

NYT 4/23/71

Boggs Tells House of Tap on Phone

By JOHN W. FINNEY
Special to The New York Times

WASHINGTON, April 22— Representative Hale Boggs, defending his charge that the Federal Bureau of Investigation has been tapping the telephones of members of Congress, told the House today that the telephone line of his private home was tapped in 1970.

In an hour-long speech in which he said that the F.B.I. was engaged in a campaign of fear and intimidation against members of Congress, the House Democratic leader suggested that an electronic surveillance device had been used at the home of Senator Charles H. Percy, Republican of Illinois, and that a listening device had been placed in the office of former Senator Wayne Morse, an independent of Oregon.

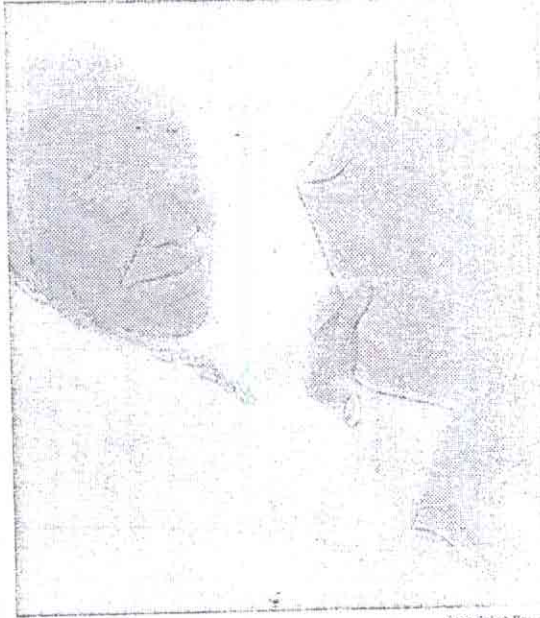
Mr. Boggs also said that an electronic listening device had been placed under the rug in the office of Senator Birch Bayh, Democrat of Indiana, during the fight over the appointment of Clement A. Haynsworth to the Supreme Court. Such a report, which had previously appeared in the press, had been attributed to staff aides of Senator Bayh.

At no point, however, did Mr. Boggs directly accuse the F.B.I. of implanting surveillance devices, although that was the clear and intended implication of his remarks.

Democrats Applaud

As he completed his speech before nearly 100 members of the House, many of the Democrats arose to applaud him. On the Republican side there was silence.

But an immediate rebuttal



Representative Hale Boggs reviewing text before speech

came from Representative Clarence J. Hogan, a Maryland Republican who formerly worked for the F.B.I. As Mr. Boggs sat smiling, Mr. Hogan said that the majority leader had "failed completely" to offer any proof to substantiate his charges.

"I am shocked and nauseated by the stench of red herring in this chamber," Mr. Hogan said.

The Boggs speech, he protested, was a "blatant admixture" of "innuendoes," "distortions" and "nonsense" with "no proof positive" of earlier charges.

For example, he said, Mr. Boggs offered no proof that his phone had been tapped or, even

if so, that the F.B.I. had done the tapping.

Later, Attorney General John N. Mitchell issued a statement in which he said, "Mr. Boggs failed completely and totally to substantiate his wild charges."

"He has not produced a modicum of information to indicate that the F. B. I. has done anything more than perform its duty to obtain criminal evidence by lawful means," Mr. Mitchell said. He added:

"As I said when Mr. Boggs first made his slanderous statements, the F. B. I. does not tap telephones of Congressmen and Senators and has not done so in the past. It is unfortunate that Mr. Boggs continues to use the high office he holds to malign and defame the most respected investigating agency in the world."

A spokesman for the Chesapeake & Potomac Telephone Company said that two representatives of the company had checked Mr. Boggs's telephone last August at his request, but found no wiretapping or any evidence that there had been previous tapping.

The spokesman, Fred Langbein, also said that Mr. Boggs "appears to have a misunderstanding of our policy."