

U.S. Policy On Wiretaps Spelled Out

Washington

Attorney General Elliot L. Richardson spelled out for the first time yesterday a Justice Department policy allowing national security wiretaps only in cases related to foreign intelligence-gathering.

In a letter to Senate Foreign Relations Committee Chairman J.W. Fulbright (Dem.-Ark.), Richardson said that he will not approve any application for electronic surveillance unless it is designed:

- "To protect the nation against actual or potential attack or other hostile acts of a foreign power.

- "To obtain foreign intelligence information deemed essential to the security of the United States.

- "Or to protect national security information against foreign intelligence activities."

Richardson's statement was the first delineation of government policy on national security wiretaps since the Supreme Court ruled a year ago that the government could not conduct domestic security wiretaps without first obtaining a judicial warrant.

The court did not apply that restriction to wiretaps said to be necessary to preserve national security.

The issue arose during the Foreign Relations Committee's hearings on the nomination of White House national security adviser Henry A. Kissinger to be secretary of state.

The committee questioned Kissinger's role in authorizing national security wiretaps on 17 individuals.

Richardson told Fulbright he outlined the policy in order to fulfill Kissinger's pledge to obtain a statement clarifying wiretap procedures.

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