

**Ramsey Clark Oral History Interview—RFK #3, 7/20/1970**  
Administrative Information

**Creator:** Ramsey Clark  
**Interviewer:** Larry J. Hackman  
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**Biographical Note**

Clark, Assistant Attorney General (1961-1965), Deputy Attorney General (1965-1966), Acting Attorney General (1966-1967), and Attorney General of the United States (1967-1969), discusses Robert F. Kennedy's (RFK) knowledge of and views on wiretapping, wiretaps and bugs of Martin Luther King, Jr., and RFK's relationship with J. Edgar Hoover, among other issues.

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Ramsey Clark—RFK #3

Table of Contents

<u>Page</u>	<u>Topic</u>
38	Department of Justice's 1961 Hickory Hill meeting on wiretapping
40	Robert F. Kennedy's (RFK) position on wiretapping
42	Department of Justice's wiretapping legislation
43	Federal Bureau of Investigation's (FBI) wiretap requests and the Attorney General's office
44, 46	RFK's knowledge of FBI wiretaps
45	Courtney A. Evans and wiretaps
46, 49	RFK and J. Edgar Hoover's relationship
47	Martin Luther King, Jr. wiretaps
49	1966 newspaper articles about RFK and Hoover leasing New York phone lines for wiretapping
52	Robert G. Baker investigation
53	RFK's relationship with the Justice department after his resignation

Third of Four Oral History Interviews

with

Ramsey Clark

July 20, 1970  
Washington, D.C.

By Larry J. Hackman

For the Robert F. Kennedy Oral History Project  
of the John F. Kennedy Library

HACKMAN: You told me, I think, the first time we talked, that you were at that meeting in '61 out at Hickory Hill [McLean, Virginia] when wiretapping was discussed. We didn't go into anything. What can you remember about how that meeting came about, and then what was discussed?

CLARK: It's a long time ago now. To relate just the clearest impression first, and if I've already said this, tell me, there were only three people that I can remember who seemed generally opposed to wiretapping. Those were Bill Orrick [William H. Orrick,], Joe Dolan [Joseph F. Dolan], and myself. Bill tends to overstate and dramatize things, so he took just a total opposition position, there should be absolutely no wiretapping. Bob [Robert F. Kennedy] chose to tackle Bill on that and finally asked him, "Well, if your children were kidnapped, would you permit wiretapping?" There was a long pause, finally Bill said, "No," which didn't seem very realistic to anybody, I don't think. My recollection is that that was fairly early in the spring, but it was outside, I remember that.

HACKMAN: It was cold, I think. Maybe you remember that.

CLARK: I just remember we were sitting up on the stone terrace right by the house.

[-38-]

Nobody swam, I remember, so it probably was cold. We were sitting on the ledge around there, some of us, and my impression is that it was necessary for us to develop a position on wiretap because of the Congress. The legislative program and the movement in the Congress compelled it, and I think Bob just wanted to have a general discussion with a lot of people from a lot of background on the staff to get views.

HACKMAN: Can you remember what you said at that point, or what Dolan said, and what his responses were to the arguments that the two of you made?

CLARK: No, no, I can't. Actually, I don't think I remember that Joe spoke out. Later, within the last year or so probably, he has reminded me that he did. It may have been that I didn't hear him. Orrick, you just don't forget something like that. It really developed quite heatedly. I think that I felt that and said that there was probably no adequate basis for wiretapping in domestic affairs and that I just didn't know enough about international things to have a judgment. The Bureau [Federal Bureau of Investigation] had long made a big point of wiretapping in international affairs, and it would have just been a real hard fight to do anything about that. It gave them quite a bit of power to be the place that had the earliest information and the most consistent opportunity to know what embassies and other places like that, U.N. [United Nations] missions, were saying.

It's not a health thing at all. It's not their business, when you think about it, but they had long fought any effort to permit other agencies to wiretap in the domestic area, in the United States geographically. So, when you went to New York or some place like that, you realized that this was a pretty time consuming activity. Here in Washington, too. I don't think we got into the international part in depth at that meeting. First, I don't think that was really our purpose, and second, I don't think there was any sense of responsibility to take on the Bureau about it, or really an understanding of what it all was.

HACKMAN: You don't remember at that time that the discussion went beyond wiretapping and into electronic surveillance or bugging at all?

CLARK: Probably did, but I don't remember any presentation, say, by Jack Miller [Herbert John Miller, Jr.], or anybody like that, who tried to give us a broader background in the technology or the meaning. I think the wiretap was the main frame of reference for most of the people. I don't think most of the staff made any fine distinctions. They are very important distinctions by the way, but at that time I just don't think most of us made much distinction among them.

HACKMAN: After that meeting then, can you remember any other discussion coming up? This was in regard to a piece of legislation that was on the Hill at that time

that Keating [Kenneth B. Keating] had introduced, I believe. Was it your feeling that, after that meeting, that was it on the department stand on that piece of legislation? Or is there continuing discussion going on that you recall?

