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Nixon Claim
Of Security
Is Disputed

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The 'Plumbers'

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President Nixon has made unwarranted use of the term "national security" for 18 months to restrict the investigation into the White House "plumbers" unit and to prevent disclosure of secret White House operations, according to several senior officials in the White House, Justice Department and FBI.

In recent months White House officials had made it known that there were three specific national security matters that might be revealed in any thorough investigation of the plumbers, the special group of White House operatives responsible for investigating news leaks.

The last of those three national security matters was revealed last week when it was learned that military liaison aides in the White House had passed information from Dr. Henry A. Kissinger's files to the Pentagon, and perhaps to columnist Jack Anderson, in 1971, touching off a White House investigation partly conducted by the plumbers.

The other two national security matters, the sources said, were the existence of a "defector in place" (working for the U.S. government as a double agent) in the Soviet Embassy and the use of a CIA source in the Indian government who might have been compromised by a 1971 story in the New York Times. Both of these matters actually had been discussed in news accounts long ago.

Four high-level government sources, noting that all three matters have now been disclosed, said yesterday that they are not the kind of particularly sensitive national security issues that should have been used to block investigations of any wrongdoing by the plumbers.

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Now it's all public and you can see that national security was invoked because

it would scare everyone and be the best justification. you can see that no government is going to fall," said one White House source who was previously unwilling to discuss this question.

Another well placed source said: "Someone may try to bring in some war plans and tangle them all up in this, but national security looks like part of the cover-up to me."

However, one source said that this does not mean that other national security issues now unknown to these sources may not be raised in the future by the President in connection with the plumbers or the Watergate affair.

The plumbers conducted the burglary of Daniel Ellsberg's psychiatrist in 1971, and two of the plumbers, G. Gordon Liddy and E. Howard Hunt Jr., were involved in the Watergate bugging and burglaries. Following the June 17, 1972, Watergate arrests, the White House first cited national security reasons for restricting investigations of the plumbers and the Watergate affair.

In a November, 1973, press conference, President Nixon said the plumbers' investigations of news leaks had involved "leaks which were seriously damaging to the national security including one that I have pointed out that was so serious that even Sen. Ervin and Sen. Baker agreed it should not be disclosed."

Sen. Sam J. Ervin Jr. (D-N.C.) is chairman of the Senate Watergate committee and Sen. Howard Baker (R-Tenn.) is its vice chairman.

Numerous sources said that the national security matter referred to by Mr. Nixon, and which was disclosed to Ervin and Baker, is the unauthorized distribution in 1971 of Kissinger's documents to the Pentagon by military liaison aides in the White House.

While repeatedly declining to discuss the nature of this national security matter, Sen. Baker has said that its seriousness might help explain some of the Watergate-related activity of White House staff members who had thought that national security had somehow been threatened.

Sen. Ervin last week told a reporter that he also would not discuss the subject in detail, but he said he thought it "was totally unrelated to Watergate and would help explain nothing."

Sources inside the White

House and federal investigative agencies said yesterday that the White House was helping give circulation to the the story about the unauthorized distribution of Kissinger documents to the Pentagon.

One White House source said that "someone here is trying to make the Pentagon-Kissinger affair look like Seven Days in May", a popular novel in which the military tries to take over control of the U.S. Government. "It's nothing of the kind," this source said, adding that the central figure in the unauthorized copying and distribution of Kissinger's classified documents was a Navy Yeoman, Charles E. Radford, who was transferred from the White House to a Naval Reserve unit in Oregon and not prosecuted.

President Nixon said last year that he had ordered that the original FBI investigation of the Watergate affair be restricted in 1972 to avoid exposing "either an unrelated covert activity of the CIA or the activities of the White House investigations unit" (the official name for the plumbers).

In April, 1973, the President also attempted to prevent the Justice Department from disclosing the plumbers' burglary of Ellsberg's psychiatrist to the Los Angeles court where Ellsberg was on trial. The information was eventually forwarded to the court only after then-Attorney General Richard G. Kleindienst insisted on it.

Then, in the summer and fall of last year, J. Fred Buzhardt, the White House special counsel advising the President on Watergate, attempted to discourage criminal indictments of White House aides involved in the plumbers' activities.

Informed sources said that Buzhardt argued that indictments of former presidential aides John D. Ehrlichman, Charles W. Colson and Egil (Bud) Krogh Jr.—all with connections to the plumbers—could threaten the national security because the three men might disclose other national security matters as part of their defense.

Sources said this week that Buzhardt specifically mentioned three items that might compromise national security: the unauthorized distribution of Kissinger's papers; the Soviet defectors; and the CIA informer in the Indian government.

The White House has denied that Buzhardt was attempting to discourage indictments of any specific individuals. However, sources familiar with Buzhardt's discussions with government prosecutors said that Buzhardt made himself clear. "Fred is always indirect," one source said, "but he left his message with three names on it—Ehrlichman, Colson and Krogh."

Colson has written and sent a 41-page memo to Special Watergate Prosecutor Leon Jaworski arguing that if he is indicted in the Ellsberg case he will defend himself by requesting that highly sensitive national security matters be introduced in court, according to a CBS news report on Friday.

CBS reporter Lesley Stahl quoted the Colson memo as

saying that, if indicted, Colson would also ask that President Nixon be called to testify at the trial.

A reliable government source confirmed this report for The Washington Post yesterday.

In addition, a White House source said this week that President Nixon's new special Watergate defense counsel, James D. St. Clair, represented Colson for several weeks last year. The source said that St. Clair was brought into Colson's defense when it appeared that Colson's chief defense counsel, his law partner David J. Shapiro, might be a witness in the case.

St. Clair no longer represents Colson. And Colson made no objection to the White House request that St. Clair take up the President's defense instead of his own, the source said.