

J. EDGAR HOOVER and the FBI

"A bureaucratic autocracy unchecked by Congress and unsupervised by the Executive has no place in a self-governing society" THE NEW YORK TIMES

"From where I sit, he's doing a mighty fine job"

ATTORNEY GENERAL JOHN N. MITCHELL

BY FRED J. COOK

HE SITS behind a huge mahogany desk in the imperial throne room on the fifth floor of the United States Department of Justice in Washington. Before him stretches 35 feet of deep-pile carpet. Flanking his desk are two small American flags with gold-eagle standards. Behind him, against the wall, are two much larger and more imposing American flags with gold-eagle standards. The desk is adorned with a potted plant, two brass pistol lamps and a plaque that reads: "Two feet on the ground are worth one in the mouth." The man who sits behind the desk has on occasion reversed this motto. He has been known to put both feet in his mouth, defying all the laws of gravity and leaving himself with no visible means of support; but each time he has performed this astonishing feat, he has been hailed as the infallible man, perfect and indispensable. He is J. Edgar Hoover, Director of the Federal Bureau of Investigation.

Now 76, Hoover has ruled over the FBI since 1924. He has been glamorized and immortalized until he has become the one untouchable autocrat in nearly 200 years of American governmental history. Technically, he is accountable to the Attorney General of the United States—but he has treated almost all attorneys general with contempt and made it clear that he is accountable to no one. Technically, the President of the United States has the power to remove or retire him—but such is his power that no President has dared to touch him, though many have wanted to, and all regulations prescribing retirement because of age have been repeatedly waived in his case.

Investigating the investigators is an old habit with Fred J. Cook whose book "The FBI Nobody Knows" appeared in 1964 and whose new book this 25th, "The Nighttime Decade: The Era of Senator Joe McCarthy" is scheduled to be published by Random House this month. Before turning to the new book and article writing, Mr. Cook was a newspaperman for 25 years, 15 of which he spent on THE WORLD-TELEGRAM AND THE SUN. Since 1959 his articles have been featured in THE NATION, THE NEW YORK TIMES MAGAZINE, SATURDAY REVIEW, AMERICA'S HERITAGE and PEPPER'S DIGEST, and his investigatory pieces have won four national awards of merit.

How has Hoover worked this miracle of survival and untouchability? It is difficult to separate the truth about this man from his own self-serving, self-engendered publicity and propaganda; yet by focusing on four things in which he is personally involved or for which he is personally responsible—statistics juggling, information-leaking, crime-fighting and democracy-defending—it may be possible to discern the real J. Edgar Hoover behind the imperial mask.

STATISTICS-JUGGLING

Hoover plays with statistics like a computer that is programmed just to make itself look good. One ploy: he annually snags Congress with an accounting showing the FBI has recovered such mountains of stolen property that it has earned millions of dollars more than its keep. Facts: these figures are always grossly inflated by the huge numbers of stolen and recovered cars that have been taken across state lines—cars that have been traced and found by local police or insurance agency detectives but for which the FBI takes full credit. Second ploy: the so-called "crime time clock." Hoover has helped to scare white, middle-class America by trumpeting that seven serious crimes are committed every minute of every day; that a murder occurs every 39 minutes, a rape every 17 minutes, a robbery every two minutes. Facts: there are now nearly 205 million persons in America; there are only 24 hours or 1440 minutes in a day. Inevitably, a population that runs well into nine figures is going to commit enough crime to create a horrendous picture if one tries to pigeonhole it into arbitrary two-figure (24-hour) or four-figure (1440-minute) time slots. Two sets of figures that have no possible relation to each other are treated as if they were compatible and significant. The fact is that, when you consider the number of murders per unit of population, murder rates are lower today than they were in the 1930s. The fact is that nearly two-thirds of all serious crime takes place, not in the alarmed white suburbs, but in the predominantly black ghettos. The fact is that the crime time clock bears no relation to

NIXING NIXON

But no more than a beginning. Neither the Nixon Administration nor Congress has yet taken any significant steps toward solving the nation's housing crisis. The welfare morass seems as treacherous as ever, and the Federal Government is doing nothing to help the states and city governments extricate themselves from it. The majority of our fellow citizens are still without hospitalization protection. While the plans for salvaging the environment are beginning to take shape, most of the new regulations will not go into effect before 1975. Nixon has cooked up a new scheme to allow corporations a \$3-billion tax break — which the wage earner must pay for. The amount of money appropriated for veterans' hospitals has gone up a little, but not nearly enough to adequately care for the 300,000 wounded who have come home from Vietnam. The list of problems that remain is a long, long one.

That is why we must all continue to raise our voices loud enough to be heard in Washington and in our state capitols and in our city halls — the latter sometimes seeming as remote from the people as the Federal Government. Creative griping is not only productive in keeping anti-people politicians off balance, but also it raises the spirits of the politicians who are on our side. Sometimes in fighting for us they get lonely. Men like Senator Mark Hatfield of Oregon, one of the more intelligent Republicans in Washington in that he is generally on the opposite side from President Nixon, recently remarked glumly, "I've worked within the system all my life, and I believe in our system. But when I look at what we need to do, and I see how much time it takes, how hard you have to shove to get the slightest response, I have to agree some days with the kids who say it may not be enough. It may not be enough."

To keep faith with legislators like that, we need to yell louder. And those who wield power had better start listening more attentively. Because to be ignored breeds disenchantment, cynicism, disillusionment. And when those things fester among young people — or among people of any age — unpleasant things can sometimes occur.

At about 1:00 a.m. on March 1, 1971, a bomb was detonated in a men's room in the United States Capitol, tearing out part of the building's outside wall. That same morning, the WASHINGTON POST carried the results of a Louis Harris poll showing that by a ratio of 63 to 26 percent (with 11 percent expressing no opinion), the American people had given the previous Congress a negative rating — a new low — and also had given the President a rating almost as low, 59 percent opposed to and 29 percent in favor of the way he was dealing with domestic problems.

Very few Americans approved of the bomber's methods for showing his discontent, but obviously the one thing the majority of the violent *and* the nonviolent agreed upon was their rating of the men who run the Federal Government.

One of the things that discourages us about our leaders is that it takes them so long to get things done. It took five years to get the first billboard removed under the Highway Beautification Act. Do wonder young people in the Middle West have started going out in bands at night and chopping down some of the illegal billboards. When government won't do what it promises, people get impatient.

Nixon is at least smart enough to sense that something is wrong. In his State of the Union address he said, "Most Americans are simply fed up with government at all levels." That's not true, but it comes close to the mark. Americans know they must be governed and they are not fed up with the inevitable. They are fed up with the *manner* in which they are governed. That's why the people complain, louder all the time. They don't always expect to win — but they are beginning to demand that at least they be listened to. And with that demand lies the *real* rebirth of democracy in our land. When our country began, idealistic young lawyers such as Thomas Jefferson and John Adams cast off the shackles of oppression and forged a new democracy. Today this spirit is being revived by idealistic young lawyers such as Ralph Nader and John Banzhaf who are putting the *demos* (Greek for "common people") back into "democracy" in their determination that government on all levels shall protect ordinary citizens and reflect the common will — ordinary citizens who possess extraordinary power if only they would use it. To quote Jefferson, "Every government degenerates when trusted to the rulers of the people alone. The people themselves therefore are its only safe depositories." This is government by the people. This is quintessentially American. ■

the reality in any given geographical district. As former Attorney General Ramsey Clark has observed, this FBI device "takes the public for a fool." And he adds, "If the crimes measured occurred in the Virgin Islands, the whole population would be dead of murder in three years, having been previously raped twice and robbed eighteen times."

INFORMATION-LEAKING

The FBI hoards millions upon millions of raw secret files—dossiers containing intimate details on the private lives of practically every American old enough to have a private life. No official in Washington, and few elsewhere in the nation, can help but wonder what the FBI knows about him, and there have been repeated instances in which information from this storehouse of alleged scandal has been mysteriously leaked to national media to the ruination of careers and reputations. The most sophomoric of these leaks involved the private life of the late Dr. Martin Luther King Jr. In November 1964, J. Edgar Hoover in one of his most famous feet-in-mouth performances denounced Dr. King, who had just been awarded a Nobel Prize, as "the most notorious liar in the country." In the public outcry that resulted, even high Johnson administration sources confided to newsmen that this time Hoover had offended too outrageously; he would have to go. Instead, there was a face-to-face confrontation between G-Man and Minister—and the latter came out of it meek as a field mouse. Dr. King's associates who were present at that meeting have denied that any open threat was made, but the question remains: was the civil rights leader subjected to some quiet pressure? Friends were astounded at the subsequent softening of his public attitudes; they think the explanation lies in the fact the FBI had tapped his phone and bugged his home and apartments—and so had secured tape-recordings that revealed intimate details about his personal life. Subsequently, when Dr. King again became militant and began to denounce the Vietnam war and march in black protests, the contents of these tapes were somehow leaked to every right-wing, racist, anti-labor Congressman and editor who chose to listen.

