

Memorandum

TO : Inspector Dagg

FROM : SAIC Sims - Technical Security Division

SUBJECT: Secret Service Participation in Tappings

RECEIVED
U.S. SECRET SERVICEDEC 11
DATE: Dec. 6, 1973LCHN.
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Reference is made to your O/M of 11/19/73 concerning this subject.

I first became aware of the White House taping system on approximately November 20, 1972, just prior to my being assigned as SAIC of the Technical Security Division on November 26, 1972. Former SAIC Wong advised me, in the presence of AD Kelley (PI), that the system included the President's Oval and EOB offices, the Cabinet Room, Camp David and certain telephone lines in the President's offices and one in the Residence. Also, I was advised that my contact on the White House staff would be Mr. Alexander Butterfield, as only Mr. Butterfield, Mr. H. R. Haldeman and the President were aware of the system. I was advised during this same meeting that Mr. Butterfield had requested that no paper work be generated on the system and that no other persons within the Secret Service, Treasury Department or White House be made aware of the system. SAIC Wong advised that SSS Raymond Zumwalt designed the system and that he and SSS James Baker maintained the system. He further advised that on at least one occasion Mr. Butterfield had requested a tape and listened to it, and on another occasion he asked for one and it was determined that it was blank because of having been placed on the recorder incorrectly (the dates of both requests and the date the tape was reviewed are not known as no record was kept).

Immediately after November 26, 1972, SSS Zumwalt explained the system to me, including offices covered, the handling of tapes until storage, and the location of the storage facility with access limited to SSS Zumwalt and myself. The type of equipment, maintenance, and changing of tapes were discussed very little, if at all, except that SSS Baker changed the tapes as necessary and generally operated the system under SSS Zumwalt's supervision. Also, counter-measure teams had been instructed that when sweeping the

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President's Oval and EOB offices, the Cabinet Room and Camp David, certain areas were off-limits. The Security Specialists handling Camp David carried an unlocked metal case with a combination lock, for which only SSS's Zumwalt and Baker had the combination. As soon as they removed tapes from the recorder, the tapes were secured in this carrying case. The carrying case was then locked and remained locked until unlocked by SSS Zumwalt here at TSD for securing in the Tape Storage Room.

In early December 1972, I discussed the system with Mr. Butterfield in his office, and he explained the method he used to record Cabinet Room meetings. Each time he learned of the President going to Camp David, he would advise either SSS Zumwalt or me as soon as possible so that this Division could send two Security Specialists to Camp David to handle the taping system there. Mr. Butterfield advised that the system was substantially for historical purposes and to refresh the President's memory when reviewing a particular meeting as to conclusions, agreements reached etc. At no time did Mr. Butterfield express any dissatisfaction with the system nor its operation.

In about January 1973, Mr. Butterfield called me to his office and discussed starting a program to transcribe all tapes. He also said that he was considering a system at San Clemente and Key Biscayne. I advised him that if they desired to keep the taping system a secret operation, I would recommend that transcribing not be done, except perhaps a specific tape, until the administration leaves office. Also, that if systems were installed at either San Clemente or Key Biscayne, the SAIC and perhaps one technician at each location would need to be aware of it. He never again mentioned either request.

In late February or early March 1973, Mr. Butterfield called me to his office and advised me that he was leaving the White House to go to FAA. During this meeting, he called Mr. Steven Bull into his office and advised him of the recording system in general terms. He told Mr. Bull that only Mr. Haldeman, Mr. Higby and the President were aware of it and it should be kept to only a few persons. Mr. Butterfield also advised Mr. Bull that he had listened to tapes on a few occasions and found them to be of good quality. Mr. Butterfield advised Mr. Bull that either SAIC Sims or SSS Zumwalt were his points of contact, as only a few individuals in the Secret Service were aware of the system.

In approximately March 1973, Mr. Bull requested and was taken to the President's Oval and EOB offices, White House Recording Room, EOB Recording Room and the Tape Storage Room, and the system was generally explained to him by

SSS Zumwalt. Mr. Bull talked about requesting that the small conference room adjoining the President's EOB Office be included in the system. SSS Zumwalt surveyed the situation and within a few days Mr. Bull was advised that a separate system would be required in that room (it could not be done by just adding another microphone[s] and connecting it to the EOB Office recorder). Mr. Bull advised that if this was to be done he would so advise me. He never made that request.

