

Hill Taps Denied By U.S. *Post 4/11/71* But Boggs Vows to Give Proof Soon

The White House, the Justice Department and the Federal Bureau of Investigation yesterday reiterated their categorical statements that congressmen's telephones have never been tapped by the FBI.

House Majority Leader Hale Boggs of Louisiana said he would prove his Monday accusation against the FBI "in the near future." Other members of Congress said they shared Boggs' suspicions, but none came forward with evidence to support the charge.

FBI Director J. Edgar Hoover, target of Boggs' criticism, made no direct comment on the sudden upsurge in demands for his resignation.

But the 76-year-old Hoover discussed the situation with Senate Minority Leader Hugh Scott of Pennsylvania, and Scott's office quoted Hoover as saying, "I want to make a positive assertion that there has never been a wiretap of a senator's phone or the phone of a member of Congress since I became director in 1925, nor has any member of the Congress or the Senate been under surveillance by the FBI."

Hoover's assertion was backed by Attorney General John N. Mitchell, who called on Boggs for an "immediate apology . . . and a complete retraction of his charges."

White House Press Secretary Ronald Ziegler said Mitchell's statement "reflects the

administration on that point," adding that President Nixon "of course does not favor tapping of congressmen's phones."

In the face of the solid administration denials, Boggs—who triggered the uproar Monday with a one-minute speech demanding Hoover's resignation for using "the tactics of the Soviet Union and Hitler's Gestapo"—called a press conference and affirmed "categorically that it is true" that the FBI had been tapping congressional phones.

He also said, in a broadcast interview, that "the FBI had me under surveillance, my personal life."

Boggs said that "numerous members of Congress" had told him privately of "their firm conviction that their telephone conversations and activities are the subject of surveillance by the FBI."

He said several of them "have made available to me detailed information confirming my own experience . . . and it is my intention to make proper use of it in the near future."

Boggs said a "group of very competent lawyers" is assisting him with the evidence, but he did not say when he would provide documentation for his charges.

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FBI explains secret building. Page A10.

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No other congressional leaders stepped forward to support Boggs' contentions, and those members who said they shared his belief provided skimpy details of the incidents in which they were involved.

House Speaker Carl Albert of Oklahoma said he did not "know anything about the facts" of the case, but said that if the question concerned a tap on one of his phones, "I doubt it" is happening.

In the Senate, Scott and Majority Leader Mike Mansfield of Montana both said they had no reason to think phones were being tapped.

"No senator has ever come to me," Mansfield said. "As far as I'm concerned, it hasn't happened." Senate sergeant-at-arms Robert G. Dunphy said he has checked phone lines once or twice a month, at

the request of some senator, and never found a tap on a senator's line.

In his formal statement yesterday, Boggs sought to shift the grounds of the argument slightly, contending that "more important than charges and countercharges is the fundamental fact that a substan-

tial number of members of congress are firmly convinced their phones are tapped by the FBI."

"I believe the fear of phone tapping is as dangerous as the fact," the Louisiana Democrat said, "for it can only chill the kind of free discourse we must have if we are to continue as a free society."

Boggs also moderated his language on Hoover from his earlier statement, calling him a "dedicated and able public servant" and "a man whose fairness and patriotism are unquestionable."

However, he said, there is a "risk that Mr. Hoover's judgment may be clouded by age." President Johnson waived the normal retirement age of 70 for Hoover six years ago and Mr. Nixon continued him in office.

The alteration in Boggs' language did not satisfy Attorney General Mitchell, who issued a statement last night accusing Boggs of making "a reckless and cruel attack upon a dedicated American and an organization of loyal and devoted men and women."

He said Boggs' own statement "confirms the plain fact that his charges . . . had no factual basis whatever" and he called on the congressman to apologize and retract.

Tom Bishop, an FBI spokesman, told a reporter that "even if a congressional staff member was involved in an investigation, the FBI still would not tap a phone inside the Capitol complex of buildings."

Hoover, in a portion of an interview with the Washington Post last November that previously had been put off the record, said that FBI agents are under orders to break off surveillance of a suspect any time he enters the Capitol or one of the allied office buildings. The agent, Hoover said, is not permitted even to fol-



United Press International

Rep. Boggs on FBI taps: "It is true . . ."

said he had no reason to believe his office phone had been tapped but believed the telephone company had tapped his home phone to check the source of obscene phone calls to the home.

Rep. Nick Galifianakis (D-N.C.) said a tap had been reported to him, but he could not certify it as a fact.

Like Galifianakis, a dozen or more other members contacted by this newspaper said their suspicions had been aroused by clicks, voices, interruptions in service and variations in volume on their phones.

Most of those who said they had asked for a checkout on their phones said the findings were either negative or inconclusive.

Rep. Benjamin S. Rosenthal (D-N.Y.) said that when he suspected his district office phone was tapped, he asked a friend in the police department to check. The policeman said there was a tap on the line, but a subsequent check by the phone company produced a negative report.

The offices of two Democratic presidential hopefuls, Sen. George McGovern of South Dakota and Harold E. Hughes of Iowa, said they assumed or suspected their phones were tapped, but

neither had evidence to support it.

Sen. Birch Bayh of Indiana, another of the prospective Democratic contenders, said some time ago he had checked his office for a possible bug after becoming suspicious but found no proof it had been there.

This article was written by David S. Broder from reports compiled by Ken. W. Clawson, Spencer Rich, Richard L. Lyons and William Chapman.

low the suspect into the building to observe his destination.

In a survey conducted by the Washington Post last December, about one-quarter of the members of congress, lawyers, businessmen and journalists responding said they suspected or believed their phones were tapped or their offices bugged.

However, only six members of Congress—Boggs among them—said that a tap had been reported to them by sources they regarded as competent.

In a recheck yesterday by Washington Post reporters, even some of those six qualified their report.

Rep. Ray Roberts (D-Texas)