CRIME-FIGHTING

The average American considers the FBI the nemesis of every big-time hood in America. One reason: the media must give the nation its bedtime stories, and there is nothing more thrilling, in the old American Wild West tradition, than the cops-and-robbers saga in which the bad man always bites the dust. So the FBI still rides to glory every Sunday night on ABC television. The facts: the organized crime syndicate that has now penetrated almost every facet of American business life has thrived and grown into a national menace during those very decades of Hoover's dominance over the FBI. Yet Hoover persisted, right down to the time of gangland's Apalachin conference in 1957, in denying that a nationwide crime syndicate even existed; he insisted the whole thing was a myth. Even after Apalachin, FBI field offices continued to assign only a

handful of agents to the pursuit of big-league, syndicated criminals and hundreds of men to the hunt for almost non-existent Communists (a misplaced effort which Ramsey Clark later characterized as a "terrible waste of very valuable resources"). It was not until the late Robert F. Kennedy, as attorney general, figuratively took Hoover and the FBI by the seats of their britches and pitched them into the crime battle that the bureau began to bestir itself. (Even some of the FBI legends about Hoover's personal involvement in crime-fighting earlier in his career are beginning to show tarnish. The bureau has always maintained, for instance, that The Chief himself captured kidnapper Alvin Karpis in New Orleans in 1936 by reaching into a car and collaring the fugitive before he could grab a rifle from the back seat. Not so—says Karpis in his recent book, *The Alvin Karpis Story*: "He [Hoover] hid until I was safely covered by many guns. He waited until he was told the coast was clear. Then he came out to reap the glory.")

DEMOCRACY-DEFENDING

Hoover has sedulously cultivated the myth that the FBI plays no political or ideological favorites; that it is strictly impartial in defending democracy, just finding the facts and letting the chips fall where they may. The fact is that Hoover has been playing footsie for a very long time with the most repressive, racist, right-wing, anti-labor forces in the nation. Recently, in his worst feet-in-mouth manner, he told TIME magazine that he wasn't worried by the prospect of Puerto Ricans or Mexicans shooting the President "because they don't shoot very straight, but if they come at you with a knife, beware." (When Congressman Edward Roybal [D-Calif.] demanded that President Nixon ask for the FBI director's resignation for making such an insensitive, boorish remark, a White House aide sent the representative a two-sentence noncommittal reply.) This kind of insensitivity to the feelings of minorities comes as no surprise to defenders of civil rights who have long known that FBI agents often operate as allies of Southern police departments in their dealings with black citizens. In their book *The Orangeburg Massacre* Jack Nelson and Jack Bass assert that "strained relations between the FBI and the Justice Department's civil rights division had existed for years and it was no secret that as a general rule most agents considered civil rights enforcement an odious task, especially in cases that involved accusations against local or state police with whom they worked." It seems no coincidence, then, that for years Hoover hobnobbed on intimate terms with such Texas billionaires as the late Sid Richardson and the late Clint W. Murchison. The distinction between a liberal, pro-union politician and a Communist often became blurred in his eyes. He stood solidly in the corner of the late Senator Joseph R. McCarthy when that demagogue was denouncing the Truman and Roosevelt administrations as representing "twenty years of treason." When former Attorney General Herbert Brownell attempted to resurrect the Harry Dexter White case to show Truman had been suspiciously soft on spies, Hoover trotted forward to help

President Supports Hoover in the FBI Controversy

Boggs Asks Reins on FBI; Mitchell Hops to Defense

McGovern Again: Probe FBI



Brownell and the Republicans.

Except when Hoover lapses into his feet-in-mouth routine, he usually speaks the proper words of Olympian objectivity, but deeds are something else again. Former FBI man William W. Turner, in *J. Edgar Hoover & the F.B.I.: The Man & the Myth*, declares that the bureau's "strong ideological bias and lack of sophistication render it eminently unfit for the delicate task of conducting anti-subversion inquiries in a democracy"; while Ramsey Clark has said, "The FBI, for reasons which I find unfortunate, became ideological some time back, and this put a scale over its eyes. It had an end before it sought out the facts to fit that end."

And this is, perhaps, the most serious criticism of all. It leads directly to the crucial question that has never been answered: where was the FBI, the great watchdog of all our liberties, on the day the lights went out in Dallas, November 22, 1963?

It is of some significance that the Kennedy administration was the only one that tried to put a checkrein on the all-powerful director of the FBI. President John F. Kennedy, after his wafer-thin victory in 1960, shocked many of his supporters by declaring as his first order of business that Allen Dulles would be retained as head of the Central Intelligence Agency and Hoover as head of the FBI. The secret word during the campaign had been that Hoover would be put out to pasture, a logical recompense for his anti-Truman, anti-Democratic partisanship during the 1950s. But the narrowness of the Kennedy victory dictated that no action be taken to kick up the kind of political storm which certainly would be caused by the dismissal of America's hero.

Hoover quickly discovered, however, that life under the Kennedys was going to be different. He had become accustomed to ignoring his titular boss, the attorney general, and reporting directly to the White House. But the first time he tried this with JFK, he was informed that the attorney general was his boss—that he must make his reports to young Bobby.

Robert F. Kennedy also had his own strong ideas about the chain of command. A "hot line" on his desk was supposed to connect him directly with Hoover, but the first time Bobby called he got not Hoover but

the director's long-time secretary, Miss Helen Gandy. And so Bobby issued his first order to the FBI.

"When I pick up this phone," he said, "there's only one man I want to talk to—get the phone on the director's desk."

The young, vigorous attorney general soon compounded this offense by popping up unannounced at FBI field offices. "He thinks the FBI is part of his department, and in he goes," a Kennedy intimate said at the time. On one occasion, he even gave a direct order to FBI agents, something that no attorney general had ever dared to do before. And when he called a strategy conference on organized crime in New York, he demanded that Harvey Foster, then the agent in charge of the FBI's local office, attend in person instead of sending a representative.

BACK DOOR FOR BOBBY

The FBI director, who has an ego unsurpassed in Washington, where inflated egos abound, hated it. On the surface there was a pretense of amicable relations, but underneath the hostility churned. In 1963 one story, perhaps apocryphal but believed by many in high circles to be literally true, was making the rounds of official Washington. As the story went, a high Democratic chieftain protested to Bobby Kennedy one day: "Why don't you do something about J. Edgar Hoover? That man has too much power." Bobby is supposed to have reacted in mock horror and to have exclaimed: "Are you crazy? I have to sneak into the back door of the Justice Department now."

Relations became so strained that, according to *TIME*, Ethel Kennedy on one occasion offered Hoover the gratuitous insult supreme. It was well known that one of Hoover's most unfavorable persons was the late William Parker, chief of the Los Angeles police department. For one thing, Parker had the irrational notion that there was such a thing as a nationwide crime syndicate in the United States, and he had long been agitating for something to be done about it. Ethel Kennedy, steaming over Hoover's cavalier treatment of her husband, one day popped into the Justice Department and dropped a signed note into Hoover's personal suggestion box. It read: "Parker for FBI Director."

This was a collision course, and few in Washington doubted that the conflict would be resolved after the 1964 election. A Justice Department staffer told *NEWSWEEK* in 1964: "When we had problems with the FBI, Bob would tell us, 'Take it easy, take it easy,' and you got the impression that after January 1, 1965, Hoover wouldn't be around anymore."

January 1, 1965 was a handy target date for more reasons than one. On that day J. Edgar Hoover would become 70 years old, and federal regulations called for the mandatory retirement of public servants at the age of 70. Aides to President Kennedy subsequently recalled that he had been reminded he would be under tremendous pressure to issue a proclamation waiving this provision in Hoover's case. Tartyly, he replied: "We are not going to have such a proclamation."

Few doubt that Hoover was aware of the fate suppos-

edly in store for him—for, with the help of wiretaps, bugs and informers, little happens in Washington that escapes his notice. Aides of Robert Kennedy later recalled the day when a private discussion was being held in the attorney general's office and Kennedy remarked: "Do you suppose that Hoover knows about this?"

"He does now," one aide said, rolling his eyes significantly at the ceiling.

Kennedy jumped out of his chair, cupped hands to mouth and shouted: "Did you hear that J. Edgar? Did you hear that J. Edgar?"

