

# William S. Cohen Papers Forum 2010

## The Promise and Problems of Transparency

The following pages include copies of items found in the William S. Cohen Papers. These documents were identified as being related to the topic of the 2010 forum event, transparency and open government.

For more information about the context for these documents in the collection, contact the Cohen archivist, Raymond H. Fogler Library, Special Collections Department, University of Maine, [spc@umit.maine.edu](mailto:spc@umit.maine.edu), 207.581.2665.

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# bill cohen

## FROM CONGRESS

## NEWS

Call 202-225-6306 1223 Longworth H.O.B. Washington, D. C. 20515

FOR IMMEDIATE RELEASE

MAILED WEDNESDAY, MAY 15, 1974

CONTACT: DICK FALLOW

COHEN CALLS FOR OPEN HEARINGS IN NEAR FUTURE

WASHINGTON, D.C. -- Congressman Bill Cohen (R-Maine) said today that the House Judiciary Committee should open its deliberations to the public "as soon as we have completed consideration of the grand jury material."

"The deliberations of this Committee, and the evidence it hears, rightly concern all Americans," Cohen said. "If they are to be satisfied that we have done our job fairly and conscientiously, they must be allowed to see the evidence and scrutinize the process by which the Committee evaluates it."

"I firmly believe that the Committee should open its sessions as soon as the grand jury material has been presented."

The Committee is meeting in closed session this week to consider the evidence taken by the Watergate grand jury that indicted seven former officials of the Nixon White House and campaign staffs. That grand jury submitted to the Judiciary Committee a record of the testimony it heard.

While calling for open hearings through most of the impeachment inquiry, Cohen reaffirmed his belief that the grand jury materials should be presented behind closed doors.

"Under our system of law and legal ethics, testimony taken by a grand jury is and must be kept secret," Cohen said. "In receiving the grand jury report, the Committee represented to the court that it would not release its confidential materials to the public. For us to release them at this time would represent a breach of faith with the court."

Cohen also said that releasing the grand jury report and the evidence on which it was based might prejudice the cases of those indicted by the grand jury.

"If the evidence were released, the accusations included in it would inevitably seep into the public mind and make it very difficult for the accused to get a fair trial," Cohen said.

*Watergate*



# bill cohen

## FROM CONGRESS

## NEWS

Call 202-225-6306

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Washington, D. C. 20515

FOR IMMEDIATE RELEASE

TUESDAY, APRIL 29, 1975

CONTACT: TOM BRIGHT

COHEN CALLS FOR OPEN CAUCUSES

WASHINGTON, D.C. - Congressman Bill Cohen (R-Maine) today called upon Congressional Democrats to follow the lead of Republicans in "opening up party deliberations to the light of public scrutiny."

The House Republican Conference in a meeting this morning voted to open all its regular meetings to the press and public. Cohen has long advocated such a move which, he said, was "in the interest of both the party and the people."

Noting that the House Democratic Caucus meets in closed sessions, Cohen urged his Democratic colleagues to "join the Republicans in our continuing efforts to lift the veil of secrecy from governmental and political functions."

"Democrats in Congress style themselves reformers, yet while we Republicans have opened up our party conferences, the Democratic Caucus still meets and votes in secret," Cohen said.

"If we in government are ever to repair the damage of Watergate and restore the confidence of our people in their elected leaders, both parties must be willing to operate in the open, whether in Congressional party caucuses or at their national conventions," he added.

"Today, House Republicans demonstrated firm faith in open government. It is time for the Democrats to follow suit," Cohen said.

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# bill cohen

## FROM CONGRESS

## NEWS

Call 202-225-6306

412 Cannon H.O.B.

Washington, D. C. 20515

FOR IMMEDIATE RELEASE

TUESDAY, MAY 6, 1975

CONTACT: TOM BRIGHT

COHEN 'DISTRESSED' BY REPORTS OF CENSORSHIP

WASHINGTON, D.C. - Congressman Bill Cohen (R-Maine) said today he was

"extremely distressed" over reports that U.S. government officials have censored news broadcasts of the Voice of America (VOA), the radio operation of the United States Information Agency.