[-39-]

CLARK: Well, I think there was continuing discussion, but not very frequent and not of great concern. I remember feeling, and I think several did, that we went too far the first year, considerably too far, and seemed too aggressive in our position on wiretap. I was disappointed that we felt it was necessary to go that far. I think we retrenched a little bit each year. I have two clear impressions. They don't relate to any time or statement or anything about our wiretap, electronic surveillance role. The first is that Bob, deliberately and importantly, kept the President [John F. Kennedy] out of that area. My guess is that his primary motive was to protect the President from all the flak you get from civil libertarians and just from a lot of people who don't like wiretapping. Subsequent experience showed me that another motive that I remember discussing with some of the fellows would have been very wise. That is, if the President takes a position on that issue, it escalates it tremendously as a political issue. I think President Johnson's [Lyndon B. Johnson] taking a position on his so-called Right of Privacy Act is one of the main reasons we have some undesirable wiretap legislation right now. Once the President did that, that made it very attractive politically for new forces on the Hill to become involved that hadn't otherwise. So, I think that's a fairly important thing. It shows a real sensitivity to the strategy and understanding of both the role of the Attorney General and the presidency and the political practicalities of legislation.

The other impression that I have, and quite strongly, is from a number of things that Bob said. I think he mentioned it on November 20, 1963, at his birthday party, and I know he mentioned to me later on during the Senate campaign, or just before it, and after he was a Senator. That is that his position on wiretap had been one of the most difficult, controversial, perhaps harmful, of the things that he did in the department [Department of Justice]. I don't mean harmful so much in a personal sense, although that, too, as just a loser, just one that hadn't been constructive or achieved anything that was helpful. At his birthday party, and this would be really an important little piece of history to focus on, I don't know if I've mentioned this before, but I would urge you to see what everybody remembers who was there. It was a Wednesday night, and I remember Bob stood up on his desk.....

HACKMAN: I was looking at a picture of that last week. There are some hilarious pictures of that.

CLARK: Oh, really? I'd love to see those. I don't remember ever seeing any. There wasn't a big crowd there. I think Bob's underlying mood was really melancholy. I'd be almost sure of that. But as was so characteristic of him, sometimes when he really personally felt the most depressed you might say, he would balance that with capricious things, almost silly things, which is a great part of humor, of

course. So, it was like when he felt bad he would do a cartwheel, you know, something like that, kind of a beautiful quality, if you think about it. I remember John Douglas [John W. Douglas] and I were walking back down the corridor—this was one of those things that sticks with you so strongly that you probably blur its real truth, but I'd be interested. I haven't thought about this of late. I don't know what John would think...

HACKMAN: He's talked about it.

[-40-]

CLARK: ...but I'm sure that as we walked back down the hall.... We were on the other end of the building, and we'd ride the same elevator. We were all going over to the White House that evening because they were having a judicial reception. I'm almost sure that John and I said to each other, and we both felt that Bob was depressed that night. I'm almost sure it was John who said that he predicted that Bob would leave the department before the end of the year, for two reasons. One—and this is almost unbelievable now, it shows how “time dissipates to shining ether the solid angularity of facts”—one reason is that Bob felt that civil rights, Hoffa [Jimmy Hoffa], wiretapping, that he had been such a lightning rod for the President, that he had been so aggressive in some areas that the country wasn't really ready for entirely.

We think civil rights was glorious in '63; it was hard as hell. There were a lot of young people who were very idealistic and were just beginning, but it was a small thing, a tiny thing. It burgeoned out in '65. It was good politics in '65, it was not good politics in '63. So, Bob thought—I think he was thinking it for those reasons—he would be a handicap. The election was very close in 1960, and reelection to Bob at that time would have been tantamount to survival of the nation, you know; it really would have been. You know, it really was. I know I felt the same way about it, but he felt that way with a religious fervor. I think that was a factor.

And then the other factor is that he thought he would have to devote his full time to the reelection of the President. I've often wondered whether Bob was able to ever recapture how he felt after the President's assassination. I kind of doubt it [Interruption] What he said that night...

HACKMAN: I don't know whether there is or not.

CLARK: ...that sometimes some personal concern or disappointment makes you moodier, of course, than you'd otherwise be. But I am almost sure, I remember this clearly that he joked—you see, it was his birthday, too, and that's a time you reflect a little bit, you know—he joked in a way that so very few people do about what a great asset he'd been to the President, saying in a way, “Look at all this trouble.” You know, there's a lot of controversy about the Hoffa case and about civil rights and things like that. And I'm sure this other thing might have brought that out. I'm sure that that was there to some extent. That's what he spoke about. He didn't speak about any



personal thing that I can recall.

On the other hand, I remember one person, I think it was Lou Oberdorfer [Louis F. Oberdorfer], thought that Bob was in a hilarious mood that night. A lot depends on the individual, too, but I think that would have been misreading because he was joking, and he was capricious. I remember he jumped up on the desk, and he was in a particular spirit that night. Of course, that was the last night he saw the President alive.

HACKMAN: Can you remember then, on wiretapping, what then brought about the department's.... In '62 and in '63 the department sent up its own legislation on wiretapping. Do you remember why that came about? Who was putting it together? Miller?

