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(560) FIRST LEAD HOOVER-KENNEDY (C9-10)

WASHINGTON, DEC. 11 (AP)-SEN. ROBERT F. KENNEDY SAID TODAY THERE IS NO INDICATION THAT FBI DIRECTOR J. EDGAR HOOVER EVER ASKED KENNEDY, WHEN HE WAS ATTORNEY GENERAL, FOR AUTHORIZATION FOR ANY ELECTRONIC EAVESDROPPING DEVICE.

AND HOOVER TODAY CALLED "INCONCEIVABLE" AN EARLIER STATEMENT BY THE SENATOR IN WHICH KENNEDY HAD SAID HOOVER WAS "APPARENTLY MIS-INFORMED" AS TO THE EXTENT OF KENNEDY'S KNOWLEDGE ON THE EAVES-DROPPING METHODS.

THE TWO THUS EXCHANGED BLASTS IN ANOTHER ROUND OF THE DISPUTE OVER WHETHER KENNEDY, NOW A DEMOCRATIC SENATOR FROM NEW YORK, WAS AWARE OF THE FEDERAL BUREAU OF INVESTIGATION'S LISTENING TACTICS.

KENNEDY ALSO CHALLENGED HOOVER TODAY TO MAKE PUBLIC HIS ENTIRE FILE ON THE MATTER.

THE HOOVER-KENNEDY EXCHANGE BEGAN YESTERDAY WHEN REP. H.R. GROSS, R-IOWA, MADE PUBLIC AL LETTER AND ACCOMPANYING DOCUMENTS SENT HIM BY HOOVER. HOOVER SAID IN THIS LETTER THAT KENNEDY AS ATTORNEY GENERAL APPROVED POLICY FOR USE OF HIDDEN MICROPHONES, SHOWED GREAT INTEREST IN THEM, LISTENED TO THE RESULTS OF SOME SURVEILLANCES AND RAISED QUESTIONS ABOUT OBTAINING BETTER EQUIPMENT.

HOOVER ALSO SAID KENNEDY WAS RESPONSIBLE FOR A MARKED INCREASE IN THE USE OF EAVESDROPPING EQUIPMENT DURING HIS TENURE AS ATTORNEY GENERAL.

KENNEDY SAID AFTER THE LETTER BECAME PUBLIC THAT "APPARENTLY MR. HOOVER HAS BEEN MISINFORMED" ON THE SUBJECT.

HOOVER TODAY, IN A THIRD-PERSON STATEMENT DISTRIBUTED BY THE FBI, SINGLED OUT ESPECIALLY A SUPPORTING STATEMENT BY COURTNEY A. EVANS, WHO WAS ASSISTANT FBI DIRECTOR WHEN KENNEDY HEADED THE DEPARTMENT OF JUSTICE DURING THE ADMINISTRATION OF HIS BROTHER, PRESIDENT JOHN F. KENNEDY.

FORMER ATTY. GEN. NICHOLAS KATZENBACH, MEANWHILE, ISSUED A STATEMENT WHICH APPEARED TO SUPPORT THE POSITIONS OF BOTH KENNEDY AND HOOVER.

KATZENBACH, WHO FOLLOWED KENNEDY AS ATTORNEY GENERAL AND RECENTLY BECAME UNDER SECRETARY OF STATE, SAID "I DO NOT BELIEVE SEN. KENNEDY WAS IN FACT AWARE OF PRACTICES OF THE FBI, WITH RESPECT TO ELECTRONIC SURVEILLANCE, OTHER THAN THOSE INVOLVING WIRETAPPING..."

AT THE SAME TIME, HE SAID "I DO NOT BELIEVE MR. HOOVER WOULD HAVE USED SUCH TECHNIQUES UNLESS HE HAD THOUGHT THAT THE ATTORNEY GENERAL IN FACT SANCTIONED THEM."

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KENNEDY, IN HIS REBUTTAL STATEMENT ISSUED LATE TODAY, SAID "IT MAY SEEM 'INCONCEIVABLE' TO MR. HOOVER THAT I WAS NOT AWARE OF THE 'BUGGING' PRACTICES OF THE FBI DURING MY TERM AS ATTORNEY GENERAL, BUT IT IS NONETHELESS TRUE. PERHAPS I SHOULD HAVE KNOWN, AND SINCE I WAS THE ATTORNEY GENERAL, I CERTAINLY TAKE THE RESPONSIBILITY FOR IT, BUT THE PLAIN FACT OF THE MATTER IS THAT I DID NOT KNOW. I BELIEVE THAT THIS WILL BE CONFIRMED BY EVERY DEPUTY ATTORNEY GENERAL, ASSISTANT ATTORNEY GENERAL, AND HEAD OF THE ORGANIZED CRIME DIVISION DURING MY ADMINISTRATION OF THE DEPARTMENT OF JUSTICE.

