

Publishers Attack

Senate Crime Bill

Washington

Espionage and obscenity sections in a proposed new U.S. Criminal Code threaten "the free flow of information and ideas fundamental to our democracy," the Association of American Publishers said yesterday.

The association said it urged members of the Senate Judiciary Committee, which is considering the code revisions, to draft a new bill eliminating the objectionable sections or to limit the scope of the existing bill.

The bill cited by the publishers officially known as S.1, is an attempt to bring the entire criminal code up to date. An association statement said the measure, containing more than 750 pages, is the longest bill ever considered by Congress.

In letters to each member of the judiciary committee the association which represents more than 260 major U.S. publishers of books and educational material, said it had studied only the parts of the bill covering espionage and sensitive government information and the dissemination of allegedly obscene material.

"The association believes that these provisions, were they to remain in the bill in their present form, would severely impair the freedom of expression guarantees contained in the First Amendment and the free flow of information and ideas fundamental to our democracy," the association told the senators. The letters, dated March 1, were first released yesterday.

The association noted with approval that Senate majority leader Mike Mansfield and Senate minority leader Hugh Scott both called for adoption of "a brand new bill" minus the controversial provisions of the bill.

Espionage sections in the existing proposal "fail to distinguish adequately among three kinds of activity, each of which deserves separate treatment," the association said. It said the three are true espionage, leaks and public communication.

As the bill is now written, the association said, the language is broad enough for espionage charges to be brought against someone who publishes "information obtained from the State Department which results in no more than embarrassment to the department."

"The association believes this would be a totally inappropriate and dangerous application of the espionage provision," the group said.

It said a balance must be struck between benefits to society and damage to the nation resulting from publication of material that can be obtained only through leaks.

Obscenity provisions of the bill are "vague, overbroad and would have a 'chilling effect' on the exercise of First Amendment freedoms," the association said.

"The association maintains the view that any legislation — federal, state or local — dealing with obscenity should not operate to prevent the sale, exhibition or distribution of sexually explicit materials to consenting adults."

United Press