

The Butterfield Caper; How to see that secrets are not HW 12/16/73

This p.m. I reread the Butterfield testimony of Monday, July 16, 1973, to see if it supports Jew's belief that Nixonians leaked the secret of the White House bugging. I believe it does. I am certain that there is no word in it that disputes the belief.

On rereading, other things also become provocative and obvious. This is the most incompetent questioning ever. It should flunk a first-year law student.

Examples: no questions about Butterfield's background and experience. By anyone.

No questions about the nature of the equipment, its capability. Even the make. Yet he had some knowledge, if only from playing tapes to check them. No questions about did he know or have reason to believe that there were any other taping capabilities of any other kind-anywhere? Did GL go to the 5 and 10 and pick one up, to keep in his desk? Could he have used a non-centralized recorder, with Dean or, on any other occasion? This committee soon enough decided to go for the tapes. But it didn't even know the size of the reels used, or if cassettes were used instead. Even when B<sup>C</sup> referred to a number of recorders, all located at the same place, it had no questions. Nor did it ask how pickup was switched from the full to a fresh reel. The technical questions that should have been asked were in no single case asked.

But Ervin's exceedingly brief questioning began with endorsement of the fullness of counsel's questioning. (5H2084)

Practise was varied this time because minority ~~XXXXX~~ staff got the admission from B. So, if all are responsible, it was the special responsibility of Thompson and his staff to see to it that all questions were asked, generally by writing them out in advance.

The eminent professor of law, former Mr. District Attorney Dash didn't catch this and finished his questioning in 2 pp.

Baker (2082) had one question only, one I think should backfire: was he told to invoke executive privilege? No. If as I suspect Baker wanted GL to look freshly washed, he made a record that the secret could have been kept. And it need never have been known. That bunch would have been conned easily. Merely tell them there was national security: Brezhnev was bugged.

After Baker Butterfield says he wants to make a brief statement but Ervin cuts him off. He was in the middle of a sentence with Baker, who also cut him off. Odd. No rush.

The Secret Service was always and alone in charge of the equipment and the tapes and changing them, etc. (2085). The same Secret Service is always around wherever any President is. So, for both reasons there is no reason for any machine ever to run out of tape. Esp. when one reel holds six hours, their story.

What is fascinating is that they do not go back over the Friday (7/13) staff session. They do not say that they told B to call the WH or that he asked before answering.

He says that he was offended when Higby called and told him to tell the truth and the whole truth (comes back to this at the close). He didn't have to be told this. Well, for normal purpose, like truth, of course not. But as a means of preparing him not to hold back on the bugging, which was the largest diversion of the many and the most successful, despite the troubles it brought to GL, there was no better way.

The WH had more than two days in which to order him to silence, to protest to the committee, etc. It did nothing. When it made efforts with trivialities, I think this lack of interest or effort supports Jew's suspicion.

Another provocative thing I missed earlier: B told Haig of the system before he left. He left in mid-Feb. Ehr was not told, ever. Haldeman, who could have told Haig, and others, like Higby, could have told him if and when Haig had need to know, when he moved into Haldeman's office and job. Why was he told before mid-Feb when Haldeman did not leave until end April and others could have told him when he took the office over?