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The President and the Plumbers: A Look at 2 Security Questions

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Special to The New York Times

WASHINGTON, Dec. 8—For months President Nixon has been citing national security as the reason for authorizing establishment of the secret White House investigation unit known as the plumbers and as justification for restricting some aspects of the Watergate inquiry.

The President has never given any details of his national security concerns, noting that they were "highly sensitive" matters.

Interviews over the last month by The New York Times with dozens of past and present Administration officials, including men who were closely involved with the plumbers, have suggested that at least two principal national security fears, neither of which has ever

This is the first of two articles on the former secret White House investigative unit known as the plumbers.

been substantiated, motivated the President.

One was a fear—nourished in part, some sources said, by Henry A. Kissinger, then the President's national security adviser—was that Daniel Ellsberg, who turned over the Pentagon papers to the press, might pass on to the Soviet Union secrets far more important than any information contained in the Pentagon study of the Vietnam war.

Specifically, the sources said, the White House feared that Dr. Ellsberg, a former Rand Corporation and Defense Department official, may have been a Soviet intelligence informer who, in the weeks after publication of the Pentagon papers in June, 1971, was capable of turning over details of the most closely held nuclear targeting secrets of the United States, which were contained in a highly classified document known as the Single Integrated Operation Plans, or S.I.O.P.

The second major concern was that a highly placed Soviet agent of the K.G.B., the Soviet intelligence agency, operating as an American counterspy, would be compromised by continued inquiry by the special prosecutor and the Senate Watergate committee into the

Ellsberg case. The agent informed his F.B.I. contacts that a set of the Pentagon papers had been delivered to the Soviet Embassy in Washington shortly after a Federal court had ordered The Times to stop print-

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ing its series of articles on the papers. The series began June 13, 1971.

The Administration thought, the sources said, that any extensive investigation by the Watergate prosecutors or the Senate Watergate committee would divulge defense secrets that Dr. Ellsberg possessed, expose the Soviet spy and danger communications, and espionage secrets.

Officials interviewed by The Times disagreed sharply over the legitimacy of these fears and other national security secrets that the President has said he was trying to protect in 1971 by bypassing the usual police agencies in the Federal Government to set up the plumbers, and by insisting this spring—at the height of the Watergate controversy—that the Justice Department stop its inquiry into the plumbers.

A number of well-informed persons, some of them with long careers in intelligence, openly questioned the President's motives in asserting national security. Based on the information available to them, they said they did not think that Mr. Nixon's fears were sufficient to justify setting up the plumbers unit.

Moreover, they also raised the question of whether the President, in invoking national security last spring to restrict the Watergate inquiry, was not in fact attempting to shield key aides from possible criminal disclosures.

They noted that the Administration had failed to develop any evidence to support the belief that Dr. Ellsberg had ever even considered passing any information to a foreign power. These sources also pointed out that the K.G.B. agent, whose existence is one of the Federal Bureau of Investigation's most closely guarded secrets, has long been considered of dubious loyalty and value by counter-intelligence experts in the Central Intelligence Agency.

Prosecutors' View

Last May The Times reported that the original Watergate prosecutors had concluded that the White House had participated in covering up the June, 1972, Watergate break-in not only for political reasons but also to insure that E. Howard Hunt Jr. and G. Gordon Liddy, two members of the

Watergate break-in team, kept silent about their role in the plumbers.

Each of the subsequent special Watergate prosecutors—Archibald Cox and his successor, Leon Jaworski—reacted in different ways when they were told some of the specifics behind the Administration's concern over national security.

Mr. Cox, when special prosecutor, was apparently persuaded to delay plans for indictments to forestall possible subpoenas of Government secrets by defendants.

On the other hand, the new special prosecutor, Mr. Jaworski, told a Senate hearing last month that none of the national security information presented to him thus far would preclude bringing indictments.

And late last month, Egil Krogh Jr., a co-director of the plumbers, pleaded guilty to a criminal charge in connection with the burglary of the office of Dr. Ellsberg's psychiatrist and said that, "in conscience," he could no longer assert national security as a defense.