I also discussed with Mr. Bull, as I had previously discussed with Mr. Butterfield, the removal of the room pickup in Aspen at Camp David in view of foreign visitors utilizing that area from time to time. Between Mr. Bull and Mr. Butterfield, I was advised to remove the room system in Aspen, and this was accomplished on March 18, 1973.

At the time Mr. Bull took Mr. Butterfield's place as the White House representative concerning the taping system, Mr. Bull stated that he would be listening to the tapes from time to time to check the system etc. Both Mr. Bull and Mr. Butterfield had been advised by me that under no circumstances are any tapes monitored by representatives of this Service. As indicated in the log turned over to Judge Sirica's Court by Mr. Buzhardt, Mr. Bull checked out specific tapes between March and July 18, 1973.

On the occasions that Mr. Bull requested tapes, I asked him who was requesting them, and on each occasion he would either state directly or imply that the President was requesting them. Mr. Bull made the requests to me, when available, and to SSS Zumwalt when I was not available. If the request came to me, I would advise SSS Zumwalt to obtain the tapes and to either deliver them to Mr. Bull or hold them for pickup by Mr. Bull from either SSS Zumwalt or me. I also advised SSS Zumwalt to keep a record of the tapes checked out and returned. Each time tapes were checked out by Mr. Bull, if SSS Zumwalt received the request, he would contact me and advise me of the request prior to delivering the tapes to Mr. Bull. Also, until the tapes were returned, SSS Zumwalt would advise me of their status and also inform me that tapes had been returned and secured. On occasions when Mr. Bull was to keep tapes overnight, either SSS Zumwalt or I would ask him if he wanted us to secure them in the tape storage room overnight. On a few occasions he asked that this be done, and on other occasions he said that he would secure the tapes himself. At no time

did he ever indicate that the tapes were utilized by anyone other than the President and himself. Also, at no time did he ever give any indication that the quality of the tapes was a problem or that he had any difficulty in reviewing them.

Upon arriving at TSD in November 1972 and in the following months, I found (as SAIC Wong had stated) no records as to dates the system was installed, equipment used initially, and maintenance, replacement, changes in the system, i.e., adding timers etc. SSS Zumwalt had notes in his notebook which reflected the following locations and dates of installations. Other information (dates disconnected and disconnects requested by) is not from SSS Zumwalt's notebook but from records in this Division:

<u>Location</u>	<u>Installation Date</u>	<u>Date Disconnected</u>	<u>Disconnect Requested by</u>
Oval Office	2/16/71	7/18/73	Mr. Buzhardt
EOB Office	4/6/71	7/18/73	"
Cabinet Rm.	5/14/71*	7/18/73	"
WH Phones	4/6/71	7/18/73	"
Camp David Office	5/18/72	3/18/73	Butterfield/Bull
Camp David phones	5/18/72	7/18/73	Mr. Buzhardt

On several occasions between November 1972 and July 18, 1973, both Mr. Bull and Mr. Butterfield wanted to know the names of the persons in the Secret Service who were aware of the taping system. On each occasion I advised them that, to the best of my knowledge, it was AD Kelley, SAIC Wong, SSS Zumwalt, SSS Baker, SS Bretz, SS Schwalm, [REDACTED] and myself. Immediately after John Dean said that he would not be made a scapegoat, Mr. Bull wanted to know if Dean knew of the taping system. I advised him that I could only tell him that no one in the Secret Service had informed Dean of the system.

