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**A 2D MUSKIE AIDE
REPORTED OBJECT
OF U.S. WIRETAP**

**Officials Say Security Check
Was Continued After He
Left Federal Position**

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WASHINGTON, Oct. 14 —

Authoritative sources have disclosed a second instance in which a "national security" wiretap authorized by President Nixon remained in effect on a former National Security Council staff member after he had left the Government and joined the Presidential campaign of Senator Edmund S. Muskie.

The disclosure is the strongest indication thus far that what apparently began in early 1969 as an effort to find and stop leaks of classified information to the press may have eventually turned into a political intelligence-gathering operation aimed at both Democratic and Republican opponents of the Nixon Administration.

According to well-informed Government sources, the wiretap, placed on the home telephone of Anthony Lake in May of 1970, shortly after he had announced his intention to resign from the Council, was maintained until February, 1971—two months after Mr. Lake had signed on as Mr. Muskie's chief foreign policy adviser.

Discussed Strategy

The New York Times reported two weeks ago that a similar "national security" wiretap on Morton Halperin, a former colleague of Mr. Lake at the Council, had remained in force after he, too, had severed his ties to the Government and had become the head of Senator Muskie's campaign committee on the military budget.

Both men have said that, during the time they were under surveillance by the Federal Bureau of Investigation, they discussed Mr. Muskie's campaign strategy over the telephone with other members of the Senator's staff.

Although neither man can recall any specific conversations on the tapped phones with Sen-

ator Muskie himself, Mr. Lake said it was possible that he might have spoken with the Senator from his home by telephone at some point during the two-month period.

Total of 17

He added, however, that anyone listening to his conversations with other campaign officials at the least could have anticipated "some of the speeches he [Senator Muskie] was going to make."

Until it became apparent in mid-March of 1972 that Senator Muskie's bid for the Democratic Presidential nomination was faltering badly, he was the principal target of a campaign of espionage and sabotage by Republican undercover agents that included placing spies in his offices and issuing bogus and in some cases scurrilous literature under his name.

In a statement in May, President Nixon took full responsibility for authorizing the "na-

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national security" wiretap operation, which involved the surveillance of 11 other Government officials besides Mr. Lake and Mr. Halperin, and four newsmen. None of the other Government officials subsequently joined Mr. Muskie's staff.

Both the White House and the Justice Department have since refused to comment on the matter.

Mr. Nixon asserted in May that each of the 17 wiretaps—the first of which were installed in May, 1969, and the last removed along with the Lake and Halperin taps in February, 1971—were "undertaken in accordance with procedures legal at the time," and were intended "to find and top serious national security leaks."

Although Mr. Halperin's tap remained on for 21 months and Mr. Lake's for nine, it appears that they were continued in the absence of any evidence that either man was a source or potential source of any of the leaks with which Mr. Nixon has said the operation was concerned.

Officials with access to the logs of the overheard conversations said they had assured Mr. Lake that "nothing damaging was ever turned up" on him, and secretary of state Kissinger has said that the wiretap on Mr. Halperin "never cast any doubt on his loyalty or discretion."

Moreover, the President's assertion that all of the wiretaps "were legal, under the authorities then existing," is contradicted by a statement filed by the former Attorney General, John N. Mitchell in connection with a lawsuit by

Mr. Halperin challenging the legality of his wiretap.

Every 90 Days

So-called national security wiretaps, which are installed without court orders under powers that Presidents have assumed but that neither the Congress nor the Supreme Court has agreed they have, must be renewed by the Attorney General every 90 days.

Mr. Mitchell said in his statement that in the Halperin case he was "never requested to extend such authorization for any specific periods of time."

Other Government officials familiar with the operation have indicated that some of the wiretaps besides those on Mr. Lake and Mr. Halperin may have had motivations in addition to, or instead of, the preservation of national security.

One high Justice Department official, asked about the July, 1969, tap on John P. Sears, then deputy White House counsel, and another in December, 1970, on James W. McLane, a White House expert on problems of the aged, would say only that the national security rationale was very, very thin in a couple of cases.

No Access

Both Mr. Sears, now a lawyer in private practice here, and Mr. McLane, the deputy Director of the Cost of Living Council, have said that their positions did not permit them any access to classified foreign policy or national security information during the time they were under electronic surveillance.

Without mentioning names, Elliot L. Richardson, the Attorney General, acknowledged in a secret session of the Senate Foreign Relations Committee last month that "two or three" of the 17 individual who were tapped did not have access to the leaked information about the strategic arms limitations talks and the Indochina war.

The subject of the wiretaps was a central point of inquiry in the committee's deliberations on the nomination of Mr. Kissinger as Secretary of State.

He told the Senators, also in an executive session, that he had received no reports on the wiretap operation after May of 1970, and had kept no check on the duration of such taps, assuming "that a wiretap which proved unproductive was terminated."

Sources close to the operation have said that after May, 1970, the summaries of conversations overheard were sent to H. R. Haldeman, then chief of the White House staff. The summaries would have described conversations of Mr. Lake, Mr. Halperin, Mr. McLane and possibly Mr. Sears.

Mr. Haldeman resigned on April 30, citing "various allegations and innuendos that have been raised" about his alleged participation in covering up the responsibility for the Watergate

break-in.

Disliked by Mitchell

Administration insiders have noted that Mr. Sears, whose responsibilities at the White House included dispensing Federal patronage jobs, had incurred the dislike of Mr. Mitchell during the 1968 Nixon campaign, and was suspected of passing political information about the Administration to the press.

Perhaps coincidentally, Mr. Richardson to the Foreign Relations Committee that in two of the 17 cases, Mr. Mitchell as Attorney General had "requested or originated a request for a wiretap" without consulting Mr. Kissinger or any member of the N.S.C. staff.

The tap on Mr. McLane was installed shortly after he left the successful campaign of Governor Francis W. Sargent of Massachusetts, his father-in-law, in November of 1970, and joined the White House domestic council.