

Goldberg Urges Easing Of Secrecy on U.S. Data

By RICHARD HALLORAN

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WASHINGTON, June 23—Arthur J. Goldberg, the American delegate to the United Nations during the Johnson Administration, asserted today that only 10 per cent of the Government's sensitive documents should remain secret for long.

Mr. Goldberg, who was a Supreme Court Justice before going to the United Nations told a House subcommittee that "I have read and prepared countless thousands of classified documents and participated in classifying some of them."

"In my experience," he said, "75 per cent of these never should have been classified in the first place; another 15 per cent quickly outlived the need for secrecy; and only about 10 per cent genuinely required restricted access for any significant period of time."

Mr. Goldberg was the first witness before the House Subcommittee on Foreign Operations and Government Information in its inquiry into secrecy in government.

The investigation was set off by the publication in The New York Times and other newspapers of material from a secret Pentagon study of the origins of American involvement in the Vietnam war, and by the Nixon Administration's refusal before today to make the study available to Congress.

Some members of the subcommittee view the hearings as part of an effort to reassert the power of the House in the conduct of foreign affairs.

Moves to reassert constitutional prerogatives in foreign policy have been under way in the Senate for many months.

Historic Confrontation

The subcommittee chairman, Representative William S. Moorhead, Democrat of Pennsylvania, said in an opening statement:

"Today we appear to be approaching a constitutional confrontation of such historic proportions as to endanger the

equilibrium of our constitutional system."

Representative Ogden R. Reid, Republican of Westchester, a senior minority member of the subcommittee, called the hearings "an inquiry into a crisis of truth in government, a study of the improper exercise of executive power bordering on dereliction."

"Nothing less than the balance between our coordinate branches of government and the protections set forth in the First Amendment are being threatened," Mr. Reid observed.

Mr. Goldberg, who was a strong advocate of reducing American involvement in the war while he was in the Johnson Administration, said that nearly every memorandum he sent "to the President and other high-ranking officials relating to Vietnam could safely be disclosed."

"I would welcome the general release of these and similar documents as an aid in informing the Congress and the public," he said.

Mr. Goldberg urged the Congress "to define more precisely what documents are properly to be classified, and the duration of any classification."

System Held Inadequate

"The present system whereby the executive branch itself determines the rules for disclosure of its own documents has proved inadequate in keeping Congress and citizens informed," he said.

"Our constitutional system requires that the people be adequately informed about the great issues that affect their lives and welfare," he continued. "If this means that Government must, by and large, be conducted in a goldfish bowl, so be it, for in no other way can it retain the consent of the governed."

Another witness, Lee C. White, one-time special counsel to President Kennedy and later chairman of the Federal Power Commission, agreed that too much information was being classified.

But Mr. White disagreed with Mr. Goldberg's call for legisla-

tion on the issue, arguing that "reasonableness" on the part of the executive branch should suffice.

Mr. Goldberg declined to testify directly on the controversy between the Government and the press on the publication of data from the Pentagon study, saying that that issue was being decided in the courts.

But he did say that "I think the present impasse makes it imperative that a select committee of Congress conduct a special investigation into the causes and conduct of the war."

"Such an investigation is necessary to preserve public trust in the candor and competency of our officials and, indeed, of our government itself," he said.

"As the situation now stands in this matter," Mr. Goldberg said, "we live in the worst of all worlds: fragmentary accounts appear in the press which may or may not tell the whole story."

Noting that he had not known about the Pentagon study until articles based on it appeared in The Times, he said that "it would be far better for our country that the whole story be told."

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