

Mitchell Reports Fewer Wiretaps

7-15-69
By John P. MacKenzie
Washington Post Staff Writer

Asserting that the Nixon Administration has reduced Federal wiretapping, Attorney General John N. Mitchell said yesterday that citizens have no basis for fearing eavesdropping by Big Brother—"unless they are involved in organized crime."

Mitchell, in his first on-the-record Washington news conference, said his policy of selective wiretapping and electronic bugging is effective and presents no danger to civil liberties.

But he refused to be pinned down on the specific number of wiretaps and bugs used against organized crime, espionage or internal subversion.

Mitchell said fewer eavesdropping devices are being installed at the present time than when he took office. Reminded that FBI Director J. Edgar Hoover testified in April that 49 taps and five microphones were planted with Mitchell's approval, the Attorney General said the number had been reduced.

Asked whether the number now was "lower than 32"—the last previous figure cited by Hoover—Mitchell said he would not be "straddled" by repeated questions about numbers.

Mitchell said that he eliminated many eavesdropping devices because "on re-examination it was determined by various agencies and the Department of Justice that they were not productive."

This did not mean, however, that electronic eavesdropping was itself unproductive as contended by former Attorney General Ramsey Clark, Mitchell said in response to continued questioning. Already one big narcotics ring had been broken with a wiretap, he added.

See MITCHELL, A8, Col. 1

Wiretaps Reduced, Justice Head Reports

MITCHELL, From A1

The "numbers game" over wiretap, appears certain to continue unless Mitchell makes clear publicly whether the amount of eavesdropping fluctuates. Some observers consider that the amount of court-authorized eavesdropping under the 1968 Federal crime law is subject to great fluctuation.

Wiretap Debate

Mitchell touched off a wiretap debate recently with a brief filed in Chicago's Federal court asserting the power of the Executive Branch to eavesdrop without court supervision or disclosure upon allegedly subversive groups. Earlier the Justice Department had indicated in Supreme Court arguments that it was limiting its claim to unsupervised snooping power to the gathering of "foreign intelligence" information.

More controversy was stirred when Hoover differed with Clark and other former Justice Department officials over whether the initiative to tap the phone of the late Rev. Dr. Martin Luther King Jr. came from Hoover or the late Robert F. Kennedy when he was Attorney General.

Avoids Controversy

Mitchell steered clear of the King bugging dispute. Asked

whether he had authorized, or been asked to authorize, eavesdropping on any other civil rights leaders, Mitchell replied, "In the normal connotation of that term, no."

On other subjects, Mitchell said:

- Complaints of Negroes in the North being denied the vote through literacy tests exist but "have not received full publicity, perhaps." Civil rights opponents of the Administration's voting bill call Mitchell's call for a nationwide literacy test ban unnecessary and a diversion from the drive to extend voting safeguards in the Deep South. Mitchell would not specify the source of Northern complaints.

- The investigation of possible obstruction of justice in the case of former Supreme Court Justice Abe Fortas is still under way, but it does not involve Fortas himself and never did. Reporters had drawn the inference that Fortas was under investigation and the Justice Department had never said otherwise until yesterday.

- A nomination to replace Fortas on the Court will come in time for confirmation before the new term opens in October—possibly before President Nixon leaves Washington next week.