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**F.B.I. BURGLARIES
FOR DATA CHARGED
IN 30-YEAR PERIOD**

**National Security and Fight
Against Crime Are Cited—
Halt Reported in 1966**

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Special to The New York Times

WASHINGTON, Aug. 23 — Informed Justice Department sources disclosed today that what one of them called "illegal and unlawful" burglaries by agents of the Federal Bureau of Investigation had taken place in this country over a 30-year period that began under the Administration of President Franklin D. Roosevelt and ended in 1966.

One source, who like the others asked not to be named, said that the burglaries, "obviously" barred by the Fourth Amendment, had been conducted not only in connection with national security investigations, but also in criminal cases and against alleged organized crime figures.

The source said that the practice was "an old, established investigative technique," but that its use had never been known to any of the Attorneys General who served during the time it was employed, or to anyone else outside the F.B.I.

Statement by Nixon

The disclosure, which was corroborated by others familiar with the practice, followed a statement by President Nixon at a news conference in San Clemente yesterday that such burglaries took place "on a very large scale" during the Administrations of Presidents Kennedy and Johnson.

Mr. Nixon made the remark, which brought rapid denials from two former Democratic Attorneys General, in response to a question about the constitutionality of the 1971 burglary of the office of a Los Angeles psychiatrist who had treated Dr. Daniel Ellsberg, the former Defense Department official who says he provided the Pentagon papers to the press.

Mr. Nixon said that such burglaries had been "authorized" in other Administrations, but did not say by whom. The sources said today, however,

that approval of the technique had never come from any authority higher than J. Edgar Hoover, the late F.B.I. director, who ordered the practice ended in 1966.

The sources said that, in some instances, breaking and entering by specially trained F.B.I. men had been used against foreign embassies and missions in this country in hopes of finding "cryptographic materials," or code books.

Whenever code books were found, one source said, they were turned over to the National Security Agency, an arm of the executive branch that specializes in code-breaking, among other top-secret functions.

According to one former Jus-
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Justice Department official, Mr. Hoover halted the practice in 1966 because he disliked lending his agents to such a risky enterprise, and because "the benefits we got out of it were for the N.S.A., not the F.B.I."

He recalled that Mr. Hoover had said several times after that, when the security agency appealed for further burglaries, "if they need it [the information], let them get it themselves." But, he said, the security agency was not "equipped to do that—it takes some pretty sophisticated equipment and years of training."

Memorandum by Huston

Tom Charles Huston, a former adviser to Mr. Nixon on internal security matters, wrote in a memorandum to the President in July, 1970, that the technique of burglarizing foreign embassies should be resurrected.

"We spend millions of dollars attempting to break these codes by machine," Mr. Huston noted. "One successful surreptitious entry can do the job successfully at no dollar cost."

Another source said that the technique had not been "limited to national security matters." He said: "It's been done on criminal cases, too. You can catch a fugitive much quicker [that way] than by looking for him for a year and a half."

The source said that one rule employed by F.B.I. agents on such cases was that "you never take anything except information." In the case of a criminal fugitive, he said, agents breaking into a house or apartment might find "any number of" clues pointing toward his whereabouts, or "to look for a sign that an individual was there."

He said that organized crime figures had been the object of such burglaries as well "They're not perfect—they leave documents behind them, too," he added.

All F.B.I. agents before 1966 "had the capability" to perform such burglaries, the source said, but those actually used were a more select group. "Just like a man has a special talent for

playing the violin," he explained. "Well, it's the same with this business. For one thing, you need nerves of steel."

'Done With Prudence'

The source declined to name specific embassies or alleged criminals where the technique had been used, or to say how frequent it was, except that it was "done with prudence."

Asked whether the burglaries had in fact stopped in 1966, he said that "basically" they had, but that there had been a few "sporadic" approvals since then.

In a long statement on May 22 and again at his news conference yesterday, Mr. Nixon insisted that the practice had been halted in 1966.

The sources also said that periodic, illegal entries were made beginning in the early 1960s. The Government began to intensify its fight against organized crime—to install concealed microphones, or "bugs," in the homes or offices of suspected crime syndicate figures.

