

BROAD ROLE CITED

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Nominee for Treasury Listed Among Those Reported Checked

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By SEYMOUR M. HERSH
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WASHINGTON, May 16—

Henry A. Kissinger personally provided the Federal Bureau of Investigation with the names of a number of his aides on the National Security Council whom he wanted wiretapped, Justice Department sources said today.

Among those tapped at Mr. Kissinger's request, the sources said, was Helmut Sonnenfeldt, a top council official who was nominated last month to be Under Secretary of the Treasury Department.

The sources said that Mr. Kissinger's role in the wiretapping was far more extensive than previously reported. It was Mr. Kissinger, they said, who initially forwarded the formal request for the taps to the F.B.I. director, J. Edgar Hoover, after being authorized to do so by President Nixon.

Authorization by Nixon

The White House formally acknowledged that the President provided such authorization in May, 1969, after an article in The New York Times disclosing that American B-52's were bombing Cambodia.

"The request came from Kissinger," one Justice Department source said. "Henry wanted some of those guys bugged himself."

"If Henry didn't approve of all this," the official added, "he could have said so."

Another source, explaining Mr. Kissinger's decision to authorize the tapping of Mr. Sonnenfeldt, said it was designed to clear him. He said, "Henry had a high regard for Sonnenfeldt."

This source noted that Mr. Sonnenfeldt "prides himself on his brilliance and his intellectual capability" and added, "In a very innocent way, a man like that can let things slip."

The F.B.I. wiretap cleared Mr. Sonnenfeldt, the source said.

Still another official, who has worked closely with Mr. Kissinger since 1969, said that the national security adviser was only trying "to protect" Mr. Sonnenfeldt.

"The man's working for him

Continued on Page 35, Column 6

Kissinger Said to Have Asked for Taps

Continued From Page 1, Col. 5

[Mr. Kissinger] today," the official added. "Do you think if Kissinger distrusted the guy, he would be with him in Paris seeing Le Duc Tho?"

Mr. Kissinger flew to Paris today for further talks on Vietnam and was not available for comment.

In an interview published in The New York Times yesterday, Mr. Kissinger acknowledged that he saw summaries from several wiretaps in 1969 and 1970, but said that he had not asked that they be installed nor had he specifically approved them in advance.

William D. Ruckelshaus, the acting director of the F.B.I., disclosed Monday that wiretaps were placed on 13 Government officials and four newsmen in 1969. His announcement came after an affidavit made public at the Pentagon papers trial in Los Angeles trial of Dr. Daniel Ellsberg and Anthony J. Russo disclosed that Dr. Ellsberg had been overheard while a guest at the suburban Washington home of Dr. Morton Halperin, a former Kissinger aide.

3 Others Reported Tapped

The New York Times reported today that two former members of the National Security Council staff—Anthony Lake and Daniel I. Davidson—and one current staff member, Winston Lord, were among those tapped. It could not be learned whether any of the three was put under surveillance at the request of Mr. Kissinger.

Mr. Lord, who served as a personal aide to Mr. Kissinger during the Paris peace talks and the Presidential visits to China and the Soviet Union, was said to have been cleared by the wiretaps, which were ended in February 1971. He is taking a one-year leave from Mr. Kissinger's staff to do research and travel

Sources also named Marvin Kalb, a diplomatic correspondent for the Columbia Broadcasting System, as among the four newsmen who were wiretapped beginning in May, 1969.

"I don't know why I was selected," Mr. Kalb said, "but what I had done in 1969 as a reporter I had done for the past 15 years and hope to do for the next 15 years."

High Government officials have defended the wiretaps as necessary and legal in view of the publication, beginning in May, 1969, of reports of secret material. One official was quoted yesterday as saying, "Hell, yes, I was aware that it was going on. To have done less would have been the highest order of irresponsibility."

Another official said that some White House officials had not been determined to be "blabbermouths" and were eventually eased out of their positions.

One source with access to some of the wiretap transcripts declared today, however, that "there wasn't one member of the [National Security Council] staff who was disloyal to the country."

"But," the official added, "they were disloyal to Kissinger, and they were giving him real problems."

The official declared that Mr. Kissinger had hired a number of liberals for his staff early in 1969.

"Some of them began to disagree with him, and they weren't with him," the source

said. "Actually, they were disloyal—not to the country, but to him," the source said.

"Henry didn't mind disagreement in the family," the source added, "but what he didn't like was these fellows arguing and losing and then going outside to leak things."

Another Government official who was closely involved in the bugging operations noted that the wiretaps had produced nothing "from a standpoint of evidence that could be proven in court."

Nonetheless, the official said, "we had awful good reason to feel that we had found something and it justified the whole operation."

"There were a couple of good suspects," he said. One left and the other was shifted to other matters. After that, they [the National Security Council] didn't have that problem."

Mr. Sonnenfeldt, who served as the ational Security Council's expert on Soviet and European problems, is considered a close associate of Mr. Kissinger. Both men were born in Germany and came to the United States as teen-agers.

One White House source, in attempting to explain why the wiretapping of Mr. Sonnenfeldt was designed for his protection, pointedly referred a reporter to yesterday's confirmation hearings on Mr. Sonnenfeldt's Treasury post.

Michael M. Stern, assistant chief clerk of the Senate Finance Committee, which held the hearing, said today that Mr. Sonnenfeldt had been challenged by John D. Hemenway, a former State Department employe, for being responsible for at least two security violations in the late nineteen-fifties. At the time, Mr. Sonnenfeldt was

a State Department research analyst. Investigations at the time cleared him of both accusations, Mr. Stern said.

Mr. Stern said that Mr. Sonnenfeldt was accused of leaking classified information to reporters in 1955 and of providing classified information to aides of Senator John F. Kennedy during his Presidential campaign against Mr. Nixon in 1960. The Senate confirmations have not yet been completed, Mr. Stern said.

There was a dispute between the Government and those who were wiretapped over its legality. Justice Department spokesman declared that the President's authority to install such national security wiretaps derive from the Constitution and the Omnibus Crime Control and Safe Streets Act of 1968.

Statutory authority for the President to authorize national security wiretaps was specifically written into the 1968 crime act, legal experts said. The bill provides for the President to take "such measures to protect the nation against . . . hostile acts of foreign powers to obtain foreign intelligence information deemed essential to the United States."

The law's blanket authority for national security wiretaps without a court order have not yet been tested in the Federal courts.

But Mr. Halperin, who is now associated with the Bookings Institution, said that "I think they were clearly illegal."

"They violated my constitutional rights," he added. "Could the F.B.I. have broken into my house and searched it? I don't believe anybody would argue that. And a tap on my phone is just as illegal as breaking into my house."