

Kissinger Flies Back to Wash

By Murrey Marder

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MADRID, July 9—U.S. Secretary of State Henry A. Kissinger headed back to Washington tonight and to an appearance as a witness in the U.S. District Court trial of former White House "plumbers."

Thus Kissinger has been pulled directly into the maelstrom of Watergate that Nixon administration had hoped to transcend by two weeks of summit and post-summit diplomacy.

As he went through the final ceremonials of his tour of Western European capitals, Kissinger did his best to appear undaunted by Judge Gerhard Gesell's order that he appear in court Wednesday morning as a defense witness for former presidential aide John D. Ehrlichman. But Kissinger was unable to hide his chagrin at the court order, which effectively undid the effort by the administration and by Kissinger personally to isolate foreign policy from the Watergate-impeachment turmoil in Washington.

Before departing from London early this morning, Kissinger was asked at the airport what he intended to do about the court order, which he was told of shortly after midnight.

"I will appear," he answered drily, adding, "I don't think it appropriate for me to make any other comment."

He acknowledged later that after hearing about the court order, he telephoned Carlyle Maw in Washington. Maw, who used to be Kissinger's personal attorney, was later appointed State Department legal adviser, and now is under secretary of state for security assistance.

Several weeks ago Kissinger designated Maw to represent him, as Secretary of State, in all matters concerning Ehrlichman's efforts to compel Kissinger to testify in the "plumbers" case.

Kissinger's arrival here coincided with another, unrelated surprise, the disclosure that Generalissimo Francisco Franco is seriously ill with phlebitis in his right leg. This news dramatically eclipsed the intended purposes of Kissinger's visit to Madrid, greatly intensifying a decade of speculation about post-Franco Spain and inevitability stimulating comparisons between the phlebitis afflictions of Franco and President Nixon.

Kissinger promptly issued a statement of regret at the generalissimo's hospitalization; in any event, no meeting of the two men had been planned.

While the planned schedule for Kissinger's six-hour visit to Spain went ahead, behind the scenes an attempt was being made to delay briefly Kissinger's appearance in District Court Wednesday morning.

A plunge into Watergate was hardly what Kissinger or

the White House intended as his first event in Washington after the Moscow summit and a week of travel to Brussels, Paris, Rome, Munich, London and Madrid.

Kissinger is scheduled to meet at the White House Wednesday morning with congressional leaders to report on the summit talks and the European consultations. He hopes that meeting will be able to take place before his court appearance.

Before leaving London this morning, Kissinger told reporters, "it is my view that relations between the United States and the Allies have

never been better in our present administration." The caustic exchanges that plagued the United States and its European allies during the past year have now been replaced, he insists, by greater understanding, enhanced by consultations before and after the American-Soviet summit meeting.

The most immediate obstacles the Nixon administration faces in foreign policy, senior officials ruefully concede, are on the domestic front.

In the aftermath of the Moscow summit, Kissinger has said a fundamental national debate is needed on the political pur-

poses of nuclear military power in an era of American-Soviet detente. Both the United States and the Soviet Union, Kissinger said at the conclusion of the Moscow talks last week, "Have to convince their military establishments of the benefits of restraint."

The risk now looms that such a debate may become entangled in the Watergate-impeachment controversy, just as Kissinger's determined efforts to stay clear of Watergate are being frustrated.

A month ago, in Salzburg, Austria, at the start of President Nixon's journey to the Middle East, Kissinger caused

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an international sensation by threatening to resign over a relative side issue—news leaks about his role in the wiretapping of 17 officials and newsmen from 1969 to 1971.

Kissinger said it would be impossible "to conduct the foreign policy of the United States under these circumstances when the character and credibility of the secretary of state is at issue. And if it is not cleared up, I will resign." The Senate Foreign Relations Committee is now reinvestigating that controversy.

No comparable threat of resignation is coming from Kissinger now over being drawn into the White House

"plumbers" trial, although in many ways, this affair is involving him in a much more complex situation. Some Washington officials speculated at the time of his Salzburg press conference that his concern even then was focused on the "plumbers" trial.

U.S.-Spanish Statement Initialed by Kissinger

MADRID, July 9 (UPI) — Secretary of State Henry A. Kissinger and Spanish Foreign Minister Pedro Cortina today initialed a joint declaration calling for continued mutual defense efforts and close

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on 'Plumbers'

consultation on foreign policy and economic affairs.

Senior U.S. officials traveling aboard Kissinger's plane said the agreement would open the way immediately to new negotiations to renew the U.S. lease of four vital bases on Spanish territory.

The officials said the United States is seeking a five-year renewal of these leases on the U.S. Air Force bases at Torrejon, Zaragoza and Seville, and the U.S. nuclear submarine base at Rota on Spain's southwestern Atlantic coast.

The agreement, similar to a joint declaration of the NATO countries signed by President Nixon two weeks ago in Brus-

sles, said the United States and Spain "believe that the defensive ties which unite them must be maintained because security cannot be disregarded."

It also reaffirmed that "A threat to on an attack on either country would be a matter of concern to both, and each country would take such action as it may consider appropriate within the framework of its constitutional process."

This part of the statement fell short of the desire expressed by Spanish officials for an outright security guarantee by the United States, diplomatic sources said.