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File updated 29-February-2008 – 7 additional pages referred by Secret Service and released by FBI

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U.S. Department of Homeland Security
UNITED STATES SECRET SERVICE

December 21, 2007

Re: Request No. 20020060

Reference is made to your recent appeal of the decision of Acting Special Agent in Charge Peter Schurla, then Acting Secret Service Freedom of Information and Privacy Acts Officer, with regards to your Freedom of Information Act request for records pertaining to a report on the Secret Service and the White House taping system during the Nixon Administration.

The records pertinent to your appeal have been reviewed. Based on this review, it has been determined that additional information may be released to you. Copies of this material are enclosed. No Secret Service information is now being withheld from these documents. The redacted portions of these documents contain information that has been referred to another government agency for their direct response to you regarding this information.

Sincerely,

A handwritten signature in black ink, appearing to read "BK Nagel", written over a large, stylized circular flourish.

Brian K. Nagel
Deputy Director

Enclosures

U. S. SECRET SERVICE

Director

July 15, 1974

CO-1-23,206

Inspector Dagg

Secret Service Participation in Tapes

On July 10, 1974, the Washington Post carried a story reported by the Los Angeles Times of that date, to the effect that House Judiciary Committee lawyers were able to get an additional 15 minute segment of a White House tape when a Secret Service agent at the White House overseeing the copying inadvertently let the recorder run past the section previously transcribed. A copy of the Washington Post article is attached.

The tape in question is the March 22, 1973 EOB Office tape, the additional 15 minute segment reportedly contains conversation damaging to the President.

This incident allegedly occurred on March 22, 1974 when Security Specialists Frank Flannery and David DeGrandis were assigned to assist representatives of the White House and the House Judiciary Committee in cueing up certain tapes for duplication.

Referred

Referred

On July 12, 1974, the foregoing information was provided to
ATD Warner.

E. P. Dagg
Eugene P. Dagg
Inspector

Attachment - Washington Post Article
of July 10, 1974

CC: AD Kelley - Protective Intelligence
CC: Inspection ✓

EPD:jlq



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Transcripts Link Nixon to Cover-Up

By Lou Cannon and Jules Witcover

Washington Post Staff Writers

President Nixon, nine days after ruling that White House aides not disclose their involvement in the Watergate cover-up, explicitly ordered on March 22, 1973, that the cover-up go on in these tape-recorded words:

"I don't give a shit what happens. I want you all to stick to it. Let them plead the Fifth Amendment, cover up anything else, if it'll save it—save the plan. That's the whole point."

The quote—omitted in the White House transcript of the conversation of that date—is in transcripts from the tapes of eight presidential conversations made by the House Judiciary Committee and released yesterday. The committee obtained the tapes from the Watergate tapes July 1st March 26.

In the same March 22 conversation, the Judiciary Committee version shows the President saying former Attorney General John N. Mitchell was arguing that "we use flexibility . . . in order to get on with the cover-up plan." The White House version has Mr. Nixon saying Mitchell was arguing "that now we use flexibility in order to get off the cover-up line."

In still another Judiciary Committee version filling in words omitted in the White House version, the President is quoted as telling then-White House Counsel John W. Dean III on March 13, 1973, that it was too late to exercise the option of telling all.

"The hang-out road's going to have to be rejected," he says in the Judiciary Committee transcript. The same portion in the White House version reads: "The hang-out road (inaudible)."

The new committee versions of the White House tapes—obtained from higher quality equipment than used by the White House—reveal not only omissions from the White House versions but significant discrepancies, often damaging to the President's impeachment defense.

Beyond that, they generally convey much more the image of a Chief Executive in charge than do the White House transcripts, and of a President sometimes ambivalent but ultimately moving to support continuance of the cover-up.

The discrepancy in the "cover-up plan" made by Mr. Mitchell on March 22 conversation appears only in the transcript released by Dean in the transcripts. They are

Meeting of March 22, 1973

President: ". . . all John Mitchell is arguing then, is that now we use flexibility in order to get off the cover-up line."

—White House transcript

President: ". . . all that John Mitchell is arguing, then, is that now we use flexibility . . . in order to get on with the cover-up plan."

—Judiciary Committee transcript

The transcript of the March 22 conversation containing the "cover-up" phrase was obtained by the Judiciary Committee's lawyers were able to copy it when

See REPORT A12, Col. 1

Text on pages A24-27

REPORT, From A1

A Secret Service agent at the White House, overseeing the

James D. St. Clair, the President's chief impeachment defense lawyer, told reporters the latter March 22 conversation was omitted because it was not "relevant." "I would not look about it," he said. Of the discrepancies he said they were

RIF

Transcripts Link Nixon to Cover-Up

By Lou Cannon and Jules Witcover
Washington Post Staff Writers

President Nixon, nine days after ruling that White House aides not disclose their involvement in the Watergate cover-up, explicitly ordered on March 22, 1973, that the cover-up go on, in these tape-recorded words: "I don't give a shit what happens. I want you all to stonewall it, let them plead the Fifth Amendment, cover-up or anything else, if it'll save it—save the plan. That's the whole point."

The quote—omitted in the White House transcript of the conversation of that date—is in transcripts from the actual tapes of eight presidential conversations made by the House Judiciary Committee and released yesterday. The committee obtained the tapes from the Watergate grand jury last March 26.

In the same March 22 conversation, the Judiciary Committee version shows the President saying former Attorney General John N. Mitchell was arguing that "we use flexibility . . . in order to get on with the cover-up plan." The White House version has Mr. Nixon saying Mitchell was arguing "that now we use flexibility in order to get off the cover-up line."

In still another Judiciary Committee version filling in words omitted in the White House version, the President is quoted as telling then-White House Counsel John W. Dean III on March 13, 1973, that it was too late to exercise the option of telling all.

"The hang-out road's going to have to be rejected," he says in the Judiciary Committee transcript. The same portion in the White House version reads: "The hang-out road (inaudible)."

The new committee versions of the White House tapes—obtained from higher quality equipment than used by the White House—reveal not only omissions from the White House versions but significant discrepancies, often damaging to the President's impeachment defense.

Beyond that, they generally convey much more the image of a Chief Executive in charge than do the White House transcripts, and of a President sometimes ambivalent but ultimately moving to support continuance of the cover-up.

The references to the "cover-up plan" made by Mr. Nixon in the March 22 conversation are the only times these words are used by him in the transcripts. They are

Meeting of March 22, 1973

President: ". . . all John Mitchell is arguing then, is that now we use flexibility in order to get off the cover-up line."

—White House transcript

President: ". . . all that John Mitchell is arguing, then, is that now we, we use flexibility . . . in order to get on with the cover-up plan."

—Judiciary Committee transcript

never defined but are an apparent reference to containing the Watergate scandal within the White House.

The quote in which the President said he wanted his aides to "stonewall it" or "cover up" was part of a 15-minute additional segment to the March 22 conversation as first transcribed by the White House. According to a story in today's Los Angeles Times by Jack Nelson, the Judiciary Committee's lawyers were able to copy it when

See REPORT, A12, Col. 1

Text on pages A24-27

Nixon Link to Cover-Up Seen

REPORT, From A1

a Secret Service agent at the White House overseeing the copying inadvertently let the recorder run past the section previously transcribed.

James D. St. Clair, the President's chief impeachment defense lawyer, told reporters the latter March 22 conversation was omitted because it was not considered relevant. "I would not look upon this as sinister," he said. Of the discrepancies, he said: "My experience has been that if you give these tapes to three people to listen to, you get three variations."

Sen. Sam J. Ervin Jr. (D-N.C.), chairman of the Senate Watergate committee, said the transcripts released by the Judiciary Committee were "in perfect harmony" with testimony his committee received that Dean, Mitchell, H. R. Haldeman and John Ehrlichman met in February in California and "concluded that they would be publicly in favor of the committee's investigation but would do everything they could to impede and obstruct the investigation."

For all the discrepancies in the Judiciary Committee and White House versions, both depict a President frequently contradictory in his discussion of Watergate options. For example, immediately after he had instructed Mitchell, Dean and Haldeman to "stonewall it" in the March 22 conversation, the President said:

"On the other hand, uh, uh, I would prefer, as I said to you, that you do it the other way. And I would particularly prefer to do it that other way if it's going to come out that way anyhow."

The "other way" apparently is a reference to what was known in the White House as the policy of "limited hang out," a reference to making some facts about the scandal available through the Senate Watergate committee.

Nine days earlier, however, the Judiciary Committee version of a Nixon-Dean conversation on March 13 shows, the President already had rejected what he called "the hang-out road."

"Well, what about the hang-out thing?" he asked Dean. ". . . Uh, is it too late to, to, frankly, go the hang-out road? Yes, it is." (In the White House version, the last phrase, "Yes, it is," is omitted.)

When Dean responded, "I think it is," the President in the Judiciary version said: "The hang-out road's going to have to be rejected. I, some, I understand it was rejected." (The White House version omitted all but "the hang-out road.")

The transcripts released by the Judiciary Committee, while they filled in many of the unintelligible words in the White House version, still are not complete transcripts. In a foreword to the report, Committee Chairman Peter W. Rodino Jr. (D-N.J.) said that he and ranking minority member Edward Hutchinson (R-Mich.) had eliminated "irrelevant material which was considered to be defamatory, degrading or embarrassing."

Rodino said the transcripts were "nearly the same" in both versions but the committee released a 131-page comparison of the conflicting passages.

The release of the transcripts by the committee was sharply attacked by White House press secretary Ronald L. Ziegler as a "hyped PR campaign" against President Nixon.

"They have chosen the public relations route which will focus the news media only on one section of the tapes," Ziegler told two wire service reporters at the White House. "They should release the full body of evidence all together, all at once and not in piecemeal fashion."

The committee may do just that later this week when several thousand pages of evidence are expected to be released.

The version of the presidential conversations presented yesterday in the Judiciary Committee transcript suggests that Mr. Nixon knew far more about the Watergate cover-up than is revealed in the White House transcripts. Almost every change in the White House edited version seems to favor Mr. Nixon.

The highlights of the eight presidential conversations, and the differences between the Judiciary Committee and White House versions:

On Sept. 15, 1972 according to the committee version, the President, Haldeman and Dean discussed possible action against Edward Bennett Williams, lawyer for The Washington Post, and against The Washington Post Co. in its television stations' license renewal applications. This portion of the transcript, entirely omitted from the White House transcript, was previously reported in The Washington Post.

In both the Judiciary and the White House versions of a Feb. 28, 1973, conversation the President asked Dean whether the Watergate defendants expected that they would get clemency in "a reasonable time." In the White House version Dean did not respond. In the Judiciary version, Dean said, "I think they do . . ."

According to the Judiciary Committee version of the March 13 conversation, the President was told that a Haldeman aide, Gordon Strachan, not only knew of the Watergate incident but was going to testify to the contrary.

