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White House Insists It Controls Tapes

By Lou Cannon

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The White House yesterday clung to the view that tape recordings of President Nixon's conversations remain solely under the President's control despite their use by deposed chief of staff H. R. Haldeman.

Deputy press secretary Gerald L. Warren reiterated the administration's unyielding position even while acknowledging that tapes had been taken home by Haldeman after he left the staff and also listened to at the White House by two presently employed aides.

"The question of access has been decided by the President based on the President's judgment of who could best assist him in determining the facts of the Watergate matters without jeopardizing the confidentiality of the tapes," Warren said.

While defending the selective use of the tapes, Warren declined to answer questions about whether it was proper to allow Haldeman to hear the tapes without extending the same privilege to former White House Counsel John W. Dean, whom the President fired on April 30.

Warren also refused to be drawn into a discussion of whether allowing the tapes to be taken from the White House by Haldeman undermined the President's statement in a July 23 letter to the Senate Watergate committee that the "tapes, which have been under my sole personal control, will remain so."

When asked how the confidentiality of the tapes could be preserved by sending them home with Haldeman, Warren replied: "That is a question I'm not going to answer. Mr. Haldeman has testified... and I'm just not going to discuss it. You have me at the wall on this subject, gentlemen."

Warren insisted that the President "knows" that Haldeman did not alter, copy or edit the tapes. Asked whether there are any plans at the White House to alter the tapes, Warren said: "None that I'm aware of."

Later in the day Haldeman told the Senate committee that he had taken home other tapes but had not listened to them because he was not present at the meetings recorded on those tapes. Haldeman testified earlier

that he listened to a March 21 tape involving conversations between the President, Dean and Haldeman. According to his testimony, Haldeman was present for 40 minutes of the 105-minute meeting in the President's office.

It was at that meeting, according to Dean's testimony before the committee, that he discussed a Watergate cover-up with the President.

The other tape listened to by Haldeman was of a Sept. 15, 1972, tape, where Dean said he first mentioned the Watergate cover-up to the President.

Haldeman said he listened to the March 21 tape in an anteroom of his White House office in mid-April but wasn't sure whether this was before or after April 17, when Mr. Nixon announced that he had learned on March 21 of "major developments" in the Watergate case.

According to Haldeman's testimony, he heard the Sept. 15 tape after he had resigned from the White House. This was in July, two weeks after Dean testified before the committee.

Warren said that two White House aides had also listened to tapes. They are ap- Stephen B. Bull, the ap-

pointments secretary, and J. Fred Buzhardt, special counsel.

Buzhardt listened to a tape of a March 20 telephone call between the President and Dean, Warren said. He said Bull listened to a tape to give the President a rest on June 4 after Mr. Nixon had spent most of the day listening to the recordings.

Warren again declined to say how many hours the President spent listening to the tapes. However, House Minority Leader Gerald R. Ford (R-Mich.) last week quoted presidential counselor Melvin R. Laird as saying that Mr. Nixon had spent "10 to 12 hours" listening to tapes before reaching his decision not to make them public.

In his July 23 letter to Sen. Sam J. Ervin Jr. (D-N.C.), chairman of the Senate Watergate committee, the President maintained that "the tapes could be accurately understood or interpreted only by reference to an enormous number of other documents and tapes, so that to open them at all would begin an endless process of disclosure and explanation of private presi-

dential records totally unrelated to Watergate..."

For this reason, the President continued, the tapes would remain under his sole personal control.

"None has been transcribed or made public and none will be," the letter continued.

In his testimony yesterday Haldeman insisted that he had obeyed the President's instructions about confidentiality as a private citizen just as he had as White House chief of staff. He said he had not transcribed the tapes, but rather had made notes of them.

Haldeman conceded in response to a question from Sen. Lowell Weicker (R-Conn.) that the tapes were "not physically" under control of the President while Haldeman had them. But at the White House, Warren declined to even discuss this point or to say how it was that the President knew that the tapes had not been altered.

Warren said that the President—and the President alone—will reserve the right to determine who may listen to the tapes.

"I'm not opening or closing any doors," he told reporters.



By Bob Burchette—The Washington Post
Spectators at Watergate hearings yesterday, conservatively dressed at left and in casual attire and intense expressions of youth at right.