

sloppy reporting, slanted news coverage and unfair editorials with the same type of annual awards as are given for good professional work. I am indebted to columnist Jimmy Breslin for the suggestion that for every Pulitzer Prize, there might be an award for "the lousiest story of the year." The press is too important to the goal of restoring the faith of Americans in their country to be allowed immunity from the same sort of self-improvement so obviously necessary in the traditional three branches of government.

Above all, I hope the press will ever more vigorously demand and force the truth from reluctant politicians and institutions. To protect private sources of news is one thing; to protect "official" governmental sources by accepting the "backgrounder" is close to prostitution.

When Assistant Secretary of Defense Arthur Sylvester urged the right of government to lie, he gave as one of his reasons the failure of the press to insist on getting at the truth—what he called the predilection of reporters to "get it written rather than get it right," to accept the press handout rather than independently dig behind that handout, to indulge in prognostication and speculation rather than to report the facts.

The legacy of John Peter Zenger imposes almost a constitutional duty on a free press as the necessary fourth branch of government. That duty is simply to seek and report the truth—to require that the consent of the governed be and remain an *informed* consent. As my friend George Murphy, the noted San Francisco *Chronicle* reporter, has said, "A public journal is a public trust."

If truth is the basis of our national faith, then the press is the most important profession in America. That "government lying is no longer news" is a tragic betrayal of the most solemn duty of a free press.

News Management and the Attack on the Press

IT LONG HAS BEEN KNOWN that it is in the nature of government, both Democrat and Republican, to try to influence or "manage" the news in various ways. As Chief Justice Delancey had said before the jury overruled him in the Zenger trial, "It is necessary for all governments that the people should have a good opinion of it." Recent occupants of the White House have added the muscle of government printing offices to achieve this "good opinion."

Regular White House correspondents know that those reporters who are more cooperative than menacing are more likely to receive private "backgrounder" briefings for selective releasing of information. "High Administration officials" are quoted, but only on condition that their names not be revealed. This serves the Administration's purposes well—the Administration officials cannot later be named if the information is proven erroneous. It permits official balloons to be floated and official policies shined up and presented in a sparkling manner. Most importantly, the reporter has had to prostitute his profession and its obligation under the First Amendment in order to be one of those privileged to obtain news which only the government can choose to release.

Reporters know, too, that Presidential press secretaries

are not above planting friendly questions with cooperative writers, and that, conversely, journalists who might embarrass the President with tough or unwanted questions may have difficulty in getting recognized during the carefully planned and meticulously orchestrated televised press conferences now in vogue. How many stories are written, however, blowing the whistle on those pressures and intrigues that surely many members of the capital press corps have witnessed if not experienced at first hand?

One would think the Administration would not need to work so diligently at news management, since it has its own corps of experienced public-relations men working under White House direction to portray Presidential actions in the best possible light. In January 1971, at the end of the first two years of the Nixon Administration, this public-relations team issued a brochure entitled *The Nixon Administration's First Two Years: "Balance, Direction and Forward Thrust."* In glowing terms, the brochure described the success of the President's "economic game plan":

Again and again, he prodded a reluctant Congress to share his zeal for reducing expenditures. . . . By late 1969 it was clear that the sharply increasing momentum of inflation had been arrested and, by mid-1970, the rate of inflation was moving downward. . . . Other economic indicators revealed that future reductions in the cost of living could be anticipated. . . .

The only difficulty with this masterpiece of self-adulation was that before the ink was dry on its praise of fiscal restraint, the President had changed his economic policy 180 degrees. From cutting federal expenditures, he now proposed to Congress in early 1971 the first of his bold new economic plans, which included an \$11-billion *deficit* bud-

get and "six great new revolutionary goals"—revenue sharing, welfare reform, ending inflation, expanding the economy, transition to a peacetime economy, and long-term economic health.

