

8/24/73

'Burglaries' Elude Pinpointing

Nixon Won't Elaborate

By Lou Cannon
Washington Post Staff Writer

SAN CLEMENTE, Aug. 23—The Western White House today flatly refused to provide documentation of President Nixon's press conference claim of Wednesday that widespread "burglarizing" for national security purposes occurred during the Kennedy and Johnson administrations.

"The President said it because it was a fact," said White House deputy press secretary Gerald L. Warren. "I'm not going to go beyond what the President has said."

Former Attorney Generals Nicholas deB. Katzenbach and Ramsey Clark promptly denied Mr. Nixon's allegation. So did other former Justice Department officials.

From a White House point of view, the concern about reaction to Mr. Nixon's allegation about burglaries in prior administrations was the only cloud on an otherwise sunny San Clemente horizon.

Aides who only Tuesday had been talking about the "strain" and "gloom" of the Nixon presidency were optimistic and outgoing today.

Telephone calls and telegrams in response to the news conference were highly favorable to the President, Warren said. And other administration officials forecast that one result would be that Mr. Nixon would hold many more press conferences in the near future.

"I think that the President will meet regularly and fully with the press from now on," said Alexander M. Haig Jr., the President's chief of staff.

Like other White House officials, Haig

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Embassy Cases Hinted

By William Claiborne
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President Nixon Wednesday apparently was alluding to reports he has received from his staff that the FBI conducted break-ins at foreign embassies when he said that national security "burglarizing" was conducted in the Kennedy and Johnson administrations, former high government officials said yesterday.

The purpose of the break-ins, the sources said, was twofold: to install listening devices and to copy foreign cryptographic codes.

However, the two former Attorneys General who served under Presidents Kennedy and Johnson emphatically denied yesterday that they authorized such break-ins or were aware that they occurred.

Mr. Nixon, in his press conference in San Clemente Wednesday, said that national security burglaries between 1961 and 1966 were authorized "on a very large scale" and that such operations were "quite well known."

Former Attorney General Ramsey Clark, in a telephone interview, challenged Mr. Nixon to document his allegation of widespread surreptitious entry. Clark served in the Justice Department from 1961 to 1969, successively as assistant attorney general, deputy attorney general and Attorney General.

Clark said that if Mr. Nixon fails to elaborate on his press conference remarks, it will be a "sad misuse of past Presidents to tell the American people this kind of thing happened and then not to say what he means.

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called the news conference a pronounced success.

"He not only held his own, but he came out and substantially improved his position," Haig said.

There have been brief moments of optimism in the White House before since the full impact of the Watergate scandal burst upon the administration. But now, for the first time, aides were talking about long-term possibilities for presidential initiatives that would truly put Watergate behind the administration, as Mr. Nixon says he wants to do.

In addition to more news conferences, the possibilities are that the President will increase his public appearances. New legislative initiatives and more meetings with congressional leaders also are being discussed.

The optimism was shaded at the daily White House briefing, however, by the unanswered questions about the lack of documentation for Mr. Nixon's burglary allegation.

Warren at first referred reporters seeking documentation to the Justice Department. When the Justice Department would provide none, Warren said that the President's statement was "a fact" and that he would not discuss it further.

This was substantially the position taken the day before in Washington by J. Fred Buzhardt, the President's special counsel on Watergate-related matters. Buzhardt said he could not discuss the details because they were highly sensitive.

"But I know the President is right," Buzhardt added. "He is right—in spades."

Warren did say today that the President was referring in his news conference to his May 22 Watergate statement, when Mr. Nixon acknowledged for the first time that he had, in 1970, approved for five days an intelligence plan which permitted illegal entry in domestic security cases. While discussing the background of this plan in the May 22 statement, Mr. Nixon said:

"Complicating the task of maintaining security was the fact that, in 1966, certain types of undercover FBI operations that had been conducted for many years had been suspended."

Asked at the news conference Wednesday whether he had violated his oath of office by approving the 1970

plan and whether he, as a congressman, wouldn't be proposing impeachment against a President who had done so, Mr. Nixon replied that there was "inherent power in the presidency to protect the national security in cases like this." He added:

"I should also point out to you that in the three Kennedy years and the three Johnson years through 1966 when burglarizing of this type did take place, when it was authorized on a very large scale, there was no talk of impeachment and it was quite well known."

Warren was asked 13 questions about the President's statement, and he replied over and over again that Mr. Nixon's statement was "a fact" and that he would "not go beyond what I have said."

When he was asked how reporters could be expected to take the President's statement on faith without documentation, he said: "I have nothing more to add."

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"I never heard of it. I do not believe it. I never authorized any burglaries," Clark said.

When asked whether break-ins of that type could have occurred without authorization, Clark said, "My judgment about the FBI is that any agent who engaged in any significantly unorthodox conduct, he did so at his own peril."

Clark's statement echoed a denial by former Attorney General Nicholas deB. Katzenbach, who also served in the Justice Department during the same time period.

"If the President is going to say things like that, he ought to say who authorized it and who knew about it," Katzenbach said.

Despite these denials, break-ins of embassies by FBI agents to obtain foreign intelligence data and implant microphones occurred in previous administrations, according to former officials.

They pointed to a written account of such burglaries contained in a 1970 domestic intelligence plan that was approved by the President and then scuttled because of the rigid opposition of the late FBI director, J. Edgar Hoover.

An outline of the plan, which was removed from the White House by former White House counsel John W. Dean III and subsequently made public in June, recommended that restrictions imposed by Hoover in 1966 against intelligence break-ins should be lifted "to permit procurement of vitally needed foreign cryptographic material."

The architect of the plan, former White House aide Tom Charles Husotn, wrote in the outline:

"The FBI, in Hoover's younger days, used to conduct such operations with great success and with no exposure. The information secured was invaluable."

In a description of the 1970 intelligence plan, the President said he had approved the resumption of a number of intelligence operations that Hoover suspended in 1966, including burglaries. He said documents supporting the plan were based on "assessments of certain foreign intelligence capabilities and procedures."

Administration officials have said that if the documents were made public they would compromise na-

tional security and strain diplomatic relations.

When questioned by newsmen yesterday in San Clemente, White House deputy press secretary Gerald L. Warren repeatedly said Mr. Nixon's Wednesday statement about burglaries was "a fact," but he refused to provide documentation.

Warren said, however, that the President's comment about 1961-1966 burglaries being "quite well known" referred to his May 22 Watergate statement.

Clark said yesterday that the May 22 disclosure about surreptitious entries "defies any possible demonstration of the notion that everybody knew about [the breakins]."

He said the only request for a national security burglary he could remember came from Hoover and involved a mission in New York. Hoover made the request several times, Clark said.

"I decided on each occasion that it was unthinkable. An Attorney General can't engage in authorizing such a thing," Clark said.

Clark also criticized Mr. Nixon's statement that wiretaps were placed on the telephones of newsmen and news agencies during the previous Democratic administrations.

"If he's going to say that, I think he has an obligation to say what he means," Clark said. He added, "I can't imagine any harm to national security by telling us, if there was such a thing."