Such was the background of animosity in the days that led to Dallas. Technically and actually, the President's personal safety is the direct responsibility of the Secret Service, not the FBI—but the FBI has a vital, indeed a fundamental role, to play also. It dwarfs every other federal investigative agency. It has more than 7000 highly trained agents; it has bureaus and field offices scattered throughout the land; it maintains extremely close liaison with 40,000 state and local police departments; it has virtually limitless funds with which to woo informers. It is the eyes and ears of law enforcement, and it knows—or should know—what goes on in the nation as the Secret Service never can. But on the day President John F. Kennedy went into Dallas, this sacred watchdog was blind and mute.

The Warren Commission subsequently reported that the FBI budget annually included an item for "protection of the person of the President of the United States," but the bureau had apparently never done much to earn its keep in this respect. Even though Dallas was a hotbed of radical right activity at the time the President journeyed there, the local FBI mentioned to the Secret Service the name of only one individual who might be watched and merely pointed out that a hate-Kennedy circular had been distributed the day before. Not a word was passed on to the Secret Service about Lee Harvey Oswald, one-time defector to the Soviet Union who had this same local FBI agent's name and *unlisted* telephone number written down in his address book and whose past included the strange circumstance that, when he had been arrested in New Orleans in the summer of 1963, the first person he wanted to see was an FBI agent—a conference that had resulted in the almost immediate release of Oswald. After President Kennedy was assassinated, the Attorney General of Texas and Dallas District Attorney Henry Wade, himself a former FBI agent, suspected—on the basis of the evidence—that Oswald had been a paid FBI informant, but Hoover emphatically denied it. The Warren Commission, while accepting this denial at face value, nevertheless wrote that the FBI had taken "an unduly restrictive view of its role in preventive intelligence work prior to the assassination."

WARNING TO THE SECRET SERVICE

At least one local police department in the nation was more alert. The Miami police chief, the late Walter E. Headley Jr., had become worried about the hate-Kennedy extremist activity in the South. He later insisted that he had warned the Secret Service nine months be-

fore Dallas that far-right forces were initiating a plot against the life of the President. When his information elicited no response from Federal agencies, Headley took his own steps. He found an informer who was friendly with a leader in the white extremist states' rights movement.

Headley's undercover agent met with the extremist leader in New Orleans, traveled with him to a big gathering of right-wing fanatics in Indianapolis, Indiana, and kept sending back details about various plots brewing against the President's life. With Kennedy scheduled to visit Miami on a political fence-mending tour on November 18, 1963, Chief Headley became even more concerned about his safety, and Detective Sergeant C. H. Sapp, commanding the intelligence unit of the Miami police, made arrangements to get some of the conspiratorial details on tape.

The undercover informant persuaded his friend, the extremist leader, to visit him in his rooms. Sapp had the premises wired for sound, and a full tape-recording was made of the ensuing conversation.

After some preliminaries, the informer led the talk around to a discussion of President Kennedy's impending visit, and this in turn led to a discussion of the plot against the President's life. From this point on, the tape-recording goes like this:

INFORMER: *Yeah, well he will have a thousand bodyguards, don't worry about that.*

EXTREMIST: *The more bodyguards he has, the easier it is to get him.*

INFORMER: *Well, how in hell do you figure would be the best way to get him?*

EXTREMIST: *From an office building with a high-powered rifle...*

INFORMER: *They are really going to try to kill him!*

EXTREMIST: *Oh, yeah, it's in the working. [At this point in the tape he names a white bomber of Negro churches] is just as likely to get him as anybody. He hasn't said so, but he tried to get Martin Luther King.*

INFORMER: *He did!*

EXTREMIST: *Oh, yes, he followed him for miles and miles, couldn't get close enough to him....*

INFORMER: *Hitting this Kennedy is going to be a hard proposition, I tell you. I believe you may have figured out a way to get him, you may have figured out the office building, and all that I don't know how them Secret Service agents cover all them office buildings, or anywhere he is going; do you know whether they do or not?*

EXTREMIST: *Well, if they have any suspicion, they do that, of course. But without suspicion chances are they wouldn't. You take there in Washington—of course it is the wrong time of year—but you take pleasant weather, he comes out on the veranda, and somebody could be in a hotel room across the way there, and pick him off just like that... [tape fades out].*

INFORMER: *Is that right?*

EXTREMIST: *Sure, disassemble a gun, you don't have to take a gun up there, you can take it up in pieces, all those guns come knockdown, you can take them apart....*

There ain't any countdown to it, we have just got to be sitting on GO. Countdown they can move in on you, but on GO they can't. Countdown is all right for a slow, prepared operation, but in an emergency operation, you have got to be sitting on GO.

INFORMER: *Boy, if that Kennedy gets shot, we have got to know where we are at. Because you know that will be a real shake, if they do that.*

EXTREMIST: *They wouldn't leave any stone unturned there no way. They will pick somebody up within hours afterwards, if anything like that would happen, just to throw the public off...*

NO MOTORCADE IN MIAMI

Was it all just bull-session talk? Chief Headley did not think so and, as a result, when President Kennedy visited Miami on November 18, 1963, there was no downtown motorcade. The President was airlifted by helicopter to the site at which he spoke, and he was taken out the same way—only to go on to Dallas four days later without a single warning note being sounded by any of the Federal agencies that were supposed to guard his life.

In retrospect, it can be seen that the Miami tape charted, down to the most precise details, the tragic events that were to follow. President Kennedy was assassinated—and in precisely the foretold manner: a disassembled rifle, shots from a high building, “somebody” (Lee Harvey Oswald!) picked up immediately afterward. Dr. King, the second proposed victim on the tape, was assassinated in 1968—and in precisely the veranda-type slaying described in the transcript. Was it all just coincidence piled upon coincidence? Credulity has to be stretched to inordinate lengths to accept so comfortable a rationalization. And so it is only logical to ask: Where was the FBI? In the aftermath of Dallas, what was its reaction?

William Manchester in *The Death of a President* has described how J. Edgar Hoover transmitted the news to Robert Kennedy, having lunch at his Virginia home. “I have news for you. The President has been shot,” Hoover said tonelessly on his first call. Some minutes later, he called back. This time, he delivered the news in his clipped, metallic, staccato voice. “The President is dead,” he said—and hung up.

Hoover offered no sympathy, expressed no compassion. His voice, Robert Kennedy later recalled, was “not quite as excited as if he were reporting the fact that he

had found a Communist on the faculty of Harvard University.” And—what is more significant—from the very instant Hoover spoke those words, “The President is dead,” all communication was cut off with Attorney General Robert Kennedy, his bereaved superior.

William W. Turner, a former FBI agent with good sources of information inside the bureau, has related how Robert Kennedy, returning to his office on the afternoon of Dallas, picked up the hot line telephone and tried to get the director. “Hoover was in his office with several aides when it rang...and rang...and rang,” Turner wrote. “When it stopped ringing, the director snapped to an aide, ‘Now get that phone back on Miss Gandy’s desk.’”

Justice Department aides of Robert Kennedy later recalled that, in all the remaining months of Kennedy’s tenure as attorney general, he was cut off from the activities of Hoover and the FBI. This, in essence, has now been confirmed by Hoover himself. “I didn’t speak to Bobby Kennedy the last six months he was in office,” he recently told an interviewer.

In the meantime, the FBI was fixing the responsibility for the assassination in Dallas and, in the light of all that is known now, it seems fair to ask: What kind of an investigation did the FBI run? The answer has to be that, with the arrest of Lee Harvey Oswald, it leaped to an almost instantaneous conclusion; and, from that point on, as Ramsey Clark has observed in another context, it tailored facts to fit the end. There was, of course, the usual impressive hullabaloo—the questioning of hundreds of witnesses, the gathering of an awesome mountain of reports, documents, records. But the very existence of the telltale Miami tape was ignored (it does not appear anywhere in the Warren Commission’s records) and, in less than three weeks, the final “no conspiracy” verdict had been hard-riveted.

In a memo that I wrote to a reluctant editor on December 14, 1963, only 22 days after Dallas, I observed:

“Originally, there was to be a full public airing of everything. The impression was given that the FBI report would be made public quickly. Then the tenor of the stories changed. The Warren Commission had been appointed, and, well, maybe the commission ought to be given a chance to study the report first.

“In the meantime, the old authoritative-leak system at which the FBI is especially adept was used. Day after day we were treated to stories that contained only a smidgen of new information for their leads, stories that

F.B.I. REPORTS PLOT BY ANTIWAR GROUP TO KIDNAP U.S. AIDE

Hoover Says 2 Priests Head Outfit That Demands End to Bombing in Asia

BERRIGANS ARE NAMED

MUSKIE SAYS F.B.I. SPIED AT RALLIES ON '70 EARTH DAY

Tells Senate That Report on Gathering in Washington Took Note of His Talk

WHITE HOUSE COMMENT

BOGGS DEMANDS THAT HOOVER QUIT

Accuses F.B.I. of Tapping Congressmen's Phones— Mitchell Denies Charge

By MARJORIE HUNTER
Special to The New York Times
WASHINGTON, April 5.—The House Democratic leader, Jimmie Boggs of Louisiana, called today for the resignation of J. Edgar

Hoover's Cars Cost \$150,000 Over 7 Years

Los Angeles Times
A bulletproof 1971 limousine for FBI Director J. Edgar Hoover is expected to cost about \$30,000, pushing the total cost of such cars for Hoover to more than \$150,000 during a seven-year period.
The government leases a bulletproof limousine for

went on to point out that the FBI report, whose details nobody was to be permitted to know, concluded definitely and positively that Oswald was the killer—and that he had acted alone. No conspiracy was involved.