'Bugs on the Hoods'

"They had to do it to put the bugs on the hoods," the man, a former Justice Department official, said. "They had to break and enter to put them in," he said, adding that such events were not strictly burglaries, since nothing was taken, and that on some occasions entry was gained through false pretenses, "by bribing the janitor or someone to let them in."

One source said that the use of such "bugs" was also unknown outside the F.B.I. until it came to light during the Kennedy administration, when one was discovered in a Las Vegas, Nev., casino, and that Attorney General Robert F. Kennedy had "never" approved their use. But another source said he was certain that the late Mr. Kennedy had authorized the use of "one or two" such devices, which, unlike telephone taps, cannot be installed without gaining physical entry to the room in question.

Nicholas deB. Katzenbach, who succeeded Robert Kennedy as Attorney General in 1964, declared today that if any "official" burglaries had taken place, he was unaware of them.

Ramsey Clark, Mr. Katzenbach's successor, recalled in a telephone interview today that he had been approached by Mr. Hoover on one occasion with a request to authorize the burglary of the New York City mission of what he believed was a "North African country," but that he had turned down the F.B.I. director.

Mr. Clark, who now practices

law in Washington, said he believed that it was "most improbable" that Mr. Hoover might have continued the practice without his knowledge, something that apparently did take place.

In July, 1970, Mr. Nixon approved a new intelligence-gathering plan that included a provision for a resumption of the "surreptitious entry" technique against "specified categories of targets in specified situations related to national security."

But the plan was rescinded a few days later, Mr. Nixon said in a May 22 statement, because of "the opposition of Director Hoover."

Despite Mr. Nixon's assertion yesterday that the use of burglaries during previous Ad-

ministrations was "quite well known," the practice appears to have been one of the best-kept secrets within the F.B.I.

Asked how the Nixon Administration might have learned of its prior existence, one source said he believed that the information had been included in a series of memorandums prepared over the last few months by William C. Sullivan, who recently retired from the Justice Department after having been a former assistant to the late Mr. Hoover.

One of the Sullivan memorandums, a copy of which has been obtained by the Senate's Watergate investigating committee, reportedly deals with the use of F.B.I. agents to gather political intelligence information during past Presidential election campaigns.

Ellsberg Break-in Scored

Although Mr. Nixon made a special point yesterday of the burglaries that had occurred during the two Administrations that preceded his, he was careful to point out that he believed that the September, 1971, break-in at the office of Dr. Ellsberg's psychiatrist had been "illegal, unauthorized," and "completely deplorable."

Gerald L. Warren, the deputy White House press secretary, fended off questions today from reporters with the President in San Clemente, Calif., dealing with the prior burglaries.

"The President said it because it was a fact," Mr. Warren stated, and he would add no details.

Yesterday, Mr. Nixon also noted that "the height of the wiretaps was when Robert Kennedy was Attorney General in 1963," and that the aver-

age number of taps installed each year in his own Administration and that of President Eisenhower, whom he served as Vice President, has been "about 110."

However, statistics released in June by Senator Hugh Scott of Pennsylvania, a Republican who is the minority leader, show that the greatest number of wiretaps, 519, were in place between 1945 and 1954, and that the average for each of the years of 1953 to 1960, when Mr. Eisenhower was President, was about 200.

Mr. Nixon also remarked yesterday that he had found a "rather complex situation set up" in the White House when he arrived there in 1969 that was designed to permit the tape recording of his conversations "in the President's office, the room outside of his office [and] also in the Cabinet Room and at Camp David."

He said that he had had "the entire system dismantled" then, but that it had been "put into place again in June of 1970" to provide a historical record of his Administration. It was this system that produced the tapes of conversations between Mr. Nixon and his former aides that have been subpoenaed by Archibald Cox, the special prosecutor in the Watergate case.

However, George Christian, a former press secretary to President Johnson, said in Austin, Tex., today that "what recording equipment there was at the White House was taken out before Mr. Nixon took office."

Mr. Christian added that he "never heard of any [equipment] at Camp David," the Presidential retreat in Maryland's Catoctin Mountains.



Associated Press

Ramsey Clark, an Attorney General under President Lyndon B. Johnson, said he had refused permission for unlawful entry of a foreign mission here.

*Corrected to April 1971 -
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