Six months later, in July 1971, we were treated to a second PR publication from the White House's special staff, this one entitled *Thirty Months—the Nixon Record* and featuring prominently "the six great goals of January, 1971—their programs and progress." No sooner was *that* ink dry than the President had again completely reversed direction, by ordering that the first two of these six goals, revenue sharing and welfare reform be deferred—tacitly admitting that his prior hands-off economic policy had been a disaster. That silent admission did not exactly jibe with the language used in the *Thirty Months* report:

President Nixon moved into his third year in office deploying "energy in the executive" more creatively and tellingly than ever. Now, as his administration passes its 30-month mark, the achievements built in the first half of 1971 on the foundation laid in 1969 and 1970 have established these last six months as the President's most productive period to date.

These words are worthy of note because they demonstrate so tellingly that the government of the United States not only has been willing to conceal information from its people but is now using the vast capacity of governmental publishing facilities for the purpose of praising government itself. If the press has a duty to seek the truth and to criticize government, this duty becomes even more crucial to the preservation of our system when government becomes engaged in painting a happy picture of its successes at every opportunity.

A typical example of governmental news management arose in March 1971 (shortly after the aforementioned *Balance, Direction and Forward Thrust* brochure was published), when the Nixon Administration was anxious to convince a worried public that "the sharply increasing momentum of inflation had been arrested" and that "future reductions in the cost of living could be anticipated." Unemployment was also a key matter of concern.

For eighteen years, the Bureau of Labor Statistics (BLS) of the Department of Labor had held monthly technical briefings to advise the public of the monthly statistics on the Consumer Price Index and the bureau's interpretation of those statistics. Both the statistics and their interpretation were presented by career civil servants—men who were presumably neither subject to political influence nor willing to shade their statements for political impact. The Consumer Price Index had become a basis for contractual commitments and for automatic wage increases; the unemployment figures released by the bureau each month were likewise an indicator of significance to business and labor as well as government.

By February 1971, however, in the words of a congressional-committee report, Nixon Administration officials

had become increasingly embarrassed over the obvious contrasts between their political statements on the economy and the harsh truth as conveyed monthly by the BLS statistics. On the very day that a 0.2 percent drop in the jobless rate in January was being described by a career BLS economist as being "marginally significant" at the regular press briefing, the Secretary of Labor was enthusiastically hailing its economic significance at a White House press conference.

It was therefore understandable perhaps that the Department of Labor announced, on March 19, 1971, the discontinuance of the monthly BLS briefings, effective forthwith. After eighteen years of these briefings, the Secretary of Labor had reached the conclusion that the following reasons required their termination: (1) "speed," (2) "consistency with releases of other indices in the Federal agencies" and (3) "to avoid any awkwardness that can occur and has occasionally occurred to our professional staff from having to respond to inquiries that call for a policy response."

Secretary of Labor James D. Hodgson was thus free to take center stage at a White House press conference held that same day, giving the *only* interpretation of Consumer Price Index figures. The first few comments in the official transcript of that March 19 press conference, issued by the office of White House press secretary Ronald L. Ziegler, are illuminating.

MR. ZIEGLER: The Consumer Price Index, which you may have seen on the wire, increased only two-tenths of one percent in February, both seasonally adjusted and unadjusted. This is encouraging news. Secretary Hodgson is here to discuss this with you.

SECRETARY HODGSON: Well, this is good news. I guess it would be nice if that CPI figure could read zero, but after years of increases in the five-tenths to six-tenths percent range in the monthly figures, however, the two-tenths and three-tenths figures of the last couple of months really don't look all that bad. So you can't really say that this looks anything but encouraging.

There are a couple of elements in it, particularly, I think, that are worth our attention. The price of commodities other than food, seasonally adjusted, actually de-

clined in the month, and this is the first time that that has happened since 1965, in July of 1965.

The two-tenths percent rise in the overall index is the smallest, also, since last July and August. So there are a couple of features that we do have to consider quite encouraging.

This particular ploy in governmental news management did not go unnoticed by the press. The *Christian Science Monitor* said: "The public's right to know has been seriously breached in Washington and the situation should be corrected." The *Monitor* said also:

This is not the first time that White House interpretation of economic data varied with that of the career experts who gather and analyze the figures. It appears to be no coincidence that one month later, on the release date of the latest consumer price index figures, a decision was announced that such BLS briefings were to be discontinued.