Dialogue between Mr. Nixon and Dean to the effect that Strachan knew about Watergate was in the White House version, but not included was this phrase: "Bob knew"—presumably Haldeman. In both versions, however, the President added that "he may not have."

Dean went on to say in both versions that Strachan "was judicious in what he relayed . . . but Strachan is as tough as nails."

Then, according to Judiciary's version only, the President asked: "What'll he say? Just go in and say he didn't know?"

Dean in the Judiciary version replied: "He'll go in and stonewall it and say, 'I don't know anything about what you are talking about.' . . ." In the White House version, it reads: "He can go in and stonewall . . ."

At another point in the March 13 testimony, Mr. Nixon says that Haldeman and Mitchell must have known about self-styled prankster Donald Segretti, who directed political espionage for the White House in the 1972 campaign and who subsequently pleaded guilty to violating federal campaign laws.

One of the key conversations occurred on the morning of March 21 when the President and Dean, later joined by Haldeman, spoke of the growing dimensions of the Watergate scandal and conspirator E. Howard Hunt's "blackmail" demands for \$120,000. The Watergate grand jury has charged that this meeting was one of the overt acts in furtherance of the cover-up conspiracy, and it is expected to be a key element in any impeachment charge made by the Judiciary Committee.

As with other conversations, the Judiciary Committee version of the March 21 conversation contains subtle hints that Mr. Nixon knew more than the White House transcript reveals.

When Mr. Nixon says in the White House version that "your major guy to keep under control is Hunt" he ends his statement with a question mark. The question mark is not present in the Judiciary version, where Dean replies (speaking about Hunt), "he knows so much."

Responds the President: "About a lot of things." At another point the White House version has the President asking Dean about "the other probabilities." In the Judiciary version it is "the other vulnerabilities."

Still later, the President while referring to "the obstruction of justice thing" says, "I think that one we can handle."

In the White House version of the same passage Mr. Nixon says: "I don't think on the obstruction of justice thing—I take that out."

One page after this the White House transcript has

Mr. Nixon speaking unclearly about giving money to Hunt: "But at the moment don't you agree it is better to get the Hunt thing that's where that—"

In the Judiciary version, the President says without evident ambiguity: "But at the moment don't you agree that you'd better get the Hunt thing? I mean, that's worth it, at the moment."

In one of the key passages of the entire transcripts the Judiciary Committee version has Mr. Nixon saying to Dean about Hunt: "Would you agree then that that's buy time thing? You better damn well get that done but fast."

In the White House version "buy time thing" becomes "the prime thing."

One of the central concerns of Mr. Nixon, as reflected in both transcript versions, is protecting the men around him.

This surfaces particularly in the portion of the March 22 transcript never transcribed by the White House where Mr. Nixon says that what is happening to Haldeman and Dean is "unfair."

"That's what Eisenhower, that's all he cared about," says the President. "He only cared about—Christ, be sure he was clean. Both in the fund thing and in the (Sherman) Adams thing. But I don't look at it that way. And I just—that's the thing I am really concerned with. We're going to protect our people if we can."

Both in the March 21 and March 22 conversations the President expressed personal interest in the fate of Watergate defendants.

On the afternoon of March 21, in a conversation joined by Dean, Haldeman and Ehrlichman, Hunt's money demands once more were mentioned. Ehrlichman said that Hunt also was interested in getting a pardon.

According to the House Judiciary version the President said, "I know," and added, "I mean he's got to get that by Christmas."

By contrast, the White House transcript had Dean, rather than Mr. Nixon, saying, "He's got to get that by Christmas, I understand."

The final two transcripts released by Judiciary are of separate conversations on April 16, 1973. In the first, the President told Dean he was "planning to assume some culpability" in the paying of hush money to Hunt. In the White House version, Mr. Nixon is quoted as saying "the assumes culpability on that, doesn't it?"

The second April 16 transcript by the Judiciary Committee provides a lengthy if somewhat unclear discussion between Mr. Nixon and Dean on the impending removal from the Presidential staff of Haldeman, Ehrlichman and Dean and how it would be explained. Nearly all of this discussion was omitted in the White House version.

Director

July 2, 1974

Inspector Dagg

CO-1-23,206

Secret Service Participation in Tapings

Reference is made to my report of March 1, 1974, on this subject, detailing activity from February 11, 1971, up through February 13, 1974.

The following activity involving this Service has taken place since February 13, 1974.

March 5, 1974

Referred

March 8, 1974

Referred

WH Copy of Cassette (3-21-73)
6/20 Dictabelt, made in Chambers on 1-24-73 (IIA)

The usual tape duplication form was executed to document this activity.

March 9, 1974

The following listed tapes were duplicated by TSD personnel, [*Referred*]

CABINET	3-23-71 to 3-25-71
OVAL OFFICE	4-16-71 to 4-19-71
OVAL OFFICE	3-13-73
TELEPHONE	4-20-71 to 5-11-71
EOB OFFICE	6-30-72
OVAL OFFICE	4-21-71

Tape duplication forms were executed for each of these six (6) transactions.

March 13, 1974

Referred

Two more tapes, identified below, were duplicated by TSD employees.

Referred
Tape duplication forms were executed:

OVAL OFFICE	9-15-72 (Copy #1) SECOND REEL
OVAL OFFICE	7-24/25-71 (WEEKEND)

March 15, 1974

TSD personnel duplicated seven (7) tapes, listed below, at Buzhardt's request:

OVAL OFFICE	4-16-73 to 4-18-73 (Copy #1)
EOB OFFICE	3-20-73 to 3-23-73 (Copy #1)
EOB OFFICE	3-20-73 to 3-28-73
EOB OFFICE	4-10-73 to 4-20-73 (Copy #1)
OFFICE	3-23-71
OFFICE	3-23-71
OVAL OFFICE	3-21-73 (REEL #1) (Copy #1)

The usual tape duplication forms were prepared and distributed to interested parties. There is no indication that the above activity was cleared through the Treasury General Counsel.

March 18, 1974

Referred

Office tape (REEL #1).

3-21-73 Oval

March 21, 1974

Referred

March 22, 1974

Referred

Referred

OVAL OFFICE	9-15-72 (SECOND REEL)
EOB OFFICE	3-20-73 to 3-22-73
EOB OFFICE	6-4-73 (COMPLETE REEL)
OVAL OFFICE	2-28-73
OVAL OFFICE	3-21-73

The Security Specialists worked on this assignment from 11:30 A.M. to 7:15 P.M. and at no time did they listen to any part of the original or duplicate recordings.

March 23, 1974

Referred

Security Specialist

Referred

March 25, 1974

Referred

factorily. Electronics Technician Messinger picked up the machine from Bennett's office, made the necessary repairs in thirty minutes, and returned the recorder to Bennett at 8:45 A.M. Messinger noted that mechanical stops had previously been installed on the record and dictate buttons of this machine, at which time it was functioning in a proper manner.

Referred

The following tapes (or portions thereof) were copied:

CABINET	3-23-71 to 3-25-71
OVAL OFFICE	3-13-73 Copy #1
WH Copy of Cassette	3-21-73; 6-20 dictabelt made in
Chambers on	1-24-73
OVAL OFFICE	4-16-73 REEL #1
EOB OFFICE	4-10-73 Copy of Box 11-1-73 (Copy #1)
TELEPHONE	4-20-71
OVAL OFFICE	7-24-71
OVAL OFFICE	4-21-71
OVAL OFFICE	4-19-71
OVAL OFFICE	3-23-71
EOB OFFICE	6-20-72

TSD personnel only observed, and did not participate in any of the above activity.

March 28, 1974

of the 4-14-73 Oval Office ^{Referred} tape. Tape duplication forms were executed to document this service.

April 1, 1974

Referred

April 3, 1974

Referred

April 4, 1974

Referred

April 8, 1974

Referred

April 9, 1974

General Haig addressed a memorandum to Sims confirming Jones as custodian of the Presidential tapes. Sims did not receive the memorandum until 4-11-74.

April 11, 1974

Sims notified EPS of this custodial change, so that thereafter, only Jones would be allowed access to Zone 128 (tape storage room).

Referred

At 11:30 A.M. this date, the alarm covering Zone 128 went into "Tamper." EPS immediately responded and found the door locked and secure. Jerry Jones, who possessed the only keys to the room, was called by Sims. [

Referred] It was determined that construction work in a nearby office had caused the alarm telephone line to activate. The condition was corrected. TSD personnel then changed the combinations on the safes in the room, changed the door lock cores, and provided the new combinations and door keys to Jerry Jones.

This same date two tapes were duplicated at Buzhardt's request. The tapes are identified as:

- OVAL OFFICE (no date listed on form)
- EOB OFFICE 4-10-73 to 4-20-73 (Copy #1)
- COPY OF BOX 11-1-73

Referred

April 12, 1974

Ray Zumwalt and Chief Burnett, Technical Development and Planning Division, borrowed two Crown recorders from National Security Agency. These recorders were placed in a secure room adjacent to Buzhardt's office, to be used to fulfill future tape duplication requests made by Buzhardt.

April 15, 1974

Sims

Referred

April 16, 1974

Referred

- 2 Sony 800B recorders, Star Nos. 1575 and 6870
- 2 Craig foot pedals
- 2 Headsets

Referred

This same date, Sims assisted a White House Staff member in renting a Uher 5000 recorder from the Fidelity Sound Company in Washington, D. C. Then, at Buzhardt's request, TSD

Referred

April 17, 1974

Another White House secretary (Pat McKee) was given instruction by TSD on the operation of a Sony 800B recorder, foot pedal and headset, using equipment that had been loaned to Buzhardt the previous day.

April 18, 1974

Referred

The tapes are identified as:

EOB OFFICE	4-16-73 to 4-20-73
WH TELEPHONE	4-13-73 to 4-25-73

Tape duplication forms were executed.

After completing the duplication of the WH Telephone tape, and while it was being rewound, the original tape came off the reel and became entangled on the plastic reel. Security Specialist James Powers, who was handling this assignment, adjusted the tape back on the reel and asked White House Attorney Richard Hauser (who was present at all times) to listen to the tape for possible damage.

Referred

April 19, 1974

Referred

OVAL OFFICE 4-14-73
OVAL OFFICE 3-30-73

The usual tape duplication forms were prepared to document this activity.

April 20, 1974

Referred

April 27, 1974

Referred

April 30, 1974

The following items of TSD equipment were returned to TSD by White House Staff members:

Sony 800B recorder	Serial #28983	No Star #
Sony 800B recorder	Serial #37286	Star #6870
Uher 5000 recorder	Serial #232136354	Star #3169
Uher 5000 recorder	Serial #232106930	No Star #
Uher 5000 recorder	Serial #232186427	Star #3171
2 Uher Foot Pedals		
1 Fidelity Foot Pedal		
1 Craig Foot Pedal		
5 Sennheiser Headphones		
1 Sony Headset		

May 1, 1974

Sims referred

Sims obtained this data from EPS and furnished same to

[_____] *Referred*
] Sims and Zumwalt went to Buzhardt's office, rewound the tape, played it and found the audio to be fine. It was determined that it was a two channel tape, and that Buzhardt had played the unused channel.

