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White House Fears Led to Taps on Aides

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The telephones of three White House staff members were ordered tapped because of concern that their personal habits might prove to be embarrassing to the White House, according to evidence presented to the House Judiciary Committee last week.

Congressional sources said the three also were placed under physical surveillance.

According to one member of the committee, the investigation was ordered because of concern that the subjects' personal behavior raised "a question of their fitness to serve in the White House." Their names were not reported to the committee.

The White House denied the account given by two congressional sources. "That's a phony story," said deputy press secretary Gerald L. Warren. "In the words of one of my advisers here, it's baloney."

The three wiretaps were in addition to the 17 placed on government officials and newsmen in what the White House has contended was an attempt to track down news leaks that threatened national security.

The three additional wiretaps — plus a fourth, already publicized — one directed against President Nixon's brother, Donald — raised a new question in the committee about the legality of White House-ordered electronic surveillance.

They were cited by one committee member, Rep. Charles

See WIRETAPS, A4, Col. 1

WIRETAPS, From A1

E. Wiggins (R-Calif.), as examples of wiretapping that did not appear to him to be motivated by an interest in protecting national security.

Wiggins said during an interview that the motivation was a concern that the "personal behavior" of the three persons might cause problems for the White House, he said.

There was no evidence in the material presented to the committee last week that President Nixon had authorized or was aware of the additional three wiretaps, Wiggins said.

They appear to have been

ordered by a high official who has since left the White House, Wiggins said.

The key question before the Judiciary Committee last week in secret sessions was the legitimacy of the 17 wiretaps placed on telephones of 13 officials and four newsmen, including staff members of the National Security Council.

Several members, after hearing evidence compiled by

the committee staff, said they questioned whether these taps originated in a national security inquiry and said that nothing of national security interest was obtained by the FBI.

However, Wiggins, one of Mr. Nixon's leading supporters on the committee, said he was satisfied that the 17 wiretaps had been initiated by White House officials out of genuine concern that news leaks endangered security.

They originated in a "proper concern" about publication of the Pentagon papers and news leaks that disclosed details of negotiations for a strategic arms limitation treaty, Wiggins said.

"It would have been derelict on Mr. Nixon's part not to try to prevent further leaks," Wiggins said.

"It will be tough to say they weren't installed for a proper purpose," he added. "I think that if a majority of the committee disagrees with that, they'll get shot out of the water. The American people will tolerate a great deal in

the name of national security, and to show that I would trot out the name of Franklin D. Roosevelt as Exhibit A."

The three additional wiretaps and the one used on Mr. Nixon's brother raise different problems of legality, Wiggins said. "They are the only possible deviation from national security concerns," he said.

While it may have been proper to investigate the behavior of White House personnel, he said, the use of wiretaps to do so is questionable. "It raises a question of whether you should try to find it out by using taps," he added.

Other committee members, however, were not willing to concede that the record showed that a clear interest in national security lay behind the 17 wiretaps placed on newsmen and officials.

"That is certainly not conclusive," said Rep. Barbara Jordan (D-Tex.).

Other colleagues argued that, whatever the motivation, the wiretaps had produced no national security information

and in at least one case had been used for political purposes.

Rep. Jerome Waldie (D-Calif.) cited the case of information from one interception being sent to President Nixon by J. Edgar Hoover, then director of the FBI. It disclosed that former Defense Secretary Clark Clifford was preparing, in 1969, to advocate U.S. withdrawal from Vietnam. The information was passed on to White House aides, who used it to prepare a rebuttal against Clifford, Waldie said.

The information apparently was picked up on a wiretap of the telephone of Morton Halperin, a National Security Council aide.

Wiggins said that case was the only one presented to the committee that showed direct presidential involvement. He also said he believed that the information about Clifford came from a wiretap legally placed to detect national security leaks.

The committee last week also read FBI summaries of wiretap logs, which disclosed a

great deal of private information about the subjects, but which, according to several members, disclosed nothing of national security interest.

It also reviewed the 1970 plan for surreptitious intelligence-gathering drafted by Tom Huston and approved by President Nixon. It proposed, among other things, illegal entries by federal agents to gather information in national security cases.

The President announced a year ago that he had ordered the Huston plan abandoned after five days because of objections from Hoover. Committee members said that in last week's presentation they received no information that Mr. Nixon had eventually overruled the plan.

The Judiciary Committee also listened to a tape recording which disclosed Mr. Nixon's anger at a news leak which he said could endanger

the U.S. position in the SALT talks.

The tape contained a conversation between Mr. Nixon and former aides John D. Ehrlichman and Egil Krogh on July 24, 1971.

The subject of Daniel Ellsberg's leak of the Pentagon papers also came up, and, according to two published accounts, the President said he did not regard that incident as affecting national security. The New York Post and The Boston Globe, quoting congressional sources, reported that Mr. Nixon said the SALT talk leak was dangerous to national security but that the Ellsberg leak was not.

Government surveillance of Ellsberg and the break-in at his psychiatrist's office in California have been defended on grounds that national security was breached in the Pentagon papers case.

According to another congressional source, the taped

conversation left the impression that in the Ellsberg case Mr. Nixon, Ehrlichman and Krogh were concerned not so much about the Pentagon papers' leak but about what Ellsberg might reveal.

The source said Ellsberg was known to have had access to other secret military information, including data on nuclear missiles.

"I had the impression it was not so much what The New York Times published but what Ellsberg knew and might have been leaking that they didn't know," the source said.