In a letter to USIA Director James Keough released by Cohen's Washington office, the Second District Congressman cited recent newspaper reports that VOA correspondents in foreign capitals have had to clear their news copy through American ambassadors prior to the broadcast.

"Though a government-controlled broadcasting operation," Cohen said, "Voice of America has maintained an outstanding record in providing overseas listeners with the truth, not with U.S. government propaganda. We do not need to stoop to the level of the propagandists of other nations."

In his letter, Cohen urged Keough to take "positive steps to insure that censorship does not destroy the credibility of Voice of America with its listening audience around the world."

The Maine lawmaker said that Voice of America failed to give prompt, accurate coverage of recent events in Southeast Asia. He noted that the state-controlled media in Yugoslavia, for example, carried reports of the fall of Danang 24 hours before Voice of America.

"Admittedly, the collapse of South Vietnam and Cambodia were major embarrassments to the United States," Cohen said. "But Voice of America, as a supplier of complete, uncensored information, cannot color its reports to suit temporary political expediency."

Cohen referred to a report issued by a private panel headed by Frank Stanton, chairman of the American Red Cross and former president of CBS. The report recommends establishment of VOA as an independent agency, with a mandate to broadcast complete, unbiased news while providing State Department representatives the opportunity to explain official U.S. foreign policy in separate segments.

"Such an approach bears consideration," Cohen wrote Keough. "But it is my conviction that further legislation to this effect should not be necessary. Our free and open government, unlike those of authoritarian states, is secure enough to trust the truth."

WILLIAM S. COHEN -- November 1, 1977

1977 Financial Disclosure Statement

ASSETS

Property, McLean, Virginia  
Undeveloped property, Buckfield, Maine  
Automobile A  
Automobile B  
Savings  
Household furnishings  
Cash value, life insurance  
Stocks  
Bonds

Historical cost

Estimated market valu

\$81,750.00	\$92,560.00
47,200.00	50,000.00
3,000.00	4,325.00
5,000.00	2,000.00

<del>3,000.00</del>	<del>3,000.00</del>
<del>7,000.00</del>	<del>7,000.00</del>
<del>5,793.40</del>	<del>5,793.40</del>
<del>0.</del>	<del>0.</del>
<del>0.</del>	<del>0.</del>
	164,678.40

LOANS & LIABILITIES

Unpaid balance, mortgage, McLean property  
Unpaid balance, mortgage, Buckfield property  
Loan, Merchants National Bank  
Loans on insurance policies

57,420.54
34,030.81
1,000.00
3,090.98
<u>95,542.33</u>

~~\$164,678.40 (assets)~~  
~~95,542.33 (loans & liabilities)~~  
\$69,136.07 (net worth based on market value of property)  
\$ 57,201.07 (net worth based on historical cost of property)

~~based on cost~~  
~~13,610~~  
~~net worth~~  
~~\$ 55,526.07~~  
~~\$2,743.40~~



MR. COHEN. Mr. Speaker, ~~as I have done in each of my terms in Congress, I am today making public a summary of my net worth.~~

I have always felt that I have a responsibility to reveal to my constituents the extent of my financial holdings. I do this not because my assets are so great as to require explanation, but rather to reassure the people I represent that I have been <sup>faithful to</sup> keeping the trust they have placed in me as their Congressman.

The figures below ~~represent a full and accurate assessment of~~ <sup>represent</sup> the holdings of both me and my wife, Diane. In the

past, I have calculated my real estate equity by subtracting the balance on my mortgages from the historical cost (purchase price) of the property. This year, on advice of <sup>my</sup> an accountant, I have included both the historical cost and the estimated fair market value of the property in my statement.

