

ed of Illegal Activity in Wiretapping Case

Kissinger Threat Culminates Long Dispute

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WASHINGTON, June 11 — Secretary of State Kissinger moved today to bring to an end — by his threat to resign — the 13-month controversy in Washington over his involvement in the wiretapping of Government officials and newsmen from 1969 to 1971 and the formation of the so-called White House "plumbers" unit.

His dramatic and unexpected news conference in Salzburg, Austria, brought to a climax Mr. Kissinger's pent-up anger over being repeatedly linked to these activities even though he was cleared of wrongdoing by the Senate Foreign Relations Committee eight months ago.

To those who have traveled and spoken with Mr. Kissinger regularly for the last year, it has been clear for some time that he has suffered considerable anguish, frustration and irritation over his inability to end public discussion of issues that he says have already been resolved in his favor.

'Said Everything'

"I do not propose to engage in any further discussion of this episode," Mr. Kissinger said bitterly last Thursday at his latest news conference in Washington. "I raved said every thing that I need to say about it."

"I stand behind everything that I have said to the Senate Foreign Relations Committee," he added, "and I am, of course, prepared to answer questions before any duly constituted committee of Congress or any other investigating agency."

The committee, at his request, decided today to review its original findings on Mr. Kissinger's activities, in an effort to put to rest the nagging doubts held by many in Washington that Mr. Kissinger somehow has not fully explained his role in the wiretapping.

Very little was changed in the year since Mr. Kissinger's name was first linked to the wiretapping and he was questioned about his knowledge of the plumbers group.

Actions Questions

The same basic questions remain: What was Mr. Kissinger's role in the wiretapping of 13 Government officials and four newsmen from 1969 to 1971 when he was President Nixon's chief foreign policy adviser? Was he an active instigator of the tapping, as a report by the Federal Bureau of Investigation suggests and some members of the House Judiciary Committee alleged last week on the basis of material developed for their impeachment investigation of President Nixon?

Or was he a passive participant as he has repeatedly insisted, supported in part by the testimony of former Attorney General Elliot L. Richardson?

Did Mr. Kissinger have knowledge in 1971 of the formation of the White House plumbers unit to plug information leaks, as alleged by John D. Ehrlichman, then the President's chief domestic adviser, in a court affidavit last month including the participation of David R. Young Jr., a former Kissinger aide? Or was he ignorant of the plumbers and Mr. Young's activities until he read about them in the press?

'Watergate Phobia'

Mr. Kissinger has been aware through the last 13 months that of Mr. Nixon's original White House advisers he alone had withstood the Watergate decimation. He has alleged privately that he was being singled out for investigation by some newsmen because of a "Watergate phobia" in Washington.

Newsmen who have reported on the allegations that Mr. Kissinger was not being candid insisted that they were only seeking the truth in an admittedly difficult puzzle, complicated by the lack of on-the-record docu-

ments and the failure of those who were familiar with details to talk about them at length. Often, as in the case of Mr. Young, it was a question of Mr. Ehrlichman's word against Mr. Kissinger's.

WIRETAPPING

From May, 1969, to February, 1971, 13 Government officials and four Washington newsmen were subject to varying periods of having their telephones tapped by the F.B.I.

Information about the wiretaps became known only gradually, mostly through reports developed by newsmen, beginning in May of last year.

On May 14 William D. Ruckelshaus, then acting F.B.I. director, acknowledged at a news conference that 17 taps had been instituted "in an effort to pinpoint responsibility for leaks of highly sensitive and classified information, which, in the opinion of those charged with conducting our foreign policy, were compromising the nation's effectiveness in negotiations and other dealings with foreign powers."

Except for Morton H. Halperin, a former member of the staff of the National Security

Council, whose name came up in the course of the trial of Daniel Ellsberg, the acknowledged supplier in the publication of the Pentagon papers, the Government did not identify those who had been tapped. But by last summer, the press had succeeded in disclosing the entire list, some of whom had doubtful connections with national security.

The New York Times disclosed on May 17, 1973, that Mr. Kissinger had provided the F.B.I. with the names of some of his aides on the national Security Council whom he wanted wiretapped and that their phones were tapped.

