

Kissinger Flies Back to Washing

By Murrey Marder

Washington Post Staff Writer

MADRID, July 9—U.S. Secretary of State Henry A. Kissinger headed back to Washington tonight and to an appearance as a witness in the U.S. District Court trial of former White House "plumbers."

Thus Kissinger has been pulled directly into the maelstrom of Watergate that Nixon administration had hoped to transcend by two weeks of summit and post-summit diplomacy.

As he went through the final ceremonies of his tour of Western European capitals, Kissinger did his best to appear undaunted by Judge Gerhard Gesell's order that he appear in court Wednesday morning as a defense witness for former presidential aide John D. Ehrlichman. But Kissinger was unable to hide his chagrin at the court order, which effectively undid the effort by the administration and by Kissinger personally to isolate foreign policy from the Watergate-impeachment turmoil in Washington.

Before departing from London early this morning, Kissinger was asked at the airport what he intended to do about the court order, which he was told of shortly after midnight.

"I will appear," he answered drily, adding, "I don't think it appropriate for me to make any other comment."

He acknowledged later that after hearing about the court order, he telephoned Carlyle Maw in Washington. Maw, who used to be Kissinger's personal attorney, was later appointed State Department legal adviser, and now is under secretary of state for security assistance.

Several weeks ago Kissinger designated Maw to represent him, as Secretary of State, in all matters concerning Ehrlichman's efforts to compel Kissinger to testify in the "plumbers" case.

Kissinger's arrival here coincided with another, unrelated surprise, the disclosure that Generalissimo Francisco Franco is seriously ill with phlebitis in his right leg. This

ton to Testify

THE WASHINGTON POST Wednesday, July 10, 1974 A 29

on 'Plumbers'

news dramatically eclipsed the intended purposes of Kissinger's visit to Madrid, greatly intensifying a decade of speculation about post-Franco Spain and inevitability stimulating comparisons between the phlebitis afflictions of Franco and President Nixon.

Kissinger promptly issued a statement of regret at the generalissimo's hospitalization; in any event, no meeting of the two men had been planned.

Judge Gesell granted a delay in Kissinger's courtroom appearance until 11 a.m. Wednesday, it was reported, to permit the secretary to proceed with a White House briefing of the congressional leaders on the Moscow summit talks and the consultations afterward with Western European leaders.

[Kissinger's air force jet arrived at Andrews Air Force Base at 7:30 p.m. Tuesday night. The Secretary was welcomed by his wife, Nancy, and State Department officials. He waved to photographers and reporters but declined to make any comment.]

A plunge into Watergate was hardly what Kissinger or the White House intended as his first event in Washington after the Moscow summit and a week of travel to Brussels, Paris, Rome, Munich, London and Madrid.

Before leaving London this morning, Kissinger told reporters, "it is my view that relations between the United States and the Allies have never been better in our present administration." The caustic exchanges that plagued the

United States and its European allies during the past year have now been replaced, he insists, by greater understanding, enhanced by consultations before and after the American-Soviet summit meeting.

The most immediate obstacles the Nixon administration faces in foreign policy, senior officials ruefully concede, are on the domestic front.

In the aftermath of the Moscow summit, Kissinger has said a fundamental national debate is needed on the political purposes of nuclear military power in an era of American-Soviet detente. Both the United States and the Soviet Union, Kissinger said at the conclusion of the Moscow talks last week, "Have to convince their military establishments of the benefits of restraint."

The risk now looms that such a debate may become entangled in the Watergate-impeachment controversy, just as Kissinger's determined efforts to stay clear of Watergate are being frustrated.

A month ago, in Salzburg, Austria, at the start of President Nixon's journey to the Middle East, Kissinger caused an international sensation by threatening to resign over a relative side issue—news leaks about his role in the wiretapping of 17 officials and newsmen from 1969 to 1971.

No comparable threat of resignation is coming from Kissinger now over being drawn into the White House

"plumbers" trial, although in many ways, this affair is involving him in a much more complex situation. Some Washington officials speculated at the time of his Salzburg press conference that his concern even then was focused on the "plumbers" trial.

Kissinger will be a reluctant witness in the defense of Ehrlichman. This was the pre-occupying subject in the Kissinger entourage as the secretary headed back.

The secretary and his staff said it was inappropriate to discuss a pending judicial proceeding.

Kissinger is said to be de-

termined to repeat his previous denials that he was aware of or associated with the former group inside the White House that is charged with conspiring to break into the office of psychiatrist Lewis Fielding. The Sept. 3, 1971, break-in was to seek information on Daniel Ellsberg, who leaked to the press the Pentagon Papers on the Indochina War.

Ehrlichman and other witnesses claim that Kissinger's alarm about this news leak and others stimulated the extraordinary White House actions aimed at Ellsberg, for which they stand accused.

The fact that Ehrlichman,

despite his resignation under fire, still retains White House favor, troubles Kissinger loyalists. The original inner circle, headed by H. R. Haldeman and Ehrlichman, regarded Kissinger with suspicion as a power-grabbing interloper and headline-hunter who infringed on the President's prestige.

During the President's Middle East and Moscow summit trips, there was a sudden escalation of this anti-Kissinger theme in columns by several newsmen known to be White House favorites. These accounts portrayed the President as being furious, displeased, or otherwise disenchanted with Kissinger, especially

since Kissinger's resignation threat in Salzburg on June 11. Officially, the White House denied these reports.

In Moscow, Kissinger, perhaps unwittingly, contributed to the speculation that a gulf was growing between him and the President.

On two occasions Kissinger glibed to newsmen that his share in the Nixon-Brezhnev summit proceedings was "the view from ten feet behind." The official White House transcript records that the remark, the second time on the closing day of the conference, was followed by "(laughter)." In fact, that time there was no laughter, only a

ripple of embarrassment.

Kissinger's appearance in District Court, therefore, will be accompanied by greater uneasiness in his own staff over a public appearance by him than has been aroused at any point since he has been secretary.

For the past week, in his post-summit circuit, Kissinger has enjoyed more public adulation in the capitals of Europe than ever before. In each capital hundreds of spectators patiently waited for hours to glimpse the man hailed as a diplomatic super-star.

The admittedly egocentric Kissinger, as always, has basked in the attention and

applause, this time doubly rich, for it was coming from Europeans for a man with memories of fleeing the continent with his parents at the age of 15 as refugees during the Nazi era.

Now, literally overnight, Kissinger faces a totally different audience in circumstances which never before have confronted an American secretary of state.

U.S.-Spanish Statement Initialed by Kissinger

MADRID, July 9 (UPI) — Secretary of State Henry A. Kissinger and Spanish Foreign Minister Pedro Cortina today initialed a joint declara-

tion calling for continued mutual defense efforts and close consultation on foreign policy and economic affairs.

Senior U.S. officials traveling aboard Kissinger's plane said the agreement would open the way immediately to new negotiations to renew the U.S. lease of four vital bases on Spanish territory.

The agreement, similar to a joint declaration of the NATO countries signed by President Nixon two weeks ago in Brussels, said the United States and Spain "believe that the defensive ties which unite them must be maintained because security cannot be disregarded."