

Assassination Panel Is Warned on Its Techniques

NY Times

By DAVID BURNHAM
Special to The New York Times

1/6/77

WASHINGTON, Jan. 5—The chairman of the House Judiciary Subcommittee on Civil and Constitutional Rights has warned that some of the proposed investigative techniques of the House Select Committee on Assassinations would be "wrong, immoral and very likely illegal."

The warning from Representative Don Edwards, Democrat of California, concerned the select committee's plans to record secretly the remarks of potential witnesses with the use of hidden body transmitters and then subject the responses to psychological stress evaluation.

"Such procedures are, to say the least, totally inappropriate for use by a Congressional committee," Mr. Edwards wrote in a confidential letter dated Dec. 16 to Speaker Thomas P. O'Neill Jr.; Jim Wright, the House majority leader; Representative Peter W. Rodino Jr., chairman of the House Judiciary Committee, and three members of the select committee.

The use of hidden recording devices and stress evaluation techniques, Mr. Edwards said, "would constitute intentional invasions of the most fundamental rights of Americans." He added, "I believe the use of these techniques by a committee of Congress to be wrong, immoral and very likely illegal."

The committee's \$6.5 million budget proposal for the first year of operations, made public in December, included \$4,400 for two miniphone recording devices, \$8,000 for two stress evaluators and \$2,800 for two polygraph machines. In addition, the committee budget set aside \$120,000 for four technicians for its proposed "polygraph-psychological stress evaluation unit."

At a news conference last Friday, Richard A. Sprague, the committee's chief counsel, told newsmen that he did not intend to tell potential witnesses that their recorded words later would be subject to stress evaluation aimed at determining whether they were telling the truth.

In addition to criticizing the proposed investigative techniques, Mr. Edwards

also questioned the committee's plan to hold public hearings and the highly public role that so far has been played by Mr. Sprague.

The existence of the critical letter from Mr. Edwards became known after Representative Robert E. Bauman, Republican of Maryland, objected late last night to an attempt of the House leadership to obtain unanimous consent for a resolution re-creating the committee that was initially established last September.

The effect of Mr. Bauman's objection was to leave Mr. Sprague and the committee's 72 other employees without funds for the planned two-year, \$13 million investigation of the assassinations of President Kennedy and the Rev. Dr. Martin Luther King Jr. The reason was that the committee's legislative authority ended with the last Congress and must be re-enacted by the new Congress before the committee can obtain funds.

It was expected that the House leadership would seek a temporary extension of the committee until its proposed budget and other questions could be subjected to a more formal review in the next six or seven weeks. Under this procedure a unanimous vote would not necessarily be required.

A spokesman for the Select Committee on Assassinations, in response to an inquiry about Mr. Edwards's letter, referred a reporter to Representative Henry B. Gonzalez, Democrat of Texas, who is expected to become the committee's chairman when and if it is re-created.

A spokesman for Mr. Gonzalez said that if the committee were reconstituted and if Mr. Gonzalez were selected as its chairman, "the concerns expressed by Mr. Edwards would be fully considered and every effort will be made to satisfy them."

Mr. Edwards also criticized Mr. Sprague's statement that the committee would make public, chiefly through hearings, the information it developed, even if the disclosures might affect individuals or government agencies only indirectly connected to the assassinations.

"If the above procedure is actually to be employed, it seems to me that you run the risk that innocent persons might

well be subject to criticisms or worse, when they have no reasonable connection with, or involvement in, the tragedies," Mr. Edwards said.

Arguing that the committee should consider publication of carefully documented reports rather than public hearings, Mr. Edwards said that "a Congressional committee must set much higher standards in protecting the rights of privacy of citizens since the protections afforded in our civil and criminal justice systems do not exist in a Congressional hearing room."

Bullet to Be Tested

DALLAS, Jan. 5 (AP)—A bullet discovered two years ago near the site of President Kennedy's assassination in 1963 will be compared with those fired from the rifle that the Warren Commission said was used to kill President Kennedy, the Federal Bureau of Investigation said.

R. H. Lester, 59 years old, a semiretired night watchman, said that he found the bullet with the use of a metal detector but did not turn it over to the bureau until last Nov. 30.