

“A Federal Offense of the Highest Order”

The Moorer-Radford spy ring operated from the early fall of 1970 to late December 1971. In the story of how and why it operated and ended, and some of the immediate consequences of its discovery and of the ways President Nixon chose to deal with it, information is the key: who had it and who did not, who knew what and when they knew it. Nixon and his top aides made some decisions about the spy ring based on incomplete information and made others in the absence of information that had been deliberately withheld from them. The results would come back to haunt Nixon during his second term.

MODERN PAKISTAN, CREATED after World War II, was awkwardly divided, spiritually as well as physically. East Pakistan contained Muslims and Bangladeshis who resembled the neighboring peoples of India. West Pakistan, separated from the East by part of India, was peopled by Punjabs, Pashtuns, and Mohajir, who had more in common with Afghans than they did with their countrymen in the east. Yahya Khan, ruler of Pakistan, had imposed martial law in 1969 and was regularly accused by opponents of being, in the words of one writer, “ruthless, uncompromising, insensitive, and grossly inept.” When the East Pakistan Bangladeshis moved for independence, encouraged by India, Yahya Khan quashed their rebellion, killing or jailing tens of thousands. India played up the plight of the Bangladeshis at Yahya’s hands to the world’s media, and by the fall of 1971 open warfare between India and Pakistan loomed.

The United States professed neutrality in this matter but was far from neutral behind the scenes. In addition to feeling obligated to Yahya for the opening to China, Nixon disliked the Indian people, in particular Prime Minister Indira Gandhi; he was uncomfortable around powerful women such as her and Golda Meir, and he felt that India had repeatedly tried to play the United States off against the USSR to gain assistance.

In early November 1971, Indians called on their government to take military action to protect fellow religionists in the Bangladeshi area. In response, Nixon ordered Kissinger to encourage China to express its support for West Pakistan. “Threaten to move forces or move them, Henry, that’s what [the Chinese] must do now,” Nixon instructed. He also told Kissinger to warn the USSR to stay out of the picture and not to threaten to intervene on India’s side. Kissinger conveyed these messages. In the one to Beijing, he reiterated his pledge to Zhou in July—that if coming to the aid of Pakistan brought China into conflict with the USSR, the United States would aid China.

The Chinese had no intention of becoming that involved and did not move their troops toward the Pakistan-India border. The situation in East Pakistan continued to deteriorate in the direction of all-out strife. The Washington Special Actions Group (WSAG), a council of top military intelligence and foreign policy officials that Kissinger had organized to handle such incidents after the EC-121 crisis, met to discuss Pakistan every few days. Even so, Zumwalt later recalled, “We were always behind events and our responses were as ineffectual as they were tardy.”

David Packard, the hard-line assistant secretary of defense, was adamant in the WSAG meetings that if the United States could not do anything effective on the Indian subcontinent or in its adjoining waters, it should do nothing at all. Zumwalt and Moorer agreed.

Up to this point, the Moorer-Radford spy ring had mainly been stealing classified materials from the NSC and Kissinger so that the Chiefs could understand the White House’s secret decisions and how they might be affecting the safety and security of the country. But in late November 1971, worried over the potential consequences of the Indian subcontinent crisis, Moorer went further. Before this he and Zumwalt had been technically guilty of improper possession of classified materials—the same crime of which Ellsberg stood accused. Now, in response to the Indian crisis, Moorer and Zumwalt would step further over the legal line by committing more serious violations of the espionage statutes.

War between India and Pakistan began on December 3, 1971. Pakistan launched a preemptive airborne attack on six Indian airfields, in the hope of disabling India’s air force and winning a quick victory. Yahya and his associates knew that if Pakistan did not win in the first flush of

the war, India's much larger armed forces were likely to prevail. But the Pakistani blow was not a knockout, and India began to fight back.

"The President very definitely wants to tilt the present situation toward the Paks," Kissinger told the WSAG after learning that hostilities had commenced. Zumwalt vociferously objected to the idea of "tilting" toward Pakistan, since

it would help the Soviets cement their position in India. That [argument] infuriated Henry. In a White House corridor ... I went after him again ... and he berated me severely and shrilly. A favorite gambit of his ... is to challenge his adversary to take his case to the President. I said I would be glad if he would arrange such a meeting. That was the last I heard of that.

