

Halperin: Taps Followed Access End

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The access of former National Security Council aide Morton Halperin to sensitive information was cut off on Henry A. Kissinger's orders three days before President Nixon authorized a wiretap on Halperin's telephone in an attempt to investigate news leaks according to a sworn affidavit by Halperin.

Halperin is suing Kissinger,

then Mr. Nixon's main foreign policy adviser and now Secretary of state, and several other Nixon administration officials on grounds that the tap was illegal. The tap remained on Halperin's phone for 21 months, during most of which Halperin no longer was a government employee.

Each of the 11 defendants in the case could be ordered to pay \$100 a day to Halperin for the length of the tap if the wiretap is determined to have been illegal. Under the terms of a wiretap statute in the 1968 Omnibus Crime Control and Safe Streets Act, that could amount to \$75,000 per defendant, or a total of \$825,000.

According to the affidavit filed yesterday in U.S. District Court here, Kissinger confronted Halperin on May 9, 1969, with an accusation that Halperin was suspected of leaking information on the secret U.S. bombing of Cambodia.

According to Halperin, Kissinger said that "a number of high-level figures in the Nixon administration were suspicious of my political views and considered me disloyal to the administration."

"Kissinger informed me that for a period of time he would not give me access to any of the more sensitive information regarding national security matters," Halperin continued. "That way, he stated, if any information leaked I could not be blamed."

Three days after that conversation in Key Biscayne, Fla., the government placed a tap on Halperin's home telephone in Bethesda without Halperin's knowledge. A total of 17 persons—including four newsmen—were tapped in an attempt to track down what the President considered leaks of national security information, and Kissinger has said he supplied many of their names.

From that time until Halperin's resignation from the National Security Council staff in September, 1969, his "access was limited to information available to hundreds of others in the White House and the department of the executive branch," Halperin claimed.

After he left the staff, Halperin said in his affidavit, he "engaged in a number of activities reflecting my political beliefs."

Among these activities,

Halperin said, was campaign work in connection with the presidential bid of Sen. Edmund S. Muskie (D-Maine).

"These facts raise the inference that the wiretaps were continued to gather political intelligence on a possible Democratic candidate for President," Halperin's attorneys said in motions filed yesterday.

The attorneys also cited what they called eight instances in which the handling of Halperin wiretaps varied from normal procedures. Many of these instances were discovered by the plaintiffs in a lengthy deposition taken in July of then acting FBI Director William D. Ruckelshaus.

For example, said the attorneys, the Justice Department requires that authorization for national security wiretaps be renewed every 90 days, but admits that only one authorization was given during the 21-month duration of this tap.

Another alleged variance was the erasure and re-use of the tapes used in recording the Halperin conversations. According to wiretap statutes, such original recordings must be kept for 10 years, the attorneys claimed.