

## Kissinger Is Asked to Explain Testimony on Wiretap Program

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WASHINGTON, Oct. 16— Lawyers for a former White House aide, Morton H. Halperin, have asked Secretary of State Kissinger to explain apparent contradictions between his testimony at Senate hearings and depositions taken from other persons in a civil lawsuit here.

According to records in Federal District Court, Mr. Halperin's lawyers have filed a 72-question interrogatory to which Mr. Kissinger must respond in writing and under oath.

Mr. Halperin was one of 17 White House officials, Government aides and journalists whose telephones were tapped by the Federal Bureau of Investigation in the period from May, 1969, to February, 1971. They were purportedly under investigation as part of an attempt to stop leaks of classified information.

Mr. Halperin has said the taps were illegal and actually permitted the Nixon Administration to gather domestic political information by listening to his conversations with Democratic officials after he left the Government.

### Testimony on Role

Mr. Kissinger testified under oath before the Senate Foreign Relations Committee that he had not initiated the taps, and that his role had largely been to approve the names of those selected for wiretapping. He said that Mr. Halperin had been under suspicion in the F.B.I. and the National Security Council as a possible security risk.

Both the former Attorney General, John N. Mitchell, and Cartha D. DeLoach, who was in 1969 third-highest official in the F.B.I., have testified in court depositions that in fact the wiretap program had appeared to be under Mr. Kissinger's control.

In the interrogatories, Mr. Halperin's lawyers asked Mr. Kissinger to provide a step-by-step reconstruction of the period before May 9 1969, when the wiretapping began, and to clarify who, in fact, gave the order to start it.

They have also asked him to try to establish whether he learned or knew directly that former President Nixon ordered the wiretaps.

In addition, the lawyers asked Mr. Kissinger to explain confusion about when wiretapping to investigate leaks of information was first discussed at the White House. He had said in Senate testimony that the discussion followed the publication in The New York Times of an article concerning the bombing of Cambodia. It appeared on May 9, 1969.

"Please indicate whether it is still your testimony that that was the first day on which you heard any discussion of the possibility of electronic surveillance," the interrogatory asked. Mr. Kissinger was also asked, if he changed his testimony, to disclose what new information had made him change his mind.

According to the court filing, the F.B.I. has found no documents that would indicate that Mr. Halperin's security clearance was under suspicion or that there had been a recommendation against his employment on the White House staff. Nor, the filing said, has the bureau found any recommendation in the Security Council's files that Mr. Halperin should not be hired or should be discharged.

Mr. Kissinger was also asked to explain why the electronic surveillance on Mr. Halperin continued after he had left the Government, though his departure completely cut him off from classified material. In fact, Mr. Halperin has said, he had had no access to classified data on Vietnam for a considerable period while he was in the White House.

In effect, the 72 questions are a complete interrogation on the wiretap case. A spokesman for the Department of Justice, which represents Mr. Kissinger in the case, said the Government would respond in "due course."