Nixon had UN ambassador George H. W. Bush introduce a cease-fire resolution in the Security Council; as Nixon and Kissinger expected, the USSR vetoed it twice. By then a few days had elapsed and the tide of the war had turned. India was poised to do more than free East Pakistan. It was apparent to observers on the scene, and to Washington through intelligence reports from a spy in the Indian cabinet, that India could easily roll on and effectively crush West Pakistan. To prevent Yahya's complete defeat, Nixon ordered a carrier group, Task Force 74, to sail into the Bay of Bengal. This, he believed, would warn the Soviets not to let their ally India destroy Pakistan.

Zumwalt, Moorer, and Laird opposed sending Task Force 74 unless it had a much more specific mission. If it simply showed up in the area where the Soviet navy was already in force, they argued, that would increase the chances of U.S. naval forces becoming dangerously involved in a confrontation with the Soviets. Nixon overrode their objections and ordered the task force dispatched.

The brass and Laird succeeded in delaying Task Force 74 in Singapore for two days and further neutralized Nixon's orders by sending the force to a part of the Indian Ocean where it would have the least chance of bumping up against the Soviet naval forces, rather than the best chance, as Nixon had wanted. When the Soviets sent in a second group of ships, apparently reacting to the appearance of TF 74 in the Indian Ocean, Laird, Zumwalt, and Moorer felt justified in their caution.

At this critical juncture, in the middle of a war in which the superpowers might become involved, syndicated columnist Jack Anderson charged in his column that the United States, despite its profession of neutrality, was in a "tilt" toward Pakistan, and that a U.S. naval task force was heading into the Indian Ocean.

The White House flew into an uproar: This twelfth recent leak to Anderson divulged a secret policy and exposed as a sham America's claims of neutrality in an ongoing war. It had all the hallmarks of a deliberate leak by Nixon's opponents, now shifting their tactics from behind-the-scenes actions to public actions.

The leakers were too late to change the tilt policy: By December 14, when Anderson's column appeared, the actual war on the Indian subcontinent was almost finished. India's forces overwhelmed West Pakistan's so completely that the Pakistanis surrendered two days after the article's publication.

Before that surrender, however, Admiral Welander read the Anderson article.

Welander's first thought, he later said, was that the leak might have come from Yeoman Radford, because he knew that Radford and Anderson were social acquaintances. He conveyed this information to Haig. Rather than passing the news up the chain of command to Kissinger, his own superior, Haig alerted Ehrlichman, whose bailiwick included supervision of the Plumbers. Haig's refusal to inform Kissinger is curious; considering what happened in the weeks that followed, it raises the question of how deeply Haig was involved in matters concerning Yeoman Radford.

Ehrlichman assigned the Plumbers to follow up on the “tilt to Pakistan” leak. Although David Young and Bud Krogh had already asked to be relieved of their duties as Plumbers, this had not yet been completed, so David Young took on the task of learning who might have leaked to Anderson. The column in question had included certain details that convinced Young that the leak must have come from someone with intimate knowledge of the WSAG deliberations.

Don Stewart in the Pentagon also worked on the leak, and within days he and a polygraph expert questioned everyone in the White House military liaison office, including Welander, who refused to say anything without his lawyer present, and Radford. In the first part of Radford's polygraphed interrogation by Stewart, late in the afternoon of December 16, the yeoman refused to admit leaking to Anderson.

The columnist, in a much later interview on a related subject, echoed Nixon's contention that leaks of this import seldom came from a “salute and ‘click his heels’ type enlisted man.” But Anderson said they did come, regularly, from “generals and admirals,” and for the express purpose of altering policy. The latter, he implied, was what happened in the “tilt-to-Pakistan” leak—a column for which Anderson would shortly receive the Pulitzer Prize.

After Radford denied to Stewart that he was the source of the column, Stewart asked him a routine question frequently put to suspects in polygraph tests, whether he had done anything else out of bounds. Al-

most immediately Radford confessed to having purloined a “library” of documents from the briefcases of Kissinger and Haig and from various NSC offices.

That revelation, which came late on Thursday, December 16, shocked both Stewart and Young, to whom Stewart conveyed the information. Separately, over the next few days, Young and Stewart worked on the ramifications of the disclosure. Stewart reduced the interrogation to a written report, part of which mentioned Haig, whose name Radford had invoked. When Stewart submitted that report to his superiors, they refused to send it over to the White House before he excised certain portions of it. He did so, but he also made certain that Young received the unexpurgated version.

