

Nixon Details Three Roles In Wiretaps

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Richard M. Nixon, acknowledging under oath that as President he authorized wiretaps of 17 newsmen and government officials, has said that Secretary of State Henry Kissinger was responsible for selecting who should be tapped and FBI Director J. Edgar Hoover was responsible for carrying out the eavesdropping.

In a court deposition taken Jan. 15 at Nixon's San Clemente house and made public yesterday, the former President was adamant and argumentative in defending his actions in connection with the wiretaps. He asserted he was only continuing national security practices followed by four previous administrations.

Mr. Nixon portrayed himself as staying aloof from the operation of the program once it began under his general orders. The program was part of an attempt to track down alleged leaks of classified information to the press.

In the latest round of finger-pointing growing out of a suit over the legality of the wiretap program, Mr. Nixon's sworn statement raised questions in two specific areas:

He appeared to contradict sworn testimony given by Kissinger about Kissinger's role in the program. Kissinger has said Mr. Nixon specifically authorized a tap to be placed on the home telephone of then National Security Council aide Morton Halperin, while Mr. Nixon said he never mentioned Halperin by name but left the selection of tap targets up to Kissinger.

Mr. Nixon described the program as being under the direction and control of the late FBI director, Hoover. Three other witnesses—for-

mer Attorney General John N. Mitchell, ex-FBI official Cartha DeLoach and ex-White House aide John D. Ehrlichman—have testified that they understood the taps to be under Kissinger's control and direction.

Mr. Nixon's seven hours of sworn testimony amounted to 167 pages when it was filed yesterday in U.S. District Court in a suit brought by Halperin over the legality of the taps. Halperin claims the tap, which remained on his home telephone for a total of 21 months, invaded his privacy and that information gath-

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ered on it was used for political purposes.

In his deposition, Mr. Nixon said the taps used in his administration were a natural outgrowth of the practices of previous administrations to tap persons suspected of leaking information. There were as many as 100 such taps during the administration of the late President John F. Kennedy, Mr. Nixon said at one point.

Mr. Nixon also used the deposition to describe in sometimes rambling detail the various foreign policy initiatives taken by his administration—such as re-

sumption of relations with China—and what he termed the need for secrecy that surrounds such delicate policy matters.

"... Had we not controlled the leaks even as well as we did," Mr. Nixon said at one point, "... had we not been able to conduct our policy with some confidentiality, we could not have made the progress that we have made" in five specific areas of foreign policy.

Referring often to his handling of the war in Southeast Asia, he said leaked information at one point "caused the deaths of thousands of Americans" there. At another point in the deposition, he accused war protesters of prolonging the war "because as long as the enemy had the impression that there was a substantial chance that there were some who would take peace at virtually any price, and could be elected president, they could hang on."

Mr. Nixon said he first considered leaks a serious problem within his administration in February, 1969, when the press publicly reported some material he had considered so sensitive that he had included it in a personal briefing of former President Dwight D. Eisenhower the previous day. Mr. Eisenhower "expressed very deep concern" to Kissinger about such a leak occurring, Mr. Nixon added.

Mr. Nixon said that after discussing such leaks with Kissinger, the President decided to call Attorney General Mitchell and FBI Director Hoover.

"Mr. Hoover informed me that this had happened before in previous administrations. He said that there was only one way to deal with it," Mr. Nixon testified. Four previous administrations had the authority to wiretap to deal with leaks, Mr. Nixon said he was told by Hoover.

Mr. Nixon said he, Hoover and Mitchell discussed the legality of such a program. "I told Mr. Hoover at the time and Mr. Mitchell that I wanted these, the use of these procedures to be limited," Mr. Nixon added, saying that members of his administration might feel they were not "trusted" if they were tapped.

A May leak on secret U.S. bombing in neutral Cambodia was the final straw after