

# Nixon's Midnight Call for the Tapes

## Washington

President Nixon asked the White House to fly one of the Watergate tapes to his home in California at midnight on one of the five days that John W. Dean III testified before the Watergate committee, Senate investigators have disclosed.

The committee officials said the President discarded the plan — but had one of his Watergate lawyers listen to the recording in the White House the same night and then brief him on its contents — after being informed there was not a convenient courier flight to rush the tape to San Clemente.

The Senate sources said this was only one of several instances in which Mr. Nixon permitted aides to listen to Watergate tapes or be briefed on their contents.

In refusing to make the tapes available to the Senate panel, the special government prosecutor on Watergate or to U.S. District Court Judge John J. Sirica, Mr. Nixon has contended that to do so would violate a "principle of confidentiality" essential to the the presidency.

The U.S. Court of Appeals for the District of Columbia will hear oral arguments tomorrow in the President's appeal of Judge Sirica's ruling that the tapes must be surrendered to him to be examined in private.

The Senate investigators said they believe Mr. Nixon's handling of the tapes before their existence became known July 16 could be a factor in weighing the argument about their confidentiality.

But the sources said that thus far lawyers for the Select Committee on Presidential Campaign Activities have shown little interest in submitting the information to the courts as part of the

Senate lawsuit to gain access to the tapes.

The committee and Archibald Cox, the prosecutor, want to hear the tapes in the hope that they will shed light on who has been telling the truth about the burglary of the Democrats' headquarters in the Watergate complex last year and

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the subsequent cover up.

The committee, which recessed early last month, will meet tomorrow to plan for the resumption of public hearings later this month.

According to the sources, the Senate committee obtained new details concerning the treatment of the tapes when the committee staff conducted private interviews last month with Stephen B. Bull, a special assistant to the president and White House press secretary Ronald L. Ziegler.

### DETAILS

Among the details, they said, were the following:

On June 27, the third day of testimony by Dean, former White House legal

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counsel, the paging device worn by Bull buzzed as he was dining not far from San Clemente at 9 p.m.

Bull telephoned the San Clemente compound and was told by Alexander M. Haig Jr., the President's chief of staff, that Mr. Nixon wanted the tape of his April 15 conversation with Dean flown to California as soon as possible.

Bull, as the White House staff administrator, was able to tell Haig immediately that there was no convenient, courier flight from Washington at that hour.

### SUSPICIOUS

Accordingly, Bull was said

to have been instructed to make arrangements for the Secret Service to play the April 15 tape at the White House for J. Fred Buzhardt Jr., a special Watergate counsel, so that Buzhardt could brief the President by telephone.

Dean has testified that he became suspicious that the President was recording the April 15 conversation when the President asked him a number of leading questions and then stepped away from his desk to say, in a barely audible tone, that he had been "foolish" to discuss executive clemency for a Watergate defendant with a member of his staff.

Mr. Nixon has said his only discussions of clemency dealt with his statements that it would not be granted to any Watergate conspirator.

President Nixon was said to have asked Bull on June 4 to listen to the recording of a March 15 meeting he had had with Dean and Richard A. Moore, a special counsel to the President. Bull made notes on the conversation and then read the notes to Mr. Nixon.

### REPEAT

The President then called Ziegler to his office and had Bull repeat the information. The sources said that both Bull and Ziegler had confirmed the account, but that neither would say what was on the tape.

There was no explanation of the President's interest in the March 15 tape.

The Senate sources said Bull also had given the committee information about the availability of several tapes to H. R. Haldeman both before and after Haldeman resigned April 30 from his post as White House chief of staff.