Using the market value, as I have, yields a net worth somewhat higher than ~~the historical cost figures would show.~~ But, since the market value ~~figures~~ provides a more up-to-date and ~~comprehensive~~ assessment of net worth, I have relied upon ~~these~~ these figures in calculating my net worth at \$69,136.07. ~~figures~~

Bill -  
I think we should  
do this before  
Congress quits,  
i.e. this week -  
+ in

FINANCIAL DISCLOSURE  
STATEMENT

HON. WILLIAM S. COHEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 29, 1976

Mr. COHEN. Mr. Speaker, this year, as I have in the past, I am making public a summary of my net worth.

While the figures listed below do not necessarily testify to my financial acumen, they do reflect my belief that the public is entitled to know the financial holdings of those individuals in whom it has invested its trust. This knowledge can help the public determine if that trust has been violated by the voting behavior of the officeholder. In

my view, one of the most effective ways to protect the public interest is to make public one's private interests. With that thought in mind, I am inserting in the RECORD the following list of my assets and liabilities:

WILLIAM S. COHEN—JULY 29, 1976

Assets:

Real estate—Equity	\$34,681
Personal Savings	4,900
Cash value on life insurance	1,880
Stocks	none
Bonds	none
Household furnishings	3,000
Automobiles (2)	6,500

Total 50,961

Liabilities:

Loans outstanding	2,000
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Net worth 48,961

**News from**

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# Senator Bill Cohen

322 Hart Building  
Washington, D.C. 20510  
202-224-2523

**of Maine**

WEEKLY COLUMN

FOR THE WEEK OF NOVEMBER 26, 1984

## FREEDOM OF THE PRESS VERSUS NATIONAL SECURITY: A NEED TO BALANCE

Imagine that you are lunching with a friend. You possess information which you believe your friend is entitled to be aware of, yet you also know that the information is potentially harmful and even dangerous to your friend. You are torn by the seemingly irreconcilable goals of wanting to provide information to your friend but not wanting to harm him in any way.

Roughly stated, this same dilemma is faced on a larger scale by the news media and the government. One of the most complex ethical issues a free society can face is how to protect the government's need for secrecy and discretion in certain areas without trampling on the rights granted to the press under the Constitution.

These questions help to underscore the complexity of these issues:

-- Should the press be allowed at all times to report the information it has to the public, without regard to the possible consequences of making that information public?

-- When does the government have the right to withhold information from the press and, therefore, the public?

-- Can the government and the press trust each other to agree upon a mutual accord to deal with these questions?

These very questions were brought to national attention last year with the U.S. invasion of Grenada. During the invasion, the military barred the media from the island for the first two days of combat and the members of the media immediately accused the government of violating their constitutional rights.

-MORE-



As a result of the controversy, the Pentagon formed a panel chaired by retired Army Major General Winant Sidle to make recommendations on military-media relations. The report of the panel, composed of military and retired media representatives, was made public in August and established a media pool to accompany U.S. troops into combat.

While the Pentagon has made allowances to include the media, military officials are quick to point out that mission security and troop safety remain their primary goals.

Government officials and press members also differ over the extent of news coverage of the Central Intelligence Agency. The differences have centered around the question of identifying CIA agents.

Two years ago, Congress passed legislation that punishes those who identify and expose covert agents. Many journalists and civil libertarians believe that the law represents a threat to the First Amendment and to the principles of legitimate journalism. They contend that the law eliminates the right of the public to know about illegal or questionable intelligence activities.

Yet, the government must protect the security interests of the U.S. and of those individuals who serve the country at great risk and personal sacrifice. Our security depends in large measure on the effectiveness of intelligence missions abroad and that security includes protecting the identity of CIA agents.

The question remains: Where is the line drawn between freedom of the press and national security?

As a member of the Senate Armed Services Committee and Senate Select Committee on Intelligence, I have been asked to join a panel of distinguished political and journalistic figures at a conference this week to probe how the press covers military affairs. Other panelists include: James Schlesinger, former Secretary of Defense; John Chancellor, NBC news commentator; Theodore H. White, author and historian; Ted Szulc, noted foreign affairs analyst; General Brent Scowcroft, former National Security Advisor to President Ford.

