

Min. wants a  
press release on this  
letter -

January 10, 1975

William R. Colby  
Director  
Central Intelligence Agency  
Washington, D.C.

Dear Mr. Colby:

In view of recent disclosures that the Central Intelligence Agency has gathered and maintained lists and dossiers on thousands of Americans as part of a domestic spying operation, in violation of its 1947 enabling legislation, I am writing to ask that you make immediate restitution to these individuals, whose Constitutional rights have been violated.

The CIA can begin to do so by informing each individual whose name is on a list or dossier illegally held by the CIA, by providing that individual with access to his or her file, and by destroying the file, if the individual so requests.

The principle of access by the individual to files and records containing personal information on him or her that is kept by Federal agencies has been well established by the Privacy Act of 1974. Although the law allows CIA records to be exempted, the exemption is not mandatory and is discretionary with the director of the agency. Certainly it was not the intent of Congress that an agency director should deny an individual access to files that the agency had no legal right to maintain in the first place.

Moreover, under Sec. 3<sup>(e)</sup> of the Privacy Act, the CIA is not exempt from a provision that prohibits the maintenance of records "describing how any individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained, or unless pertinent to and within the scope of an authorized law enforcement activity."

Clearly, there is no basis in law for the CIA's gathering or continuing to maintain such files. I, therefore, urge you to act immediately to make these files available to the individuals involved so that they may destroy them, if they so choose.

Also, I would like to know, in general, whether the CIA has gathered or maintained lists or dossiers on members of Congress, as part of its domestic surveillance operation, and, in particular, whether you have gathered or maintained a listing and/or a dossier on me. If so, I would appreciate your allowing me the right to inspect this file and to ~~xxxxxxxxxxxxxxxx~~ dispose of it.

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Pages  
2, 3, 4, & 5

FROM THE OFFICE OF CONGRESSWOMAN BELLA S. ABZUG  
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FOR IMMEDIATE RELEASE  
January 14, 1975

REP. ABZUG INTRODUCES BILL TO REMOVE CIA EXEMPTION FROM  
PRIVACY ACT. ASKS CIA DIRECTOR COLBY TO LET INDIVIDUALS  
SEE THEIR ILLEGALLY GATHERED FILES: ALSO ASKS TO SEE FILE  
ON HER, IF IT EXISTS.

Rep. Bella S. Abzug (D-NY) today introduced legislation removing  
the CIA and Secret Service exemption from the newly enacted Privacy Act  
of 1974. The New York lawmaker also released the text of a letter to  
William Colby, Director of the CIA, in which she asks the CIA to inform  
"each individual whose name is on a list or dossier illegally held by  
the CIA," and to provide "that individual with access to his or her file,  
to permit expungement of any illegally collected material if the individual  
so requests."

Rep. Abzug was one of the co-authors of the privacy legislation  
which passed Congress late last year. At the time she offered a floor  
amendment removing the exemption of the CIA from its disclosure and  
access provisions, except for records that affect the national defense  
or foreign policy of the nation. The amendment was defeated. Her new  
bill would close that loophole.

Citing the Constitution and the Privacy Act of 1974, Rep. Abzug  
noted that the principle of individual access to file and records con-  
taining personal information has been well established. In her letter  
to Director Colby, Rep. Abzug said: "Although the law currently allows  
CIA records to be exempted, the exemption is not mandatory and is  
discretionary with the director of the agency." She also reminded  
Director Colby that the CIA is not exempt from the provision of the law  
prohibiting the maintenance of records "describing how any individual  
exercises rights guaranteed by the First Amendment unless expressly  
authorized by statute or by the individual about whom the record is main-  
tained or unless pertinent to and within the scope of an authorized law  
enforcement activity."

Rep. Abzug also asked Director Colby to inform her whether the  
CIA maintained files or dossiers on Members of Congress and "whether  
you have gathered or maintained a listing and/or dossier on me. Also  
I would appreciate your allowing me the right to inspect this file  
and determine its disposition."

Full text of letter available on request.