"THE FIRST TIME I BECAME AWARE OF THESE EAVESDROPPING PRACTICES," KENNEDY ADDED, "WAS WHEN THEY WERE DESCRIBED IN THE PRESS IN CONNECTION WITH THE LAS VEGAS INVESTIGATION, AND I PROMPTLY ORDERED IT CEASED. IT IS CURIOUS THAT MR. HOOVER DOES NOT RECALL THIS.

"ON TWO OCCASIONS, I LISTENED TO WHAT APPEARED TO BE RECORDED CONVERSATIONS WITH RESPECT TO ORGANIZED CRIME. ON NEITHER OCCASION WAS THERE ANY INDICATION THAT THESE HAD BEEN OBTAINED ILLEGALLY OR THAT THEY HAD BEEN OBTAINED BY ANY FEDERAL AGENCY, AND OTHER HIGH JUSTICE DEPARTMENT OFFICIALS WHO WERE PRESENT SUPPORT THIS RECOLLECTION.

"ALTHOUGH MR. HOOVER SAID THAT THIS ACTIVITY WAS 'INTENSIFIED' WHILE I WAS ATTORNEY GENERAL, AND IMPLIES THAT WE DISCUSSED IT, THAT FACT IS THAT HE NEVER DISCUSSED THIS HIGHLY IMPORTANT MATTER WITH ME, AND NO EVIDENCE EXISTS SUPPORTING HIS RECOLLECTION THAT WE DID. INDEED, THERE IS NO INDICATION THAT MR. HOOVER EVER ASKED ME FOR AUTHORIZATION FOR ANY SINGLE BUGGING DEVICE, IN LAS VEGAS, NEW YORK, WASHINGTON OR ANYWHERE ELSE.

"SINCE MR. HOOVER IS SELECTIVELY MAKING DOCUMENTS PUBLIC, I SUGGEST THAT HE MAKE HIS ENTIRE FILE AVAILABLE, AND INDICATE UNDER WHICH ATTORNEY GENERAL THIS PRACTICE BEGAN, WHETHER ANY PRIOR ATTORNEYS GENERAL AUTHORIZED IT, AND WHETHER OR NOT THEY WERE AS UNINFORMED AS I WAS..."

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KENNEDY SAID HE BELIEVED EVANS WAS TELLING THE TRUTH IN A LETTER SENT HIM LAST FEB. 17.

EVANS' LETTER TO KENNEDY, MADE PUBLIC BY THE SENATOR'S OFFICE, DREW A DISTINCTION BETWEEN TELEPHONE TAPS AND THE LISTENING DEVICES COMMONLY CALLED "BUGS." EVANS WROTE "SINCE PRIOR ATTORNEYS GENERAL HAD INFORMED THE FBI THAT THE USE OF MICROPHONES, AS CONTRASTED TO TELEPHONE TAPS, NEED NOT BE SPECIFICALLY APPROVED BY THE ATTORNEY GENERAL, I DID NOT DISCUSS THE USE OF THESE DEVICES WITH YOU IN NATIONAL SECURITY OR OTHER CASES, NOR DO I KNOW OF ANY WRITTEN MATERIAL THAT WAS SENT TO YOU AT ANY TIME CONCERNING THIS PROCEDURE, OR CONCERNING THE USE, SPECIFIC LOCATION OR OTHER DETAILS AS TO INSTALLATION OF ANY SUCH DEVICES IN LAS VEGAS, NEVADA OR ANYWHERE ELSE."

HOOVER ATTACHED TO HIS STATEMENT TODAY WHAT HE SAID WAS A COPY OF A MEMORANDUM EVANS WROTE JULY 7, 1961, DESCRIBING A CONFERENCE THAT DAY WITH KENNEDY, THEN ATTORNEY GENERAL. THE MEMORANDUM SAID THE ATTORNEY GENERAL WAS TOLD THE FBI WAS USING MICROPHONES "IN ALL INSTANCES WHERE THIS WAS TECHNICALLY FEASIBLE AND WHERE VALUABLE INFORMATION MIGHT BE EXPECTED."

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IT SAID ALSO KENNEDY REMARKED THAT "HE RECOGNIZED THE REASONS WHY TELEPHONE TAPS SHOULD BE RESTRICTED TO NATIONAL-DEFENSE-TYPE CASES AND HE WAS PLEASED WE HAD BEEN USING MICROPHONE SURVEILLANCES WHERE THESE OBJECTIONS DO NOT APPLY WHEREVER POSSIBLE IN ORGANIZED CRIME MATTERS."

THE MEMORANDUM ALSO SAID KENNEDY ASKED FOR "A LIST OF THE TECHNICAL SURVEILLANCES NOW IN OPERATION," SAYING HE WOULD LOOK IT OVER AND IMMEDIATELY RETURN IT TO THE FBI. EC454PES