

Secret Service Asserts Right to Tape Calls

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The Secret Service, responding to a complaint before the Federal Communications Commission, says it has the right to record calls to the White House under its legal responsibilities to protect the President and his family.

The defendants in the case, American Telephone and Telegraph Co. and Chesapeake and Potomac Telephone Co., have told the FCC they have been advised by the Secret Service that "such statutory responsibilities take priority over the tariff requirements regarding customer recording of telephone conversations."

The Secret Service position rises from a complaint by a San Francisco airlines engineer that a White House call he made last October complaining about President Nixon's Vietnam policy was recorded without a "beeper" warning or other prior notice, in violation of FCC tariff regulations.

The caller, Robert E. McCann, said he was told then

that "we record all incoming phone calls" by a man who identified himself as Walter Edwards.

A Secret Service spokesman said yesterday no employee of that agency had talked to McCann and there is no Walter Edwards in the Secret Service. Other White House sources have said complaining calls often are transferred to the Secret Service.

The Secret Service spokesman said yesterday the agency has an exception from the FCC beeper requirement

along with police and fire departments. Incoming phone calls are recorded, the spokesman said, "only if they pertain to threats to any person or property, or bomb threats."

The phone companies, in their response, flatly denied any knowledge to support McCann's charges while recognizing their "obligation to act with reasonable diligence" in assuring their clients' compliance with the tariff regulations.

McCann said earlier he had decided to file the formal complaint after the revelation by former White House aide Alexander Butterfield that an automatic tape-recording system was operating in the White House.

Shortly after Butterfield's disclosure before the Senate Watergate Committee, the White House announced that the practice had been stopped. The phone companies cited this announcement as indication that their client, the White House, was in compliance.