By the evening of December 21, Young had amassed quite a bit of information on Radford, Welander, and the operation of the spy ring. Because he was handling this for Ehrlichman, Young did not say anything about it to Kissinger or Haig. Neither Stewart nor Young yet had the complete story of the spy ring’s operation. Stewart’s attempt to talk to Welander had been short-circuited, and Young had not spoken to Welander. Still, Young had enough information to give Ehrlichman a stunning report of a spy ring that the military had been operating in the White House.

At that moment, President Nixon, who had been vacationing in Key Biscayne over a long weekend, returned to Washington. He was aware of the ongoing leak investigation but knew little beyond that. Ehrlichman had briefed Haldeman and Attorney General Mitchell about it, and on Nixon’s return home he found these three senior advisers, all grim-faced, needing to speak with him in the Oval Office.

The main actor was Ehrlichman. The press referred to Ehrlichman and Haldeman as “the Berlin Wall” for their Teutonic names, their crew cuts, and their vigilance in protecting the president from people he did not wish to see. Friends since college and fellow Christian Scientists, they had worked with Nixon since his run for governor of California in 1962. Haldeman had been an advertising executive with a large company, Ehrlichman a zoning and real estate lawyer in Seattle. Loyal, efficient, and seemingly tireless, they were invaluable to Nixon. Ehrlichman knew how to present matters cogently, quickly, and without overtly indicating his bias on the material.

In this meeting, which was captured and recorded by hidden microphones, Ehrlichman told Nixon that the various secret documents used by Anderson in the “tilt” column could only have come from the “one place in the federal government where all these documents were available”: the military liaison office of the White House.

“Jesus Christ,” Nixon said.

When Ehrlichman explained that Yeoman Radford had confessed to having stolen large numbers of documents, Nixon then asked, "How in the name of God do we have a yeoman having access to documents of that kind?"

Ehrlichman added details: Radford had also been pilfering from Haig and Kissinger on their trips abroad, and the documents had all been given to Radford's superiors, first Robinson and then Welander, who had forwarded them to the Joint Chiefs.

"Don't expect anything out of those crackers," Nixon retorted, then immediately asked, "Is Henry aware of this?"

"I'm sure not," Ehrlichman said.

"Is Haig aware of this?"

"I don't know," Ehrlichman said, cautious because he knew that Haig was a favorite of Nixon's, and as yet no interviewee had really implicated Haig. Welander had not yet been intensively interviewed by anyone familiar with the full range of what Radford had already said. "I suspect Haig may be aware, by some kind of backchannel basis. Because after this [Radford polygraph] came out and it was reduced to writing by the interrogator, Young was advised by the interrogator that he was having some trouble with his superiors, and that he was going to have to excise his report to leave that material out." Ehrlichman laid out his reasoning for Nixon, suggesting that if Stewart's "superior"—Fred Buzhardt—knew of the report, then it was logical and likely that other men who knew the workings of the Pentagon, such as Haig, would also have found out. After a digressing question from Nixon about the name and function of this interrogator, which Ehrlichman provided, the aide returned to the question of whether Haig was "aware." "I don't know," Ehrlichman repeated, "but if this thing runs true to form, undoubtedly his radar has picked this up by now."

Ehrlichman then read a list of the types of documents Radford had admitted stealing.

"I'll be damned," Nixon responded. Then, believing he had grasped enough of the gist of the story to now make a decision, Nixon opined, "Prosecuting is a possibility for the Joint Chiefs."

"I agree with you," Attorney General Mitchell jumped in, "but we have to take it from there as to what this would lead to if you pursued it by way of prosecuting Moorer. Even a public confrontation, you against the Joint Chiefs aligned on that side directly against you. And the—what has been done has been done. I think that the important thing is to paper this thing over."

Nixon did not immediately back down on his desire to prosecute, and Mitchell, who knew the president as well as any man alive, suggested a number of half measures with which Nixon would be more comfort-

able. The brass would move the liaison office from the White House back to the Pentagon and reassign Welander out of Washington. A new security officer would ride herd on Kissinger and the NSC. Mitchell would sit down with Moorer and “point out [that] it’s the end of the road.”

