

Private Government

by Charles McCabe

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If a press control measure recently sent by President Nixon to the Congress were made into law, Mrs. [Katherine] Graham would be more likely getting seven years in jail than a Pulitzer Prize. There has been far too little publicity about this odious proposal.

The measure is buried in the 680 pages of Mr. Nixon's proposed revision of the U.S. Criminal Code. This is the measure which, in Mr. Nixon's proud words, would restore the death penalty, deal more heavily with drug traffickers, and change the traditional insanity plea in defense procedures. Mr. Nixon did not proudly mention his press gag bill.

Under the proposal, any government employee who turned over to "an unauthorized person" any of the 20 million documents now marked secret or some other classified status would be guilty of a felony, with several years penal servitude as the enforcer. Any reporter who published any classified information would be guilty of a felony.

Not only the reporters could be jailed, but so could their editors, their publishers and whoever distributes what they have printed. If a government employee knew another was distributing classified information to a reporter, he would be guilty of a felony unless he informed on his fellow worker.

Since there are 20,000 government workers who are entitled to classify documents, and since these men do what they are told by their superiors, what we have here is a proposal for private or even secret government, with the press totally excluded as an effective investigative system, and the First Amendment tossed into the paper-shredder.

That such a proposal could be sent from the White House indicates the near-pathological hatred Mr. Nixon has for the press and public disclosure on any terms other than his own. It is, in truth, a frightening proposal.
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