

the Marianas
wiretap

February 10, 1977

03

Memorandum for Messrs. Stoddard and Willens

From: Nancy Garrison

Re: George Washington Law Review Note on
Foreign Intelligence Wiretapping

There is a note in the November 1976 issue of the George Washington Law Review (received in our library January 17, 1977) on Zweibon v. Mitchell, 516 F.2d 594 (D.C. Cir. 1975), cert. denied, 96 S.Ct. 1685 (1976), which I discussed at some length in my February 2, 1977 memorandum on alleged wiretapping in the Marianas. The note summarizes the Court of Appeals' opinion and also discusses pending legislation on the subject of national security wiretaps. Although such legislation, even if it were to be passed, would not apply to any surveillance which took place in the Marianas in 1972-75, if we decide to take any action we may want to see whether the legislative history of this bill will add support to our arguments that any surveillance of American consultants in the Marianas was not justified on "national security" grounds and was unconstitutional. Since this is a subject I did not cover in my memo, I have attached a copy of this portion of the note for your information.

N.C.G.

cc: D.C. Siemer
M.S. Helfer

Attachment

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