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**Ex-Aides Say Justice Dept.
 Rejected a Sinatra Inquiry**

CIA (S)

By NICHOLAS GAGE

The Justice Department under Attorney General Robert F. Kennedy rejected or ignored repeated recommendations for a thorough investigation of Frank Sinatra and his relationships with Mafia leaders, according to former Federal officials.

They said that in May 1962, for example, the chief of the

Last of three articles.

department's Organized Crime Section, Edwyn Silberling, recommended to Attorney General Kennedy a thorough tax investigation of Mr. Sinatra, but it was rejected.

Several other recommendations were made within the department in 1962 and 1963 for investigations of Mr. Sinatra, his contacts with Mafia figures and his relationship with Judith Campbell (now Mrs. Judith Exner), whom Mr. Sinatra introduced to both the late Sam Giancana, the Mafia boss of Chicago, and President Kennedy.

But department records show that while Mr. Sinatra was interviewed by Federal agents and was asked to submit some affidavits, no thorough investigation was ever conducted by the department on Mr. Sinatra's Mafia ties.

Some former Justice officials feel that evidence available at that time did not warrant such an inquiry, but others believe that there was a reluctance to pursue an extensive investigation because of Mr. Sinatra's close ties to the Kennedy family.

Mr. Sinatra, through a spokesman, declined to be interviewed by The New York Times.

The rejected recommendations for investigation were disclosed in a two-month investigation by The New York Times of Mr. Giancana and John Roselli, another Mafia figure, and their relationships with Mr. Sinatra and Mrs.

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Campbell, after the disclosure that the Senate Select Committee on Intelligence had looked into Mrs. Campbell's friendships with the President and the Mafia men.

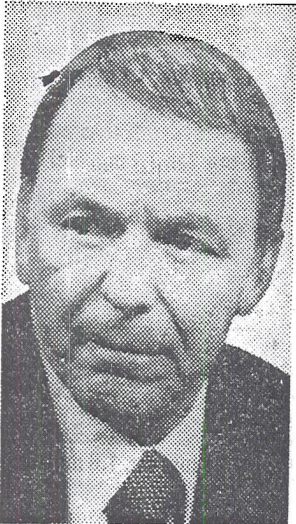
From the beginning of his career as an entertainer, Mr. Sinatra never tried to hide his friendships with such Mafia figures as Willie Moretti, Rocco and Joseph Fischetti (cousins of Al Capone, Mr. Roselli and Mr. Giancana (who was murdered last June), according to law-enforcement officials who have traced his Mafia ties.

Worked for Kennedy

While maintaining such relationships, Mr. Sinatra, beginning in 1960, developed strong ties to the Kennedy family by working zealously in the primary and Presidential campaigns of John F. Kennedy. He stumped with the future President, persuaded Hollywood personalities to work for him, solicited contributions and, after the election, staged an inaugural gala that raised \$1.4 million to help pay off the Democratic Party's campaign debts.

Soon after Mr. Sinatra became involved in Mr. Kennedy's primary campaign, the singer introduced the candidate to a former girlfriend, Judith Campbell, who later said that the introduction led to an affair with Mr. Kennedy.

There have been suggestions since the relationship was disclosed last December that Mr. Sinatra was, as Mrs. Campbell's outline for a proposed book speculates, "attempting to set up a connection" for the Mafia, because a few weeks later he also introduced her to Mr. Giancana.



Photoreporters
Frank Sinatra

No Evidence Found

The investigation by The Times, however, has found no evidence of that.

Mr. Giancana and other Mafia leaders close to Mr. Sinatra were under heavy electronic surveillance by Federal agents during this period, and although they talked uninhibitedly about themselves, the Mafia and Mrs. Campbell, they did not indicate that Mr. Sinatra was ingratiating himself with the Kennedys in their behalf.

In fact, they complained that they were under more pressure from Federal law enforcement after Robert Kennedy became Attorney General than before.

But the Times investigation did produce evidence that the Justice Department under Attorney General Kennedy resisted a thorough investigation of Mr. Sinatra's Mafia ties.

Justice Department documents, as well as former officials, indicate that although the department pursued investigations of Mafia leaders close to the entertainer, recommendations for an investigation of Mr. Sinatra himself were rejected or ignored.

Mr. Silberling, in a memorandum to the Attorney General on May 18, 1962, wrote that his section intended to begin a thorough tax investigation of Mr. Sinatra, based on material attached to the memo, but would take no action until Mr. Kennedy had had the opportunity to consider the matter.

'Makes Sense to Me'

The memorandum was sent through Deputy Attorney General Nicholas deB. Katzenbach, who wrote on it in longhand that the investigation "makes sense to me."

