

Rep. Moss Drops Secrecy Move On Material of Commerce Unit

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WASHINGTON, Aug. 7—After nearly a week of warnings, threats and subpoenas, the sponsor of the Federal Freedom of Information Act has backed away from his demands that a group of regulatory agencies keep secret a vast amount of material compiled for a subcommittee he heads.

Representative John E. Moss, California Democrat who is chairman of a House commerce investigative subcommittee, sent letters to the chairmen of all eight regulatory agencies covered by his subpoenas advising them to consider as they normally would requests from the press and public to see copies of reports they sent to the subcommittee.

At the same time, Mr. Moss assailed a Federal judge who had issued a 10-day restraining order telling the agencies not to obey the subpoenas. Other targets of Mr. Moss's ire were the Justice Department, for contending that the subpoenas may not be valid; the regulatory agencies, for not supporting his position, and two colleagues, who also expressed doubts as to the validity of the subpoenas.

District Judge William D. Bryant yesterday ordered the agencies to hold off for 10 days—or until he could decide the case—fulfilling the demand

in the subcommittee subpoenas that they send all copies of their reports plus all copies of all working papers to the subcommittee. Further, he told the agencies to stop processing requests for the materials under the Freedom of Information Act until he could rule finally on the matter.

The challenges to the subpoenas had been filed by two trade publications — *Television Digest* and *Product Safety Letter*.

Late yesterday, *The Washington Star*—which had first requested the disputed materials from four agencies—also filed suit charging that the subpoenas were invalid and were “not issued for a valid legislative purpose, but rather for the purpose of frustrating the intent of the Freedom of Information Act.”

Toward the end of the day yesterday, Mr. Moss sent letters to the heads of all agencies involved. He said that while he believed the subpoenas were all valid, the agencies were released from complying with them.

He also issued a statement saying that Judge Bryant's action in issuing the restraining order constitutes “judicial intrusion into the constitutional prerogatives of Congress.”