

JUL 5 1971

Security Breach

By Nicholas Von Hoffman

Washington

ANOTHER TOP-SECRET document has come into a newspaper's hands. This highly secret piece of information arrived in a manner that will not be divulged nor will the Xerox copy in our possession be shown to the authorities, since it is possible that thumb prints or other irregularities give away the identity of the informant.

In the interest of the people's right to know, we will print this paper in its entirety, followed by excerpts of the hearing before Federal Judge Vol Hume in which the government sought a temporary restraining order to prevent its publication. It was granted but we ran the presses while the judge was having an *ex parte* in camera discussion with an expert from the Commerce Department.

Board of Governors
of the
Federal Reserve System
Washington, D.C. 20551

William W. Sherrill
Member of the Board
June 8, 1971

To All Members of the Board's Staff:

The matter of appropriate dress and appear-

ance for both male and female employees while on the job has been raised by a number of persons. This is a recurrent area of concern and the Board has always endeavored to allow the maximum possible freedom of individual expression.

Generally, the Board expects only good taste in dress and a neat appearance. Current fashion can usually be followed while relying on individual judgment not to be extreme; occasionally, however, it is necessary to furnish guidance on specific matters of dress. It seems preferable to do this on an *ad hoc* basis.

In order to include the thinking of the Board's employees, an Advisory Committee on Employee Dress was recently formed. It was asked to discuss and recommend on the specific matter of the appropriateness of "HotPants" for women's wear. The committee concluded that, in its opinion, they were not appropriate at the Board.

After consideration of the committee's recommendation, it is requested that no member of the board's staff wear "HotPants" while at work. Any questions concerning this announcement should be referred to the Division of Personnel Administration (Miss Gander, Ext. 3422).

William W. Sherrill

ATTORNEY GENERAL MITCHELL: May it please the court . . .

JUDGE VOL HUME: HotPants do indeed please the court.

MITCHELL: Your Honor, may it please the court is one of those expressions we lawyers use when we address the Bench. The government contends that the publication of this stolen document would make the newspaper a receiver of stolen goods and would cause grave and irreparable damage to the national interest. Therefore, Your Honor, we respectfully move that Your Honor tell the little buggers that if they print it, you'll throw 'em in the joint. With that, the government subsides.

JUDGE: What's that?

MITCHELL: We subside. We conclude. We're finished. We've proved the case, but before you retire to deliberate, you're supposed to let the other guys say something.

JUDGE: Yes, you're right, full evidentiary hearing on the merits of the *res gesta sub judice nolo contendere*. . . . Do you guys want to answer him?

OUR LAWYER: Well, I'm sorry about this, Your Honor. I know how crowded the docket is, and I know you want to get away for your summer break, but I'm going to have to do a First Amendment number.

JUDGE: Couldn't we just stipulate it? I mean,

on Breeches?

I think we've all heard it before. Not a very ingenious legal argument. Nothing novel in it.

MITCHELL: Rights, rights. Every time I go into a courthouse that's all I hear. What about the rights of the government? Everybody's got rights but the poor little government. Steal her secrets, abuse her, stand on the street corners saying disrespectful things, and what's a little government to do? Your Honor, may it please the court, but your commander-in-chief, your President, comes like an orphan, like a beggar child into this court asking protection against these wolfish newspapers.

JUDGE: Now, now, it's all right. We'll think of something, but, Mr. Mitchell, how can publication of this document gravely and irreparably harm the government? This isn't a defense secret.

MITCHELL: No, but it injures the national interest. We have an inherent, residual, implied, inferred right to stop anything that harms the national interest, not just the national defense.

JUDGE: HotPants?

MITCHELL: Oh yes, Your Honor. Publication of this document will injure the value of the

dollar in relation to the mark, pfennig, the drachma, the zlotny. It will undermine public confidence in our currency and that is a direct threat to the national interest. Your Honor, they will laugh at us.

JUDGE: Gee, I didn't know.

MITCHELL: We're asking for a writ of *te deum* to stop the presses because it shows how a vitally sensitive organ of government conducts business. If purely internal communications of this nature are to be made public, in short order we will have bottomless go-go dancers in the IRS.

JUDGE: That would be awful.

MITCHELL: Furthermore, publication of this top-secret document will encourage subversives all over to take greater liberties when they see how far they have come to penetrating the Treasury itself. In view of this and a lot of other stuff that is so secret you'll have to take my word on it, we, the government, pray, plead for and demand immediate injunctive relief.

JUDGE: Wouldn't it be better just to take away their presses?