

FBI Rejects Kennedy Challenge on Bugging

Senator's Tiff With Hoover Smouldering

The Federal Bureau of Investigation said today it has no plans to accept Sen. Robert F. Kennedy's challenge to make public its entire file on eavesdropping during Kennedy's term as attorney general.

The New York Democrat yesterday called on FBI Director J. Edgar Hoover to open the files, a move which Kennedy said would show that he was not informed of FBI wiretapping and "bugging" during his tenure as head of the Justice Department.

An FBI spokesman said today: "I think we've released just about all the information we expect to."

The FBI statement was the latest round in the smouldering dispute between Kennedy and Hoover, which erupted in public on Saturday.

Says Hoover 'Misinformed'

The furor opened with publication of a Hoover letter which said Kennedy knew all about FBI eavesdropping.

Kennedy said he didn't, that Hoover "has been misinformed."

Hoover said Kennedy's retort was "absolutely inconceivable." Hoover produced a document backing his stand from the same FBI official Kennedy had quoted for his side.

Then Kennedy called for Hoover to make his entire file public.

"There is no indication that Mr. Hoover ever asked me for authorization for any single bugging device," said Kennedy.

Katzenbach Credits Both

Another former attorney general, Kennedy successor Nicholas Katzenbach, issued a terse statement giving credit to each side and in essence chalking the dispute up to misunderstanding.

Meanwhile, the practical ef-

fects of mass surveillance were scored in New York by Rep. Emanuel Celler, D-N.Y., chairman of the House Judiciary Committee.

"We can't pick up a phone in Washington without fear and trepidation that someone is listening in," he said in a television interview on WNBC.

"I don't know who is doing it," said Celler. "The abuse of these devices is all over. Whatever benefit they might be for the police departments, it is far outweighed by the danger implicit in them."

The Hoover letter, to Rep. H. R. Gros, R-Iowa, said use of wiretapping and electronic eavesdropping equipment increased during Kennedy's years as attorney general, from 1961 until 1964.

"Without Approval . . ."

Hoover said the FBI had always followed a practice "that no interception was to be undertaken or continued without first obtaining the approval of the attorney general."

Kennedy's office retorted at that time with a letter from Courtney A. Evans, assistant FBI head during Kennedy's term as attorney general, who said he did not know of any discussion or correspondence with Kennedy concerning use of microphones for eavesdropping.

Evans' letter said prior attorneys general had told the FBI that attorney general approval was needed only for telephone taps, but not other buggings.

Kennedy said Hoover had been misinformed.

Hoover said in a third-person statement from the FBI Sunday
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Kennedy and Hoover Step Up Controversy

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it was "absolutely inconceivable" that Kennedy could say Hoover had been misinformed.

A New Document

Hoover produced another Evans' document, this one a memorandum of a July 7, 1961, conference between Kennedy and Evans. The memo said Kennedy was told the FBI was using microphones "in all instances where this was technically feasible and where valuable information might be expected."

It also said Kennedy remarked that "he recognized the reasons why telephone taps should be restricted to national-defense-type cases and he was pleased we had been using microphone surveillances where these objections do not apply wherever possible in organized crime matters."

Federal law prohibits the divulging of information gathered by wiretapping.

Kennedy fired back Sunday night, acknowledging that "perhaps I should have known and since I was the attorney general I certainly take the responsibility for it, but the plain fact of the matter is that I did not know."

He said he ordered a halt to eavesdropping in a Las Vegas investigation as soon as he learned about it. "It is curious that Mr. Hoover does not recall this."

Katzenbach's Position

Katzenbach, now undersecretary of state, said in a statement:

"I do not believe Sen. Kennedy was in fact aware of practices of the FBI, with respect to electronic surveillances other than those involving wiretapping, which he, like his predecessors, specifically authorized.

"I do not believe that Mr. Hoover would have used such techniques unless he had thought that the attorney general in fact sanctioned them. Nei-

ther Mr. Hoover nor Sen. Kennedy, to the best of my knowledge, ever specifically discussed with each other any such practice other than wiretapping."