

Business Deals Cited as Reason

Nixon Wiretapped Brother

9/11/73
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Acting on direct orders from President Nixon, the Secret Service wire-tapped the telephone of the President's brother, businessman F. Donald Nixon, for more than a year, according to four highly reliable sources.

The President ordered his brother's phone tapped during Mr. Nixon's first term because he feared that Donald Nixon's various financial activities might bring embarrassment to the Nixon administration, the sources said. Wiretapping apparently was the only means by which the President felt

confident of monitoring what his brother was doing, according to the sources, who include government investigators and a Nixon administration official.

President Nixon's decision to have his brother placed under electronic surveillance was partly based on concern about Donald Nixon's involvement with the financial empire of billionaire Howard Hughes, according to one of the sources.

The wiretap on Donald Nixon was only one of several conducted by the Secret Service on orders from either the President or White House aides who said they were acting in the Presi-

dent's behalf, according to two of the sources. The names of the other persons wiretapped and the reasons for the surveillance could not be learned.

The wiretaps were handled by the Secret Service's Technical Security Division, the same unit that also installed and maintained the elaborate secret taping system that President Nixon used to record automatically all conversations in his offices and on his telephones.

A spokesman for the Secret Service, Jack Warner, said yesterday that the Secret Service would not comment on the matter.

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Donald Nixon was reported out of the country yesterday and not available for comment.

According to the sources, the office of special Watergate prosecutor Archibald Cox has received informa-

tion about the Secret Service wire taps, including the one on Donald Nixon. A spokesman for Cox's office also declined to comment yesterday.

The Nixon tap, as well as some or all of the other electronic surveillance conducted by the Secret Service,

apparently was unrelated to national security, according to the sources. Unless there was some legitimate national security justification for the taps, the sources said, they would appear to be illegal.

President Nixon has de-

fended his authorization of 17 other wiretaps—on administration officials and news reporters—as legal because they were purportedly undertaken to stop news leaks that the President deemed harmful to national security. However, two of

those 17 tapes were on the telephones of White House aides who have said they had no access to classified material affecting the national security.

The tap on Donald Nixon, and others conducted by the Secret Service, were not among the 17 taps disclosed earlier this year, according to The Post's sources. Those 17, which the President has acknowledged ordering were conducted by the FBI.

Until the Supreme Court ordered otherwise, the Nixon administration had asserted its self-proclaimed authority to conduct wiretapping without a court order in matters affecting the national security. On June 19, 1972, the Supreme Court ruled that such wiretaps involving "domestic" threats to the national security were illegal. The court left open the question of the legality of taps related to "foreign" security threats.

Tapes from the secret White House system have been subpoenaed as evidence in the Watergate affair by

special prosecutor Cox and the Senate's select committee investigating Watergate.

In July, immediately after public disclosure of the secret taping system, the White House refused to let several Secret Service agents who maintained the presidential taping system answer any questions asked by Senate investigators.

At the time, government sources said they suspected that the Secret Service agents might be aware of other electronic surveillance—perhaps illegal—in addition to the presidential taping system.

Donald Nixon, 58, received widespread public attention in 1960 when it was disclosed that he had received a \$205,000 loan from Hughes in 1956 to rescue Nixon's, Inc., a chain of restaurants Donald Nixon operated in Southern California. The transaction became popularly known as "the Hughes loan" and led to severe criticism of Richard Nixon for allegedly having a role in negotiating it.

From 1963 to 1968, Donald Nixon was associated with a Southern California marketing consulting firm. In 1970, he became a vice president of the Marriott Corporation, whose president, J. Willard Marriott is a close friend of the President and a major Republican campaign contributor.

In the last five years, there have been periodic news reports referring to attempts to keep Donald Nixon out of trouble by John D. Ehrlichman, the President's former domestic affairs adviser, and Charles G. (Bebe) Rebozo, the President's close personal friend. Such attempts often were less than successful, according to news accounts.

In a Feb. 1, 1971, White House memorandum obtained by The Washington Post last month, John J. Caulfield, who conducted secret investigations for the White House, referred to Donald Nixon and the Hughes financial interests.

The memo, addressed to

former presidential counsel John W. Dean III, said that "Don Nixon visited the Dominican Republic with a small group of wheeler-dealers in September, 1969, who assertedly were connected with" enterprises owned by Howard Hughes, the reclusive billionaire who in the 1960s moved many of his business interests to Las Vegas.

Caulfield, a former New York City detective who guarded President Nixon during the 1968 presidential campaign, is believed to have supplied investigators from special prosecutor Cox's office with information about the Secret Service wiretaps.

While serving as a special investigator in the White House and reporting to Ehrlichman, Caulfield conducted a wiretap on the telephone of syndicated newspaper columnist Joseph Kraft. That tap was in addition to the 17 President Nixon has acknowledged authorizing and was not among those reortedly conducted by the Secret Service.