

Secret Service Silence Seen on Taps

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Administration sources indicated yesterday that they expect a cloak of executive privilege will be thrown over the reported wiretapping of President Nixon's brother by the Secret Service.

The sources said they believe the Secret Service will refuse to testify about the case in response to requests for information from two congressional committees.

None would predict publicly what the response ultimately will be and they speculated that Mr. Nixon himself will make the final decision. But the sources referred reporters to the July letter in which Mr. Nixon invoked executive privilege to prevent Secret Service testimony earlier in the summer on the Watergate tapes made in his office.

The July 16 letter was to Secretary of the Treasury George P. Shultz as the cabinet official in charge of the Secret Service. It directed that no one from the Secret Service should testify before

congressional committees about matters they observed while performing "protective functions" for the President.

Deputy White House press secretary Gerald L. Warren, in responding to questions, has said that if there was any monitoring of the President's family "it would have been related to the protective function of the Secret Service."

Administration sources claimed that the presidential letter in the Watergate tape case could easily cover the situation posed by the new congressional demand for information on the tapping of President Nixon's brother. "Just read the President's letter," said one legal official familiar with the case.

The Washington Post reported Thursday that a source said the Secret Service, at the President's direction, had wiretapped the telephone of F. Donald Nixon, a businessman.

The White House has neither confirmed nor denied the report and the case was being handled like a hot potato by most administration spokesmen.

Warren told reporters yesterday they should ask the Secret Service whether it would respond to the congressional demands for information on the wiretaps. A Secret Service spokesman said only, "We would consult with the office of the Secretary of the Treasury." A Treasury public information spokesman said he had been told to refer all queries to Warren's office. When pressed further, Warren refused to elaborate, saying, "I've given you the White House position."

Sen. Joseph Montoya (D-N.M.) and Rep. Tom Steed (D-Okla.), who head the Senate and House Appropriations subcommittees that oversee the Secret Service, have asked for full information on the reported Nixon wiretapping and other taps placed by the Secret Service. They were told yesterday no formal answer will be given until at least Monday.

The Post reported that a source said the President ordered his brother's phone tap-

ped during his first term because he was concerned that Donald Nixon's financial activities might become embarrassing to the administration. Those activities included a \$205,000 loan Donald Nixon received from billionaire Howard Hughes in 1956 and never repaid.

The report yesterday prompted a former Hughes adviser to seek a delay in his arraignment in court where he faces charges of failing to pay taxes on \$269,000. The adviser, John Meier, claimed in Las Vegas that he may have been under illegal electronic surveillance by the White House.

According to United Press International, Meier and Donald Nixon reportedly had business dealings in the late 1960s. Meier's attorneys, Robert and Lillian Wyshak, said they had just received accounts of the reported Donald Nixon wiretapping and added, "We have reason to believe the telephone conversations with the defendant were monitored by the White House."