

Post 8/15/72

# Anderson Hits FBI on Bank Data

United Press International

Columnist Jack Anderson yesterday gave the Senate Banking Committee what he said were FBI memos on political activists Jane Fonda, Benjamin Spock and Floyd McKissick to prove that the FBI "has virtually unlimited access to private bank account records."

The columnist testified that informants inside the FBI have told him that the practice of examining checking accounts of people under surveillance is widespread.

Anderson testified in favor of legislation that would require a subpoena or a customer's consent before a financial institution could disclose such records to government investigators.

"Of course, the bankers tell us they would never do such a thing without the necessary legal papers—usually a subpoena," Anderson said. "But I

can testify that many bankers informally cooperate with the FBI, and I can document it."

The purpose of the bills was supported by the American Bankers Association. Spokesman Rex J. Morthland of Selma, Ala., said his own bank's financial records "must not be available for speculative exploration or fishing expeditions."

Anderson said the FBI records on Miss Fonda and McKissick carried notations saying subpoenas would have to be obtained if the bank records were to be used in public. That showed, he said, that the information had been obtained without a subpoena.

Sen. William Proxmire (D-Wis.) said he wasn't convinced subpoenas should be required. FBI investigations might be thwarted if the subjects had to be told in advance that their accounts were to be examined, he said. A bank official suspected of embezzlement might "flee the country, cover his tracks" if he were tipped off.

But Harvard law professor Arthur R. Miller argued that people would be less likely to contribute to controversial causes or subscribe to controversial magazines if every check they wrote could be examined by the FBI.

The Justice Department and the Treasury opposed the proposed legislation, contending it would "seriously impair" criminal, tax and regulatory investigations.