

Halperin Sues Kissinger and Others on Taps

NYTimes JUN 15 1973

Special to The New York Times

WASHINGTON, June 14 — Dr. Morton H. Halperin, whose home telephone was tapped while he was working on Henry A. Kissinger's staff at the White House, filed suit today against Mr. Kissinger and other White House officials.

The suit, filed in United State District Court here, by the American Civil Liberties Union, alleged that the wiretap was on Dr. Halperin's phone for 8 to 25 months or more. He and his family are asking for damages of \$100 a day from each of the defendants for every day that the telephone was tapped.

The existence of the wiretap became known during the Pentagon papers trial. Dr. Daniel Ellsberg had been a guest in the Halperin home, and calls that he made from the home were intercepted.

The suit is based on the Safe Streets Act of 1968, which prohibits wiretapping except for investigation of specified crime and requires issuance of a warrant by a court.

Dr. Halperin, who was Mr. Kissinger's assistant from August, 1967, through January, 1969, said that he believed the tap on his phone "was a violation of our constitutional rights not authorized by any Congress-



Associated Press

Dr. Morton H. Halperin

sional legislator or court decision."

'Frightening Implications'

Speaking for his family—his wife and three children are also plaintiffs in the suit—Dr. Halperin said, "We see it as part of a larger White House effort to pry into the private lives and political beliefs of many Americans with fright-

ening implications for civil liberties and constitutional process."

Other defendants in the suit are: John N. Mitchell, former Attorney General; H. R. Haldeman and John D. Ehrlichman, former chief White House assistants; Gen. Alexander M. Haig Jr., now Mr. Nixon's chief of staff; William O. Sullivan, who was an assistant to the late director of the Federal Bureau of Investigation, J. Edgar Hoover; William D. Ruckelshaus, the acting director of the F.B.I., and the Chesapeake and Potomac Telephone Company.

The Administration has said that taps were placed on the telephones of 17 or 18 Government officials and White House aides in early 1969 because of the Administration's concern over "leaks" of information to the press, particularly regarding the talks on limiting strategic arms.

The suit alleged that in the spring of 1969 Mr. Kissinger, Mr. Haldeman and Mr. Ehrlichman decided to tap the phones of Dr. Halperin and other employees of the National Security Council. The suit charged that Mr. Mitchell had ordered the taps installed.

Mr. Ruckelshaus was named as a defendant in an effort to obtain records of the taps.