

investigations

'The White House Has Been Bugged'

AS certain as two cars coming from opposite directions on a one-lane highway, the Senate Select Committee on Presidential Campaign Activities and President Nixon had been on a collision course since Senator Sam Ervin Jr. had gavelled the televised Watergate hearings to order May 17.

Last week came the crunch — after the appearance of a surprise "mystery" witness, Alexander Porter Butterfield.

He was dropped into the lineup at 2 p.m. Monday without warning, after a long and frequently dull series of unsuccessful attempts to get White House special counsel Richard "Red" Moore to say he thought the President knew of the Watergate coverup before March 21 — or at least that Moore himself had known before then.

Butterfield proved a tall, athletic clean young-looking man of 47, now head of the Federal Aviation Administration. However, until March 14 he had been the man in the White House that took care of security, making smooth the President's daily schedule and a host of other apparently unspectacular chores. His boss was White House Chief of Staff H. R. Haldeman.

Since 1970?

What interested the committee, however, was his disclosure that since early 1970 (he thought) the Secret Service had installed and operated an automatic recording system in the President's offices — Oval Room, the Lincoln Sitting Room, Executive Office Building office at his Camp David cabin, and in the Cabinet room — and put recording devices on his telephones.

Butterfield said that only the President, Haldeman, possibly Haldeman's chief assistant Lawrence Higby, and the Secret Service men who installed the system and monitored it at the President's request, even knew that it existed. The tape-recorders worked automatically, he told the startled listeners, when the President was in the rooms but not if he wasn't.

Thus since their installation, all conversations between the President and whoever stepped into the Oval room and other offices or spoke to him over his business telephones had been taped — without their knowledge.

In any event, Mr. Nixon

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had it done to provide an historical record for the archives of the Nixon Library that would be organized after the President left the White House, said Butterfield. One of Butterfield's chief duties was to gather material for that library.

Committee majority counsel Sam Dash asked then whether there would be a complete recording of the President's private conferences with former White House counsel John Dean III, Haldeman, former domestic chief adviser John Ehrlichman, or Charles W. Colson, the former deputy counsel to the President.

There were very serious conflicts in the testimony of Dean and Moore, for example, and between what Dean, Haldeman and Ehrlichman had said publicly.

"If one were, therefore, to reconstruct the conversations at any particular date, what would be the best way to reconstruct these conversations, Mr. Butterfield, in the President's Oval office?" Dash asked.

"Well, in the obvious manner, Mr. Dash" said Butterfield. "To obtain the tape and play it."

Shut Up!

That, it quickly became evident, would be very difficult to do. At noon Tuesday Senator Ervin (Dem-N.C.) and Senator Howard Baker (Rep.-Tenn.) and committee lawyers had begun to interview Al Wong, the man who had been chief of the Technical Services Division of the Secret Service at the time Butterfield said the system was installed.

They had scarcely begun firing questions at Wong before Assistant Secretary of

Shredder For Cox

ASSERTING that "the work (of his staff) is a task of the highest national priority," special prosecutor Archibald Cox last week asked a Senate appropriations subcommittee to approve \$2.8 million to continue his Watergate investigation in the current fiscal year. He also asked the right to hire a staff



of 90 persons, and had purchased (for \$620) a shredding machine which was advertised as performing "cleanly with a quiet hush."

the Treasury for Enforcement Edgar Morgan dashed in with a letter President Nixon has sent his boss, Treasury Secretary George Shultz. The letter ordered Shultz to ban all testimony by Secret Service agents or former agents and specifically "concerning matters observed or learned" by the agents while they were performing protective functions for the President or in their duties at the White House.

Both Baker and Ervin hoped that meant by going directly to the President they could get the desired

'Were there any clues I should have seen?'

tapes which, presumably, would settle once and for all the burning question — did the President know about the Watergate coverup before March 21, as Dean had claimed?

There were instant reactions to the revelation of the White House tape system. First was a quick note from J. Fred Buzhardt, special counsel to President Nixon, to Ervin saying the system was installed in April 1971, not 1970 as Butterfield, who ordered it installed, had testified. (Butterfield said his memory must have failed him.)

The Buzhardt correction



MOORE



KALMBACH



BUTTERFIELD

would make the installation legal since the Supreme Court decided in 1971 that "bugging" was permissible if one party to the conversation approved.

'Tell Him'

Meantime, Richard Moore, despite his often bumbling manner and rubbery memory, seemed to convince many listeners that he was the one who on March 20 advised Dean to go into the President "and tell him what you know, you will feel better, it will be right for him and it will be good for the country."

And when Dean did so March 21, Moore said he was sure that was the first time the President had heard the full story. He recalled that as recently as May 8 the President told him: "I have racked my brain. I have searched my mind, were there any clues I should have seen that should have tipped me off? Maybe there were."

Moore had given way on the witness stand to Butterfield and the attempt to get the tell-tale tapes. Then on Tuesday another major figure in the Watergate affair coverup, the President's personal lawyer and longtime fundraiser, Herbert Kalmbach of Newport Beach, Calif., took the witness seat.

Raising of Money

Kalmbach, according to Dean's testimony in June, had been the man Dean turned to after the June 17, 1972, arrest of the Watergate burglars, to raise money to provide them with lawyers and take care of their families.

Kalmbach's testimony was not only somewhat different in details (he and Dean met in Lafayette Park and not the Mayflower coffee shop, for example) and entirely different in tenor.

Dean had said that in his meeting with Kalmbach different in details he and when he told him about the need for money "... I felt quite confident that Mr. Kalmbach understood (that the money was to buy Watergate defendants' silence). Given the whole procedure that was being set up ...

that this was not for humanitarian purposes, we might say."

Kalmbach insisted he believed it was purely for humanitarian purposes. However, he didn't like the "James Bond scenario" arrangements, the insistence on secrecy, the shifting of great bundles of \$100 bills from hand to hand, and finally went to John Ehrlichman to find out whether Dean really had the authority to ask him to raise the money and go through the whole charade.

'Proper Assignment'

He recalled that Ehrlichman looked him right in the eye and said: "Herb, John Dean does have the authority, it is a proper assignment and you are to go forward."

"Do you feel you have been used by Mr. Haldeman in this matter?" asked Weicker.

"Yes," said Kalmbach. "If they had knowledge of what has been alleged to be the true purpose of this and did not inform me, I have been used."

Conversation Taped

He appeared most unhappy, however, about the tape of a telephone conversation between him and Ehrlichman last April just before he testified before the Federal Grand Jury investigating the Watergate affair.

At one point in the long conversation Ehrlichman said: "I would appreciate it if you would say you've talked to me in California because at that time I was investigating this thing for the President."

"And not now (April)?" asked Kalmbach.

"Well, I wouldn't ask you to lie," replied Ehrlichman.

Kalmbach said he didn't know the conversation was taped. "Do you feel this was a self-serving conversation as far as Mr. Ehrlichman was concerned?" asked Weicker.

"Yes, sir," said Kalmbach.

"What was your feeling on learning you had been taped?"

"It was just as if I had been kicked in the stomach," said Kalmbach.