

1 Nov 73 (1)

Tapes, missing - See story on testimony by Zumwalt and Baker before Judge Sirica, which includes the following:

- Secret Service agents say more than 30 tapes were removed from their safe by WH aides, and that their return was never recorded. (Number of individual tapes mentioned in story does not match this total.)

Zumwalt says that on 4 Jun 73 Bull took out 26 tapes from EOB safe, not logged as returned; and that on 11 Jul 73 Bull took out a tape purported to cover all conversations in Nixon's EOB office 11 through 16 Apr 73. Zumwalt cannot explain why a Roman numeral one appears on the box containing the latter tape, but says it sometimes indicates the first of two reels; Baker cannot explain why the box is marked "full-remove" and not, as he sometimes marked such boxes, "tape ran out."

- Paz Cohen: "Zumwalt also said today - I had left the court before this happened, I was just reading it off the wire - that Mr. Haldeman, as we knew before, had listened to some of the tapes, and Zumwalt said today that the Dean tape (or what would be the Dean tape) was removed from his safe ... at a time that Haldeman is known to have listened [9 to 11 Jul] to at least one of Nixon's tape-recorded conversations bearing on Watergate, although I believe Haldeman has said he did not listen to the April 15th tape."

Fred Graham: "Bull is yet to be heard from, but Fred Buzhardt ... told reporters that the tape for that date [15 Apr] 'probably went to Haldeman - that's my speculation.'"

- NYT (in SFC) story does not say whether this tape was returned, but Paz Cohen says that "through questioning of Zumwalt, Ben-Veniste brought out that a tape covering the period of April 11th to 16th was removed on July 11th and returned July 12th. He also said that from his notes he could not ascertain that the critical April tape had ever been returned." AMP - F

- Buzhardt says that "all the tapes made on the White House system are still in existence in their entirety," secure in a secret room in EOB. (See entry, and AMP-B; 31 Oct.)

SFC 2 Nov 73 [NYT] AMP - D

Paz Cohen, Pacifica, transcript, 1 Nov 73

Fred Graham, CBS News, transcript, 1 Nov 73

See also ~~entry~~ entry 13 Jul 73, Misc. notes on Butterfield AMP - E

(2)

1 Nov 73 (2)

Missing tapes - Jaworski says he will give top priority to the matter of the missing tapes, at news conference in Houston following announcement of his appointment. Says there are no restraints on what he will be permitted to do and that he will not be prevented from doing whatever he thinks needs doing.

SFC 2 Nov 73 [UPI]

Nixon makes sudden departure from WH (mid-afternoon, on a Thursday), flies to Key Biscayne, leaving top advisers behind. "The President left in such a hurry that members of the press pool were unable to get to Andrews Air Force Base in time to travel with him. There had been no prior announcement that he was going to leave. The press plane followed behind the presidential jet. Under ordinary circumstances, reporters on the press plane get a head start on the President." Even Haig and Ziegler catch later flight; Mrs. Nixon remains at White House.

SFC 2 Nov 73 [UPI] , SFEx 2 Nov [UPI]

Colby - Confusing story on recently released transcript (no date given for release) of Senate Armed Services Committee executive session dealing with Colby's confirmation as CIA director. Apparently included is part of a memo, 28 Jun 72, Helms to Walters, in which Helms directs Walters to ask the FBI to "desist from expanding [their] investigation into other areas which may, eventually, run afoul of our operations." This is in direct contradiction of testimony by Helms and Walters before Ervin committee. "Colby, in a series of written responses to Senator Sam Nunn (Dem-Ga.), said that Helms' memo to Walters was 'consistent with our concern that investigations might reveal CIA activities ....' CIA officials decline comment and refuse to divulge the full memo. It is unclear whether Colby in his written responses included the memo, in full or in part, or whether it came up during his personal testimony.

See entries 1972: 22, 23, 26, 28 Jun; 5, 6 Jul.

SFC 2 Nov 73 [WXP]

1 Nov 73 (3)

Nixon (suggestions for appearance before Ervin committee) - Clark MacGregor, testifying before committee, says he believes Nixon might be willing to submit to questions put informally by Ervin and Baker; Goldwater says Nixon should appear before the full committee; Weicker suggests Nixon be asked to invite the entire panel to WH and submit to complete questioning, that no oath be required but that a transcript of such a meeting be made public.

AMP - C

SFC 2 Nov 73 [AP]

Clark MacGregor, during testimony, says he feels he was used, particularly by Dean and Magruder, but not, as he makes clear, by Nixon.

SFC 2 Nov 73 [AP]

Ervin committee recesses public hearing until 6 Nov; committee sources say Connally and Shultz are to be subpoenaed for testimony in connection with contributions from dairy industry.

SFC 2 Nov 73 [AP]

Ford, during confirmation hearings, says that if he were President he would not deny the courts documents bearing on possible crimes by anyone in the White House (during his tenure? - including Nixon's? - unclear). His answers are apparently so ambiguous that he is pressed repeatedly on this point.

AMP - B  
- I

SFC 2 Nov 73 [WXP]

Sen. William B. Saxbe is named U.S. Attorney General by Nixon, who also approves appointment of Leon Jaworski as special prosecutor.

