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Calley Bid On Wiretap Rejected

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The highest court of military law yesterday turned down attempts by attorneys for Lt. William L. Calley Jr. to make the government disclose any White House involvement in the investigation of the Mylai massacre.

Attorneys for Calley, who is under a 20-year sentence for killing at least 2 Vietnam civilians at Mylai, had sought June 18 to force disclosure of the role played in the Mylai investigation by John J. Caulfield and Anthony F. Ulasewicz, who have been linked to the Watergate cover-up.

The Calley defense team presented the U.S. Court of Military Appeals with published references that Caulfield and Ulasewicz interviewed participants in the 1968 Mylai massacre on behalf of the White House "to determine if the first accounts of their atrocity were correct." The defense asked the court to force disclosure of transcripts of interviews, wiretaps, logs and any other records that have not come to light.

In rejecting this request, the court said Calley's attorneys had not indicated the new material had any bearing on evidence admitted at the lieutenant's court-martial or that it might have resulted in a more favorable verdict or sentence.

In addition, the court said, Calley's lawyers did not claim the alleged White House investigations in any way violated either the Constitution or the Uniform Code of Military Justice.

The rejection of the Calley defense request concluded by saying it was "too insubstantial and tenuously founded to warrant further action by this court."

If the defense wants to pursue the subject further, it will have to file a new motion because there is nowhere to appeal the rejection of the original request.

Defense lawyers said the action yesterday had no effect on the overall appeal of Calley's sentence, which the Court of Military Appeals recently agreed to hear. Calley is under confinement in the bachelor officers' quarters at Ft. Benning, Ga., awaiting the outcome of further appeals.

President Nixon has said he will have the final say in the case once the appeals process is completed.