

F.B.I. SAID TO BUG A HOUSE MEMBER

Agents Reportedly Sent Man Wearing Hidden Recorder
to Office at the Capitol

by Robert M. Smith
Special to The New York Times

Washington, April 15 - The Federal Bureau of Investigation sent an informer into Representative John Dowdy's office on Capitol Hill in 1970 with a hidden tape recorder strapped to his back, according to reliable sources.

Besides recording the informer's conversation with the Texas Democrat at the Capitol, the bureau also monitored, and presumably recorded, telephone conversations between the two men, the sources said. Mr. Dowdy was indicted for accepting \$25,000 in a bribery conspiracy.

The sources stressed that these actions by the bureau did not lend support to the charges of Representative Hale Boggs, Democrat of Louisiana, the House majority leader, that the bureau was tapping the telephones of Congressmen.

They took this position because the listening had been done at the informer's end of the telephone line, not Mr. Dowdy's, and noted that the informer had initiated the calls.

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Yesterday, a reporter asked a Justice Department spokesman whether the bureau had ever engaged in electronic eavesdropping on any Congressman. The spokesman answered:

"The F.B.I. has never installed an electronic listening device of any kind in the home, office or on the telephone of a United States Senator or Congressman."

Today, the reporter asked whether the bureau had ever used an electronic listening device without installing it. The Justice Department refused to answer the question, saying it would "stand on" its earlier response.

Asked if a hidden tape recorder would be considered an electronic device, a department spokesman said, "I assume so."

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Representative Dowdy was indicted March 30 ...

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In addition, the sources said, Cohen [the informer] allowed the bureau to monitor his telephone, and presumably make tape recordings, on several occasions when he made telephone calls to Representative Dowdy.

All the monitoring and whatever mechanical work was necessary was done at Cohen's end of the line, in his office or home, the sources said, so that no physical attachment or induction device was ever put on Mr. Dowdy's telephone. Hence, the Representative's phone was not "tapped," they said.

The Supreme Court ruled last week [Monday, 5 Apr?] that the police and Federal agents do not need a warrant when they wire an informer for sound so that he records conversations with suspects. In the Dowdy case, Mr. Sachs sought and obtained a court order from Judge Thomsen authorizing the eavesdropping, presumably to make sure of his legal ground.

[Nathan H. Cohen, one of the two men with whom Dowdy was accused of conspiring.]