Some Major Findings

Among the other major findings from the interviews by The Times were the following:

¶Mr. Kissinger, now the Secretary of State, played a far more critical role than publicly known in the White House decision to begin an extensive inquiry into the background of Dr. Ellsberg and, ultimately, to set up the plumbers operations. Mr. Kissinger has repeatedly denied knowing at the time even of the existence of the group, which included also David R. Young Jr., one of his National Security Council aides, as co-chairman.

¶A paragraph that was deleted from an Aug. 11, 1971, plumbers memorandum made public last summer by the Senate Watergate committee concerned a White House request that M.I. 5, the British counterintelligence and internal security agency, attempt to determine whether Dr. Ellsberg had any contact with the K.G.B. while attending Cambridge University in the early nineteen-fifties. Government investigators believe the request was approved but no derogatory evidence about Dr. Ellsberg was obtained. The Senate acceded to a White House plea of national security by censoring the request to M.I. 5, and the memorandum was subsequently released with a blanked-out space.

¶Some White House officials, including the plumbers, believed that a highly placed C.I.A. informer in the Indian government was compromised by a Times dispatch published on Aug. 13, 1971.

¶Some plumbers, notably Mr. Young, believed that a

highly classified National Security Agency interception operation involving a satellite capable of picking up radio-telephone conversations of Soviet leaders had been compromised by information contained in The Pentagon papers but not published by The Times. No evidence has been produced to substantiate this belief, informed sources said.

¶The plumbers, contrary to White House assurances, reportedly participated in at least one as yet undisclosed operation in late 1971, shortly after publication of secret White

House documents on the India-Pakistan war by the columnist Jack Anderson. That investigation, directed by John D. Ehrlichman, then Mr. Nixon's domestic adviser, and Mr. Young, involved wiretapping, although it could not be learned how many taps were installed or who was tapped.

¶Federal investigators now believe that the highly publicized "Project Odessa" and "Special Project No. M-1," thought to have referred to other clandestine plumbers operations, were simply code names for the September, 1971) burglary of the Los Angeles offices of Dr. Ellsberg's psychiatrist.

¶A number of well-informed sources mentioned another highly classified development, involving code-breaking and other communications intelligence, that was said to have been endangered by continued inquiry into the plumbers, but no details could be obtained.

The White House did not immediately comment on the disclosures by The Times and Mr. Kissinger, through a spokesman, said that he would stand on his previous denials of any knowledge of the plumbers.

Source of Alarm

The Times's interviews produced a consensus that it was the highly classified knowledge possessed by Dr. Ellsberg himself—and not publication of the top secret Pentagon papers in The Times—that most significantly alarmed Mr. Nixon and Mr. Kissinger. One source said that the C.I.A., after a study of the published papers, reported to the White House that none of its agents or operations had been jeopardized.

None of the specific issues of national security have been discussed publicly by the Nixon Administration, the Senate Watergate committee or the special Watergate prosecutor's office.

President Nixon has cited national security as justification not only for the original decision to set up the plumbers operation but also as cause for his initial reluctance last April to permit details of the break-in at Dr. Ellsberg's psychiatrist's offices to be forwarded to the California Federal court where Dr. Ellsberg was on trial for theft of government property and unauthorized possession of national defense mate-

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rials. That case was subsequently dismissed by Judge Matthew Byrne Jr. of United States District Court.

The Times reported last May 8 that Mr. Nixon, invoking national security, intervened twice within two weeks in an effort to prevent any information about the plumbers' operation from being disseminated. "The President personally put the lid on it," one well-informed Government source said then.

Mr. Nixon, in a statement issued May 22, acknowledged that "I directed Assistant Attorney General [Henry E.] Petersen to pursue every issue involving Watergate but to confine his investigation to Watergate and related matters and to stay out of national security matters." The President said, however, that he later permitted the break-in information to be forwarded to California after being informed that the Government had clear evidence that Mr. Hunt, one of the plumbers, was involved in the break-in.

The President's May 22 statement added that "I told Mr. Krogh that as a matter of first priority, the unit should find out all it could about Mr. Ellsberg's associates and his motives. Because of the extreme gravity of the situation, and not then knowing what additional national secrets Mr. Ellsberg might disclose, I did impress upon Mr. Krogh the vital importance to the national security of his assignment."

A Seeming Change

But the President also said that he did not authorize any use of illegal means in connection with the plumbers' investigation and that illegal operations would not meet his approval.