We will be asked to examine a variety of hypothetical case studies and to discuss the proper balance between the need for security in military

operations and the right of the public to be informed. This opportunity will bring a number of important government-press issues out in the open and will allow for an honest discussion of the needs and priorities of both groups.

No doubt, the struggle to balance the freedom of the press with national security interests will continue far into the future. Yet in my view, we as Americans can live with this struggle. As citizens of a democracy, we have the freedom to debate the meaning of our fundamental rights and liberties.

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Nov. 14-20

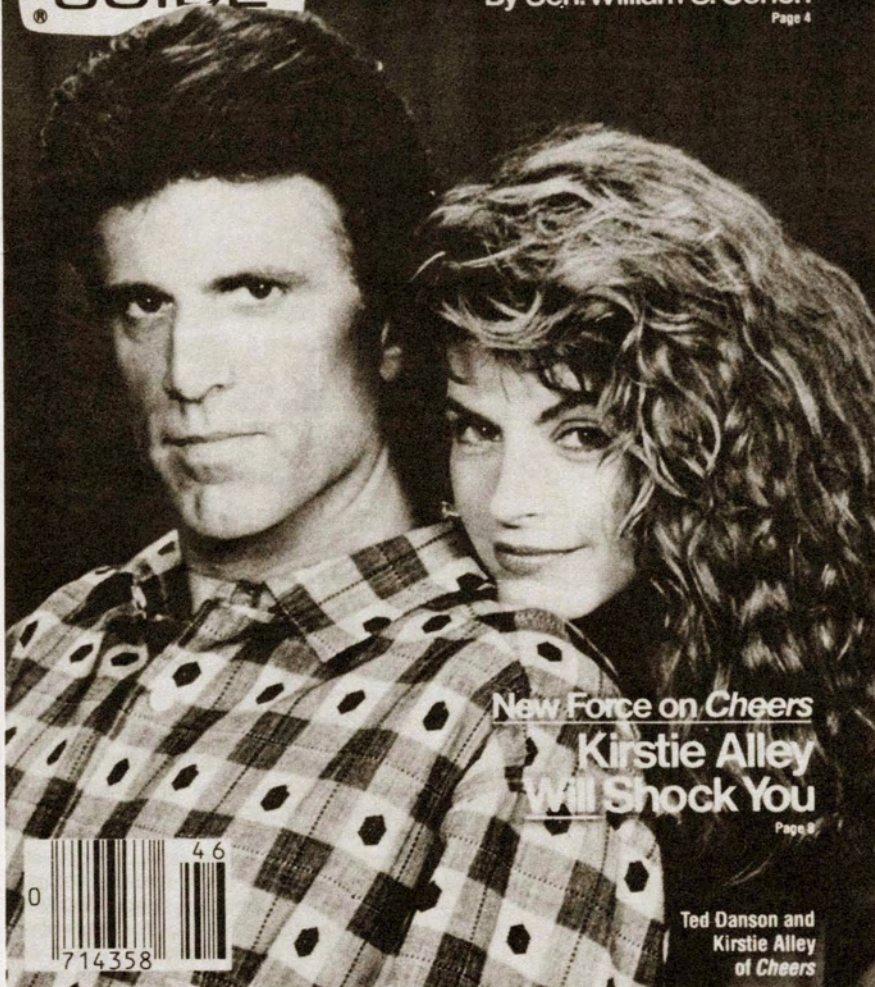
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# When TV News Should—and Shouldn't —Reveal Government Secrets

By Sen. William S. Cohen

Page 4



New Force on Cheers

## Kirstie Alley Will Shock You

Page 8

Ted Danson and  
Kirstie Alley  
of *Cheers*



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# WHEN TV NEWS SHOULD—AND SHOULDN'T— REVEAL GOVERNMENT SECRETS

A member of the Senate Select Committee on Intelligence offers his views in this sensitive area of public concern

By Sen. William S. Cohen (R-Maine)

The phrases "freedom of the press" and "the public's right to know" are talismanic. We rub them daily to define our values, to lift us above dictatorships, even above the small throng of other democracies, pointing with pride at the immeasurable value we place upon our freedom

of expression. But are there limits to our insatiable appetite for information? Do the American people have the right to know everything?

