

MILITARY SNOOPING ON CIVILIANS BARED

Probe Questions Role at 2 Major Conventions

(EDITORS: The following report is based upon a six-week inquiry by The Times-Picayune National Service into federal intelligence and security activities impinging on civilian politics. The information was provided by ex-agents of military and civilian units as well as by political leaders and officials presently or formerly in the government.)

By JARED STOUT

(Times-Picayune National Service)

WASHINGTON — Plainclothes military intelligence agents played a questionable—and still secret—surveillance role at the 1968 national conventions that brought them in close contact with the process of nominating presidential candidates.

An investigation of the Pentagon's little-known but extensive watch kept on civilian dissidents has determined:

—A unit of the top secret Army Security Agency (ASA), normally assigned only to national security communications and foreign electronic surveillance, was deployed in Chicago during the strife-ridden Democratic meeting. The unit reportedly eavesdropped on political headquarters, including that of Sen. Eugene J. McCarthy (D-Minn.), as well as protesters.

—Agents of Army, Navy and Air Force military intelligence units mingled on the floors of both the Democratic Convention and the Republican Convention in Miami Beach with unsuspecting delegates. Their mission

Exclusive

was to help the Secret Service guard presidential candidates. But in the opinion of former Atty. Gen. Ramsey Clark this was a "very unwise use" of military agents in two exclusively civilian political arenas.

—Convention leaders and such party officials as the then national chairmen, Democrat John M. Bailey and the GOP's Ray C. Bliss, were never informed of the presence of military agents in their midst. Nor were they made aware of the extent and purpose of the ASA's electronic surveillance activities.

—Although the Secret Service

denied the military agents were given any orders to spy, each intelligence unit filed detailed reports on what their agents had seen and heard during both conventions. These reports, according to former intelligence analysts, included the identities

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of persons deemed worthy of watching.

Ramsey Clark, Joseph A. Califano, who was then a top assistant of President Johnson, and Clark M. Clifford, secretary of defense at that time, all said they knew of no orders sending the ASA unit to Chicago.

Under a June 30, 1965, executive order, Clark was required to approve all federal electronic surveillance. But Clark said he gave no such approval to any federal agency, including the military, and turned down repeated requests from the FBI.

How the ASA was sent to Chicago and what plainclothes Pentagon agents did other than guard candidates presently is hidden behind official refusals of the Secret Service and the Department of Defense to go back into security operations at the convention.

WATCHED DISSENTERS

One explanation of the Pentagon's sensitivity is the already-documented extraordinary use of military agents to keep track of political dissenters. The army, for example, assigned 1,000 intelligence agents starting in 1965 to this domestic role without informing its civilian bosses.

Indeed, former defense secretary Clifford was among those who said recently "I didn't know anything about that." One of Clifford's top Army deputies, who asked not to be identified, said he was unaware of the Army's domestic intelligence apparatus until the fall of 1968.

This deputy, when he did learn of it, said he fired off a memo to his uniformed subordinates saying, "if we're in the domestic intelligence business, we shouldn't be. Get out of it."

The Army's widespread surveillance of civilians—and similar watches by Navy and Air Force units—was underway when the conventions met. This activity was curtailed after the Army's computerized dossier of political dissenters was disclosed publicly last January. The dossiers included high-rank-

ing retired military officers and elected officials opposed to the Vietnam War.

DEGREE BEING PROBED

Currently, the extent of domestic intelligence relating to radical politics and crime are under investigation by Sen. Sam J. Ervin (D-N.C.) and his subcommittee on constitutional rights.

The military and the Secret Service are both expected to be called to account for their intelligence operations at subcommittee hearings scheduled for early 1971. Ervin's concern is the impact of these practices on individual privacy, politics and lawful dissent.

As for Pentagon activities, Ervin has said that under this nation's laws and the tradition of Democratic rule, "There is no place in our society for the military to keep watch on civilians."

As for the Secret Service, Ervin is concerned the presidential protectors may have overstepped their congressional mandate to also guard presidential candidates by drawing too heavily on military intelligence.

Secret Service spokesman John W. Warner said agents were borrowed from the military because the service had been handed the job of protecting presidential candidates after the June 5, 1968, assassination of Sen. Robert F. Kennedy—and didn't have enough men of its own. The Secret Service at that time had 500 agents.