"I don't know how many times, on how many pretexts that there was something new in the day's telling, I have read this reiterated fact. The technique is the Police State's technique of brainwashing. It has been drummed into us by now that Oswald was the killer; that he acted alone; that there was no conspiracy. By the time the public is allowed a peek at the FBI details that justify this conclusion, the conclusion will have been so drummed into us, so thoroughly accepted, that it will be a bold man indeed...who questions the details."

A GENTLE REBUKE TO HOOVER

And that, of course, is precisely what happened, precisely the manner in which the now largely discredited "lone assassin" theory of the Warren Report was predetermined. When the report was issued in September 1964, J. Edgar Hoover flipped his top. The distinguished members of the Warren Commission had leaned over backwards so far they almost fell out of their official chairs, but they had still felt it incumbent upon them to administer a gentle rebuke to the FBI. "The bureau," the commission wrote, had taken "an unduly restrictive view of its role in preventive intelligence work prior to the assassination," and hence, though it knew all about Oswald, who certainly figured one way or another in the final plot, it had passed not a word about him along to the Secret Service.

Also, just at that time, the FBI was under fire from another direction. Martin Luther King had criticized it for dragging its feet on civil rights issues in the South. He had charged that most of its agents there were Southerners; that they lived in a buddy-buddy relationship with local police forces and members of White Citizens' Councils; that they had turned their heads and looked the other way when Negro civil rights workers were beaten or murdered, when Negro churches were bombed.

Hoover, whose Napoleonic complex will brook not the slightest criticism, steamed. In November 1964, he gathered a group of Washington newspaperwomen around him in his imperial office, and there he unburdened himself. He lashed out at the Warren Commission for what he called its unwarranted criticism of the FBI, and then he dealt with Dr. King. It was here—and he said it twice and specifically authorized its use as a quote—that he made his "most notorious liar in the country" statement about the Nobel prize winner.

The Negro community reacted with outrage. Criticism of infallible man Hoover swept the country, and it was freely predicted that he at last had done himself in—he would be fired. NEWSWEEK led one issue of its magazine with this "definitive" disclosure. At the time, I was checking Washington sources for an article for a Boston newspaper. I got the same word. Yes, I was told, this time Hoover had gone just too far, the insult to Dr. King could not be excused; the FBI director

would be allowed to stay for a time to save face—but, ultimately, he would have to retire. I wrote this supposedly authentic version of events to come, but indicated I didn't quite believe it, pointing out that Hoover had a track record for survival unmatched in American history and hinting we should all wait to be shown.

We were all shown—and quickly. When January 1, 1965 rolled around and Hoover reached the compulsory retirement age of 70, President Lyndon B. Johnson did not do what President Kennedy had evidently been planning to do. Instead, he waived all the provisions of the law to keep the indispensable man on his job.

It was, for a time, a great mystery. After his confrontation with Hoover, Dr. King had deflated the "notorious liar" furor by saying everybody should let bygones be bygones, and then had taken off for Europe to collect his Nobel Prize. When he returned, he seemed for a time less militant, but by 1967 he was again assuming leadership in the increasingly militant civil rights movement and, what is perhaps more important, he was beginning to denounce the Vietnam war, laying the foundations for a cohesive protest movement composed of disadvantaged blacks and white antiwar groups. This made him again a threat, and reprisals came quickly.

Those sacred FBI raw files that Hoover has vowed time and again, on his word of honor, are never shown to anyone suddenly sprang leaks like the Potomac in flood. Victor S. Navasky, THE NEW YORK TIMES journalist who has made the most thorough study of the case, has written that the FBI director "resented the uppity nigger whom he blamed for many of the country's and the FBI's problems down South," and he quotes Burke Marshall, a high Kennedy aide, as saying unequivocally: "I think the FBI and Mr. Hoover deliberately set out to get Martin King."

RIGHT-WING TITTERING

And get him they did. Transcripts of those tape-recordings of his personal life fluttered about Washington thick as the autumn leaves. David Halberstam recounts in disgust in *The Unfinished Odyssey of Robert Kennedy* that they were proffered to virtually any newsman who would touch them. The actual tapes were said to have been played, amid much sophomoric tittering, to a group of visiting right-wing editors, including some from the READER'S DIGEST. Navasky reports that columnist Mike Royko, of the Chicago DAILY NEWS, who did not use the material, and Congressman Robert L. F. Sikes (D-Fla.), of the House Appropriations Committee, "both concede that they have been shown the transcripts."

If the personal life of every official in Washington were to be publicized and denigrated in this manner, the government of this great republic would be decimated. In the world of Hoover, such treatment was accorded only to "uppity" Dr. King. It was a dirty business, and it was not made any cleaner by a couple of other aspects of it.

In the first place, the leaks—which could only have emanated from the FBI—constituted a serious viola-

tion of the very laws the FBI is sworn to protect. Most of the information allegedly derogatory to Dr. King apparently came from the bugging of his home and hotel rooms, a procedure that was outside the law. (Such information is not admissible in any court.) Dr. King's telephones were also tapped—a legal procedure. (With today's sophisticated gadgetry, a wired telephone can be turned into a bug that can pick up and record all conversations in a room within its electronic range.) Disclosure of information gained from such authorized taps is, however, a Federal crime. Section 605 of the Federal Communications Act, which attempts to assure Americans of some measure of privacy, specifically prohibits disclosure and makes it a crime punishable with a prison sentence. Few will argue that there was ever a more blatant example of disclosure than in the case of Dr. Martin Luther King, and so, by whatever method the FBI gained its information and leaked it, it broke the law and made itself a candidate for its own vaunted "10 Most Wanted" list.

In the second place, a sequel to this King matter would seem to demonstrate that there are no limits to a J. Edgar Hoover vendetta. It took place when Robert Kennedy was running for the Democratic nomination for President in 1968 and, suddenly, in the closing days of the Oregon primary, the FBI arranged to spring another leak. This time, the whispered word was that Kennedy himself had "requested" the wiretapping of Dr. King and practically forced a reluctant FBI to engage in the shady business.

Subsequent investigations by independent journalists indicated that this version represented the very reverse of the truth. It seems from what can be gleaned from the record that Hoover and the FBI repeatedly pressured Kennedy to authorize the King wiretaps, contending that the Negro leader was surrounded by Communists—a charge that had been purveyed for years by the John Birch Society. The taps failed to disclose any information of a subversive character, but the FBI continued to press Attorney General Ramsey Clark, right up to two days before King's assassination, for the authorization of more wiretaps—a permission Clark refused.

In any event, the neatly-timed allegation that Robert Kennedy had masterminded the King wiretaps served to paint the Presidential candidate as a ruthless operator, one who had stooped to electronic spying on Dr. King while treacherously posing as his friend. The result was that Robert Kennedy (though perhaps not for this reason alone) went down to defeat in the Oregon primary, the first election test ever lost by a member of his family.

This sequence of carefully arranged information leaks tells much about the power of Hoover and the FBI. It seems to say that the FBI was far more interested in undermining Robert Kennedy politically and destroying the reputation of Dr. King than it was in protecting the latter's life. There was still in existence, remember, that 1963 Miami tape with its preview of two assassinations. One had been carried out to the letter. Logically, then, a perfect watchdog, always on

the alert, would be worried about the possibility of the second.

TELLTALE TAPE

Hoover and the FBI could not claim ignorance of the Miami tape. Its contents had been revealed to the bureau almost the instant the tape recorder stopped whirring. In the National Archives in Washington, there is a long-ignored Warren Commission document, No. 1347. One page of this document is censored and still secret, but the rest has been made public. It begins with a reproduction of an FBI report (which we now print verbatim except that the names are changed):

Re: Threat to Kill President
Kennedy by Richard Roe
Miami, Florida
November 9, 1963

On November 10, 1963, a source who has furnished reliable information in the past and in addition has furnished some information that could not be verified or corroborated, advised SPECIAL AGENT JOHN DOE that RICHARD ROE, on November 9, 1963, at Miami, Florida, made a statement that plans were in the making to kill President JOHN F. KENNEDY at some future date; that ROE suggested one JAMES GOE of Chattanooga, Tennessee, as the man who could do the job and that he (Roe) would be willing to help. ROE reportedly said that he was familiar with Washington and that the job could be done from an office or hotel in the vicinity of the White House using a high-powered rifle.