At a news conference at San Clemente on Aug. 22, however, Mr. Nixon hinted at a change in his attitude. He cited a recent Supreme Court decision that he said "indicates inherent power in the Presidency to protect the national security in cases like this"—referring to the Ellsberg break-in. Such break-ins, he went on, were authorized on "a very large scale" during the Kennedy and early Johnson Administrations and "there was no talk of impeachment."

During his appearance last July before the Senate Waterman, who oversaw the plumbers, said he believed the Ellsberg burglary was entirely within the President's legal authority to prevent national security information from falling into the hands of foreign powers. His assertions were sharply challenged by Senator Sam J. Erwin Jr., the committee chairman. Despite his defense of the break-in, Mr. Ehrlichman testified that he had had no advance knowledge of the operation.

By late summer, the White

House was openly attempting to discourage the pending indictments of Mr. Ehrlichman, Mr. Krogh and Charles W. Colson, former White House counsel, on the ground that their prosecution would jeopardize national security. Mr. used by Mr. Hunt and Mr. Krogh to finance the Ellsberg burglary.

Only Mr. Krogh has been indicted thus far in connection with the Federal Watergate investigations here.

Former high White House officials who were involved in some of the key decisions made in the days after publication of the Pentagon papers acknowledged in interviews that all the national security concerns then believed to be at stake have not been established. But they argued nonetheless that the White House truly believed that the Pentagon papers and later newspaper leaks posed unprecedented problems.

The publication of the Pentagon papers came with no advance warning, the sources recalled, and at a time when Mr. Kissinger was involved in secret negotiations with three countries—China, the Soviet Union and North Vietnam.

Secret Trip to China

The talks with China eventually led to Mr. Kissinger's secret trip to that country, by way of Pakistan, in July, 1971, and the rapprochement with that country. The Soviet talks were negotiations over strategic arms limitation conducted personally by Mr. Kissinger and Anatoly F. Dobrynin, the Soviet Ambassador to the United States. In addition, Mr. Nixon was corresponding secretly with Premier Aleksei N. Kosy-



Associated Press
Dr. Lewis Fielding, Dr. Ellsberg's psychiatrist. His office was raided.

gin at the time of the Pentagon papers leak.

Details of the private negotiations on arms limitation were not supplied to the official United States negotiating team, headed by Gerald C. Smith, which was engaged in formal negotiations with the Soviet Union in Vienna and Helsinki. Such unusual secrecy was typical for Mr. Kissinger, who was also meeting secretly with Le Duc Tho, the chief North Vietnamese peace negotiator, in Paris during 1971.

When the Pentagon papers were published, the sources said, President Nixon was extremely distressed, but no more so than his chief foreign adviser. "Henry was literally climbing the walls," one White House insider said.

In the days immediately following, Mr. Kissinger was to play a key role in assessing the damage caused by the leak and the potential damage Dr. Ellsberg could create if he disclosed further information.

Complicating Mr. Kissinger's anger was a touch of embarrassment, his White House colleagues thought; for Dr. Ellsberg had lectured at Mr. Kissinger's defense policy seminars at Harvard University in the nineteen-sixties, and the men had worked together on the Vietnam problem in the same years.

In addition, Dr. Ellsberg had worked for several weeks helping Mr. Kissinger put together his Vietnam option papers that were prepared in the early days of the Nixon Administration.

The option papers assessed the military and diplomatic situation in South and North Vietnam as of late 1968 and attempted to predict the results of initiatives such as a ground invasion of the North.

Dr. Ellsberg has told friends that he last met with Mr. Kissinger in September, 1970, at San Clemente, Calif., at which time the Presidential adviser refused to talk about Vietnam issues. The Pentagon papers were published nine months later.

One former high White House official described Mr. Kissinger's role in the initial deliberations on the leak as inevitable. "After all," the official said, "Henry was the only individual on the senior staff who knew and understood Ellsberg; he [Mr. Kissinger] was a major contributor to the President's concern."

Another high former aide commented that, in the first days after publication of the papers "I saw Ellsberg through two men's eyes—Henry and the President, who heard what Kissinger said about him and knew what was going on [a reference to the planned secret China trip]."

