

J. Edgar Hoover and Agency Lose Immunity

Volume of Criticism Swells—Former FBI Men Among the Critics

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WASHINGTON — From his fifth floor office at 9th and Pennsylvania, J. Edgar Hoover can look eastward toward Capitol Hill where he has won plaudit upon plaudit.

A few blocks to the west lies the White House, where one of his old neighbors and best friends now dwells as President.

Across the street to the north soon will rise a \$60 million home for Hoover's Federal Bureau of Investigation, a concrete and marble testimonial to his agency's growth in importance.

But for the man who has become the symbol of integrity in public service the most gratifying view is the view backward.

Hoover, who will be 70 Jan. 1, can reflect on 40 years of dedication to his country and to the agency from which he drove out the stench of politics and which he then developed into the world's most efficient anti-crime force.

YET in the last few months, something seems to have gone wrong.

Hoover and his FBI agents suddenly have run into almost as much criticism as they received in all of 39½ previous years, some of it from the bureau's friends.

"FOR the first time," a former FBI official said recently after the FBI's report on the Walter Jenkins case, "I found myself questioning the accuracy of an FBI investigation."

It was last May 8 that President Johnson signed an order exempting the FBI director from the federal retirement laws "for an indefinite period of time." Hoover now says the President told him he is assured

of remaining as director as long as Mr. Johnson is President, but there is nothing to confirm this. Mr. Johnson merely refers questioners to the transcript of the ceremony — which doesn't support Hoover's interpretation.

The President's liking and admiration for Hoover may have waned since, but they were ob-

vious and sincere at the time. In the special White House ceremony, Mr. Johnson put his arm around the FBI chief and said: "The nation needs Mr. Hoover."

Within six months a president's praise was engulfed in official criticism by the Warren commission and newspaper demands for his resignation.

THE man who had seemed immune for so many years found his investigative methods questioned, his impartiality doubted.

What happened in those six months? Hoover obviously didn't change overnight, the traits that brought him a nation's adulation.

Some of Hoover's targets seemed to imply that old age must be catching up with him, even though there are no real evidences that he has lost vigor of thought or action.

When Hoover called Dr. Martin Luther King a "notorious liar" recently, King's careful reply hinted at this possibility.

"He (Hoover) has apparently faltered under the awesome burden, complexities and responsibilities of his office.

I have nothing but sympathy for this man who has served his country so well," King said.

But Hoover's aides deride the suspicion that "the old man," as they sometimes refer to him, made his attack on King, the U.S. Supreme Court and others because age had dulled his senses or loosened his tongue.

"Don't kid yourself," said an agent who handles many official duties for Hoover. "The public doesn't know the kind of

guy King is — this was just the first step."

Asked why the FBI doesn't produce evidence, if it has any, to back up the accusations it is making both publicly and privately against King, the aide replied:

"No newspaper has the guts to print it." But he declined to discuss the matter further except to refer to King's private life and his alleged Communist connections.

IF senility is not the answer, then what did dislodge the avalanche that has kept the FBI busy defending itself?

The most jarring criticism, of course, was the Warren commission's finding that the FBI "took an unduly restrictive view of its role in preventive intelligence work" prior to President John F. Kennedy's assassination. This official finding suddenly removed from the public's mind the FBI's aura of infallibility. Critics were emboldened and their blows now carried weight they had lacked before.

But part of the answer is that the FBI, even under Hoover, never has been so free of criticism as most people believe. Justice Harlan F. Stone, who as attorney general promoted Hoover in 1924 to clean up the politics-polluted FBI, worried years later that the agency had grown too publicity conscious.

"Personally," he wrote, "I have been sorry to see (the bureau) get the great publicity which it has received, and I only hope that the ultimate effect will not be to break down its morale."

TOO often, however, questioners of the FBI's invincibility learned to regret their audacity. Hoover demonstrated a charmed way of coming out on top.

For instance, there was Sen. Kenneth D. McKellar, a Tennessee Democrat who was one of the few men on Capitol Hill who ever dared ridicule the FBI and its chief.