On July 18, 1973, Mr. Buzhardt, in coordination with General Alexander Haig, advised that the taping system was to be disconnected and equipment removed, but that microphones and cables were to be left in place. Also, the tapes were to be turned over to the President on the same date, with General John Bennett being the President's representative. AD Kelley was advised of this and, since there was no inventory of the tapes, I suggested that an inventory be made prior to turning them over to the White House. I also advised AD Kelley that a record was being made of specific equipment removed from each location and the name of the person removing it. AD Kelley was also

*Cabinet Room tapes indicate installation approximately 2/16/71.

advised that the records kept by SSS Zumwalt concerning the tapes checked out and returned were to be secured in the safe with the tapes so that this Service would have no documents (except inventory) in our possession concerning White House tapes. AD Kelley concurred, and the above was done with the inventory taken by SSS's Zumwalt and Baker and myself, concluding at about 10 p.m. on 7/18/73.

The notes located in one of the tape cabinets, listing tapes checked out and in, were transferred into a spiral notebook in a very orderly manner by SSS Zumwalt, at my request. In view of the entries being made in the spiral notebook at one sitting, the notes from which the entries in the spiral notebook were made were placed in the back of the notebook and retained as original notes. The installation dates as taken from SSS Zumwalt's notebook were entered on the back of the front cover in the spiral notebook. The original inventory was signed by General Bennett, with the original being locked up with the tapes and a copy sealed and secured in my safe in TSD. The combinations were changed by SS James Barzee (TSD) on all safes containing White House tapes; the lock on the entrance door was changed by SS Barzee; and all keys (2) provided to General Bennett, along with the combinations, were sealed in an envelope. EPS Control Center was immediately informed by me that access was limited to the President. This was followed up with a memorandum on 7/19/73. AD Kelley was kept advised of the above and concurred. With regard to dates of installation as indicated on page four, the Cabinet Room installation apparently occurred on or about 2/16/71 instead of 5/14/71, inasmuch as the first tape logged for the Cabinet Room was 2/16/71.

On 9/28/73, General Haig advised me that General John Bennett, Special Assistant to the President, when entering the tape storage room (Zone 128), is doing so at the request of the President and, until I am advised otherwise by General Haig, General Bennett is authorized by the President to enter Zone 128. The practice continuing to date is for the EPS Control Center to notify me of entries by General Bennett and when the room is secured. EPS also responds to Zone 128 to determine that General Bennett is actually the person entering, and upon his departure an EPS officer checks the door to determine that it is secure.

On 10/22/73, Mr. Buzhardt advised me that the microphones and cable should be left in place but could all be disconnected. I advised him that the telephone circuits were still being paid for, and he advised that they should be cancelled. The above was accomplished on November 1, 1973, concerning all disconnects, and on 11/9/73 the circuits were cancelled.

On 10/22/73, SSS Baker and I met with Mr. Buzhardt, at his request, and he asked questions as to how the system in the EOB Office functioned so as to have the tape run out at 2 p.m. on Sunday afternoon and another recorder not pick up the recording function. SSS Baker explained it and, with that explanation, Mr. Buzhardt requested that he be furnished the explanation in writing the following day. This was done after discussing it with SSS Zumwalt, and copies have previously been furnished to you.

On 10/30/73, Mr. Buzhardt advised me that the Special Prosecutor's Office had asked to interview SSS Zumwalt with regard to explaining the White House taping system in view of a conference held with Judge Sirica on that date. Judge Sirica had scheduled a hearing to commence on October 31, 1973, in view of Mr. Buzhardt reporting to Judge Sirica on 10/30/73 that conversations between John Mitchell and the President on 6/20/72, and John Dean and the President on 4/15/73 were never recorded because of the way the system was set up.

On this same date, I met with Deputy Assistant Secretary Brent Moody, DD Boggs, and SATAS Balge in Mr. Moody's office and discussed this matter and the forthcoming interview of SSS Zumwalt by the prosecutor's office on 10/31/73 and his testimony in court also on 10/31/73. Mr. Moody advised that it was a White House matter and the Treasury General Counsel's Office would leave it to the Counsel to the President. On this same date, I advised SSS Zumwalt of the forthcoming interview and testimony, and that he would be asked to explain the entire White House taping system. I also advised AD Kelley on this date of the forthcoming interview and testimony.