This same date, Security Specialist Messinger removed the mechanical stops from the record and dictate switches on the Uher 5000 recorder that the White House had rented on April 16, 1974. Messinger reported there was no evidence that the mechanical stops had been tampered with after they were installed. He returned the recorder to David Hooper, White House Staff member.

May 4, 1974

Security Specialist James Baker, with authorization from SAIC Sims, escorted John McCahill, White House Attorney, and Dr. Michael Hecker, White House Technical Consultant, through the Oval Office and the President's EOB Office, pointing out to them the approximate locations of microphones used in the now discontinued taping system.

May 5, 1974

[_____] *Referred*]

- Sony 800B recorder Star #3165
- Sony 800B recorder Star #6870
- 1 Sony headset
- 1 Sennheiser headset

[_____] *Referred*]

May 10, 1974

Sims *Referred*

May 13, 1974

Security Specialist Powers observed the duplication of the 4-16-73 Oval Office tape by representatives of the White House and House Judiciary Committee.

May 15, 1974

[_____] *Referred*]

Sims and Zumwalt duplicated a segment of the 3-13-73 Oval Office tape for the White House Counsel's Office. A tape duplication form was prepared to document this service.

May 16, 1974

Referred

May 17, 1974

Sims

Referred

May 31, 1974

TSD personnel duplicated a segment of the 4-4-72 Oval Office tape.

A tape duplication form was executed.

June 4, 1974

Referred

Uher 5000 recorder Star #3169
Uher foot control F-261
Sennheiser headset

Referred

Referred

June 14, 1974

Referred

Any further developments will be the subject of a supplemental report.

Eugene P. Dagg
Eugene P. Dagg
Inspector

CC: AD Kelley - Protective Intelligence

~~CC:~~ Inspection

EPD:laf

U. S. SECRET SERVICE

Director

March 1, 1974

Inspector Dagg

CO-1-23,206

Secret Service Participation in Tapings

Referred

Subsequent testimony by White House Staff and Secret Service personnel before Judge Sirica in U. S. District Court, Washington, D. C., relative to production by the President of certain tapes of these conversations, demonstrated the need for this Service to bring together into one report the history of our participation in this activity. In this connection, reference is made to memorandum of Assistant Director Kelley to you dated November 12, 1973.

What follows is a chronological account of events, as best as can be reconstructed, of Secret Service participation in setting up the recording system, the handling and control of tapes generated by the system, and a review of testimony given by our personnel in Judge Sirica's court and in private to the Special Prosecutor's Office.

February 11, 1971

Alfred Wong, then SAIC of the Technical Security Division, met with Alexander Butterfield, at his request, in his White House Office.

Referred

Wong expressed his reluctance to involve the Secret Service in this activity, explaining it was a function of the Technical Security Division to prevent such an operation and emphasizing it would be difficult to prevent leaks as long as more than one person knew about the operation. He even suggested that the White House Communications Agency handle the assignment, [Referred

Wong then discussed the assignment with Security Specialists Raymond Zumwalt and Randolph Nelson, and the three of them made a technical survey of the Oval Office and Cabinet Room, after which Wong and Zumwalt returned to Butterfield's Office and informed him the assignment could be carried out after selecting a small group of discreet technicians to install the equipment. [Referred

February 12, 1971

Zumwalt and Nelson briefed Security Specialists Charles Bretz and Roger Schwalm. These four employees were assigned to install the recording equipment, most of which was on hand in the Technical Security Division. Some items were borrowed from WHCA.

Wong briefed Assistant Director Kelley on the assignment.

February 13-14, 1971

Zumwalt, Nelson, Bretz, and Schwalm worked over this weekend installing the system in the Oval Office and Cabinet Room.

Five microphones were installed in the President's desk in the Oval Office and a microphone was placed in each of two wall sconces in this office. In the Cabinet Room, microphones were secreted in six wall sconces around the room. The two systems were wired into Room WT-1, an old telephone frame room in the West Wing basement of the White House, and connected to separate tape recorders which were safeguarded in a locked metal cabinet within the room. A special lock was placed on the metal cabinet, the only keys to which were in possession of Wong and Zumwalt. A third key was later cut and maintained by Security Specialist James Baker, who had responsibility to change tapes and check equipment operation. Room WT-1 itself was already on the Technical Security Division lock system.

Carl Shawver, then ASAIC in the Technical Security Division, observed part of the Oval Office installation at one point over this weekend, but was not otherwise involved in the operation. A GSA electrician (Mr. McVerry) assisted in pulling cables through some walls, but he was not informed of their use.

The Cabinet Room recording equipment was manually activated, either by the President or Butterfield, and later by Steve Bull, Butterfield's replacement. Controlling (on/off) switches were installed in Butterfield's Office, and under the conference table at the President's position in the Cabinet Room.

The Oval Office (and later the President's EOB Office) recording equipment is controlled by an automatic switching device on the First Family locator system, and the appropriate tape recorder is provided power whenever the President would enter either of those locations. These two systems were voice-activated, that is the recording equipment would run when there was conversation, and would stop if there was a 10-15 second (or longer) lull in a conversation.

March 12, 1971

[- - - - - Referred - - - - -]

March 15, 1971

[Referred]

Sometime between this date and April 6, 1971, taps were placed on telephone extension lines 500 in the Oval Office, 504 in the EOB Office, and extension 586 in the Lincoln Sitting Room. Equipment to record conversations on these telephones was set up in Room WT-1. This system was also tied into the First Family locator board, meaning that recording capability would be provided only to that telephone line where the President was physically located.

Also during this same period (March 15 - April 6, 1971), three microphones were installed in the President's EOB Office desk and wired to recording equipment in EOB Room 175½, which was already on the Technical Security Division lock system.

The recording equipment was secured in a locked wooden cabinet within Room 175½, with lock keys in the possession of only Wong, Zumwalt and Baker.

The exact dates of these installations are not known; Technical Security Division personnel who did the work (Zumwalt, Nelson, Bretz, and Schwalm), acting under the general instructions from Butterfield, kept no records of their activities in this project. April 6, 1971, is the date of the first tapes generated by both the EOB Office audio system and the telephone taps.

A total of nine (9) Service-owned tape recorders were utilized in this project (this does not include Camp David, where operations began at a later date). Three (3) Sony 800B models, identified by TSD Star numbers 1839, 1576, and 782, were placed in Room 175½, Executive Office Building, to record audio conversations in the President's EOB Office. One machine served as a spare, or back-up; a timer was connected to the other two machines and modified to switch recording capability from one machine to the other between 11:00 P.M. and midnight each day, except on Saturday and Sunday when conversations, if any, would be received on the same recorder.

The remaining six (6) recorders were located in Room WT-1 in the White House. Two (2) Uher B-15 models, identified by TSD Star numbers 2439 and 2446, were used to record conversations on the three tapped telephone lines. The other four (4) machines were Sony 800B models, identified by TSD Star numbers 130, 784, 1568, and 1574. Two of the Sonys were connected to a timer (similar to the one previously described) to alternately record audio conversations in the Oval Office. Another Sony recorded audio conversations in the Cabinet Room; and the remaining Sony recorder served as a spare, or back-up for both the Oval Office and the Cabinet Room.

Five inch. reel tapes were used on all recorders, and each tape was 1800 feet long. The recorders were set to operate at 15/16th of an inch per second, meaning that each reel would record approximately six (6) hours of sound.

The tapes were checked at least twice daily, Monday through Friday, and changed when required, except in the case of the Oval Office audio tapes, which were changed each day if anything at all had been recorded thereon. Tape boxes were marked with the dates the reels were placed on, and removed from the recorder, as well as with the location covered by the particular tape (EOB, Oval, etc.). For locations other than the Oval Office, if a tape was only partially used, the Technical Security Division

PIF

employee would sometimes mark the tape box with the date and meter reading from that recorder, indicating how much tape had been used up to that date.

Completed tape reels were stored in the cabinets containing the recording equipment. When ten or twelve full reels were collected, they were wrapped in heavy paper which was marked with the appropriate location and inclusive dates of the tapes, and initially stored by Zumwalt in a five drawer combination safe file in Room 43, EOB. The combination to this safe was secured in the safe in Wong's office. Storage space soon became a problem, however, and a "safe room" was constructed in an unused stairwell in the EOB. Three combination safe files were obtained, placed in the "safe room," and used for the safekeeping of all tapes. The combinations for these safe files were known only to Wong and Zumwalt. The "safe room" itself was special locked; only two keys were cut and kept by Zumwalt and Wong. A third key was later made and kept by Security Specialist Baker, who participated in the changing and storage of the tapes.

The "safe room," as well as WT-1 and 175 $\frac{1}{2}$, EOB, were further secured by alarms which would annunciate in the Executive Protective Service Control Center when someone entered those areas. These annunciators are connected into the White House computerized security system and when activated, generate a computer printout indicating the room entered (by a zone number), date and time of entry, and then when the room is again secured, that date and time. The EPS Officer who monitors the alarm system in the Control Center has a roster showing who has access to the various secure areas, and normally receives a telephone call from the person who is desirous of entering an area. The Officer then enters the person's name on the printout. In the event of an unannounced or unauthorized entry, an EPS Officer would be dispatched to investigate.

Computer printouts of entries into the concerned rooms are available for review. Certain of these printouts have been examined by representatives of the Special Prosecutor's Office.

May 16-18, 1972

Security Specialists Holt, Casipit, and Bretz installed audio recording equipment in the President's study at Camp David and tapped two telephones in the cabin, subsequent to a request for these services made by Alexander Butterfield to Wong.

RIF

The system operated only when the President was at Camp David. A Technical Security Division employee would activate the recording equipment on the occasion of each Presidential visit. Completed tapes were placed in a metal suitcase with a combination lock and brought back to Washington, D. C., for permanent storage in the EOB "safe room."

November 1972

Louis Sims, prior to his reassignment on November 26, 1972 as SAIC of the Technical Security Division, was briefed by Wong and Assistant Director Kelley on the existence of all recording systems and the identities of all persons who knew of the systems.

February-March 1973

Referred

March 10-18, 1973

Sims discussed with Bull the fact that foreign dignitaries occasionally used the President's study at Camp David, and discovery of the audio equipment by their security personnel was a distinct possibility. (Wong had also brought this possibility to Butterfield's attention at the time of his original request, but to no avail.)

Referred
] The telephone taps remained active.

