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Government

Wiretaps

Up Since '72

Electronic surveillances conducted by the government in the name of national security have increased sharply since 1972, according to Justice Department figures released yesterday by Sen. Edward M. Kennedy (D-Mass.).

The figures, supplied by Attorney General Edward H. Levi at Kennedy's request, show that national security, warrantless wiretaps averaged 108 each year from 1969 through 1972, but jumped to an average of 156 a year in 1973 and 1974.

Microphone surveillances, which intercept room conversations through use of bugs, averaged 20 a year from 1969 through 1972, rising to an average of 41 a year in 1973 and 1974.

Under longstanding government practice, wiretaps and bugs have been installed without court order when the Attorney General or other government official has determined an interception is necessary to protect national security or obtain foreign intelligence.

In contrast, wiretaps in criminal cases require prior court authorization.

This week, the U.S. Court of Appeals for D.C. ruled that even when foreign affairs and national security are involved, the government must obtain a warrant before it wiretaps domestic groups that are not agents of, or collaborators with a foreign power.

Kennedy has introduced legislation requiring such a warrant in national security cases.

Until recent years, the only information publicly available on the extent of national security wiretapping was periodic statements by the late FBI Director J. Edgar Hoover during congressional hearings on FBI appropriations.

In his testimony, Hoover cited the number of taps in use on a particular day prior to his visit to the Hill. However, informed sources said Hoover often ordered taps "thinned out" before his testimony.

In 1973, Sen. Hugh Scott (R-Pa.) obtained from President Nixon an annual listing of warrantless taps from 1945 to 1972.

The Justice Department figures released yesterday bring the list up to date. They show that from 1969 through 1974, the number of telephone taps for each year was 123, 102, 101, 108, 123, and 190. Microphone installations for the same years were 14, 19, 16, 32, 40, and 42.

In a letter to Kennedy, Levi said that sometimes the surveillance of one subject might be counted as several installations because the target moved or the surveillance was temporarily discontinued.

For example, while 190 installations were made in 1974, only 148 subjects were actually under surveillance, according to the Justice Department listing.