

2d Senate Unit, Plus the FCC, To Probe White House Taping

By Jules Whitcover
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A second Watergate investigating committee and the Federal Communications Commission said yesterday they will look into White House wiretapping practices disclosed in the Senate Watergate committee hearings.

Sen. Henry M. Jackson (D-Wash.), chairman of the Senate Permanent Investigations Subcommittee, said his group will inquire into both governmental and industrial snooping by wiretap, with an eye to restrictive legislation.

At the FCC, Bernard Strassburg, chief of its Common Carrier Bureau, said he had asked the American Telephone and Telegraph Co. to determine whether the Nixon White House had violated tariff regulations requiring a warning beeper on recorded phone conversations.

And a spokesman for the Chesapeake and Potomac Telephone Co., which provides service for the White House, said the company has written a letter to the White House emphasizing the need for compliance with both FCC and District of Columbia tariff regulations on phone recordings.

Former White House aide Alexander P. Butterfield, in testifying before the Watergate committee Monday, said presidential phone calls were recorded automatically, without any notification to the caller.

Jackson, in announcing his investigation, recalled that "on traveling to Iron Curtain countries, I was always admonished that we could expect to be bugged. But it is astonishing that the White House is doing this without the knowledge of people who are visiting with or talking to the President."

The practice, he said, "obviously inhibits the kind of frank and honest advice a President must have . . ."

"The civil liberties of all of our citizens are at stake. The fact that certain people in high government positions do this does not make it right or wise. The practice inhibits our freedom of discussion and dissent."

Jackson also said he was

"amazed" that so far there has been no sharp protest from foreign capitals about the disclosure that presidential visitors, presumably including foreign heads of state, have had their conversations taped without notification in the White House.

The disclosure, he said, can have great and deleterious impact on the conduct of foreign policy.

Jackson said he hopes to have additional staff assembled and preliminary investigation work done in time to begin public hearings in September. He said he will confer with Sen. Sam J. Ervin Jr. (D-N.C.), chairman of the Senate Watergate committee, who is also on the Jackson subcommittee, before deciding whether to ask the White House for tapes of recorded conversations, as Ervin has already done.

(At his briefing yesterday at the Naval Medical Center in Bethesda, White House press secretary Ronald L. Ziegler was asked whether forthcoming meetings with the Shah of Iran will be taped. Ziegler said he had "nothing further to say" for the time being on the matter of White House tapings of conversations.

(On Monday, J. Fred Buzhardt, special counsel to President Nixon, in confirming the existence of the automatic bugging system, reported that it "is still in use.")

The tariff regulation on recording requires that any recording device provide a "beep" every 15 seconds, except when broadcasters are recording interviews, and when calls are made to police and fire departments.

As a result of Butterfield's testimony, Strassburg said yesterday, he phoned AT&T and asked what was being done about the apparent tariff violation at the White House. An AT&T official told him, he said, that inquiries would be made.

Fred Langbein a C&P spokesman, said a letter went out at once from H.B. Fitchett, director of government communications services for C&P, to Bruce A. Kehrli, special assistant to the President in charge of White House communica-

tions, saying that use of phones "should be in accordance" with tariff regulations.

Strassburg said it is the telephone company's responsibility under FCC regulations to see that the tariff rules are adhered to. Asked what would happen if the White House ignored the inquiries and continued the practice, he said:

"It would pose some very practical problems. We've taken what action it is appropriate to take. I assume the White House will want to comply with the applicable regulations like any private citizen."

The telephone company has the obligation either to enforce the tariff regulations on a customer or discontinue service, he said. But Langbein told the Associated Press that "we certainly wouldn't cut off service to the White House."

Strassburg said he had contacted AT&T as an administrative action of his own, without clearing it with members of the FCC, because compliance with tariff regulations is his responsibility. But the commission members are aware of his action, he said.

In the White House briefing, Ziegler declined to elaborate on his statement of Tuesday that the White House would have something to say "shortly" on the request of Senate Ervin for tapes of White House conversations dealing with the scandal.

Ziegler said only that "it is a matter still under discussion," and that he personally is not reviewing the tapes nor any transcripts nor are the President's lawyers.

"As I understand it," he said, "there have been no transcripts ever made of the tapes," and "it is my understanding" none are being made now.

Asked specifically whether he could say "if the tapes are still intact," Ziegler replied: "The only thing I can tell you on this particular subject is that we will have something further to say on it shortly, and I don't have anything further to say on it now."

Ziegler was also asked

whether the Secret Service, which Buzhardt said Monday had installed the automatic bugging system, "is ever called upon to do duties for the President at the White House other than to protect him." He replied: "Not in this administration."

As for Senator Ervin's meeting with the President, Ziegler said "there is no time set," but that the office of the counsel in the White House has talked to the Ervin committee staff "from time to time."

Although there have been no outspoken protests about the White House bugging system from foreign capitals, sharp complaints were heard yesterday from two important Nixon supporters in Philadelphia—Mayor Frank L. Rizzo and District Attorney Arlen Specter.

Rizzo, a Democrat, who once called Mr. Nixon America's greatest President, labeled the practice "un-American," and Specter, who helped run Mr. Nixon's re-election campaign in Pennsylvania, labeled it "appalling."

"It just doesn't rub me the right way," Rizzo told a press conference. "I think it's pretty outrageous that conversations you were having in private were being recorded without you knowing it. The American way," said the mayor, who has conferred with the President in the Oval Office, "is to let you know about it."