The *Chicago Sun-Times* said:

The reasons are obvious. In recent months, some of the analyses and pronouncements by BLS experts have been at variance with Administration efforts to pollyannize statistics. . . . [It] provides another insult to the intelligence of the American citizenry and further widens the credibility gap.

The *Washington Daily News* said that the abolishment of the briefings "will tend to make the statistics less meaningful and more suspect in the public mind. Nobody gains from this, and the public will be the loser."

The public has indeed been the loser. One more source of truth has been suppressed in favor of politically beneficial and self-serving expression of opinion by the representatives of government.

My own subcommittee of Congress on Government Information scheduled hearings on the question, but Secretary of Labor Hodgson repeatedly declined to appear to testify and be cross-examined on the true reasons for the termination of the BLS briefings. The four letters from the Secretary to the subcommittee chairman explaining his inability, and finally his unwillingness, to personally testify over a period of five months reflect still another dismal example of how the truth is either concealed or shaded to serve political expediency.

Secretary Hodgson wrote to Chairman William S. Moorhead on April 20, 1971:

Dear Mr. Chairman:

I am responding to your letters of April 13 and 16 with reference to testimony by an official of the Department of Labor before the Foreign Operations and Government Information Subcommittee on discontinuance of monthly press briefings on the consumer price index and employment situation.

In your letter of April 13 a request was made that either I or a designee intimately familiar with the suspension decision appear to discuss the matters before the Subcommittee. Subsequently Mr. Norman Cornish of your staff was advised by telephone that I had designated as Department of Labor witness Dr. Geoffrey Moore, Commissioner of Labor Statistics, accompanied by Mr. Harold Goldstein, Assistant Commissioner for Manpower and Employment Statistics, Mr. Joel Popkin, Assistant Commissioner for Prices and Living Conditions, and Mr. Her-

bert Morton, Director, Office of Publications, Bureau of Labor Statistics.

Your letter of April 16 expressed the opinion that Commissioner Moore lacked first-hand knowledge of some of the key points in which the Subcommittee is interested. I am constrained to reply that Commissioner Moore possesses complete familiarity with both the technical subject matter under Subcommittee consideration and with the reasons which led to the decision to suspend.

I am sure you will find that Commissioner Moore and his associates are fully capable of responding to all inquiries directed by the Subcommittee.

On June 9, he wrote:

Dear Mr. Chairman:

I am replying to your request of May 28, 1971 that I testify before the Foreign Operations and Government Information Subcommittee on discontinuance of monthly press briefings on the consumer price index and employment statistics.

During his appearance before the Subcommittee on April 22, 1971, Dr. Geoffrey Moore, Commissioner of Labor Statistics, and Assistant Commissioners Goldstein and Popkin replied under oath to questions concerning the rationale of press briefings discontinuance and technical aspects of compilation and publication of price and employment statistics.

If, however, the Subcommittee still has specific questions relating to areas not fully covered by Commissioner Moore I will be pleased to receive them and will give as complete replies as I can so that the Subcommittee will be in possession of additional information needed to complete the hearings record.

On June 18:

Dear Mr. Chairman:

I am writing in further response to your letters of May 28 and June 4 in which you request that I appear as a witness before the Foreign Operations and Government Information Subcommittee to testify on discontinuance of monthly press briefings on the consumer price index and employment statistics.

In your most recent letter you suggest certain dates on which I might appear personally before the Subcommittee to respond to questions. I have read with care my letter of June 9 but fail to find within it any statement indicating a desire on my part to make a personal appearance before the Subcommittee.

In fact what I did convey in that letter was a willingness to respond in writing to any specific questions still unanswered.

I trust this form of procedure will meet with your agreement and enable us to hasten to completion the record of the hearings.

On August 13:

Dear Mr. Chairman:

On March 19, 1971 I announced that the Consumer Price Index would be released without a press briefing. This action was taken to permit earlier release of the data by reducing time needed for the scheduling and preparation of news conferences, and so avoid the awkwardness of subjecting the professional staff of the Bureau of Labor Statistics to questions with policy implications.