CLARK: Well, I'd be reasonably sure that it was put together in the Criminal Division. Not

[-41-]

that the Deputy's office wouldn't be close to it, but I'd be sure it was put together in the Criminal Division and that it was.... You see, one thing you can't walk away from—and Bob Kennedy was never a guy to walk away from anything, really—you can't walk away from the strong feeling that law enforcement concerned with organized crimes has about wiretapping. If you want to have a consistent position, if you want to provide leadership, you just can't take Keating's bill or somebody else's bill. I think we detected that the '61 bill was too strong, went too far, created more hostility than was necessary, that you could balance it off with both limitations in its scope and restrictions on its use—safeguards so to speak—in a way that would make it politically much more palatable. To support another guy's bill as publicly as we had done got you as much flak as to present your own, but didn't provide the leadership, and that when you put all those pieces together you came up with your own bill.

The commitment to do something about civil rights was just immense. I don't believe there was a greater commitment on any single issue in Bob's administration. I was just reading over the weekend what I've written in this book on crime about that part of the thing. Bob brought out the first real understanding and commitment to do something about organized crime. He put us years ahead of where we could have been otherwise. He mounted an effort that was just tremendous in its scope, thoroughness and effectiveness, and it carried over from its own momentum six months to a year after he left because these investigations are slow, but when you look at the investigations and prosecutions and grand jury time and everything in '61, '62, and '63, it just skyrockets. It just takes off from ground zero, and it's off to the moon. Then it peaked out in '64-'65 and dropped some and then plateaued and then started going back up, slowly, but never like it took off in '61 and '62 and '63.

HACKMAN: Did he ever cite any experiences in the past when he was discussing wiretapping and what to do? From his Rackets Committee experience do you

remember him giving any examples?

CLARK: No. I don't remember anything like that. On at least one occasion I went with him on the road. He would go out and bring in U.S. attorneys from adjacent districts and hit them on priorities. One would always be organized crime. I went down to Oklahoma with him, oh, in the spring of '62 probably, but I just can't remember; we went to Dallas from there. He worked with us on Lands there. We had a lot of Lands stuff.

I sat through his presentation on organized crime and the questions he asked and all. They had an investigative agency leadership there, and the U.S. attorneys and the prosecutors and the FBI [Federal Bureau of Investigation] and everybody. There was, this is something I've been sensitive about for a long time. I hate to think that it's early prejudices that fix these things in your mind, but wiretapping is something I've been sensitive to since I was a kid. I just know that had there been any mention or discussion of it at that meeting I would have remembered it. It would be impossible that I not remember it. There wasn't any, much less any playing of tapes or anything like that. It didn't happen. This wasn't Chicago. I don't know, I wasn't there. At another one down in the southwest it didn't happen.

HACKMAN: Did he ever talk about the process, the kind of materials that he would get from

[-42-]

the F.B.I., and whether he rejected any? Or did you see from later investigations whether he turned down any wiretap requests during the Kennedy Administration?

CLARK: My impression from Nick Katzenbach [Nicholas deB. Katzenbach]—of course, Nick probably hasn't but can speak with knowledge, whereas I speak with impressions from him—is that Bob didn't really tell him even, in the main, about approvals. I think that there was a failure of staff there. This would be Andy Oehmann [Andrew F. Oehmann] and some of those guys who were right in the office, probably because of the combination of being so damn busy and also this being fairly sensitive. The F.B.I. liked to walk that stuff right in to you. They tried to do that with me and stand there while you signed it, we found. Now, this is two years later, so it may not have been that way when Bob left the department.

HACKMAN: Courtney Evans [Courtney A. Evans] was gone two years later, or was he still there?

CLARK: Yes, Courtney was gone at this time. I found in September of '66 that there had been no systematic keeping of approvals. You had to believe that what would happen is that they would come in. They'd probably clear it with Angie

[Angela M. Novello] or somebody and walk right in. Bob would look at the thing and sign it and keep the carbon. Carbons were missing because we would find some that.... See, I tried to recreate all that to see what had happened, and I still have some of the stuff that would refresh my memory. I don't have any government records, but I've got quite a bit of stuff that would refresh my memory if this became important. I found.... What we found was they would have files with all these carbons in there, but they were jumbled. They weren't chronological, they weren't alphabetical, some were dog-eared where they'd gotten mashed down in the files, and then they were just stuffed in.

HACKMAN: And these were kept in the Attorney General's office?

CLARK: Kept in the Attorney General's office. Nobody really knew when they were taken off, whether they were ever put on, how many were on. It's impossible for a guy to remember those things. I don't care how good your memory is, you can't be signing those things and remember whether they were put on, whether they were taken off, or even that you signed it. That's the way it was. Now, we found some where we wouldn't have carbons, and whenever we did that, we'd try to get them to show us where there had been the original. They were always able to do it. We never found one that they had put on.