U.S. Secret Service was advised of the foregoing information.

There are several significant aspects about this most peculiar FBI report. Warren Commission Document 1347 shows that the bureau knew of an assassination plot 12 days before Dallas, that it handled the information in the most routine of fashions—and nothing was done about it. Even more significant, however, is the manner in which this FBI report obscured the seriousness of the information and so paved the way for finally brushing the whole business under the rug.

The information was attributed simply to "a source who has furnished reliable information in the past"; there was no indication, no faintest hint, that what was involved here was a *tape-recording*, with a man's live voice describing details of the plot. Hence, in the aftermath of Dallas, the FBI—as another Warren Commission document shows—simply interviewed "Roe." He denied he had ever said what he had been quoted as saying. The fact that Miami police had a *tape-recording* was covered up; the FBI simply presented the case as the word of "a source" against the word of "Roe," the word of one man against another—and so washed out the whole affair. As a result, not a mention is made of the Miami tape in the Warren Commission report or its 26 volumes of published data.

This purblind official attitude so disturbed Miami police that finally, in February 1967, they told newsmen about it, and the story received some scattered newspaper notice around the country. Despite this publicity, Miami police informed Washington, D.C. attorney Bernard Fensterwald Jr., in the summer of 1968 when he began to investigate the assassination, that no federal authorities on any level had expressed the

least curiosity or concern about this tape whose prophecy of a second major assassination had by that time been fulfilled. The perfect watchdog, it would seem, had a blind spot—and a positive fascination with the theory of the lone assassin.

After Dr. King was assassinated in Memphis in early April 1968, the verdict was announced in less than 24 hours: no conspiracy, one lone assassin. Subsequently, according to William Turner, "when a Los Angeles police official proffered information indicating a conspiracy to the FBI, he was politely rebuffed: 'We've got our man [James Earl Ray], and that's it. The director didn't exactly light any candles after King was killed....'"

Such is the awesome power of J. Edgar Hoover and the FBI. It is a power that affects our entire political life, the destiny of the nation. It is a power that can reward a friend or break a critic. This probably explains why, until very recently, much of the adverse criticism of Hoover was muted. A common tactic is to make a general obeisance in the direction of the throne room with the observation that however greatly Hoover may have abused his power at times, we should all be thankful that he, instead of some more unprincipled man, has been head of the bureau with access to those secret dossiers with their ruinous potential. If one wants to take comfort from the reflection that some unnamed unknown might have been worse, one can, but the point that really matters is simple and obvious: Hoover's power is virtually infinite, and it has been used, not impartially, but with a vengeance.

Take the strikingly different degrees of dedication with which the FBI pursued information affecting the careers of two former powerful United States Senators. One was Senator Edward V. Long (D-Mo.); the other, Senator Thomas Dodd (D-Conn.).

BIG BROTHER IS LISTENING

Back in 1964-65 Senator Long headed an important Senate subcommittee dealing with one of the crucial issues of our time—the invasions of the privacy of many Americans by the snooping agents of Big Brother. Senator Long's committee focused primarily upon the wholesale wiretappings, surveillance and mail-opening offenses of Internal Revenue and the Post Office. But in the early stages of his investigation, Long committed the indiscretion of disclosing some of the excesses of the FBI.

He discovered that in Missouri the FBI, with the help of the complaisant Southwestern Bell Telephone Company, had had a number of special trunk lines run into its headquarters on the seventh floor of the Kansas City Post Office Building. The arrangement of these lines was such that the FBI could listen in on virtually every conversation that took place in whole districts of Kansas City—on everything from the interminable gush of teen-age girls to lovers' assignations to, it was hoped, the machinations of gamblers (the latter being the excuse given for this indiscriminate wiretapping). There is, of course, no sanction in any law for such wholesale and callous invasions of privacy; but Hoover, who always contends that the FBI is virginal in its

Senator Wants a Capitol Eye on FBI

WASHINGTON (AP)—Sen. Edward V. Long (D-Mo.) today called for a "Capitol eye" on the FBI, saying the agency's activities should be subject to more congressional oversight. Long said he was "convinced" that the FBI's activities were "out of control" and that the agency was "a law unto itself."

Muskie Raps FBI Snooper

WASHINGTON (AP)—Sen. Frank P. Murkowski (R-Alaska) today charged that the FBI's snooping activities were "out of control" and that the agency was "a law unto itself."

Hoover Tried to Ruin TWA Pilot: McGovern

WASHINGTON (AP)—Sen. Frank P. Murkowski (R-Alaska) today charged that the FBI's snooping activities were "out of control" and that the agency was "a law unto itself."

purity, was outraged that anyone should question the scope and nature of any investigation by the bureau. Senator Long caught the backfire and hastily proclaimed to his aides, "I don't intend to take on the FBI." Nor did he. The rest of his probe concentrated on the misfeasances of federal agencies wielding far less political clout.

No *ex post facto* discretion could atone, however, for the Senator's initial indiscretion. The FBI subsequently, as a by-product of its tapping of the Washington phone of lobbyist Fred Black in the Bobby Baker case, learned that Long and Morris Shenker of St. Louis, an attorney who at times represented James R. Hoffa's Brotherhood of Teamsters, were friends. The evidence indicated that Long and Shenker had been splitting fees on some legal cases. (It might be remarked that if every legislator who indulged in such practice were to be blackballed, enormous gaps would be torn in the ranks of our national legislature. The late Senator Everett McKinley Dirksen, Republican Majority Leader, was one who was notorious for sharing legal fees reaped by his law firm from huge corporations desiring influence with the government.) In Long's case, the broadjump inference was made that he was in Jimmy Hoffa's hip-pocket, and by some mysterious process of osmosis never disclosed (some sources hold Internal Revenue was the culprit), all of this inviolate information that had been gathered by the FBI appeared in print in LIFE magazine. The result: though Senator Long was formally cleared of any wrongdoing by his fellow senators, he was soundly defeated when he had to face his Missouri electorate again. As Drew Pearson and Jack Anderson later wrote, Senator Long "became a victim of government bugging at the same time he was conducting the Senate investigation into government bugging."

Take now the FBI's entirely different interest in the case of Senator Dodd. Dodd was a former FBI agent. Though he had a liberal voting record on some issues, he was ideologically in sympathy with the radical right and was much beloved by the ultra-conservative forces with which Hoover has been allied. James Boyd, who was Dodd's administrative assistant, has described how the Senator reacted more with joy than sorrow at news of President Kennedy's assassination. Boyd and some

Nation's GNP Soars Past \$1 Trillion Mark
The nation's gross national product (GNP) today passed the \$1 trillion mark for the first time, according to figures released by the Commerce Department.

Mike Changes His Tune, Rips FBI's Spying

WASHINGTON (AP)—Sen. Frank P. Murkowski (R-Alaska) today charged that the FBI's snooping activities were "out of control" and that the agency was "a law unto itself."

other disgusted employees in Dodd's office subsequently exposed the Connecticut senator for having diverted funds raised for his political campaigns to his own private pocket. Boyd's computation showed that Dodd had raised \$250,000 more for political purposes than had been spent in his campaigns; furthermore, on the money he used for private purposes, he had paid no income tax.

What happened when Boyd and his cohorts funneled this information to Drew Pearson and Jack Anderson? The FBI went into action at once. But not investigating Dodd. As Pearson and Anderson later wrote, "FBI agents photostated all the documents in our possession, then turned the investigation around and began snooping into our news sources." Pearson and Anderson added: "The FBI also undertook an exploration into the lives of the staffers, and of the authors who told the story of Dodd's chicanery. Throughout the investigation the FBI's activities were reminiscent of the Harding days, when the bureau was used for political purposes."

With this helpful investigation of the accusers rather than the accused, major charges against Dodd fell by the wayside, and it was only because publicity about his case finally forced a reluctant Senate to censure him that his political career was finally terminated.

EROSION OF THE SOUL

The famous dictum of Lord Acton's "Power tends to corrupt; absolute power corrupts absolutely" has probably never been better illustrated in our time than in the career of J. Edgar Hoover. Corruption in this sense does not mean financial corruption, but the erosion of the soul of a man through self-conceit and self-worship. The young, vigorous Hoover, who took over the Justice Department's corrupt Division of Investigation in 1924, who remolded it, who made it for a time a model of efficiency and integrity, has been transformed by the universal, unthinking, unchecked adulation of the years into a man whose vanity towers supreme over the official life in Washington.

A rapid succession of incidents in 1969-70 illustrated both the temper of the man and the dangers implicit in his continued mastery of the FBI.

