

WXPost LEGIS - AUG. 22 1974

Veto Threat Disrupts Information Act Talks

By Bob Kuttner

Washington Post Staff Writer

A House-Senate conference committee meeting to complete action on long-stalled amendments to the Freedom of Information Act broke up yesterday in disarray over a letter from President Ford warning that the bill might be vetoed unless several changes were made.

Last week, as the conferees were on the verge of finishing the measure, they deferred to a telephoned request from the Justice Department indicating that the new President wanted a week to review the bill and make recommendations.

The recommendations came yesterday in individual letters to the conferees. In the letters, President Ford criticized several already-approved sections intended to strengthen enforcement of the 1966 Freedom of Information Act.

The President's objections echoed long-standing criticisms of the bill by the Justice Department. Specifically, Mr. Ford said he could not accept the bill's provision permitting federal judges to determine whether secret documents were properly classified in the first place. That section was intended to overrule the Supreme Court's ruling that the government's classification of a document is not subject to judicial review.

Mr. Ford also said he objects to another key section giving the public broader access to information in government investigatory files. And he said he opposes the sanction provision added by the Senate setting penalties for bureaucrats who wrongfully withhold information from the public.

"Neither the best interests

of government nor the public would be served by subjecting an employee to this kind of personal liability for the performance of his official duties," the President wrote.

However, the House conferees decided to risk a veto and voted 4 to 3 to accept the sanction provision with minor modifications. Later, the three outvoted House members, Frank Horton (R-N.Y.), John N. Erlenborn (R-ILL.) and Chet Holifield (D-Calif.) announced they would refuse to sign the conference report.

On the section giving courts the power to overrule security classifications a majority of the conferees decided to compromise.

They agreed to language denying public access to information "from a confidential source in the case of a record compiled by a criminal law enforcement agency in the course of a criminal or national security investigation."

That concession was too much for Rep. John E. Moss (D-Calif.), architect of the original 1966 Freedom of Information Act. "I can't sign this," Moss declared, and walked out.

NOTICE

Due to production delays the #1512 refrigerator advertised in Ward's section today priced at \$228 will not be available until a future date. However sale price will be honored on orders placed now for future delivery. We regret any inconvenience to our customers.

MONTGOMERY
WARD