

Sen. Ervin vs. Pentagon

Dispute on Army Spying

Washington

Senator Sam Ervin (Dem-N.C.) yesterday clashed with a Defense Department official over the issue of military spying on civilians, saying he did not believe the Army could be trusted to control itself without legislation.

Ervin cited legal cases stemming from alleged U.S.

Army surveillance of American civilians in West Germany who supported the 1972 presidential candidacy of Senator George McGovern.

At a hearing of Ervin's Judiciary Subcommittee on Constitutional Rights, a senior Defense Department official opposed the senator's legislation as too restrictive and unnecessary in view of

a 1971 Defense Department directive designed to restrict such large scale surveillance of civilians as took place in the late 1960s and early 1970s.

David Cook assistant secretary of defense for administration, disclosed under questioning that the department had conducted six investigations of civilians since 1971, but only one was still continuing.

Ervin Tuesday said his panel's investigators had been told by the Defense Department that under the directive allowing undercover infiltration of civilian organizations if approved by the secretary of defense or his assistants, no more than three in any given year had been authorized since 1971.

Cook declined to discuss the details in public except to say one dealt with a group of Navy men and civilians suspected of trying to sabotage ships. There have been several such incidents in recent years.

Cook also said the Defense Department from time to time cooperated with other government agencies in counter espionage opera-

tions.

He said: "These are very important and sensitive matters which I do not wish to spell out in greater detail except to note that the target of such operations is a foreign intelligence operation."

Cook said the department's 1971 directive corrected previous excesses examined by earlier congressional investigations in 1970 and 1971 and "these policies are now a secure part of our doctrine."

But Ervin said, "I don't accept your theory that the Army has entirely reformed itself."

Referring to the subcommittee's four month old request for information on the alleged surveillance activities in West Germany, he added "I have difficulty accepting the assurances that we can expect the Army surveillance to deal gently with the rights of American citizens."

Reuters