

THE SUN

A22

BALTIMORE, FRIDAY, DECEMBER 12, 1975

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Political Abuse and the FBI

The Senate Select Committee studying intelligence agencies has been hearing suggestions about what to do about the Federal Bureau of Investigation. Last week the staff of the committee released a report on "political abuse and the FBI." In many ways this was the most disturbing finding so far in the committee's investigation. It showed that every President since Franklin D. Roosevelt has employed the bureau for *political* purposes, often illegally but often not. Presidents Roosevelt, Kennedy and Johnson did not quite carry this reprehensible activity as far as Richard Nixon was to, but they certainly prepared the way. In a related case, the committee learned that Dr. Martin Luther King, Jr., was harrassed simply because former Director J. Edgar Hoover disliked him.

Clarence Kelley, the present director, has urged that any officials who broke the law in the King case be prosecuted. That is a good idea, but what can be done to prevent that and other abuses in the future? One approach might be to limit the FBI to enforcing a narrower range of laws, while leaving such ideological matters as espionage, subversion and loyalty

checks to a separate agency. A separate agency might become a problem in itself, but it at least would lack the awesome crime-fighting resources that have tempted the FBI to police-state operations.

Another way to insure a less frightening FBI would be to insist on normal procedures of legislative and bureaucratic oversight and budgetary control. For all of J. Edgar Hoover's tenure as director, neither congressional committees nor the Justice Department nor the Bureau of the Budget insisted on an explanation or justification of activities, even behind closed doors.

Another way to make sure the FBI does not do in the future what it did in the past is to subject the directorship, itself, to close scrutiny. One former Attorney General told the select committee that what had happened at the FBI was an accident of history, the result of Mr. Hoover's half a century of unquestioned tenure. If the director were barred by law from serving a long period of time, and had to win Congressional approval to begin each term, there would be less likelihood of another accident like J. Edgar Hoover.