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Expanding Communication  
System Viewed as Threat  
to Individual Rights

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WASHINGTON, Oct. 20—An unannounced decision by the Justice Department, giving the Federal Bureau of Investigation tentative approval to begin enlarging its communication system, has been denounced by the White House Office of Telecommunications Policy.

John M. Eger, acting director of the White House Justice Department decision "could result in the absorption of state and local criminal data systems into a potentially abusive, centralized, federally controlled communications and computer information system."

The criticism was made in a letter to Attorney General William B. Saxbe. A copy of the letter was obtained by The New York Times.

"The growing Federal role in this area not only would weak-

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en the ability of other levels of government to manage their own affairs, but also raises concerns about the protection of individual rights," Mr. Eger wrote.

#### Understanding With Congress

He also maintained that the tentative approval to the F.B.I. violated an understanding with Congress not to act on the communications project until complex legislation establishing limits and controls over the agency's national crime information center had been worked out and approved by Congress.

The center is designed to give law enforcement agencies throughout the country almost immediate access to the criminal history of persons wanted by the police. But such questions as what kind of information will be included in the criminal histories, how long they will be held in the files and who will have access to them have not yet been resolved.

During hearings last March on the proposed legislation to set limits on the national crime information center, Senator Sam J. Ervin, Jr. of North Carolina, chairman of the Constitutional Rights Subcommittee of the Senate Judiciary Committee, debated with Clarence M. Kelley, the F.B.I. director, about whether the capacity of the associated communications equipment should be enlarged.

"For one man to have con-

trol of crime data might be more efficient," Senator Ervin said. "But this country wasn't based on the idea of efficiency so much, he added. "It was based on the idea of power defused."

The specific action criticized by the White House agency was the decision of Deputy Attorney General Laurence H. Silberman, in a memorandum to Mr. Kelley three weeks ago, that the F.B.I.'s National Crime Infirmation Center could begin "limited message switching" after developing an action plan telling exactly what was to be done and how much it would cost.

Mr. Eger said the decision, if fully implemented, meant that the F.B.I. communications links would duplicate the facilities of the National Law Enforcement Telecommunications System, a long-existing cooperative program managed and paid for by the 50 states.

The official said that, should the F.B.I. take over the functions of the state-run system, Federal officials would be able "to monitor communications patterns between local and state law enforcement agencies" and there would be "an undesirable shift in the delicate balance between Federal and non-Federal law enforcement agencies."

Mr. Eger said the newly approved F.B.I. communications capacity would also permit that agency to control and route messages from other Federal

agencies going to state and local law enforcement groups.

The official said he was "surprised and dismayed" by the tentative go-ahead to the F.B.I. He wrote Attorney General Saxbe that "we believe and strongly urge that no action be taken to implement any Federal capability to switch state and local messages" until the criminal justice privacy legislation was signed into law and serious evaluation was made of why the Federal system was needed.

"Unless the present precipitous action is halted and these further steps are completed before any further action is taken," Mr. Eger concluded, "I'm afraid the Government may be faced with a runaway situation that would require drastic Congressional action to halt."

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