Acknowledging the Secret Service deployed military agents on the floor at Chicago and Miami Beach, Warner said "Their presence related only to the security of candidates. They were under our control and filed no 'intelligence' reports to us." Warner said the borrowed agents had no time to "even take notes if they wanted to. They had their hands full with the security job."

But Warner could not explain, for example, the Chicago floor duties of three Pentagon-based agents of the Army's Counter-Intelligence Analysis Division (CIAD), one of whom sat near

the Illinois delegations unknown even to convention chairman Rep. Carl Albert (D-Okla.).

NONE ASSIGNED

It was learned none of the CIAD men were assigned to candidate security. Their presence was outside the narrow authority Warner cited to justify the military role on the floor. They appeared to have been functioning as observers, but it could not be determined for whom.

The CIAD men could not be connected, for example, with either the 113th Military Intelligence Group (MIG), whose members did candidate security work, or the 5th Military Intelligence Detachment from Ft. Carson, Colo.

The detachment provided data for federal troops on riot standby outside Chicago who were from the Carson-based 5th mechanized infantry division.

Warner's explanation also did not cover the assignments of agents like Ralph Schaller, a naval intelligence analyst who testified in November, 1969, at the "Chicago Seven" trial. He tape-recorded protest speeches in Chicago's Grant and Lincoln parks during the convention and filed reports on what he observed.

Schaller said he had Secret Service orders to report on the activities of any group or person who might constitute a threat to a candidate. His reports, which were "not required" according to Warner, included the names of protesters and protest groups, Schaller said.

OTHER CONFLICTS

There were other conflicts with Warner's description of the military role on the matter of reporting requirements. Since December, 1965, the defense department and secret service have been systematically sharing intelligence related to presidential protection and whatever military agents saw would have been available to the Secret Service.

Moreover, reports filed by agents like Schaller were available to Secret Service, other federal and local law enforcement agencies through the command post they shared in the basement of the international amphitheater where the Democrats met in Chicago.

In Miami Beach, a similar sharing of intelligence data was organized. Included in the military complement there was the 111th Military Intelligence

Group (MIG) whose members worked convention posts until they were sent into nearby Liberty City, Fla. when racial violence flared.

Warner flatly denied any knowledge of eavesdropping by anyone. He insisted the ASA "did not assist us" in Chicago where, as in Miami beach, the Secret Service checked candidate headquarters and rooms to assure they were not rigged for illicit eavesdropping.

"We don't know anything about that," Warner said when asked about the ASA presence. Army spokesman Lt. Col. Harry A. Heath said only, "We cannot identify any such activity or unit." Both men refused to discuss details of their operation or ASA involvement any further.

"Hell no, we don't disclose such information to anyone on the outside," Warner said when asked why party leaders weren't told of the military agents among the delegates. He said this protected the integrity of his agency's security plans.

NO NUMBERS GIVEN

Warner declined to answer all questions about the numbers of military agents or the nature of the units from which they came. He referred the inquiries to the Pentagon. "You'll just have to ask them about those things," he said.

But the Pentagon refused requests to interview the chief lawyer and intelligence chief of the Army, Air Force and Navy. Col. Heath said for the army general counsel, Robert A. Jordan, for example: "Mr. Jordan does not wish to grant an interview on this subject at this time."

As for Major Gen. Joseph A. McChristian, assistance chief of staff for army intelligence, Heath said, "We're trying to keep Gen. McChristian out of the interview business these days." He gave no further explanation of the general's unavailability.

The refusals left without official answer the questions surrounding the scope of military surveillance at both conventions, and under whose authority the army security agency was operating in the Chicago area.

The ASA is a separate Army command that reports directly to the service's civilian head. Its prime function is the gathering of foreign intelligence by electronic means for the National Security Agency (NSA) and

maintaining the security of the Army's worldwide communications network.

From listening posts on the borders of Communist countries, for example, the ASA monitors military radio transmissions. Sometimes its listening gear is installed in the back of unmarked Volkswagen vans for mobile operations.

EQUIPMENT CLASSIFIED

The equipment ASA uses is classified. How far it can reach to probe another country's communications is unknown, although one facility near Washington reportedly can tune in on over-the-air communications from Canada to Cuba.

The unexplained presence of the ASA in Chicago was first disclosed by Sp. 4 Ronald E. Weber. Until September, 1969 when he deserted to Canada, he was a visual aids clerk in the secret confines of the ASA's Arlington, Va., headquarters.

Weber's job involved preparing maps and charts for secret briefings and he told newsmen last July that, weeks before the Chicago convention, the ASA planned to move a reconnaissance company from Texas to Chicago.