The memorandum was then forwarded to the Attorney General's office. It was stamped "Received" on May 19 and was initialed by Mr. Kennedy himself.

On June 14, Mr. Silberling was called by Herbert J. Miller, the Assistant Attorney General in charge of the Criminal Division, and told that a broad tax investigation could not be initiated against Mr. Sinatra and that only specific items could be checked, according to former Justice officials.

Mr. Silberling, who is now practicing law here, said that he had only a faint recollection of the memorandum, which was written 14 years ago, but he said that the path it followed

through department channels was the one he used as chief of the Organized Crime Section.

Because of conflicts with Mr. Miller, he said, he would usually communicate with the Attorney General through Mr. Katzenbach. He said that the Attorney General would generally reply to him directly or through Mr. Katzenbach because Mr. Kennedy knew of his problem with Mr. Miller. (The conflict led to Mr. Silberling's departure from the Justice Department.)

Documents show, however, that in the case of the proposed Sinatra investigation, Attorney General Kennedy did not follow the usual pattern and reply directly to Mr. Silberling or through Mr. Katzenbach, but answered through Mr. Miller, and the proposed investigation was rejected.

Mr. Miller said in a telephone interview that he did not recall the matter at all.

"But I can tell you what probably happened," he said. "You have to remember this was in 1962 when we were just getting into the organized-crime fight. The F.B.I. was just coming around to the idea that there was a Mafia.

"We had limited resources in the Organized Crime Section, and we weren't going to tie them up on a fishing expedition against Frank Sinatra when there were guys like Sam Giancana around."

Investigation Urged

In early 1963, William Hundley, who had just succeeded Mr. Silberling, sent a memorandum to Attorney General Kennedy suggesting a broad investigation of Mr. Sinatra's ties to 15 Mafia leaders, but no action was taken on it, according to Federal officials.

Mr. Hundley said that he could not remember the memorandum but if it had his name on it and he initiated it, the memo had been sent to Mr. Kennedy.

In 1962 and 1963 several long reports were prepared within the department outlining the business and personal relationships of Mr. Sinatra with various underworld figures, according to former Justice officials.

The reports, which were sent to Attorney General Kennedy, were compiled by Dougald McMillan, one of a group of special attorneys in the Organized Crime Section, from Federal and other sources. Mr. McMillan is still with the department and would not discuss the reports, but several former department officials said that Mr. McMillan had made numerous recommendations in the reports for an investigation of Mr. Sinatra and that no action had been taken on them.

No Authorization

They said that the Federal Bureau of Investigation, the Internal Revenue Service and the Secret Service had all expressed eagerness to participate in an investigation of Mr. Sinatra if the Justice Department authorized it, but the authorization never came.

The reports compiled by Mr. McMillan contained more than enough information to justify an investigation of Mr. Sinatra, the former officials said.

One report said that Mr. Sinatra and Dean Martin, the singer, were original investors

in the Berkshire Race Track in Massachusetts and that Raymond Patriarca, the Mafia boss of New England, and Gaetano Lucchese, the late boss of one of New York's five Mafia families, held secret interests in the track.

Another report, dated Aug. 3, 1962, said that Mr. Giancana had boasted to friends to friends that he owned a part of Cal-Neva Lodge in Lake Tahoe, Nev., through Mr. Sinatra. Mr. Sinatra was forced to sell his half-interest in the lodge in 1963 after Mr. Giancana, who had been barred by the Nevada Gaming Commission from gambling establishments in the state, was found staying there.

'Talent Agent' Fees

The Aug. 3 report, a copy of which is in the possession of The Times, also said that Mr. Fischetti, a Chicago Mafia figure, had been placed on the payroll of the Fontainebleau Hotel in Miami at the instance of Mr. Sinatra, who frequently entertained at the hotel, and that as of April 1962 Mr. Fischetti had received 71 checks totaling \$38,340. The report added that Mr. Fischetti's income tax returns for 1959 and 1960 listed fees of \$12,000 from the Fontainebleau as a "talent agent."

A third report included a description of a visit by an F.B.I. agent to the Armory Lounge in Chicago, frequented by Mr. Giancana. In the lounge were Mr. Giancana and one of his top lieutenants, Charles English.

Mr. English tried to persuade Mr. Giancana to talk to the F.B.I. agent, but Mr. Giancana resisted, the report said. The agent left, but outside the door Mr. English caught up with him and gave him a message from Mr. Giancana, according to the report.

"If Bobby Kennedy wants to talk to me, I'll be glad to talk to him and he knows who to go through," Mr. English quoted Mr. Giancana as saying. Just in case the agent did not get the message, the report said, Mr. English went on to explain how close Mr. Giancana was to Mr. Sinatra.

