

NEW TAPS CITED BY RUCKELSHAUS

He Says Bugging Involved Administration Officials and Possibly Newsmen

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Special to The New York Times

MIAMI, Nov. 5—A former high official of the Justice Department has disclosed that telephone wiretaps were placed on Nixon Administration officials and possibly newsmen who were not included in the previously reported 21-month effort that President Nixon has said was aimed at stopping leaks of classified information to the press.

According to a sworn statement by William D. Ruckelshaus, who was discharged as Deputy Attorney General by President Nixon two weeks ago, the newly disclosed wiretaps, on an undetermined number of Government officials and possibly "one or two" reporters, were kept separate in the files of the Federal Bureau of Investigation from records relating to the operation authorized by Mr. Nixon.

The New York Times has reported that the initial effort, which lasted from May, 1969, until February, 1971, and which resulted from Secretary of State Kissinger's concern over leaks of some of the Administration's foreign policy positions, involved 13 Government officials and four newsmen.

Although none of those 17 wiretaps were accompanied by court orders, Mr. Nixon has maintained that all were legal under his authority at the time to protect the nation's security at home and abroad.

Basis of Taps Unclear

However, it is unclear whether the new wiretaps, disclosed by Mr. Ruckelshaus in a deposition taken in connection with a civil lawsuit, were also part of an ostensible "national security" investigation.

If not, the Justice Department would have had to obtain warrants from a court after convincing a Federal judge that there was probable cause that the officials or newsmen who were targets of the taps were engaged in some criminal activity.

Under questioning by lawyers for Morton Halperin, one of the 13 Government officials included in what have come to be known as the "Kissinger wiretaps," Mr. Ruckelshaus was asked whether the F.B.I.'s files contained records of taps on other Government employees in addition to the 13.

"Some," he replied. He was then asked whether there were "any other taps of reporters."

The former Justice Department official, who headed the F.B.I. for 75 days last spring, including the period in which the original 17 wiretaps were discovered, replied that "a very quick search" in May had not turned up the names of any additional newsmen in the bureau's wiretaps records.

Results of Later Search

"Then later another search was made and there may have been one or two," Mr. Ruckelshaus said.

Asked why the records of the 17 "Kissinger taps" were kept separate from these others, Mr. Ruckelshaus responded, "I don't know. Your guess is as good as mine."

He did not name any of the Government officials or newsmen who may have been included in the newly disclosed wiretaps or give any information about their dates of installation or duration, except to say that no such electronic surveillance had taken place since June of last year.

It was then that the Supreme Court ruled unconstitutional the Nixon Administration's practice of wiretapping, on the ground of national security individuals who did not have a demonstrable connection to a foreign government. Previously, left-wing antiwar groups and other domestic radicals without such connections had been tapped without court orders.

In a statement in May, Mr. Nixon took responsibility for the 17 "Kissinger wiretaps," which he said were undertaken "to find and stop serious national security leaks" that had jeopardized some of his foreign policy initiatives, which were believed to have included this country's negotiating position at the strategic arms limitation talks.

Both the White House and the Justice Department have repeatedly declined to comment since then on disclosures that at least two of the 17 individuals were in Administration posts that did not bring them in contact with national security or foreign policy information, and that the wiretaps on two others were kept in force for nine months after they had left the Government and joined the campaign of Senator Edmund S. Muskie of Maine at the time he was Mr. Nixon's chief Democratic Presidential rival.

One of these was Mr. Halperin, whose wiretap was initiated in May, 1969, four months before he resigned as a full-time employe of the National Security Council, which was and is headed by Mr. Kissinger, then the President's adviser for national security affairs.

Mr. Halperin is alleging in his suit that the wiretap on him violated certain provisions of the Omnibus Crime Control and Safe Streets Act of 1968.