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Letters to the Editor

U.S. Criminal Code: The Importance of S.1

To the Editor:

As chairman of the National Commission for Reform of Federal Criminal Laws, I have watched with deep concern the efforts of some civil libertarians and representatives of the press to kill S.1, the pending bill to recodify Title 18 of the U.S. Code. That bill incorporates a very substantial portion of the recommendations of our commission, and 95 percent of its provisions constitute a major improvement over existing Federal criminal law. Those provisions have been found acceptable by all who have studied the legislation and they are really beyond the realm of serious controversy.

I, of course, agree with some of the bill's critics that there are a few sections of S.1 which may be characterized as repressive, but these are limited to a small number and in all likelihood will be taken care of in the Senate Judiciary Committee or by amendment on the Senate floor. The contention that the whole bill must be defeated because of these few sections is, in my opinion, without semblance of validity.

Recognizing the urgency of criminal code revision at this session of Congress, Senators McClellan and Hruska, the sponsors of S.1, have informed me of their willingness to accept some modifications which would meet the objections of the press and other critics. With a similar sense of responsibility, Senators Kennedy and Hart are working toward securing the amendments necessary to make this bill perfectly acceptable to their liberal constituencies.

There are some areas of the criminal law which presently pose serious problems for the sponsors of code revision. The most obvious examples are national security, wiretapping, gun control, traffic in drugs and capital punishment. While Congress must eventually resolve these issues,

it is certainly unnecessary for the whole code to be held up until total agreement can be reached. They might more properly be left to separate legislation to be introduced, debated and enacted at a later date.

A great deal of misinformation has been spread about S.1. As the members of the Senate Judiciary Committee have studied this comprehensive and important legislation, the chances of its passage in somewhat modified form have been greatly enhanced. Defeat would be a severe blow to criminal law reform in this country.

EDMUND G. BROWN

Beverly Hills, Calif., Jan. 20, 1976

The writer is former Governor of California.

See letter, [↑] NYT 2 Feb 76

'Frightening Aspects'

To the Editor:

I have followed with interest the debate in your pages over what reforms, if any, should be legislated to guard against future intelligence agency abuses. But I feel that it must be pointed out that the entire discussion is rendered rather moot in the face of the S.1 and H.R. 333 bills currently pending before Congress. These bills consist of a major revision of the U.S. criminal code that would, in effect, act against many of the C.I.A./F.B.I.'s past illegalities by simply legalizing them.

There are many frightening aspects to the bill, including provisions that would tighten "national security" by redrafting the notorious Smith Act and pose infringements on the freedom of the press and the right to assembly. If we are truly concerned about protecting against the abuses of power of the intelligence community and the Federal Government we must begin by stopping the passage of S.1.

DAVID WILLIAMS

Cambridge, Mass., Jan. 21, 1976