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Christopher Pyle (right), a former Army intelligence agent and the main witness in the hearings, holds up a picture of a campus demonstrator to the congressional committee.

Swarms of Army agents clumsily assault the privacy of citizens

'Persons of Interest'

If the situation weren't so outrageous, the senator discovered, it would be downright ludicrous. Military spies were coming out of the woodwork. Intrepid Army gumshoes, all too often engaged in witless surveillance of law-abiding citizens, stumbled over themselves and the subjects they were spooking in a vast and inane gathering of dossiers. At the very least it was intelligence-gathering by overkill, bad judgment and ineptitude.

Senator Sam J. Ervin Jr. (left) of North Carolina was not at all amused. His subcommittee on constitutional rights had begun hearings late last month by looking into charges that military surveillance of domestic civilian matters had far overreached itself, and that the rights of people to free speech and free association were thus endangered. The 74-year-old Democrat, proudly conservative and an authority on the Constitution, found nothing in the testimony to diminish the charges. The subcommittee's principal witness was a former Army intelligence officer named Christopher Pyle (above). Pyle reported, as he had last year in the magazine *Washington Monthly*, on the Army surveillance project known as "Conus Intel"—Continental United States Intelligence. Set up originally during the riot-torn mid-'60s to gather information which might be helpful to the Army in quelling civil disturbances, Conus had arrogated a broad territory of responsibility. Its operatives made investigatory targets of all kinds of people known in the spook trade as "Persons of Interest." Some were of legitimate interest, like Stokely Carmichael (page 22) and the Weathermen, but many others were engaged in such perfectly defensible activities as writing antiwar letters to their editors or congressmen, signing petitions, marching in peace demonstrations. Agents trailed bishops and politicians, photographed businessmen and birth control advocates, scribbled notes about ecologists and civil libertarians. Literally millions of dossiers were gathered in this way, and the Army's response to outside queries about what had been done with this material was not distinguished by either clarity or candor. That the military's indiscriminate spying procedures were constitutionally way out of line was just as clear to gruff and candid Sam Ervin "as the noonday sun in a cloudless sky."

Chairman Sam Ervin of North Carolina, an expert on constitutional safeguards, initiated the Senate hearings on Army surveillance of citizen activities.

Assignment: Watch Stokely Carmichael after the assassination of Martin Luther King Jr. In one hour agents reported Carmichael in Richmond, Washington, D.C., Atlanta and Baltimore, advising people to "get guns" and to "cool it and go home."

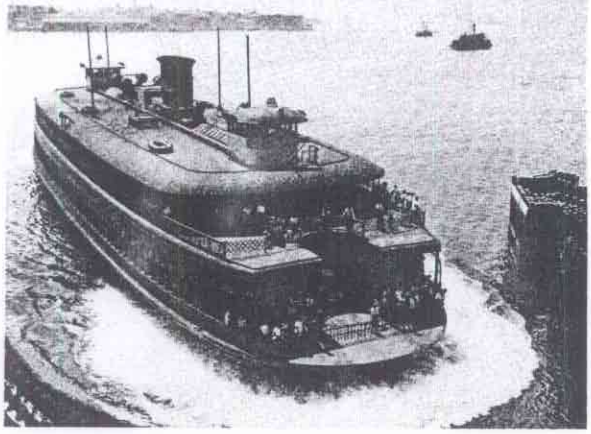
Assignment: Attend and report on a 1968 Washington, D.C. meeting of Catholic priests who had gathered to express their opposition to their cardinal's and the Church's renewed stance against practice of birth control and the use of the Pill.

Assignment: Monitor the telephone in the suite of Senator Eugene McCarthy at the 1968 Democratic Convention. Agents reported that McCarthy had made a phone call to a "known leftist organization" offering medical help to wounded demonstrators.

Assignment: Follow the 1968 Poor People's Campaign mule train marching from Georgia to Washington, D.C. Count the mules and photograph their rumps for possible sores or abrasions which would indicate that the mules were being mistreated.

Assignment: Remain at gravesite of Martin Luther King Jr. and listen to what mourners say. When Mrs. King made a speech some weeks later, recalling that her husband had "had a dream," an agent was asked to find out what dream she was referring to.

Assignment: Report on Moratorium Day activities at Wisconsin colleges in October 1969. Newspaper pictures were clipped for identification of participants, including Wisconsin State student John Laird (right), son of Secretary of Defense Melvin Laird.