The merest whisper of criticism is enough to touch off a megalomaniacal explosion. In the fall of 1970, two institutions of higher learning felt the imperial wrath. In New York City, the John Jay College of Criminal Justice has the reputation of being one of the nation's foremost schools of criminology. New York City policemen and FBI agents have taken its advanced courses for years. Then, during last summer's semester, one class got into a tangential discussion of the FBI. The professor remarked that he thought the cult of personality had been carried too far and that Hoover had outlived his usefulness and should retire. An FBI agent in the class, John F. Shaw, loyally defended the bureau and its director, but subsequently he began to reconsider some of the adverse criticisms that had been voiced. In the fall he drafted an outline for a thesis on the bureau. When the FBI learned that the thesis would not be completely

laudatory, the stuff hit the fan. Shaw was placed under house arrest, grilled, transferred to Montana. He could not accept the transfer because his wife (they have four children) was very ill, so he resigned. Subsequently, Mrs. Shaw died. Hoover accepted the agent's resignation "with prejudice." Commenting editorially on Shaw's predicament, THE NEW YORK TIMES said: "... this derogatory status now deprives him of employment opportunities in his professional field. This is tantamount to blacklisting. Such vindictive treatment violates those liberties which the FBI is supposed to protect."

When Democratic Senator George McGovern of South Dakota asked for a hearing and study of the Shaw controversy and charged that "Mr. Hoover's action in this matter indicates that he is willing to jeopardize the rights of agents of the FBI as well as effective law enforcement to repress criticism of his administration," the TIMES supported the senator by declaiming that his "call for an investigation of the FBI is very much in order."

At American University in Washington, D.C., a professor made a similar offhand remark, implying some mild criticism of the FBI. (Afterwards, the poor man insisted he could not recall precisely what he said, so little importance had he attached to it.) The FBI roared that the insult was not to be borne, and 11 FBI clerks were jerked out of classes at the university. They were permitted to return only after the president of the institution informed Hoover that no slur had been intended.

Another uproar occurred when Hoover's one-time boss, Ramsey Clark, published his book, *Crime in America*. In this, Clark observed: "The FBI has so coveted personal credit that it will sacrifice even effective crime control before it will share the glory of its exploits. This has been a petty and costly characteristic caused by the excessive domination of a single person, J. Edgar Hoover, and his self-centered concern for his reputation and that of the FBI." Hoover immediately blasted away in an interview with Ken W. Clawson, of the Washington Post. Ramsey Clark, he said, was "a jellyfish... a softie," the "worst" Attorney General he had ever served under—worse even than Robert Kennedy who, even at this late date, Hoover could not let rest in peace. To those who knew Clark, the "jellyfish" appellation seemed to tell more about Hoover's spite than Clark's character. Clark himself replied pointedly, "He's entitled to his opinion. He never said it while I was there."

Two Ex-FBI Men Back Call for Probe of Hoover

By JACK NELSON

WASHINGTON, Jan. 14—A former FBI agent and a young ex-agent of the bureau have joined forces to urge a probe of J. Edgar Hoover's personal practices and methods of operating the FBI. John F. Shaw, a former FBI agent, and John F. Shaw, a former FBI agent, are the authors of a book, "The FBI: A History of Abuse," which is being published by the New York Times. The book, which is being published by the New York Times, is a critical study of the FBI's operations and the role of J. Edgar Hoover in the bureau's history.

Shaw, who was transferred to Buffalo, N.Y., in 1969, and who was later transferred to Buffalo, N.Y., in 1970, is a former FBI agent. He was a member of the FBI's "Special Agent in Charge" unit, which was responsible for the investigation of the activities of the FBI's "Special Agent in Charge" unit. Shaw, who was a member of the FBI's "Special Agent in Charge" unit, is a former FBI agent. He was a member of the FBI's "Special Agent in Charge" unit, which was responsible for the investigation of the activities of the FBI's "Special Agent in Charge" unit.

Shaw, who was a member of the FBI's "Special Agent in Charge" unit, is a former FBI agent. He was a member of the FBI's "Special Agent in Charge" unit, which was responsible for the investigation of the activities of the FBI's "Special Agent in Charge" unit. Shaw, who was a member of the FBI's "Special Agent in Charge" unit, is a former FBI agent. He was a member of the FBI's "Special Agent in Charge" unit, which was responsible for the investigation of the activities of the FBI's "Special Agent in Charge" unit.

This succession of incidents demonstrates just how little it takes to stir the mighty wrath of J. Edgar Hoover. It should be obvious—but it seems it isn't—that a man so powerful, so self-centered, so hipped on the holiness of his own image, represents a danger to himself, to the bureau and to the nation. When his every word represents the final word, the ultimate verdict, reason has no chance; when he can never be questioned, never be challenged, truth is a pawn.

REDS UNDER BEDS

One of the surefire ways for the director of the FBI to get headlines for himself and the bureau is to yell "conspiracy." It is an old tactic of Hoover's. There must always be some monstrous conspiracy, one to scare us out of our wits and give the FBI more agents and more money to protect us more infallibly. For years the Communists served Hoover well as a national menace, but now few persons, except for the most fanatic Birchites, see Reds under every bed. The Black Panthers proved a poor substitute, and it was obvious something better and more scary was needed.

And so it was that when Hoover went before the Senate Appropriations Committee late last year to seek an extra \$14.15-million for 1000 more FBI agents and 702 more field clerks, he bolstered his demand by alleging that a group of militant Catholic pacifists had plotted to kidnap a White House aide and had planned to blow up underground electrical conduits and steam pipes in Washington to force an immediate halt to United States bombing in Vietnam. The masterminds of this horrendous plot, Hoover claimed, were two priests, Daniel and Philip Berrigan, both of whom were already in a Federal penitentiary for destroying draft cards in Baltimore in 1968.

Hoover's testimony touched off a storm. The Revs. Peter Ford and Edward McGowan, who claimed to speak for the East Coast Conspiracy to Save Lives—a group Hoover had named in connection with the "conspiracy"—denied their organization had any connection with the Berrigans, insisted it had never indulged in violence nor had ever planned any, and added: "Hoover is fabricating the whole thing to gain moneys from the Appropriations committee. He's setting up a menace, as he does every year, to scare the committee into giving him funds."

Congressman William R. Anderson, a Tennessee Democrat who once commanded the atomic submarine *Nautilus*, told the House of Representatives: "Knowing the Berrigan brothers...I find it impossible to believe that Mr. Hoover's allegations are true. Even in destroying draft files—illegal acts which they committed to dramatize the death toll of young American boys in Vietnam—they were meticulously careful to plan the events so that no physical harm could possibly befall clerks, bystanders, police or anyone else." (Subsequently, when a Federal grand jury actually indicted Philip Berrigan along with two other priests, a former priest, a nun and a student of public affairs on charges of conspiring to kidnap Presidential adviser Henry A. Kissinger and to blow up the heating tunnels,

and when Daniel Berrigan and six others were named as co-conspirators but not indicted, Representative Anderson announced he was pleased that the case was finally "in the proper judicial channels.")

Ironically, when the case against the Harrisburg Six, as the alleged conspirators are called, finally comes to court, one of the defense lawyers—along with Leonard Boudin, visiting professor at Harvard Law School, and Paul O'Dwyer, New York attorney and unsuccessful Democratic candidate for the United States Senate in 1968—will be Ramsey Clark, Hoover's old antagonist. But no matter how persuasive the former attorney general of the United States may be on his clients' behalf, it is doubtful he'll be able to match the simple effectiveness of the statement made by 47-year-old Sister Marjorie Shuman, one of the "co conspirators": "J. Edgar is zeroing in on Middle America when he comes to us. And who's next, frankly, who's next. I know dozens of Middle Americans here in Washington who are afraid of losing their government jobs if they even talk to me. I have relatives in Boston who are afraid to get in touch with me by telephone. This is the kind of paranoia Hoover has exploited in building up his department."

It is impossible, of course, to know on what evidence Hoover bases his sweeping allegations, but to those familiar with the history of the FBI the alleged plot has a familiar ring: it involves "conspirators," an informer (one Boyd F. Douglas, Jr., according to *THE NEW YORK TIMES*) and lots of J. Edgar hoopla.

Yes, history may very well repeat itself. Back in 1940, Hoover hit the headlines with the story of the great Christian Front Sports Club plot. On January 15, 1940 FBI agents swooped down on the homes of 17 Christian Fronters (members of a racist group of the extreme right) in Brooklyn—and proclaimed that the bureau had literally saved the nation. Hoover, personally announcing the arrests, put his prestige on the line. He charged that the "conspirators" had planned to blow up a public building; that they had plotted a reign of terror and violence in which they would dynamite bridges, seize, and destroy communications centers and confiscate the gold in government vaults. "It took only twenty-three men to overthrow Russia," Hoover told startled newsmen. "We have evidence to substantiate every claim we have made."

