

Hassle on President's Papers

Part 2/9/69 By Drew Pearson and Jack Anderson

THE SHIPMENT of several truckloads of Presidential papers to the LBJ Library in Texas, together with Sen. Tom Dodd's lawsuit against this column for publishing his papers, raises an important question—who has the first right to a Government official's papers, the public or the official who wrote them?

The same question is raised by Robert Kennedy's use of the Kennedy papers in writing the story of the 13-day Cuban missile crisis; also by the court hassle over the love letters of President Warren G. Harding to his mistress, Carrie Phillips.

In the latter case, Francis Russell, author of "The Shadow of Blooming Grove," has deferred to a court judgment and has left blank lines in his fascinating book where he originally planned to quote Harding's passionate love letters.

The suit to enjoin publication was brought by Harding's nephew, George T. Harding, who claimed the letters were the personal property of the Harding estate.

In the case of President Johnson's papers, there is no real argument over the public's right of access, since they will be part of the LBJ Library at the University of Texas. The precedent has been set by such past Presidents as Roosevelt, Truman, Eisenhower and Kennedy, whose Presidential papers were also packed off to their own special libraries.

At times, this has caused the Government some inconvenience. The Kennedy staff cleaned out the White House files, including such vital documents as the Kennedy-Khrushchev letters during the Cuban missile crisis. Not all of them have been made available to the public yet through the Kennedy Library, though they have been

opened to such privileged chroniclers as Arthur Schlesinger, Ted Sorensen and, of course, Robert Kennedy.

THE QUESTION of President Harding's love letters to his mistress, while not in the category of Government papers, would appear to have historical importance. The Harding Administration was wracked with scandal. Much is known about the conviction of his Secretary of the Interior, Albert K. Fall, and the dubious conduct of Attorney General Harry Daugherty. But the involvement of Harding himself is not so clear.

Was he a victim of the men around him or did he set such low moral standards that his subordinates felt free to cheat the taxpayers? Harding's personal correspondence, therefore, should not be denied to the public.

Another set of contested documents are the Dodd papers which provided the evidence for his senatorial censure. The members of Dodd's staff who supplied the evidence were harshly and unfairly condemned by the Senate Ethics Committee. For if there had been no prior publication of the evidence, it's highly doubtful whether the Senate would have acted.

MOST SENATORS acknowledge privately that a Senator's papers must be considered part of the public record. He writes his letters on stationery provided by the taxpayers. He receives free postage.

The stenographers who take his dictation draw their salaries from the taxpayers. His typewriter, office space, everything else that goes into the production of the letters are financed by the public. Finally, his own salary is paid by taxpayers.

A Senator's correspondence, like his conduct, should be subject to public scrutiny

at all times. He is not negotiating treaties or handling defense secrets. He is conducting the affairs of the public as the elected representative of the public.

When he strays from this role and abuses his public trust, the public has a right to see the written evidence. And his employes, who are paid by the public, have an obligation to make the documents available to the public.

Morse Is Broke

WAYNE MORSE, the defeated but undaunted ex-Senator from Oregon, can be found in his Watergate apartment these days trying to keep up with his mail without a secretary. Mrs. Morse is helping out.

The old warhorse came out of the campaign too broke to hire a secretary. To pay off his debts he is selling most of his prize red Devon cattle on his farm at Poolesville, Md. He will go back to Oregon to practice law and perhaps run for governor.

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