I started getting a regular list quarterly that would show me everything that had happened that quarter from the F.B.I. It would show me the status of all the authorized bugs and wiretaps—there weren't any bugs really—at the beginning of the period, all the transactions in between, what was put on, what was taken off, and the status at the end. And then you'd kind of get so you'd know where you were, what was going on, and you'd also have their verification, so that if there was anything else, it'd be their neck. I don't think I found any that Bob rejected. In fact, I'm sure I didn't find any that he rejected. That doesn't mean he didn't reject any. My guess is that if he rejected them, what happened is they took them all back, didn't leave a carbon or anything. But

[-43-]

they used to like to say that nobody had ever rejected any. Well, that's so I would approve them, I guess, I not sure. But if they didn't say it, they'd always leave the impression, "Nobody ever looks at these. Nobody would ever reject one of these. Nobody has ever done anything like that." So, I didn't find any. I just don't know, I don't remember. I went up on the Hill and talked with Bob a couple of times, but I don't remember ever hearing him say whether he had rejected any or not

HACKMAN: What kind of reports, would any reports come back, after he had signed one and okayed one, on what was going on, what resulted from the tap or anything?

CLARK: No. What you would get then, and half the time you might notice it and half

you wouldn't. Take the foreign intelligence field. You'd get a big stack of reports from the F.B.I. every day. Now, when I was deputy I'd read every one. When I became A.G. [Attorney General] I'd have somebody thin them for me, and I'm sure Bob's were screened, and he'd see half or less that seemed to be important. Well, in these reports it might say, "A source of known reliability says that somebody in Russia is going to do something," or somebody is going to visit an African country or something like that. Well, if you thought at that time, you'd realize that's probably a wiretap. That source of known reliability is probably something they picked up from a phone, but they'd never say it was a wiretap. It wouldn't come in on any memo that would segregate it from other information usually.

HACKMAN: Would they have like the T1 or the T2 for the names or whatever? How would they identify....

CLARK: Not too often. They would in the organized crime field but not in foreign intelligence. It would just make them look like they knew everything that was going on. That's the reason they liked it in the foreign field, because you'd say, "By God, these guys are really on their toes, you know. They must be having coffee with every secretary in the embassy." It was not that; they've just got the phone bugged, I mean tapped, and then they're picking up all this stuff. It makes them look like geniuses, when all they've got to do is have some guy sitting on his duff there listening to the telephone.

In the organized crime field they would use some of this T1, T stuff, not consistently, is my impression. They used that for internal purposes, not to alert any lawyers in Justice or anything, because I don't think the average lawyer in Justice thought about it very much. He would think that that's some informant. God, they've got thousands of informants, you don't know which is which. I never discussed it with Bob, but I know that he had no code that would tell him T1 in this case was an electronic surveillance or anything. He just didn't. I don't think he began to know that.

What would happen is, when he'd talk later with a guy like Joe Hoey [Joseph P. Hoey] in the Eastern district of New York, you'd see so much of this stuff that one night you'd be sitting down there late, thinking, and you'd think, "That must come from some kind of wiretap or electronic surveillance. How could you get that conversation? How could you pick up that fact? And then look at all this stuff; that must come from something like that." But then when that would finally dawn on him, and that's the way it would come with every one that I ever talked to,

[-44-]

you'd think, "Well, nobody told me that we were doing that or that it was authorized." I never heard one say that. I don't think any would say that. I don't think it happened. They'd think, "Well, the Bureau's cautious; it must be something that Miller's doing or the Attorney General knows something about. They wouldn't be doing it otherwise. It's none of my business. If they'd wanted me to know, they'd tell me. I'm just here to do a job." And I think

that's about the way it would be sloughed off, so to speak, at that level.

HACKMAN: Did Robert Kennedy ever comment later on who was responsible and whether it had, in fact, just been poor administration or no one had really taken a close enough look or that it was his own failing?

CLARK: Well, we discussed it several times because I thought it was awfully important to the historical record and to the integrity of the Department of Justice and to Bob's personal position that the truth be known. I am convinced, as I said publicly a time or two, more than a time or two, but it got in the press a time or two—I used to say it every time it would come up and sometimes when it wouldn't—that I thought the FBI was responsible, that it saw a situation and moved, and that Bob had no knowledge of it. And I'm convinced of that. I think that's what he told me. I don't remember the words or the occasion, but certainly everything that we said to each other about it was that the FBI had gotten onto this thing and was just running with it.

Now, this isn't characteristic of the F.B.I., but sometimes investigative agencies that think they're very sophisticated assume that a superior wants them to do things but doesn't want to know about it. That, I think, is clearly what happened at I.R.S. [Internal Revenue Service]. They really weren't very professional, you know. Mort Caplin [Mortimer M. Caplin] was very anxious to produce, to perform. I think Bob had told him, or he could see quite clearly, that the FBI wasn't going to work very effectively. I think, in effect, the impression the agents got were, "Do this, but don't tell us about it." As a result, when we tried to recreate what they'd done, you couldn't recreate it because the agents had left and agents had forgotten, as people will, and no record had been made and all that sort of thing.

That's not characteristic of the F.B.I., but it is characteristic of the F.B.I. to try to expand those things. They had bugs on before Bob became Attorney General there, there is no question about that; they know that. They had been working.... We recreated the history, and they had been working with some memos that went back to Howard McGrath [J. Howard McGrath], who was opposed, and in particular some language that Herbert Brownell [Herbert Brownell, Jr.] used with developing a theory for justifying, under national security, domestic surveillance in organized crime. And they had been doing it as least as far back as '58. I saw specific references to the use of bugs and the information from bugs going back as far as '58 at least, but not very many. I do believe they expanded substantially in the early sixties, but I don't think Bob knew about it.