MORE MAUDLIN THAN MENACING

When the case came to trial, it suddenly took on a different complexion. It had been developed for the FBI by a star informer (Hoover has always put implicit faith in informers) and, as the testimony unfolded, it became clear that the informer had been the real plotter. He had secured guns and ammunition for the "plotters," "borrowing" these from his National Guard armory; he had used FBI funds to treat the plotters to pleasant and to get them drunk. Recordings made of their conversations showed that they were more maudlin than menacing. And so, in the end, the only thing that blew up was Hoover's case—the "evidence to substantiate every claim we have made."

This tale of the informer turned *agent provocateur*

has a special relevance today, for there is mounting evidence that the technique of 1940 remains the technique of 1970. This nation is being panicked by outbreaks of violence, especially on college campuses, but in some instances, at least, there is solid evidence that the FBI itself has been instigating the violence.

One such instance of FBI-engendered violence came to the attention of the public in Tucson, Arizona, in July 1970. Two years previously Tucson papers had been filled with headlines about a terrible local underworld war. Bombs kept going off around the homes of gangland chieftains Joseph (Joe Bananas) Bonnano and Peter Licavoli. Then one night Bonnano's son, Salvatore, blasted away with a shotgun at two men trying to plant another bomb. One was peppered so badly he had to be taken to a hospital, and the whole story began to unravel.

The details were finally placed on the record before Superior Court Judge William Frey in July 1970. According to the testimony, this is what had happened: an FBI agent in Tucson had recruited a couple of helpers. One had a felony record and was lured by the promise that the record would be expunged by a grateful FBI; the other was the ex-convict's friend. The FBI agent, according to the testimony, concocted the bombing plot, hoping to touch off an underworld gang war in which the mobsters would knock each other off. Judge Frey, noted as a tough law-and-order jurist, was outraged. He called the FBI agent to the stand to answer the charges, but that gentleman claimed the privilege of the Fifth Amendment against possible self-incrimination—and subsequently resigned from the FBI. It was obvious that the bureau itself had been responsible for the bombings.

Another example of the way the FBI itself triggers dissension and discord can be found by examining events at the University of Alabama in May 1970. Beginning May 6 and lasting until May 18, violence raged on the Alabama campus, touched off spontaneously, so it seemed, by students holding a candlelight service to memorialize the students shot by the Ohio National Guard at Kent State. The Alabama disturbances resulted in 150 arrests.

In September, the real truth came out. Attorneys for the American Civil Liberties Union charged in court that the violence leading to the arrests had been precipitated by an undercover agent for the FBI and the Tuscaloosa police. The alleged *agent provocateur*, Charles R. Grimm Jr., had gone to the ACLU for help, but had deceived ACLU attorneys by not disclosing his undercover role. As a consequence, the attorneys said, they felt free to disclose what they had learned about Grimm in a three-month investigation.

They declared that Grimm, acting as an agent for the FBI and the Tuscaloosa police, had been recruited for his undercover role at Alabama "before Kent State." He was to infiltrate the student movement, engage in radical criticism of university officials, encourage conflict and division within the university "to provoke students into committing acts of violence" and, of course, to let the FBI know the names of all who fol-

F.B.I. File on War For Runs 5 Pages

WOOVER'S SCORES
HOOPER ON PILOT
SCOUTS' LETTER
IN F.B.I. DOSSIER

By FRED P. GRANAN
The FBI has a file on the University of Alabama disturbances that runs 5 pages, according to a report by a former FBI agent. The file, which is part of a larger dossier on the University of Alabama, contains information on the activities of Charles R. Grimm Jr., an alleged agent provocateur, and other individuals involved in the disturbances.

The Heat on the F.B.I.

IN THE NATION
The FBI is under a great deal of heat from the public and the media. This is due to a number of factors, including the Tuscaloosa disturbances and the activities of Charles R. Grimm Jr. The FBI's handling of these events has been widely criticized, and there is a growing sense of distrust in the agency.

followed where he led.
The ACLU attorneys—Jack Drake, Ralph Knowles and George Dean—accused Grimm himself of performing the acts of violence on the University of Alabama campus. They charged in court that he had committed arson or attempted arson on five buildings, that he had made Molotov cocktails and hurled three of them into the street during one confrontation, and that he had thrown practically all of the missiles that had been directed at police officers.

THIS IS YOUR FBI?

Dean, after testifying to these details himself, attempted to question FBI Agent Eric Wilson, of Tuscaloosa, about Grimm's role. Dean charged that Wilson had been on the scene on May 18 when Grimm hurled missiles at police, but the FBI agent refused to answer all questions on the ground that they involved "an official matter which can't be made public without the consent of the attorney general."

The ACLU attorney was similarly balked when he tried to question Tuscaloosa detective Lloyd Russell. Russell established some kind of a track record for the poorest memory possessed by any living representative of the law. He just couldn't remember any details about Grimm. He couldn't remember whether he had asked that a charge against Grimm for failing to obey a police officer be dismissed; he could not remember whether he had sought dismissal of a petty larceny charge against the coed who subsequently became Grimm's wife; he could not remember Grimm's address when asked where Grimm could be located now.

As a result, Special Prosecutor Howard Rainey dismissed 120 of the 150 arrest cases. As of late September 1970, 14 cases had been tried. Nine resulted in convictions, five in acquittals. Consideration of the remaining cases was postponed. It becomes fairly obvious that there was no widespread, genuine rebellion on the Alabama campus beyond that promoted by the FBI's own undercover man. Or, as the three ACLU attorneys put it in a public statement, "the real blame for any violence must be placed squarely on the shoulders of those responsible, the real criminals as it were in this

situation, the FBI and certain Tuscaloosa city police."

The burning of the Reichstag in Berlin in 1933—plotted, most historians now agree, by the Fascists themselves—was blamed on the "Communists" and served as an excuse for Hitler to extend his dictatorial power. The Tucson and the University of Alabama cases (and they are only two among many) suggest that the FBI is not above using similar tactics to deliver America

into the arms of repression. Philip Berrigan and his co-defendants, in denying any part in the alleged kidnap plot, charged the government with attempts to "destroy the peace movement" and also compared the indictments against them to the Nazis' Reichstag fire technique—a tactic meant "to stampede the... people into supporting a policy of repression at home and militarism abroad." ■

"What do you think could happen to the ordinary citizen?"

Fred J. Cook's article documents the charge that J. Edgar Hoover, the supposedly impartial head of the FBI, has demonstrated political prejudice in the way he treated Dr. Martin Luther King Jr., in the way he undercut Attorney General Robert F. Kennedy, in the way he was soft on Senator Thomas Dodd and rough on Senator Edward Long, and in the way he is continuing to show political bias in negatively characterizing minority groups and in lashing out at pacifists and other dissenters.

More frightening yet, perhaps, is the more recent accusation made by House of Representatives Majority Leader Hale Boggs of Louisiana: "I charge categorically that the FBI had me under surveillance, my personal life... I know it because of reports that have come back to me." He subsequently added, "In private conversations and communications, numerous members of Congress have reported to me their firm conviction that their telephone conversations and activities are the subject of surveillance by the FBI."

Congressman Boggs' revelation echoed one made previously by Senator Joseph M. Montoya, a New Mexico Democrat when, in attacking the Nixon Administration for actively participating in "frightening invasions of citizens' rights and privileges," he said, "Even the United States Senate is not immune to it. More than a few members have personally expressed their feelings on these subjects to me. I agree with them. Several have plainly stated they believe their conversations have been monitored."

Although J. Edgar Hoover vehemently denied Representative Boggs' charge by stating, "I want to make a positive assertion that there has never been a wiretap of a senator's phone or the phone of a member of Congress since I became director in 1924," there were immediate demands for reforms of the bureau. Representative Emanuel Celler, Democrat of Brooklyn, chairman of the House Judiciary Committee, said he would consult members of his committee about the possibility of holding hearings on the FBI. Representative Charles H. Wilson, Democrat of California, introduced a bill that in the future would limit the tenure of the bureau head to 10 years and would require him to retire at age 65. Representative Wayne L. Hays, Democrat of Ohio, announced that the House Administration Committee, which he chairs, would hire an independent company to check the phones of national legislators to see if they were tapped. Senator Sam J. Ervin Jr., Democrat of North Carolina, Chairman of the Senate Constitutional Rights Subcommittee, indicated he'd gladly accommodate Deputy Attorney General Richard Kleindienst—who claimed he would "welcome an investigation" of the FBI "by the responsible members of Congress—if only the bureau would cooperate." (Ervin had been trying, with no success, since June 9, 1970 to discover the extent and method of FBI surveillance of American citizens.) Representative Bella S. Abzug, Democrat of Manhattan, in filing a resolution calling for an inquiry into the functioning of the FBI that would include "investigation of the ability of the director," said, "In recent months we have observed charges

by Mr. Hoover against leaders of the Catholic antiwar movement originate in testimony made before committees of Congress and justified only by an indictment returned two months later. Stolen FBI files have shown us that the agency routinely maintains large and inaccurate dossiers on special groups and individuals—notably the peace movement and black activist groups—whose politics the director finds personally offensive. These incidents show us that the FBI may be slowly but inexorably invading the privacy, the constitutional freedoms and the peace of mind of us all."