On 10/31/73, prior to SSS Zumwalt and I proceeding to the Special Prosecutor's Office to meet with Mr. Richard Ben-Veniste, per directions of Mr. Buzhardt and concurred in by Treasury General Counsel Schmultz' office, Mr. Ben-Veniste telephoned me and advised that I should have SSS Zumwalt

proceed to his office and that I should follow him by about one hour as they also wanted to interview me. I informed him that I had been advised by Mr. Buzhardt that I was to accompany SSS Zumwalt and was to be interviewed as his supervisor only. Mr. Ben-Veniste asked that we proceed to his office and he would contact Mr. Buzhardt concerning the matter. I then contacted Mr. Schmults' office, and Mr. Joseph Adams advised that he knew nothing at all about the matter but he would accompany us to the Special Prosecutor's Office. Upon arrival, Mr. Ben-Veniste advised that he had not yet been in contact with Mr. Buzhardt. Mr. Ben-Veniste proceeded to interview SSS Zumwalt in the presence of Mr. Adams and me. Approximately 15 minutes into the interview Mr. Buzhardt called and both Mr. Ben-Veniste and I talked with him. It was agreed that Mr. Adams and SSS Zumwalt would stay and I would leave. Upon leaving, Mr. Ben-Veniste advised me that I should return at 12 noon for an interview. I advised him that it was not my understanding of the agreement between him and Mr. Buzhardt that I return for an interview, and that I would confer with Mr. Buzhardt.

Upon leaving, I proceeded to Mr. Balge's office and briefed Mr. Ed Morgan. I also contacted Mr. Buzhardt concerning Mr. Ben-Veniste's request, and Mr. Buzhardt said that Mr. Ben-Veniste was not to interview me except as SSS Zumwalt's supervisor, and he would so advise him. SSS Zumwalt returned to TSD at about 1 p.m. At approximately 1:40 p.m., Mr. Buzhardt requested that SSS Zumwalt, SSS Baker and I come to his office. Upon arrival, he advised that we would depart for Judge Sirica's Court within the next few moments. In the car en route to court, Mr. Buzhardt conversed with SSS's Zumwalt and Baker concerning the timer, how it was set etc., so as to explain why the tape ran out in the EOB office on 4/15/73 at about 2 p.m. Just prior to departing for court was the first time SSS Baker had been mentioned by Mr. Buzhardt. SSS's Baker and Zumwalt, in attempting to reconstruct the workings of the timer, how it was set etc., were both quite confused inasmuch as there were no records to refer to (per Mr. Butterfield's request) and they were going on their memory since February 1971. In the car and walking into the courthouse, the conversation continued with Mr. Buzhardt, and at that time both SSS Zumwalt and SSS Baker were explaining that the timer changed from one recorder to the other each night between 11 and 12 midnight for the EOB office. Just prior to entering the courtroom, Mr. Buzhardt asked me to discuss the matter

with SSS's Zumwalt and Baker further in an attempt to clarify the matter. After discussing the matter for a few moments with SSS's Zumwalt and Baker, there was still confusion as to exactly how the system worked.

Prior to the start of the hearing, I telephoned DD Boggs and Mr. Schmults' office, advising them that we were at Judge Sirica's Court, etc. I also asked Mr. Joseph Adams if he or Mr. Schmults were going to appear in court with us, and he responded that in all likelihood it would be himself. SSS's Zumwalt and Baker and I then entered the courtroom per Mr. Buzhardt's instructions, after I advised him that it was still not clear exactly how the timer was set, etc.

After a preliminary statement by Mr. Buzhardt, he called SSS Zumwalt to the stand. Within ten minutes, SSS Zumwalt had identified me as his supervisor and SSS Baker as his associate in maintaining the taping system. Mr. Ben-Veniste requested that SSS Baker and I and any other witnesses be excluded from the courtroom. Judge Sirica then asked that SSS Baker and I leave the courtroom. On this same date, I advised AD Kelley/DAD Wong that we had been excluded and someone outside TSD should sit in the courtroom on behalf of the Secret Service. Upon leaving court, I again talked with Mr. Joseph Adams, and he stated that since Mr. Buzhardt was in court handling the case, the General Counsel's office would not attend.

On 11/1/73, ASAIC Richard Taylor (Liaison) commenced monitoring the proceedings.

