

# Senate Hearing Is Told of Wiretapping by F.B.I.

## but No Investigation Is Planned

**By FRED P. GRAHAM**  
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WASHINGTON, Sept. 1 — A Senate subcommittee, nearing the end of hearings on Government wiretap activities, has turned up evidence of large-scale wiretapping by the Federal Bureau of Investigation. But it has no plans to investigate the F.B.I.

Senator Edward V. Long's Subcommittee on Administrative Practice and Procedure, which has conducted a series of highly publicized hearings on electronic eavesdropping by the Internal Revenue Service, has been told that the F.B.I. tapped about 25 gamblers' wires in Las Vegas, Nev., and ordered at least three taps in Miami.

The Missouri Democrat confirmed reports last week that he had no plans to look into the F.B.I.'s wiretap activities. In an interview, Senator Long said only one more wiretap hearing was planned — a hearing on revenue service activities in St. Louis.

He said future hearings would concentrate on "harassment" of citizens by the revenue service, the Food and

Drug Administration and the Securities and Exchange Commission.

Asked about the disclosures of F.B.I. eavesdropping, Senator Long said, "We will make a decision about that next year."

The disclosure of wiretapping in Las Vegas was made at the revenue service hearings in Washington on July 27, when Burke Young, an electronics specialist for the revenue service, mentioned "official" wiretaps. Senator Long asked what an official tap was.

Mr. Young gave as an example the F.B.I.'s leasing of 25 telephone lines from the telephone company in Las Vegas, which enabled the bureau to tap gamblers' lines from the F.B.I. office without breaking in at night to plant "bugs." He said articles about the tap had appeared in newspapers.

Senator Long quickly ended this line of discussion with the following exchange:

Mr. Long: "Are they national security cases?"

Mr. Young: "I would not know."

Mr. Long: "That is all the

President permits, is it not?"

Mr. Young: "Sir?"

Asked if he had followed up on this disclosure, Senator Long said he did not remember it.

However, details of the F.B.I.'s Las Vegas wiretapping were made public in a trial in Denver last April, and are available in the clerk's office of the United States District Court there.

In a trial of Ruby Kolod and other Las Vegas gambling figures on charges of making telephone threats against a Denver man named Robert Sunshine, Edward Williams, Washington lawyer, submitted evidence that the F.B.I. had tapped Kolod's telephone at the Las Vegas Desert Inn from March 22, 1962, until it was discovered in August of 1963. The Las Vegas men were charged with threatening bodily harm against Mrs. Sunshine if he did not return a large sum of money they had invested through him in an oil venture.

Mr. Williams said the tap was so sensitive that it not only intercepted conversations on the tapped telephone but also picked up normal conver-

sations in the room and adjoining rooms, including both ends of telephone conversations in another room.

He subpoenaed the F.B.I. men who monitored the tap to prove that they had not heard any threats by Kolod.

A Justice Department lawyer, William S. Lynch, admitted that the F.B.I. had made the tap in an investigation of alleged "skimming" of gambling receipts by Las Vegas casinos to avoid Federal gambling taxes. He denied, however, that the agents had intercepted any calls between Kolod and the Denver man.

Mr. Lynch gave the judge a file of papers about two inches thick, which he said contained synopses of all the conversations recorded during the 18 months of eavesdropping in which Kolod spoke or was mentioned.

The judge excluded the testimony of F.B.I. wiretapping, because he said Kolod had not called the Denver man from the tapped phones. Kolod was convicted and his case is on appeal.

The other testimony of F.B.I. wiretap activities before the Long subcommittee came in

hearings in Miami on Aug. 9. Vincent Hillman, an electronics technician with the Dade County sheriff's office, said he had planted taps and "bugs" for the F.B.I. and the Treasury Department.

Senator Long pursued the subject and asked for details of the taps for the F.B.I.

Mr. Hillman told of performing wiretaps for the F.B.I. in an extortion case and a jewel robbery case, and of planting a "body bug" on an officer who was going to question "a gentlemen they had not seen for a long time." These were done within the last year and a half or two years.

There have been frequent rumors among Justice Department lawyers in recent weeks that the F.B.I. has been led to understand that the Long subcommittee will not look into its eavesdropping activities.

The reports were that Senator Long believed that there was much political mileage to be gained from exposing the misdeeds of the tax agents, but that there would be little popularity politically in attacking the

Federal Bureau of Investigation.

Some Justice Department lawyers are bitter about this, because the F.B.I. has reportedly not cooperated closely with the organized crime section, which has been assigned the job of coordinating the anticrime effort.

The revenue service, which cooperates closely with the section's efforts and has been responsible for 60 per cent of the convictions, has been sorely embarrassed by the disclosures of its activities.

Senator Long said any further hearings on wiretapping would probably concern the revenue service and would duplicate disclosures of eavesdropping already established by the subcommittee.

He said the hearings had already served a valuable purpose by alerting the Post Office Department and the revenue service to invasions of privacy by their employes that high officials had not known about, and by alerting the public to the chipping away of constitutional guarantees.

He said he had no plans now

for legislation to meet the snooping problem, but that it might be necessary to regulate the manufacture and sale of eavesdropping devices.

Subcommittee aides said manufacturers had told them of \$15 million in sales of eavesdropping equipment to various Government agencies. They declined to say how much of this, if any, had been sold to the F.B.I.

Senator Long said electronic aid snooping "is bound to be" in use by racketeers for extortion, blackmail and other criminal activity. He said regulation of the devices would be difficult because they are so easy and inexpensive to make.

He questioned the effectiveness of the Federal Government's organized drive on crime and indicated that he thought the zealotism of some anti-racketeering efforts had led to denials of constitutional rights of suspects.

"How do you become a suspect of the O.C.D. (organized crime drive)? How do you get tagged with a number and then those fellows start after you to prove you're a criminal?" he asked.