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# U.S. May Still Have Files on Dissenters

By Douglas Watson

Washington Post Staff Writer

A Defense Department official testified yesterday that files that the Army compiled on thousands of political dissenters during the late 1960s, and that the Army subsequently has said it destroyed, could still exist in U.S. intelligence agencies that exchanged information with the Pentagon.

David O. Cooke, a deputy assistant secretary of defense, said that while the Army has eliminated the files it compiled through surveillance of private citizens, he doesn't know what the CIA, FBI and other investigative agencies have done with any such files they got from the Army before 1971.

"I think that is an astonishing situation," responded Rep. Andrew Maguire (D-N.J.), a member of the House Subcommittee on government Information and Individual Rights.

Cooke, chairman of the Defense Privacy Board, said under questioning that he was "relatively certain" that before 1971 the Defense Department exchanged information on suspected civilian dissidents with U.S. intelligence agencies.

Rep. Bella Abzug (D-N.Y.), the subcommittee chairman, asked whether such files could be retrieved. "I assume they are retrievable, but not by us," Cooke replied.

Cooke denied charges made by NBC-TV Monday night that instead of destroying its files on civilian dissidents, the Defense Department since 1971 secretly distributed them to the CIA, National Security Agency and Massachusetts In-

stitute of Technology through a computer network.

Cooke testified that unannounced inspections at most military installations in this country found only minor infractions of the Defense Department's 1971 directive requiring that political-dissident files be destroyed.

"The maintenance of files on Americans in exercise of their fundamental rights has got to stop," Rep. Abzug said emphatically as she repeatedly questioned whether federal government officials were certain such files had been destroyed and no longer are being compiled.

Spokesmen for the Justice, Health, Education and Welfare and Defense Departments said they aren't sure just how many record-keeping systems they have for retaining information on individuals ranging from employment files to criminal investigations to Social Security files.

Mary Lawton, a deputy assistant attorney general, said the Justice Department seems to have about 410 record-keeping systems. Thomas S. McFee, a deputy assistant secretary, said HEW maintains as many as 500 systems.

Rep. Abzug repeatedly criticized the federal departments for not moving fast enough to draft guidelines and otherwise prepare for the Sept. 27 effective date of the Privacy Act of 1974, which will require federal agencies to make public all their systems for keeping records on individuals.

The new law also will allow citizens to obtain whatever information on themselves is being maintained by a federal office and to challenge its validity. Further, the law seeks

to eliminate unessential record-keeping and will limit access to personal records.

Rep. Abzug told Office of Management and Budget officials who are advising federal departments and agencies on the new law that OMB hasn't done enough to implement the Privacy Act. The subcommittee, she said, is "going to send you back to do your homework and then call you back again."