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Dispute Over Notices To Victims of FBI

Washington

Representative Bella S. Abzug (Dem-N.Y.) yesterday criticized the Justice Department for the small number of notices it has sent to victims of the FBI's Cointelpro (Counterintelligence Program).

As chairman of the House Subcommittee on Government Information and Individual Rights, Abzug said she found it "distressing that of the thousands victimized by Cointelpro, only 166 individuals subjected to this harassment and intimidation have been notified."

Since Cointelpro began in 1956, Abzug said, FBI agents conducted 2370 "publicly acknowledged actions" against individuals and groups. She protested that the Justice Department has confined its notices to individuals who can be deemed, from the record, to have been harmed.

For instance, she said in a letter to Attorney General Edward H. Levi, a Justice Department representative told a subcommittee staff member that a man anonymously accused by the FBI, in a letter to his wife, of infidelity would not be notified of the FBI's mischief unless a divorce had resulted.

"If someone said that, they made a mistake," said Michael E. Shaheen, Jr., who is in charge of the notification program as head of

the Justice Department's Office of Professional Responsibility.

Shaheen told a reporter that both husband and wife would be notified of such FBI letters, and some couples, whether divorced or not, have been so notified.

He also said that individual victims of Cointelpro are notified in all cases "where there has been harm, where there might have been harm, or where we don't know whether there has been harm or not." He said the small number of notices was due primarily to the ineffectiveness of Cointelpro.

"The overwhelmingly majority" of Cointelpro actions were simply unsuccessful, Shaheen said.

Subcommittee staff director Timothy H. Ingram said "it was Shaheen himself, as I understand it" who initially told a subcommittee staff member that unless an anonymous allegation of infidelity had resulted in divorce no notice would be sent out.

Ingram also said the notification program still poses a basic conflict of interest. "The Justice Department can, in effect, restrict the number of lawsuits against the government by restricting the number of people notified of improper conduct," he said.

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