

The Little-Known Man Who Asked The Big Watergate Question

by Lloyd Shearer

WASHINGTON, D.C.

This week the Senate Watergate Committee is scheduled to fold its tent and quietly slip away.

After 16 months of highly publicized activity, what will that committee of seven U.S. Senators and 96 staffers be most remembered for?

Probably for the intriguing cast of motley characters it presented to the American public via television from May to November of 1973—sleazy White House detectives, Presidential aides of arrogance, deceit, and low character, young men of unbridled ambition and amorality, and a variety of other personalities, many of them so craven, ruthless, stupid, conspiratorial and sycophantic that they would and did do anything to "stay on the team" and "play ball."

What was the Watergate committee's most outstanding accomplishment?

Probably the vital, far-reaching revelation that President Nixon ordered secret, voice-activated tape recorders installed in his offices in the White House, the Executive Office Building, and at Camp David.

The man responsible for that key revelation which led to notorious ramifications is Don Sanders, 44, a tall, lean, brown-eyed, grey-haired Missouri lawyer, a life-long Republican, a 10-year staff man with the FBI,

a former chief counsel for the House Internal Security Committee, headed by Rep. Richard Ichord (D., Mo.).

It was Sanders, a minority member of the Watergate staff, who, in informal session, on July 13, 1973, at 5:35 p.m., asked Alexander Butterfield, a Haldeman henchman who had worked in the White House as a deputy assistant to the President, the most fateful and influential question of the entire hearings:

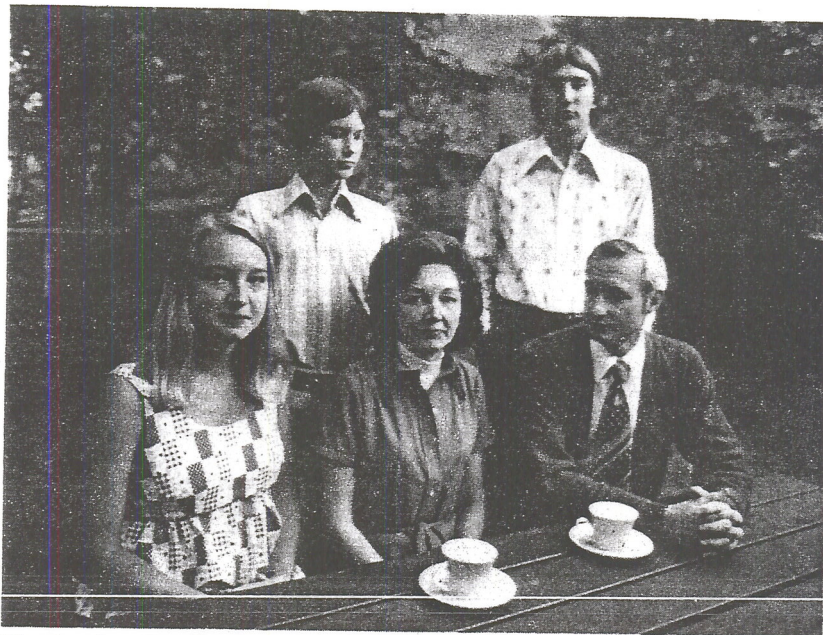
■ **SANDERS:** John Dean has testified that on one occasion while in the President's office he was taken to the side of the office by the President and addressed in a very low voice concerning a Presidential conversation with Charles Colson about clemency. Do you know of any validity for this implication by John Dean that conversations in the President's office are tape recorded?

■ **BUTTERFIELD:** I've been very concerned that I might be asked this question. I've wondered what I would say. I'm concerned about the effect my answer will have on national security and international affairs. But I think I'm obligated to answer you now just as I would be required to do if I were under oath. Yes, there's a recording system in the President's offices . . ."

Under questioning by Sanders, Alex



The Man Who Asked: *Donald G. Sanders, 44, from Missouri, ex-Marine, ex-FBI agent, and deputy minority counsel on Senate Watergate Committee.*



The Sanders Family: Daughter Debi (for Deborah), wife Dolores, Sanders, and (standing) sons Matthew and Michael at their home in Springfield, Va.

Butterfield, administrator of the Federal Aviation Administration, then proceeded to explain and expose in detail for the first time the President's taping system, which has since become so well-known to the nation.

"My first reaction," says Sanders, "was that Butterfield's explanation was exculpatory insofar as the President was concerned. If the President had taped all or most of his conversations, I figured, he would surely have irrefutable evidence that he was not guilty of any involvement in Watergate or the coverup, if in fact that was the case.

Keep tight security

"Those of us who were there at the interrogation of Butterfield," Sanders goes on, "Scott Armstrong and Gene Boyce of the majority legal staff, we realized that the information I had elicited from Butterfield was important. We agreed to keep very tight security on it. Armstrong and Boyce knew, of course, that I would tell Fred Thompson (the chief minority counsel), and I knew that they would tell Sam Dash (the chief majority counsel).