Now, the hard one to explain, the hard thing to explain here is Courtney Evans. My interpretation is that Courtney Evans is a highly professional and honorable and loyal public servant. He was caught between Hoover [J. Edgar Hoover] and Kennedy, and that is just an impossible place to have been. He knew that when you work with a personality like Hoover you've got to present things in a particular way, that everybody who had been talking to Hoover

for the past ten years had presented things in a very particular way, in ways that ingratiate and glorify and all that kind of stuff. Also, by written memo, because you document what you do in the F.B.I., that was the tradition, and you just did it.

On the other hand, Bob operated like a hurricane. There was stuff blowing every which way. It was just this tremendous force of movement and action, no patience with protecting flanks or rear or anything like that. The purpose was to do a job, and you don't document by memos what you do and why you do it and all that stuff; you do it. Then you turn to the next one.

Those two, those vast differences in personality and style, and here's a guy knowing that there has to be a communication between these two men, and that he's it, that there's no real other way. Clearly, his sympathies were with Bob. He thought that's where the really constructive purpose was, not that he thought Hoover didn't have any integrity, but the real integrity of purpose was on Bob's side. But he was in a very difficult position.

I think if he thinks he told Bob about bugs, it's partly confusion and partly an assumption that Bob was giving him the undivided attention that would clearly lead you to understand what the man was saying. Bob would reach out to grab the central facts quickly if you're telling him about an investigation that he's interested in; he doesn't need all the draping and everything. "Who's your witness? What's he say?" He doesn't care about how many men went out and how many hours were spent on it. He wants to get to the heart of it. I think that, plus the fact that Courtney was obviously very, very cautious in discussing anything like that.

I think Mr. Hoover knew that Bob didn't really know, because I think he would have mentioned it if he hadn't. And I think all the circumstances led him to be very cautious about that because he didn't really want to blow it, so to speak. Now, what Bob would have done had he known, or had he known the dimension of it, is another question. I just don't know.

HACKMAN: What could you see about the relationship between Robert Kennedy and Hoover in that period? I mean, did you see them together at times, or did he ever talk about it? Did Robert Kennedy ever talk about it?

CLARK: Oh, he'd joke about it once in a while. You'd see them together, but very rarely, and nearly always on some formal occasion.

HACKMAN: You said you saw Hoover and Robert Kennedy together chiefly on formal occasions?

CLARK: Yeah, and not very many times. I think that's a difficult relationship for every attorney general.

HACKMAN: Did he ever talk about his opinion of the Bureau and its worth?

CLARK: I don't really remember any discussions like that. It's easy for me to confuse my own views with Bob's on something like that. I think they were very

similar, but I can't really pin the time or place. I just have some very general impressions.

[-46-]

HACKMAN: Any discussion during the Justice Department days, Robert Kennedy's Justice Department days, or later, on the whole Martin Luther King, Jr., wiretapping or other kinds of surveillance?

CLARK: Well, there was certainly no talk of any King wiretapping while Bob was in the department. I really don't think more than three or four people knew about it. Burke [Burke Marshall] knew, Nick knew, and Bob knew. I don't recall hearing of anybody else that knew. John Doar [John M. Doar] did not know, because I remember John and I talking in '66 almost like I was talking about Joe Hoey a little while ago. We got to wondering where all this information was coming from, or could have come from, and decided that there must have been some electronic surveillance, in talks to Nick about it, together. Nick said, essentially, "Well, there may have been a problem, but it's taken care of." I never knew more than that for a long time.

Then when we recreated what happened in '66, and the reason that we did it was because we had made this disclosure in the Black [Fred B. Black, Jr.] case and we needed to know, we had an affirmative duty. In fact, we told the Supreme Court of the United States that we were going to do it, because we just couldn't be sure that we didn't have tainted evidence in cases any other way. This actually came up in a matter we had with Hosea Williams [Hosea Lorenzo Williams]. It was very difficult.

Anyway, what we found was roughly that Bob had authorized wiretaps, not bugs, in Atlanta, Georgia. And my impression is that it was in three places, S.C.L.C. [Southern Christian Leadership Conference] office, the church, and the home. I have the impression, but I'm not sure there are any documents that reflect this, that there had been, over quite a period of time, an effort by the FBI to secure authorization. I know Burke has told me that. I think, though, but I'm not positive—I can check—that I saw no physical evidence of it, no earlier memo that said, "Rejected," or anything like that. The authorization was in October '63, if I didn't say that.

My thought has been, and I think there are documents in the Department that establish beyond question that the Bureau had said that it was afraid that Communist interests were trying to take over the civil rights movement, that known Communists or something like that who also had a relationship with foreign communist interests, Russia, were in close contact and advising Dr. King.

HACKMAN: Did you know, did they say, the name, Levison [Stanley Levison] is the name?

CLARK: Yes, Levison, I think.

HACKMAN: Is that Levison, or is Levison the guy they....