Between March and July 18, 1973,

Referred

] If the request was made to Zumwalt, he always cleared with Sims before delivering the tapes to Bull. Sims advised Zumwalt to keep a record of all tapes checked out and returned. (Zumwalt advises he never received such an instruction from Sims, but initiated his own record-keeping to ensure that what tapes he did provide Bull would be returned.)

July 18, 1973

Referred

Referred

On this date, Security Specialists Eiserman and Biffle went to Camp David and removed three Uher recorders, TSD Star numbers 2438, 2440, and 2443 from the Technical Security Division monitoring room in the basement of Aspen Lodge.

Security Specialist Bretz dismantled the audio recording equipment in Rooms WT-1, White House, and 175½, EOB, removing the tape recorders (previously identified) and ancillary equipment.

Sims, Zumwalt, and Baker made a count of all tapes in the EOB "safe room" and prepared a written inventory of their findings. The combinations of the three safe files, as well as the door lock of the "safe room" were changed; the new safe combinations and lock keys were sealed in an envelope and given to General Bennett, who receipted for these items and the tapes.

Contemporaneous notes that had been made by Zumwalt when he had checked out various tapes were recorded into a spiral notebook; the original notes were attached to the notebook and left in one of the safes containing the tapes, so that this Service would have no documents (except a copy of the inventory) concerning White House tapes.

Sims notified the Executive Protective Service Control Center that as of this date (7-18-73), only the President is to have access to the "safe room" (zone 128).

September 28, 1973

Referred

so notified the Executive Protective Service Control Center.

Also on this date Presidential Assistant Steven Bull borrowed three Sony 800B tape recorders, serial numbers 11561, 12330, and 14423, and two Sony headsets. Bull signed a receipt for this equipment and returned the items on October 1 and November 8, 1973.

October 1, 1973

Referred

carrying case for this equipment.

October 22, 1973

Sims informed Buzhardt that the three telephone lines (EOB Office, Oval Office, and Lincoln sitting room) which were disconnected on July 18 were still being paid for. Buzhardt authorized the cancellation of these lines, as well as the two lines in Bull's Office that had controlled the Cabinet Room audio system.

These five circuits were cancelled by the C&P Telephone Company on November 9, 1973.

October 30, 1973

Referred

Sims met with Deputy Director Boggs, SATS Balge, and Treasury Deputy Assistant Secretary Brent Moody to discuss forthcoming interview and testimony. [

Referred
to represent the Secret Service.]

October 31, 1973

Zumwalt turned over to the White House Counsel, Buzhardt, an AC timer, Star number 149, and computer printout logs for April 13 through April 16, 1973. These logs reflect entries into Room 175, EOB, where recording equipment covering the President's EOB office was located.

Zumwalt was interviewed by Richard Ben-Veniste of the Special Prosecutor's staff in the presence of Joseph Adams of the Treasury General Counsel's Office. The interview lasted for two hours and ten minutes, concluding at 12:55 P.M. In response to questions Zumwalt described the taping system, including locations and dates of installation. He related that he did not write any reports on the project because he was told not to. He attempted to explain the operation of the timers that switched recording power from one machine to the other for the Oval and EOB offices. He described the records

he kept when, prior to July 18, 1973, tapes were borrowed and returned by White House Staff members. There was considerable questioning concerning the EOB office tape covering the April 15-16, 1973 weekend (John Dean had testified that on April 15, in the EOB office, the President made remarks that implicated him in the Watergate cover-up. [

Referred

Referred

Just prior to the start of hearings that afternoon, Sims telephoned Deputy Director Boggs and the Treasury General Counsel's Office, advising that he, Zumwalt, and Baker would be testifying. Sims asked if the General Counsel would be representing the Secret Service, and was told by Joseph Adams that he (Adams) would most likely come down to the courthouse.

Zumwalt then took the stand. Sims and Baker were excluded from the courtroom. [Sims

Referred

Zumwalt testified the rest of the afternoon and the following morning (November 1, 1973). Again in response to questions, he explained the taping system, storage of completed tape reels, and the identity of others who had access to the recording equipment and the tape storage room. Zumwalt then produced a notebook which he made up on July 18, 1973, reflecting tapes that had been checked out to Steve Bull at various times prior to that date. Zumwalt testified that he had made his entries in the notebook from scraps of paper which he had prepared on the dates the tapes were checked out and returned. These scraps of paper had been retained and affixed in the back of the notebook. Under further questioning, however, he acknowledged that on June 4, 1973, he checked out 26 tapes to Bull and had no independent record of their return; and on July 10, 1973, 3 more tapes were released to Bull, again with no separate record of their return. (These examples of casual record keeping received wide press coverage, and, of all the

testimony given in these hearings before Judge Sirica, is probably the most unflattering to the image of this Service.)

Zumwalt's notebook and contemporaneous records were received in evidence this date (Exhibits 7 and 7A).

November 1, 1973

Security Specialist James Baker testified. The questioning focused on the EOB office tapes covering the weekend of April 14-16, 1973, and the mechanics of the timer that switched transcription from one machine to the other. Baker explained that the timer was modified so that one recorder received all transcription from Saturday morning at approximately 12:01 A.M. up through Sunday night until about midnight. It was Baker who, on April 10, 1973, placed fresh tape reels on the EOB office recorders and who, between that date and April 20, 1973, periodically checked the tapes, made notations on the tape boxes as to usage, prior to removing tape reels from both recorders on April 20, 1973, and placing fresh reels thereon. (In reviewing the transcript of Baker's testimony, it appears he handled himself in a competent manner.)

On this date, Security Specialists Bretz and Holt disconnected cables as follows:

Oval Office - cut cables from five (5) desk microphones and two (2) wall sconce microphones. Cables and microphones were left in place.

Cabinet Room - disconnected cables from microphones installed in six (6) wall sconces. Cables and microphones were left in place.

EOB Office - disconnected cables from three (3) desk microphones. Cables and microphones were left in place.

November 2, 1973

Sims testified in Judge Sirica's court. He was asked if he could clarify Zumwalt's records relative to tapes checked out and returned. Sims' initials appear on each page of the log prepared by Zumwalt on July 18, 1973, but he (Sims) testified that he had no independent knowledge of the contemporaneous notes made by Zumwalt when he checked tapes out and in. Sims was also questioned about the tape inventory made on July 18, 1973, prior to turning all tapes over to General Bennett. He explained that he was assisted by Zumwalt and Baker in preparing this inventory, and that they attempted to list all tapes in chronological order, by location. (This inventory was made

RIF

from the markings on the boxes containing the tape reels.) Mr. Ben-Veniste, the Assistant Prosecutor who was cross-examining Sims, was attempting to establish the possibility that some tape reels could be missing.

November 5, 1973

Security Specialists Charles Bretz and Roger Schwalm and Special Agent Randy Nelson were interviewed by representatives of the Special Prosecutor's Office. [

Referred

Each explained their participation in the taping system. Bretz and Schwalm assisted in installing the recording equipment, and subsequently performed maintenance and minor modifications on the equipment when needed. They had no responsibility for changing or storage of the tapes, except on four occasions when Bretz changed tapes at Camp David and carried the completed reels back to TSD headquarters. Neither Bretz nor Schwalm were ever called to testify in Judge Sirica's court.

Nelson related how often (two or three times daily) he checked the tapes, and his procedures when he changed tape reels (marking the tape boxes, etc.). He related his understanding of how the EOB office timer worked, and how the Family Locator System controlled the recording function.

November 7, 1973

SA Nelson testified in Judge Sirica's court. Most of the questions concerned the same details Nelson had given the Special Prosecutors during his interview two days earlier. The only new information developed during Nelson's testimony was that the White House and EOB recording system cost was approximately \$2,500 to \$3,000, and that the expense was borne by the Secret Service.

DAD Wong was called as the next witness, and he returned the next day (November 8) to finish his testimony. In response to questions, he related how the Secret Service received the assignment to install and control the taping system, the objections he made to Butterfield, and his knowledge of the mechanics of the system. Wong testified that on one occasion when Butterfield asked to listen to a tape to determine quality, the tape selected was blank and was evidently threaded on the recorder improperly. On cross examination by Assistant Prosecutor Ben-Veniste, Wong stated that on-shelf equipment was used because Butterfield wanted the system started immediately.

He further testified that five inch reels were used rather than longer reels because they could be played on a portable recorder, and he wanted to be in a position to respond to short notice requests from the White House to listen to tapes.

Wong responded in the negative when asked if he could identify which recorders serviced the various locations, but thought such records were available, and agreed to provide the recorders to the court, assuming they could be identified.

Referred

] Sims reviewed the printouts which are maintained in the EPS Control Center, and provided the information to Parker by memorandum dated November 8, 1973. No Secret Service personnel entered this room after July 18.

November 8, 1973

Referred

Wong advised Sims that Judge Sirica ordered that the tape recorders used in the taping system were to be turned over to the court with records showing where they were used. All but three of the machines were on hand in TSD. The three absent recorders were recalled from the Los Angeles and Detroit Field Offices, and from Steve Bull.

Referred

November 9, 1973

Referred

Referred

(These two employees conducted radio frequency monitoring from Room 175 $\frac{1}{2}$, EOB, on April 16, 1973, the date of one of the controversial EOB office tapes.)

Referred

November 12, 1973

Security Specialists Newell and Sherwood were interviewed by one Jerry Goldman of the Special Prosecutor's Office, not the FBI. Joseph Adams of the Treasury General Counsel's Office was present during the interviews. They were asked if they knew of the taping of Presidential conversations going on in Room 175 $\frac{1}{2}$, if they had access to the cabinet in the room, or knew of the contents of the cabinet. They responded in the negative to these questions. They acknowledged being in Room 175 $\frac{1}{2}$ for reasons other than the taping system, but stated they were never present when a tape was changed or when the cabinet was open. Their interviews lasted about 45 minutes.

Security Specialist Ira Messinger obtained the Uher model 5000 recorder, serial number 33929, from Bull's Office. He electrically disabled the record switch and placed a mechanical stop on the record and dictating switch. The mechanical stop prevented the switcher from being depressed. Messinger returned the machine to Bull the same date.

November 13, 1973

Referred

November 14, 1973

Referred

Referred

Referred

DAD Wong, who on November 8, 1973, had been ordered by Judge Sirica to produce the tape recorders within a week, made inquiry with the Judge's law clerk as to the mechanics for complying with Judge Sirica's order, and was told that White House Attorney Samuel Powers was the person who should produce the recorders. Wong objected, based on Judge Sirica's order directly to him (Wong).

November 15, 1973

Wong was contacted by the Judge's law clerk, who advised the recorders should be surrendered to Court Clerk James Capitanio. Arrangements were made to deliver the recorders to Mr. Capitanio the following day.

