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Nominee Hits Spying On Citizens

WASHINGTON — (AP) — Richard G. Kleindienst, President Nixon's nominee for attorney general, said today the government should not spy on private citizens who are peacefully picketing or demonstrating.

"That would be improper conduct on behalf of the government," he told the Senate Judiciary Committee. "I would never allow it."

Kleindienst, currently deputy attorney general, said however that when citizens exercise their right under the First Amendment, there are usually others who use it as an opportunity to plan for the disruption of the government and against the national security.

"I think that the government has a duty to gain information on these activities," he said. "But just to go around taking moving pictures or prying or snooping on individual citizens is improper conduct by the government."

The 48 year old Kleindienst made his comments during the second day of his confirmation hearings in again answering questions on the government's use of surveillance.

In reply to questions by Sen. Tunney (D-Calif.), Kleindienst said he believes the president should have the power to use electronic surveillance without court order in national security cases.

"If you don't want to give him that power, you shouldn't have a president," he said.

Kleindienst said again that as attorney general he would not permit any surveillance installations without his personal authorization, including those wanted by the Federal Bureau of Investigation.