

Bill Is Introduced To Ban Hill Files Maintained by FBI

By Ronald Kessler
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Rep. Robert W. Kastenmeier (D-Wis.), chairman of the Judiciary Committee's Administration of Justice Subcommittee, yesterday introduced a bill that would outlaw compilation of government files such as those maintained by the FBI on the personal lives of congressmen.

Kastenmeier said the bill would also outlaw surveillance of citizens unless they were the subject of criminal investigations or government job application checks.

"This fear of the government spy which has haunted politically active citizens for decades will no longer be tolerated by the American people," he said. "I feel that the 94th Congress will be most sympathetic to this legislative proposal."

Kastenmeier introduced the legislation, called the freedom from surveillance bill, as he announced plans for hearings on the FBI practices beginning Feb. 6.

FBI Director Clarence M. Kelley and Deputy Attorney General Laurence H. Silberman are to be among the witnesses, Kastenmeier said. Subsequent hearings will probe practices of other government agencies, he said.

Hearings on the FBI practices also are to be held Jan. 30 by the Civil and Constitutional Rights Subcommittee of the Judiciary Committee.

Today, the House Democratic Steering and Policy Committee

meets to decide whether there would be a shock wave for economic disaster that gram represented a blueprint President I thought his pro-meeting ended. "I told the said after the White House sylvanus Gov. Milton J. Shapp position, none of them," Penn-agreed with the President's "None of the governors barrel tax on oil imports.

him on his plan to put a \$3 a dent Ford failed to budg minute meeting with Pres- In the Senate, a similar sus- ghtly sometime next week.

Ford assumes that the FBI has a file on him.

"The President never really made any special effort to find out if there were any files on himself," Nessen told reporters.

"He assumes, without really knowing for sure, that the fact that friends of his were nominated and checked out for federal jobs and he was visited by the FBI as some of you, no doubt, have been when your friends have been nominated and he assumes that out of that kind of contact with the FBI there must be some sort of information at the FBI that relates to him," the press secretary said.

Abourezk, a leading critic of government invasions of privacy, said the number of congressmen who fit into Mr. Ford's categories as subjects of investigations or job checks is small and that any information needed for such investigations could readily be obtained once it was decided to start the investigation.

"The point is why does a police agency keep a file on persons not charged with a crime and not applying for a sensitive job? It might be more convenient for them to build up records, but that's not the way a free society works."

He added: "The FBI leadership appears to have no idea of the delicate balance that's got to be maintained between

Republicans who want it re- gislation stick. other than hat to make the But it may take two-thirds as co-sponsors. ins—have already put their ight, including four Republi- enate—52 senators as of last des said more than half the ackson (Wash.), Kennedy edy (Mass.) and Henry M. y Democrats Edward M. Ken- dition of Mr. Ford's tariff- In the Senate, a similar sus- ghtly sometime next week.

An F.B.I. Inquiry, Too

Predictably, the admission by former high officials of the Federal Bureau of Investigation that, during J. Edgar Hoover's tenure, the bureau kept records on personal indiscretions of some members of Congress has turned the Capitol purple with the cries of outraged solons.

Somehow, Congressional cries of injury could be taken more seriously if Congress had been less timorous and considerably more responsible over the years. The notion—not to say the firmly held belief—that Mr. Hoover had a treasure trove of scandal about high governmental personalities was a live aspect of Washington life for decades, as was the knowledge that neither Attorneys General nor Presidents had the courage to rein in Mr. Hoover or to call him to account. In those circumstances, Congress did not choose to serve as residuary protector of individual freedoms.

The timing of the newest allegations about the F.B.I. was fortuitous, coming as it did when Congress was moving to investigate charges of domestic spying by the C.I.A. The Senate Democratic Caucus has taken a sensible step in putting the C.I.A. and F.B.I. inquiries together. A thorough review of the C.I.A.'s activities in this field is meaningless without an over-all look at the issue of domestic security, including the F.B.I.'s responsibilities and the consequences of Mr. Hoover's hostility toward the intelligence agency.

Several members of Congress were quick to note the possibilities of political blackmail implicit in the practice of keeping files on legislators, and Senator Jackson of Washington went so far as to charge that it "goes to the heart of the separation of powers." While he is undoubtedly right, it was the Congressional forfeiture of responsibility to the Executive that made the practice possible in the first place. To redress that balance, Congress needs to go beyond the allegations of domestic spying by the C.I.A. and information-gathering about legislators to grapple with the basic problems of a domestic security program — including clear definition of its limits as well as provision for oversight and control. These are problems that the Congress has grossly neglected in the past.