Many members of the press see their duty in absolute terms. Since Government action is based upon the consent of the governed, they reason, consent is meaningless unless it is *informed* consent. Therefore, it is argued, information available to elected officials should be disseminated to the public so it can determine whether the Government's action is one of wisdom or folly.

John Berkeley





The problem with this reasoning

is that it insists the First Amendment be painted in bold, primary colors. The Supreme Court, however, has consistently reminded us that there is a great deal of gray mixed in with the red, white and blue of the Bill of Rights.

The burden of weighing competing interests is also imposed when the public's right to know rubs up against the Government's occasional need to maintain secrecy. Surely, the general public should know how its elected officials staple together a budget or sift tax legislation through the mesh of competing interests. But what if the U.S. contemplates an air strike against a terrorist training camp or undertakes a daring rescue of American schoolchildren held captive on an island or a hijacked airplane? Are there larger interests involved in the exercise of the First Amendment? Can the need for national secrecy or security outweigh the need to be notified?

In such a dilemma, as with many delicately balanced constitutional issues, the answer has to be: it depends.

What if war has not been declared, but something less than peace prevails? What if we are about to launch that strike against the terrorist camp? Should the television networks provide live coverage of the flight path of our aircraft? As a general rule, when tactical surprise is imperative for the success of the mission and the safety of the men and women involved, then the eyes and ears of the public should remain shielded and sealed from knowledge. Once hostile forces have been engaged, the need to be informed would justifiably emerge.

But, the press might ask, "What if the targets of the mission are satellites of the Soviet Union? Indeed, what if Soviet personnel are killed in the process? Don't the American people have the right to know that their officials may be condemning them to an atomic ash heap?"

These are tough questions, but they presume Government officials are unable or unwilling to take such considerations into account before executing a plan of action. Moreover, they presume that elected officials cannot be trusted to make tough and wise decisions, only misguided or possibly mad ones.

The fact is that while Americans demand that their Government act honestly, we realize that it cannot do everything openly, particularly when it involves sensitive negotiations with other governments, the development of exotic new weapons systems or protecting the American people against hostile military and intelligence activities.

Whenever the freedom of the press bumps up against national security, we need to examine the nature of the public good that would be advanced by secrecy or by disclosure. I do not find the public interest being served by disclosing, for example:

- ☐ The names of our clandestine agents abroad;
- ☐ Our methods of detecting and deciphering the communications of hostile nations;
- ☐ Plans by other nations to assist in the overthrow of a terrorist leader;
- ☐ The movement of ships as a →



prelude to retaliatory action against a hostile nation;

□ The most advanced technology developed by our military.

Last year the press revealed that the National Security Council had designed a disinformation campaign directed at Libyan strongman Muammar Kaddafi, using the media as its conduit. In my judgment, the press was absolutely justified in exposing such a disinformation campaign. First, the Soviet Union is known to traffic in lies. Emulating the Soviets will not help us prevail over them in the marketplace of world opinion.

Second, when—not if—the public discovers that we are spinning a web of lies (even for a desirable end), they will come to distrust us when we are telling the truth. Truth is the cement that holds the faith of the American people. When it cracks or loses its adhesive power, then we are left to float cynically among the debris of democracy.

What if a reporter has acquired access to information and is about to file a story revealing an extraordinarily sensitive covert operation that only a few members of Congress are aware of? Can the Government stop the presses? The answer is maybe. The Supreme Court in the Pentagon Papers case suggested that there may be times when the Government is legally justified in preventing the publication of certain types of information, such as troop movements in time of war. As a general rule, however, it's clear the Government will find more relief from Roloids than it will from the Court.

