

C&P Official

Tells of FBI

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Wiretap Use

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A telephone company executive who carried out all FBI requests for national security wiretaps here for 22 years has testified under oath that about 100 such wiretaps were in operation in the Washington area at any one time throughout most of the Kennedy, Johnson and Nixon administrations.

In a civil lawsuit deposition, former Chesapeake and Potomac Telephone Co. executive Horace R. Hampton described in detail for the first time his role as C & P's only contact with the FBI for national security wiretaps here until his retirement in 1971.

Hampton told how he regularly responded immediately and without question to oral requests from the FBI by directing telephone company employees working in nighttime secrecy to install wiretaps here in greater numbers than previously revealed.

Hampton testified that his only record kept of the national security taps he had installed was a temporary list written in pencil that he kept in a locked desk drawer. He said he erased the information on each tap when the FBI asked that it be removed, Hampton said.

When asked how many wiretaps were noted as active in
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his handwritten log at any one time, Hampton testified:

"It could have been a hundred, it could have been more . . . It is speculation. I would say that probably during the Kennedy-Johnson administration we had quite a few. It tapered off after that. It was quite low before Kennedy.

Q. What is meant by quite low?

A. Well, I said a hundred.

Q. In a year?

A. At one time, you said. It could be as many as that, or it could be a little more than that. But you're talking about telephone taps, and these records might include something besides telephone taps, so it's hard for me to guess at it.

Government and telephone company attorneys present for the deposition objected to any other questions about the other possible forms of surveillance. According to the transcript, though, Hampton said it was "not the type of activity (directed) to a residence."

Sources familiar with wiretapping techniques used by the FBI said other forms of surveillance could include the interception of teletype communications transmitted over telephone lines. That is how foreign governments send messages to their embassies here.

The national security wiretaps supervised by Hampton undoubtedly included the interception of telephone and teletype messages at embassies and other foreign installations in the D.C. area, according to sources familiar with the FBI's wiretapping procedures. The sources, who asked not to be identified, staunchly defended such taps and described them as "essential . . . to our national defense."

Hampton made it clear in his testimony, however, that his estimate of 100 or more national security taps in operation at any one time here included only actual telephone wiretaps, and not the other types of undisclosed telephone company-aided surveillance.

In his regular reports to Congress the late director of the FBI, J. Edgar Hoover, gave estimates of the number of national security wiretaps in place throughout the country. In his reports the number never exceeded 100, and fluctuated during the late 1960s between only 30 and 50 for the entire country.

Hampton's testimony, which dealt only with wiretaps in the Washington area, included no national figures.

There were unconfirmed reports through the years that Hoover would order FBI agents to deactivate many taps the day before his report to Congress and reactivate them a day later to make his testimony technically accurate.

A report prepared last June at President Nixon's request showed that national security wiretaps throughout the country ranged from a high of 519 during the first Truman administration in 1945, to a low of 82 in 1968. During the Kennedy and Johnson administrations, the number of reported national security wiretaps averaged around 200 a year for the entire country.

The filing of Hampton's testimony Friday in a pending suit in U.S. District Court comes less than 2 months after a special U.S. Senate panel had urged Congress to tighten

controls on wiretaps used in national security investigations. No court order is now required for a national security wiretap, although court orders are necessary for wiretaps in criminal investigations.

The C&P executive currently handling national security wiretap requests could not be reached for comment yesterday, but company officials have testified recently in civil suits that the company now requires written authorization from the U.S. attorney general before cooperating with a request for a wiretap.

Hampton testified that no such procedure was followed when he was operating the tap program.

National security wiretaps became a controversial issue during the unraveling of the Watergate coverup, when it was disclosed that 17 newsmen and government officials had been the subjects of taps during the Nixon administration because of suspected leaks of classified information to the press.

At least four of those whose phones were tapped are suing various government officials, charging them with illegal use of wiretaps and unconstitutional invasion of privacy. The outcome of the suits will hinge largely on future court rulings concerning the President's power to initiate such taps for national security purposes without court order.

Hampton testified that he never questioned the need for any of the wiretaps requested by the FBI and never discussed them with other telephone company officials. He said he personally would immediately call the supervisor of the phone company branch at which the tap was to be placed. The supervisor would then make the actual connection from the line to be tapped to an external line to the FBI.

Hampton said neither he nor the supervisor was ever given the name or subject of any investigation. Instead, he said, the FBI gave him only the number of the telephone it wanted tapped.

He testified that two to three times a month, FBI official James Gaffney would come to his office and orally request that wiretaps be installed on certain telephone numbers or taken off other numbers.

Hampton said that in his job with the telephone company he was responsible for the provision of highly classified telephone equipment and facilities for the government. Other people familiar with his duties said they included secret defense communications lines and other top secret matters, a large portion of which was at one time provided to the government at below cost or occasionally totally free of charge. C&P officials now say the government is charged for all such services.