- Jaworski's appointment is announced by Bork, who says Nixon "has given his personal assurance" that he will not fire Jaworski without first obtaining consent of majority and minority leaders of House and Senate and the chairmen and ranking members of House and Senate Judiciary committees. Bork says he has told Jaworski that he believes the Cox staff "is indispensable to the rapid investigation and prosecution of these cases, and Mr. Jaworski fully agrees."

SFC 2 Nov 73 [WXP]

See entry, "Nixon is visited ...,"  
20 Mar 73.

(4)

1 Nov 73 (4)

Special prosecutor - See stories for differing views on whether ~~special~~ legislation is needed to provide for special prosecutor who could not be fired by Nixon; if such a bill is passed it should specifically wipe out Jaworski's appointment.

SFC 2 Nov [AP, UPI]

Tapes - Undated story recalls that Petersen has said Nixon told him 18 Apr that he had a tape of Nixon-Dean meeting of 15 Apr; later told him the same day that he must have misunderstood, that what he had was a written record or memo of the conversation.

SFC 2 Nov 73 [WXP]

Fielding poll - California public disagrees with Nixon that television coverage of Watergate has been "outrageous, vicious and distorted," 67% to 31%.

SFC 2 Nov 73

Weicker releases to NYTimes seven WH memos, written over 22 months beginning in Feb 70, suggesting ways to pressure television networks, including one from Higby to Haldeman saying "what we are trying to do here is to tear down the institution."

SFC 2 Nov 73 [NYT]

Indochina - Gen. John W. Vogt Jr., commander in chief of Pacific Air Force Command, quoted in Stars and Stripes as saying U.S. might resume bombing in Indochina in the event of a new Communist offensive. Says that ~~while~~ U.S. planes "are flying reconnaissance missions, and it is conceivable that our crews could be shot up."

SFEx 2 Nov 73 [UPI] - filed Indochina

Ziegler calls Howard K. Smith to White House, after Smith yesterday suggested that Nixon resign or be impeached. Smith does not feel this was any attempt to pressure him, says Ziegler simply "explained their viewpoint - in sorrow, not in anger."

SFC 3 Nov 73

1 Nov 73 (S)

Howard Hughes - Jack Anderson says "White House memos" show that in Jan 71, after Rebozo had accepted contributions from Hughes, Haldeman and Dean planted stories linking Hughes to Larry O'Brien. Anderson quotes from a memo in which Haldeman instructed Dean to keep "Bob Bennett and Bebe out of at all costs . . . , " but Anderson points out that while Haldeman and Dean knew that Rebozo had dealings with Hughes, "the memos don't make clear whether they were aware [Hughes] had slipped Rebozo \$100,000 for the President."

WXP 1 Nov 73, Jack Anderson

Vesco flies to Buenos Aires and meets with minister of interior Benito Llambi who, after consulting with President Peron, assures Vesco he has been granted status of permanent resident, and that any U.S. request for his extradition would be denied. The date given is "about Nov. 1."

See entry 19 Nov 73.

Wall Street Journal 19 Nov 73, Scott R. Schmedel

(1 Nov 73) (AMP) (1)

(A) - Nixon takes with him only Bryce N. Harlow, "the veteran White House adviser who was recently recalled from private life to help Nixon out of the Watergate scandal." OVER

(B) - Ford says House should go ahead with its investigation to determine whether Nixon should be impeached, although he doubts there are grounds for this; that ~~there would~~ it might have been better had the WH disclosed earlier that two of the subpoenaed tapes did not exist; that he had recommended on two occasions that WH tapes should be turned over to the court. AMP - 4

SFEx 2 Nov 73 [AP]

(C) - Goldwater says of the two missing tapes that "As one schooled in electronics I can understand it, but as a practical person in close touch with the American people, I doubt that they will accept this."

SFEx 2 Nov 73 [AP]

(D) - From NYT: "There was still no indication of what Judge Sirica would do after the hearings had been completed. White House attorneys were hopeful he would rule that the pending court orders now cover seven instead of the original nine tapes, thus acknowledging the legitimacy of their presentation. If the Judge determines, however, that some irregularity has prevented the submission of the two tapes to him, he could entertain a move for a contempt citation against the President by the Watergate prosecutors or forward the transcript of the hearing to the grand jury as the basis for possible indictments for obstruction of justice."

SFC 2 Nov 73 [NYT]

(E) - See entry 31 Jul 73, Haldeman  
See entry 10 Sep 73, tapes  
See entry 31 Oct 73, tapes, missing

(F) - See entry 11 Nov 73, missing tapes

(G) - See entry 8 Sep 74, Misc. notes on pardon: Ford, during Senate confirmation hearings ....

AMP-2

Buzhardt and Garment fly to Miami to "review the proceedings" in tape hearings; do not get to meet with Nixon but do confer with Haig and Harlow.

NYT 5 Nov 73, Kneeland

98  
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(1 Nov 73) (AMP) ②

④ - Nixon, Rebozo, Abplanalp meet on Rebozo's houseboat,  
3 Nov 73.

① - Ford, at confirmation hearings (no date specified),  
denies having acted at White House direction when, as House  
Minority leader, he helped to shut off investigation by  
Patman committee. See article by Jules Witcover,  
WXP 5 Oct 76, and entry 3 Oct 72, Patman Committee.