CLARK: I think that was the only name, but I think that there was always the implication that there may be more. My recollection is that his name didn't have an "n" in it, but I'm not sure, Levison rather than Levenson.

HACKMAN: Right.

CLARK: Anyway, what I had always assumed happened was that, you see, six weeks later

[-47-]

the President was dead, and I know that that one was a big thing with Bob. It wasn't a casual thing that he did; it was a big thing. And I think that he felt that it was necessary because of the Bureau's insistence and because of his fear that the Bureau might be leaking stuff out or saying things. It would be very harmful if that wasn't done. I'm sure he intended to follow it very closely. Six weeks later the President was dead, and my guess is it was just blotted out of his memory, that he just didn't have any.... Why Burke didn't pick it up and remember it I don't know, but anyway everything was so stormy after that, I just don't know.

There's been all this talk about bugs on King, and the record shows that there were three bugs placed on King, that they were placed in hotels, three different hotels, and that they were all placed in the summer and fall of '65, after Bob had left. And I think history should show that, because the fact of Bob's authorization of the tap on King had become so escalated in everybody's mind. I mean, that seemed such an important thing to so many people, such a significant thing, that it's overlooked that the hotel bugs were not authorized by him and, in fact, were authorized, some of them, more than a year after he left the Department of Justice. And there's a vast difference between wiretaps on telephones and bugs in hotel rooms. The talk that you hear about scandalous conduct, so to speak, could not, and does not, come from any wiretaps authorized by Bob Kennedy. That's just a rap he should not take in history.

HACKMAN: Were you ever able to reconstruct where that kind of information was coming from in '63 or maybe in '61 or '62, but particularly like in '63 at the time of the March on Washington? Who was leaking it if there were leaks? Who actually did the bugs?

CLARK: Well, I was never able to find that there were any bugs. It's pretty apparent that there was a lot of talk of this kind of conduct back in '63 and earlier, and my guess is that there were no FBI bugs before that. I can't believe that there were; there's certainly no record of it. We found no record of it. We did find record of the



three in '65.

If there were actually tapes played, which is one of the allegations—that they'd play a tape that had all of this scandalous talk—I've just assumed that they came from the '65 bugs. And if people thought they had heard tapes earlier, it was the confusion of the earlier rumors and speculations and comments about scandalous conduct and the subsequent hearing of the tapes. If there were, in fact, tapes that were played earlier in '63 or before that, or '64, then the FBI, as far as I know, had nothing to do with them, because we were never able to find any record that they had. Of course, October was after the August '63 March, but you don't pick that stuff up on a telephone wiretap; it just doesn't happen.

HACKMAN: Neither Robert Kennedy or Nicholas Katzenbach or Burke Marshall ever explained how that information on '63 had come to them?

CLARK: What information?

HACKMAN: Information on King's personal life, say at the time of the March on Washington?

[-48-]

CLARK: No, I don't remember. You know, I worked on the March on Washington some, but I don't remember ever hearing any of them talk about it.

HACKMAN: Did Robert Kennedy ever talk to you about his personal feelings about Dr. King as a result of any of the information he had on him?

CLARK: Well, I think I heard him talk about Dr. King from time to time. I think what he said in Indiana at the time of the assassination tells what he thought; maybe it's because that's what I thought. That's what I hoped he thought; that's what everything I ever saw him say or do made me think he thought.

HACKMAN: When, after Robert Kennedy left the Justice Department, and why, did you begin to talk to him or his staff people about what the record was on bugging? Was there much before the '66 December blow-up between him and Hoover that hit the papers? Maybe because of the submissions to the Supreme Court on the Black case. Maybe it came up at that time, I don't know.

CLARK: There was some at that time. There had been several columns, as I recall, but I'm not sure what their timing was. It may have been Marquis Childs [Marquis W. Childs] and Carl Rowan [Carl T. Rowan] and some others, but I don't know what their timing was. I know when we started getting into.... One of the first things I think I did when Nick left was to get us moving on an organized effort to determine all of the bugs that could be in all the cases. The reason was that it would just.... First, we had

a duty, but second, we just wouldn't be able to stand the disclosure from time to time over a period of years that so and so is in jail and it turns out there was a bug in his case and you've got to review it. So, we took the initiative to find it all out.

Well, when we started finding the dimension of it, and even before the controversy, I went up and discussed it with Bob because I just thought he didn't know about it, and he needed to know, and that I needed to know what he knew. I went up there one morning and, his office was just off the door there on Constitution Avenue in the new Senate Office Building, and he had a crowd of students when I walked in. I sat there for a little while and they finished. I sat in there with them, then he and I talked for probably an hour, and then he was going to the airport, I think, but he may have been going home. Somebody went and got a car and picked us up in a convertible and drove me down to the department. I got out there, and Bob went home.

We discussed the whole history at that time, and I thought he had a right to know, and I thought I had a duty to know what he recalled and knew about it. I think he was just amazed at the dimension of it. You see, we'd find one city where there had been a couple of dozen bugs in one town.

HACKMAN: Did you ever discuss with him the memo that Hoover released in '66 about the leasing of the lines in New York and what he had, what that had been? At the time it was said that Robert Kennedy signed a blind memo. Did you ever find out what that meant?

