

Kissinger Blames Tap on Hoover

By Timothy S. Robinson
Washington Post Staff Writer

Secretary of State Henry Kissinger has continued to portray his role in the Nixon administration wiretaps on government officials and newsmen as minor, and says he "cannot explain" why an official FBI document indicates that he ordered one of the taps to remain in operation.



HENRY KISSINGER
... affidavit filed

In a sworn affidavit filed in federal court here yesterday, Kissinger said the late FBI director, J. Edgar Hoover, first suggested the use of the wiretaps to stop alleged leaks of classified information. And Hoover specifically named former White House aide Morton Halperin as a possible target for such an investigation, Kissinger asserted.

The affidavit was filed in a suit brought by Halperin, who alleges the tap program was illegal. Kissinger, former President Richard M. Nixon and several other former high-level government officials are defendants in the suit.

In his replies to specific questions by Halperin's attorneys, Kissinger conceded that certain dates given in his previous sworn testimony

See HALPERIN, A8, Col. 1

HALPERIN, From A1

concerning the wiretap program were inaccurate. He attributed the mistakes to "erratic . . . record-keeping" during his first few months in Washington in 1969 as Nixon's national security adviser.

The Secretary also described himself as speaking "broadly and in general terms" when he held a highly publicized press conference in Salzburg, Austria, concerning his role in the wiretap program.

Although Kissinger has testified in Senate hearings and made other public statements on his role in the wiretap program, yesterday's affidavit appears to be the most detailed accounting of his role under what might be termed hostile questioning by Halperin's attorneys.

The questions were submitted in writing, with Kissinger being given two months to prepare his answers. Halperin's attorneys still could ask to examine him directly in the pretrial stages of the suit.

In his affidavit, Kissinger portrayed the White House as one plagued with numerous critical leaks of classified information almost immediately after President Nixon took office in January, 1969. He used three pages of his affidavit to list news stories he thought were the result of such leaks from Feb. 3 until May 6 of that year.

The alleged leaks were a matter of concern to President Nixon, himself and other top White House aides, according to Kissinger. He said that on April 25 of that year, he was called into a meeting in the Oval Office at the White House with Nixon, Hoover and then Attorney General John Mitchell.

"I was told that the President had decided to go back to the previous practice (of other administrations) of using wiretaps as the most effective means of discovering leaks," Kissinger said. "I was asked to supply the names of key individuals having access to sensitive information which had leaked."

Kissinger said Hoover "identified four persons as security risks and suggested that these four be put under

surveillance initially," and that one of those was Halperin.

He said Mitchell and Hoover "assured" him the program was "entirely lawful . . . procedures were well established, and there was no question as to legality."

Out of that meeting and President Nixon's "general . . . authorization" to begin tapping suspected leakers grew the program that ultimately led to the wiretapping of phones of 17 government officials and newsmen, Kissinger said.

Kissinger said that the security officer of the National Security Council had recommended against his hiring of Halperin because of "adverse information" in Halperin's security files.

That alleged "adverse information" concerns Halperin's failure to report on a security clearance from a visit he made to Greece, Yugoslavia and the Soviet Union. Halperin reportedly says the failure to list the countries on the form was an oversight, apparently by a secretary who typed the form.

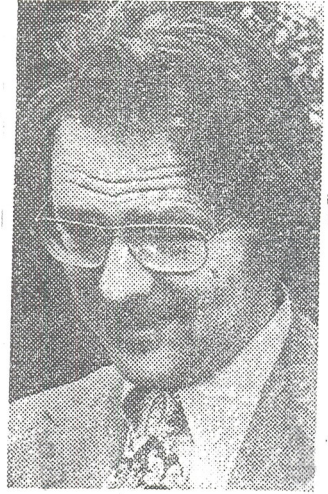
"In any event, I approved a top secret security clearance for Mr. Halperin," Kissinger said in his affidavit.

The Halperin tap actually began on May 9, about two weeks after Nixon gave his general approval to such a program.

Although Kissinger admits he called Hoover on May 9 to complain about an alleged leak, he said there was no "discussion of wiretapping. At that time, my understanding was that the wiretapping program had been authorized and that, therefore, Mr. Hoover or his staff had the right to use wiretapping in their investigations. I do not recall any discussion as to when the program would actually be put into effect."

Kissinger has testified in court affidavits and Senate hearings in the past that he first discussed the wiretapping program on May 9. Kissinger said in the affidavit he "now believe(s) that the meeting I referred to occurred in April rather than May . . ." and has made similar statements to the Senate Foreign Relations Committee since his first testimony.

Then-White House aide Alexander Haig has testified that Kissinger gave him a list of names as possible tap targets to take to former FBI assistant director William C.



MORTON HALPERIN
... suing high officials

Sullivan at the beginning of the program.

Kissinger said in his affidavit that the purpose of the meeting between Sullivan and Haig was to "work out the parameters of the program and the role of my office. . . . A further purpose of the meeting may have been to reconfirm to Sullivan the names selected at the Oval Office meeting and that (an unidentified person) may also have had access to leaked information."

Kissinger said he personally met with Hoover on June 4, 1969, and "expressed to him my view that the taps in general should be stopped as soon as possible" but that he does not remember any other aspects of the meeting.

Although there is an FBI document signed by Sullivan indicating that on Sept. 15, 1969, Kissinger directed the FBI to continue the Halperin tap, Kissinger said he doesn't recall discussing that subject with anyone.

"I cannot explain Mr. Sullivan's memorandum of Sept. 15, 1969, and it is not based on any authorization or instructions given by me," he said.

The tap remained on Halperin's home telephone for 21 months, continuing after he left government service and became involved in the anti-war movement and worked against Nixon politically.

Previous testimony has shown that in May, 1970—one year after the tap began—information gathered from the surveillance was sent to White House political adviser H. R. (Bob) Haldeman instead of to national security adviser Kissinger.

Kissinger said that shift came after "it became clear to me that I was in no position to take any action with respect to the occasional wiretap summaries that I received. I pointed out on a number of occasions to President Nixon that my office would serve best if it concentrated entirely on foreign policy matters and if internal security matters were handled elsewhere."

See WXPost 12 Mar 76, for "Excerpts from depositions and other public statements by principal members of the Nixon administration [providing] subtly varied accounts of how the program got started, how those to be tapped were selected and who determined when the eavesdropping should be ended." Excerpts are from statements by Nixon, Kissinger, Haldeman, Ehrlichman, DeLoach (on Hoover).