

CIA (D)

MILITARY FLOUTED CIVILIANS' RIGHTS, SENATE UNIT SAYS

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Intelligence Agents Accused
of Ignoring Legal Curbs
in Spying on Dissenters
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Military intelligence agents have violated the rights of United States citizens in the agents' investigations of domestic political and protest groups, and in the process have threatened "to violate the traditional and legal restraints which govern the use of military forces in the civilian community," the staff of the Senate Select Committee on Intelligence Activities has concluded.

During the middle and late 1960's, the staff said in a report released today, Defense Department agents, principally those of Army intelligence, penetrated and reported on numerous civil rights and anti-Vietnam war organizations, intercepted those groups' radio communications and cooperated with civilian law-enforcement agencies in monitoring the activities of private citizens.

Reports Confirmed

The Senate staff termed those activities "improper" and went on to confirm reports published yesterday in The New York Times indicating that the Army has also conducted active surveillance of United States citizens living in West Germany and West Berlin whom it considered to be "threats" to its operations.

Until 1968, according to the Senate staff's report, Army commanders in West Germany had unilateral authority to open mail to and from such individuals and to subject them to wiretaps.

Since then, the West German Government has forbidden the Army to conduct such activities, but the 1968 restrictions do not apply to the American sector of West Berlin where "mail openings and wiretaps continued to be employed against Americans and groups of Americans," according to the report.

Files on All Dissenters

Affidavits from Army Secretary Martin R. Hoffmann recently filed in two civil court cases show that Army intelligence officers opened mail in West Berlin as late as 1972, and the affidavits carried the strong implication that such practices were continuing there.

As the Army was called upon with increasing frequency in the early 1960's to respond to civil disorders, the report said, it began what later became a "massive" intelligence collection effort that eventually produced files on "virtually every group engaged in dissent in the United States."

The military's rationale for such surveillance, the staff noted, was that, to enable its

Continued on Page 18, Column 1

Continued From Page 1, Col. 3

forces to respond effectively to Presidential requests for assistance in times of civil disorder, it was necessary to learn about the goals of dissident groups.

Although there is no statute authorizing military surveillance of the political activities of private citizens, the report said, the Constitution gives the Federal Government the responsibility of protecting each of the states "against domestic violence."

1971 Inquiry Cited

The committee staff noted, however, that the Senate Subcommittee on Constitutional Rights, which conducted an extensive investigation of military intelligence activities in 1971, had been "unwilling to imply the authority to conduct political surveillance of civilians from the role assigned by statute to the military in the event of civil disturbance."

In all, the committee staff estimated, 100,000 individuals and a "similarly large" number of domestic organizations were subjected to surveillance by Army intelligence agents "who were young and could easily mix with dissident young groups of all races."

In addition to civil rights protests, such as the 1968 Poor Peoples' March on Washington, and anti-Vietnam war organizations like the National Mobilization Committee, Army agents penetrated a coalition of church youth groups, classes at New York University, a conference of priests convened to discuss birth control and the late Rev. Martin Luther King Jr.'s Southern Christian Leadership Conference.

Posed as Newsmen

While the covert infiltration of such organizations was a

principal technique, the report said, Army intelligence agents monitored protest marches and rallies by posing as newsmen and by recruiting civilian informers to work in the agents' behalf, before the defense department's nationwide intelligence collection effort was declared to have been ended in 1971.

In an effort reminiscent of, but narrower in scope than the "Cointelpro" domestic counter-intelligence programs of the Federal Bureau of Investigation, military officers and enlisted men also set out to harass and disrupt attempts of some antiwar groups to organize public demonstrations, the report said.

Among the individuals on whom the army maintained intelligence files, it added, were

Dr. King; the late Whitney M. Young, head of the National Urban League; Julian Bond, the Georgia State legislator; Arlo Guthrie and Joan Baez, folk-singers; Dr. Benjamin Spock, the child care specialist and antiwar activists, and Senator Adlai E. Stevenson 3d, democrat of Illinois.

'Worst Intrusion'

The experience of the late 1960's which the committee staff termed "the most intrusion that military intelligence has ever made into the civilian community," resulted in the issuance of new Defense Department directives that presumably eliminated some intelligence activities against United States citizens and sharply curtailed others.

The Senate report pointed out, however, that the 1971 restrictions, while barring the collection of intelligence about individuals "unaffiliated" with the military, excepted from that prohibition individuals or groups that the Pentagon considered "threats" to its operations or security.

Although the committee staff said it had found very few apparent violations of the 1971 directive, it pointed out that the directive was an administrative one, and that "no matter how effective it may have been in the past, the directive can be rescinded or changed at the direction of the Secretary of Defense."

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