

# Editors Fearful of Ford's Proposals

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By MARTIN ARNOLD

Some news executives reacted to President Ford's new "secrecy protection" proposal with the concern that it would, if approved by Congress, put newsmen in jeopardy of having to disclose news sources to grand juries and would stop the flow of precisely the kind of information that led to Mr. Ford's current program for reforming intelligence activities.

The basic worry of news executives is that if reporters are forced to reveal their sources of information in particular cases then government officials generally — fearful of losing their jobs or even of facing prosecution—will refuse to disclose confidential information that might be controversial or potentially embarrassing to the Government.

Warren H. Phillips, president of The Wall Street Journal and president of the American Society of Newspaper Editors, asserted that in the risk of forcing news reporters to divulge confidential sources "there is contravention of the First Amendment" guaranteeing freedom of the press.

Charles Morgan, Washington director of the American Civil Liberties Union, said that Mr. Ford's proposals for protecting Government intelligence secrets would put a public official on notice that "the newsman he's talkign to may end up as the prime witness against him" in a court case growing out of the leaked information.

This in turn, news executives said, would have the "chilling" effect of silencing officials and keeping much information from the public, the sort of information published by the New York Times and other publications that led to the Government's own investigation of Central Intelligence Agency activities in this country and abroad.

Larry Jinks, executive editor of The Miami Herald and president of the Associated Press managing editors, commented, "my immediate reaction is that these proposals would have em-

anated from the Nixon Administration, which was anti-press."

President Ford announced Wednesday that he would seek both through executive orders and new legislative sanctions, civil and criminal, against Government employees who make unauthorized disclosure of "sources and methods of intelligence" to "persons not authorized to receive" such information.

This provision would appear to cover newsmen or members of the general public, whereas current law—the Espionage Act—authorizes the Government to prosecute officials criminally only if they disclose certain classified information to a foreign agent with the intent of harming the United States, or if they divulge atomic energy secrets.

In disclosing his new proposals, President Ford said that he was not imposing restrictions on the press.

But the President's proposal would apparently allow the

recipients of government secrets, including reporters, to be called before grand juries investigating leaks and forced to disclose their sources of information or be held in contempt.

## Need To Protect Sources

This goes to the heart of the belief of many in the press that it has a constitutional right under the First Amendment to protect the confidentiality of its news sources.

Mr. Phillips said that although a first reading of the President's proposals did not for the most part make him believe that they were too restrictive, "we in the A.S.N.E. and at the Journal feel that this part is a contravention of our First Amendment rights."

Basically, it is the position of the press that if it is forced to disclose its sources of information, then those sources—fearful of losing their jobs or of facing prosecution—will refuse to supply information.