

21 Nov 73 (1)

Tapes - Buzhardt tells Sirica that 18-minute segment of tape of 20 Jun 72 is defective; the "phenomenon" appears during discussion between Nixon and Haldeman, and consists of what he describes as "an audible tone and no conversation."** Says this was discovered 14 Nov*, when he and other Nixon lawyers were playing back the original tape to compile index, and that Nixon was told "shortly thereafter."

Concedes Nixon knew this when he told Republican governors 20 Nov there would be no more "bombshells."***Says he does not think Nixon "understood precisely" that this tape was one of those involved. Description by Cox in subpoena is explicit. (See NYT 25 Oct 73.) AMP - A

Sirica orders Nixon to turn over, by 26 Nov, all existing tapes subpoenaed by Cox, to be held for safekeeping at U.S. courthouse.*** If Nixon will not do so voluntarily Sirica will ask Watergate prosecutors to issue a fresh subpoena for them.

SFC 22 Nov 73 [WXP]

* AMP - C
** AMP - D, S
*** AMP - E
"advisory"

Tapes - Sirica announces names of six-man/panel of technical experts" who will "study the authenticity and integrity of the tapes that the White House has furnished to the court." They are Richard H. Bolt, Franklin Cooper, James L. Flanagan, John G. McKnight, Thomas G. Stockham Jr., and Mark R. Weiss. See story for the firms with which they are connected.

SFC 22 Nov 73 [NYT] See entry 18 Nov 73.

AMP - B

from Bork
Jaworski - Kennedy releases letter dated 20 Nov/(no indication to whom the letter is addressed), which says the special prosecutor's independence can be limited if eight congressional leaders agree; Kennedy says the understanding had been that there would be no limit on independence. UPI: "Bork said in the letter that a 'drafting error' in Jaworski's charter made it appear that the consensus among congressional leaders is required only for Jaworski's dismissal by the attorney general. Such a consensus also could be asked to limit his independence or jurisdiction, Bork said."

The eight ~~leaders~~ congressmen are the leaders of both parties in each House and the chairmen and ranking Republicans on each of the Judiciary committees: ~~Max Baucus~~,

21 Nov 73 (2)

[from previous page]

Mansfield, Scott, Eastland, Hruska, O'Neil, Ford, Rodino, Hutchinson. See NYT 20 Nov, Naughton, for interesting political analysis.
SFC 22 Nov 73 [UPI]

Impeachment - Chesterfield Smith, president of American Bar Association, says House of Representatives should begin impeachment proceedings, but "I am not suggesting that the House of Representatives impeach. I am suggesting that the House of Representatives should decide."

See story for his views on dismissal of Cox, appointment of special prosecutor, executive privilege.

SFC 22 Nov 73, William Thomas

Mrs. Hunt - Coroner's jury (Cook county, Illinois) rules ~~her~~ death of Mrs. Hunt and others in plane crash was accidental; federal aviation specialist had ruled there was no evidence of sabotage.

SFC 22 Nov 73 [no attribution]

Agnew has been hired as a consultant for international trading firm co-owned by Frank Jameson, husband of Eva Gabor (~~the~~ J-W Industries). Jameson says he and his wife are good friends of the Agnews' and that Agnew was retained shortly after Agnew resigned as vice president.

SFC 22 Nov 73 [UPI]

Kennedy, in television interview, says his family does not want him to run for President, but that did not necessarily mean he would not seek the nomination in 1976; if he should decide to run they would support his decision. Asked about Chappaquiddick, says "If I am a candidate, the people will have an opportunity to speak on that issue."

SFC 22 Nov 73 [UPI]

- Gallup poll, published 26 Nov, says Kennedy "continues to be the runaway first choice of the nation's Democratic voters for the 1976 presidential election," being chosen by 41 %; next highest vote-getter is Wallace with 15%.

SFC 26 Nov 73, filed EMK (a)

21 Nov 73 (3)

Alert - "Story Behind the U.S. Military Alert," analysis by
and chronology, which begins 16 Oct 73.

