

Halperin Sues Kissinger, 10 Others, Over Wiretaps

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Former White House aide
Horton H. Halperin filed a lawsuit in U.S. District Court here yesterday, asking that national security affairs adviser Dr. Henry A. Kissinger and 10 other defendants be penalized \$100 a day for up to two years for placing illegal wiretaps in his home.

Each of the defendants could be assessed up to \$75,000, for a total of \$825,000, under the terms of a wiretap statute in the 1968 Omnibus Crime Control and Safe Streets Act.

Halperin was one of 17 government officials and newsmen whose phones were bugged between 1969 and 1971 in an administration attempt to pinpoint leaks of classified material. President Nixon has said he personally authorized the wiretap program.

Halperin alleged that the wiretapping violated his and his family's constitutional rights of free speech and privacy, as well as violating the federal statute prohibiting government electronic surveillance without a court order.

Named as defendants in the lawsuit are:

Kissinger, former Attorney General John N. Mitchell; former White House chief of staff H.R. (Bob) Haldeman; former presidential domestic advisor John D. Ehrlichman; presidential aide Gen. Alexander M. Haig, Jr.; William C. Sullivan, former assistant

to the late FBI Director J. Edgar Hoover; the Chesapeake and Potomac Telephone Co., and four "John Doe" defendants employed by the FBI and other executive branch agencies.

Acting FBI Director William D. Ruckelshaus was named as an additional defendant because of his role as "custodian" of the wiretap records, but the lawsuit does not seek damages from him.

In a press conference at the American Civil Liberties Union Foundation, sponsor of the suit, Halperin said the wiretaps represented "a larger White House effort to pry into the private lives and political beliefs of many Americans with frightening implications for civil liberties and constitutional processes."

He said that the government spied on conversations he had with U.S. senators and congressmen "who expressed their views of current government policies." However, he refused to name the lawmakers he talked with during the period his telephone was tapped.

Moreover, Halperin charged, he government monitored conversations of his wife Ina, and his three children, David, 10, Mark, 8 and Gary 6.

Motions filed with the lawsuit ask the court to block any attempt by the FBI to destroy logs, summaries or transcripts of the wiretaps.

Halperin, formerly an aide to Kissinger and now a senior fellow at the Brookings Institution here, charged that Kissinger and Haig, "acting in concert with Ehrlichman and Halde- man," ordered the illegal wiretaps. Mitchell, he said, oversaw their installation in May, 1969.

Halperin said his telephone was tapped for no less than eight months and up to 25 months. The 1968 law provides penalties of \$100 for each day of illegal monitoring of telephone calls, and specifies that the levy may be applied to everyone involved in the wiretap.

In his May 22 explanation of the Watergate scandal, Mr. Nixon said that the names of newsmen and government officials selected as wiretap targets were suggested by Hoover, Kissinger and Mitchell. However, Kissinger has since claimed that he merely supplied a list of names of government officials who had access to classified documents, and did not specify whose telephones should be tapped.

Halperin said yesterday that there was little doubt in his mind that Kissinger had singled him out for telephone surveillance. He said he based that assertion on the fact that neither Mr. Nixon nor Hoover were personally familiar with the staff members of the National Security Council.



MORTON H. HALPERIN
... seeks \$825,000 penalty