McKellar, at a hearing of the Senate Appropriations Committee in April, 1936, obviously was out to embarrass Hoover at a time when gangster Alvin Karpis was running wild. McKellar

forced Hoover to admit that he personally never had arrested a man, a low blow at a man who had been swept up early in his career in administrative work.

The angry Hoover stormed from Capitol Hill and ordered increased vigil to flush out Karpis. Within a few days word came that Karpis had been located in New Orleans and Hoover flew there to hastily form a raiding party and pinch Karpis himself.

Years later Hoover revealed a few details that he didn't mention at the time as he enjoyed the publicity and McKellar's discomfiture.

He was so anxious to make the arrest that he forgot to bring handcuffs, and an agent had to give up his necktie to bind Karpis' hands. Then, nobody knew how to get to the post office building where federal offices were located and FBI agents had to ask directions from a passing pedestrian.

OTHER criticism has come from within FBI ranks—but the results have discouraged other agents from speaking out.

There was William W. Turner of San Francisco, a 10-year FBI agent who wrote letters to Rep. Emanuel Celler, D-N.Y., and Sen. Jacob Javits, R-N.Y., and Estes Kefauver, D-Tenn., to complain of "low morale" within the bureau and the difficulty of recruiting good men.

FBI reaction was bitter and swift. Turner was fired and the FBI accused him of revealing confidential information and

"not possessing the truthfulness, accuracy and responsibility of a special agent."

Turner sued to regain his job, but lost.

Another agent-turned-critic is Jack Levine, whose criticism has seemed almost too extravagant and embellished to be believable. Levine was the main inspiration for a recent book, "The FBI Nobody Knows," written by Fred J. Cook, one of the most persevering of the FBI's detractors.

Yet agents and former agents have revealed—not for attribution "because it doesn't pay to get on the FBI's critic list"—that Levine's and Turner's complaints, while exaggerated in many instances, are valid in basic details.

HERE are the most common complaints about the FBI.

Agents are required to put in unpaid overtime, regardless of the necessity for it, so that Hoover can boast of the devotion and dedication of his men. Appearing before a House appropriations subcommittee last January, Hoover said:

"The 3,175,081 hours of overtime services of our investigative staff during the fiscal year 1963 represented an average of one hour and 14 minutes a day on the part of each member every work day of the year."

But the Washington Post, when Hoover had made similar claims a year before, ran letters from discontented agents who resented the practice.

"They share the pride felt by Mr. Hoover and most Americans in the prestige and accomplishments of the elite corps they serve," the Post said. "But they don't like to be coerced into 'voluntary' overtime—under threat of losing their jobs or their chances of advance-

ment—merely to pile up a glamorous paper record."

One present FBI agent has revealed that he frequently did nothing but sit in his car, waiting for the time to pass so that he could report the required amount of overtime.

Another criticism is that the FBI, perhaps because of its growth from 300 agents when Hoover took charge in 1924 to more than 6,000, has lowered its hiring standards.

The Walter Jenkins case, in which Hoover sent flowers to a man he was asked by President Johnson to investigate, indicates that the bureau is getting mixed up again in politics.

That the FBI has failed to keep abreast of modern methods of crime detection, a charge the agency resents most of all.

That the FBI, because of its need for co-operation with local law enforcement officials in many fields, has moved reluctantly in the civil rights field, particularly in the South.

That Hoover's domination of the bureau and its nostalgia for the past have developed a "Hoover cult" that has caused many of the better and more ambitious agents to quit and go into other fields.

IT is inevitable that Hoover must soon be retiring. Any man near 70 has to reckon with that approaching inevitability.

Yet he has developed no clear-cut successor.

Has Hoover held on too long? That concern was expressed last May by Loudon Wainwright in a Life magazine article. "Change," contended Wainwright, "even if it involves the voluntary retirement of a good man, is necessary from time to time for the growth of any organization. A new man, might spend more time improving the FBI than praising or defending it."

This is the biggest problem in the FBI that will have to be faced.