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Judge Won't Stop Army Snoopers

Washington

A federal district judge dismissed a suit yesterday designed to keep 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. is to permit Army intelligence agents to continue their activities, but lawyers for the American Civil Liberties Union said they will appeal.

The contention of the ACLU, which filed the suit on 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.

CHILLING

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.

In a news conference after the decision was announced, a former intelligence agent said Army headquarters maintains a computerized file with at least 3000 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 Department of Justice attorney, who contended that the Army's activity poses no threat to civil liberties.

He said the army is 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.

PLAINTIFFS

Among the plaintiffs are Arlo Tatum of Philadelphia, executive secretary of the Central Committee for Conscientious Objectors, and Conrad Lynn, an attorney from New York.

Accompanying the ACLU complaint are copies of military teletype reports from three days in March 1968 naming many of the plaintiffs. They cite incidents such as a speech given by Tatum in Oklahoma on the legal rights of conscientious objectors.

In the news conference, the former army intelligence agent, Ralph Stein, said his superiors in the Pentagon had ordered him to become an authority on the "new left" in 1967.

Stein, 26, is now a student at the new school for social research.

He said he had set up a "new left" desk in the counterintelligence analysis division to monitor and gather information on "left-wing activities" in this country. Ultimately, the file contained extensive information on such organizations as the NAACP and the American Friends Service Committee.

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