

U.S. Aides Dispute Nixon on Wiretapping of British Newsmen

By JOHN M. CRENDSON

Special to The New York Times

WASHINGTON, March 10—Justice Department and other knowledgeable Government officials disputed today an assertion by former President Richard M. Nixon that the Federal Bureau of Investigation had wiretapped an unnamed British newspaperman for several years before Mr. Nixon took office in January 1969.

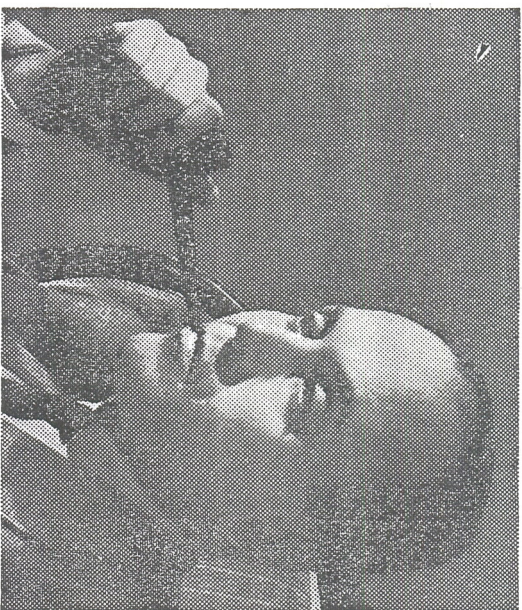
Mr. Nixon declared in a sworn deposition made public today that he had been told, within days of taking office, that the F.B.I. had subjected the correspondent to electronic surveillance during the Administration of President Johnson, and possibly before that.

"I don't know whether it went clear back to the Kennedy Administration or the Eisenhower Administration," Mr. Nixon said, but he recalled J. Edgar Hoover's assertion in a subsequent conversation that the F.B.I. had been "surveilling him [the newsmen] for year because our information is that he is possibly an intelligence agent for the British."

In the deposition, taken last Jan. 15 at Mr. Nixon's San Clemente, Calif., residence and filed in Federal court here today, the former President recalled that, during the first week of his first in the White House he had received a memorandum from the F.B.I. Director, reporting the history of the surveillance.

That, Mr. Nixon said, was the "first indication I had" that the wiretapping of reporters had been undertaken by the F.B.I. at the direction of his predecessors in the White House.

The former President made



Douglas Glass

Henry Brandon in a photo made in 1961

his remarks in connection with his explanation under oath, called for by lawyers for a plaintiff in a civil lawsuit, of his approval of wiretaps on the home telephones of 13 officials of his Administration and four newsmen between 1969 and 1971.

Evidence given last year by the F.B.I. to the Senate Select Committee on Intelligence, however, mentioned no such wiretaps instituted by the Bureau during the Johnson Administration.

That evidence, made public by the committee in December, showed that two newsmen, both employed by American news-gathering organizations, had been wiretapped by the bureau during the Presidency of John F. Kennedy.

It also showed that the F.B.I. had given Mr. Johnson informa-

tion from its files on seven reporters, but indicated that none of that information had been the product of telephone wiretaps or other electronic surveillance directed at the newsmen.

Some Puzzled by Comment

Justice Department and Congressional aides were puzzled today by Mr. Nixon's assertion, for which they said they were unable to find any basis in fact.

One Justice official said that the F.B.I. had given to the Senate committee all of its records relating to its investigation of newsmen over the years, and that none of that material had involved the wiretapping of any reporters, American or foreign, during the Administration of Mr. Johnson.

Asked whether the Senate committee might have received

such information and then not made it public in December with the other disclosures, a spokesman there replied that the panel had "not investigated the wiretapping of foreigners in connection with foreign intelligence purposes" by the F.B.I.

There were some published reports today that the British newsmen referred to by Mr. Nixon might have been Henry Brandon, the Washington-based correspondent of The Sunday Times of London, who was among the four newsmen wiretapped by the F.B.I. during the Nixon Administration's efforts to find and halt leaks of sensitive information to the press.

Brandon Denies Agency

But Mr. Brandon denied in a telephone interview that he had ever acted as an agent of the British intelligence service or any other, and said he had never had any indication that he had been under surveillance by the F.B.I. or anyone else until he learned of the wiretap ordered placed on him by Mr. Nixon in 1969.

One reliable Justice Department official supported Mr. Brandon's recollection, saying that no record of any electronic surveillance of the Czech-born reporter had been sent to the Senate committee along with similar materials relating to other newsmen.

One official speculated today that Mr. Hoover's report to Mr. Nixon, if such a document had existed, might have concerned the overhearing of Mr. Brandon or someone else by the F.B.I. on an existing wiretap the bureau had installed on a foreign embassy here, or on some other target. But the official pointed out

that large numbers of innocent individuals are overheard on such wiretaps each year, and noted that such an occurrence would not fit Mr. Nixon's assertion in the deposition that Mr. Hoover had "indicated they used electronic surveillance" to monitor the newsmen's activities.

The Nixon deposition, taken by lawyers for Morton H. Halperin, a former National Security Council aide who was one of the 13 Nixon Administrative aides subjected to the wiretapping, contained a number of similar anomalies and even a few assertions by the former President that diverged from previously established facts.

At one point, for example, Mr. Nixon declared that under his Administration the F.B.I. had never been used to conduct political investigations. He did not mention, however, the directive from the Nixon White House to the F.B.I. in 1971 to investigate Daniel Schorr, a correspondent for CBS News whose reporting had been critical of some of Mr. Nixon's policies.

Refers to Johnson Activities

When the Schorr investigation subsequently came to light, the Nixon Administration responded that it had been ordered because the newsmen had been under consideration for an important Government post.

Mr. Nixon also made reference to "President Johnson's surveillance and possibly wiretapping of candidates for President or Vice President during the 1968 Presidential election, and he asked his interrogators whether they considered such an action to have been illegal.