

# House Unit Approves Newsman Shield

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WASHINGTON, June 14—A legislative authorization for newsmen to refuse to reveal professionally received information was given preliminary Congressional approval for the first time today.

A House judiciary subcommittee reported favorably a compromise bill that would give reporters an absolute privilege against disclosing information to grand juries and a somewhat more limited right when called before a civil or criminal trial.

So deeply divided were the representatives over the issue, however, that the future of any newsmen's shield legislation remained very much in doubt. There were predictions that none of the widely ranging variations could attract a majority on the House floor, much less in the full Judiciary Committee.

The subcommittee chairman, Representative Robert W. Kastenmeier, Democrat of Wisconsin, agreed to canvass representatives of the news media during the next two weeks to see if support could be produced for something less than an unqualified shield measure.

Republicans were particularly cautious. Representative Tom Railsback of Illinois said that

he and his colleagues were "all over the lot" on the issue. Representative William S. Cohen of Maine, predicted that "Media reaction will be very important in terms of getting political support."

The subcommittee vote was 5 to 3, with the majority made up of Representatives Kastenmeier, Railsback and Cohen present and proxies cast on behalf of Representatives Henry P. Smith 3d of upstate New York, and Charles W. Santorum of New Jersey, both Republicans.

Voting against the compromise measure were Representatives Robert F. Drinan of Massachusetts, Edward Mezvinsky of Iowa and Representative Way Owens of Utah, all Democrats.

As drafted by the National Conference of Uniform State Law Commissioners, the bill approved by the subcommittee would do the following:

¶Free a newsman from disclosing before a grand jury any information, or its source, that he obtained in his professional capacity, whether or not a confidential relationship was involved an independent of any exceptions.

¶Provide the same privilege at civil or criminal trials for information received on a confidential basis unless it was found by the court to be indispensable to either party's

case, unobtainable by any other means and meeting "a compelling and overriding public interest" by its disclosure.

¶Class as a newsman anyone involved in "obtaining, writing, reviewing, editing or otherwise preparing information in any form for any medium of communication to the public."

Passage of the Congressional legislation would not prevent the states from passing similar bills of their own, and the privilege would not apply when a defendant in a libel action required such information to make his case.

Earlier the Subcommittee split 4 to 4 over a bill that would have granted newsmen an absolute privilege to refuse to reveal information, after Mr. Railsback said there would be "great difficulty" winning support for such a concept among Republican House members.