

and never be heard from again." But he was still there in the summer of 1965 when Reedy quit in the midst of LBJ's first image crisis. The President, naturally, drafted Moyers to plug the gap.

He performed masterfully as press secretary, partly because (unlike Salinger and Reedy before him) he was truly wired into the President's innermost councils, partly because he was close enough to LBJ to warn him against such personal flaws as his compulsion for overexposure. But Moyers never really cottoned to the job. He dreamed of "a shop of my own to run," perhaps the Peace Corps, perhaps a top-level job at State. (Both Abe Fortas and Ambassador David Bruce boosted him for George Ball's old Under Secretaryship—the post given to Attorney General Nicholas Katzenbach.) Whatever the case, he began tapering off the press secretary's routine, persuaded LBJ to hire first Robert Fleming of ABC and then George Christian for grooming as possible successors and dropped hints about his discontent. "The credibility gap is . . . getting so bad," he once cracked, "we can't even believe our own leaks."

Ready to Listen: Still, in August, when he received the first feelers from Newsday's aging (at 76) and heirless president, Harry Guggenheim, Moyers said no—he felt he couldn't leave Mr. Johnson before the 1968 election. What changed his mind, ultimately, was financial pressure. He has a wife and three children of his own. His parents have been ailing. His wife has a widowed sister with five youngsters. And Moyers' brother James left a widow and two children when he took his own life last Sept. 17—a blow that fell doubly heavily on Moyers since he had persuaded his brother to give up a public-relations job (and a company life-insurance policy) to join the White House staff. When he met Guggenheim again in November,

he was ready to listen. Newsday's offer—a six-figure salary and a stock interest in the paper—was too good to pass up.

Moyers broke the news to the President first face-to-face, then in a letter. Finally, on Nov. 26, in a five-hour ride around the Texas countryside, they weighed all the options, as they had on countless past decisions of state, and, in the end, Mr. Johnson said: "I'll miss you—I'll miss you greatly—if you go. But as you've outlined the proposition, I don't see how you can turn it down. If you were my son, I'd have to say the same thing. If you go, you go with my blessings." Moyers went back to Washington and fell to work on his last major chore: the 1967 State of the Union Message. He nearly changed his mind during the latest barrage of press critiques of the President—but one of LBJ's oldest, closest bosom pals persuaded him to go ahead with the Newsday job.

Senator Moyers? And so Moyers finally made his pained announcement. He said he would depart Feb. 1; he would run Newsday's business and editorial operations; he would be available to LBJ "if he has need of me at any time." There were tales that he was at odds with the President and some of his advisers, notably Walt Rostow, over Vietnam. Moyers publicly shrugged them off with generalities, privately phoned Rostow to deny them specifically: "If I had any disagreements with you, I'd be staying on to fight it out." More plausible was the notion that Moyers might be shopping for a political power base. He lunched two weeks ago with Bobby Kennedy—and the gossipmongers naturally noted that his five-year commitment to Newsday will run out at almost precisely the time, in 1972, when Bobby is widely expected to leave the U.S. Senate and try for the Presidency. Would Moyers in turn seek Kennedy's seat? He said only that there had been "no deals"—but he had grown up in politics and the guessing was that he had not yet found that shop of his own.

CONTROVERSIES:

Passing the Bug

For years, the bad blood ran silent and deep between Robert F. Kennedy and J. Edgar Hoover, with only an issue lacking to turn their cold war hot. The issue surfaced last week—the bubbling controversy over electronic eavesdropping by Hoover's FBI. And sure enough, the private feud went public. The two titans put on a weeklong show of bug-passing that did little credit to either man and managed to avoid the central concern about tapping phones and wiring rooms: not whodunit but when—or whether—it ought to be done at all.

Hoover, for months, had sat simmering



'Keep talking—now I get to listen in'

while a series of FBI-made cases were blown up or threatened by Justice Department disclosures of illegal electronic spying (NEWSWEEK, Dec. 12). With still more cases under review, Hoover, so insiders said, began trying to get word into the press that the rap properly belonged not to him but his ex-boss, Kennedy. He had only limited success until, in response to a pat letter from Republican Rep. H.R. Gross of Iowa, the FBI chief backed the charge with his name and his considerable prestige—and landed it on front pages across the U.S.

Who and How? By long practice, said Hoover, the FBI had tapped telephones only with the express, written consent of the Attorney General. Kennedy conceded that point; the real issue was the thornier question of hidden mikes, which (unlike telephone taps) are not illegal—unless, as is usually the case, planting them involves trespassing. "Mr. Kennedy," Hoover wrote, "... exhibited great interest in pursuing such matters . . . He was briefed frequently by an FBI official regarding such matters." While he claimed the "authority of the Attorney General" for bugging as well as wiretapping, Hoover's well-chosen words avoided the matter of whether Kennedy was ever told whose rooms were being bugged when and by what means.

It was on this point that the debate turned. Bobby, backed by a unanimous chorus of old Justice Department colleagues, insisted Hoover hadn't cleared a single bugging device with him and, as a result, he didn't know what was going on. "Absolutely inconceivable," snorted Hoover. "Nonetheless true," replied Bobby. The two spent the week



(left) moves out and Christian up

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NATIONAL AFFAIRS

swapping documents, Hoover's suggesting that Kennedy knew about and approved bugging at least in general terms, Kennedy's indicating that he wasn't told about specific cases—and that he had, in fact, issued a 1962 directive barring any "improper, illegal and unethical" investigative methods.