Nixon asked if the other Chiefs were involved. Zumwalt, he was informed. When Ehrlichman revealed that Welander and Rem Robinson had known that Radford was a social friend of Anderson’s, Haldeman jumped into the conversation, observing, “It’s almost as though they meant to do something.”

Recalling the Chiefs’ recent objection to sending the TF-74 carrier group into the Indian Ocean, Mitchell agreed. But Mitchell did not want to prosecute anyone, not even Anderson, because if Radford testified under immunity, “Lord knows where this is going to lead to.”

Nixon’s resolve to prosecute was melting. He told the group he understood that this mess shot his relationship with the Joint Chiefs “right out of the roof of the Pentagon.” Then he went back to Haig. “I am sure that Haig must have known about this operation.” After all, Haig had served as Nixon’s direct channel to the Joint Chiefs. Ehrlichman demurred again. (Later, Ehrlichman said he had done so because he had not yet asked Welander about Haig.) Ehrlichman said that he had “lost sleep” over what to do with Moorer before deciding “You can’t touch him.” He was convinced that Nixon couldn’t remove the chairman without permanently damaging Nixon’s relationship to the JCS.

I agree,” Nixon said at last. “I’d like to be present when you talk to Moorer,” he told Mitchell.

“No,” Mitchell said abruptly, explaining that the conversation with Moorer would be “a confrontation.”

This produced immediate acquiescence from Nixon, who could not stand confronting anyone directly. He protested mildly that the Joint Chiefs should have shut down the pilfering operation the moment they saw materials that must have come from Kissinger’s briefcase. But he also ventured that what the Chiefs had done was “a federal offense of the highest order.” In his view, in spying on the president and his chief aides, purloining top-secret papers, and deliberately leaking secret documents to the press, they had committed treason. From this moment on, Nixon could have no doubts that the Chiefs had been undermining his presidency and attempting to reverse his policies.

EHRlichman WAS DETAILED to interview Welander. David Young had amassed a mountain of background material, including a written confession he prepared for Welander’s signature. Young would be in the room with Welander and Ehrlichman, and so would a tape recorder.

Ehrlichman, a brilliant tactician, got Welander to confess in this interview by refusing to be prosecutorial or to come on strong. When Welander refused to sign the written confession, Ehrlichman did not insist on it. Rather, he led Welander gently through the establishment and operation of the military liaison office, and then on into the espionage. From time to time Welander would pick up the unsigned confession, read from it, and agree with various sentences or paragraphs that Young had written, sometimes adding previously unknown details.

Welander added, for instance, that among the papers stolen by Radford was "a full recount of our involvement in Cambodia from Day One which would make the Pentagon Papers pale by comparison." These were the sort of documents to which "the Chairman had not been privy" before the espionage scheme began.

Since Haig's briefcase had been rifled on his trip to East Asia in January 1971, Ehrlichman asked if Haig had understood that Radford would steal from him on his trips.

"Al Haig has cut me in on what we've been thinking about on the most recent thing and given me a copy of game plans and so on," Welander responded. In advance of Haig's trip to Vietnam, Welander had informed Haig of what he (on behalf of Moorer) would be interested in, such as the rate of troop withdrawals; Radford then purloined documents on those subjects. "I had complete copies of memcons [memos of conversations] from Al's recent trip," Welander boasted. One contained "an indication of a meeting Henry was to have had in Paris ... the first indication we have that this avenue was open." Welander strongly implied that Radford's stealing gave Haig cover, so that Haig would not have to send things to Moorer secretly in defiance of direct orders from Nixon and Kissinger.

After the interview, Young told Ehrlichman he believed "that Al Haig had probably planted Radford to help the military spy on Henry."

A source close to the investigation, on learning what Welander had confessed about Haig, had a revelation: What he had observed for two years in the basement of the White House, and thought of as vaguely suspicious behavior by Haig, had been Haig in the process of working with the Moorer-Radford ring.

Ehrlichman did not act on what Welander told him about Haig in the taped confession. Years later, trying to make sense of his failure to follow the lead, he guessed that he had "heard what Welander was saying [about Haig], but I didn't fully realize the implications in terms of Haig's role as an agent of the Joint Chiefs." Had he done so, Ehrlichman asserted, he would have recommended that Haig be severed from the White House for being just as involved as Radford, Welander, Robinson, and Moorer.

