

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

July 1, 1966

Friday, 6:30 p. m.

APPROVED
JUL 4 - 1966

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 1160 -- disclosure of government information, Senator Long (Mo.) and Mr. Moss (Calif.)

This bill sets forth some new rules covering the disclosure of government information by the executive branch.

Existing law will be changed in three ways:

(1) Under existing law, only a person properly and directly concerned has a right to information from the executive branch; the new rule will be that any person has such a right.

(2) Under existing law, executive branch documents can be held confidential for good cause found, or in the public interest; the new rule will require proof that the withholding comes within one of nine statutory exemptions.

(3) The bill authorizes U. S. district courts to enjoin an agency from withholding records and to order the agency to produce records improperly withheld.

The departments and agencies have been concerned about this bill for many years, but have come around to the view that they can live with it, and the attached agency reports do not recommend disapproval (with the minor exception of HEW).

The attached signing statement covers two points:

(1) your commitment to the right of the public to have access to government information, and

(2) your awareness of the need to protect certain categories of information such as internal communications, investigatory files, personnel files, and the like which are not specifically mentioned in

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the statute but are referred to in the House report.

The agencies are hoping that your signing statement, together with the House report, will guide the interpretation of the statutory language, which is ambiguous in spots.

The bill does not take effect for a year.

The last day for action is Monday, July 4.

Recommendation: That you approve the bill for the reasons stated in your signing statement.

If you decide to disapprove, no further action is necessary, since Congress is in adjournment, and a pocket veto is possible.

Coordination: I recommend that the Attorney General be designated to coordinate the departments and agencies in working out the new rules, probably in the form of a Department of Justice manual of guidelines.

Do you want me to get the Attorney General started on this?

Yes ✓ No _____ See me _____.



Milton P. Semer