

# A. B. A. Opposes News Curb in Proposed Federal Criminal Code

BY TOM GOLDSTEIN

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MONTREAL, Aug. 13.—The American Bar Association registered its opposition today to restrictions on news organizations in sections of the proposed Federal Criminal Code before Congress.

The code would redefine Federal laws on espionage and the communication and possession of Government information and documents.

By a nearly unanimous voice vote, the 340-member House of Delegates, the policy-making body of the association, recommended that any codification should "not go beyond present law."

The judicial guidelines "developed under present law have worked well in protecting the nation's true 'national security' interest," the bar association's resolution said. The sections in the proposed code relating to news organiza-

tions have been vigorously opposed by nearly every major press organization and by the American Civil Liberties Union. Under the proposed code, it could be a felony for a reporter in peacetime to write about information, not classified for security purposes. Reporting such as the articles on the killings at My Lai in South Vietnam and the Watergate scandals could be criminal violations.

The proposed code also expands considerably the espionage laws by making it illegal to disclose information that has been classified. If that section had been in effect four years ago, the publication of the Pentagon papers, the top-secret study of America's involvement in Indochina, would have been illegal.

The code would establish the principle that the Government, and not the people, owns Government information. The restrictions applying to

news organizations are buried deep within a 753-page bill, commonly referred to as (F) 1, that would codify Federal criminal laws for the first time.

In one of the closest votes on the final day of the bar association's annual meeting here, the House of Delegates endorsed "in principle" the provisions of the bill. But the house listed 39 specific recommendations for changes and reserved the right to oppose other sections.

An amendment to withhold the bar group's endorsement failed by a 122-to-107 vote immediately after Harold Tyler, Deputy Attorney General, dictated

spoke on behalf of the bill. At the end of the nearly two-hour debate, Mr. Tyler told the delegates that this proposed bill "represents a start."

In other actions relating to criminal justice, the House of Delegates called for tighter restrictions on the sale and use of handguns, but voted down a resolution that would have supported the prohibition of private possession of handguns by 1983.

The association opposed a joint resolution passed by the House of Representatives that would amend the Fifth Amendment to eliminate criminal indictment by a grand jury.

The House of Delegates also voted down two resolutions dealing with amnesty for Vietnam war resisters.

One resolution, calling for unconditional and universal amnesty, "applicable to all Vietnam-era war resisters," was defeated by a voice vote. The second resolution supported the principle of amnesty for "persons who unlawfully avoided military service because of principle objection to the war" and to "members of the armed services who were disciplined as a result of acts performed because of principle objection to the war." It was defeated by a 136-to-79 vote.

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