

Documents Hint Politics Played Role in Wiretaps

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Evidence Released by House Judiciary Panel Appears to Challenge Nixon on National Security Justification

By SEYMOUR M. HERSH

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WASHINGTON, July 18 — The House Judiciary Committee published today a mass of evidence that appeared to challenge President Nixon's contention that national security was the sole basis for White House involvement in wiretaps and the so-called "plumbers" operations.

The documents, including internal Administration memorandums, depicted a pattern of

Excerpts from the committee evidence and White House response, Pages 12-17.

clandestine White House activities that originated because of seemingly legitimate national security concerns but later became overtly political operations. These activities began with wiretaps in 1969, the first year of the Nixon Administration.

The documents released in the impeachment inquiry also show that the President and his top aides were aware in March and April, 1973, of the illegality of the clandestine activities of the White House

"plumbers." The investigative group's activities included a 1971 break-in at the office of the former psychiatrist Dr. Daniel Ellsberg, the key figure in the Pentagon papers case.

Published with the documents was a White House rebuttal citing newspaper leaks of information, secret negotiations with foreign powers and Secretary of State Kissinger's concern about America's "credibility with its allies" in an effort to persuade the committee that the White House surveillance activities did not constitute an impeachable offense. [Page 18.]

None of the wiretaps, according to the documents, produced any relevant material about leaks of national security information. [Page 18.]

However, Mr. Nixon and his aides were shown to have expressed concern about the "liability" to the Administration that could result from public disclosure of the extensive wiretapping.

The materials indicated that

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White House awareness of the illegality of the "plumbers" activities; coupled with blackmail threats from E. Howard Hunt Jr., a former member of the "plumbers," prompted the President to seek to withhold information from various Watergate investigators in the spring of 1973.

The Judiciary Committee released today the seventh volume in its evidence in the impeachment inquiry. This volume consisted of four separate books and was accompanied by the 225-page rebuttal by James D. St. Clair, Mr. Nixon's attorney for Watergate matters. So far, 12 books of evidence and two of rebuttal have been issued.

Besides documents dealing with the "Plumbers" and the wiretaps on 13 Government officials and four newsmen, the documents also dealt with undercover political activities for the Republicans by Donald H. Segretti; activities by John J. Caulfield and Anthony T. Ulasewicz, who made clandestine inquiries for the White House; and a plan for a major domestic intelligence and operations program against radicals.

Mr. St. Clair limited his defense of Mr. Nixon to a presentation of internal White House memorandums, including a previously unpublished affidavit from Mr. Kissinger, demonstrating grave concern in the White House over leaks of classified information from 1959 through 1971.

Tap on Political Aide

In addition, the White House rebuttal reprinted many of the newspaper articles that were alleged to have disclosed highly classified information and to have prompted the President to authorize both the wiretap program and the "plumbers," a White House special investigations unit set up to stop leaks of information.

The White House defense did not deal with what appeared to be the main thrust of the House Judiciary Committee's presentation — that the two major White House intelligence-gathering programs ultimately became highly politicized.

According to the evidence gathered in the inquiry into the possible impeachment of the President, Mr. Nixon, about 10 weeks after he ordered wiretaps on suspected Administration "leakers" of highly classified information, personally

authorized a wiretap on a White House political aide whom he wanted "to set up."

The aide, John P. Sears, a deputy White House counsel and former Nixon law partner who had no day-to-day involvement in national security affairs, also was placed under 24-hour-a-day surveillance by agents of the Federal Bureau of Investigation.

Similarly, the documents show, President Nixon personally ordered a wiretap and 24-hour surveillance placed on Marvin Kalb, a CBS News correspondent known to be held in displeasure at the White House.

The apparently political nature of the wiretapping was indicated by a December, 1969, letter to the President from J. Edgar Hoover, the late F.B.I. director, providing political information that had been overheard in a wiretap on Morton H. Halperin, a former aide to Mr. Kissinger.

The Hoover letter dealt with plans by Clark Clifford, who was Secretary of Defense under President Johnson, to publish an article highly critical of the Nixon Administration's Vietnam policy. Within weeks, the House documents showed, a number of key White House aides were involved in making elaborate "P.R." plans designed to combat the expected effect of the Clifford article.

Documents on "Plumbers"

Nearly six months earlier, the F.B.I. unsuccessfully urged the White House to turn off the wiretap on Mr. Halperin's telephone because Mr. Halperin "has said almost nothing on the telephone." By 1970, Mr. Halperin had become an adviser to Senator Edmund S. Muskie, then a potential Democratic Presidential challenger to Mr. Nixon.

The documents show that President Nixon was sent at least 3 top-secret summaries of wiretap conversations although an F.B.I. memorandum of May, 1973, also published today, concluded that "nothing [in the summaries] was found which would indicate that a violation of Federal law was determined from the electronic surveillance coverage, nor was there any specific instance of information being leaked in a surreptitious manner."