Assignment: Watch the activities of the "Crazies," a loose-knit group of leftists best known for their theory that they could "freak out" the Establishment by mouthing absurdities. A straight-faced intelligence report stated that the Crazies planned to hijack a Staten Island ferry (above) to Cuba.

Assignment: Report on Philadelphia's "Earth Day" festivities in April 1970 and report on the people protesting against pollution. Most of this surveillance job was done by the Philadelphia Police Civil Disobedience Unit, which had a complete sharing-of-information policy with the Army.

Assignment: Find out location, breed and activities of Hippie presidential candidate, Pigasus the Pig, during Nixon's inauguration in 1969. The report noted that the pig was "allowed to move among persons sleeping on floor but not permitted to leave building for fear of being seen."

Nothing was too trivial to investigate

On these two pages is a sampling of the assignments carried out by Army intelligence agents. Often trivial or misguided, they are the kind of make-work that brought on the hearings. In federal district court in Chicago last January, Judge Richard Austin characterized the Army intelligence operation as "an assemblage of Keystone Cops." Furthermore, said Judge Austin, "Army spying activities, as disclosed in this hearing, are typical of the gigantic Washington boondoggle. The military intelligence is the Army's WPA . . . leaf-raking, shovel-wielding and paper-shuffling, presided over by too many Colonel Throttlebottoms." Here are some additional assignments that have come to light during the hearings:

▸ A black Army agent spent an entire term monitoring a course in black studies at New York University, reporting on who took the course, what was taught, what questions and comments were made by which students.

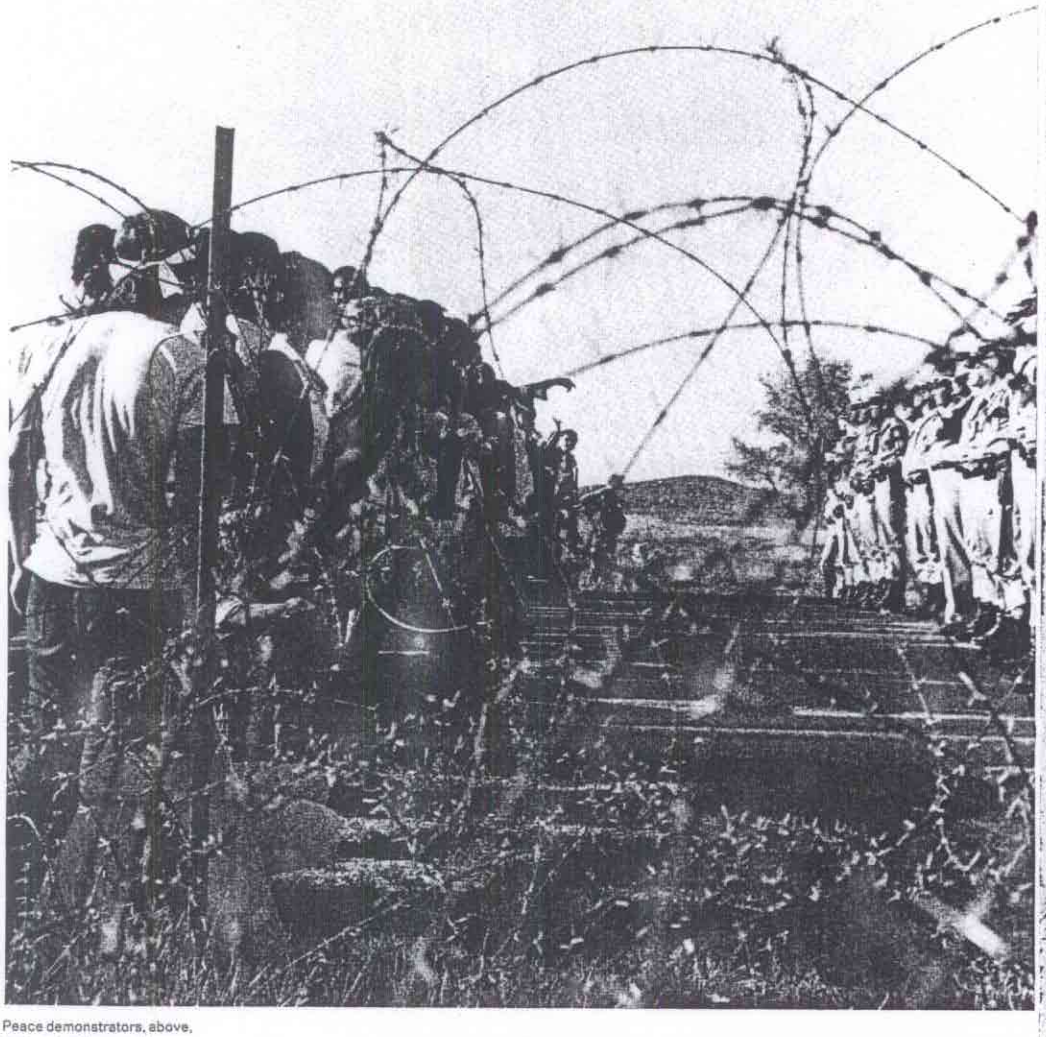
▸ To infiltrate groups of potential demonstrators at President Nixon's inauguration, long-haired and bearded Army agents were issued liquor money and also marijuana, with instructions to use it and to pass it out to keep their cover.