Decision Defended

Mr. Kissinger, on Sept. 7, in sworn testimony before the Senate Foreign Relations Committee, made his fullest defense of the wiretapping — a statement that he enlarged on in subsequent days and has since stood by persistently. His statement follows:

"When this Administration came into office, for a period of many months, I was confronted with leaks to the press of documents that were considered of the greatest importance to the national security. These included discussions of National Security Council deliberations, of procedures in the case of emergency, or contingency planning and of specific military operations.

"The last conversation, in fact, that I had with President Eisenhower was when he called me from Walter Reed Hospital to protest that information that had been given to him by the President only two days before as extremely confidential had found its way into a newspaper on the day that he called.

"In early May 1969, the President consulted the then director of the F.B.I. [J. Edgar Hoover] and the Attorney General (John N. Mitchell)

about the best methods to deal with this problem. He 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 specific procedures. He was assured by the then Attorney General that this procedure met the legal requirements.

"At that time, I had been in the Government for four months, and I must say that it did not occur to me to question the judgment of these two individuals.

"Certain criteria were then established, to follow precise procedures. These criteria were access to information that had leaked, and also information that might be developed in the course of the investigation.

"My office was required to submit the names of those officials that had had access to the information that had leaked, because my office was a natural place for this information to exist?"

Instigation Denied

Mr. Kissinger has repeatedly insisted that he did not do more than supply requested names to the F.B.I. and that he had not instigated the wiretapping of any individual.

However, the F.B.I. report, dated May 12, 1973, said that the "original requests" for wiretaps "were from either Dr. Henry Kissinger or Gen. Alexander Haig (then Col. Haig) for wiretap coverage of knowledgeable N.S.C. personnel and certain newsmen."

Mr. Richardson, on Sept. 10, told the Foreign Relations Committee, that "as best can be determined from the F.B.I. records, Dr. Kissinger's role included expressing concern over leaks of sensitive material and when this concern was coupled with that of the President and transmitted to the director of the F.B.I., it led to efforts to stem the leaks, which efforts included some wiretaps of Government employes and newsmen."

"His role," Mr. Richardson continued, "further involved the supplying to the F.B.I. of names of individuals in the Government who had access to sensitive information and occasional review of information generated by the program to determine its usefulness. Any further elaboration of his role would have to come from Dr. Kissinger himself."

Apparent Conflict

Mr. Richardson added, however, that the F.B.I. records "indicate that there were requests for wiretaps of identified individuals, in one case by Dr. Kissinger and in two instances, on his behalf by then Col. Haig." The committee did not resolve this apparent contradiction.

But the committee, in approving Mr. Kissinger's nomination as Secretary of State, said: "The inquiry into Mr. Kissinger's role in the wiretapping of 17 Government officials and newsmen did not constitute grounds to bar his confirmation as Secretary of State."

The wiretap issue arose again last month when reports quoting the House Judiciary Committee said that a previously unpublished segment of a White House tape on Feb. 28, 1973, quoted Mr. Nixon as suggesting that Mr. Kissinger had "asked that [the wiretapping of officials and newsmen] be done."

'Misapprehension'

Mr. Kissinger, however, told the Foreign Relations Committee last Friday that Mr. Nixon, if he said that, was under "a misapprehension." In answer to an additional question, he repeated that he had not originated the recommendation for wiretapping.

The Plumbers

In mid-July 1971, President Nixon organized a special investigative group in the White House to stem news leaks and its first assignment was the Pentagon papers, which had appeared in The New York Times and later other newspapers.

Among the group's activities was the break-in in September 1971 at the office of Dr. Ellsberg's former psychiatrist, Dr. Lewis F. Fielding, in Beverly Hills, Calif., and an investigation of leaks to Jack Anderson, the columnist, in Decem-

ber, 1971, on secret discussions about the Pakistan-Indian war.

An original member of the so-called plumbers group was Mr. Young, who until July, 1971, had worked for Mr. Kissinger's National Security Council staff.

At the Foreign Relations Committee confirmation hearing, Mr. Kissinger was asked if he had any idea that Mr. Young "was to be requested to engage in illegal activities—burglary, conspiracy to burglary, or whatever they might be."
