

Public Figures Stunned at Disclosure of Tape Recording

LBJ Aides Disavow System

By Jules Witcover
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The White House reported yesterday that the Nixon Administration system of automatically recording Mr. Nixon's conversations in several offices and on his phones is "similar" to one used in the previous administration.

But Johnson administration officials quickly said they knew nothing of it.

A spokesman for the Secret Service, which installed the system for the Nixon administration, said if there was one in place during the Johnson years, the Secret Service didn't put it there.

Harry Middleton, director of the Lyndon B. Johnson Library in Austin, Texas, said through a federal government spokesman that there is a section in the library that "reflects selective telephone conversations" between Mr. Johnson and others.

Some of them, he said, "were recorded manually by

a secretary, some by Dictaphone belt." Also, he said, there were "a limited number of meetings recorded in 1968 in the Cabinet room. Most of these concerned national security matters."

White House confirmation of the practice of automatic recording under Mr. Nixon, revealed yesterday in testimony by White House aide Alexander Butterfield, came in a short letter from J. Fred Buzhardt, special counsel to Mr. Nixon, to Sen. Sam J. Ervin Jr. (D-N.C.), chairman of the Senate Watergate committee.

Mr. Nixon's conversations have been recorded "since the spring of 1971," Buzhardt wrote. "I am advised that this system, which is still in use, is similar to that employed by the last administration and which had been discontinued from 1969 until the spring of 1971."

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Wonders of Watergate

By William Greider
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Wonders of Watergate do not cease. Now the investigating senators have stumbled on to the ultimate witness—the one who can reliably sort out the conflicting charges, reconcile all the confusion and contradiction, save the President or maybe sink him.

It's not John Dean or John Mitchell, not Haldeman or Ehrlichman, not even President Nixon himself. In the search for truth, they have all been upstaged, appropriately enough, by an electronic gizmo—a tape recorder that faithfully eavesdropped on all presidential conversations.

If the White House will turn loose the spools, they could answer countless questions surrounding what the President knew about Watergate and when, which has become the principal issue of the Senate investigation.

Samuel Dash, the committee's chief counsel, smiled like a cat licking canary feathers from his mouth. "We now know there's a complete record of all these meetings," Dash said. "I don't think you have to draw a line and add it up."

The startling revelation that the Oval Office has big ears was popped out yesterday by a reluctant White House alumnus named Alexander Butterfield, who used to arrange for security and historical archives, among other matters, when he was a deputy assistant to the President.

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Some Say They Don't Mind

By Lou Cannon
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Public figures ranging from George Meany to George Romney reacted with incredulity yesterday to testimony that President Nixon had tape-recorded conversations and telephone calls without consent.

Present Nixon administration Cabinet members, while refraining from direct criticism of the President, said to a man that they didn't know their conversations were being recorded.

"No kidding," said former Attorney General Richard G. Kleindienst in a voice of astonishment.

Kleindienst, reached at a hotel in London where he is on a business trip, said he was not aware of the practice and would "have no further comment on it... because of my personal relationship with the President."

"I'm literally astonished, I'm incredulous," said Robert H. Finch, longtime

Nixon confidant and a former White House counselor and Health, Education and Welfare Secretary. "I remember being told by several sources that Lyndon Johnson had an arrangement like that but it had been discontinued. I assumed that was the case."

Former Interior Secretary Walker J. Hickel, who was dismissed by the President after publicly protesting the administration's Vietnam policies, said that "America will be sick at heart" over the disclosures and added: "I was trying to get my message to the White House anyway. All they had to do was ask."

Another ex-Cabinet member, former Housing and Urban Development Secretary Romney, said that "from a historical standpoint" he was pleased that his views were recorded but had

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Nixon Tapes Provide Ultimate Witness

SCENE, From A1

Butterfield, who moved his year to a more tranquil setting as head of the Federal Aviation Administration, put the best construction on it, for the President's sake. But no one outside the White House really knows at this point what impact this secret archive will have on the history of the Nixon years.

"This matter which we have discussed here today," Butterfield said with hope in his voice, "is the basis on which the President plans to present his own defense. . . I believe, of course, that the President is innocent."

But why should the White House wire him for sound, anyway?

"There was no doubt in my mind," said Butterfield, "they were installed to record things for posterity."

Somewhere in a closet or cupboard in the Executive Office Building, Butterfield surmised, the Secret Service technical men have stacks of daily tapes on file, recorded by voice-activated machines in the Oval Office and in the President's office in the EOB next door. There also should be automatic recordings from the President's phones plus a manually-operated machine in the Cabinet meeting room.

The implication of Butterfield's remarks was that the White House strategy has been like "sand-bagging" in a poker game — hold back the taped evidence until the last Watergate accusation was in, then reveal it as a devastating rebuttal. He expressed the hope that it was not his lot to blow the President's game plan.

His supposition that the tapes will clear the President isn't established yet.

Certainly, the White House passed up every opportunity to reveal their existence which the Senate committee uncovered through a combination of happenstance and good questioning.

Butterfield was called in for an interview with the Senate committee staff last Friday, a routine exercise since his name has never been implicated in the conspiracy to cover up the illegal espionage of Democrats. But Butterfield's office during his four-year tenure at the White House was right next to the Oval Office and he often dealt with principal figures in the case.

"We were doing a complete proximity investigation of anybody who had anything to do with Halde- man, Ehlichman, Dean," Dash explained afterwards. "That's the only way you get anything — by going over everybody."

Even so, the results were fortuitous. Donald Sanders, an ex-FBI man who has served on the House Internal Security Committee and is now a GOP staff member of the Watergate committee, said he casually asked Butterfield about tape-recorded conversations in the White House.

Sanders said he was fishing, following the allusions which former White House Counsel John Dean made to the possibility that his crucial meeting on April 15 with Mr. Nixon had been recorded. "I didn't expect the answer I got," said Sanders.

Butterfield explained to the committee yesterday that he assumed that others from the White House had previously revealed the tape recordings in their interviews with the Senate investigators, namely, former

chief of staff H. R. Halde- man and his aide, Laurence Higby. Dash said, however, that when those two men were asked about any documentary evidence that might clear up conflicting testimony they did not mention that recordings were made.

After Butterfield's private statement on Friday, Dash said the committee sought out other immediate testimony from the White House for confirmation. He prepared subpoenas, he said, for Ccn. Alexander M. Haig Jr., the new chief of staff, and Steve Bull, who succeeded Butterfield, and Higby.

But, Dash said, the White House informed him yesterday morning that "it would not be necessary to call all these people to corroborate something they are now willing to admit."

Dash, who as a law professor specialized in the area of electronic surveillance, noted that secretly recording a conversation is legal

so long as one participant knows that the tape is being made. Recording telephone conversations without permission from both parties is another matter, he said. In a couple of states, it is against the law. The Federal Communications Commission, Dash said, has a "tariff regulation" prohibiting phone recordings without a beeper signal. But that's not a crime, he emphasized. The worst that could happen to someone, Dash said, is removal of their phone.

The central question, however, is what the tapes could tell the nation about presidential behavior—the potential for clearing up so many mysteries, half-forgotten conversations, damaging in- nuendos.

"I'd be delighted," the chief investigator said, "if the ultimate resolution of this investigation is that the President wasn't involved . . . I'd like to see the tapes and honestly hope that they would exonerate the President."



By Frank Johnston—The Washington Post

The three Republican members of the Senate Water gate committee put their heads together before the open-

ing of the hearings yesterday. From left, Sens. Weicker, Baker and Gurney hold a short minority conference.