

# Army Spied on Antiwar Unit Suing It

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An anti-war lawyers' group that sued the Army last year, charging that the service had spied on civilians in Germany, found itself infiltrated by an Army spy, formerly classified documents show.

The documents, released by court order, include detailed reports of meetings between the informant and his Army contact officer that specifically mention the pending suit and the possibility that the informant could give the Army advance warning of future actions in the litigation.

The information, which was sealed in court files for nearly a year, means the Army had

the opportunity to spy on attorney-client conversations — among the most privileged of communications — for at least one or two months after the lawyers' group filed a suit charging illegal surveillance of U.S. citizens in Germany.

The information was uncovered by the U.S. attorney's office here in December, 1974, after it had begun defending the Army in the suit brought earlier that year by the Lawyers Defense Military Committee.

The U.S. attorney's office, which is known to have been disturbed by the lack of candor by the Army in providing information for its defense, told the judge it may have filed erroneous information in the suit based on

the Army's information and began an investigation of its own.

The investigation, which reportedly indicated numerous meetings between high-ranking military officials and Justice Department officials, resulted in the material's being filed under seal in the fall of 1974. The plaintiffs in the suit were given access to the documents this summer and U.S. District Court Chief Judge William B. Jones signed an agreement this week making the documents public.

The documents provide intimate details of the way the Army worked with informants as part of its spy campaign in Germany.

The informant in this case,

who ate currywurst (spicy sausage with curry sauce), french fries and club sandwiches at U.S. expense while providing information on the antiwar group, was not identified in the documents. He billed the government for his food and other expenses.

At least two top-level Army officers, including the current commander of the U.S. Army Europe Security Detachment in Berlin, wrote comments on the informant's reports that indicated they knew the spying operation was risky and filled with what they called "flap potential" if it were disclosed.

Although they mentioned they should end the govern-

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ment's contact with the informant because of the suit, the officers said, "If we are to continue in this area, certainly this source is a valid asset."

The Army officers involved said further in affidavits that the informant was placed into the antiwar legal group to determine how it had gained access to classified materials, and not to spy on its legal activities.

After the source had provided information for more than a month, he was told by Army officers that he could no longer be used because congressional investigations were forcing them to cut back on their operations.

He was given a final reimbursement of \$131 for his expenses, a Cordon Bleu dinner and wine at a German restaurant, and a "generous bonus" was further recommended for his work, according to the documents.