



By Charles Del Vecchio—The Washington Post

Morton Halperin after court session.

# Release Barred Of Wiretap Files

United Press International

A federal judge refused yesterday to make public secret FBI files relating to wiretaps on 17 persons as part of a White House effort to plug leaks of national security information in 1969-71.

U.S. District Court Judge John Lewis Smith Jr. denied a motion by a former aide to the National Security Council, Morton H. Halperin, to release the documents. Halperin, one of those whose telephones was tapped, has filed suit against Secretary of State Henry A. Kissinger and others over the matter.

Halperin's lawyer, Walter Slocomb, argued that there was no need to keep the material secret since much of it already has been leaked to news media and since Kissinger had made frequent reference to it.

A Justice Department lawyer, Edward Christenbury, replied that "disclosure would be prejudicial to current FBI investigations."

Christenbury pointed out that four of those named in Halperin's suit, including for-

mer White House aides H.R. (Bob) Haldeman and John D. Ehrlichman and former Attorney General John N. Mitchell, are defendants in other Watergate cases and that those trials could be affected by release of the FBI files.

Judge Smith said: "The court finds Mr. Halperin would not be benefitted in any way by release of these documents. But it would prejudice the defendants in this case and other parties not in this case."

[Outside the courtroom, the Associated Press reported, Halperin was asked if he thought Kissinger was responsible for the wiretaps. Kissinger has denied that he initiated the taps and has threatened to resign unless he is cleared of suspicion.

"I would not have included him as one of the defendants if I didn't believe he had a role in the taps," Halperin said. "I have not asked my lawyer to remove him as a defendant."]