In May 1983, CBS correspondent David Martin reported that U.S. intelligence had intercepted a series of cables implicating the Iranian government in the bombing of the U.S. Embassy in Beirut that killed 17 Americans. The CIA claimed the report "caused us to lose the manner in which the intercept was made." Martin later agreed that, if the CIA was right, he shouldn't have done the story.

Last year the late William Casey, then director of the CIA, publicly declared

he might seek a criminal complaint against NBC News for its story involving certain signals-intelligence capability—the ability to intercept Soviet communications—possessed by the U.S. Legal action, however, was not instituted because NBC's story didn't spell out the nature of the interception.

Indeed, the press should be skeptical when called upon by the Government to exercise restraint. On too many occasions, we have seen the words "national security" invoked to avoid political embarrassment, partisan motivations and even illegal activities. But that skepticism should not be hardened into a rock wall of unreasonableness.

The press has a duty to the citizenry to act responsibly in reporting on national-security activities. But such responsibility cannot be legislated: it must come from the media themselves, and it must be insisted upon by the American people. In cases where there is doubt whether the national security will be harmed by the disclosure, the Government should be consulted and asked for its advice. In my judgment, in most cases news stories can be broadcast or written in a manner that avoids publication of particularly sensitive details.

Where such accommodations cannot be reached with the Government, and the press is not persuaded that the Government's national-security interest outweighs the public's interest in the information concerned, then I believe the Government ought to be so advised by the press. If the circumstances are so egregious that they would fall under the Supreme Court's test for enjoining publication, the Government would at least have the opportunity to restrain publication and have the matter decided by the courts. With prior consultation, this would be an extremely rare occurrence.

There are no easy solutions to these competing tensions in our constitutional system. Indeed, one thing is clear: other than death, taxes and rush-hour traffic, there are few absolutes to be found in our lives—or our Constitution. (END)

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**News from**

# **Senator Bill Cohen**

322 Hart Building  
Washington, D.C. 20510-1901  
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**of Maine**

February 4, 1993

FOR IMMEDIATE RELEASE

CONTACT: Kathryn Gest

## **COHEN SPONSORS BILL TO STRENGTHEN LOBBYING DISCLOSURE REQUIREMENTS**

WASHINGTON, D.C. -- Stressing the need to restore confidence in government, Senator Bill Cohen, R-Maine, joined today in introducing a new lobbying disclosure bill intended to reduce the public's suspicions about what is happening behind the closed doors of government offices.

Cohen, ranking Republican on the Senate Governmental Affairs Subcommittee on Oversight of Government Management, joined the panel's chairman, Senator Carl Levin, D-Mich., in introducing the measure. Vice President Al Gore also lent his support to the legislation by attending a Capitol Hill news conference with the Senators.

"The three major goals of this legislation are to bring uniformity, simplicity and clarity to a system that can only be characterized as chaotic and counterproductive to our system of government," Cohen said.

"There is widespread agreement that current lobbying laws are riddled with loopholes, unnecessary and burdensome requirements, and that there is little or no enforcement. The failure of these laws to ensure public disclosure of appropriate and useful information about lobbying activities only serves to undermine further the public's confidence in government."

Cohen noted the low esteem in which government officials are held and attributed that in part to the fact that Americans believe "special interests" are manipulating the system to serve their own ends. He cited the popularity of presidential candidate Ross Perot, who effectively articulated the outrage of many Americans who feel

that highly-paid 'hired guns' are gaining access to federal officials in an attempt to improperly influence the decision-making process.

"What the public wants to know is who is doing what on behalf of whom and for how much," Cohen said. "They can't find out under the current system. The bill we are introducing today is intended to fix that."

The Lobby Disclosure Act would replace existing laws with a single, uniform statute covering the paid lobbying of Congress and the Executive Branch on behalf of both domestic and foreign clients.

