

Podell Charges He Was Object Of U.S. Tap

By William Claiborne
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Rep. Betram L. Podell (D-N.Y.), who is under indictment on federal charges of bribery, perjury and conspiracy, charged yesterday that he had been the object of a national security wiretap ordered by President Nixon.

The White House immediately denied it and called Podell's charge "ludicrous."

Podell said references to the wiretap appear in a sealed affidavit by Attorney General William B. Saxbe that led a federal judge in New York to issue an order last Jan. 11 prohibiting public discussion of the surveillance.

The fourth-term Brooklyn congressman made his charge on the House floor under constitutional immunity which protects members from legal action for statements made in sessions of Congress.

Podell said he did not know when the wiretap was made, or for what purpose. But a staff aide said it was surmised that the surveillance occurred sometime after Podell's alleged involvement in a conspiracy to take a \$41,350 bribe from an airline seeking a new route before the Civil Aeronautics Board.

That case is still pending in federal court and in New York and the trial date has been set.

The government has charged that the conspiracy occurred sometime between March, 1968, and last July 12, when Podell was indicted. Podell was first elected to the House in a special election held Feb. 20, 1968.

Podell did not explain why he specially named Mr. Nixon in his charge and he made no suggestion that the wiretap could have been ordered before the early 1969 change in administrations.

He said that on Jan. 18 his attorney was served with an order by U.S. District Court Judge Robert Carter of New York designed "to silence me and all others from revealing this electronic surveillance that was ordered by the President."

Podell told the House that the court order restricting extra-judicial discussion of the case was based on an affidavit by Saxbe, "who stated that the defendants in my case, or one of them, were electronically surveilled on numerous occasions in the interests of national security as a result of an order by the President of the United States, Richard Nixon."

Podell said that while he was not mentioned by name in the affidavit, he has been "reliably informed" that he was the target of the surveillance.



REP. BETRAM PODELL
... under indictment

An aide to Judge Carter said yesterday that the order restricting out-of-court discussion of the Podell case alluded to the wiretap. It also contained an unexplained reference to national security.

The aide quoted the order as saying, "... discussion of any information contained in the response to be filed by the Attorney General to the defendant's electronic surveillance motion would be seriously detrimental to foreign policy objectives of the United States..." The order also said public discussion would interfere with a fair trial.

Justice Department officials refused to comment on the case or answer questions as to why national security was involved.

Podell said Carter's order prohibits him from finding out anything more about the surveillance.

When asked why Podell had not spoken out before now about the Jan. 11 order and the surveillance, an aide said the congressman was awaiting the judge's rulings on various motions made by the prosecution.

In his House speech, Podell said Saxbe's affidavit contradicts repeated statements by the White House, the Justice Department and the Federal Bureau of Investigation that congressmen's telephone have never been tapped by the FBI.

Most of the denials came after House Majority Leader Hale Boggs of Louisiana charged in April, 1971, that the FBI had been "spying and prying" into the private lives of congressmen by installing wiretaps. Boggs offered no proof to substantiate his charge.

Podell suggested yesterday that other members of the House may have been the objects of wiretaps.

Members of the House, which was about three-quarters filled at the time, applauded Podell's 5-minute speech. Later,