

Senate Bill One still alive, well . . .

By BILL LUTZ
Of the Emerald

. . . and facing opposition, amendment legislation

Despite widespread opposition from labor unions, civil rights, church and legal organizations, politicians and vast sectors of the American populace, Senate Bill One is still very much alive in the hands of the Senate Judiciary committee.

Senate Bill One (Criminal Justice Codification, Reform and Revision Act of 1975) is the complex 799-page reorganization of the Federal Criminal Code, called by its opponents the "Nixon Legacy" and condemned as an attack on civil rights and the constitution.

Lane County Board of Commissioners stated in a resolution passed May 15, that BCSB-1: "...threatens the Constitutional rights of the people while giving extensive power to the federal government...constitutes a grave danger to the First Amendment rights of free speech and freedom of the press, and...these bills include strong anti-labor sections limiting the right to peaceful assembly."

The U.S. Attorney General's office claims SB-1 is a needed rewrite of the outdated Federal Criminal Code written in 1969.

However, professors Vern Countryman of Harvard Law School and Thomas Emerson of Yale Law School charge:

"SB-1 was designed and drafted upon the basis of philosophical, ethical and political goals that were repudiated by the American people in the Watergate scandals."

Countryman and Emerson

point out that SB-1 was created by the Nixon administration under the direction of Attorneys General Mitchell and Kleindeinst.

After months of negotiations in the Senate Judiciary Committee, conservative sponsors of the bill James McClellan, D-Ark., and Roman Hruska, R-Neb., in a surprise concession, have agreed to 13 of 23 key objections by liberal members of the committee led by Edward Kennedy, D-Mass.

But opponents feel that SB-1 cannot be amended. The Los Angeles Times stated in an editorial:

"Legislation now pending in Congress to revise the federal criminal code should be junked. Senate Bill One . . . is so pervasively and fatally flawed that it lies beyond the scope of the rational amending process."

Opponents also feel that the Kennedy-led compromises are a dangerous step toward the passing of SB-1. Frank Wilkinson, executive director of the National Committee Against Repressive Legislation (NCARL), warned that the Kennedy, Phillip Hart, D-Mich., James Abourezk, D-S.D. compromise is an attempt "to split the opposition movement" by placating the moderate opposition.

"Without the aid of Sen. Ted Kennedy, this bill would have been dead long ago," Wilkinson adds.

SB-1 deals with such constitutional questions as the Smith Act,

wiretapping, right to free assembly, the death penalty, sentencing, secrecy in government, entrapment, sabotage, obscenity, insanity, marijuana and gun control.

Specifically SB-1 would provide penalties for any person convicted of using mail, telephone or interstate travel in the course of "planning, promotion, management, execution or concealment of a riot."

Riot is defined by SB-1 as a "public disturbance involving an assemblage of 10 or more persons that create a danger of imminently causing damage to property."

Under SB-1, wiretapping would be authorized for 64 categories including: obstructing military recruitment or induction, disclosing national defense information, dis-

closing classified information, and unlawfully obtaining classified information.

SB-1 would provide up to seven years and/or a fine up to \$100,000 for passing classified or national defense information to a person not authorized to receive it or for failure to deliver it to a federal agent. This would cover the publication of the Pentagon Papers.

SB-1 would allow as defense for a public servant, as in the case of Watergate, that unlawful actions were "required or authorized by law."

Summing up opposition to SB-1, Eric Wright, representative of the Eugene Committee to Stamp Out Senate Bill One called the bill "a conglomeration of the most repressive legislation in the history of the U.S."

"The compromise presented by the 'liberal' Senators Kennedy, Hart, and Abourezk," Wright said, "will not effectively remove the repressive nature of SB-1, and clearly represents a strategy to mislead the American people into thinking SB-1 can be amended. This strategy," he said, "is an attempt to keep intact many of the most repressive sections of the bill which jeopardize our basic civil rights."

Nuclear battle set in California senate

SACRAMENTO, Calif. (AP) — Three nuclear power plant safety bills, again surviving attempts to weaken them, are on the Senate floor where backers expect another torrid battle Thursday.

The Senate Finance Committee gave them 7-4 tallies Monday, with no votes to spare, after defeating vigorously argued efforts to exempt planned plants from legislative review.

Assemblyman Charles Warren, D-Los Angeles, chief spokesman for the measures, said he expected a "close vote" of the full Senate.

If the bills pass the Senate without major changes, Warren said he could guarantee that Gov. Edmund Brown Jr. would sign them Friday after the Assembly, which earlier passed them in stronger form, approves Senate changes.

Brown has endorsed the bills, which Warren said would pose unprecedented legislative restrictions on nuclear power.

But Warren called them "minimal" lawmakers' responses to safety concerns and "moderate" alternatives to requirements of California's nuclear power initiative, Prop. 15 on the June 8 ballot.

"I'm about as optimistic as I was" in front of the Senate Finance Committee, Warren said of Thursday's full Senate action. He said the opposition — nearly all power companies and the city of Los Angeles — is "strong, vocal and well-financed."

Warren said authors of the bill "are not seeking to ban nuclear development," but just want a pause to make sure it is safe.

However one senator, John Holmdahl, D-Castro Valley, charged that "Prop. 15 is being used as the bogey man" for the bills, that is, acting as a ramrod to get them through the legislature.

Warren said the defeated amendments to exempt planned reactor sites at Wasco near Bakersfield and Sundesert near Blythe were "outrageous" and would have nullified the bills.

He said Senate amendments had already reduced the bills to "a minimal effort on the part of the legislature" to give Californians assurance of a safe nuclear future.

Under the bills, a rejection by either the Senate or Assembly of a finding that the federal government has safe technology for recycling fuel and storing wastes, would ban new nuclear plants.

The bills do not affect three plants already licensed and four reactors under construction in California because of the investments involved.

Prop. 15 would be retroactive to existing plants, and unless the legislature deemed by a two-thirds majority that nuclear power is safe, it would ban new plants and phase out old ones.

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