

# Ford Vetoes Effort to Improve Access to

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WASHINGTON, Oct. 17 — President Ford vetoed new legislation tonight that would have made Government-held information more accessible to the public.

The legislation, in the form of 17 amendments to the Freedom-of-Information Act, was overwhelmingly passed by Congress, but was opposed by virtually every Government department and agency.

Most of the pressure against the amendments came from the Justice Department, the National Security Council and other departments involved in domestic and foreign intelligence.

The President said he would soon submit his own legislation to amend the act.

## Original Bill Opposed

The original bill, passed in 1966, was signed by President Johnson despite opposition from virtually all government agencies. A key provision authorizes persons to file a complaint in a Federal District

Court to force a government agency to produce information, and authorizes the courts to punish officials if they did not comply.

Exempted from this are such information as medical reports, the agencies' internal rules and regulations, trade secrets and foreign policy and national defense information that has been classified secret by executive order.

It is the foreign policy and national defense category that now apparently disturbs President Ford and the government departments. One of the 17 new amendments to the bill calls for judicial review of classified foreign policy and national defense information before it can be withheld.

That is, under the agreement amendment, a petitioner can ask that a Federal judge privately review classified information being sought and rule on whether the information should in fact be classified and withheld, or whether it should be made public. In criminal cases Federal judges already have that right, and often declassify

"secret" or "top secret" information.

Despite the fact that Federal judges have this right in criminal cases, the President said in his veto message that he objected to the courts' being permitted to make what amounts to "the initial classification decision in sensitive and complex areas where they have no expertise."

The President called the present bill "unconstitutional and unworkable," but he said it had "laudable goals" and that he hoped Congress would enact in the next session his own proposals.

The President is also said to object to three other amendments. One of them awards court costs to persons who bring suit to force an agency to reveal information.

The objection is that the court costs should be granted only to those who need them. The government departments also object to the disciplinary measures to be taken against officials who illegally withhold information.

There is also objection by the White House to the time limits proposed under which an agency or department must respond for requests for information.

## Time Limits Set

The amendments give the agency or department 10 working days to decide whether or not they will make the requested information available, in most categories, and 20 working days to decide appeals when access to the information sought is to be denied. The White House says that this is not enough time.

Last year the Supreme Court ruled that except in criminal cases, the courts did not have the right to determine whether information classified "secret" or "top secret" had been properly classified.

The court did say, however, that Congress could give the courts that right, and these amendments would, in essence, do precisely that.

A staff member for the House Foreign Operations and Government Information Subcommittee, which helped draw up the amendments, said that a White House aide recently

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asked him, "Who gives a damn except The Washington Post and The New York Times whether he vetoes them?"

The staff member said that he told the White House that on the contrary, a number of press organizations and small newspapers around the country have urged that the President sign the amendments into law.