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Only a Congressional Inquiry Can Answer Doubts About FBI

Rep. Hale Boggs, the House Majority Leader, has not supplied convincing evidence of his charge that the FBI has been tapping the wires of members of Congress, including his own, but it must be said that the denials that the FBI is doing anything untoward are not very convincing either.

Attorney General John N. Mitchell asserts that the Louisiana Democrat has produced not "a modicum of information to indicate that the FBI has done anything more than perform its duty to obtain criminal evidence by lawful means."

But under the Attorney General's construction of the Constitution, "lawful means" seems to extend to just about anything the Executive Branch chooses to do to defend "national security," including the tapping of the wires of any citizen without a court order.

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And Republican National Chairman Robert Dole goes, if anything, even further. Speaking to newsmen at a GOP dinner in Delaware County, the senator from Kansas declared: "If someone makes a comment against national security, the FBI has a right to investigate." One wonders whether Senator Dole realizes the chilling implications of that for a free society.

In our own neighborhood, we have learned that the FBI has been systematically protecting the "national security" by spying on black students and white students (including the daughter of an antiwar congressman, Henry Reuss of Wisconsin), on professors and especially on people who involve themselves in antiwar activities. Is peace unpatriotic? The FBI seems to think so.

More than that, though, according to one purloined document the FBI's Philadelphia office urged stepped-up interviews of alleged leftists in order to "enhance the paranoia endemic in these circles . . . and to get the point across there is an FBI agent be-

hind every mailbox."

Somehow, we do not think that the men who penned the Constitution in Philadelphia 184 years ago had the idea in mind that one day a secret police organization would be not only spying on citizens but trying to scare the wits out of them.

The doubts and fears that have been raised over the FBI's activities are legitimate, and they cannot be put to rest by the assertion that it is the critics who are trying to create "a feeling of fear and intimidation among the people of this country," as White House press secretary Ronald L. Ziegler did in response to Sen. Edmund S. Muskie's charge that FBI agents had been gumshoeing after environmental rallies last year.

To respond by charging partisan politics is like charging critics with trying to make political capital out of an attack on motherhood. For years the FBI and its director have been the most sacred of sacred cows in this country.

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It may be argued that congressmen ought to be no more immune to legitimate inquiry than everyone else. But what about everyone else? Senator Dole declares that "we should not draw any line" between what the FBI should or should not investigate. We think, to the contrary, that a line should be drawn, that Congress should draw it and see that it is not stepped over.

Two weeks ago Deputy Attorney General Richard G. Kleindienst said the administration would welcome a congressional investigation into "the whole operation of the FBI," then quickly took it back a few hours later and said he meant an investigation limited to Representative Boggs' specific charge.

Mr. Kleindienst was right the first time. The only way to determine whether the FBI is engaged in improper activities is to find out what activities it is engaged in.