch, a two-thirds margin is needed for passage instead of the usual simple majority.

Moss said he anticipated no difficulty in getting the extraordinary margin. "In fact, I wouldn't be surprised if it were unanimous," he said.

THE BILL'S key provisions declare that:

- The public is entitled to scrutinize all federal records, except those in certain exempt categories.

They include papers involving national security and foreign policy; files of federal law-enforcement agencies; medical and personnel records, and trade secrets that industry has been required to furnish the government.

- If a citizen is refused a record, he may sue in federal court under judicial review procedures, with the burden of proof that the refusal was proper resting on the government.

During drafting of the measure, the Department of Justice attempted to have the bill specifically affirm the President's claimed right of "executive privilege" to withhold any information he deemed unfit for public release.

Moss' refusal to include such language led the administration to continue its opposition to the bill, on the ground that it would be an unconstitutional invasion by Congress of the executive branch's right to run its own affairs.

DESPITE that position, Moss says he has been guaranteed that President Johnson will not veto the measure.

As an added safeguard against improper disclosure not in the national interest, the legislation will not go into effect until one year after it is signed into law.

That will give government agencies time to review the categories of exempt data; prepare mechanics for making records available to the public, and come back to Congress if further law is needed to make the long-delayed freedom-of-information concept work.