Its three essential features would:

-- Broaden the coverage of existing disclosure statutes to ensure that all professional lobbyists are registered. The requirements would apply to anyone paid more than \$1,000 in six months by a particular client to make lobbying contacts with either the legislative or executive branch of the federal government. Contacts are defined as communications with members of Congress, their staffs, and high-level Executive Branch or agency officials intended to influence legislation or federal policies.

-- Create a new, more effective and equitable system for administering and enforcing these requirements. The bill would create a new Office of Lobby Registration and Public Disclosure within the Justice Department to administer the law and make a number of improvements, such as computerizing records and making information available to the public.

-- Streamline disclosure requirements to make sure that only meaningful information is disclosed and needless burdens are avoided. Lobbyists would file all of their information in one place, for example, and could use a single form.

"By replacing the ineffective patchwork of current laws with a uniform, simplified statute, this legislation will help ensure that all professional lobbyists are registered and that lobbying activities are fully disclosed. This should go a long way to renewing confidence in government," Cohen said.

###



**News from**

# Senator Bill Cohen

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WEEKLY COLUMN

FEB 17 1993  
FOR THE WEEK OF FEBRUARY 15, 1993

## LOBBYING REFORM: LETTING THE SUN SHINE IN

WASHINGTON, D.C. -- Since ancient times, private citizens have organized in the name of special interests or causes to influence government decisions.

In mid-17th century England, according to William Safire's Political Dictionary, the terms "lobbyist" and "lobbiers" were coined to describe "special pleaders" who gathered in the large public lobby outside of the English House of Commons in hopes of influencing the votes of members of Parliament as they entered the chamber.

Today in Washington, the business of lobbying is carried out mostly by professional "pleaders," who seek meetings with legislative and executive branch officials to influence decisions on often complex issues and advocate a stance on behalf of a particular group of citizens, or sometimes, another country.

But in modern days as well as old, lobbyists have been subject to public suspicion for their potential to unduly influence government decisions. Today, many Americans say they are disillusioned with their government because they believe "special interests" are manipulating the system to serve their own ends. Presidential candidate Ross Perot effectively articulated that outrage when he charged that highly-paid "hired guns" are improperly influencing decision-making in Washington.

People want to know how influence is being exerted on the public business. But to their frustration and mine, they can't find out under the current system of federal laws that govern lobbyists and the public disclosure of their activities.

Each of these statutes imposes a different set of disclosure requirements on a specified group of lobbyists. Some lobbyists may

have to register under two or even three different laws, while others do not register at all. Most executive branch lobbying is not covered by any statute, for example, and even covered lobbying activities are rarely disclosed because there are so many loopholes.

To tighten this patchwork system and make it easier for the public to find out about lobbying activities, I have joined Senator Carl Levin, D-Mich., in introducing the Lobbying Disclosure Act. This bill would replace existing laws with a single, uniform statute covering professional lobbyists who lobby federal officials for both domestic and foreign clients. President Clinton and a bipartisan group of Senators and Representatives have joined in supporting the bill.

This comprehensive reform measure is the product of a series of hearings held in 1991 and 1992 by the Governmental Affairs Subcommittee on Oversight of Government Management, where Senator Levin is chairman and I serve as ranking Republican. The hearings revealed that nearly 10,000 of the 13,500 individuals and organizations listed in last year's book of "Washington Representatives" are not registered. Some of them clearly should have registered but believed they were not required to.

The present lobbying disclosure laws are seriously broken and need to be fixed. The new Lobbying Disclosure Act would redefine lobbying and ensure that all professional lobbyists register through a simple process at a new Office of Lobby Registration and Public Disclosure in the Justice Department. They would be required to disclose the issues they lobby and their clients, their income and expenses, and the executive agencies or congressional committees they contact. The new office would be charged with administering and enforcing the law effectively as well as making information available to the public and press.

The importance of ensuring effective public disclosure of lobbying activities cannot be understated. Taxpayers deserve an answer to the question, "Who is doing what on behalf of whom and for how much?"

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