

# 'Battle of Bugs' Begs for an Inquiry

By Drew Pearson

What the United States needs right now is a citizens' grand jury to investigate the battle of the bugs. This would ascertain not merely which is the greater eavesdropper, J. Edgar Hoover or Bobby Kennedy, but more important, to what extent the sanctity of the home has been invaded.



Pearson

One of the most important guarantees of the Constitution, written into it by the Founding Fathers who had to suffer invasion of the home by British Red Coats, was that no police or officer or government may enter your home without a search warrant. This is based on the old principle of English law that a man's home is his castle.

Despite this, electronic listening devices have been placed in homes and hotel rooms, not only without a search warrant but with no authorization by a judge or in some cases even by the Attorney General. And FBI snoopers, sitting at the end of these bugs, have listened in on intimate talks between husbands and wives, on distin-

guished visitors to the United States, on foreign Ambassadors, and in some cases on White House conversations.

Under the law of the District of Columbia, any Federal judge has the power to impanel a citizens grand jury to investigate a violation of law or a condition which threatens the citizens of the Nation's Capital. The judge does not have to get an OK from the Justice Department or the House or anyone else. He can act on his own.

## Courageous Judge

The most courageous on the District Court bench is William B. Bryant, a Negro. Some of the other judges probably would not be happy about bucking either J. Edgar Hoover or Kennedy who picked some of them.

If U.S. Judge Bryant or another judge does not call a citizens' grand jury, the Chief Judge, David Bazelon, of the U. S. Court of Appeals, has the power to step in and do so.

Here are some of the aspects of the battle of the bugs which need investigation:

**Aspect No. 18—**Was Hoover acting on his own, or with Attorney General Kennedy's approval when he engaged in the wholesale eavesdropping which the Justice Department has now revealed to the Supreme Court?

There is evidence that

Bobby listened with some delight to FBI tapes of monitored conversations while visiting FBI offices in New York and Chicago. He now says that Hoover placed these bugs without his approval. Who is telling the truth?

**Aspect No. 2—**The White House was informed that Attorney General Nicholas Katzenbach was reporting on various operations in the Justice Department to his old boss, Bobby Kennedy, and that Bobby, through Katzenbach, continued to run the Justice Department. If true, it is understandable that Katzenbach was transferred to the State Department and a job for which he had no background.

One report which irked the President was that his own wires were being tapped — with the information going back to Bobby. He had given specific orders over a year ago against eavesdropping.

This kind of surveillance, if true, occurs only in police states. It should be investigated and the facts given the public.

**Aspect No. 3—**Assistant Attorney General Mitchel Rogovin, in charge of the Justice Department's tax division, is credited with inducing the Justice Department to make a clean breast of the FBI wiretaps in the Fred Black income tax conviction, thereby upset-

ting the conviction and requiring a new trial.

Black was the close friend of Bobby Baker, whose indictments are now being questioned because his conversations also were monitored by an FBI bug.

Rogovin is a conscientious career public servant. But there have been overtones that he raised the wiretap issue on Black in order to save Baker. I am convinced that these overtones are not true and that Rogovin was acting because of a strong conviction against wiretaps and eavesdropping. In fairness to him, the public should be told the truth through a citizens grand jury investigation.

**Aspect No. 4—**Internal Revenue now has many tax cases lying dormant involving evidence secured through eavesdropping. They have been delayed because the Supreme Court has ruled only that wiretapped or eavesdropped evidence may not be used to secure criminal convictions. But so far there is no ban on its use in civil cases.

Many taxpayers would rather go to jail for a few months for a tax violation than have to pay a half-million-dollar tax deficiency plus fine in a civil case.

Therefore, the whole question of eavesdropped evidence badly needs to be cleared up.