Within a few days after the leak, the President convened a meeting of his three top advisers—Mr. Kissinger, Mr. Haldeman, his chief of staff, and Mr. Ehrlichman.

"Henry and Nixon went on at

great length about the significance of the papers, and Henry went on and on about Ellsberg," one source said.

"Henry described how Ellsberg had changed from hawk to dove, and—to generalize—he painted a picture of a guy who was not an ideologue but could have been an agent.

'The Picture Was Murky'

"Kissinger never used that word [agent] but he told how they had worked together over the years and said that one could deduce that his actions were not the actions of an ideologue, but of an opportunist."

The source quoted Mr. Kissinger as having told the President, in effect, "Let me tell about this guy. You have to understand him."

"I came out of there," the source went on, "with a real skepticism that the person who had been described was acting from pure ideological motives. The picture was very murky and very alarming."

The source recalled that Mr. Kissinger specifically mentioned Dr. Ellsberg's knowledge of plans for targets of nuclear weapons. This information was derived from his work on the Single Integrated Operation Plans and on Vietnam War options that were later incorporated into the Nixon Administration's main foreign policy statement, NSSM 1 (National Security Study Memorandum Number 1).

The former official said Dr. Ellsberg was believed to have knowledge of some of the planned military initiatives for the Vietnam war—including the proposed mining of Haiphong harbor, which took place the following spring. Most significantly, the source recalled, was the concern over Dr. Ellsberg's knowledge of nuclear weapons targeting.

The S.I.O.P. was a joint services nuclear targeting document that had been drafted—under the aegis of the Air Force's Strategic Air Command—in the late nineteen-fifties. The plan combined all the nuclear targeting options of the individual military services into a computerized program with centralized control.

In essence, qualified sources said, the S.I.O.P. project controls the timing and attack patterns of American nuclear bombs that would be released from Army, Navy and Air Force strategic aircraft, missiles and submarines. It also includes specific targeting information for every significant military objective inside the Soviet Union and China, including the number and power of nuclear warheads programmed for each objective.

Plan Was Revised

In the early days of the Kennedy Administration, the S.I.O.P. was drastically revised and provided with a limited series of nuclear options, the sources recalled, giving the President at least the flexibility to attack either the Soviet

Union or China, and not necessarily both, as an earlier S.I.O.P. called for.

Dr. Ellsberg, the sources said, was active in working on the revised nuclear targeting plans under then Secretary of Defense Robert S. McNamara.

Well-informed sources said that although the plan had been updated and altered, Dr. Ellsberg's information could have been extremely compromising to national security.

In late June, 1971, sources recalled, the F.B.I. was informed by its agent inside the Soviet apparatus in the United States, the K.G.B. man, that a complete set of the Pentagon papers had been passed to the Soviet Embassy in Washington. At the time, it was believed that Dr. Ellsberg was responsible for providing newspapers other than The Times with materials from the Pentagon papers in what was seen as an effort to circumvent a Federal District Court order forbidding The Times to continue printing the material.

There was immediate concern, the sources recalled, that Dr. Ellsberg had also supplied the documents — said at the time to include extremely sensitive volumes dealing with diplomatic attempts to end the war—to the Soviet Embassy.

No one questioned the authenticity of the agent's report, the sources said, because he was believed to be one of the important informers in the national security establishment and had been operating with success for years.

Actually, the agent has been the source of heated controversy inside the Government since his reports were first routed to the White House in the mid-nineteen-sixties.

"We've been deceived for years by this fellow," said one intelligence official with 30 years experience. "He's been a double agent for nearly 10 years."

'Taken In by Him'

"This has been one of the most fascinating cases in the history of the country," the source added. "And I think we've been taken in by him." The official also said the Soviet agent had been paid in cash by the F.B.I. for his information.

Informed sources said that intensive studies in the intelligence establishment have been made of the agent's material in an attempt to establish his bona fides, with no conclusion. Both Richard Helms, the former director of the C.I.A., and James Angleton, the head of the C.I.A.'s highly secret counter-intelligence operations, are known to believe that the K.G.B. man is an agent provocateur, rather than an authentic informer.

One well-informed former C.I.A. official, told that the agent was the source of the information about the delivery of the Pentagon papers to the Soviet Embassy, exclaimed,

"That's just ludicrous!"