Professional staff members of the Bureau of Labor Statistics have been available by telephone to answer questions

posed by newsmen, and the Commissioner of Labor Statistics and his staff assistants have responded to requests for information from Congress by testifying before the Subcommittee on Foreign Operations and Government Information and the Joint Economic Committee.

A major improvement has been made in the employment release—the addition of 22 charts produced by computer to illustrate the key points in the statistical story. Plans are under way to produce charts by computer for the consumer price release.

Additional details on price changes measured over three-month and six-month periods have been added to the consumer price release in order to provide newsmen with greater perspective on price movements.

In summary, it appears to me that both the quality and quantity of information supplied to Congress and the public have been fully maintained, and additional supplementary information supplied.

These letters tell a sad story. Yet they are fairly typical of the contempt with which the executive branch currently treats congressional requests for information. Like Attorney General Mitchell's refusal to testify before the House judiciary subcommittee on the Mississippi voting-registrar issue, other top Administration officials refuse to appear when political gain and truth are in conflict.

The service performed by the press in bringing the truth into focus on the repression of the BLS was best illustrated in a subsequent United Press International article by Norman Kempster which appeared in *The Washington Star* on July 7, 1971:

President Nixon is angry at a government statistical agency for telling the public a sharp drop in the unem-

ployment rate last month did not mark as much improvement in the economy as it may have appeared.

The dip in the jobless rate, from 6.2 per cent in May to 5.6 per cent in June, was just the sort of news Nixon had been hoping for to document claims of success for his economic policies.

But in its official announcement of the figures, the Bureau of Labor Statistics took much of the bloom off the report.

These declines may be somewhat overstated because of the seasonal adjustment procedures and because more young workers than usual were still in school during the survey week, the BLS explained.

The release also contained a 200-word description of the pitfalls contained in the report. In short, the BLS said some of the reduction was due to an improvement in the economic situation but some of it was the result of a statistical quirk.

Administration sources say Nixon was furious. But other sources said the President did not reprimand BLS officials directly. The word did drift back to the agency later, however.

White House officials also told some newsmen they considered unfair those stories which emphasized the statistical problems outlined by the BLS.

Some government economists outside the Labor Department who usually answer newsmen's questions about most economic developments said they were unable to talk about the unemployment figures. Asked if they had been told by the White House to remain silent, they said they were unable to talk about that either.

Labor Secretary James D. Hodgson did talk about the figures, however. Hodgson told a White House news conference at the time that the report showed a marked im-

provement. He predicted the unemployment rate would continue to fall for the rest of the year.

By way of footnote: The unemployment rate jumped again in July. The President was finally moved in August to impose a wage and price freeze and to thereby tacitly admit the failure of those rosy economic forecasts which had occasioned all the furor over the BLS briefings in the first place. As of the date this is written, however, the briefings have not been reinstated and the Secretary of Labor has continued his refusal to appear before Congress to explain why.

The news coverage of this particular case where truth was the loser stands as an example of what should be the constant and continuing duty of the press. Concealment, deception and news management—these all require critical and penetrating coverage by the press under our system of government. There is a fourth great inhibition against truth, however, which has been initiated by the current Administration and by Vice-President Agnew in particular. That is the attack on the news media by government itself. This Administration bristles when the press criticizes government, and it responds in kind.

The government should be the last to claim “clean hands,” as Vice-President Agnew implied when he vigorously attacked CBS-TV for its documentary “The Selling of the Pentagon.” Not once in his speech did the Vice-President claim that any fact in the documentary was distorted or that the scenes presented were inaccurate. He just didn’t like it.

When the government attacks a medium which is licensed by government, it can only be considered as a thinly veiled threat of retribution for antigovernment commentary. This, of course, directly attacks the very basis of a free press, the

right to vigorously scrutinize and criticize government itself—an essential aspect of the limitation of powers of government.

Time and time again in recent months we have had government spokesmen come forward to claim that the press is “distorting” the news.

At a briefing in the spring of 1971 for various Congressmen and visiting members of the Navy League, the following dialogue occurred between Admiral Zumwalt, Chief of Naval Operations, and myself, following the Admiral’s succinct and persuasive description of the Navy’s need for substantial additional budgetary allocations to meet growing Soviet naval strength. The Admiral had suggested that Congress should fund both an increased naval construction budget and the indefinite continuation of the Vietnam War.

