

JUN 12 1974 JUN 12 1974

FBI Memos Reportedly Contradict Kissinger

Washington

Secretary of State Henry A. Kissinger's account of his role in the national security wiretapping controversy is sharply contradicted in a series of FBI memoranda — some labeled "top secret" — obtained last night by The Washington Post.

The documents, which have been examined by members of the House Judiciary Committee, portray Kissinger as a prime mover in the 1969-1971 wiretaps of government officials and newsmen.

Kissinger has repeatedly proclaimed that his own role was primarily to target subordinates who had access to documents that figured in four major news leaks early in 1969, which aroused the concern of the President, Attorney General John N. Mitchell and the late FBI Director J. Edgar Hoover.

But the documents obtained by Washington Post reporters Bob Woodward and Carl Bernstein show that it was Kissinger who phoned Hoover on May 9, 1969, and started the chain of surveillance.

It grew to involve the tapping, over a 21-month period, of the phones of 13 high-ranking government of-

Back Page Col. 1

From Page 1

ficials and four newsmen.

A Hoover memorandum on that day reports that Kissinger called him to complain of "an extraordinarily damaging" news leak believed to be the New York Times account of the secret bombing of Cambodia — and asked the FBI Director to put "whatever resources I need to find out who did this."

Kissinger, in his surprise news conference in Salzburg yesterday, indirectly acknowledged the conversation with Hoover but said that prior press accounts took the incident out of context.

Hoover, in his own memorandum for the FBI files, has demonstrated a tendency to put the most favorable construction on his own actions.

Nonetheless, the FBI memoranda conflict with several key elements of Kissinger's defense. An internal FBI memo, prepared by the FBI for acting director William D. Ruckelshaus on May 13, 1973, said:

"It appears that the project of placing electronic surveillance at the request of the White House had its beginning in a telephone call to Mr. J. Edgar Hoover on May 9, 1969 from Dr. Henry A. Kissinger."

The top-secret memorandum from Hoover to the then attorney general John N. Mitchell, list Kissinger as the initiator of requests for three wiretaps — two of close aides to Kissinger and one on a newsman suspected of having received classified material.

The FBI documents strike at two key allegations by Kissinger — that he saw "very few" of the wiretapping reports himself and that he stopped receiving them in June, 1970, when, according to Kissinger's version, they were all routed to former White House chief of staff H. R. Haldeman.

According to the memorandum, 37 letters summarizing contents of the wiretaps were directed to Kissinger between May 13, 1969, and

May 11, 1970. The FBI report also alleges that Kissinger "received" summaries of the tapes as late as December 28, 1970.

In Salzburg yesterday, Kissinger made what could be a significant modification of his earlier declarations, in sworn testimony to the Senate Foreign Relations Committee, that he had not requested any wiretaps.

"The point I am making," he said, "is my office did not initiate any requests for wiretaps that were not triggered (emphasis added) either by a security violation or by fulfilling the criteria of adverse information in the security files . . ."

The memo prepared for Ruckelshaus on May 13, 1973, concludes that "a preliminary review of the various summaries furnished to the White House (shows) nothing was found which would indicate that a violation of federal law was determined from the electronic surveillance coverage . . ."

Ruckelshaus, in a May 14, 1973, press conference, said his investigation exonerated "most of not all" of the officials.

However, an FBI memo drafted for Ruckelshaus the previous day said that Kissinger, after reading the logs of the wiretaps on May 20, 1969, said to former FBI assistant director William Sullivan: "It is clear that I don't have anybody in my office that I can trust except Colonel (Alexander) Haig." Haig now is a top aide to the President.

The memo went on to say that Kissinger "said that what he was learning as a result of the coverage is extremely helpful to him while at the same time very disturbing."

Until now, the most significant Kissinger's involvement in the wiretap affair was delivered by former Attorney General Elliot Richardson at the Secretary's nomination hearing last September 10.

Asked point-blank by Senator Foreign Relations

Chairman J. William Fulbright (Dem-Ark.) whether Kissinger had specifically originated the wiretap requests, Richardson replied:

"Although he is identified in the FBI records as having requested taps directly or through Haig, my discussions with Dr. Kissinger have convinced me that he was not the originator, in the fundamental sense of the word, of any of these taps."

Kissinger testified that the wiretapping program originated early in May, 1969, in a meeting between the President, Hoover and Mitchell to discuss what to do about the 1969 leaks.

The President, Kissinger testified, "was told that the most effective method was to apply procedures that had been followed also in previous administrations, that is to say, to tap individuals according to specified procedures . . . At that time I had been in the government for four months and I must say it did not occur to me to question the judgment of these two individuals" (Mitchell and Hoover).

In his testimony, Kissinger said: "I never recommended the practice of wiretapping. I was aware of it, and I went along with it to the extent of supplying the names of people who had access to the sensitive documents in question."

"Despite some newspaper reports, I never recommended it, urged it, or took it anywhere. Indeed, I thought that I might be in a position to do this in the fourth month of a new administration which I joined as an outsider is in itself inconceivable."

When Fulbright pressed on the question of whether Kissinger took the initiative "on any tap . . . even a single one," he replied:

"No . . . not in the sense that I said 'tap this individual.' I carried out the criteria of a previous decision. There could have been, as I pointed out, a different perception by the FBI."

Washington Post