Upon leaving court at about 5 p.m., SSS's Zumwalt and Baker, Mr. Buzhardt and I returned to the Old EOB, and Mr. Buzhardt advised that he wanted to talk to each of us that evening in preparation for the following day. At that point, I advised AD Kelley/DAD Wong and Mr. Adams. At approximately 9:45 p.m., Mr. Buzhardt asked to see SSS Zumwalt. Mr. Schmults was also present. Mr. Buzhardt subsequently talked to SSS Baker and me individually in the presence of Mr. Schmults concerning testifying the following day. At this point, I had no reason to believe that the testimony of SSS Zumwalt had gone any way other than satisfactorily. Mr. Buzhardt asked that we meet in his office the following morning at approximately 7:30 a.m., and we would leave for court about 9 or 9:30 a.m.

On 11/1/73, just prior to meeting with Mr. Buzhardt, SSS Zumwalt and SSS Baker were discussing SSS Baker's examination of an actual timer on the night of 10/31/73. The discussion refreshed their memory that the timer had to be set for six days instead of seven, which meant that Saturday/Sunday was considered as the 6th day in view of the history of inactivity in that office on those days. The previous day they had recalled that the timer changed each night between 11 and 12 midnight. I requested SSS Baker to obtain one of the timers, although it had been re-set and used elsewhere since being removed from the White House taping system. SSS Baker obtained one, and he and SSS Zumwalt proceeded to attempt to determine exactly how the timer was set and why. Because of no records being available except those made at the time the system was removed, all recollection of when the timer was initially installed, how it was set or re-set, and why, was a matter of memory since 1971. Although the matter was partially clarified, it was still confused to a degree.

Mr. Buzhardt then asked SSS Zumwalt, SSS Baker and I to accompany him and General Bennett to the tape storage room to remove the boxes for the original tapes in question and to obtain the notes and spiral notebook of the tapes logged out from March to July 18, 1973. General Bennett and I suggested leaving the backup notes in the safe and presenting the spiral notebook log in court, and Mr. Buzhardt requested that both be taken to court. I carried the log and notes to Mr. Buzhardt's office, and SSS Zumwalt carried the original computer printout previously requested by Mr. Buzhardt for the period April 13-16, 1973, and one AC timer (Star No. 149). Mr. Buzhardt asked that each be initialed, and he took custody of them. (These items were not seen again until we were on the witness stand.) We immediately departed the OEOb with Mr. Buzhardt for Judge Sirica's Court.

SSS Zumwalt took the stand and was followed by SSS Baker late in the day. That evening I met with Mr. Buzhardt briefly and he advised me that problems had arisen in the record of tapes being logged out and in, since one entry reflected that a number of tapes were logged out to Mr. Steven Bull on June 4, 1973, but there was no indication as to when they were logged back in. Also, one of the

notes reflects tapes logged out but no indication of them being returned, yet the same entry in the spiral notebook reflects them being returned on July 13, 1973. I advised Mr. Buzhardt that since those were SSS Zumwalt's notes and he had transferred them into the spiral notebook at my request on July 18, 1973, upon my determining the type of records that were kept, SSS Zumwalt would be the person to ask. Also, SSS Zumwalt may have referred to his pocket notebook or some other notations on July 18, 1973, in addition to the notes in the tape file cabinet, when he made the entries in the spiral notebook, but I could not recall specifically that he did. As to the June 4, 1973, entry, it would only mean to me that the tapes were checked out and in on June 4, since only one date appeared, but that SSS Zumwalt would be the one to interpret his logs.

Mr. Buzhardt also met briefly with DAD Wong and advised him to be in his office at 9 a.m. the following morning.

At 9 a.m. on 11/2/73, DAD Wong and I met Mr. Buzhardt in his office, along with Mr. Steven Bull, and all proceeded to Judge Sirica's Court. I took the stand when Court resumed at about 10 a.m., concluding my testimony at about 2 p.m.

All activity on this matter since 11/2/73 has been reported to AD Kelley via memoranda, copies of which have been furnished to you.



Louis B. Sims
Special Agent in Charge

LBS/ml