MR. McCLOSKEY: Is a viable government in South Vietnam more important than properly equipping our Navy to continue to match the Soviet naval strength?

ADM. ZUMWALT: We need both of these and we must continue to convince the people of the United States of this.

MR. McCLOSKEY: If 70 percent of our people believe that all troops should be withdrawn by December 31, 1971, how are we to convince our people to support your idea?

ADM. ZUMWALT: It is necessary to convince the American people that the news which they hear is distorted. General Abrams is never one to “tweak a fact,” and it is necessary for us to convince the American people that the news coverage is distorted.

MR. McCLOSKEY: If 70 percent of the people believe that we can’t believe what the White House is saying, how do we do that?

ADM. ZUMWALT: It is necessary for all of us to "ping" our constituencies that the news coverage is distorted.

The Admiral's repetition of the charge of distortion of the news leaves no doubt as to his sincerity. The news media may indeed be guilty of distorting the news of the war in Southeast Asia. But what part in such distortion has been played by the Navy itself? If, as quoted in a news story cited in Chapter 10, "The pilots who fly the raids . . . from carriers in the Gulf of Tonkin are under instructions not to discuss the details of their missions," is there not some danger that when reporters do gain access to information that the Navy seeks to withhold there will be some inevitable distortion in its release? If the government is willing to conceal and deceive, and then attempt to manage in a way favorable to government policy what news *is* released, is not any distortion directly attributable to the government itself?

Consider the South Vietnamese invasion of Laos in early 1971. Top American military officials proclaimed the invasion, Lam Son 719, as a great victory—proof of the success of the Administration's "Vietnamization" policy. South Vietnamese troops had fought with great valor, inflicting a major defeat on a numerically superior enemy in his own terrain. Secretary of Defense Laird proudly displayed a piece of pipeline presumably ripped from alongside the Ho Chi Minh Trail by the victorious South Vietnamese.

There was one vague doubt. For some reason American reporters had been denied their usual privilege to accompany the American pilots who furnished air and logistical support.

When American newsmen did the only thing they could do under the circumstances, interview the returning pilots and ground personnel who had watched the South Vietnamese in action, a different picture began to emerge: South Vietnamese troops had broken and fled in panic;

some units had abandoned both their gear and their wounded; there had been occasions when South Vietnamese literally fought one another for available space on returning helicopters; the "orderly withdrawal" was a rout. The picture presented by American reporters had many of the characteristics of a disaster. South Vietnamese Vice-President Ky was to use this very word "disaster" in describing Lam Son 719 to a member of my staff in Saigon two months later, and helicopter pilots used the same word in their conversations with another staff person.

How did government spokesmen react to the unfavorable reporting of the South Vietnamese performance? No disaster had occurred. "Distortion," was the claim. "Unfair."

Perhaps. But if so, why weren't American newsmen allowed to make firsthand eyewitness observations in the first place? If our pilots in Laos were not destroying villages, why couldn't they talk about their missions to reporters? If we were not hiring Thai mercenaries to fight in Laos, why couldn't American congressmen visit the base at Long Tieng where the Thais were allegedly fighting? Wherever there is government secrecy and deception, the danger of news-media distortion exists.

When Congressman Waldie and I visited Laos in April 1971, we were told by Premier Souvanna Phouma in the presence of Ambassador Godley that no Thai troops were fighting in Laos. The Ambassador refused our request to visit Long Tieng where we had received reports Thais were engaged. Five months later, the Ambassador permitted the Administration's favored newsmen, columnists Evans and Novak, not only to visit Long Tieng but also to report that "Long Tieng was menaced by the Communist invaders the past two dry seasons, *surviving last winter when volunteer army units arrived from Thailand.*" (Italics added.)

Today the government not only conceals, deceives and

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attempts to cloak itself with self-serving praise—it has now joined an attack on the press for allegedly distorting such news items as may filter through the three screens of deception, concealment and PR news management.

The truth is harder and harder to find and know. Faith in government is proportionately diminished. The nation suffers.

PART VII

THE PEOPLE
