Hoover Bugged Black's Suite, High Court Told

By Richard Harwood Washington Post Staff Writer

Solicitor General Thurgood eavesdropping except in na-Marshall told the Supreme tional security cases specifi-Court yesterday that FBI Di- cally authorized by the Attorrector J. Edgar Hoover was ney General.
responsible for "bugging" the Washington hotel suite of elations about the FBI's Fred B. Black in 1963.

partment spokesmen con-demanded by the Supreme firmed—that Hoover has been Court on June 13. using electronic eavesdrop-ping devices for "intelligence" rected Marshall to give a compurposes for a number of plete explanation of the Black years in cases not involving bugging case, including the the national security.

ver's discretion under vague which they acted. dral and written authorization Black, a business consultant from various Attorneys Gen- to defense contractors and a

er Sen. Robert Kennedy, who Supreme Court. was Attorney General in 1963, had personnally given Hoover a go-ahead on eavesdropping. plied yesterday.

den under a Presidential di- agents on the afternoon of rective from any type of

eavesdropping activities were He implied-and Justice De-contained in a memorandum

names of the officials responsi-They were installed at Hoo- ble and the authority under

eral dating back to a "period business associate of former of years prior to 1963."

Senate Majority Secretary This authorization, Marsh-Robert G. (Bobby) Baker, was all revealed for the first time, convicted of income tax evaextended beyond "national se- sion in 1964. In his appeal for curity" cases to include "organized crime." The specific nature of the authorization to
Hoover was not explained by

Morelly as not explained by Marshall nor did he say wheth- traordinary confession to the

> The Court then demanded an explanation and Marshall com-

Since last July, Marshall Acting on Hoover's orders, said, Hoover has been forbid-Acting on Hoover's orders

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Hoover Bugged Suite, Supreme Court Told

at the Sheraton-Carlton Hotel 25, 1963. that adjoined Black's suite.

They drilled a hole through not connected to a telephone the wall and installed a tubuline and that the monitoring

all conversations that took suite. place in the suite. They con-

Feb. 7, 1963, entered a room tinued monitoring until April

A Justice Department lar microphone in the base-was not done at FBI head-board of Black's suite. quarters. Instead, he sugquarters. Instead, he sug-The following afternoon the gested, the agents operated in agents began eavesdropping on the room adjoining Black's

While eavesdropping, the Solicitor General told the Court, the agents kept a running summary of the conversations in the Black suite. Some conversations were recorded but the tapes have all been destroyed, Marshaii said.

The logs kept by the agents were submitted to "their superiors in the Federal Bureau of Investigation" and were incorporated into two reports and two memorandums dealing with "anti-racketeering."

Black was being investigated, Marshall said, for his "possible affiliation with organized criminal activity in the United States." But. Marshall added, "recital of these facts is not intended to suggest that any wrongdoing on the part of petitioner was

uncovered by the monitoring."
The two "anti-racketeering" reports that were partially based on information from the Black bug were submitted to lawyers in the Criminal Division of the Justice Department in April and July, 1963. The two memorandums on the same subject were sent to Attorney General Robert Kennedy in April, 1963.

Lawyers Not Informed

Neither the lawyers in the Criminal Division nor the Attorney General were informed that any of the information regarding Black had been obtained through eavesdropping, according ot Marshall's memorandum.

Nor was any of the material used in the preparation of the tax case against Black, Marshall said, adding:

"The Tax Division attorneys found nothing in the FBI reports or memorandum which they considered relevant to the tax evasion case.

In the months the FBI was eavesdropping on various gamblers and casinos in Las Vegas to gather intelligence about a "skimming" operation under which millions of dollars from the Las Vegas gaming tables supposedly escaped taxation

Whether Black was a target of that investigation is unknown but he was associating at that time with Baker, who had connections in Las Vegas. Baker's Conversations

The Justice Department refused to say yesterday whether any of Baker's conversations with Black had been monitored in the hotel suite.

But this question is certain to be raised in connection with Baker's legal difficulties with the Government. He is under indictment for theft and income tax evasion and has asked the Federal courts to suppress certain evidence in his case on grounds that it was illegally obtained through

eavesdropping.

Black is awaiting a Supreme Court decision, but the Court will not only consider the bugging incident but the nature of the bugging.

Among the conversations overheard by the FBI were some between Black and his attorneys, according to Marshall's admissions.

Katzenbach Notified

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In late August, 1965, Marshall said, the FBI first informed the Attorney General and other Justice Department lawyers that Black had been bugged. The information was supplied to Attorney General Nicholas Katzenbach in response to "an inquiry on an unrelated matter."

The Justice Department spokesman declined yesterday to say whether this "unrelated matter" involved the Bobby Baker case.