

OTTINGER CHARGES NEW M'CARTHYISM

Will Press Bill to Protect
Newsmen From Coercion

Special to The New York Times

WASHINGTON, Feb. 27 — Representative Richard L. Ottinger, Westchester County Democrat, charged today that Vice President Agnew and Attorney General John N. Mitchell were promoting "a new McCarthyism" by their recent actions concerning the news media and announced that he would introduce legislation to protect newsmen from "Government intimidation and coercion."

Mr. Ottinger, who is seeking the Democratic nomination for the Senate seat of Charles E. Goodell, a Republican, said his "newsmen's privilege act" was necessary to counter the threats of "repressive elements" in the Nixon Administration and Congress.

The "no-knock" and "preventive detention" sections of Administration - supported crime bills were cited as further proof, Mr. Ottinger said, that these elements "by playing upon fear and prejudice, have begun to ram through measures which would wipe out basic constitutional freedoms while failing to halt the spread of crime in our society."

The Justice Department stated that officials there had not seen the bill and therefore could not comment on it.

However, a spokesman said the department stood by the Attorney General's statement on Feb. 5, which called the recent series of wide-ranging subpoenas for confidential journalistic information an operational blunder and not the signal of a new attack on the news media.

Mitchell Statement

At that time, Mr. Mitchell acknowledged that there were special considerations that should be taken when his department dealt with the press and assured newsmen that no more subpoenas would be issued without an attempt to reach an agreement on their

scope. But some career attorneys at the Justice Department disagreed with the Attorney General's contention that there had been "a breakdown in the established pattern of pre-subpoena negotiations."

These attorneys, who asked to remain anonymous, contended that for years the department had been issuing subpoenas in the same manner that caused the recent uproar, and expressed dismay at the actions of reporters and media executives.

Asked about Mr. Mitchell's invitation of Feb. 7 to executives of the news media across the country to come to Washington to discuss the problem, the Justice Department spokesman said he had "no comment."

The Justice Department has most recently asked for confidential information on the Black Panthers from Mike Wallace, a C.B.S. News reporter, and Paul Lowenwater, a producer for the Columbia Broadcasting System. According to industry sources, there have been threats of subpoenas for these two men, but none have yet been issued.

Bills similar to the one to be proposed by Representative Ottinger have been introduced in both houses of Congress a number of times—most recently in 1963—but they have all died in their respective judiciary committees without hearings.

In an attempt to assure hearings by the House Judiciary Committee, Mr. Ottinger is withholding introduction of the bill until he obtains a large group of bipartisan co-sponsors.

Thus far the following Republican Representatives have agreed to co-sponsor the measure: Daniel E. Burton of upstate New York and Charles W. Whalen Jr. of Ohio. Democratic co-sponsors are: Edward I. Koch, Mario Biaggi, James H. Scheuer, all of New York; and George E. Brown, Edward R. Roybal and James C. Corran, all of California.

FEB 28 1970