

# Security Break-ins: From FDR to Johnson

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I don't think you can get adequate security without almost abolishing the police force, and we don't want that. Yet we put security to a harsh test every time we have a new president and cabinet and we can't do it any more.

Unhappily for the already troubled FBI, President Nixon uttered one word ten years ago in which he perhaps unintentionally provoked a national expectation of what past administrations have done to protect the Republic from its enemies, real or imagined.

Standing before microphones in a parking lot adjacent to the post-Clinton estate in New York, he asked what he thought were a rather simple, but would certainly important, question: "What kind of discipline would you like to see in the office of the president?" The question was repeated in the White House.

It is hard to say that he had violated his oath of office. But Nixon's question was repeated to the FBI.

It should be clear that in your time in office, you have seen a great deal of the kind of discipline that would be required of any president who took office.

What it has amounted to is a large team, there was no talk of mass arrests, and it wasn't well known.

The sentence was news, coming to the office of almost every living former Attorney General who served in the last quarter of a century, and what surprised them was a spate of indignant letters from the top Justice Department officials of John F. Kennedy and Lyndon B. Johnson.

"I don't believe it," said Nicholas deB. Katzenbach, who had succeeded the office of Justice in 1964. "The year Mr. Nixon was talking about, Ramsey Clark, Attorney General to President Johnson's administration, told me I don't know what he is talking about. President Eisenhower, Attorney General Herbert Brownell, DeLoach, and myself. To begin with, the initial heritage of the FBI was not intended to be the FBI. We have conducted national security activities without the creation of the Bureau's general and special agents, break-ins stretching back to the 1920s. It was never intended to be the FBI as we know it today."

According to former high officials of the FBI and its predecessor agencies who have since left the bureau, the FBI was not intended to be the FBI as we know it today.

## FBI From AI

President Roosevelt as war loomed in Europe and continued until 1966, when the late FBI Director Hoover put an end to it.

(Hoover, according to his former associates, acted more out of dissatisfaction with the risks his agents were taking on the behalf of another government agency—the National Security Agency—than out of any moral uneasiness over the break-ins.)

The former FBI officials, who declined to be identified, said that the burglaries that were committed were always authorized by Hoover and not by attorneys general or other administration officials, as Mr. Nixon suggested in his press conference.

Most of them, the sources said, involved foreign intelligence and were made at foreign embassies here and at consulates in cities across the country. Some break-ins were conducted in offices of the Communist Party of the United States and in the homes and offices of suspected Communist agents.

In the case of foreign missions, according to the former officials, the target of the burglaries was almost always cryptographic material, secret codes. For example, the Japanese code the outbreak of World War II, because agents entered the Japanese embassy here and photocopied code books.

In some cases, the break-ins were necessary to plant hidden microphones in embassies, a practice that former agents note has been practiced widely in other countries as well as in the United States.

The genesis of the FBI's unusual intelligence operations can be traced as far back as September, 1937, when after an 18-year hiatus, the bureau was ordered back into the intelligence field by President Roosevelt.

Between 1919, when the old General Intelligence Division (GID) was abolished, and 1937, the bureau had no intelligence assignment in relation to national security.

By the summer of 1939, when events in Europe in-

creasingly prompted questions at home about foreign agents, Roosevelt expanded his directive and made the FBI responsible for all investigations of espionage, counterespionage and sabotage.

According to a former long-time agent, that mandate was the beginning of an evolution in which the FBI—assisted by the mobilization for war—began to develop its highly sophisticated intelligence techniques.

The techniques, which included surreptitious entry and the use of complex electronic eavesdropping devices, were subsequently applied in varying degrees over the years to each new national security threat as it arose.

Those threats, the former officials said, included the American Nazi Bundists, suspected Japanese espionage agents, Communists, the Ku Klux Klan, organized crime syndicates, labor racketeers and radical anti-war groups.

While the broadening of

the FBI's intelligence capability was attributed by all the former agents interviewed to Roosevelt, one former FBI official attempted to put the bureau's first foreign intelligence operations in historical perspective.

"We were at war. We were fighting for survival. Many things had to be done for survival," he said.

