

Nixon Sent Tap Report To Haldeman

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Former President Richard M. Nixon personally ordered that information from a "national security" wiretap be sent to his top political adviser H. R. (Bob) Haldeman after the FBI reported that the tap showed only political discussions, documents released yesterday show.

Nixon also ordered the year-old tap continued on the home telephone of former White House staffer Morton Halperin. Nixon took the action, the documents show, immediately after the FBI report, which included information that Halperin no longer worked for the government.

According to the documents, the FBI report contained no indication that any national security matters were discussed by Halperin during the period of the wiretap.

In ordering that the fruits of the eavesdropping be sent to Haldeman, Nixon specifically ordered that they no longer be sent to his national security adviser, Henry Kissinger. Halperin had been a member of Kissinger's staff on the National Security Council.

The documents, which were made public yesterday as part of a suit brought by Halperin, do not specifically explain why the former President shifted the Halperin wiretap reports from Kissinger to Haldeman, or why he ordered that the tap be continued.

See WIRETAP, A7, Col. 4

WIRETAP, From A1

However, they do provide new information on the intimate way in which Nixon concerned himself with the wiretaps.

Halperin was one of 17 government officials and newsmen placed under surveillance by the Nixon administration in an attempt to block suspected "leaks" to the new media of classified information. The tap remained on Halperin's telephone for 21 months and produced no evidence of such leaks, according to court records.

The former chief executive has said the wiretaps and other surveillance on the government officials and newsmen were a legitimate exercise of his national security powers. Halperin's attorneys claim the taps were an abuse of presidential powers and were used for partisan political purposes.

The new documents were filed by Halperin's attorneys

in an attempt to justify their request to questions Nixon personally on his role in the wiretap program. Nixon is attempting to block that deposition, and a hearing is scheduled later this month before U.S. District Judge John Lewis Smith Jr. on whether Nixon must answer questions under oath about the wiretaps.

According to the documents, Nixon met with then-FBI Director J. Edgar Hoover and Haldeman on May 12, 1970, to discuss the continuation of the wiretap. The meeting was two weeks after Nixon had announced the invasion of Cambodia, and at the height of antiwar protest in the U.S.

A memorandum drawn up by the FBI for Hoover in preparation for that meeting specifically referred to the Cambodian invasion and said the Halperin tap had produced "considerable information" on antiwar activities.

"We learned through these sources (the taps) that Halpe-

rin, who was serving as a consultant to the National Security Council, planned to resign to protest the invasion of Cambodia. He subsequently did resign," the memo stated.

"During conversations with other individuals, Halperin indicated that he feels the President intends to attack North Vietnam and Laos and agreed to work with Sen. (J. William) Fulbright (D-Ark) in opposing the war," the memo continued.

The memo also mentioned other antiwar activists, and referred to the conversations it recounted as "the highlights received from this coverage during the past few days. It has received very limited dissemination, going only to the President and Dr. Kissinger."

Other documents produced by the government during the lawsuit say that at the same May 12 meeting, Nixon instructed Hoover to stop sending letters reporting the results of the surveillance to Kissinger and instead send

"only one copy" to Haldeman.

Halperin's attorneys said they must be allowed to question Nixon about his reasons for continuing the taps and changing the reporting method because they have no other way of obtaining that information.

They told Judge Smith that Haldeman's attorneys have said he will invoke his constitutional right against self-incrimination and refuse to testify about any aspect of his role in the surveillance, and that the FBI is unable to discover any memoranda written by the late Director Hoover concerning the meeting.

"It is an understatement to say that Richard Nixon's testimony is essential because, as the record shows, he is in possession of facts uniquely available to him, without which a fair trial of the issues in this lawsuit is impossible," Halperin attorney Walter Slocombe said in arguments filed with Judge Smith.