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Suit on Army Political Data Dismissed

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WASHINGTON, April 22 — A Federal district judge dismissed a suit today that would have kept the Army from collecting, storing and circulating information on the political activities of civilians.

The immediate effect of the ruling by Judge George L. Hart Jr. to permit Army intelligence agents to continue their activities. But lawyers for the American Civil Liberties Union said they would appeal.

The contention of the A.C.L.U., which filed the suit in behalf of more than a dozen plaintiffs, is that the Army is engaged in surveillance and distribution of information that serves no legitimate military purpose.

The suit alleges that dossiers are maintained on thousands of organizations and persons engaged in "lawful political activity." It was argued before the court that this produces a "chilling effect" on constitutional rights guaranteed by the First Amendment, primarily free speech.

At a news conference after-

ward, a former Army intelligence agent said that Army headquarters maintained a computerized file with at least 3,000 names, ranging from members of the Communist party to such figures as Joan Baez, the folk singer, and Dr. Benjamin Spock.

The Government's argument for dismissal of the suit was presented by Kevin Maroney, a Justice Department lawyer who contended that the Army's activity posed no threat to civil liberties.

He said the Army was required to conduct domestic intelligence activities to prepare for emergencies such as the riots that erupted in Newark and Detroit in 1967. Federal troops were called both times.

"It's none of their business," argued Frank Askin, who spoke for the A.C.L.U. "It's not their function."

Mr. Askin, an associate professor of law at Rutgers University, said that the threat posed by the Army files was that "in some future civil disorders the Army is going to go out rounding up these people."

The former intelligence agent Ralph Stein, said that his superiors at the Pentagon had ordered him to become an authority on the New Left in 1967.

Mr. Stein, 26 years old, is now a student at the New School for Social Research in New York.

He said he had set up a New Left desk in the Counterintelligence Analysis Division to monitor and gather information on "leftwing activities" in this country.

Ultimately, the file contained extensive information on such organizations as the National Association for the Advancement of Colored People and the American Friends Service Committee.

Oliver Peirce, a 25-year-old former corporal in Army intelligence, told the news conference that he had been required to infiltrate a "completely innocuous" social group in Colorado Springs.

Both Mr. Peirce and Mr. Stein were prepared to testify at the injunction hearing but were prevented from doing so by Judge Hart.