

filed Surveillance

WHITE HOUSE VIEW OF WIRETAP RIGHT DENIED ON APPEAL

U.S. Court Finds No Inherent Power to Eavesdrop  
on Radical Organizations

by Fred P. Graham  
Special to The New York Times

..... Declaring that there was not "one written phrase" in the Constitution or statutes to support the Justice Department's view, the United States Court of Appeals for the Sixth Circuit in Cincinnati ruled that Government wiretapping of such groups without warrants violates the Constitution.

The ruling was the first one by a Federal appellate court on Attorney General John N. Mitchell's contention that the executive branch has the inherent power to eavesdrop on "dangerous" groups that he considers a threat to the Government.

.....

See also "Court Requires a Warrant for Domestic Wiretaps," NYTimes 13 Jan 71, filed Surveillance.

"Supreme Court to Weigh Mitchell's Wiretap View," NYTimes 22 Jun 71, filed Surveillance. Similar story this file, same date.