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Press Release - Senator Muskie Decries Administration Deceit; Calls for Reform in Access to Information

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MUSKIE News

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SEN. MUSKIE DECRIES ADMINISTRATION DECEIT; CALLS FOR REFORM IN ACCESS TO INFORMATION

Sen. Edmund S. Muskie (D-Me) has called for reforms in access to government information so that "a free people should not have to wait for the facts until someone steals them from a public office.

"In 1972, we are living with a steady erosion of faith in the government," he said. "The phrasemakers call it a credibility gap. But behind the phrase there is the simple fact that countless citizens no longer believe their leaders. What they do believe is that government lies, and some of them are even convinced that government itself is a lie."

Speaking at a luncheon at the Tiger Bay Club in Tallahassee on Friday (Jan. 7), Sen. Muskie lauded Florida for enactment of its Sunshine Law, urged its adaption at the federal level and committed himself to work for reform of federal laws governing access and disclosure. He called for five initial reforms within regulatory agencies:

-- No regulatory official should be permitted to meet alone with interested parties or their agents unless the meeting is public, staff members are present, and a public record is issued.

-- All communications to a regulatory agency should be available to the public, with certain exceptions for material like trade secrets.

-- All phone calls to regulatory officials or executive staff from anybody outside the agency -- including other federal officials -- should be noted and described on the public record, again with certain exceptions for material like trade secrets.

-- Every regulatory agency should issue a monthly digest and index of all public records, so reporters and citizens can effectively use their access to official information.

-- Every three to six months, closed files should be reviewed to remove and reveal data which does not warrant continued confidentiality.

Sen. Muskie pointed out that it was not feasible to simply enact the Florida law into federal code, but legislation was needed to carry out the

principles advanced in Florida. After publication of the Pentagon papers, the Democratic presidential candidate introduced his Truth in Government bill that would establish an independent board with the power to open government documents to the Congress and the electorate.

He decried several recent cases of administration duplicity -- the SST controversy, the Amchitka nuclear test, the India-Pakistan War -- in which "we found out that the executive branch was concealing information which said the opposite" of what the people were being told.

"In foreign and domestic policy, in our states, our localities and the country, we must now decide whether we will have government in secret or government in the sunshine," Sen. Muskie said. "It is not enough just to change the president -- though a president who is not trusted cannot lead. It is also vital to change the system which has allowed presidents and others to escape the check of disclosure and debate."

He added that "no one wants to play fast and loose with national security or pry into the criminal investigation of another citizen who has not been indicted and may be innocent. No one wants to invade discussions where essential public business would be undermined and the country would suffer if everything was instantly a matter of public record. (But) such exceptions must be carefully defined and limited to a minimum. And what cannot be revealed immediately must be revealed if and when the reason for privacy no longer exists."

He said "the question is whether government truly does belong to the people. Will we continue to accept a situation in which more than 100 Americans with incomes of more than \$200,000 paid no income taxes last year?

"Will we continue to accept an economic policy which tries to create jobs with an \$80 billion tax break to big business, while property taxes are literally forcing older Americans out of their homes?

"Will we continue to accept priorities which spend more of our wealth on a month of war in Vietnam than on a year of research to cure cancer?

"In a free society, the people have the right to know and to decide," Sen. Muskie said. "Most vital choices can be made in public view. That may not be easy. But it is perhaps the definition of liberty in a nation that is willing to do things the hard way."

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