▸ One agent testified: "We might be asked for the names of the 10 most active radical groups in an area. If there were only four active groups, we'd have to come up with the names of six others. We didn't make any distinction as to whether they were engaged in legal or illegal activities."

▸ A file was started on a man whose sin was to say, on seeing a girl demonstrator hauled away by Philadelphia police, "Gee, it's a shame to carry away a pretty girl like that." An agent assumed the remark indicated sympathy for the demonstration.

▸ Bus companies that chartered buses to demonstrators traveling to war protest rallies were investigated and sometimes intimidated into canceling their charter contracts.

▸ A military intelligence group in New York City persuaded an employee in Columbia University's registrar's office to disclose information surreptitiously taken from the supposedly closed academic records of students.



Peace demonstrators, above, confront military policemen at an entrance to Fort Carson, Colo. on Armed Forces Day last May. Among the 100 or so marchers were 30 military agents, sent out by nervous Army brass who had expected 5,000 demonstrators.

A 1969 Colorado College symposium on the concept of violence was attended by 150 people, including 14 Army agents. At right, a spook named "Doug" takes pictures, while another agent, "Spence," applauds. At far right, the man with the camera is an agent.

Agents, agents everywhere—what happens to the information?

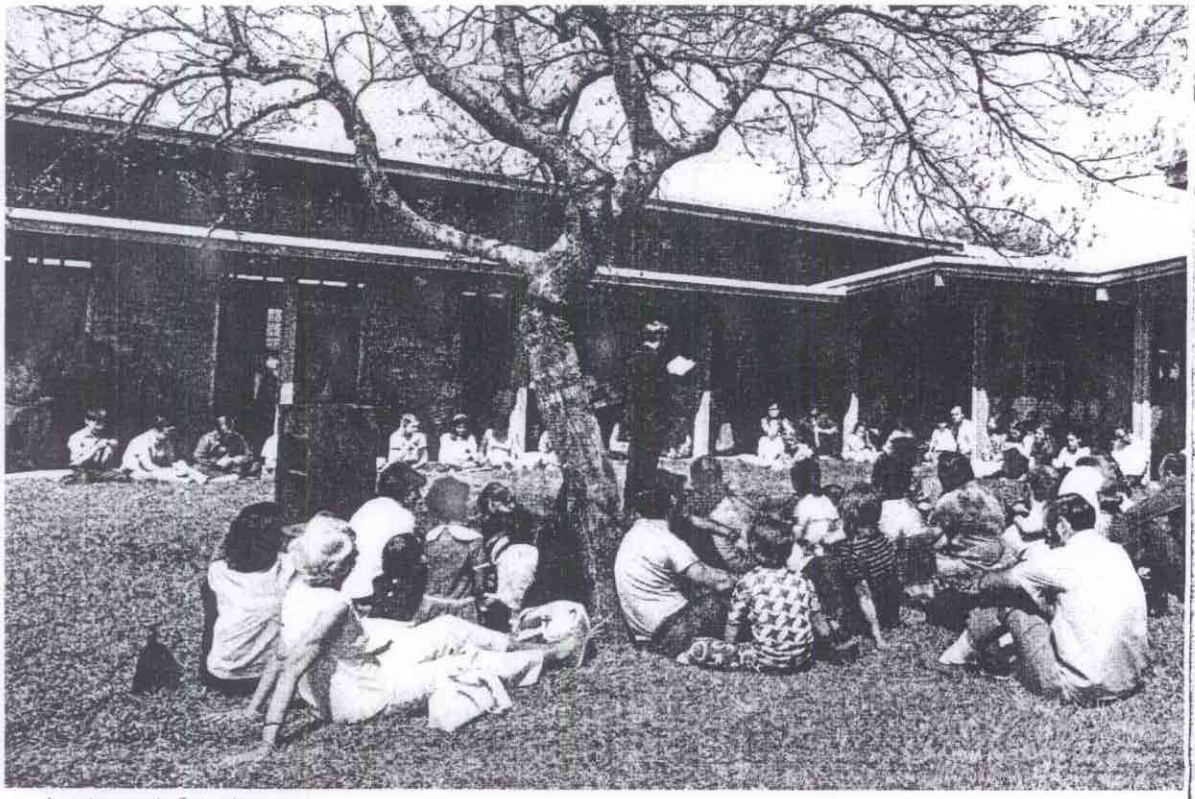
Before public outrage forced the Army to curtail some of its civilian surveillance last June, the system had grown into a mammoth nationwide network that had gathered information on 25 million citizens and showed no sign of slowing down. At its heart was a computerized data bank on individuals and incidents and files containing millions of dossiers at Fort Holabird, Md., Army intelligence command headquarters. At Alexandria, Va. there was a computer-indexed, microfilmed archive of intelligence reports. Two other computerized data banks were maintained at Fort Monroe, Va. and Fort Hood, Texas. In addition, the 300 stateside Army intelligence offices maintained noncomputerized, regional files on local political groups and individuals. The Army also distributed to its branches and various government agencies 375 copies of an encyclopedic "compendium" of individuals and organizations. These were supplemented by daily and weekly teletyped reports on political protests and civil disturbances, which were sent to Army bases in the U.S.

