

# Keeping Track of Nixon Tapes:

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One day last summer, 26 tape recordings of presidential conversations were removed from their safes in the basement of the Executive Office Building and delivered into the custody of one of President Nixon's aides, a young man named Stephen Bull.

As was his habit, a Secret Service technician made a note of the delivery on a scrap of paper, which he shoved in a drawer of the safe. It was the easy, casual manner of record-keeping which Raymond C. Zumwalt had chosen for

There were no notes in Zumwalt's keeping track of the tapes in his care. safe, however, to indicate that anyone ever returned the 26 tapes. And six weeks later, when Zumwalt was making his final inventory, he scribbled the identifications of those tapes in a spiral notebook and added this notation: "June 4, 1973, to Steve Bull." There was no note reporting when, if ever, the tapes were returned.

Zumwalt was asked last week in court about his system of accounting.

"You have no record of when those tapes came back?" a special assistant prosecutor wanted to know.

"That's normal," said Zumwalt.

Foggy that answer may be, but it seems to describe accurately the system for keeping track of the magnetic tapes on which a presidency may depend. Haphazard care was "normal" under the White House-Secret Service system.

Tapes were checked out and never checked back in. Some have been played in such disparate places as a Camp David cottage and the private home of a White House assistant. Records and memories differ as much as a week on when one big batch of tapes was returned to the Secret Service. The White House has insisted the tapes were kept in the residential part of the White House, while court testimony repeatedly has placed them in the basement of the Executive Office Building.

Who had the tapes, how long, and where? These are the questions for which Judge John J. Sirica is seeking

answers in a morass of conflicting, confusing testimony.

The White House has said that the where? These are the questions for tapes were always under tight security Service, then in the care of presidential aides. On July 23, Mr. Nixon told Sen. Sam Ervin (D-N.C.), Senate Watergate committee chairman, that the tapes "have been under my sole personal control."

Last week, White House counsel J. Fred Buzhardt said in court that all of the tapes in the White House system are still in existence and are kept under "close security."

Establishing a chain of custody for the tapes is one of the central issues in the hearing before Sirica, which began when the White House suddenly asserted that two of nine tapes subpoenaed by Watergate special prosecutors never existed.

As the hearing stands now, there are many missing links in that chain and, given the curious records and falling memories involved, they may never be found.

Until July 18, the tapes were in the

## Haphazard Care Was 'Normal'

care of the Secret Service Technical Services Division. When removed from a recorder, they would be stored temporarily in cabinets in rooms where the recordings were made and monitored. When several tapes were ready, they would be bundled up and put into one of the five or six safes, each containing five file drawers, in the basement of the Executive Office Building next to the white House.

On one occasion last April, Bull came to get some tapes for H. R. Haldeman, then White House chief of staff and soon to resign under fire. Bull testified last week he has no way of being sure Haldeman gave him back, later, the same tapes he had fetched for him. Nor could he say that Haldeman even gave him back the same number he had received.

Bull recalled checking out these tapes only once, and said they probably remained in Haldeman's possession only overnight. The Secret Service logs tell a different story. They show the 22 tapes being checked out, returned and checked out again. They went out first on April 25 and did not

return finally until May 2, much longer than the "overnight" possession Bull had described.

Haldeman later (after he had resigned) was given another half-dozen tapes. He listened to half of them in an office at the Executive Office Building and the other half in the private home of an aide, Bull testified. There is no testimony to show whether others heard those tapes, whether duplicates were made, or whether they could have been altered while in Haldeman's possession.

Zumwalt, the Secret Service custodian, and his boss, Louis B. Sims, made an inventory in mid-July on all the tapes in their possession. But it left many tapes unaccounted for. Some have return dates, others don't. Some are dated in the same manner as on Zumwalt's initial records, the scraps of paper; others are not because no scraps of paper could be found. Sims said he thought Zumwalt had made some original entries in a loose-leaf notebook and then thrown them away, but he wasn't sure of that.

The big question involved the tapes removed on June 4, the ones Mr. Nixon is said to have listened to for up to 12 hours. There was no note showing when, or if, they had been returned. Sims suggested they had been returned on the same day and only one date was written down. But, he acknowledged, that wasn't consistent with notations made elsewhere in Zumwalt's notebook.

The key and combination to the safes were transferred on July 18 to John Bennett, another presidential aide, who accepted custody in behalf of the President. The Secret Service had been told to cease recording the President's conversations and to turn over the ones already made to Mr. Nixon.

Since then, no one outside Mr. Nixon's inner circle knows what has happened to all of the tapes. At least eight have been in the possession of Rose Mary Woods, Mr. Nixon's personal secretary, since Sept. 9 and another eight were given to her last Monday.