

Alternative to S.1 introduced, Senate considers amendments

S.1, the Federal Criminal Code Reform Act which was substantially authored by the Mitchell-Kleindienst Justice Department, remains a severe threat to civil liberties. It is now before the full Senate Judiciary Committee which has 15 members and is chaired by Senator Eastland.

While any bill is physically amendable, a bill as complex as S.1 could be favorably amended only in a committee with a clear and well organized civil liberties majority. Such a majority does not exist and the ACLU believes S.1's oppressive features will not be eliminated, though they may be modified by cosmetic changes. Wholesale amendments on the floor of the Senate would be virtually impossible.

There are other factors now posing a gloomy outlook on the Stop S.1 campaign. After the assassination of CIA agent Richard Welch, the Ford Administration seems to sense that public support for an "official secrets act" can be obtained. Also, the House of Representatives 246-124 vote to suppress publication of the Pike Committee's report on the CIA suggests strong Congressional support for official secrecy.

There now is an alternative to S.1, however. Last November, Congressman Kastenmeier, Mikva and San Jose's Don Edwards introduced a new bill, H.R. 10850, the Federal Criminal Law Revision and Constitutional Rights Preservation Act. This 700 page bill is a more thorough codification of the criminal law than S.1, with none of the repressive features.

H.R. 10850 eliminates the death penalty, wiretapping and obscenity. Most important, it defines espionage narrowly and properly. It also provides good sections on consumer and environmental protection and makes non-elected public officials more accountable to the people. A House Judiciary Subcommittee will begin hearings on H.R. 10850 and on the House version of S.1, H.R. 3907, after the full Senate acts on S.1.

Letters to Senators and Representatives are critical. Ask Cranston and Tunney to continue opposing S.1 and to consider sponsoring H.R. 10850 in the Senate. Write your representative indicating your concern about H.R. 3907. Ask for a copy of H.R. 10850 and urge her/him to consider cosponsoring it in the House. As long as S.1 is still in the running, every effort must be made to stop it.