[-49-]

CLARK: There really wasn't much need for us to discuss that because we both knew what that was. I mean, the telephone company was worried about its responsibility. It didn't want.... I used to think that it was probably Hoover trying to get Bob on the line, but long before I discussed it with Bob I'd come to realize that it was really the telephone company. One of the lawyers came down and talked to me about it one time. They wanted to know that the Attorney General himself was authorizing this, the head of the agency. They had to do all the work. They'd have these huge cables in a place like New York with all these little wires in there, and they'd have to put it on there, so they wanted the Attorney General on that. And that was all that that meant. That particular letter had to do with some new authorized surveillance. It was in the National Security field, and it just wasn't a very important one. I can't remember what it was, some U.N. [United Nations] mission, I think.

HACKMAN: Weren't there lines, though, used in connection with bugs as opposed to taps?

CLARK: Well, you know, I believe that's right.

HACKMAN: And so, supposedly, the damaging part to Robert Kennedy was that, I believe, Courtney Evans' letter that was released in the newspaper, which said, if

anyone would have thought about it, that it was clear that these weren't taps, but were related to electronic surveillance.

CLARK: I'm a little vague right now. One thing they would do was in the coding machine. A coding machine makes a noise, you know, and they would try to bug the sound. That would give them an idea of the rhythm of the movement of the machine, and this is the way that they would break a code, or try to break a code. I don't remember whether that type of, I do think that there was.... This was leased line for bugging, but I'm also positive it was National Security.

HACKMAN: Let me just.... This is what I know, and I'm quoting from a letter that was released in the newspaper. It was a letter that, I believe, Robert Kennedy's office had asked Courtney Evans to write, or that Courtney Evans volunteered to write. Courtney Evans in the letter is saying, "It was explained to you. Thereafter, in August '61 after certain technical difficulties had been overcome, I orally brought to your attention the need to lease telephone lines from the telephone company in New York to permit the monitoring of microphone surveillance in security and major criminal cases. It was explained to you that the telephone company in New York had over the years insisted that a letter from the director of the F.B.I. to the company be supplied in each occasion, on special telephone lines leased by the F.B.I. It was required that such a lease arrangement have the approval of the Attorney General. Prior to this, you were informed that the FBI had restricted use of leased telephone lines in New York to situations involving telephone taps, all of which have been approved by the Attorney General. You signified your approval to our using such leased lines for microphone coverage in New York City, by signing a blind memo to this effect on August 17, 1961."

[-50-]

CLARK: I don't know what that means. I don't know what that refers to. Blind memo, I don't know what that means. I was thinking of a letter he had written to the telephone company, is that not right? I'm pretty sure there was one like that.

HACKMAN: I don't know that, I don't know that. So, this clearly, well, maybe not clearly to him at the time.... What Courtney Evans is saying is it involved not just National Security but criminal cases...

CLARK: Major criminal cases.

HACKMAN: ...and it involved electronic surveillance, not tapping.

CLARK: Well, there was some electronic surveillance in the National Security area, non-wiretap, and this coding machine thing is one of the types that I can think of. I don't know what that letter means or implies, but when you look at all the

cities that were involved and all the bugs, it would be so far beyond anything like that that you wouldn't be able to relate that to the pattern of conduct.

HACKMAN: What about the Black case, then? Did you discuss with Robert Kennedy or with anyone in his office what the Department was going to send up in the Black case to the Supreme Court? I just heard that they were discontented with that. Do you recall that?

CLARK: I think Nick did. I don't think I did. I'm almost sure I didn't. I remember discussing it with Nick, and I think we both felt that Bob should be advised, and I'm almost sure he did.

HACKMAN: At the time of the '66 dispute in the newspapers between Robert Kennedy and Hoover, did Robert Kennedy come to you and ask you to make any kind of statement beyond what you said at the time, or do you know if he did so with Katzenbach, what he thought?

CLARK: I'm sure he didn't ask me to. I don't have any recollection of it, and I don't know whether he did with Nick or not. I just don't know. I was acting Attorney General at the time is my recollection. Was that December '66?

HACKMAN: December 10th, 11th, that weekend.

CLARK: Yes. I was acting A.G. at the time. I think I issued some statement, is that right, or do you know?

HACKMAN: I believe you did. I haven't looked at it in some time, but I believe in some of the clippings that they cite something that you said.

[-51-]

CLARK: My recollection is that I had a fairly detailed one that had three points in it. It never was carried very adequately in the press. But that's pretty vague, I just don't really know.

HACKMAN: When did you ever discuss, or did you ever discuss, the whole Bobby Baker [Robert G. Baker] investigation with Robert Kennedy?

CLARK: I don't think I ever did.

HACKMAN: Really?

CLARK: When would I have?

HACKMAN: I don't know. I thought maybe during the.... Oh, let me ask it this way then. Did you ever feel that after he'd left the Justice Department, during the Senate years that he or people on his behalf were interfering in the department's handling of that case in any way, either through Miller or Bittman [William O. Bittman], the lawyer on it, or anything?

