

Letters to the Editor

NYTimes

The White House vs. the Press

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To the Editor:

If President Nixon sanctioned or acquiesced in the White House campaign to terrorize and intimidate the media, as revealed by the memorandums made public by Senator Weicker, it is one more addition to the potential list of impeachable offenses which ought to be examined by the House Judiciary Committee.

More than 35 years ago, in a case involving Huey Long's attempt to control an unfriendly press in Louisiana by the imposition of a special newspaper tax, a unanimous Supreme Court held the Long tax program unconstitutional because "in the light of its history and of its present setting, it is seen to be a deliberate and calculated device . . . to limit the circulation of information to which the public is entitled in virtue of the constitutional guarantees."

That would seem to be a "definitive" enough interpretation of the First Amendment even for Mr. Nixon and his entourage.

Nor does there seem much doubt that the White House memorandums revealed by Senator Weicker demonstrate a "deliberate and calculated" program to manage and limit the circulation of information to the public about the conduct of public affairs.

As reported by The Times (Nov. 2), the memorandums outlined a series of efforts to "tear down the institution

of broadcast journalism" and "to create an inhibiting impact on the networks and their professed concern with achieving balance" in news coverage.

Not only do the Weicker revelations suggest a deliberate attempt by White House personnel to violate First Amendment rights as established by a "definitive" Supreme Court ruling, they also may indicate the commission of criminal offenses under Federal law.

Section 242 of Title 18 of the United States Code makes it a crime for any person acting under color of law from willfully depriving any person of rights secured by the Constitution of the United States. Section 241 makes it a crime for two or more persons to conspire to intimidate any citizen in the free exercise or enjoyment of any right secured by the Constitution.

There would seem to be substantial evidence, merely from the memorandums reported in The Times, that White House personnel were doing and conspiring to do precisely what those statutes and the Huey Long case (*Grosjean v. American Press Co.*) forbid. Furthermore, it is difficult to believe that they were doing it without the knowledge and approval of the man their program was designed ultimately to protect—the President.

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