

In Nixon Administration FPM 7-15-65

Wiretaps Used Sparingly

WASHINGTON (AP) — Contending the government snoops sparingly on private telephone conversations, Atty. Gen. John N. Mitchell expressed confidence Monday that courts will uphold administration claims on even broader eavesdropping powers.

Mitchell's comments came at

a news conference only a day before arguments are scheduled in Chicago on whether the government can legally wiretap for internal security purposes without first getting a judge's approval.

Mitchell, holding his first news conference since Jan. 21, was bombarded with questions

about the government's electronic surveillance.

"We have used the powers that we have...very, very sparingly," he said.

"There are fewer taps on now than when we came into office."

Mitchell's predecessor, former Atty. Gen. Ramsey Clark, listed 32 wiretaps last year, all

for national security cases. FBI Director J. Edgar Hoover told Congress April 17 49 taps and five bugs were in operation at that time.

Mitchell would not get into specific figures but said the number of taps and bugs now being used is less than when Hoover made his statement.

He said several had been taken off since the new administration took office.

Mitchell said private individuals concerned about the possibility of government snooping can be comforted by procedures in the Justice Department to safeguard the use of electronic devices.

Asked whether a person could find out if he is being wiretapped, Mitchell said, "Why, certainly, he could go to the Justice Department."

The attorney general denied that senators and congressmen are the subject of wiretapping, declaring such a practice "would be inconceivable."

Mitchell referred to the Justice Department's position, taken in a memorandum filed in Chicago federal court, that the administration has the right to wiretap persons it suspects of trying to "foment violent disorders" across the nation.

This argument would extend powers already claimed by the government in cases where taps are installed to gather "foreign intelligence information" for national security purposes.

The Chicago case involves the department's acknowledgment that at least five of eight anti-war demonstrators—charged with conspiracy in connection with disorders during the 1968 Chicago Democratic National Convention—had been wiretapped.