Protocol: The flap had deep roots in the frictions between the two beginning when the Kennedys took office. Hoover, by long tradition, was accustomed to bypassing his nominal boss, the Attorney General, on big questions and reporting directly to the President. But JFK's Attorney General happened to be his brother as well, and Hoover had to deal with Bobby—a bit of protocol he continued precisely as long as JFK lived. As AG, moreover, Bobby was sandpapery rough about what he considered to be gaps in the FBI's intelligence about organized crime. One old Justice hand said the FBI only stepped up the practice of bugging syndicate criminals under Kennedy's gung-ho prodding for more and more data. Bobby got his data—without knowing, by his own account, where he got it. "I was in his office earlier this year," said William G. Hundley, chief of Justice's organized-crime section from 1958 till last September, "and he asked if I knew about the illegal activities. I told him I did. He said, 'Why didn't you tell me?' I said, 'I wasn't aware of their scope, Bob. I thought you had put your John Hancock on them.'"

Kennedy's sometime deputy, Nicholas deB. Katzenbach, suggested diplomatically, and perhaps accurately, that Hoover honestly believed he had Kennedy's sanction—and that Kennedy was never told the specifics. Yet there was little comfort in the vision of a Federal police force picking its spots to bug without outside approval—or of an Attorney General so ill-informed of what his subordinates were up to. Nor, as The New York Times dourly noted, was there much in the Hoover-Kennedy debate to show that "either lay awake nights worrying about the dangers to civil liberties involved in wiretaps or 'bugging'."

■ While the flap over government snooping ran inconclusively on, a New York grand jury wound up a 27-month investigation of private electronic espionage by indicting 28 persons from Connecticut to California—mostly private eyes and electronics experts—on eavesdropping charges. The New York DA's office said most of the cases involved industrial spying and divorce cases—though the prime catch, once-convicted wiretapper John G. (Steve) Broady, was charged, among other things, with grand larceny for charging one firm \$1,500 for removing some nonexistent bugs from its offices. Three suspects, authorities noted wryly, made a sideline of writing and lecturing—against the evils of wiretapping.

SUPREME COURT:

Picking Maddox

"There is no provision of the U.S. Constitution or any of its amendments which either expressly or impliedly dictates the method a state must use to select its governor." With that judgment the Supreme Court last week gave the Georgia Legislature the signal to crank up the state's electoral machinery that had ground to a confused halt last November. By a 5-to-4 decision, it said the legislature was empowered under the state constitution to select a governor in case of an electoral stalemate, and cleared the way for Georgia lawmakers to choose between Democrat Lester Maddox and



Maddox: Handily ahead

Republican Congressman Howard H. (Bo) Callaway (NEWSWEEK, Nov. 28).

The majority opinion amounted to another victory for the suddenly resurgent conservative wing of the Supreme Court—and it predictably triggered a torrent of dissent from the minority on the ground that the decision inherently violated the one-man, one-vote principle. But Justice Hugo Black, who spoke for the majority, held that the Court's previous one-man, one-vote decision (Gray v. Sanders, ordering the Georgia Legislature reapportioned) was inapplicable. He said that until the final reapportionment deadline of May 1, 1968, the legislature was legally constituted, hence "not disqualified to elect a governor." Speaking for the minority, Justice William Douglas took strong exception to Black, his erstwhile libertarian colleague. "If the legislature is used to determine

the outcome of a general election," Douglas said, "the votes cast in that election would be weighted, contrary to the principle of 'one person, one vote.'"

In Georgia, the news reached the candidates during a legislative gathering they were attending at the University of Georgia in Athens, and the practical consequences could be read clearly on the faces of the two contenders. Bo Callaway, who polled 1,848 more votes than Maddox in November, was the picture of lonely dejection as members of the overwhelmingly Democratic legislature (230 Democrats to 28 Republicans) immediately began punnelling Maddox on the back of his green tweed jacket and calling him "Mr. Governor."

"I am delighted," beamed Maddox, the baldish fried-chicken specialist who launched his career as a white supremacist politician by driving Negroes from his Atlanta restaurant with pick handles. Maddox dramatized his pleasure by hopping from table to table pouring coffee for lawmakers during a breakfast at the Athens conclave. Maddox also announced, without serious contradiction, that he had assurance from a majority of the lawmakers that he would be picked as Georgia's next governor.

"It is good news," Maddox said, "to all liberty-loving Georgians."

Hoffa's Funeral

The dogged course of justice came to a dead end for James Riddle Hoffa last week, and suddenly, incredibly, the beefy little Teamsters boss had nowhere to go except jail. For nearly a decade the president of the powerful 1.7 million-member International Brotherhood of Teamsters had been engaged in a running battle with Federal authorities and had repeatedly, almost monotonously, won every key round; a succession of charges against him (bribery, wiretapping, perjury) crumpled or resulted, at most, in hung juries. But last week, the U.S. Supreme Court upheld a 1964 Hoffa conviction for jury tampering—and finally ended his run of luck.

Neither Hoffa's friends nor his enemies were quite prepared for the Court's decision. "Practically everyone within the union," said a Teamsters source, "had reached the conclusion that the case was going to be dismissed." Hoffa's aura of invincibility lent force to the conclusion. So did the Supreme Court's own increasing restrictiveness on evidence used in criminal prosecutions. Hoffa's conviction rested heavily on the testimony of Edward G. Partin, a Teamsters official and crony of Hoffa's who was recruited as a government informer while facing prosecution on several charges himself. Hoffa's battery of lawyers contended that the use of Partin had violated Jimmy's rights of privacy

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