

NYTimes MAR 1 1974
Podell Alleges He Was 'Bugged' by U.S.

By MARTIN TOLCHIN
Special to The New York Times

WASHINGTON, Feb. 28 — Representative Bertram L. Podell, in a dramatic speech on the floor of the House, accused President Nixon today of ordering that he be "electronically surveilled" without benefit of a court order.

"President Nixon personally ordered surveillance of this Congressman," the Brooklyn Democrat, who is under indictment, told the hushed chamber during an impassioned six-minute address.

A spokesman for the Justice Department said it would have no comment.

Mr. Podell, who is charged with accepting \$41,350 in bribes to use his influence to get an airline route for Florida Atlantic Airlines, invoked Congressional immunity as he defied a court order not to discuss the surveillance.

Inquiry Urged

Members of the Judiciary Committee urged that Mr. Podell's charge of wiretapping be included in the impeachment investigation of the President.

"The implications are enormous," said Representative John Conyers, a Michigan Democrat and committee member. He lunched today with Representative Peter W. Rodino, chairman of the Judiciary Committee, and reported afterward that several members had approached Mr. Rodino during lunch to ask that the investigation be broadened to include Mr. Podell's charge. Mr. Rodino

has made no decision in the matter.

Representative Podell evoked applause from the Democratic members when he asked: "Who else have they bugged, Mr. Speaker? You? The majority leader? The Minority leader? The House chaplain? Not even Fishbait Miller [doorkeeper of the House] is exempt from Big Brother."

The Congressman quoted an affidavit submitted by Attorney General William B. Saxbe which he said indicated Mr. Podell had been "electronically surveilled on numerous occasions in the interest of national security, at the request of the President of the United States."

'There Is No Question'

Mr. Podell said that although the Saxbe affidavit referred to "one of the defendants" and did not mention him by name, "there is no question that I was the target of surveillance ordered by President Nixon, and I am reliably informed of this."

Mr. Podell told his colleagues: "The court order prevents me from knowing when the surveillance was made, in what manner it was made, who made it, what was overheard, the purpose of the surveillance and whether or not it was tied to the various break-ins into my offices and home."

"Unfortunately everybody else seems to know. The F.B.I. knows, the employees of the Department of Justice in Washington know, assistant United States attorneys... know, and

all of their respective assistants, clerks, secretaries and researchers know, and probably so do their sisters, brothers, cousins and aunts."

The Congressman began his speech by recalling charges made in 1971 by the late Hale Boggs, Louisiana Democrat and House majority leader, who accused the Federal Bureau of Investigation of tapping the telephones of members of Congress.

"Boggs was hooted down," Mr. Podell recalled. "He was personally insulted. His sanity was questioned. I suffered the same experience, but the one difference is I have the proof."

New Trial Date Set

A pretrial conference will be held today by Judge Robert L. Carter in Federal District Court in Manhattan to set a new trial date in the bribery-conspiracy case of Representative Podell.

On Wednesday the United States Court of Appeals granted permission for prosecutors to take written testimony from a so-called critical Government witness, Ronald C. Kinsey. The latter, a former official of the Civil Aeronautics Board, is seriously ill in Seattle.

The indictment charges Mr. Podell with receiving \$41,350 in bribes for helping to arrange an airline route when he was a member of the House Committee on Space and Aeronautics. Co-defendants are his brother and law partner, Herbert S. Podell of Brooklyn, and Martin Miller of Forest Hills, Queens, an airline executive.