

Witness: Richard Moore (3)

16 Jul 73

Alexander Butterfield

~~AM P-4~~ (see entry 13 Jul) Herbert Kalmbach

Butterfield/appears as "surprise witness" at Ervin committee public hearings, ~~(see entry 13 Jul)~~ at the conclusion of Moore's testimony. ~~(see entry 13 Jul)~~ Butterfield had been interviewed by committee staff 13 Jul, a Friday and last day of hearings for the week; 16 Jul a Monday. \* \*\*

SFC [NYT] 17 Jul 73

Nixon, in letter to Secretary of the Treasury Shultz, who has jurisdiction over Secret Service, orders Secret Service agents to withhold from Ervin committee all information about secret White House tapes, citing executive privilege.

SFC [NYT] 18 Jul 73

~~AM P-4~~ In testimony suggests tapes might be used as basis for Nixon's defense; says a few senior WH officials could have obtained temporary custody of one or more tapes from time to time.

SFC [NYT] 17, 18 Jul 73

Dorothy Hunt, according to Jack Anderson, "is supposed to have said her notes 'would impeach the President 10 times over.'" Anderson also says ~~named~~ "investigators," whom he does not identify, are "eager to examine" her papers. ~~Anderson says that according to the investigators Hunt~~

WXP 16 Jul 73

\*\*Buzhardt, Garment meet with Haig, Ziegler for over two hours at Bethesda ~~hospital~~ hospital in the evening.

WXP 18 Jul, Kilpatrick

Rebozo's personal financial records audited by IRS in Miami, second day, the first being 13 Jul. See entry that date.

WXP 22 Jul 73

(16 Jul 73) Amp.

Ⓐ- Ervin committee meets in executive session, before public hearings, serves Butterfield with subpoena. Story says committee moved in haste to get Butterfield on the public record because he was to leave the country the following day and because "there was concern that the White House might attempt to prevent his appearance by claiming executive privilege." Immediately after receiving subpoena Butterfield calls Garment, who tells him he has no choice but to testify.

WXP 22 Jul 73, Witcover

Ⓑ- At one point during his testimony Butterfield tells Weicker that in early April or mid-April he had discussed with Higby the possibility of being called as a witness and that Higby told him "to be sure to tell the truth." Tells Weicker, "I've had no instructions to the contrary."

At the conclusion of formal questioning, Butterfield volunteers, "I knew, when I was interviewed by your staff members Friday afternoon [13 Jul] ... that Messrs. Haldeman and Higby had preceded me in separate but similar interviews. I certainly assumed that each had given an open and honest answer to that particular question [about the existence of the taping system] and that I was being asked that same question so as to corroborate the fact, or, by that I mean, their answers. I only hope that I have not, by my openness and by my adherence to all instructions received to date, given away something that the President planned to use at a later date in support of his position."

Later Baker, in corridor interview, expresses surprise at Butterfield's closing statement. "He hadn't said that previously," Baker says, apparently referring to Butterfield's assumption that Haldeman and Higby had told committee staff about the taping system, "and I'm a little hard put to fathom exactly what he meant ...." Explains that Butterfield had been called to testify "about something totally unrelated," but does not say what; says someone on the staff had asked Butterfield how the White House was able to supply such precise logs of telephone and other conversations. "Mr. Butterfield, in a very straightforward way, said, 'Well, I suppose from those tapes.' That opened the door, and we've gone from there."

From tape, Day 21, 16 Jul 73