"It was about 6:45 on a Friday evening," Sanders continues, "and Fred Thompson had already left his office, but I found him across the street in the Carroll Arms Hotel. He was having a

beer with two newspapermen, one from *The Washington Star*, and the other from *The Chicago Tribune*. "I joined their table. Naturally I couldn't tell Fred right then and there, that the President of the United States had been recording his telephone and other conversations, so I ordered a beer myself. After a few minutes I asked Fred if he could step away. 'Sure,' he said, 'let's go outside.' We went outside, and on the corner there, right across from the Dirksen building, I told him the story about the President's elaborate tape recording setup.

Moving up the ladder

"Fred readily realized the importance of the information. But he's a very unemotional fellow. He asked me to fill him in on a few details. I can't remember whether he specifically told me or I just assumed that he was then going to phone Senator Baker [Sen. Howard Baker (R., Tenn.), chief minority member and vice chairman of the Watergate committee]. At any rate I know that he did that night or the next morning. And on Sunday, July 15th, Senator Baker called me and asked for a direct briefing on Butterfield's testimony. Butterfield had called Senator Baker that morning and told him he wanted to see him, so Senator Baker felt he needed a direct briefing from me. I gave it to him."

The next day, Monday, July 16th, the Senate Watergate committee subpoe-

naed Alex Butterfield to testify in open session. That afternoon America learned that the President had ordered his various offices equipped with hidden listening devices and that tapes existed of his conversations. Subsequently those tapes in part were declared to be missing, irrelevant, damaged, erased or inaudible. As of this writing the President contentiously refuses to hand them over to the House Judiciary Committee or to Leon Jaworski, his own special prosecutor.

What prompted Don Sanders to ask Alex Butterfield about Nixon's taping

setup in the first place?

"It was just one of those things," he explains. "I'd been listening to Scott Armstrong interrogate Butterfield for three hours. And there was a void in Butterfield's testimony. It seemed to me that they weren't coming to grips with the matter. Scott was questioning Butterfield about a summary of the President's meetings with John Dean which Fred Buzhardt, the President's counsel, had furnished to Fred Thompson. Something seemed to be missing. Butterfield was detailed in his answers. And yet there was this

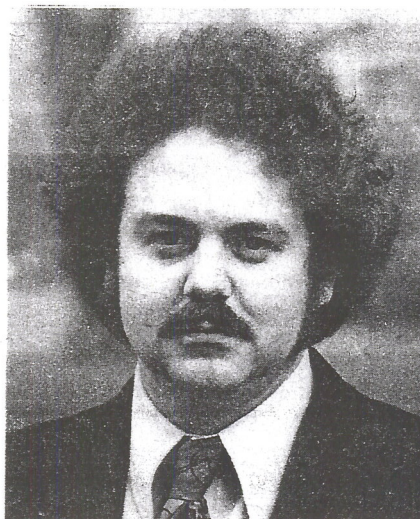
Dash was going to identify me, too, so I made the same request to Sam. And he said okay, but the record shows he said, 'Mr. Chairman, at a staff interview with Mr. Butterfield on Friday, some very significant information was elicited by the minority staff member.'"

For the benefit of future historians: When you reach page 2073 of the Watergate hearings transcript, please read Don Sanders for "minority staff member," because Sanders is the lawyer who with one nagging question opened the can of peas labeled "President Nixon's Tapes."



SAM DASH

Chief counsel, Watergate committee



SCOTT ARMSTRONG

Questioned Butterfield three hours



FRED THOMPSON

Minority counsel, Watergate committee



The Man Who Answered: Alexander Porter Butterfield, a career Air Force officer who was brought into the Nixon Administration in 1969 by his old UCLA classmate, Harry R. (Bob) Haldeman. Butterfield's wife, the former Charlotte Mary Maguire, and Haldeman's wife, the former Joanne Horton, were sorority roommates at UCLA (University of California at Los Angeles). In World War II, Butterfield flew P-38 fighter planes in the Pacific. Butterfield is now the administrator of the Federal Aviation Administration.

void, this missing factor which bothered me.

"Buzhardt's summary was so detailed that it occurred to me that Butterfield was quoting from some verbatim record, some verbatim report or diary. And yet something was missing. It was then that I decided I would ask him the question.

"When Scott finished, I started questioning Butterfield. I asked a few preliminary questions first, but within five or 10 minutes, I got to the question which I principally had in mind—Were the conversations in the President's offices tape recorded?"

No public credit

Ironically enough, Sanders, who earned a little under \$35,000 for his year of legal work as a Watergate staffer, was never publicly credited with being the lawyer who elicited the information concerning the Presidential tapes. Senator Baker wanted to announce his name and identify him at the hearings before Butterfield began to testify in public session. But Sanders told Fred Thompson that he would prefer that Baker didn't. And Baker consented.

"I don't know," Sanders reflects. "After you spend 10 years in the FBI, you get kind of used to anonymity. Life is a little easier when you don't have mail and phone calls and all that sort of thing to contend with. Just before the hearings I heard that Sam