

Bonn to Withhold Findings On Illicit U.S. Army Taps

By Barbara Bright

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BONN, July 31—A West German government commission will open an investigation this week of newspaper reports of illicit intelligence operations in West Germany by the U.S. Army. But the results are not to be made public.

The West German law restricting the secrecy of mails and telecommunications, valid since 1968, prevents disclosure of such investigations, Bonn spokesman Ruediger Von Wechmar said today in announcing the investigation committee.

But the Frankfurter Rundschau, a left-liberal daily newspaper which claims to have proof that U.S. Army agents tapped a telephone conversation between one of its reporters and an underground press writer, today demanded that Interior Minister Hans Dietrich Genscher publish a statement clarifying government knowledge of the operations.

"We demand that you condemn these illegal activities immediately and, without delay, clarify whether German authorities have given illicit assistance in these cases," the newspaper said in a telegram to Genscher.

"These methods have no legal basis," the telegram continued. "They threaten the freedom of the press in our country . . . As observers of the Watergate affair, we must remind you that it is your duty to oppose unequivocally the importing of such methods."

Reports of illicit telephone tapping and surveillance of civilians suspected as troublemakers by the U.S. army were first disclosed on Saturday by The New York Times.

The U.S. Defense Department said yesterday, however, that the intelligence operations it had carried out were approved by the Bonn government. Prior to the Pentagon announcement, Bonn spokesman Von Wechmar had said the government would not comment.

Today, Von Wechmar said that only a three-man executive committee of state secretaries and a parliamentary espionage committee would be told of results of the investigation into alleged illegal counter-intelligence. The executive committee would have authority to cancel U.S. Army surveillance operations if they went beyond commission-approved limits.

In a front-page story today, the Frankfurter Rundschau said it has a photocopy of a wire-tapping report from a U.S. intelligence agent quoting a conversation between one of its reporters and Thoni Schwaetzer, 45, Austrian-born correspondent of the Liberation News Service.

Schwaetzer said he has asked a Heidelberg lawyer to inquire of the Bonn government if his telephone has been tapped and of what crime he has been accused.

West German law allows monitoring of telephones by Germans if a crime has been committed or is being planned.

Schwaetzer added that he may sue the U.S. Army in Europe for professional damages and invasion of privacy. "I consider that my sources have been intimidated and harassed," he said, "and therefore my income as a journalist has been jeopardized."

American lawyer Howard de Nike, who suspects his conversations with Schwaetzer have been illegally intercepted, said he expects the lawyers' Military Defense Commission in Washington to protest the situation to U.S. congressmen. The lawyers' group is affili-

ated with the American Civil Liberties Union.

Johanna Prym, German correspondent for the GI newspaper The Overseas Weekly is another journalist whose telephone reportedly was tapped. She said she had protested verbally to the Bonn government.

Two Protestant church missions, one in Mainz and another in Heidelberg, were allegedly also under surveillance by the U.S. Army, but a Protestant church officer in Bonn said today that reports in the German press had been so sparse that he had not been aware of the allegations.

Only Munich's Sueddeutsche Zeitung editorialized on the wire-tapping charges, pointing out that one purpose of the post and telecommunications law of 1968 had been to end Allied monitoring of German telephones.

In Bonn, parliamentary deputy Juergen Moellemann said he would call for the government to disclose what methods to be planned to prevent future illegal bugging.