Secretary Laird obtained a copy of the Welander confession tape. Years later, he recalled that "Haig was drawn in through the back door"

during the conversation, and that after hearing the tape he was convinced that Haig had known about the collecting of material by Radford, Welander, and Robinson. Whether Haig had promoted the espionage or merely knew of it, Laird would not or could not say; either way, though, he believed that for Haig not to have revealed the theft was not “fair to the president,” that Haig should have told Nixon about it. Then again, when Laird realized that Haig had known about the stealing, he too neglected to share this conclusion with Nixon.

The evening after Ehrlichman interviewed Welander, Kissinger telephoned Ehrlichman at home, and Haig phoned Young. Both Kissinger and Haig said they wanted to hear the tape of Welander. Young then called Ehrlichman to report Haig’s call—Haig had berated him for going after Welander—and to argue that Haig should be kept away from the Welander tape. Ehrlichman could not do that. The next day, Kissinger and Haig listened to the Welander confession tape. After doing so, they told Haldeman that Welander and Moorer should be fired.

The president instead telephoned the chairman to wish him a happy holiday season. Moorer understood that the call was the president’s steely way of letting the chairman know the jig was up, but that the president was not going to fire him—at least not right now. For Nixon’s part, he could rest assured that from then on Moorer would be what Ehrlichman termed “a pre-shrunk admiral,” doing Nixon’s bidding without question. In 1972, Nixon reappointed Moorer for a second term as chairman.

Nixon never listened to the Welander tape. He thought he had no need to. But in choosing not to listen to it, he deprived himself of any real understanding of Haig’s involvement in Moorer-Radford. That lack of knowledge was obvious in Nixon’s next conversation with Haig, alone, in which the president did his best to allay what he presumed to be Haig’s greatest fear—telling him that “the worst thing we could do now is hurt the military.”

Attorney General Mitchell did have a brief sit-down with Moorer. It was not recorded, but after the meeting Mitchell spoke to Ehrlichman, who conveyed the gist of it to the president: Moorer “admits that he saw stuff, but [explained] that he operated on the assumption that his liaison man was working this all out with Henry. I [Ehrlichman] said [to Mitchell], ‘Well, did you get a plea of guilty or a not guilty?’ And he says, ‘I got a nolo contendere.’” Moorer, in other words, admitted no guilt but would not contest the charges.

Years later, Moorer would make another confession: Instead of keeping the stolen papers in his own files after looking at them—as he would have if he’d obtained them legitimately—he routinely gave them back to Welander for return to the White House through Al Haig. This was as close an acknowledgment of the criminal nature of the spy ring as would ever be obtained from its instigator.

The president focused his ire on Radford and Kissinger. Nixon had been told that Charles Radford and Jack Anderson might have been having a homosexual relationship. Actually, the one social connection the two men shared was as fellow Mormons; there was no indication that either man was gay. Nonetheless, Nixon directed Ehrlichman to uncover and expose such a relationship, and instructed Laird to have Radford come in and submit to another polygraph test on his sexual proclivities. Laird told Ehrlichman that if Radford went to the press about such an attempt, the fallout could be worse. So Radford was never asked about that; instead he was exiled to the Naval Reserve Center in Oregon, where his phone was tapped.

As for Kissinger, Nixon had told Ehrlichman, “Don’t let K blame Haig,” as Ehrlichman put it in his diary. This instruction had nothing to do with Haig’s culpability; rather, it reflected Nixon’s belief that Kissinger would blame Haig as a way of deflecting responsibility from his own laxity in running the NSC.

Kissinger’s fame had skyrocketed since the China opening; Nixon’s veiled warning was his way of holding him at bay.

AS ADMIRAL WELANDER prepared to leave town for his new post, Laird ordered him to turn over the materials in his safe. Rather than do so, Welander called Haig. Shortly thereafter, Ehrlichman told Welander to bring the materials to him. Instead Welander gave the documents to Haig. An Ehrlichman aide soon placed a packet of documents in Ehrlichman’s safe, but Ehrlichman did not look at them and never learned whether Haig had deleted anything from those documents that would have reflected badly on him.

