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20 Agencies
Use Wiretaps,
Records Show

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More than 20 federal agencies engage in electronic surveillance either here or abroad, court records indicate.

According to affidavits prompted by a recently concluded military court martial in West Germany, the agencies range from the Defense Mapping Agency and the administrative services section of the Joint Chiefs of Staff to several divisions within the Internal Revenue Service.

Electronic surveillance could include telephone taps, the interception of face-to-face conversations without the knowledge of any of the participants or the use of informers secretly wired for sound.

"The affidavits show that each of these agencies engages or has engaged in wiretapping," declared John H. F. Shattuck, national staff counsel for the American Civil Liberties Union. "Whether that wiretapping was with or without a warrant is not entirely clear."

On their face, the affidavits

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SURY
Wiretapping by 20 U.S. Agencies
Revealed in Military Court Data

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left open the possibility that some of the surveillance was the work of informers secretly outfitted with tape recorders, but Shattuck said he doubted it. He said the affidavits were produced under provisions of law calling for the disclosure of communications that have been intercepted without the consent of any participant.

The documents were made public by officials of the ACLU, whose lawyers, including Shattuck, helped represent the Army officer involved in the court martial. The charges against the officer were dropped about two weeks ago.

During the course of that case, however, the military judge, Maj. Dennis Hunt, required a broad check of federal agencies to determine whether the defendant or his attorneys had been the target of electronic surveillance since the spring of 1974.

The check produced no sign of any such bugging, but the affidavits indicated that a broad array of government agencies, both military and civilian, engage in electronic surveillance for the sake of national security, criminal cases, "counter-intelligence needs," and other unspecified purposes.

The documents showed the following agencies with electronic surveillance files that had to be checked:

The FBI, the Postal Inspection Service, the IRS Intelligence Division and the IRS Inspection Service's Internal Security Division, the Drug Enforcement Administration, the Secret Service, and the Bureau of Alcohol, Tobacco and Firearms.

Also, the Naval Investigative Service, the administrative services section of the Joint Chiefs of Staff, the Defense Intelligence Agency, the Defense Mapping Agency, the Defense Nuclear Agency, the Defense Security Assistance Agency, the Defense Supply Agency, the Defense Civil Preparedness Agency, the Defense Advanced Research Projects Agency, the Defense Communications Agency and the Defense Contracting Audit Agency.

U.S. Army units involved included the 502d Army Security Agency Group; the Office of Deputy Chief of Staff for Intelligence, U.S. Army, Europe; the Investigation and Police Information Division, U.S. Army, Europe, and the U.S. Army Criminal Investigation Command.

The list was rounded out by

the Department of the Air Force, the Defense Investigative Service and the National Security Agency.

A typical affidavit was that of Postal Inspector A. O. Puffer, who said he had supervisory custody and control "of all records of electronic surveillance conducted by the Postal Inspection Service" and found nothing "directed at premises owned, leased or licensed" by the Army officer, Lt. Matthew Carroll, or his lawyers.

Carroll, who was defended by the ACLU's Lawyers Military Defense Committee, was charged with refusing to obey an order to cut his hair.

ACLU officials charged that the affidavits conflicted with then-Attorney General William B. Saxbe's assurances to a Senate Foreign Relations subcommittee last year of steady progress in making sure "that no American citizen can be wiretapped any place in the world without the approval of the Attorney General of the United States."

"It's just one more case of one more Attorney General lying to the American people," asserted Charles Morgan Jr., director of the ACLU's Washington office.