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WIRETAPPING (500)

NEW YORK, DEC. 3 (AP)-THE NEW YORK TIMES TODAY QUOTED UNIDENTIFIED OFFICIAL SOURCES IN WASHINGTON AS SAYING THAT THE FBI HAS BEEN EAVESDROPPING ON THE DOMINICAN REPUBLIC'S EMBASSY IN WASHINGTON WITH ELECTRONIC DEVICES SINCE THE 1950S.

EARLIER, BEFORE THE TIMES STORY HAD APPEARED, THE STATE DEPARTMENT DECLINED YESTERDAY TO COMMENT ON THE SUBSTANCE OF A NATIONALLY SYNDICATED NEWSPAPER COLUMN (DREW PEARSON) WHICH SAID SUBSTANTIALLY THE SAME THING AS THE TIMES' DISPATCH FROM WASHINGTON.

STATE DEPARTMENT PRESS OFFICER ROBERT J. MCCLOSKEY DENIED, HOWEVER, THAT SECRETARY OF STATE DEAN RUSK HAD INTERVENED IN AN ATTEMPT TO PREVENT THE ALLEGED WIRETAPPING FROM BEING DISCLOSED.

"IT IS NOT TRUE THAT THE SECRETARY OR ANYONE ELSE IN THE DEPARTMENT MADE AN INTERVENTION IN THIS CASE AS ALLEGED IN THIS (PEARSON) COLUMN," MCCLOSKEY TOLD A NEWS CONFERENCE.

THE TIMES STORY SAID:

"THE EAVESDROPPING HAS BEEN AN OFF-AND-ON AFFAIR AND WAS ALWAYS UNDERTAKEN IN CONNECTION WITH A SPECIFIC EVENT THAT WAS DEEMED TO INVOLVE THE NATIONAL SECURITY OF THE UNITED STATES, THESE SOURCES SAID.

"THIS INFORMATION CONFIRMED WHAT WAS INDEPENDENTLY LEARNED AS A RESULT OF THE SIX DAYS OF PRETRIAL HEARINGS LAST MONTH IN THE CASE OF ROBERT G. BAKER, FORMER SECRETARY TO THE SENATE DEMOCRATIC MAJORITY.

"MR. BAKER HAS BEEN CHARGED IN A NINE-COUNT FEDERAL INDICTMENT WITH TAX EVASION, THEFT AND CONSPIRACY TO DEFRAUD THE GOVERNMENT BY CONCEALING SOURCES OF INCOME.

"MR. BAKER'S ATTORNEY... HAS ASKED FEDERAL DISTRICT JUDGE OLIVER GASCH TO DISMISS THE INDICTMENT ON THE GROUND THAT EVIDENCE SUBMITTED TO THE GRAND JURY WAS ILLEGALLY OBTAINED BY ELECTRONIC EAVESDROPPING.

"TO COUNTERACT THAT ARGUMENT, THE JUSTICE DEPARTMENT MADE AVAILABLE TO THE COURT AND THE DEFENSE 22 RECORDED CONVERSATIONS IN WHICH MR. BAKER TOOK PART.

"WILLIAM O. BITTMAN, JUSTICE DEPARTMENT ATTORNEY, SAID IN RESISTING THE DEFENSE MOTION THAT THE EVIDENCE ON WHICH THE INDICTMENT WAS OBTAINED HAD NOT COME FROM THE EAVESDROPPING.

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"IN ARGUMENT BY COUNSEL, VEILED ALLUSION WAS MADE TO CERTAIN CONVERSATIONS THAT HAD BEEN IMPOUNDED BY THE JUDGE AND NOT MADE PUBLIC. IT WAS LATER LEARNED THAT DEFENSE COUNSEL AND THE PROSECUTION HAD AGREED TO THIS IMPOUNDING, PRESUMABLY AS A RESULT OF AN APPEAL BASED ON NATIONAL SECURITY INTERESTS."

THE TIMES SAID "INDEPENDENT INVESTIGATION DISCLOSED THAT THE IMPOUNDED CONVERSATIONS OF MR. BAKER HAD BEEN WITH OFFICIALS OF THE DOMINICAN EMBASSY, AND THAT THEY HAD BEEN OBTAINED THROUGH A BUG ON THE EMBASSY BY THE FBI. THIS INFORMATION WAS CONFIRMED TODAY."

THE TIMES SAID THAT "THE CONVERSATIONS INVOLVING MR. BAKER TOOK PLACE, IT WAS LEARNED, SOON AFTER THE ASSASSINATION OF THE DOMINICAN DICTATOR, RAFAEL LEONIDAS TRUJILLO MOLINA, ON MAY 30, 1961."

"IT APPEARED," THE TIMES SAID, "THAT THE SPECIFIC EAVESDROPPING THAT CAME TO LIGHT IN THE BAKER CASE HAD BEEN DONE TO GATHER INFORMATION ON THE DOMINICAN SITUATION AFTER THE ASSASSINATION."

THE (PEARSON) SINDICATED NEWSPAPER COLUMN REPORTED THAT THE BAKER TELEPHONE CALLS USUALLY WERE TO OSCAR GINEBRA, THEN FINANCIAL COUNSELOR, ABOUT THE PROSPECTS OF JOAQUIN BALAGUER, THEN PROVISIONAL PRESIDENT, BECOMING PRESIDENT FOR A FULL TERM. BALAGUER IS PRESIDENT OF THE DOMINICAN REPUBLIC NOW.

GINEBRA, NOW WITH THE INTER-AMERICAN DEVELOPMENT BANK, RECALLED RECEIVING TELEPHONE CALLS FROM BAKER BUT SAID HE COULD NOT REMEMBER WHAT WAS DISCUSSED.

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