

MAY 26 1972

NYTimes

## CURB ON SECRECY URGED IN SENATE

Bill Would Impose Limits on  
Executive Branch Power

By MARJORIE HUNTER

Special to The New York Times

WASHINGTON, May 25 —

A bill designed to strip the President of his power to keep Government information from Congress and the public was introduced today by Representative William S. Moorhead, Democrat of Pennsylvania.

Declaring that the American people "are losing confidence in their Government," Mr. Moorhead proposed creation of an independent nine-member Classification Review Commission with authority to decide which documents should be stamped Top Secret or Secret.

Congress, in effect, would control the new classification system. Three members of the commission would be named by the President, three by the Speaker of the House and three by the President pro tem of the Senate.

With his proposal, Mr. Moorhead deepened the constitutional power struggle now under way between the White House and Congress over Government secrecy.

There have been increasingly frequent clashes in recent years over the executive branch's refusal to supply Congress with secret documents—such as the Pentagon Papers and a study of the Gulf of Tonkin incident involving an apparent attack on American destroyers by North Vietnamese torpedo boats.

There is no law that specifically authorizes the executive branch to classify information. Instead, the entire secrecy system rests on implied powers assumed by the executive

branch since the early days of this country.

The Moorhead proposal would write into law for the first time the extent of the Government's authority to classify documents. It also would establish a procedure to automatically declassify most documents—except extremely sensitive national defense data—within three years.

Mr. Moorhead acted exactly one week before President Nixon's new directive on re-vamping the secrecy system is scheduled to go into effect, next Thursday.

The President's directive would limit the authority of Government officials to classify material. It would also drastically reduce the number of officials authorized to stamp Top Secret, Secret and Confidential on various documents.

Government agencies have already begun sorting through the many millions of classified documents and, in some cases, throwing them away.

In offering his bill, Mr. Moorhead termed the President's new directive "unworkable, unmanageable and filled with technical defects and massive loopholes."

However, Mr. Moorhead said that the Government Information subcommittee, which he heads, would not act on his proposed legislation until next year. But he said he was hopeful that the Democratic national platform to be framed this summer would contain a plank modeled after this bill.

"The issue of Government secrecy is, in my opinion, a crucial overriding issue in 1972 that affects virtually every segment of our national life and defense and foreign policy, as well," he said.

Under this bill, the independent commission would have broad authority over the administration of the security classification system within the executive branch. Top-secret stamps could be used only by major officials in the White House, State Department, De-

fense Department, Central Intelligence Agency and Atomic Energy Commission.

The commission would have the authority to settle disputes between Congress and the executive branch over access to both classified and unclassified information sought by a majority of either house of Congress or by Congressional committees or subcommittees. Such decisions would be subject to judicial review.

The bill would also provide an automatic 15-year declassification of previously classified documents. Most new documents would be declassified after three years.

Highly sensitive defense data could continue to be classified as secret but only when ordered by the President or top officials and approved by the classification commission.