Case Against Giancana

Robert Kennedy was presumably aware of some of this information about Mr. Sinatra because the Justice Department was then pushing hard to make a case against Mr. Giancana and the Attorney General was following F.B.I. intelligence reports on the Mafia leader. He had also requested that all reports on Mr. Sinatra be sent to his office, according to Mr. Hundley.

Some of Robert Kennedy's associates believe that he warned President Kennedy to curb his contacts with Mr. Sinatra as long as the Giancana investigation was under way.

Peter Lawford, who was then married to Patricia Kennedy, the President's sister, said in a telephone interview that President Kennedy called him in 1962 and told him that he was coming to Palm Springs but did not want to stay at Mr. Sinatra's home.

"You know, as much as I like Frank, I can't go there, not while Bobby is handling this [the Giancana] investigation," Mr. Lawford quoted President Kennedy as telling him.

From then on President Kennedy continued to send Mr. Sinatra friendly messages but avoided being seen with him.

"After 1962, Sinatra was not invited to affairs at the White House as before, or to Kennedy gatherings," Carmine Bellino, then a special consultant to the President, said in an interview.

Lawford Was Blamed

Mr. Sinatra continued to feel friendly toward President Kennedy, sending him a floral chair as a birthday present in 1962, but he blamed Mr. Lawford and Robert Kennedy for the way he was pushed out of the Kennedy inner circle, according to Mr. Lawford.

However, Robert Kennedy did not forget the extensive efforts

of Mr. Sinatra to help his brother become President, according to Mr. Lawford.

"Bobby liked Frank. He worked very hard in Jack's campaign and Bobby appreciated it," he said.

Whether Robert Kennedy felt appreciative enough toward Mr. Sinatra to actively discourage a thorough investigation of him is a matter of controversy among former Justice attorneys familiar with the case. Some feel that it was simply a matter of subordinates' second-guessing Mr. Kennedy and hesitating to open such an investigation because they knew of Mr. Sinatra's close identification with the Kennedys.

Robert Pelouquin, a former Justice attorney, said that Attorney General Kennedy had no qualms at all about investigating Mr. Sinatra and once told him he wanted to see a strong case developed against the entertainer.

But other former officials believe that what Mr. Kennedy said about Mr. Sinatra and what he did were sometimes at variance.

New Standards Applied

"Bobby would always tell us, 'Peel the banana. Attack the respectable associates of the Mafia,'" one of them said, "But when we tried to go after Sinatra, rigorous new standards went up.

"It was Catch-22 time. To get authority for a thorough investigation, we had to have an air-tight case against him, but we couldn't make the case until we got authority to investigate."

Mr. Sinatra was questioned in several Federal investigations during the time that Robert Kennedy was Attorney General, but in none of them was he the primary target of the investigation.

In one case, in 1962, he appeared before a Federal grand jury in Kansas City, Mo., which was looking into special gifts and payments that the Fontainebleau Hotel in Miami Beach had been making quietly to certain individuals, including Mr. Sinatra and Sammy Davis Jr. Mr. Sinatra, for example, had received a \$4,000 ring.

The grand jury subpoenaed both Mr. Sinatra and Mr. Davis, and both tried to avoid appearing, according to a former Federal official in Kansas City. He said that Mr. Sinatra had talked to a former member of President Kennedy's White House staff, asking him to intervene on his behalf, and that Mr. Davis had contacted Robert Kennedy, asking to be excused.

In 'Golden Boy'

He was excused, according to the officials, but Government attorneys protested, and Mr. Davis asked to have the grand jury flown at his own expense to New York, where he was then appearing in "Golden Boy," so that he would not miss a performance.

"Bobby asked me to see if I could work something out," said Mr. Hundley, then chief of the Organized Crime Section. "I called Doug McMillan, who was in charge of the case, but he said that if any special privileges were extended to Davis or Sinatra, he'd quit. So they both went to Kansas City."

F. Russell Millin, the United States Attorney in Kansas City at that time, said he couldn't recall details of the investigation, but other sources said that some of the answers Mr. Sinatra gave to the grand jury's questions were evasive and incomplete and Mr. McMillan, the special Federal prosecutor on the case, wanted to bring him back to determine if he had perjured himself. At that point Mr. Sinatra decided to hire a criminal lawyer, Edward Bennett Williams, who was also representing Mr. Giancana.

The Justice Department did not, however, authorize a second appearance by Mr. Sinatra before the grand jury, according to a former Justice official. Instead, he said, Mr. McMillan was instructed to write down what other questions he wanted asked of Mr. Sinatra and was told that someone from the department would go to Las Vegas and question the entertainer.

Mr. McMillan wrote the questions, but Mr. Sinatra was never asked them, according to the former official.