

Merry-Go-Round*SFChronicle
Nov. 28, 1966***Court May Make
FBI's Hoover Testify****Drew Pearson**

THE FBI is not exactly holding its breath, but some of its agents are worried that United States Judge Oliver Gasch will rule that J. Edgar Hoover has to testify in the sensational case of bugging at the Sheraton-Carlton Hotel, involving the conversations of Bobby Baker, former secretary of the Senate and right-hand man to Senator Lyndon Johnson.

Hoover himself is reported not to be losing any sleep. He knows that Judge Gasch, a strait-laced public servant who calls the shots as he sees them, has spent much of his career as a public prosecutor, and prosecutors lean toward the FBI.

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BUT, meanwhile, there are some amazing developments in the eavesdropping on Bobby Baker and his friend Fred Black, the public relations man who has won a new trial because the FBI romped over his constitutional rights.

Black had been convicted of tax evasion, until the Justice Department went before the Supreme Court to make the embarrassing confession that J. Edgar Hoover had been eavesdropping and wire tapping for years, apparently without the knowledge of the attorney general.

One development in the bugging of the Sheraton-Carlton is that the FBI agents also listened in on conversations in the VIP suite, where foreign visitors were entertained.

The Carlton is located only a step across Lafayette Square from the White House and is convenient for the entertainment of VIP's.

These visitors will now be interested in learning that for three months, February

7 to April 25, 1963, every remark they made in Suite 434-36 was listened to by American agents 24 hours a day.

This was because Fred Black's suite was next door — 433-440 — and the eavesdropping equipment which the FBI installed was so strong that it picked up conversation in the neighboring VIP suite.

The United States has long been critical of police-state methods by Communist nations and at one time accused the Soviet government of placing a bug in the American Embassy. This was over 20 years ago. Today if a bug were found in the Moscow hotel suite of an American visitor there would be an international uproar.

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ANOTHER important development in the Bobby Baker case is the fact that the FBI has now violated his constitutional rights. This has been officially stipulated by William O. Bittman, Justice Department attorney who is contesting the case against Baker.

Reason for the stipulation was that the Justice Department was trying to dodge the fact that J. Edgar Hoover has got himself in a position where the FBI can be prosecuted either for housebreaking or violation of constitutional rights. The latter is a felony with a punishment up to 10 years in jail.

How J. Edgar Hoover and the Justice Department are going to get around this law violation remains to be seen. For the Justice Department, which is in charge of enforcing the law, will be in the position of prosecuting an arm of the Justice Department, the FBI.

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