"This guy is in the category of a really washed-out character," he said. "You just can't say that national security counts on one middle-level [Soviet] bureaucrat," he said, alluding to the status of the agent.

All sources agreed, however, that the agent's information was accepted without question by Mr. Kissinger and Mr. Nixon.

Another element was added to the discussion in late June, according to one high source, when the then Attorney General, John N. Mitchell, told President Nixon at a White House staff meeting that Dr. Ellsberg may have been part of a conspiracy involving other former National Security Council aides, among them Morton H. Halperin and Leslie H. Gelb.

"Mitchell marched over and told the President that 'this is a conspiracy,'" the source recalled. "I never formed a conclusion about that — I couldn't see how the pieces fit together."

Denials by Kissinger

Mr. Kissinger has repeatedly denied any knowledge of the plumbers' operation. During hearings on his confirmation as Secretary of State last September, he told the Senate Foreign Relations Committee, "I did not know of the activities of David Young after he left my staff," except for a publicly announced reassignment to aid in declassifying documents. That announcement was designed to provide Mr. Young with a "cover" in his White House role with the plumbers, sources said.

Reminded of Mr. Kissinger's denials recently, one key former White House official who was involved with the plumbers said scathingly, "That's bull."

Asked to comment, Mr. Kissinger said through a State Department spokesman that he stood on his previous denials, and that The Times's information about the White House fears on national security "evokes nothing in my mind."

There is evidence, however, that Mr. Kissinger was highly agitated in connection with a major leak on the Strategic Arms Limitation Talks (SALT) that was published July 23, 1971, by The Times. The article was written by William Beecher, then the Times's Pentagon correspondent, now a Deputy Assistant Secretary of Defense. It laid out many of the essentials of a revised United States negotiation position at the disarmament talks.

The article is still referred to by many outraged officials in the Government as the July 23d leak. It not only revealed one of the United States' major fallback positions, but also—most significantly, in the White House's eyes—dealt with topics that were being handled on a private level by Mr. Kissinger and high Russian negotiators.

One former White House official recalled Mr. Kissinger's "literally pounding the President's table" in anger over the

leak.

'Open Questions'

Another high official described Mr. Kissinger as having "energized the President's concern" during the June-July period. "He pumped up the President," the official said, noting that "during these months [in the summer of 1971] there were a number of open questions: Who's leaking? Ellsberg? Is there a conspiracy? Is there a relationship between the Pentagon papers and the SALT leaks?"

But Government investigators have determined, sources said, that there was no hard evidence linking Dr. Ellsberg to any knowledge of the disarmament negotiation details. Subsequent actions of the plumbers also indicate that the July 23d leak was treated by them as one emanating from inside the Government.

Moreover, sources said, the information provided in the article had already been secretly given by Mr. Kissinger to high Soviet officials.

The plumbers' first real operation, investigators now believe, was to mobilize the State Department and Pentagon to begin a series of lie-detector tests in an effort to track down the source of the leak on the disarmament talks. As a result of the tests, at least two officials were subsequently transferred, one high official recalled.

On Aug. 13, 1971, there was another major leak, which was believed by White House officials to have jeopardized a high-level C.I.A. informant inside the Indian Government. A dispatch by Tad Szulc of The Times described how the Soviet Union had succeeded in dissuading India from formally recognizing East Pakistan as an independent nation by signing a hurriedly arranged friendship treaty with India. The article cited intelligence reports, produced by the C.I.A., that had been handed to President Nixon a few days earlier.

A Mention by Krogh

The leak was cryptically mentioned in an affidavit filed last May by Mr. Krogh in connection with the first disclosure of the Ellsberg burglary and the plumbers' operations. Mr. Krogh

said then that the C.I.A. had informed his unit "that a news story had put in jeopardy the life of an intelligence agent, thus emphasizing the need for increased investigative effort on the part of the affiant's special unit."

The plumbers, sources said, had no specific information linking the leak to Dr. Ellsberg or to any material in the Pentagon papers.

One Congressman with close C.I.A. contacts said he had inquired into the Aug. 13 leak and concluded that it was not in itself vital to national security. "It was sort of a left-handed problem," the official

said. "The plumbers' concern over the jeopardy of the informer," he added, "wasn't really on target."