A similar pattern of politicization of a national security operation emerged in the docu-

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Raids in Cambodia By U.S. Unprotected

By WILLIAM BEECHER

Special to The New York Times

WASHINGTON, May 8—

American B-52 bombers in recent weeks have raided several Vietcong and North Vietnamese supply dumps and base camps in Cambodia for the first time, according to Nixon Administration sources, but Cambodia has not made any protest.

In fact, Cambodian authorities have increasingly been cooperating with American and South Vietnamese military men at the border, often giving them information on Vietcong and North Vietnamese movements into South Vietnam.

Information from knowledge-

Start of New York Times article that helped prompt wiretaps on 17 U.S. officials and newsmen.

ments dealing with the "plumbers" unit.

Included among those documents is the committee's transcript of a meeting July 24, 1971, involving the President, John D. Ehrlichman, his key domestic aide, and Egil Krogh Jr., a co-director of the "plumbers," which was then beginning its operation.

"Polygraph him," the President said of a Pentagon aide suspected in a recent leak of information. "I don't care whether he's a hawk or a dove or a— if the son-of-a-bitch leaked, he's not for the Government."

The President, complaining that under current regulations those government officials with top-secret clearances could refuse to take polygraph, or lie-detector, tests, suggested to Mr. Krogh that a new classification be set up.

"Let's limit the number of people that get it," the President said, "and then everybody who gets must sign the agreement to take a polygraph."

"Listen," Mr. Nixon declared a moment later, "I don't know anything about polygraphs and I don't know how accurate they are but I know they scare the hell out of people."

At no point in the brief meeting, which took place on day after The New York Times published an account of the United States negotiating positions in

disarmament talks, did the President specifically mention Dr. Ellsberg, who has said that he gave to The Times, and subsequently to others newspapers, the secret Pentagon study of United States involvement in Vietnam. Nor did Mr. Nixon authorize any clandestine operations.

But Mr. Nixon did state that the disarmament information "does affect the national security — this particular one." He added, "This isn't like the Pentagon papers. This one involves a current negotiation and its getting out jeopardizes the negotiating position."

"Now, God damn it," the President said, "we're not going to allow it. We just aren't going to allow it."

Decision to Investigate

No further transcripts were made available bearing on the President's statement de-emphasizing the national security significance of the Pentagon papers, published by The New York Times beginning June 13, 1971. It was that publication that led to the formation of the "plumbers" unit.

However, the documents showed that an article on disarmament in The Times in July, 1971, was apparently responsible for the President's decision to authorize the "plumbers" to begin active investigations in the field.

Despite the specific Presidential mandate, the documents showed, within two months Mr. Krogh's "plumbers" operation was no longer concerned with finding the source of the disarmament report but instead as itself preparing a massive series of leaks of classified information to newspapers.

In a previously unpublished Sept. 20, 1971, "plumbers" memorandum to Mr. Ehrlichman, Mr. Krogh and his co-director, David R. Young Jr., discussed extensive plans to leak classified materials dealing with the 1963 assassination of President Ngo Dinh Diem of South Vietnam and the unsuccessful Bay of Pigs invasion of Cuba in 1961. Both incidents were to be presented in a way that would adversely reflect on the Democratic party and President Kennedy.

The documents included another Krogh-Young memorandum to Mr. Ehrlichman, dated Aug. 19, 1971, saying, "We were also told by Colson that the President was after him to

get out something on the Pentagon papers."

Charles W. Colson, a former White House special counsel, received a one-to-three-year jail sentence last month for his admitted role in obstruction of justice against Dr. Ellsberg. Mr. Colson later declared that President Nixon urged him "on numerous occasions" to commit the acts for which he was imprisoned.

One document that Mr. Colson said had led to his plea of guilty was a defamatory essay on Leonard B. Boudin, an Ellsberg attorney, who was depicted by the "plumbers" as being virtually a spy for the Czechoslovak and Soviet espionage organizations.

The document, prepared by Mr. Hunt, was forwarded by Mr. Colson to Mr. Ehrlichman with the recent request that we get something out on Ellsberg." The material was later provided to a newsmen, who did not use it.

In addition, the documents show that Mr. Nixon was specifically aware of the plan to have the Central Intelligence Agency become involved in the polygraphing of suspected sources of leaks as well as of its utilization in the "plumbers" operation. The House Committee published the two psychological assessments of Dr. Ellsberg that were prepared by the intelligence agency and, the documents showed, intended by the "plumbers" for political use.

One memorandum from Mr. Hunt to Mr. Colson said that Mr. Hunt was involved in preparing a wide-ranging file of derogatory information on Dr. Ellsberg. "This basic tool," Mr. Hunt wrote, "is essential in determining how to destroy his public image and credibility."

In his "plumbers" work, Mr. Hunt also became involved in the collection of political information on Senator Edward M. Kennedy, Democrat of Massachusetts, considered another leading Presidential candidate.

The documents suggested that politically explosive and potentially incriminating knowledge possessed by Mr. Hunt prompted the White House' concern in March, 1973, over his blackmail threats. The threats were made often Mr. Hunt pleaded guilty in connection with the Republican burglary of the Democratic headquarters in the Watergate complex.