

## TAPINGS OF CALLS TO NIXON UPHELD

Secret Service Says It Has  
Right of Nondisclosure

WASHINGTON, Sept. 4  
(AP)—The Secret Service said today that there were times to record calls to the White House without telling the caller his conversation was being recorded.

Under the law, the Federal

Communications Commission requires telephone companies to insist that their customers give notice or have beepers that let the caller know his conversation is being recorded. But a Secret Service spokesman said the law contained exceptions for fire and police departments.

"We would do it if there was a verbal threat or a bomb threat" to the President, he said.

The policy was brought out when the Secret Service was asked about a letter to the F.C.C. by the Chesapeake and Potomac Telephone Company asking for dismissal of a com-

plaint by Robert E. McCann, a San Francisco retired airline engineer. He had complained that an Oct. 29 call he made to the White House to talk to President Nixon was recorded against his wishes.

The telephone company said it had no knowledge that Mr. McCann made the call or if he did make it that it was recorded.

This prompted the phone company to inquire if this was true. The company said it was informed on Aug. 17 by Leonard Garment, counsel to the President, that "the reported use of recording devices has ceased and that the White House use

of telephone service is in accordance with applicable tariff regulations."

C&P added that it had been told by the Secret Service that under law it was responsible "for the protection of the safety of the person of the President and members of his immediate family, and the executive mansion and its grounds, that such statutory responsibilities take priority over the tariff requirements regarding customer recording of telephone conversations, insofar as such requirements are inconsistent with the proper discharge of these statutory responsibilities."