The source, a Democrat, refused to amplify his comment except to say, "The issue involved here isn't national security; it's Nixon security."

Government investigators said the only known direct allegation linking the Pentagon papers to the compromising of national security was made by Mr. Young during one of his various interviews with them.

As the investigators recounted it, Mr. Young said the United States had been routinely eavesdropping on leaders of the Soviet Government by intercepting scrambled radio-telephone conversations from a moving limousine and deciphering them. The interceptions were made possible by a space satellite operated by the National Security Agency.

As Mr. Young explained it, the sources said, the satellite was capable of picking up any kind of telephone conversation in a moving car "at certain times."

Brezhnev Conversations

Mr. Young told the investigators, the sources said, that some radiotelephone conversations of the Soviet party leader, Leonid I. Brezhnev, had been referred to—without their origin being identified—in one of the Pentagon papers volumes that was reported to have been given to the Soviet Embassy but never printed by The New York Times.

Immediately after the Pentagon papers were reported to have been delivered to the Russians, Mr. Young told officials, the intercepted conversations became much more mundane, and intelligence experts speculated that the Russians had deduced the United States capability and warned their top government officials.

Former intelligence officials subsequently said, however, that the Soviet leaders knew that their mobile conversations were highly vulnerable to interception and deciphering, largely because the scrambling device used to break up the conversations was considered to be primitive.

The Washington Post reported last week that the interception operation was terminated in the fall of 1971 after Jack Anderson had published an article saying that the United States had a capability to eavesdrop on Soviet leaders.

Government investigators said that, while Mr. Young and his colleagues in the plumbers obviously believed that the publication of the Pentagon papers had compromised the interception operation, there was no available proof.

"That's the trouble with those guys," one investigator commented. "The White House operated like a rumor factory. Nobody ever bothered to verify anything—they just got a report and they acted on it."

"People kept on telling us about these things," he said,

by the whole Ellsberg-plumbers matter are, at best, murky. But with people who are terribly paranoid on the subject of White House leaks, and those assigned to carry out the actual field work greatest leak artists is Kissinger—the four-man plumbers team himself, it's easy to see why he really believed in the threat would get more upset than any posed by Dr. Ellsberg. So did one else."

Mr. Kissinger, the source added, "You've got to understand, he said, "that you're dealing

troubleshooters and investigators in connection with the President's pending Supreme Court nominations, interviewing possible candidates and researching their backgrounds. One person closely associated with the White House conceded in an interview that the specific national defense issues raised

investigators said they had yet to establish any evidence indicating that Dr. Ellsberg gave the Pentagon papers to the Soviet Embassy, as the White House suspected, or in order to supervise antileak operations throughout the bureaucracy. During much of that fall, both Mr. Young and Mr. Krogh participated as White House

of the active investigation bust-



Associated Press

Daniel Ellsberg in Saigon, South Vietnam, in 1965. At left is Edward G. Lansdale, a retired Air Force major general, whose role as a counterinsurgency agent for the Central Intelligence Agency was revealed in the Pentagon papers.



Associated Press

Egil Krogh Jr. was a co-director of the group known as "plumbers."



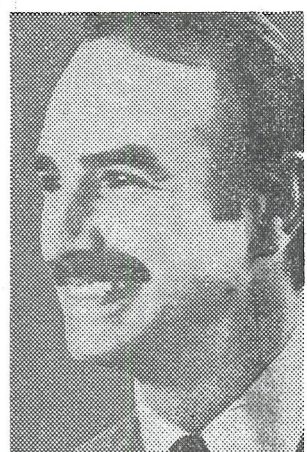
The New York Times

Charles W. Colson supplied the funds used in the Ellsberg burglary.



United Press International

E. Howard Hunt, member of Watergate team, had links to the White House.



Associated Press

G. Gordon Liddy was a leader of the team that raided Democrats' office.



Associated Press

David R. Young Jr., a National Security aide, was one of the plumbers.



The New York Times

John D. Ehrlichman was in over-all charge of the plumbers' operation.



Associated Press

Archibald Cox was apparently persuaded to delay indictments in the case.



United Press International

John N. Mitchell feared the Ellsberg action was part of a conspiracy.