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Hoover's Memos

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"Dr. Henry A. Kissinger, national security adviser to the President, called from Key Biscayne, Fla. . ."

So begins a memorandum for the files made by the late FBI director, J. Edgar Hoover, on May 9, 1969. The time is noted in the upper left-hand corner: 10:35 a.m.

The memo describes Kissinger's reaction to a front-page story by William Beecher in the New York Times that day about secret B-52 bombing raids on Cambodia.

In Kissinger's view, the story is "extraordinarily damaging and uses secret information," according to Hoover's account. The memo continues:

"Dr. Kissinger said they wondered whether I could make a major effort to find out where that came from. I said I would. Dr. Kissinger said the article was in the

lower right-hand corner of the front page and to put whatever resources I need to find who did this. Dr. Kissinger said to do it discreetly of course."

According to a second Hoover memo of the same day (this one with the time 5:05 noted in the upper left-hand corner), the FBI director called Kissinger back with information about Beecher and Morton Halperin, a member of Kissinger's National Security Council staff:

Hoover speculated that Halperin might have leaked the story to Beecher. Referring to the two, Hoover said "Both are so-called arrogant, Harvard-type men." The memo continues:

"Dr. Kissinger (a former Harvard professor himself) said he appreciated this (information) very much and he hoped I would follow it up as far as we could take it and they will destroy whoever did this if we can find him no matter where he is."

Neither memo by Hoover

mentions wiretapping. But another memo dated May 11, 1969, from William Sullivan, then the No. 3 man in the FBI, tells of a visit from Alexander M. Haig, then Kissinger's chief assistant:

"Haig came to my office Saturday (May 10) to advise me the request was being made on the highest authority and involved a matter of most grave and serious consequence to our national security . . . Col. Haig said it is believed these surveillances will only be necessary for a few days to resolve the issue."

Haig, now President Nixon's chief of staff, was wrong. The wiretapping began the next day, May 12, 1969, and lasted in some cases until Feb. 10, 1971. The tap on Halperin lasted the full 21 months. In all, 13 high-ranking government officials and four newsmen had their telephones tapped. At least one White House official was put under physical surveillance.

Now, more than three years after the last tap was

shut down, Kissinger has threatened to resign as secretary of state if his name is not cleared of allegations that he failed to testify fully and truthfully at his confirmation hearings about his role in the wiretap operation.

In that testimony and elsewhere, Kissinger has maintained that his role in the wiretapping program was limited to supplying the FBI with the names of subordinates who had access to classified information leaked to the news media.

He has described himself as a reluctant participant in the operation, accepting the judgment of a President, attorney general and FBI director who were determined to track down news leaks through wiretapping.

Kissinger's current problem arises from the House Judiciary Committee's investigation of the possible impeachment of the President. The committee has obtained FBI documents that tend to directly contradict Kissinger's description of

on Kissinger

his role—picturing him instead as the initiator of some of the wiretapping.

Specifically, the documents include wiretap authorization memos by Hoover to then-Attorney General John N. Mitchell, in which the FBI director described the circumstances of individual wiretaps to be undertaken and the attorney general gave his written approval to their implementation.

In two of those memos, dated May 13, 1969, Hoover wrote that Haig "advised that Dr. Henry A. Kissinger of the White House staff had requested that as soon as possible a telephone surveillance be instituted on the home of 'two members of Kissinger's staff'—William A. K. (Tony) Lake and Winston Lord.

A third top-secret memo from Hoover to Mitchell, dated June 4, 1969, states that "on this date Dr. Kissinger has requested that telephone surveillance be placed on" a reporter—

identified by independent sources as Hedrick Smith of the New York Times.

(The FBI documents supplied to the committee have the name of the reporter obliterated and simply use the letter designation "D" to identify him. The order for that tap was signed by Mitchell and the surveillance of the reporter was ended on August 31, according to the documents.)

The FBI material in possession of the House committee states that Kissinger received 37 letters from the bureau, outlining the information overheard on individual wiretaps; that Kissinger received such summaries of the taps as late as Dec. 28, 1970—six months later than he testified he last received a summary; and that Kissinger personally visited the FBI on May 20, 1969, to read the wiretap logs.

"It is clear that I don't have anybody in my office that I can trust except Colo-

nel Haig," one document quotes Kissinger as saying after reading the logs.

An FBI summary document dated May 13, 1973, asserts that Kissinger "said that what he was learning as a result of the (wiretap) coverage was extremely helpful to him while at the same time very disturbing."

However, the same summary casts doubt on the usefulness of the whole wiretapping operation and states that, on the basis of a preliminary review: "Nothing was found which would indicate that a violation of federal law was determined from electronic surveillance coverage, nor was there any specific instance of information leaked in a surreptitious manner to unauthorized persons." One source said the "memos are twice removed from directly involving Kissinger." The source cautioned that Hoover tended to write self-serving memos for the files. "Hoover said that Haig said that Kissinger requested

them . . . well, that's not any kind of proof."

The sources noted that Haig—then Kissinger's deputy—could have invoked Kissinger's name and been acting on a general delegation of authority from Kissinger, who may have been unaware of the specific wiretap requests.

However, eight well-placed sources, including officials currently and formerly in the FBI, Justice Department and White House, separately said Kissinger probably was less than candid in describing his role in the wiretapping to the Senate Foreign Relations Committee hearings on his confirmation. Those same sources disagree on the significance of Kissinger's testimony.

One source said Kissinger was "simply putting his best foot forward," while another felt that Kissinger possibly failed to testify fully and accurately before a congressional committee.