Information for the mammoth intelligence bank was pumped in by about a thousand plainclothes Army agents. It was also drawn from other agencies such as the CIA and FBI, culled from news media reports, and supplied by informants. Surveillance reports on legitimate, peaceful individuals and organizations went into the bank along with reports on criminals and on organizations and individuals who were indeed worth watching. One former agent, Ralph Stein, reports that inexperienced soldiers working on the files often made arbitrary judgments, such as deciding whether to designate an individual as a Communist or non-Communist. As a result, says Stein, "Many persons who are not Communists have been so listed."

Nine months ago the Army directed that such spying cease, and that certain records be destroyed. But, in fact, critics charge, these orders have generally been disregarded or circumvented—to the ignorance of even high Army officers. The data bank records at Fort Holabird were supposed to be destroyed, but Assistant Defense Secretary Robert Froehlke testified that "it is impossible to say that all the files have been destroyed." Much information was simply turned over to the FBI. The other computers and some regional files were retained, and snooping by soldiers in mufti continued, though on a reduced scale and in secret.

Christopher Pyle, who first made the Army's activities public, believes that the U.S. has already developed "the intelligence apparatus of a police state." Worse, he argues, it is useless. He points out that in its only major test so far, Army surveillance flunked miserably. Though several agents had been assigned to tail Martin Luther King in Memphis three years ago, they were unable to prevent an escaped convict from moving in among them, firing a gun and killing King, then escaping unseen.

Army agent Richard Stahl, at far right, walks through Chicago's Lincoln Park before the 1968 Democratic Convention. At center, radical Rennie Davis faces three other Army agents posing as newsmen: Robin Hoff (in light suit), a man named Lounsbery (kneeling with earphones), and the large man in the white shirt.



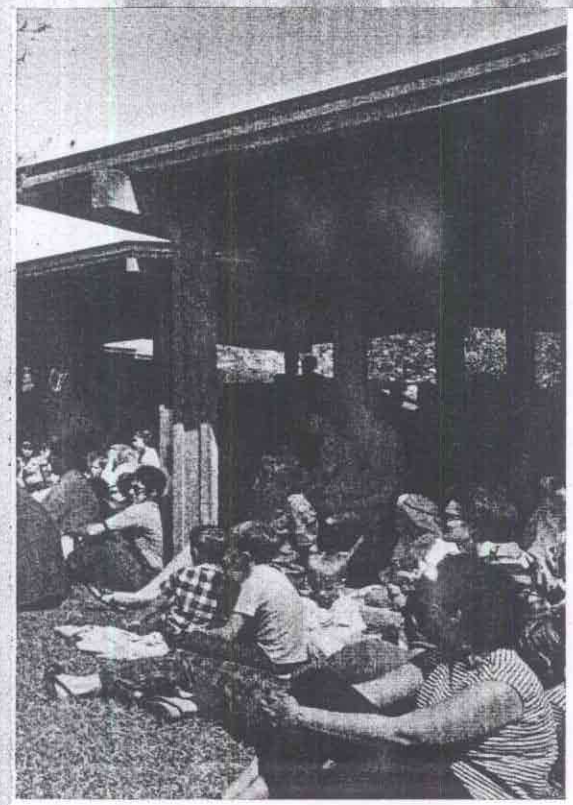
In testimony to the Ervin subcommittee, Curtis M. Graves, a Texas state legislator, charged that an Army unit in Houston kept a card on each member of the San Antonio Unitarian Church, above.

