

Eavesdropping Tools Outflank Law

By Jack Anderson
and Les Whitten

A chilling study for Congress suggests that Americans are closer to George Orwell's concept of 1984 than they may think.

Orwell described an advanced police state whose citizens couldn't make a move without the government knowing it.

With only nine years to go to 1984, the federal government may not yet be watching everyone, but it can concentrate an infinite variety of eyes and ears on anyone who arouses its suspicions.

A whole new arsenal of eavesdropping devices, according to the study, not only is available to government gumshoes but can be used with impunity.

For the 1968 law on the subject, thanks to the loose language drafted by law-and-order Sen. John L. McClellan (D-Ark.), places only the mildest restraints on the federal snoops.

The study was conducted by electronics consultant David Watters for Rep. Charles A. Mosher (R-Ohio). Watters' unpublished, 140-page report describes a number of devices that have turned snooping into a sinister science.

Here are just a few ways, under the 1968 statute, that the government can intrude upon individual privacy:

- Electronic "scanners" can sort through telegraph, Telex and other written transmissions, pick out key words and then automatically reproduce the whole message, Watters reports.

- Similar scanners can be used, according to the study, to intercept data, facsimile and video transmissions.

- Devices known as "pen registers" can record the numbers dialed from a telephone, plus the date, time and length of the call.

- "Certain exotic categories of switch and signal wiretapping equipment," states the Watters study, "(can) automatically sweep at high speed through thousands of communications circuits per hour searching for special signal address patterns." In other words, intricate equipment, now available, can scan whole communities, select out the call of a person under surveillance and automatically record the telephone data. Or, if the government wishes, the conversations can be recorded.

- Unknown to the customers, many telephone calls are transmitted by microwaves which can be intercepted without even the telephone company knowing it.

Under the 1968 act, oral interceptions are supposed to be forbidden. But the language refers only to the actual voices, not to the telephone data that can be intercepted without qualms.

As Watters puts it: "The citizen has no defense against the invasion of his privacy by switch and signal type telephone tapping."

With court permission (often no more than an okay from a go-along county magistrate), law agencies can engage in even more spectacular eavesdropping.

In the future, police in hideaways will be able to intercept laser beam transmissions and even pick up the minute impulses of computers and electric typewriters.

To protect privacy, the Watters report recommends that "all wiretapping in the United States should be limited to . . . the Federal Bureau of Investigation."

Even though the FBI has abused the law, it is still, in Watters' opinion, "the only agency in our country to whom we can safely entrust the privilege of intercepting wire and oral communications."

As a guard against FBI abuses, Watters would require the FBI to obtain a court warrant not only for routine wiretapping but for all other forms of electronic interceptions. Then after the eavesdropping had ended, the subjects would have to be notified and the

eavesdroppers would have to be identified.

Congress is unlikely to go as far as Watters wishes. But Sen. Charles McC. Mathias (R-Md.) and Rep. Mosher have introduced legislation to close the most gaping loopholes in the 1968 law.

Washington Whirl—There has been talk in the backrooms of Washington about setting arbitrary prices for food exports after the example of the oil cartel. The success of the oil producers in running up oil prices has already encouraged the formation of five more commodity cartels, covering bauxite, chrome, copper, phosphate and tin. Some Washington policymakers are saying, therefore, that the U.S. must play the same game in self defense . . .

- According to our own survey, Secretary of State Henry A. Kissinger is the hardest working member of the Cabinet. He

puts in an exhaustive day and wades through an immense stack of paperwork. Associates say he is a speed reader, who can go through a two-inch stack of paper in 30 minutes and still absorb the essential points.

- The Air Force has adopted a unique economy measure. It saved thousands of dollars last year on candles by abolishing the requirement that they must contain 51 percent beeswax. The total Air Force expenditure on candles in 1974, incidentally, was \$16,754.

- The Navy last month abandoned bell bottoms for more modish trousers. If this is welcomed by style-conscious seamen, it could mean trouble for those who are spilled in the ocean. The reason sailors started wearing bell bottoms centuries ago was to make it easier to slip off their trousers in case their ship should sink.

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