

Henry had 'passive role' in wiretaps

WASHINGTON (AP) — Secretary of State Henry A. Kissinger says he played only a "passive role" in the wiretapping of a national security aide and that authority for the action was in the hands of the late FBI Director J. Edgar Hoover.

In a sworn deposition made public Friday, Kissinger insisted that at a 1969 meeting with former President Richard M. Nixon, Hoover, and then-Atty. Gen. John N. Mitchell, "the whole (wiretapping) program was approved, including that the authority was given to Mr. Hoover, not to me, ... to tap those people that had been mentioned."

The deposition was made in connection with a suit brought by former national security aide Morton Halperin, whose telephone was tapped for 21 months as part of an administration effort to discover the source of leaks of classified information.

Halperin was closely associated with Kissinger and came to the

administration at the same time Kissinger joined it as Nixon's national security adviser.

Kissinger's statement differs somewhat from that of Nixon, who said in an earlier deposition:

"I of course did not select the names myself because I did not know (the individuals). I told Dr. Kissinger that he should inform Mr. Hoover of any names that he considered prime suspects.

"That was Dr. Kissinger's responsibility. It was his responsibility not to control the program but solely to furnish the information to Mr. Hoover. Mr. Hoover then was to take it from there."

Halperin was one of 17 persons, including four newsmen, whose phone was tapped under the surveillance program which began on May 10, 1969, a day after the New York Times disclosed the bombing of Cambodia.

Several other suits have been filed as a result of the wiretaps, all asking

monetary damages. If Halperin wins the case, which may come to trial this year, he could receive a maximum of \$3 million in damages.

In the deposition given to Halperin's lawyers, Kissinger said he had been urged by several people in the administration not to hire Halperin. Kissinger said none of the security questions that had been raised created any question in Kissinger's mind as to Halperin's discretion or to his ability to keep confidences.

Kissinger said the meeting with the President, Hoover and Mitchell was on April 25, 1969.

At a news conference, Halperin said research of White House and FBI records shows no evidence of an April 25, 1969 meeting among Hoover, Mitchell, Kissinger and Nixon. Halperin said he concluded from Kissinger's deposition that "it was Mr. Kissinger and not Mr. Hoover who produced the names (of persons to be wiretapped)."