

Nixon Wiretapped Brother

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Acting on direct orders from President Nixon, the Secret Service tapped the telephone of the President's brother, businessman F. Donald Nixon, for more than a year, according to four highly reliable sources.

The President ordered his brother's phone tapped during Mr. Nixon's first term because he feared that Donald Nixon's various financial activities might bring embarrassment to the Nixon administration, the sources said. Wiretapping apparently was the only means by which the President felt confident of monitoring what his brother was doing, according to the sources, who include government investigators and a Nixon administration official.

President Nixon's decision to have his brother placed under electronic surveillance was based partly on his concern about Donald Nixon's involvement with the financial empire of billionaire Howard Hughes, according to one of the sources. Donald Nixon, now a vice president of the Marriott Corp., received a controversial \$205,000 loan from Hughes in 1956. The loan was never repaid.

The wiretap on Donald Nixon was only one of several conducted by the Secret Service on orders from either the President or White House aides who said they were acting in the President's behalf, according to two of the sources. The names of the other persons wiretapped and the reasons for the surveillance could not be learned.

The wiretaps were handled by the Secret Service's Technical Security Division, the same unit that also installed and maintained the elaborate secret taping system that President Nixon used to record automatically all con-

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versations in his offices and on his telephones.

Attempts to get comment from the White House about the wiretap were unsuccessful last night. Spokesmen

for the Secret Service and Donald Nixon both refused to comment.

According to the sources, the office of special Watergate prosecutor Archibald Cox has received information about the Secret Service wire taps, including the one on Donald Nixon. A spokesman for Cox's office also declined to comment yesterday.

The Nixon tap, as well as some or all of the other electronic surveillance conducted by the Secret Service, apparently was unrelated to national security, according to the sources. Unless there was some legitimate national security justification for the taps, the sources said, they would appear to be illegal.

President Nixon has defended his authorization of 17 other wiretaps—on administration officials and news reporters—as legal because they were purportedly undertaken to stop news leaks that the President deemed harmful to national security. However, two of those 17 taps were on the telephones of White House aides who have said they

had no access to classified material affecting the national security.

The tap on Donald Nixon, and others conducted by the Secret Service, were not among the 17 taps disclosed earlier this year, according to The Post's sources. Those 17, which the President has acknowledged ordering were conducted by the FBI.

Until the Supreme Court ordered otherwise, the Nixon administration had asserted its self-proclaimed authority to conduct wiretapping without a court order in matters affecting the national security. On June 19, 1972, the Supreme Court ruled that such wiretaps involving "domestic" threats to the national security were illegal. The court left open the question of the legality of taps related to "foreign" security threats.

Tapes of conversations about the Watergate bugging incident that President Nixon had with several aides have been subpoenaed as evidence in the Watergate affair by special Watergate

prosecutor Cox and the Senate select Watergate committee. President Nixon has refused to turn over the tapes, and the issue is now in the courts.

In July, immediately after public disclosure of the secret tapping system, the White House refused to let

several Secret Service agents who maintained the presidential tapping system answer any questions asked by Senate investigators.

At the time, government sources said they suspected that the Secret Service agents might be aware of other electronic surveillance—perhaps illegal—in addition to the presidential taping system.

Donald Nixon, 58, received widespread public attention in 1960 when it was disclosed that billionaire Hughes had lent him \$205,000 in 1956 in an attempt to rescue Nixon's, Inc., a restaurant chain Donald Nixon operated in Southern California. The transaction became popularly known as "the Hughes loan" and led to severe criticism of Rich-

ard Nixon, who was then running for President, for allegedly having a role in negotiating it.

Despite the loan, Donald Nixon filed for bankruptcy in 1961, leaving \$206,000 in debts. The Hughes loan was never repaid.

From 1963 to 1968, Donald Nixon was associated with a Southern California marketing consulting firm. In 1970, he became a vice president of the Marriott Corporation, whose president, J. Willard Marriott is a close friend of the President and a major Republican campaign contributor.

In the last five years, there have been periodic news reports referring to attempts to keep Donald Nixon out of trouble by John D. Ehrlichman, the President's

former domestic affairs adviser, and Charles G. (Bebe) Rebozo, the President's close personal friend. Such attempts often were less than successful, according to news accounts.

In a Feb. 1, 1971, White House memorandum obtained by The Washington Post last month, John J. Caulfield, who conducted secret investigations for the White House, referred to Donald Nixon and the Hughes financial interests.

The memo, addressed to former presidential counsel John W. Dean III, said that "Don Nixon visited the Dominican Republic with a small group of wheeler-dealers in September, 1969, who assertedly were connected with" enterprises owned by Howard Hughes, the re-

clusive billionaire who in the 1960s moved many of his business interests to Las Vegas.

Caulfield, a former New York City detective who guarded President Nixon during the 1968 presidential campaign, is believed to have supplied investigators from special prosecutor Cox's office with information about the Secret Service wiretaps.

While serving as a special investigator in the White House and reporting to Ehrlichman, Caulfield conducted a wiretap on the telephone of syndicated newspaper columnist Joseph Kraft. That tap was in addition to the 17 President Nixon has acknowledged authorizing and was not among those reportedly conducted by the Secret Service.