

30 Sep 73 (1)

Lawrence M. Higby, "Haldeman's Haldeman." Profile by John Saar stresses Higby's "unabated admiration" for Haldeman and his complete loyalty to him, says Haldeman after his resignation continued to see Higby frequently, ~~whitexbxzwxz~~ "dropping in Higby's EOB office while he was working on files for his Watergate testimony, and dining with Higby and his wife."

From profile: "It was Higby who relayed Haldeman's order to Alexander Butterfield, a deputy assistant to the President, for the installation of a secret recording system in the President's offices. Higby came nearest to dangerous ground over Senate committee investigations into the closely held secret of the presidential tapes. Butterfield testified that before his appearance Higby telephoned to urge him to tell 'the whole truth.'* [See entries under Butterfield 13 Jul 73, and Haldeman 31 Jul 73.]

"Higby himself had already appeared once before Senate investigators [no date] without disclosing the existence of the tapes. Questioned on this by a visitor, Higby replied quickly, "I did not volunteer it because I didn't think it should be made public. But if they had asked I would have told them. I'd discussed it with the White House counsel.

"After Butterfield's appearance, Higby was summoned to two more meetings with staff investigators [no date], according to a source in the select committee. 'There was a consensus between lawyers of both sides that the precise question was not asked.'"

Higby has not been called or scheduled as a witness before Ervin committee. He is still on ~~governmentzpayroll~~ White House staff lists, as assistant to Fred Malék, deputy director of Office of Management and Budget.

WXP 30 Sep 73, Saar

*Butterfield says that in early or mid-April he discussed the matter with Higby. (Entry 16 Jul 73, AMP-B.) (Butterfield ~~leavesWHx~~ left WH 14 Mar 73 to become administrator of FAA.)

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Gerald Ford - From column by Evans and Novak: "Breaking a precedent of long standing in their cordial relationship, House Speaker Carl Albert consciously failed to inform Rep. Gerald Ford, the Republican leader, of his decision not to accept the torrid case of Vice President Spiro Agnew [26 Sep]. That omission by Albert was no oversight. It was an intentional signal to Ford and the House Republicans that the majority Democrats were ready to assert a new partisanship in the pyramid of bewildering constitutional crises now threatening this country with its harshest challenge since the Civil War. Ever since Watergate became the only game in town last March, the Democrats have wisely eschewed normal partisanship. Now, however, that mood is beginning to change. Partisan politics, muted for so long during the Watergate scandals, will continue to intensify with the start of the 1974 congressional election campaign. "

WXP 30 Sep 73, Evans and Novak

Common Cause - David Broder says Common Cause, beginning its fourth year, has had a fairly static membership level: 230,000 members at end of first year, 220,000 early this summer, but during the past three months it has gone past the 270,000 mark and is gaining 20,000 additional members a month. "'It's pure Watergate,' said Gardner in an interview this week."

President of Common Cause is Jack Conway, for many years the top aide to Walter P. Reuther.

WXP 30 Sep 73, Broder

Mrs. Mitchell - The Mitchells' "longtime maid," Julia Carter, left them a week after Mitchell did, because "I just couldn't stand that whole mess up there any longer." Says of Mrs. Mitchell, "She is not a sick woman, no matter what they say. She's disturbed, very disturbed, and she has reason to be. But she is as sane as I am." (Statement made "last week.")

WXP 30 Sep 73, Maxine Cheshire

"Rising Threat of the Presidency"

SF Examiner 30 Sep 73, UPI, no byline

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Supreme Court, "now firmly controlled by a new conservative majority - opens its 1973-1974 term this week dominated by the constitutional shadow of the Watergate scandal. Although no Watergate cases have reached the Supreme Court yet, there are three suits expected within the next 45 days and three more Watergate-related cases which might reach the justices by spring." Of the first three, two concern demands for WH tapes, as do all three in the second category (by Mitchell, Ehrlichman, and the seven Watergate defendants).

