

The Suspicious 17

By William Safire

ESSAY

WASHINGTON, Aug. 8—From mid-1969 to February of 1971, at the direction of the President, the F.B.I. tapped the home telephones of 17 men — four newsmen and 13 Government officials — to find out why classified information had appeared in the press and to prevent future leaks.

"I authorized this entire program," the President asserted on May 22 of this year. "The persons who were subject to these wiretaps were determined through coordination among the Director of the F.B.I., my assistant for national security affairs, and the Attorney General." (J. Edgar Hoover, Henry Kissinger, John Mitchell.)

How were the suspicious 17 chosen? "Those wiretapped," said the President, "were selected on the basis of access to the information leaked, material in security files, and evidence that developed as the inquiry proceeded." That last category refers to people overheard talking to those being tapped and who subsequently were honored with a wiretap all their own.

Who were the suspicious 17? The Government will not publicly say, but tacitly admits that four were journalists: Marvin Kalb of C.B.S.; Henry Brandon of The London Sunday Times; Hedrick Smith of The New York Times, now its Moscow correspondent; and William Beecher of The New York Times, now Deputy Assistant Secretary of Defense for Public Affairs. (Columnist Joseph Kraft was also bugged, but not by an official F.B.I. wiretapper, and so cannot claim membership in the 17.)

Of the 13 Government officials, it had been assumed until recently that all were member of the National Security Council staff. Those named up to now were Winston Lord, Helmut Sonnenfeldt, Daniel Davidson, Anthony Lake, Roger Morris and Morton Halperin. This morning, let me add two more names of former N.S.C. men to the list of those whose home telephones were tapped: Richard Moose, now a consultant to the Senate Foreign Relations Committee, and Laurence Lynn Jr., now an Assistant Secretary of the Interior.

A few days ago, New York Times reporter John Crewdson dug up another name from his own Federal law enforcement sources: one William Safire, former special assistant to the President, now a columnist for The New York Times who is writing today's exercise in restrained fury.

And then there were four, as Agatha Christie might put it—out of the 17 taps, the names of four men still remain to be disclosed. Who are they? Obviously they include names of men,

perhaps still working as loyal lieutenants to the President, who would be surprised, chagrined and profoundly offended if they knew their long-time loyalty had been returned with mistrust, suspicion and an unconscionable invasion of their privacy.

Of course, the men on the N.S.C. staff who were tapped usually pretend that it does not bother them at all; when prodded, they will recite some litany about men who deal in secret matters having to expect constant surveillance. Frankly, men who expect constant surveillance handling our national security betray a certain lack of understanding about our national traditions. Only one of the tappees, Morton Halperin, has expressed publicly his sense of outrage; his lawsuit might force more disclosure.

The reporters tapped and their news organizations have been curiously supine: perhaps they are holding their fire until they build a factual case. Let's hope so—unless they resist, they cannot claim to have been raped. Acquiescence is approval.

For myself, I cannot go along with this fraternal silence of the suspicious 17. I did not knock myself loose for Mr. Nixon in 1959 and 1960, and then cast my lot with him through the long, arid comeback years of 1965 through 1968, to have him—or some lizard-lidded paranoid acting in his name without his approval—eavesdropping on my conversations.

"National security," my eye—during the 37 days in July and August of 1969 that some agent in earphones was illegally (as the Supreme Court later found) listening in to my every word, I was writing the (sh!) President's message and speech on welfare reform.

I still believe in the work ethic, the new federalism, the Nixon doctrine, and the absence of Presidential involvement in Watergate—but I have been consistent, before, during and after my White House days, about the right to privacy.

There are questions that must be answered: Who had the right to decide which White House aides would be tapped? Were other speechwriters tapped as well? Did the President know when he was talking to an aide who was being tapped?

If, as I have reason to suspect, the answer to that last question is no, a further question presents itself: does the President realize that there are tapes and transcripts of his own conversations with aides now in the files of the F.B.I. out of his control, taken years before he began taping himself?