One Army unit kept tabs on a large and disparate group of Minneapolis citizens —students, pacifists and community workers. Eighteen of them agreed to pose together for this photograph.

The precious right

In his close questioning of committee witnesses, Senator Ervin raised clear doubts about the constitutionality of the operations of Conus Intel. But his interests were broader. It has long been Ervin's view that the breakthroughs in computer technology tend to create the real possibility of "a mass surveillance system unprecedented in American history." He has warned his Senate colleagues that without proper controls "we may well discover someday that the machines stand above the laws." What the senator so outspokenly fears is the abuse and intimidation possible in a vast pooling of information—unconnected, some of it factual, some trivial, some falsely rumored—about enormous numbers of unknowing individuals who are under scrutiny for reasons ranging from an arrest on any charge, to applying for a bank loan or a passport, to receiving Social Security benefits.

While it would be absurd to suggest that advancing computer technology is in itself malevolent and leads inevitably to the loss of freedom, it is true that there is already a growing pooling of data. The Army gives its material—including much of the Conus-gathered information—to the FBI. Mr. Hoover's computerized bureau, of course, collects items from police agencies and also disseminates some of its material to local law enforcement offices. The Internal Revenue Service supplies personal income tax information to the states, and will also sell *anyone* copies of information on individuals who have registered firearms under federal law.



to be left alone

Obviously electronic cooperation, especially between agencies involved in the prevention of crime and the pursuit of criminals, is desirable. The big questions involve control over both information-gathering and how the data should be banked. Administration officials seem widely split in their opinions. Assistant Attorney General William H. Rehnquist insisted to an angry Senator Ervin that the government had the right to collect whatever information it wanted on anybody, that the right of privacy was not thus violated, and that "self-discipline on the part of the executive branch will provide an answer to virtually all of the legitimate complaints against excesses of information-gathering." But Health, Education and Welfare Secretary Elliot Richardson, whose department may well have the largest collection of personal data, said that the U.S. "must develop the means of controlling the potential for harm inherent" in computer-banking. He further said that invasion of privacy was possible through the widespread use of Social Security numbers as guides in the keeping of all kinds of records.

What Senator Ervin seeks in the long run is constitutional protection of what has been called "the right to be left alone." To assure this, he is considering proposing legislation that will require advising each individual whenever a noncriminal file is begun on him. It would be his right then to see that file, to challenge information he considers inaccurate and to know the identity of all others who have searched it.

DOSSIER ON A POSSIBLE 'PERSON OF INTEREST'

By Army intelligence standards, is any citizen above suspicion? The following accurate dossier was compiled by LIFE. On the basis of the information it contains, an Army investigator might well conclude that the subject under surveillance deserved his own "person of interest" folder, and perhaps a 24-hour tail and a telephone tap as well.

▸ He has traveled extensively in foreign countries and has been photographed with known Communists.

▸ He made a recent speech which called for a "New American Revolution."

▸ He is a known member of the Society of Friends.

▸ He has been active in a movement to withdraw American troops from South Vietnam.

▸ He has embarrassed high government officials (Secretary of the Interior Walter Hickel) and duly elected congressmen (Senator Charles Goodell of New York).

▸ He attended the funeral of Martin Luther King Jr. and has been observed in the company of such black leaders as Richard Hatcher, the late Whitney Young Jr. and other known "persons of interest."

▸ He characterized the U.S. Army actions at Mylai as a "massacre" and furthermore has stated, in the presence of witnesses, that he believes there should be no more wars.

▸ He has said that the President's comments on the Manson trial were out of order and should not have been made.

▸ He was seen talking with radical youth groups at predawn during the 1970 post-Cambodia rally in Washington.

▸ He maintains an unlisted telephone number.

▸ His hair and sideburns have become progressively longer over the past two years.

▸ He surrounds himself at all times with armed and stone-faced men.

▸ Finally, his general stability is suspect: he has changed his job—and even his residence—four times in the last 10 years.