Article says that in all cases decided since Burger has been chief justice, his view has prevailed in 88 per cent. He is generally supported by Blackmun, Powell, Rehnquist (who might have to disqualify himself in Watergate cases); the liberals on the court are Douglas, Brennan, Marshall; the balance of power is held by White and Stewart, both of whom tend to support Blackmun's views.

SFEx 30 Sep 73, NNS (Newhouse News Service)

Tapes - Sen. Walter F. Mondale (on Meet the Press)** says presidential defiance of a Supreme Court order to release the tapes could be grounds for impeachment; they "are not documents of official government activity. Those are discussions of ~~officially~~ a political campaign. Executive privilege doesn't apply to that."

WXP 1 Oct 73

(D-N.J.)
Agnew - Rep. Peter W. Rodino, chairman of House Judiciary Committee, (on Face the Nation) says it is the responsibility of the President and the courts - and not of Congress - to handle any action against Agnew; says there is no possibility his committee would take on an investigation of the charges against Agnew; that it may be up to Nixon to assume final decision on whether or not to proceed with indictment of Agnew.

Rep. Robert Bauman* (on Washington News Conference) describes House refusal to investigate charges against Agnew as "politics." Bauman is principal sponsor of a resolution which would have the House investigate the charges.

*(R-Md.)

WXP 1 Oct 73

**decries "official lawlessness" permeating the presidency, (4)

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Wiretaps/Halperin, Lake. Justice Department brief filed in response to suit by Halperin, ^{reveals} that his home phone was tapped from May 69 until Feb 71, nine months after he resigned as consultant to NSC. Such "national security" bypass court authorization but must be renewed by the Attorney General after 90 days; separate reply to suit filed by Mitchell says he was never asked to do so.

"Sources familiar with the operation" say they believe the phone of Anthony Lake, who was on Security Council, was also tapped until Feb 71.

Halperin left NSC Apr 73, when he joined Muskie's campaign; Lake left in Dec (?) 73, when he also joined Muskie campaign. At the time Muskie was considered to be Nixon's chief rival.

NYT 1 Oct 73, Crewdson; WXP 2 Oct 73, Chapman

Hunt's testimony before Los Angeles county grand jury, 6 Jun, made public today. Portion of transcript carried by LATimes deals with objective of investigation of Ellsberg and the conclusions reached. Hunt describes Ellsberg as a brilliant but unstable man, with "a great many sexual problems," says "he consorted with females of foreign birth and extraction - which was a danger signal to anybody in the counter-espionage field," and says he experimented with hallucinogenic drugs.

SFC 1 Oct 73, LATimes

Amp A

Agnew - Newsweek says Buzhardt was the key mediator in effort to produce compromise between lawyers for Agnew and the Justice Department, and that the "bottom-line requirement" was for Agnew to resign and plead guilty to a charge which could result in imprisonment for at least nine months. Newsweek says at one point Agnew's lawyers suggested he be given immunity which would allow him to help federal investigators without jeopardizing his own constitutional protections.

SFC 1 Oct 73, UPI

Edward C. Nixon - from Herb Caen: "Edward C. Nixon, the President's unbugged brother, passed through S.F. Airport en route to Eugene, Ore., and was asked by United's John Cost, 'Are you related to the President?' 'NO!' replied Edward vociferously, hurrying on, unmistakable Nixon nose in the air."

SFC 1 Oct 73, Caen

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Impeachment - National Board of ACLU "overwhelmingly" votes for resolution calling for impeachment of Nixon, on six grounds "affecting civil liberties," including "specific, proved violations of the rights of political dissent; usurpation of Congressional war-making powers; establishment of a personal secret police which committed crimes; attempted interference in the trial of Daniel Ellsberg; distortion of the system of justice; and perversion of other federal agencies."

Text, articles:

ACLU News, Oct 73

(30 Sep 73) Amp.

(A.) Hunt says that during first "casing" ~~xxxx~~ visit to Dr. Fielding's office in late Aug 71, he posed as a doctor and persuaded the cleaning woman to admit him and Liddy; while Hunt distracted her, Liddy took photos of the interior.
WXP 2 Oct 73, Aarons