SFC 21 Nov 73 [NYT]

"JFK and the Role of the President" - analysis of
similarities in the views of JFK and Nixon of the presidency,
and the differences in their methods. Includes quote
from Kennedy, 14 Jan 60: "Whatever the political
affiliation of our next President, whatever his views may be
on all the issues and problems that rush in on us, he must
above all be the chief executive in every sense of the word.
He must be prepared to exercise the fullest powers of that
office - all that are specified and some that are not."
If the next President "is the man the times demand," he would
discover "that to be a big man in the White House inevitably
brings cries of dictatorship."

SFC 21 Nov 73 [NYT]

McCord - See entry 30 Nov, letter to Sirica dated today from
McCord, thanking Sirica for "fair and just sentence."

SFC 1 Dec 73 [AP]

(21 Nov 73) AMP /

(A) - Unattributed story in SEExaminer says "Cox filed a subpoena memorandum with Sirica last Aug. 13 in which he spelled out the time and place of the recording he wanted, and indicated he was talking about two consecutive conversations. Specifically, Cox said Nixon 'met with John D. Ehrlichman and H.R. Haldeman . . . on June 20, 1972 from 10:30 a.m. until approximately 12:45 p.m.' He also said 'Ehrlichman and then Haldeman went to see the President.'"

SFEx 25 Nov 73 [unattributed]

- "In her November 8 testimony, Miss Woods discussed the Haldeman-Nixon conversation as if it were part of a discussion also involving ... Ehrlichman According to logs of Mr. Nixon's June 20 activities, from 10:30 a.m. to 11:30 a.m. he met with Ehrlichman. The meeting with Haldeman, including the blank 18 minutes, apparently lasted from 11:30 a.m. to 1 p.m." OVER - A

SFC 26 Nov 73 [LATimes]

- Cox, in statement 23 Jul 73, says twice that eight tapes were requested of the WH 18 Jul; copy of his letter to Buzhardt of that date, issued with statement, lists eight tapes, the first of which is that of meeting 20 Jun 72 "between the President and Messrs. Ehrlichman and Haldeman from 10:30 a.m. to 1:00 p.m. (time approximate)."

WXP 24 Jul 73 [texts]

~~xxx Buzhardt goes to Jaworski's office to ask for a delay~~

- Buzhardt goes to Jaworski's office (before appearance in court) to ask for a delay in releasing the news that a segment of tape of 20 Jun is obliterated; Jaworski refuses.

SFC 27 Nov 73 [WXP]

(B) - Buzhardt and Garment meet with Jaworski in Sirica's chambers, after which Rose Mary Woods is subpoenaed. (To testify 27th Nov? - unclear. See entry that date.) LATimes sees this as one of the signs ~~that~~ of a split between Miss Woods and WH lawyers.

SFC 28 Nov 73 [LATimes]

(C) - Evening of 14 Nov - WXP 6 Dec 73, Lardner.

(D) - Buzhardt "stood wan and subdued before Judge Sirica his voice nearly inaudible" as he told of 18-minute gap.

Newsweek 3 Dec 73

OVER - B

(E)

(A) - First Cox subpoena 23 Jul 73 listed the time as "from 10:30 to noon (time approximate). "On Aug. 13 a memorandum from the prosecution further stipulated the same meeting with the same men, with the times more exact, and indicated that two aides had met with the President in sequence."

WXP 29 Nov 73, Joseph Kraft

(B) - Buzhardt does not mention in court what he told Sirica in chambers, that the erasure "could not have been accidental."

Newsweek 10 Dec 73, p. 28

(21 Nov 73) AMP 2

(F) - "The gap, so his lawyers said, was discovered during a routine playback and reported to Mr. Nixon on Nov. 14 - a week to the day before anyone told Judge Sirica. The President [blunted] the news by saving it till Thanksgiving eve, when Congress was scattered, politics muted and the First Family itself safely ensconced (with Bebe Rebozo) for a long holiday weekend at Camp David."

Newsweek 3 Dec 73

(F) - WXP: "Sirica had been planning to leave the original recordings in White House custody until a panel of experts completed a series of tests,a process that is expected to take several weeks."

SFC 22 Nov 73 [WXP]

(G) - Buzhardt tells court that except for this tape, "all of the other tapes subpoenaed have been audible throughout."

SFC 22 Nov 73 [WXP]