The company was in place and listening a week before the convention, Weber said. The electronics men were operating from storefronts, rooms and were touring the city in unmarked vans to do the job, he said.

According to Weber, the unit's electronics experts were "Listening all day and all night" to radio frequencies, police radio, "certain telephone communications" and short-wave radio bands. Their hope was to learn the plans of protesters.

When trouble started in Chicago, Weber said, the ASA experts "received and threw back to us in Washington read-out on what was going on." As he stood duty in the ASA war room, one Chicago message in particular caught Weber's eye.

"One report was actually a read-out correlation of these different reports as to a by-play between some of Sen. McCarthy's workers, and actually an intercept recorded message to Sen. McCarthy himself," Weber said.

SPYING ASSUMED

Sen. McCarthy, when queried about this, said he was unaware of an intercept, but, "We just sort of assumed it (eavesdropping) was going on."

He said "the only 'bug' we ever found was in my home in

1964 (when he was a vice presidential possibility). And we never found out whose it was."

Weber said the intercepted messages concerned medical aid for protesters who, during the Chicago turmoil, used the McCarthy hotel rooms for a makeshift aid station. The rooms were checked and declared free of listening devices by Secret Service, McCarthy said.

Weber said the intercepted messages, including the McCarthy report and others, were classified by the ASA and "became compartmented," jargon for a top security classification that makes a document available only to persons on a list accompanying it.

None of the flood of material Weber said he saw coming in from ASA in Chicago ever went back for use by riot-ready troops there, which added further to the mystery of why it was gathered. It all went to the Pentagon, he said. "I never saw it again."

Weber also did not know if an agreement signed Dec. 14, 1965, between the Secret Service and the Defense Department had been the conduit for transfer of the reports from military to civilian hands. Other ex-agents believe it was.

The agreement established procedures "to assure the timely exchange of information" between defense and the secret service. It covered data related to presidential security at first. It was broadened later to cover information affecting presidential candidates.

OTHERS CONFIRM

Weber's placement of the ASA in Chicago was confirmed by two other sources, first by one of his former supervisors and then by a former secret service agent familiar with the Chicago convention security. Neither man would permit the use of his name.

The supervisor said the ASA was there but declined elaborate on its role. But he said Weber had access to the reports he cited and was accurate in his recollections.

The former secret service man knew nothing of Weber personally. But he insisted Weber had ASA's role there incorrect. The ex-agent said, "The ASA was there (in Chicago) to help the Secret Service protect against the use of electronic surveillance against candidates."

The agent did not know who had given the order sending

ASA to Chicago nor what authority had been used. But he believed his former superiors had, despite denials, asked for and received the aid of ASA expertise. "The service has used their experts for some time," he said.

But neither this agent nor a fellow investigator from another branch of the Treasury Department could say whether the ASA activities were a part of other governmental eavesdropping in Chicago, which they said was "common knowledge to many of us."

The fact of governmental eavesdropping was admitted last June by the Justice Department. It was used against five of the original eight defendants in the Chicago conspiracy trial, the department said without specifying what agency had undertaken the work.

SAID LEGITIMATE

According to the department, the eavesdropping was a legitimate use of the government's inherent power to protect the nation's security from threats, foreign or domestic. It could be used against any person or group the government identifies as a threat, the department said in June.

But whatever the merits of this defense, it was not the policy in force at the time of the Chicago convention. Former attorney general Clark was still requiring his approval then for all national security eavesdropping by any executive agency, including Secret Service.

Clark said recently "There were repeated requests from the FBI before the (Democratic) convention for surveillance authority under national security auspices. "But they were just as repeatedly turned down."

The former attorney general also could not recall any requests from other federal investigative agencies and remembered no cases of unauthorized surveillance being brought to his attention after the convention.

Whether the ASA went to Chicago on Army orders or at Secret Service request, the fact remains a unit with prime responsibilities in foreign intelligence had no business there under the government policies in effect at convention time.

More importantly, even the possibility of the Army or the Secret Service undertaking such steps illustrates just how little is known about how far government agencies may probe in pursuit of domestic security.

The murky nature of the secu-

rity operations is a major reason for Sen. Arvin's decision to hold January hearings and to call the Army, Navy, Air Force and Secret Service to account. Arvin wants to know just how far things have moved.

The evidence available so far suggests strongly the intelligence probing of these four agencies has moved far beyond the authority given to them by Congress or the White House.