

Presidents, F.B.I. Misused Each Other

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Only a few weeks on the job, the new Attorney General, Edward Levi has publicly confirmed what has long been rumored. Mr. Levi has said that Presidents of both parties misused the Federal Bureau of Investigation for their private or political purposes. And he has also confirmed that J. Edgar Hoover misused the F.B.I., compiling dossiers on Presidents and other public figures, for his purposes.

Mr. Levi's carefully worded report was made to the House Subcommittee on Civil and Constitutional Rights, headed by Congressman Don Edwards of California, a former F.B.I. agent. Mr. Levi named no names, but he said that:

- Former Presidents or their aides improperly directed Mr. Hoover to report on the activities of Congressmen and others critical of White House policies, and to collect "intelligence" for possible use against political opponents.

- Mr. Hoover personally maintained secret files on prominent persons in his own office. They included 64 files on Presidents, other officers of the executive branch and 17 members of Congress, two of whom still serve. The Attorney General clearly implied Mr. Hoover exploited this material against his Congressional critics; and in at least one case sent supposedly damaging material to the White House.

What Mr. Levi described has never been reported publicly by a knowledgeable official. Mr. Levi said the full extent of the abuses may never be known.

Several of his aides supplied some of the names he did not. They attributed misuse of the bureau to Presidents Nixon, Johnson and Kennedy. Mr. Johnson asked the F.B.I. to investigate Spiro Agnew and to install listening devices to monitor conversations of the Rev. Dr. Martin Luther King Jr. at the 1964 Democratic convention.

Perhaps, Just A Clean Slate

Mr. Levi's aides also said that shortly before the 1964 election between Mr. Johnson and Senator Barry Goldwater, then White House press secretary Bill Moyers requested on Mr. Johnson's behalf that the F.B.I. investigate Goldwater campaign aides. No damaging material was discovered.

Mr. Moyers says he has "no recollection of that particular request."

Why did the new Attorney General end the rumors and substantiate them? He did not say. President Ford has spoken strongly about past abuses, and

his choice of Mr. Levi—essentially an apolitical one—was generally interpreted as the beginning of a new era at the Justice Department. Mr. Levi may have decided he could not start anew without being done once and for all with the most disturbing remnants of the past.

Mr. Levi said the F.B.I. no longer maintains secret files of the kind Mr. Hoover kept. He has urged President Ford to limit the number of aides who may deal with the F.B.I., and is asking Congress to make improper dissemination of bureau material a criminal offense.

But despite doubts by some committee members he defended the F.B.I. practice of filing raw data on innocent individuals unconnected with criminal or national security matters.

Other committees are now investigating the F.B.I. along with intelligence agencies. It seems certain they will propose a package of limitations against future excesses that will go much farther than those of the Attorney General or F.B.I. director Clarence E. Kelley.

Drinan and the Data Under D

One legislator has had the opportunity of peeking at the F.B.I.'s data on him. While on a tour of bureau facilities, Representative Robert F. Drinan of Massachusetts took an unauthorized look into a file marked "D" and says he found between 20 and 30 file cards bearing his name. He says much of the material dealt with his prior academic and professional career. He has demanded formal access to his files under the Freedom of Information Act.

Mr. Kelley criticized Mr. Drinan for

looking at the file. He said that the Massachusetts Democrat and others on the tour had been specifically asked to refrain from examining the index cards and files during the tour. Mr. Drinan, he said, "completely disregarded this request and delved into a file drawer containing index cards."