

# New Data Challenges

## Nixon View

Washington

The House Judiciary Committee published yesterday a mass of evidence that appeared to challenge President Nixon's contention that national security was the sole basis for White House involvement in wiretaps and the "plumbers" operations.

The House documents depicted a pattern of clandestine White House activities, beginning with the initial wiretaps in May, 1969, that originated because of seemingly legitimate national security concerns but degenerated into overtly political operations.

The documents also show that the President and his top aides were aware in March and April, 1973, of the illegality of the clandestine White House plumbers activities, which included a 1971 break-in at the office of Daniel Ellsberg's psychiatrist.

Mr. Nixon and his aides were further shown to have expressed concern about the "liability" to the administration that could result from public disclosure of the extensive wiretapping.

None of the wiretaps, according to the House documents, produced any relevant information about national security leaks.

The House materials indicated that it was this awareness, coupled with blackmail threats from E. Howard Hunt Jr., a former member of the plumbers unit, that prompted the President to seek to withhold information in the spring of 1973 from the various Watergate investigators.

Included in the five volumes of materials released yesterday was a 225-page rebuttal supplied by James St. Clair, Mr. Nixon's Watergate attorney.

St. Clair limited his defense to a presentation of internal White House memoranda of a previously unpublished affidavit from Secre-

tary of State Henry Kissinger demonstrating that there was grave concern in-

side the White House over leaks of classified information in 1969 through 1971.

The White House rebuttal also reprinted many newspaper dispatches that were alleged to have disclosed highly classified information and which prompted the President to authorize both the wiretap program and the plumbers, known inside the White House as the Special Investigations Unit.

The White House defense did not deal with the main thrust of the House Judiciary Committee's presentation — that the two major White House intelligence-gathering programs ultimately became highly politicized.

According to the evidence gathered in the impeachment inquiry, about ten weeks after he ordered wiretaps on suspected administration "leakers" of high classified information, Mr. Nixon personally authorized a wiretap on a political White House aide whom he wanted "to set up."

The aide, John P. Sears, a deputy White House counsel and former Nixon law partner who had no day-to-day involvement in national security affairs, also was placed under 24-hour surveillance by FBI agents.

Similarly, the House documents show, Mr. Nixon personally ordered a wiretap and 24-hour surveillance placed on Marvin Kalb, a CBS-TV correspondent known to have incurred the displeasure of the White House.

The political nature of the wiretapping was indicated by a December, 1969, letter to the President from J. Edgar Hoover, the late FBI director, providing political information that had been overheard on a wiretap on Morton H. Halperin, a former aide to Kissinger.

The Hoover letter dealt with plans by Clark Clifford,

former secretary of defense under President Johnson, to publish an article highly critical of the Nixon administration's Vietnam policy.

Within weeks, the House documents showed, a number of key White House aides were involved in making elaborate "P.R." (public relations) plans designed to combat the expected effect of the Clifford article.

Nearly six months earlier, the FBI, had unsuccessfully urged the White House to turn off the wire tap on Halperin's telephone because Halperin "has said almost nothing on the telephone."

By 1970, Halperin had become an adviser to Senator Edmund S. Muskie Jr., then considered to be the leading Democratic presidential challenger to Mr. Nixon.

The House documents show Mr. Nixon was sent at least 34 top-secret summaries of wiretap conversations although a May, 1973, FBI memorandum, also published yesterday, that concluded that "nothing (in the summaries) was found which would indicate that a violation of federal law was determined from the electronic surveillance coverage, nor was there any specific instance of information being leaked in a surreptitious manner."

A similar pattern of politicization of national security operations emerged in the House documents dealing with the White House plumbers unit.

Included among those documents is the committee's transcript of a July 24, 1971, meeting involving the President, John D. Ehrlichman, his key domestic aide, and Egil Krogh Jr., one of the co-directors of the plumbers which was then beginning its operation.

"Polygraph him," the President said of a Pentagon

aide suspected in a recent news leak. "I don't care whether he's a hawk or a dove or a — if the son-of-a-bitch leaked, he's not for the government."

"Listen," Mr. Nixon declared a moment later, "I don't know anything about polygraphs and I don't know how accurate they are but I know they'll scare the hell out of people."

At no point during the brief meeting, which took place one day after the New York Times published an account of the U.S. negotiating positions in disarmament talks, did the President specifically mention Ellsberg or authorize any clandestine operations.

But Mr. Nixon did state that the concerns over the disarmament leak "does affect the national security — this particular one. This isn't like the Pentagon papers. This one involves a current negotiation and . . . its getting out jeopardizes the negotiating position."

"Now, God damn it," the President added, "We're not going to allow it. We just aren't going to allow it."

The House documents also showed that it was the disarmament leak to the New York Times in July, 1971, that apparently was responsible for the President's decision to authorize the plumbers to begin active investigations in the field — in effect, to serve as an ad hoc police force.

In a previously unpublished Sept. 20, 1971, plumbers memorandum to Ehrlichman, Krogh and his co-director, David R. Young Jr., discussed extensive plans to leak classified materials dealing with the 1963 assassination of South Vietnamese President Ngo Dinh Diem and the unsuccessful Bay of Pigs operation in 1961. Both incidents were to be presented in a way that would adversely reflect on the Democratic party and the late President Kennedy.

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