

'National Security' Threat

Wiretaps Futile

By Laurence Stern

Washington Post Staff Writer

In the intimacy of the Oval Office on Feb. 28, 1973, President Nixon gave John W. Dean III his unvarnished assessment of the "national security" wiretap program.

"They never helped us," Mr. Nixon told his former aide. "Just gobs and gobs of material: gossip and bullshitting."

But three months later, in his first definitive public statement on Watergate, the President declared that the taps of 17 government officials and newsmen "produced important leads that made it possible to tighten the security of highly sensitive materials."

The four volumes of testimony released last night by the House Judiciary Committee on White House surveillance activities strongly support Mr. Nixon's private rather than public appraisal of the highly classified wiretapping operation that blew up in the administration's face and aborted the Ellsberg trial last year.

The underlying theme of the committee's investigation was that the wiretap program was launched by President Nixon, prodded by Henry A. Kissinger's concern over news leaks early in 1969. The wiretaps were carried out in an atmosphere of extraordinary secrecy and known only to a handful of top government officials. The FBI, for example, was ordered to keep no records in its files. They produced little of value in ferreting out national security leaks.

Finally, the administration, with the personal involvement of the President, engaged in a frantic effort to cover up the existence of the 1969-to-1971 wiretapping through what Mr. Nixon approved as a policy of "stonewalling totally."

Ironically, the wiretaps surfaced publicly by means of a news leak in February, 1973.

See WIRETAP, A12, Col. 1

Nixon's Appraisals Differ On Value of the Wiretaps

WIRETAP, From A1

The Judiciary Committee report does not conclusively resolve the widely publicized ambiguities surrounding the role of Secretary of State Kissinger as an initiator of the national security taps on former aides and acquaintances in the news media.

In the Feb. 28, 1973, transcript the President is quoted as strongly suggesting to Dean that Kissinger asked for the wiretaps. "I know that he asked that it be done," the President remarked to Dean, "and I assumed that it was." It was at that point that the President went on to suggest that the taps were a bad idea. "They never helped us," Mr. Nixon sourly concluded.

But Mr. Nixon, in a statement last week to the Senate Foreign Relations Committee, said it was he who "personally directed the surveillance, including wiretapping, of certain specific individuals"—where "supporting evidence was available."

One of the new evidentiary highlights in the surveillance study was former Assistant Attorney General Robert C. Mardian's description of how, on the direct instruction of Presidents, hesitated and said, "I cannot un-up" satchel containing the wiretap logs and summaries to the Oval Office late in July, 1971.

Asked during a May 10, 1973, FBI interview whether he had delivered the bag to the President, Mardian "sat back in his chair, shrugged his shoulders, hesitated and said, 'I cannot answer that question,'" according to the FBI report cited in the committee's exhibits.

Mardian was the high-level go-between who, acting on presidential instruction, retrieved the wiretap material from the custody of the late J. Edgar Hoover and had it deposited in the White House. Ultimately the material ended up in a safe in the outer office of former White House Domestic Counselor John D. Ehrlichman where the FBI tracked it down during its May, 1973, investigation of the wiretap episode.

The evidence amassed by the committee cut most sharply at the probity of former Attorney General John N. Mitchell, who repeatedly denied knowing of the wiretap program or having authorized the taps at the re-

quest of Hoover. Photostats of the wiretap authorizations all carry Mitchell's signature of approval, which was authenticated by the FBI.

The 17 targets of the wiretap program were: (National Security Council staff) Daniel I. Davidson, Morton Halperin, Anthony Lake, Winston Lord, Richard Moose and Helmut Sonnefeldt; (Department of State) Richard F. Pedersen, Richard L. Sneider, William H. Sullivan; (White House) James W. McLane, William Safire, John P. Sears; (Department of Defense) Lt. Gen. Robert E. Pursley; (Press) William Beecher, formerly of The New York Times, Hedrick Smith of the New York Times, Henry Brandon of the Sunday Times of London and Marvin Kalb of CBS News.

In addition, the committee chronicled the efforts of the White House to wiretap columnist Joseph Kraft at his Washington residence and at his hotel in Paris during a European news-gathering trip.

None of the wiretap targets, according to the evidence in the report, produced results of any significance in exposing security lapses or uncovering sources of leaks.

Former White House chief of staff H. R. (Bob) Haldeman acknowledged in a May, 1973, FBI interview that "at first he read all the summaries which came into his office but found them to contain information which really was not of much interest to him." He said he delegated the reading of the top-secret material to his administrative assistant, Lawrence M. Higby.

Kissinger, the other principal White House channel for the wiretap material, also professed to have lost interest in the material and stopped receiving it in May, 1970. However his chief aide at the time, Alexander M. Haig Jr., continued to review the reports churned out by the surveillance program until all the security wiretaps were turned off in February, 1971.

Yet an FBI report cited by the committee quotes Kissinger as complaining shortly after the inauguration of the program and his first reading of the logs on May 20, 1969, that "it is clear that I don't have anybody in my office that I can trust except Colonel Haig."

The surveillance program, according to FBI records cited by the committee, began on May 9, 1969, with a call from Kissinger to Hoover complaining about

New York Timesman Beecher's story that day on the covert U.S. bombing of Cambodia. Administration officials were nettled by several other Beecher stories in the same period.

Curiously, however, Beecher was not wiretapped until a full year later. Brandon was the first journalist to be wiretapped, on May 29, 1969, and he remained under surveillance for some 20 months—far longer than any of his colleagues. Smith was under surveillance for nearly three months, Kalb for less than a month and Beecher for seven months.

There is a cryptic reference in the Judiciary Committee summary to testimony by Kissinger to the Senate Foreign Relations Committee that one of the four journalists was described by Hoover to President Nixon "as a man who had connections with an allied foreign intelligence service and the decision to place a tap resulted from that presentation."

The committee also noted that in the case of the tap on Brandon (identified as were all the other wiretap targets only by a letter code), Kiddinger's testimony remained secret. "In that testimony," the committee said, "Dr. Kissinger... testified generally that he knew 'P' (Brandon) well, and that 'P' did not fit any of the categories Kissinger knew of for wiretaps... Dr. Kissinger further testified that P's news stories rarely included leaked material but Dr. Kissinger believed that the tap of P was on a national security basis."

Only former NSC aide Halperin was wiretapped for the entire duration of the program, some 21 months.

The one surveillance that paid off, in part, was an outgrowth of the Pentagon spying episode which came to the attention of the White House as a result of a series of leaks to columnist Jack Anderson on the Indo-Pakistani war deliberations in the White House.

The tap was directed against Navy yeoman Charles E. Radford II as the suspected leak in the Anderson case. "Our coverage during the Radford project did in fact reveal a rather close and somewhat surreptitious relationship between Radford and Jack Anderson," the FBI concluded. The tap was removed on June 20, 1972—immediately after the Supreme Court decision in the Keith case which prohibited wiretaps without a warrant in internal security cases.