It is more than coincidence that these critics of the bureau are in each instance Democrats, and that since 1968, when Eugene McCarthy called for the ouster of J. Edgar Hoover, the only national legislators who have demanded the dismissal or resignation of the FBI director have been Democrats—liberal Democrats at that such as Senator George S. McGovern of South Dakota and Senator Edmund S. Muskie of Maine. More than coincidence because as the United States perfects what former Army intelligence agent Christopher Pyle has called "the intelligence apparatus of a police state" and as the FBI and other agencies compile millions of dossiers on American citizens, it becomes clearly evident that the bureau uses and abuses its power for partisan political purposes and that "the enemy," in the mind of J. Edgar Hoover, is anyone to the left of Attorney General John N. Mitchell.

The Federal Government, through the Department of Defense, initiated and implemented domestic political surveillance operations from mid-1967 to mid-1970—during which time dossiers were collected on the private and public lives of thousands of people, including Illinois Democratic Senator Adlai Stevenson 3rd, Democratic Representative Abner Mikva of Illinois and the late Whittam M. Young Jr., Director of the Urban League. This fact was documented by former military intelligence officers in testimony before the Senate's Subcommittee on Constitutional Rights. Now, the Department of Defense is obviously *not* the Federal Bureau of Investigation, nor is the Interdivisional Information Unit (known as I.D.I.U.), the Defense Department's successor in the business of political spying and snooping, but the ties between these snoop-and-spy agencies are very strong. Reporter Richard Halloran of THE NEW YORK TIMES points out: "I.D.I.U. gets about ninety percent of its information from the Federal Bureau of Investigation."

What's scary about all this is not just that it's happening here, but that *anyone* is vulnerable: today the legislator is spied upon, tomorrow the lithographer. Far-fetched? Not if Hale Boggs is right. For, in disclosing that the FBI had had his personal and political life under surveillance, Congressman Boggs stated: "The only reason I'm saying what happened to me is that if this would happen to the majority leader of the House of Representatives, what do you think could happen to the ordinary citizen?"

What could happen is that his phone calls are monitored, his office is bugged, his home is wired with electronic listening devices, his mail is opened, his friends, neighbors and ac-

Hoover:

He May Be The Man Who Stayed Too Long

WASHINGTON — J. Edgar Hoover is beginning to look like the man who stayed too long.

Now 76 years old, Mr. Hoover could have retired as director of the Federal Bureau of Investiga-

tioned to Mr. B. ... the office of ... Texas, last year ... celebrating ... a bribery case ... new ... India ... laborer conspiracy ... This disclosure ... the assassination of ... Kleinfelder, Depu ... General, who in ... Boggs had said ... the FBI, investiga ... of Congress for ... it did not engage ... or the tapping of ... The third client ... the week came ... when President ... tioned by a panel ...

Questions & Answers on FBI — A Lot More Q's Than A's

By JACK NELSON and RONALD J. OSTROW

WASHINGTON — ... but many ... the FBI ha ... that the impression ... agents must have ... other in law or an ... Actually fewer than one ... third of the agents have ... the week came ... President ... concerning the ... trained in law and ... obtained in ... of correspond ... R. Bohol ... of the FBI ... the crime ...

with Quinn Martin, produc ... tion manager of the show ... and that if FBI employe ... compiling Hoover and Tol ... have ... the man ... datory retirement age of 70 ... are remaining in office ...

Furthermore, your demands ... upon us have strong over ... tones of harassment, and ... some of the questions you ... have posed are so tainted ... with false and malicious im ... phantoms that they frankly ...

F.B.I. Under Fire

For decades, under a half-dozen Presidential administrations, J. Edgar Hoover has enjoyed a carefully nurtured immunity from attack and even from criticism that only the most sacred cow in the entire structure of the Federal Government could ever hope to achieve. But as the Federal Bureau of Investigation under his leadership encounters increasingly heavy going on several different fronts, his durable public relations triumph seems to be falling apart.

Former Senator Eugene McCarthy may, in his quiet way, have started this change of public mood in 1969 when he showed that the heavens did not fall upon a Presidential candidate who had the temerity to urge Mr. Hoover's dismissal. In recent months Representative William V. Anderson of Tennessee has criticized the

... brothers ... had re ... George ... attention ...

change—is expected to be explained today by Robert Gallati, chairman of a "privacy study" for Project Search.

Information dealing with the sex habits of persons under surveillance already has been mentioned by at least two subcommittee witnesses as being among entries in individuals' dossiers.

The subcommittee heard yesterday in some detail from Nicholas deB. Katzenbach, former U. S. Attorney General and now general

Following his testimony, Katzenbach told reporters he discovered that such data existed only after it had been collected. He added further that it was difficult to control the operational methods of the FBI, which normally is under the control of the attorney general. Katzenbach also served as deputy attorney general under the late Justice William French

... shared the ... nded and ... thing the ... Congress ... au's juris ... ings and ...

Asked why the topics of FBI record-keeping and privacy measures were not ...

Mom Says FBI Tried To Cut Tie to PW Son

Washington, March 20 (AP) — The mother of an American prisoner of war in Vietnam said today that an FBI agent wanted her to have nothing to do with the group's pacifist group which relays mail between the prisoners and their families.

The report ... a ...

The report ... a ...

By ROBERT GRUENBERG N. Y. Post Correspondent

WASHINGTON (CDN) — The Senate Constitutional Rights Subcommittee today plumbs the degree of privacy that is maintained by federal and state authorities in their automated criminal information exchange system.

The topic took on some degree of urgency as the Justice Dept. defended itself against charges that it has "leaked" information supposedly locked in its files to unauthorized persons.

for individual privacy are left to the states.

The FBI, Velle told reporters, serves only as a "catalyst" to help the exchange of information. While LEAA sets privacy "guidelines" and expects the states to comply if they use LEAA funds. Messages between the states are not monitored, he said.

Sex Surveillance

The privacy—or lack of it—in federal record keeping is the subject of attention this week by the Senate Judi-

change—is expected to be explained today by Robert Gallati, chairman of a "privacy study" for Project Search.

Information dealing with the sex habits of persons under surveillance already has been mentioned by at least two subcommittee witnesses as being among entries in individuals' dossiers.

The subcommittee heard yesterday in some detail from Nicholas deB. Katzenbach, former U. S. Attorney General and now general

quaintances are questioned, his past is raked up, his present is investigated and his right to privacy is abrogated. He then becomes another dossier in the FBI's Domestic Intelligence Division's enormous files, one more investigative report among at least five million other reports, one more name on a list culled from more than 50 million index cards.

A list is just a list—until it is used. In Gilbert and Sullivan's comic opera *The Mikado* the Lord High Executioner, Ko-Ko, sings it as it is: "As some day it must happen that a victim must be found, I've got a little list—I've got a little list./Of society offenders who might well be under ground,/And who never would be missed—who never would be missed." And a dossier is just a dossier—until it is abused. For, as Ramsey Clark warns, "Much of the information gathered by investigative agencies is unevaluated, uncorroborated, untrue and unimportant—but its misuse can be devastating."

What misuse? A former FBI agent tells it as it might be: "There is enough data in those files to make them the dirtiest Gestapo outfit this country has ever seen. If those files ever fall into the wrong hands, living in this country will be as dangerous as hell. We'll have a damned secret police on our hands."

— THE EDITORS

As We Go to Press... Here are late developments involving the FBI. Firstly, new indictments, superseding the old ones, have been brought against the Rev. Philip Berrigan and his co-defendants, broadening the conspiracy charge to include planned draft board raids as well as the alleged kidnapping plot (two new defendants are cited, the names of three undicted "co-conspirators," including the Rev. Daniel J. Berrigan, are dropped and a letter from Sister Elizabeth McAlister to Father Philip Berrigan—and a written reply from him to her—are released to the press in support of the claims made in the indictments). Secondly, the year-old Committee for Public Justice, composed of, among others, one-time Attorney General Ramsey Clark, former Assistant Attorney General Burke Marshall, former Director of the Department of Justice's Community Relations Service Roger Wilkins and educators from the Woodrow Wilson School of Public and International Affairs of Princeton University, is launching an investigation of the FBI's role in American life because of the bureau's "political intimidation of various individuals and groups." Thirdly, 51 percent of the people polled by NEWSWEEK magazine express the belief that J. Edgar Hoover should retire.