Referred

November 16, 1973

Nine (9) tape recorders were delivered to Clerk James Capitanio and receipted for by him. Seven (7) were Sony 800B models, identified by serial numbers 15102, 11561, 14396, 12330, 14384, 11866, and 15367. The other two (2) were Uher R-15 models, serial numbers 1002 and 1009.

White House

Referred

NSA, by Assistant Director Kelley, after which Zumwalt told Rosenbloom what type of equipment was used to record in the President's EOB office. Zumwalt also explained in a block diagram how the system was connected together. [Rosenbloom indicated he might have to enter the EOB office to see how the system was laid out, etc.] He was advised by Sims, through Buzhardt, that a TSD representative would have to accompany him into the office.

Howard Rosenbloom,
This request was approved

November 18, 1973

Security Specialist James Barzee escorted members of the White House Counsel's Office, Special Prosecutor's Office, and a group of technical experts into the President's EOB office between 7:30 P.M. and 7:45 P.M. The group was also shown the location of Room 175½, EOB, but were not allowed inside. Barzee responded to some of their questions, and referred them to SAIC Sims for answers to questions concerning the taping system.

November 19, 1973

White House

Sims

Referred

Assistant

Director Kelley

November 20, 1973

Buzhardt request for
recorder, serial number

Referred

This request was made of Zumwalt and approved by Assistant Director Kelley. Zumwalt prepared a receipt for this equipment.

Referred

Security Specialist

Messinger performed the necessary mechanics and returned the recorder to Buzhardt's Office.

Zumwalt surveyed the entire taping system and arrived at the following time estimates needed to reactivate the system:

Oval Office and Cabinet Room audio - two (2) days free access to these areas.

EOB Office audio - one (1) day free access to that office.

White House telephones - four (4) hours, after the telephone company installed new circuits.

Sims provided the above information to Buzhardt by memorandum dated November 21, 1973, and advised that should the contemplated testing require other than Secret Service personnel entering either recording room (WT-1 or 175½, EOB), classified equipment would have to be removed from those rooms, requiring extensive work and time.

EPS Captain Frederick Walzel, accompanied by Treasury Attorney Joseph Adams, was interviewed at the Special Prosecutor's Office. Walzel responded to questions by giving general descriptions of the EPS Control Room, the alarm system, and the computer printout. He was asked to provide alarm history files, code numbers of the various alarmed areas, and the identification of those persons who had access to the alarmed areas.

Referred

Captain Walzel was never called upon to testify in court.

David Jones, Engineer assigned to our Technical Development and Planning Division, was also interviewed this date at the Special Prosecutor's Office. Joseph Adams sat in during the interview. Jones was program manager during development of the White House Computerized Security System, and questions asked of him centered around the possible compromise of the system. Jones gave a general description of the system and when it was instituted. He explained that it would be next to impossible to compromise the system without someone becoming aware of it. His statements seemed to be accepted by the Special Prosecutor, and Jones was never summoned to testify in court.

November 21, 1973

Sims advised Engineer Jones to alert a Mr. Hewitt of Westinghouse that should he be called by the Special Prosecutor's Office or anyone else concerning the White House Computerized Security System, he (Hewitt) should contact this Service before providing any information, in view of the security question involved. Mr. Hewitt is the Westinghouse engineer who participated in the installation of the system.

Referred

Referred

Sims informed Adams that for security reasons, Ben-Veniste had the need to know only the alarm code numbers for Rooms WT-1 and 175 $\frac{1}{2}$, EOB, the tape storage room and the computer room. Ben-Veniste already had this information.

Referred

November 22, 1973

Referred

AD Kelley approved this request, and Sims assigned SA Douglas Fabel and Security Specialist David DeGrandis to the task. At 2:35 P.M., they met Buzhardt at General Haig's Office,

Referred

Referred

Fabel and DeGrandis then proceeded to Rosemary Woods' office with two Sony recorders, serial numbers 28983 and 25470. The former was used for playback and the latter for record.

The tape was duplicated between 2:55 P.M. and 4:20 P.M. Buzhardt was present most of the time, and the original and copy were turned over to him upon completion. Fabel and DeGrandis did not listen to any portion of the tape.

November 23, 1973

Referred

November 24, 1973

Referred

] This request was fulfilled; the recorder loaned to Buzhardt bore serial number 28983. There is no record of a receipt being obtained from Buzhardt for this equipment.

Referred

] Arrangements were made to perform this service on November 25, after approval by AD Kelley.

Referred

The file does not reflect whether or not the above request was ever fulfilled. I contacted Zumwalt on February 5, 1974, and he stated that when he accompanied Mr. Warren to Rosemary Woods' office on November 25, she would not permit the demonstration to take place, and Zumwalt ended up providing an Uher instruction booklet to Warren.

November 25, 1973

Security Specialists Newell and Holt were assigned by Sims to perform the service requested by Buzhardt the previous

day. At 9:00 A.M., Sims, Newell and Holt appeared at Buzhardt's Office to accomplish the tape filtering. Buzhardt

Referred.

The tape produced by Buzhardt is identified as follows:

COPY #1 EOB OFFICE
 6/12/72 (8:00 AM)
 6/14/72 838
 END 6/20/72 (3:45 PM)
 RUN OUT JFB (Buzhardt's initials)

The Security Specialists duplicated the portion between footage readings 127 and 639. They used two Sony 800B recorders, serial numbers 28994 and 28983. The duplication process began at 1:18 P.M. and concluded at 1:45 P.M., and at no time did either Newell or Holt listen to the recording. Buzhardt

Referred

November 26, 1973

Sims addressed a memorandum to Buzhardt, stating "Per a directive I received on this date from Deputy Assistant Secretary Brent Moody, Department of the Treasury, all future requests from the White House staff pertaining to the White House taping system are to be directed to Mr. Edward Schmults, General Counsel, Department of the Treasury."

Sims addressed another memorandum to Buzhardt this date advising that computer printouts for certain alarmed areas in the White House complex, were available for review by representatives of the Special Prosecutor's Office. The Special Prosecutor had requested the White House counsel to make available printouts, dating back to April 13, 1973, covering the EOB recording room (Alarm #1475), the White House recording room (Alarm #2725), the tape storage room (Alarm #1285), and the computer room itself (Alarm #1055).

Referred

Referred

Security Specialists Holt and Newell performed the service in Room 571, EOB, between 4:20 P.M. and 6:20 P.M. Sims and Buzhardt were present the entire time. Two Sony 800B recorders were used; serial numbers 28983 and 25470 were used to play and record respectively. The tape produced by Buzhardt is fully identified as:

12/29/72 EOB OFF.
1/4/73 2:00 PM (232)
1/5/73 2:35 PM (1373) REMOVED 9:15 PM

The portion filtered and duplicated started at footage reading 103 and continued to the end of the tape, approximately 30 minutes. Newell and Holt had to listen to a small segment (1-2 minutes) of the tape to perform the requested service. Buzhardt listened to the finished product and expressed his satisfaction.

There is no record that the above request was cleared through Secret Service Headquarters or the Treasury General Counsel's Office.

Referred

Technical Security Division records showed that two of the machines were already in custody of the court. The other recorder, serial number 14423, was flown in from our Memphis Office and turned over by Sims to Judge Sirica's clerk on November 27, 1973, and a receipt obtained.

There is no record that Sims cleared these requests/directives through Secret Service Headquarters or the Treasury General Counsel.

Referred

There is no indication that this request was approved by either Secret Service Headquarters or the Treasury General Counsel. (This same information had previously been furnished to Gregory Haynes of Buzhardt's staff on November 23.)

November 27, 1973

Referred

request.] Sony recorder, serial number 29801, was delivered to Marjorie Acker, along with a headset, and appropriate receipt obtained.

Referred

was provided with the Uher machine (serial number 36380) which was on loan to Buzhardt, and a foot control which was a different model. She was informed by Sims that the Technical Security Division did not have another foot pedal or earphones similar to those that she had surrendered to the court.

November 28, 1973

Referred

Sims was contacted by James Boczar, Special Prosecutor's Office, and arrangements were made for their review.

Referred

November 30, 1973

In view of the increasing number of requests by the White House staff for the Technical Security Division services, I discussed with you the advantages of having the White House staff make all future requests for such services direct to the Treasury General Counsel, and that Sims would not act until/ unless he would hear from Mr. Schmults' Office. You approved of this procedure and advised me to work the details out with Sims and SATS Balge.

December 3, 1973

and Sims were advised by me of the new procedures, as set forth above, to be followed on future White House staff requests for Technical Security Division assistance.

Referred

Sims

advised them of the new procedure, and they agreed to make their requests direct to the Treasury General Counsel.

Referred

Accordingly, Buzhardt was provided a Sony 800B recorder, serial number 36986, and one set of earphones. There is no record of a receipt executed covering the loan of this equipment.

Mr. Haynes was furnished copies of pertinent papers from the log book for Room 522, EOB, reflecting entries into that room by Lawrence Higby (White House staff) on November 15, 16, and 19, 1973.

Referred

Sims suggested to Adams that these documents should not be furnished to the Special Prosecutor without himself (Sims) being present to explain them and answer questions. *[Referred]*

Sims informed Richard Hauser of Buzhardt's staff of the above requests by Ben-Veniste, and suggested that memoranda written to this Service by Buzhardt and Leonard Garment relative to protection of White House files be furnished to the Special Prosecutor by Buzhardt, if it were decided to surrender such documents. *[Referred]*

Sims furnished Hauser with copies of all documents concerning recorders used in the White House taping system. Hauser also reviewed the log book in Room 84, EOB, and requested two copies of the logs for that room and Room 522, EOB, reflecting entries for the purposes of files examination. Said copies were provided Mr. Haynes of Buzhardt's staff on December 4, after clearance through Schmults.

Continuing on December 3, 1973, SATS Balge was furnished copies of documents relative to the Uher recorder used by Rosemary Woods, and memoranda showing modification of that machine.

Representatives of the Special Prosecutor's Office reviewed computer printouts of alarms in the White House complex. As previously arranged, the printouts they examined covered the period March 1, 1973, to the present. Their review continued for five (5) days, concluding on December 7, 1973, and they were under the supervision of TSD Special Agents at all times.

December 4, 1973

The Sony 800B recorder, serial number 22343, and set of earphones which had been loaned to Steve Bull on November 8,

1973, and which were introduced into evidence in Judge Sirica's court on November 26, 1973, during testimony by Rosemary Woods, were returned to this Service by the court through Mr. Hauser of Buzhardt's staff.

Referred

December 5, 1973

Referred

Zumwalt advised Joulwan to direct his request to Mr. Schmults. Zumwalt then attempted to call Mr. Schmults, but neither he nor Joseph Adams was available. Zumwalt then called Joulwan and advised he would be unable to act on his request. [Joulw

Referred

Referred

which Messinger obtained diagrams of the modification he made on the Uher recorder and delivered same to Haig's Office.] after

Later this date, Sims met with you, AD Kelley, and SATS Balge, at which time you directed Sims to hereafter again receive all requests from the White House staff relative to the taping system and, as necessary, clear requests through Mr. Schmults' Office.

