

New Charges In Halperin's Tap Suit

Washington

The FBI violated federal regulations by wiretapping Morton H. Halperin's telephone three days before former Attorney General John N. Mitchell authorized it in 1969, Halperin alleged yesterday.

President Nixon's former top advisers subsequently used information learned from the wiretap in an attempt to discredit the author of a magazine article criticizing the administration's Vietnam policy, Halperin asserted in papers filed in U.S. District Court.

Halperin was a staff member of the National Security Council until he resigned in September, 1969.

The tap on Halperin's phone was among 17 employed against 13 administration officials and four newsmen in 1969. The administration claims the taps were necessary to protect national security and stop leaks of sensitive information to newsmen.

Halperin and his wife have filed suit against Secretary of State Henry A. Kissinger, who was Mr. Nixon's national security adviser at the time of the taps, Mitchell and other present and former administration officials.

In an amendment to the original complaint, Halperin's lawyers told the court yesterday the tap was installed on Halperin's home phone on May 9, 1969, "three days before any written authorization is claimed to have been secured from defendant Mitchell or any authorized official of the Justice Department or other office of the federal government."

In addition, Halperin said that on one occasion while his telephone was tapped, he spoke with Leslie Gelb, a writer and former NSC staff member, who was helping former Defense Secretary Clark Clifford to write an article on U.S. policy in Vietnam.

Halperin said information about the conversation was eventually transmitted to H. R. Haldeman.

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