On January 7, 1972, Fred Buzhardt, Haig’s old friend at DoD, summoned chief investigator Don Stewart from a vacation that had begun days before the Ehrlichman-Welander interview. Buzhardt told Stewart that they had to interview Welander. Because Stewart had been out of town, he was unaware that Ehrlichman and Young had interviewed Welander, and thus had no knowledge that anyone had hinted at Haig’s involvement in the spy ring. Buzhardt told Stewart that the interview of Welander was “for the president,” and Stewart had no reason to disbelieve him, since he didn’t know that Ehrlichman had already done such an interrogation of Welander for Nixon. By now, Nixon and his senior staff had gone to the West Coast. Laird later asserted that Buzhardt made the decision to interview Welander without Laird’s knowledge.

Comparing the transcripts of the two Welander interviews, the Ehrlichman-Young conversation and the Buzhardt-Stewart re-interview, reveals two major differences. In the Buzhardt-Stewart reinterview,

Welander lays the blame for the spy ring more clearly on Moorer and on Radford and claims to have done nothing wrong himself, to have acted as an innocent conduit. Just as important, in this second interview Welander absolves Haig from involvement in the ring; instead he portrays Haig as a victim of the thievery.

Stewart labeled this Pentagon interview of Welander a “re-interview” because he had briefly spoken to Welander on the subject right after Radford had confessed. At that time, the admiral had objected to being questioned without a lawyer present, and Stewart had stopped the interview. Stewart recalled that incident to Buzhardt in January 1972 as they prepared for the “reinterview,” and he suggested that they not read Welander his rights, as a gambit to see how far Welander was willing to go without a lawyer. Buzhardt agreed. To Stewart’s amazement, Welander made no objection to going through this “re-interview” without a lawyer. At the time, that fact gave Stewart little pause; years later, he concluded that it suggested Welander must have known he would create the opportunity to conceal certain things when questioned.

Stewart later came to believe that the reason for the “re-interview”—indeed, its sole purpose—was to protect Haig by generating a document that could substitute for the Ehrlichman-Young interview if any outside entity should ever look into the matter. In creating this document, Buzhardt followed the pattern he had described earlier to Bill Gulley of the White House’s military office in regard to the PX scandal investigation: writing a phony but apparently authoritative document that could be produced at the request of an outside investigator.

The Welander “re-interview” was neither recorded nor transcribed, but during it Stewart took notes and afterward Stewart dictated from those notes of the proceedings to a secretary, who typed up a report. There were to be no copies; the original was to go to Buzhardt. But the unusual procedural aspects had aroused Stewart’s suspicions. Telling the secretary that he had to proofread the report of the Welander re-interview, Stewart—unbeknownst to Buzhardt—made a copy for himself.

SEVERAL WEEKS LATER, Fritz Kraemer telephoned Henry Kissinger to urge that Haig be given command of a division. Although Kraemer did not say so, Haig was looking for a way out of the White House after Moorer-Radford was settled and the details hidden.

Kissinger already had such a thing in the works for Haig, he replied, but these things took time. “I know that your protégé sometimes gets impatient with me,” he teased.

“Ah, when you are not there he defends you like a lion,” Kraemer said.

“I have until the end of March and I will get it done before the end of March. I first wanted the promotion completely established and then I made the request.”

Kraemer expressed his fear that “the Princeton Ph.D.”—General Andrew Goodpaster, then in charge of NATO’s troops—might object: Kraemer and Goodpaster did not like one another, and that feud might spill over to spoil Haig’s chances to advance. Kissinger assured Kraemer that he would not let that happen.

NIXON’S DECISION TO paper over the Moorer-Radford espionage was, in effect, a cover-up. As cover-ups often do, it inspired further cover-ups by others to conceal the first and the bad deeds that underlay it. Buzhardt’s “re-interview” of Welander was only the opening action in this cascade. Soon, Young’s voluminous record of his investigation would vanish from the White House files. The tape of Welander’s confession, which implicated Haig, would disappear beyond the reach of even Ehrlichman, who had been the main interrogator. That tape would be the most well-concealed secret of the White House. Those who kept it hidden were motivated by the desire to preserve their positions of power. But their conduct in office was also motivated by disgust at Nixon’s foreign policies. And together these two motives fueled their ongoing efforts to undermine the Nixon presidency.