December 6, 1973

Referred

Zumwalt provided the information to Hauser.

Referred

Referred

Later this date (12-6-73), Buzhardt requested that a duplicate recording be made of a tape identified as:

EOB OFFICE ON 5/24/73
6/5/73 2447 (FOR 6/4/73) REMOVED

Sims cleared this request with Mr. Schmults and assigned Security Specialist David deGrandis to the task. deGrandis used a Sony recorder, serial number 36986 for playback of the original tape, and Sony recorder, serial number 37259 to record. The duplication took place in Buzhardt's EOB Office, and lasted from 7:30 P.M. to 8:23 P.M. Present were Buzhardt, Steve Bull, and Sims. deGrandis did not listen to any part of the recording.

December 7, 1973

Referred

Referred

Referred

) Sims advised Bull that the questioned machine was delivered to him between 1:00 P.M. and 1:15 P.M. that date.

December 8, 1973

Referred

Commencing at 9:38 A.M., they duplicated portions of the following tapes:

CABINET ROOM	3-23-71 to 3-25-71
OVAL OFFICE	4-16-71 to 4-19-71
OVAL OFFICE	4-21-71
OFFICE	3-23-71
TELEPHONE	4-20-71 to 5-11-71
OVAL OFFICE	4-16-73
EOB OFFICE	4-10-73 to 4-20-73
OVAL OFFICE	7-24/25-71

A "Tape Duplication Form," designed by a TSD employee especially for this ever-increasing activity, was used to document pertinent information concerning each of the duplicated tapes. In addition to identifying the particular tape being duplicated, the form calls for the date and time of the duplication, recorders used, speed used on recorders, persons present during the duplication process (these persons initial off next to their printed names), acknowledgement that the original tape was checked prior to and after the duplication (in the instant cases by Buzhardt and one Peter Kriendler of the Special Prosecutor's Office), and a "Yes" or "No" checkoff to the question "Did TSD personnel monitor or listen to original or duplicate recordings?" (the answer being "No" in the instant cases). The forms are signed by the TSD personnel performing the tape duplication.

A copy of each Tape Duplication Form was provided to Buzhardt and Kriendler with the original retained by Sims.

December 9, 1973

Referred

Zumwalt came on the line and provided general answers to McKnight's questions concerning timers, VOX (voice-operated switches), power sources, recorders, etc. Zumwalt told McKnight he would review material concerning the installation and call McKnight the next day with more specific information.

December 10, 1973

Zumwalt and McKnight again conversed by telephone. McKnight stated he now needed to have information concerning microphones used in the taping system, and requested that a microphone of the type used in the taping system be mailed to him at his company office in Cambridge. This request was approved by Buzhardt and Schmults, and a new microphone from TSD stock (Knowles BJ-1590) was sent by registered mail to Bolt, Beranek and Newman, Inc., Cambridge, Massachusetts.

Referred

Referred

Referred

December 11, 1973

SA Roy Cook and Security Specialist Vernon Newell were assigned by Sims to accomplish this task. (There is no indication that this request was cleared through Treasury General Counsel.)

Cook and Newell duplicated portions of the following tapes:

OVAL OFFICE	9-15-72	SECOND REEL
OVAL OFFICE	2-28-73	
OVAL OFFICE	3-13-73	
OVAL OFFICE	3-21-73	
EOB OFFICE	3-20-73	to 3-28-73
EOB OFFICE	3-20-73	to 3-23-73
OVAL OFFICE	4-16-73	

They transferred these duplicated portions onto two reels. Tape Duplication Forms were prepared for all involved tapes, copies of which were provided to Buzhardt and the Special Prosecutor's Office. Steven Bull was present during these recordings and his initials appear on the forms. Cook and Newell did not listen to any of the recordings. They worked on this assignment from 9:50 A.M. to 12:35 P.M.

December 13, 1973

Buzhardt requested TSD services to copy another tape. SA Cook and Security Specialist deGrandis were assigned by Sims, and at 9:50 A.M. in Buzhardt's Office, duplicated a portion

of an Oval Office tape dated February 28, 1973. They finished at 10:10 A.M. A Tape Duplication Form was prepared and appropriately initialed by Buzhardt and he was furnished a copy of the form. Neither Cook nor deGrandis listened to any part of the original or duplicate recording.

There is no record that this request was approved by Treasury General Counsel.

December 14, 1973

Referred

December 16, 1973

Referred
SA Charles Neuenschwander was given this assignment and starting at 11:20 A.M., duplicated portions of two tapes identified as follows:

OFFICE 3-23-71
CABINET 3-23-71 to 3-25-71

Buzhardt was present during this activity, which Neuenschwander completed at 12:25 P.M. Appropriate tape duplication forms were prepared, copies of which were given to Buzhardt. SA Neuenschwander did not listen to any portion of the recordings. There is no record that this activity had approval of the Treasury General Counsel.

NOTE: SA Neuenschwander evidently recorded the wrong time on one of the tape duplication forms; he indicated that he started the duplicating at 11:20 P.M. and finished at 11:55 P.M. These are A.M. times. Sims was advised of this on February 13, 1974, and he will have Neuenschwander correct and initial the original copy of this form, which is filed at TSD.

December 17, 1973

Referred

December 20, 1973

Referred

Specialists Newell and deGrandis were given this assignment by Sims, and completed the work between 12:25 P.M. and 1:15 P.M. in Buzhardt's Office. Tape duplication Forms were completed and initialed by Buzhardt. The TSD employees never listened to any part of the tapes. (There is no record of approval of this request by the Treasury General Counsel.)

Security

Referred

Referred

The boards were made and provided to Powers on December 21.

December 27, 1973

Sims addressed a memorandum to me advising that on October 30 and 31, 1973 (prior to Zumwalt's interview in the Special Prosecutor's Office), Sims suggested to Buzhardt and his Assistant Douglas Parker that one of them should accompany Zumwalt and be present during the interview. They did not wish to do so, but advised Sims that he should accompany Zumwalt, as his supervisor. As it developed, Joseph Adams of Treasury General Counsel's Office was with Zumwalt during the interview. Due to time limitations, Sims could only give a cursory briefing to Adams on the anticipated thrust of the Special Prosecutor's interview with Zumwalt.

Sims' memorandum further advised that on November 14, 1973,

Referred

January 10, 1974

Referred

January 11, 1974

Richard Ben-Veniste of the Special Prosecutor's Office telephoned DAD Wong, requesting information as to records maintained by TSD on recorders used in the taping system, and other recorders loaned to certain White House staff members. Ben-Veniste was desirous of obtaining copies of these records.

Wong referred this request to Sims who then prepared a memorandum for Mr. Schmults, Treasury General Counsel, outlining the record keeping procedures in TSD. Sims suggested in this memorandum that if any Secret Service documents are provided to the Special Prosecutor, an appropriate Secret Service representative should be interviewed by the Special Prosecutor to explain our procedures.

Referred

Sims advised Adams that he (Sims) would be the appropriate person to be interviewed by Ben-Veniste, and would be available when the Treasury General Counsel and Buzhardt decided on a time in agreement with the Special Prosecutor.

January 14, 1974

Sims, at my request, asked Buzhardt to furnish him with a copy of the log and individual slips of paper denoting tapes checked out to Steven Bull. This material had previously been entered into evidence (Exhibits 7 and 7A) on November 1, 1973, in Judge Sirica's court during testimony by Zumwalt.

Referred

Sims cleared this request through Buzhardt and Schmults, and instructed SA Arden Norton and Security Specialist Morris Caillouet to carry out this assignment. Working in Room 106, EOB, in Bull's presence, Norton and Caillouet duplicated the following identified tapes:

EOB OFFICE	3-20-73 to 3-23-73
OVAL OFFICE	6-23-72

Tape duplication forms were properly executed and initialed by Bull. Norton and Caillouet did not listen to any part of either the original or duplicate recordings.

January 15, 1974

The panel of technical experts appointed by Judge Sirica to determine the cause of an 18 $\frac{1}{4}$ minute gap in the June 20, 1972, EOB Office tape reported to the Judge in open court that the gap was the result of the "process of erasing and re-recording at least five, and perhaps as many as nine segments."

Referred

Based on findings of the technical experts, Judge Sirica reopened the hearing and called for further testimony from knowledgeable witnesses, including Sims and Zumwalt.

January 16, 1974

Sims was called to testify in Judge Sirica's court. He produced documents identifying those tape recorders which were in use when the White House taping system was dismantled on July 18, 1973. He was unable to state whether or not these were the same recorders that were used when the system was initiated. In response to a question as to when wires and cables involved in the taping system were cut, Sims advised he could not recall the precise date, but it would show in the "file" relating to the White House taping system. Assistant Prosecutor Ben-Veniste then asked that this "file" be made available, and Judge Sirica concurred, over objection by White House Counsel.

Further questioning of Sims mainly centered around the Uher 5000 recorder which was purchased by this Service on October 1, 1973, at the request of Steven Bull. Sims testified that the machine was delivered to Bull that date about 1:00/1:15 P.M., and its operation was explained to him. Sims produced the receipt purportedly signed by Bull, acknowledging receipt of the recorder and foot pedal. Sims was asked if he knew whether or not Bull or Rosemary Woods brought the Uher recorder to Key Biscayne during the President's visit there on October 4-7, 1973; he responded in the negative.

Ben-Veniste read from previous testimony given by Rosemary Woods indicating that she had Steve Bull bring this recorder to Key Biscayne that weekend; also that she and Bull, upon arrival at Key Biscayne, obtained a safe from GSA or Secret Service, and had the Secret Service guard the safe around the

clock. Ben-Veniste asked that any records maintained by the Secret Service relative to guarding this safe be made available to the Special Prosecutor. (The safe was used for storage of tapes which Rosemary Woods brought with her to transcribe over that long weekend. Copies of the log maintained by the Presidential Protective Division were obtained the next day (January 17) and provided to Ben-Veniste and White House Counsel, but there was no further questioning of Secret Service employees concerning the activity at Key Biscayne that weekend.)

On the evening of January 16, Sims was interviewed at the Special Prosecutor's Office. [*Referred*]

In accordance with Judge Sirica's instruction, Sims had with him the file he was maintaining on the taping system, and the file was reviewed by attorneys for the Special Prosecutor. They requested and were given certain documents from the file. The next day (January 17), Sims provided copies of those same documents to Richard Hauser, Assistant White House Counsel, at his request.

Referred

This proved to be a point of temporary embarrassment for this Service, in that some of the news media that night reported it to be a forgery. What actually happened, as was explained by Zumwalt when he testified the next day, was that he (Zumwalt) signed Bull's name on the receipt and placed his own initials next to the signature.