The former official cited the relocation of thousands of American-born Japanese to Western internment camps, and said, "If that was considered necessary, then naturally other things were considered necessary."

During the Cold War of the 1950s, according to former FBI officials, the number of "black bag jobs" (burglaries) committed by FBI agents escalated as the government sought more and more information from Communist Party offices and the missions of Communist countries.

One special agent who was fired from the bureau in 1961 for publicly criticizing Hoover, said he participated in about 12 break-ins of for-

oreign missions and Communist Party offices.

William W. Turner, 46, said in a telephone interview from his home in San Rafael, Calif., that "burglary was a well-established technique" when he joined the FBI in 1951.

Turner said he acted as a lookout during a burglary of the Japanese consulate in Seattle in 1957 during which a safe was opened and records were photographed.

"A guy flew out from Washington and spent four or five hours up there. I went up once, and he was photographing some stuff from the safe," Turner said.

Turner, now an author and a frequent critic of the FBI, said he also conducted burglaries at the homes of a Seattle Communist Party leader and a suspected Soviet spy. He said such operations were approved in Washington, but they were "never put to paper. You could never prove it was authorized."

The normal procedure, Turner said, was for agents to "case" a burglary target to determine when it was unoccupied, and then station a lookout to watch for anyone returning. Additionally, he said, an agent was stationed at the local police headquarters to monitor the police radio and "shortstop" any citizen complaint that a burglary was in progress.

"We would just tell the police we have an operation in this area and we want to make sure nothing happens," Turner said.

Turner said he could usually tell when the bureau's most experienced "black bag man" had committed a highly successful burglary "because you would read in the house organ that he got another meritorious award. That's the only way they could pay him."

Turner said he was trained in wiretapping in 1958 in Washington and that he was instructed in surreptitious entry at the same time. As agents retired, he said, new classes in burglarizing were held "to replenish the guys in the field."

The classes were held, he said, in an attic room in the

Justice Department here, and agents were instructed on how to make their own lock-picking tools with a grinding wheel. Each agent made his own kit of tools, and was instructed never to perform a break-in while carrying identity papers.

Turner said burglaries "weren't really widespread" and almost always involved foreign intelligence which he suggested was necessary to national security.

This theme was echoed by the other former FBI officials, who asserted that they knew of no break-ins that were comparable to the one to which Mr. Nixon referred in his press conference—the Ellsberg burglar.

That break-in, planned in 1971 by the special White House intelligence unit known as the "plumbers," was designed to obtain psychiatric records of Ellsberg, who was on trial in the Pentagon Papers case.

Turner said he knew of no authorized break-in in which burglary was used to obtain material on a defendant in a criminal case.

He said he was aware that some break-ins were authorized in domestic intelligence situations, such as organized crime and certain black activities, but that the purpose of such entries was to install electronic listening devices.

Included among these domestic intelligence operations were break-ins conducted to install listening devices used in recording conversations of the late Dr. Martin Luther King Jr.

Part of his training, Turner said, involved "how

to get into a place, put in a baseboard microphone, paint over the plaster and get out of there quickly."

The disclosures by Turner—and other former FBI officials who spoke anonymously—has created an "uptight" situation in the bureau, according to an FBI source.

The public scrutiny of closely held operating secrets comes at a time when morale in the bureau is already low because of Watergate.

It also comes at a time when the FBI has just issued an expanded "employees' agreement" requiring agents to acknowledge that leaking confidential information after they leave the bureau could result in criminal prosecution or civil injunctive action.

The pledge, according to an FBI spokesman, was issued Thursday, but stems from a June, 1972, Supreme Court decision upholding the legality of a secrecy pledge signed in 1955 by former CIA agent Victor L. Marchetti.

The FBI spokesman said yesterday that the new employees' statement "updates and expands" the previous pledge, which simply stated that agents were expected to keep the details of their work confidential, even after leaving the bureau.

Other than confirming that Turner served as an agent from 1951 to 1961 and had been assigned to Seattle, the FBI here has refused to comment on any of the disclosures of former bureau officials.