

Timing Of Cutoff Unclear

Nixon Expected To Tell Ervin Early in Week

By Jules Witcover
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The automatic taping system that has been recording President Nixon's conversations in the Oval Office and other White House rooms since 1971 has been deactivated. The Washington Post learned from a reliable White House source last night.

There was no indication when the system, whose disclosure in testimony before the Senate Watergate Committee Monday has caused a furor, was turned off.

Formal acknowledgement that the system is no longer in use is expected to come early next week in a statement from President Nixon to Sen. Sam J. Ervin Jr. (D-N.C.), the committee chairman

Continuation of the system could have resulted in some diplomatic embarrassment next week. The Shah of Iran is to arrive on a state visit Tuesday. To direct questions about whether the system would be used during the shah's visit, the White House had been declining comment.

The use of the automatic system was justified by former White House aide Alexander P. Butterfield in his testimony Monday as merely a means of contributing to the history of the Nixon administration for the planned Richard M. Nixon Library. But its continued employment during the Watergate investigation would have served as a reminder of all the other cases of electronic eavesdropping that have marked the affair.

Special White House counsel J. Fred Buzhardt, in a letter to the Senate committee confirming the existence of the system Monday, had said it "was still in use" at that time.

Earlier yesterday the White House confirmed that the President had made his decision on the release of taped presidential conversations bearing on Watergate and will let the Senate committee know on Monday what it is.

Deputy press secretary Gerald L. Warren would not say what the decision is, but other informed sources already have said the answer will be in the negative.

"There is no change in the President's basic decision stated in his July 7 letter" to Ervin, Warren said. In that letter, Mr. Nixon said, "I shall not testify before the committee or permit access to presidential papers."

The President is expected to tell Ervin he considers the tapes to be in the same category as his White House papers—the internal business of the executive branch not to be revealed to the legislative.

The President's refusal to release the tapes made in the Oval Office and elsewhere by automatic devices installed in the spring of 1971 should trigger a show-

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down on the issue of executive privilege between Mr. Nixon and the committee.

Sen. Herman E. Talmadge (D-Ga.), a committee member, said yesterday that if the President's refusal leads to a vote on subpoenaing the tapes, "I anticipate that the vote will be unanimous."

Failure of the White House to comply probably would push the issue into the courts, where it "might be litigated for several

years," Talmadge said. "I think if the President were to do that, he would make a great mistake."

One major figure in the Watergate case, former Nixon aide John D. Ehrlichman, said yesterday he was "delighted" to know the tapes had been made and he expected "they will be sort of the ultimate evidence in this thing."

Ehrlichman, interviewed by the British Independent Television News, said the

tapes "certainly" should be produced for the committee.

"I may have said some things about some people to the President that were very frank and candid and unvarnished," he said, "but as far as events or circumstances or my position in this whole controversy, I don't have a thing to worry about as far as those tapes are concerned."

On Capitol Hill, one of Mr. Nixon's chief defenders in the Watergate controversy, Sen. Carl T. Curtis

(R-Neb.), said the White House had shown him the affidavits earlier leaked to selected reporters indicating that White House bugging was practiced in the Johnson administration.

Curtis, like the reporters who saw them, declined to identify who signed the affidavits, other than indicating they were two officials in the previous administration.

Curtis also drew attention to a newscast in New Mexico three weeks ago reporting that former Republican

Gov. David F. Cargo said phones in the governor's mansion in Santa Fe were bugged during a visit in 1968 by then vice-presidential candidate Spiro T. Agnew.

Curtis, who already has called for an end to the Ervin committee hearings as "an attack on the President," called on the committee to look into this report and others about wiretapping in past administrations.