I subsequently advised Sims to instruct his personnel that they should have recipients of loaned equipment sign the appropriate receipt themselves.

January 17, 1974

Zumwalt was called to testify before Judge Sirica. Assistant Prosecutor Ben-Veniste questioned Zumwalt relative to his record keeping of tapes checked out to Steven Bull on various dates. (Previous testimony by Zumwalt disclosed that on two occasions, June 4 and July 10, 1973, he released tapes to Bull but had no separate record to support log book entries of the dates these tapes were returned.) Ben-Veniste asked Zumwalt about six other tapes that were checked out to Bull on July 11, 1973; and again, there was no documentation by Zumwalt showing return of these tapes.

Ben-Veniste also asked Zumwalt questions concerning some of the information contained in Zumwalt's memorandum to me dated November 19, 1973 (this is one of the documents Sims provided to the Special Prosecutor on January 16).

Sims was recalled to the stand after Zumwalt completed his testimony. White House attorneys and Ben-Veniste immediately engaged in an argument over the fact that when Sims was interviewed the previous evening in the Special Prosecutor's Office, the White House attorneys were excluded from the interview. Judge Sirica ruled there was no requirement that they be present, despite his own suggestion that Sims should get together with counsel from both sides to examine the documents that Sims had in his file.

Ben-Veniste questioned Sims relative to information contained in some of the memoranda that Sims had provided the Special Prosecutors the previous evening. One of these reports, dated November 26, 1973, from Sims to AD Kelley, advises of the request made by Buzhardt for TSD assistance in filtering a portion of the June 20, 1972 EOB Office tape. Ben-Veniste read from other memoranda, reporting various tasks performed by TSD at Buzhardt's request.

Sims concluded his testimony by advising the Court that the Secret Service did not have any other Uher 5000 recorders at Key Biscayne on the October 4-7, 1973 weekend. (A question to this effect had been asked of Sims by Ben-Veniste during the previous day's testimony, and Sims advised he would inquire and provide an answer the next day.)

Referred

DAD Burke, Investigations, coordinated the FBI requests for interviews with Secret Service personnel and briefed each employee prior to interview on the scope and limitations of the FBI investigation. Arrangements were made to conduct these interviews at our Washington Field Office.

This date, the FBI interviewed the following personnel:

Referred

January 18, 1974

Referred

I discussed this request with you, and it was decided to provide these reports to Ben-Veniste and also provide, when requested, similar memoranda prepared at my request by DAD Wong, SA Randy Nelson, and ASAIC Shawver, New Orleans (formerly assigned to TSD). Copies of all memoranda were given to Ben-Veniste, through Adams, and at the same time copies were furnished by Sims to Mr. St. Clair, White House Counsel.

Referred

Sims and EPS Officer J. E. Courtney were present in the room during that ten minute period.

Referred

The above-named Agents worked at Key Biscayne over the October 4-7, 1973 weekend and participated in securing the safe containing the tapes brought to Key Biscayne by Rosemary Woods and Steve Bull. The log maintained by PPD showing entries into the safe had been brought to Judge Sirica's court on January 17, 1974, by DSAIC Burke, PPD, at the request of Assistant Prosecutor Ben-Veniste, and turned over to the Court Clerk. A copy of the log was also provided to White House Counsel.

This date Sims provided to SA Mahon, FBI, Xerox copies of purchase orders for fourteen (14) tape recorders used in the White House taping system.

January 21, 1974

[Referred]

[Referred]

He cleared this request through AD Kelley and the Treasury General Counsel and furnished the requested documents on January 21 and 22. White House Counsel was also provided copies of these documents.

[Referred] Sims submitted to them copy of a memorandum of SSS John Taylor dated January 22, 1974, identifying thirteen (13) Security Specialists utilized at Camp David in connection with the taping system.

January 22, 1974

[Referred]

[Referred]

] These were furnished to Miss Nobilio the next day.

Three (3) Sony 800B recorders, serial numbers 37285, 37292, and 36986, and two (2) headsets, which had been loaned to the White House staff on December 17 and 20, 1973, were returned to TSD supply.

January 23, 1974

[Referred]

January 24, 1974

Sony 800B recorder, serial number 37286, which had been on loan to the White House staff since December 14, 1973, was returned to TSD by Richard Hauser, White House Counsel's Office.

Referred

Referred

Appropriate tape duplication forms were prepared covering this activity, which lasted several hours. There is no record that the Treasury General Counsel approved this request prior to the work being done.

This same date, White House Counsel's Office returned to TSD the Uher 5000 recorder, serial number 232136526, Uher foot control pedal, and operating instructions booklet, which had been checked out to White House Counsel on January 10, 1974. The Uher circuit diagram which had been provided to White House Counsel was not returned;

Referred

January 26, 1974

Between the hours of 9:35 A.M. and 12:45 P.M., TSD personnel made a duplicate recording of a tape identified as OVAL OFFICE 3-13-73.]

Referred] A tape duplication form was prepared by the Security Specialists who did the duplicating. There is no record of prior Treasury General Counsel approval of this activity.

Referred

Referred

At 7:35 P.M., and again at 8:55 P.M. this date, the alarm covering Room 91, EOB (tape storage room), sounded. TSD and EPS personnel responded immediately on both occasions, but the door was found to be secure. Examination the next day of the alarming mechanism indicated the alarm was no doubt activated because of a malfunctioning part (a dirty output potentiometer). General Bennett, the White House custodian of tapes, was advised of these incidents.

January 28, 1974

Referred

Referred

January 29, 1974

Referred

Sims cleared this request with Treasury General Counsel and White House Counsel and on the following day, furnished copies of twelve (12) tapes to Bull. It is noted that Bull was offered these copies on the dates the tapes were duplicated, but he did not then desire them.

Referred

for what -

[*referred*] A tape duplication form was prepared by Holt documenting this activity. There is no documentation that prior approval was obtained from Treasury General Counsel.

January 30, 1974

Referred

February 1, 1974

Mr. Horace Fitchett, C&P Telephone Company, turned over to Sims copies of company records relating to telephone lines 5360, 5359, and 5677. These lines were utilized in the White House taping system to relay signals from the Oval and EOB Offices and the Lincoln Sitting Room to TSD recording rooms.

Fitchett advised Sims he had received a request from the FBI to provide these records, but informed the FBI that they should either subpoena the records from the telephone company or obtain them from the customer. Mr. Fitchett told Sims there would be no objection if this Service chose to release the records to the FBI.

Referred

February 4, 1974

Referred

February 5, 1974

Sims was contacted by a representative of the Tulsa World Newspaper, who advised she was doing an Oklahoma interest article for the newspaper and wanted some background information on Sims, particularly relating to his participation in the White House taping system. Sims referred her to our Office of Public Affairs.

February 6, 1974

[

Referred

]

February 7, 1974

{

Referred

}

Referred

February 13, 1974

{

Referred

}

There is no record that Treasury General Counsel gave prior approval to this request.

Any further activity relative to the taping system will be included in a supplemental report.

Eugene P. Dagg
Inspector

CC: AD Kelley - Protective Intelligence
CC: Inspection

EPD:laf

U. S. SECRET SERVICE

ASAIC Shawver
Through: SAIC - New Orleans

November 29, 1973

621.0

Inspector Dagg

Secret Service Participation in Tapings

In accordance with our telephone conversation this date, please prepare and submit to me a memorandum covering any knowledge you have of, or participation in tapings of Presidential conversations in the White House complex and at Camp David.

Eugene P. Dagg
Inspector

CC: Inspection ✓

EPD:laf

1

ATF

U. S. SECRET SERVICE

SAIC Sims - Technical Security Division

November 19, 1973

621.0

Inspector Dagg

Secret Service Participation in Tapings

Reference is made to AD Kelley's memorandum to the Director, dated November 12, 1973, concerning the above subject, and to our conversation of November 15, 1973, on the same subject.

It will be necessary for you and certain other employees of your Division to prepare and submit to me detailed memoranda covering your knowledge of, and participation in tapings of Presidential conversations in the White House Complex and at Camp David.

The other TSD employees are:

SSS Raymond Zumwalt
SSS James Baker
SSS John Taylor
SS Charles Bretz
SS Roger Schwalm

Each memorandum should be in chronological order as much as possible and should include:

1. Dates and places of equipment installation;
2. Dates of periodic maintenance and/or checking of equipment;
3. Any records maintained, or knowledge of custody of the tapes and release of tapes to others.

It will not be necessary to include in the memoranda details of any testimony in U. S. District Court concerning the tapes.

Eugene P. Dagg
Inspector

RIF

U. S. SECRET SERVICE

DAD Wong - Protective Intelligence

November 19, 1973

621.0

Inspector

Secret Service Participation in Tapings

Reference is made to AD Kelley's memorandum to the Director, dated November 10, 1973, and to our discussion on November 9, 1973, relative to the above subject.

It is requested that you prepare and submit to me a comprehensive memorandum covering your knowledge of, and participation in tapings of Presidential conversations in the White House Complex and at Camp David. Your memorandum should be in chronological order as much as possible and should include:

1. Who requested Secret Service participation, and when?
2. Dates and places of equipment installation.
3. Dates of periodic maintenance and/or checking of equipment.
4. Any records you have, or knowledge of custody of the tapes and release of tapes to others.

It will not be necessary to include in your memorandum details of your testimony in U. S. District Court concerning the tapes, since a transcript of that testimony is available.

Eugene P. Dagg
Inspector

RIF

U. S. SECRET SERVICE

SA Randolph W. Nelson

November 19, 1973

THRU : SAIC - Washington Field Office
Inspector Dagg

621.0

Secret Service Participation in Tappings

In connection with our conversation on November 15, 1973, on the above subject, you are requested to prepare and submit to me a comprehensive memorandum covering your knowledge of, and participation in tapings of Presidential conversations in the White House Complex and at Camp David.

Your memorandum should be in chronological order as much as possible and should include:

1. Dates and places of equipment installation;
2. Dates of periodic maintenance and/or checking of equipment;
3. Any records you have, or knowledge of custody of the tapes and release of tapes to others.

It will not be necessary to include in your memorandum details of your testimony in U. S. District Court concerning the tapes.

Eugene P. Dagg
Inspector

RWF

United States Secret Service

Director

11-12-73 *JMK*

AD Kelley - Protective Intelligence

621.0

Secret Service Participation in Tapings

With the disclosure of the taping of Presidential conversations in the White House made by Alex Butterfield to the Ervin Committee and the events which followed, the Secret Service will document its connection with this activity. An inspector will be selected and given the responsibility of preparing a report outlining the inception of this activity which was requested by the President to the Technical Security Division through Alex Butterfield. The report will also include the control of the taped conversations in the White House complex and Camp David, the extent of the knowledge of this activity within the Secret Service and the White House staff, and a review of the testimony given by the Secret Service on this matter during the hearings related to the tapes conducted in Judge Sirica's court.