CLARK: No. I just think that, as far as I was concerned, that was ridiculous. I just don't think that could have, or did, happen. As a practical matter, I don't think Bob ever lacked confidence in either Nick or me. I think he thought we were going to do what we thought we had to do under the law. That case was one that both Nick and I sat on all the way through, a ridiculous amount of time, unequal justice to say the least, but we just seemed to have to. We seemed to think it.... So, if they'd seen we steamed a guy like Bittman up, it really wouldn't have made any difference. Bob knew that. I don't think I ever discussed the case with him at all. I don't remember it.

HACKMAN: What could you see, looking back, about the origins of that case? Some people were saying that he had clearly instigated it as a way to embarrass then-Vice President and later President Lyndon Johnson.

CLARK: It just doesn't seem real to me. It just never did seem real to me. I just don't see any reason to believe that. I think I know that Bob had a very low opinion of Bobby Baker, and it seems very natural to me. I thought there was probably good reason for that, because the guy was a very loose wheeler-dealer, to put it kindly. I didn't even have an impression of Baker. I never met him but one time, but I heard the rumors and all about him for a long time. That's the type of thing that, once it came to Bob, he would be very diligent about. Just like the Congressman Tom Johnson [Thomas F. Johnson] case, it was a thing he would be very diligent about, because he realized the importance of the appearance of tough integrity in those offices, and I don't think he was persecuting Tom Johnson. I think he thought the law had to be effective in situations like that. He had to be damn sure you were, so he went ahead with it. The idea that that was instigated seems absurd to me.

[-52-]

HACKMAN: In conversations with President Johnson then, later, were you ever able to get a feel for what he thought of Robert Kennedy in his role in that thing?

CLARK: Not really. The President was such a subtle guy about things like that. I don't have any.... I don't really know what he thought. I remember that he was concerned about the Fred Korth thing.

HACKMAN: You mentioned that.

CLARK: Yes, and I'm sure he was very concerned, I know he was concerned, about the Bobby Baker thing. But I don't think it was particularly in relation to Bob Kennedy. I don't recall him.... I don't think I ever heard him.... You get confused, though, because you've heard so many times people say that the President, President Johnson, felt that Bob had stirred it up. I am sure I never heard him say that. Now, whether he ever said anything that implied a suspicion or something, I can't be sure. I don't much think so.

HACKMAN: Okay. On something else, did you get at all involved, I think this is while Katzenbach was still there, on this thing on the publication of the *Valachi Papers*, with Peter Maas? Robert Kennedy had some interest in that, I believe.

CLARK: I wasn't particularly aware of Bob's interest. I was not involved, but I was disturbed, and I talked to Nick about it. I thought they ought to let the damn thing be published.

HACKMAN: Well, since we're talking basically about the '64 to '68 period, what other kinds of things did you talk to him about? Were there occasions when there were like civil disturbances or legislation that he called you on or that you recall calling him on?

CLARK: Oh, there was. I think I remember discussing some of the riot problems with Bob. I don't remember any direct or urgent participation. They tended to fall outside of his geographic areas, and I think we had some general discussions on legislation. I think that we communicated but not very frequently. He continued to support virtually all the Department's positions and the work on a good many, but he was immensely busy and he wasn't on Judiciary [Judiciary Committee]. He did some floor work for us, and he helped with other Senators, and once in a while there would be a special one. It seems to me he lent us a hand when we had that effort to permit more consulates to be established in the country from Russia.

[END OF INTERVIEW #3]

Ramsey Clark Oral History Transcript – RFK #3  
Name Index

**B**

Baker, Robert G., 52, 53  
Bittman, William O., 52  
Black, Fred B., Jr., 47, 49, 51  
Brownell, Herbert, Jr., 45

**C**

Caplin, Mortimer M., 45  
Childs, Marquis W., 49

**D**

Doar, John M., 47  
Dolan, Joseph F., 38, 39  
Douglas, John W., 40, 41, 47

**E**

Evans, Courtney A., 43, 45, 46, 50, 51

**H**

Hoey, Joseph P., 44, 47  
Hoffa, Jimmy, 41  
Hoover, J. Edgar, 45, 46, 49, 50, 51

**J**

Johnson, Lyndon B., 52, 53  
Johnson, Thomas F., 52

**K**

Katzenbach, Nicholas deB., 43, 47, 48, 49, 51, 52,  
53  
Keating, Kenneth B., 39, 42  
Kennedy, John F., 40, 41, 43, 48  
Kennedy, Robert F., 38, 39, 40, 41, 42, 43, 44, 45,  
46, 47, 48, 49, 50, 51, 52, 53

King, Martin Luther, Jr., 47, 48, 49  
Korth, Fred, 53

**L**

Levison, Stanley, 47

**M**

Maas, Peter, 53  
Marshall, Burke, 47, 48  
McGrath, J. Howard, 45  
Miller, Herbert John, Jr., 39, 41, 45, 52

**N**

Novello, Angela M., 43

**O**

Oberdorfer, Louis F., 41  
Oehmann, Andrew F., 43  
Orrick, William H., 38, 39

**R**

Rowan, Carl T., 49

**W**

Williams, Hosea Lorenzo, 47