

Nixon's Order Held 'Restrictive' By House Information Specialist

But Moorhead, Subcommittee
Head, Praises President's
Statement on Secrecy

By RICHARD HALLORAN

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WASHINGTON, March 10— Representative William S. Moorhead, chairman of a House subcommittee on Government information, criticized today President Nixon's new Executive order on secrecy in national security papers calling it "a very restrictive document."

But the Pennsylvania Democrat praised the President's statement accompanying the Executive order for, as he puts it, "emphasizing past abuses of the classification system," under which documents are stamped "top secret," "secret" or "confidential." The order, issued Wednesday, goes into effect June 1.

Mr. Moorhead, at the opening of a hearing by his subcommittee this morning, asserted that a preliminary study of the order itself indicated that it "does not live up to the laudable goals of the President's statement."

"It appears to be an order written by classifiers for classifiers," Mr. Moorhead said.

Sees Way to Cover Errors

The Executive order is designed to reduce the secrecy surrounding national security material by limiting the use of secrecy classifications when the papers are written and by speeding up the process by which they are later made public.

Among its provisions is one ordering that "top secret" documents be automatically declassified and made available to the public after 10 years, "secret" papers after eight years and "confidential" ones after six, with certain exceptions that Nixon said would be narrowly applied.

But Mr. Moorhead argued that, under this arrangement, a "President could safely stay in office for his full two constitutional terms, totaling eight years, and at the same time make it possible for his Vice President or another of his supporters to succeed him without the public knowing the full details of major defense or foreign policy errors his administration had committed."



United Press International
William S. Moorhead

A Distinction Is Made

"In other words," Mr. Moorhead said, "the same political party could control the Presidency for 12 years when, perhaps, the public would throw it out of office if only the facts were known."

In his remarks, Mr. Moorhead drew the distinction between information covered by the Freedom of Information Act and that covered by the Executive order. The law concerns the disclosure of information on the Government's day-to-day activities, while the White House order covers information on national defense and foreign policy or, as the President put it, national security.

In the subcommittee hearing, Assistant Attorney General Ralph E. Erickson testified that from July 1967, to July, 1971, the Justice Department received about 535 requests for access to its records under the Freedom of Information Act.

Mr. Erickson said that access had been granted in 224 cases and denied in 311. The majority of the denials, he said, involved investigative files or cases where the privacy of an individual would have been violated.

Order Is Defended

In another hearing, before a House Armed Services subcommittee on intelligence, Deputy Assistant Secretary of State William D. Blair Jr. continued the Administration's effort to explain the Executive order and head off legislation that would establish a joint executive-Congressional-judicial commission to review secrecy in the Government.

Mr. Blair conceded that "too much material — probably far too much — was being classified in the first place, and too much

of that was being over classified.

He said that, in the central foreign policy files since 1950 alone, there were more than eight million documents, at least half of them classified. To declassify them, he said, would take 10 years, while more papers piled up.

Mr. Blair noted that the new order severely limited the authority of officials to classify material. He said that about 800 officers of the department may now stamp papers "top secret," that number will be cut to about 300 when the new order becomes effective.

1,860 May Use Stamp

Under the Executive order, about 1,860 persons designated by the President or the White House staff, as well as the heads of 12 agencies or those designated by them, may use the "top secret" stamp.

They are the heads of the State Defense, Treasury and Justice Departments; the Departments of the Army, the Navy and the Air Force; the Central Intelligence Agency, the National Aeronautics and Space Administration and the Agency for International Development.

The heads of 13 more agencies and their principal subordinates may use the "secret" classification. They are the Department of Transportation, the Department of Commerce, and the Department of Health, Education and Welfare; the Federal Communications Commission, the Export-Import Bank, the Civil Service Commission, the United States Information Agency, the General Services Administration, the Civil Aeronautics Board, the Federal Maritime Commission, the Federal Power Commission, the National Science Foundation and the Overseas Private Investment Corporation.

Regulations to Be Issued

Each agency, before June 1, will designate those officials who will have the authority to use each stamp. The agencies will also issue regulations and guidelines within the framework of the Executive order.

For classified documents already in existence, anyone will be able to apply to gain access to them by specifying which ones he wants to see. The agency that originated the documents will then review them to make sure national security will not be compromised by releasing them.

If the applicant is dissatisfied, he may then appeal to the National Security Council's Interagency Classification Review Committee, established by the new order. If that committee still refuses to release the document, the applicant may go to Federal court.