The Technical Development and Planning Division will supply a qualified engineer to the inspector upon request if technical questions arise.

I suggest that any further contacts with the White House staff, the prosecutor's office, the Treasury Department, be conducted through this inspector and that the Technical Security Division divorce itself from any further participation in this matter. This may require that the inspector handling the report maintain an office within the Technical Security Division so that he is readily available to the staff.

The primary purpose of the report will be to bring into one document the history of the Secret Service's participation in this Presidential request. The inspector will have the full cooperation of all Secret Service employees on this project.

Thomas J. Kelley

cc: Mr. Balge
AD Inspection
SAIC TSD

RIP



August 16, 2007

Request No.:1087569- 000
Subject: SECRET SERVICE/
WHITE HOUSE TAPING SYSTEM

While processing your Freedom of Information-Privacy Acts (FOIPA) request, the Department of Homeland Security, United States Secret Service, located FBI information in their records. This material was referred to the FBI for direct response to you.

Enclosed are copies of the referred material. Deletions have been made pursuant to Title 5, United States Code, Section(s) 552/552a as noted below. See the enclosed form for an explanation of these exemptions.

Section 552

Section 552a

- Exemption codes: (b)(1), (b)(2), (b)(3), (b)(4), (b)(5), (b)(6), (b)(7)(A-F), (b)(8), (b)(9), (d)(5), (j)(2), (k)(1-7)

8 page(s) were reviewed and 8 page(s) are being released.

You may appeal any denials by writing to the Director, Office of Information and Privacy, United States Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C., 20530-0001, within sixty days from the date of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the FOIPA number assigned to your request so that it may easily be identified.

Sincerely yours,

Handwritten signature of David M. Hardy

David M. Hardy

Section Chief,
Record/Information Dissemination Section
Records Management Division

Enclosure(s)

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute(A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could be reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could be reasonably expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

b6
b7c
(USSS)

Referred

November 9, 1973

b6
b7c
(USSS)

Referred

The FBI contacted Sims and advised they had been requested by Richard Ben-Veniste of the Special Prosecutor's Office to interview Security Specialists and

b6 b7c
b2 b7E
(USSS)

(These two employees conducted on April 16, 1973, the date of one of the controversial EOB office tapes.)

Referred

Referred

November 12, 1973

Security Specialists and were interviewed by one of the Special Prosecutor's Office, not the FBI. Joseph Adams of the Treasury General Counsel's Office was present during the interviews. They were asked if they knew of the taping of Presidential conversations going on in Room 175½, if they had access to the cabinet in the room, or knew of the contents of the cabinet. They responded in the negative to these questions. They acknowledged being in Room 175½ for reasons other than the taping system, but stated they were never present when a tape was changed or when the cabinet was open. Their interviews lasted about 45 minutes.

Security Specialist obtained the Uher model 5000 recorder, serial number 33929, from Bull's Office. He

returned the machine to Bull the same date.

November 13, 1973

Referred

b2, b7E
b6, b7C

Ben-Veniste also asked questions concerning some of the information contained in memorandum to me dated November 19, 1973 (this is one of the documents Sims provided to the Special Prosecutor on January 16).

Sims was recalled to the stand after completed his testimony. White House attorneys and Ben-Veniste immediately engaged in an argument over the fact that when Sims was interviewed the previous evening in the Special Prosecutor's Office, the White House attorneys were excluded from the interview. Judge Sirica ruled there was no requirement that they be present, despite his own suggestion that Sims should get together with counsel from both sides to examine the documents that Sims had in his file.

Ben-Veniste questioned Sims relative to information contained in some of the memoranda that Sims had provided the Special Prosecutors the previous evening. One of these reports, dated November 26, 1973, from Sims to AD Kelley, advises of the request made by Buzhardt for TSD assistance in filtering a portion of the June 20, 1972 tape. Ben-Veniste read from other memoranda, reporting various tasks performed by TSD at Buzhardt's request.

Sims concluded his testimony by advising the Court that the Secret Service did not have any other Uher 5000 recorders at Key Biscayne on the October 4-7, 1973 weekend. (A question to this effect had been asked of Sims by Ben-Veniste during the previous day's testimony, and Sims advised he would inquire and provide an answer the next day.)

b2
b7E
(USSS)

Also on this date, the FBI, at the request of the Special Prosecutor, commenced an investigation aimed primarily at determining who might be responsible for the 18 1/2 minute gap in the June 20, 1972 tape. DAD Burke, Investigations, coordinated the FBI requests for interviews with Secret Service personnel and briefed each employee prior to interview on the scope and limitations of the FBI investigation. Arrangements were made to conduct these interviews at our Washington Field Office.

b6
b7C
(USSS)

This date, the FBI interviewed the following personnel:

- | | | | |
|----|-------|----|-------|
| SS | - TSD | SS | TSD |
| SS | TSD | SA | - WFO |
| SS | TSD | | |

b2, b7E
b6, b7C

January 18, 1974

b6
b7c
(USSS)

Referred

I discussed this request with you, and it was decided to provide these reports to Ben-Veniste and also provide, when requested, similar memoranda prepared at my request by DAD Wong, SA and ASAIC New Orleans (formerly assigned to TSD). Copies of all memoranda were given to Ben-Veniste, through Adams, and at the same time copies were furnished by Sims to White House Counsel.

b2
b7E
(USSS)

Referred

Officer _____ were present in the room during that ten minute period.

_____ Sims and EPS

The following personnel were interviewed by the FBI this date:

b6
b7c
(USSS)

SA	b6	- PPD	SA	PPD
SA	b7c	PPD	SA	- PPD
SA		PPD	SA	- PPD
SA		- ID	SA	PPD
*SA	[redacted]	- PPD		

*Telephonically interviewed at Sacramento, where he was seeking residence prior to transfer.

The above-named Agents worked at Key Biscayne over the October 4-7, 1973 weekend and participated in securing the safe containing the tapes brought to Key Biscayne by _____ and _____. The log maintained by PPD showing entries into the safe had been brought to Judge Sirica's court on January 17, 1974, by DSAIC _____ PPD, at the request of Assistant Prosecutor Ben-Veniste, and turned over to the Court Clerk. A copy of the log was also provided to White House Counsel.

This date Sims provided to SA _____ FBI, Xerox copies of purchase orders for fourteen (14) tape recorders used in the White House taping system.

b6, b7c

b6 (USS)
b7c

January 21, 1974

The FBI interviewed Sims, Specialist and TSD Security

Sims was requested by the FBI to provide copies of the file maintained by him concerning the White House taping system. He cleared this request through AD Kelley and the Treasury General Counsel and furnished the requested documents on January 21 and 22. White House Counsel was also provided copies of these documents.

The FBI also asked for names of TSD personnel who participated in the Camp David taping system. Sims submitted to them a copy of a memorandum of SSS dated January 22, 1974,

January 22, 1974

b6
b7c

The FBI interviewed [redacted] Presidential Protective Division.

Referred

These were furnished to [redacted] the next day.

Three (3) Sony 800B recorders, serial numbers 37285, 37292, and 36986, and two (2) headsets, which had been loaned to the White House staff on December 17 and 20, 1973, were returned to TSD supply.

January 23, 1974

The FBI interviewed the following personnel of this Service:

DSAIC	- PFD
SSS	TSD
SS	- TSD
SA	PSD
SA	- PSD
SA	- PSD

The latter three (3) employees worked the October 4-7, 1973, weekend at Key Biscayne and assisted in security of the safe containing White House tapes.

January 24, 1974

Referred

The FBI interviewed the following Secret Service personnel:

SS
SS
SA

- TSD
(retired) - TSD
PSD

b7c, b6 (USSS)

b2
b7E

Referred

Appropriate tape duplication forms were prepared covering this activity, which lasted several hours. There is no record that the Treasury General Counsel approved this request prior to the work being done.

This same date, White House Counsel's Office returned to TSD the Uher 5000 recorder, serial number 232136526, Uher foot control pedal, and operating instructions booklet, which had been checked out to White House Counsel on January 10, 1974. The Uher circuit diagram which had been provided to White House Counsel was not returned.

Referred

January 26, 1974

Between the hours of 9:35 A.M. and 12:45 P.M., TSD personnel made a duplicate recording of a tape identified as 3-13-73.

Referred

A tape duplication form was prepared by the Security Specialists who did the duplicating. There is no record of prior Treasury General Counsel approval of this activity.

b6 (USSS)
b7c

Referred

b6, b7c (USSS)
b7E

[Referred]

At 7:35 P.M., and again at 8:55 P.M. this date, the alarm covering [redacted], sounded. TSD and EPS personnel responded immediately on both occasions, but the door was found to be secure. Examination the next day of the alarming mechanism indicated the alarm was no doubt activated because of a malfunctioning part (a dirty output potentiometer). General Bennett, the White House custodian of tapes, was advised of these incidents.

January 28, 1974

b6 (USSS)
b7c

The FBI interviewed the following Secret Service personnel:

SA	- TSD	SS	- TSD
SS	- TSD	SS	TSD

[Referred]

January 29, 1974

b6, b7c (USSS)

[Referred]

Sims cleared this request with Treasury General Counsel and White House Counsel and on the following day, furnished copies of twelve (12) tapes to [redacted].

It is noted that [redacted] was offered these copies on the dates the tapes were duplicated, but he did not then desire them.

[Referred]

b6, b7c (USSS)

b2, b7E
b6, b7C

b6, b7c
(USSS)

Referred A tape duplication form was prepared by _____ documenting this activity. There is no documentation that prior approval was obtained from Treasury General Counsel.

January 30, 1974

b6
b7c
(USSS)

The FBI interviewed TSD Security Specialists _____, and SA _____ TSD, _____ was scheduled to be interviewed, but it was cancelled.

February 1, 1974

_____ C&P Telephone Company, turned over to _____ copies of company records relating to telephone lines

Referred

February 4, 1974

Referred

February 5, 1974

Sims was contacted by a representative of the Tulsa World Newspaper, who advised she was doing an Oklahoma interest article for the newspaper and wanted some background information on Sims, particularly relating to his participation in the White House taping system. Sims referred her to our Office of Public Affairs.

b6
b7c
(USSS)

b2, b7E
b6, b7C

February 6, 1974

[The FBI interviewed SA

WFO.]

b6 (USSS)
b7c

February 7, 1974

b6 (USSS)
b7c

[Referred]

b6 (USSS)
b7c

[This same date, the FBI did interview the above-named personnel except for SA who was unavailable.]

February 13, 1974

b2 (USSS)
b7c

[Referred]

There is no record that Treasury General Counsel gave prior approval to this request.

Any further activity relative to the taping system will be included in a supplemental report.

Inspector

CC: AD Kelley - Protective Intelligence
CC: Inspection ✓

EPD:laf