

Kalmbach ties Ehrlichman to pay-off

Aide says Nixon bugged own offices, phones

WASHINGTON (UPI) — President Nixon's conversations and telephone calls in the White House and at Camp David have been recorded on his orders since 1970, presumably "for posterity," former White House Deputy Assistant Alexander Butterfield testified Monday.

The White House confirmed that the listening devices were still in operation and Butterfield, now Federal Aviation administrator, said he believed Nixon would use the tapes "in defense of his own position" in the Watergate scandal.

The tapes presumably could corroborate — or knock down — accounts of conversations that ousted White House Counsel John Dean III testified he had with Nixon implicating the President in the Watergate cover-up.

Within moments after Butterfield presented his startling testimony before the Senate Watergate committee's televised hearings:

— White House lawyer Fred Buzhardt confirmed in a letter to the committee that Nixon's meetings and conversations in the White House have been recorded since 1971 a year later than Butterfield said. Buzhardt said the Johnson administration had done the same thing. A Secret Service spokesman, however, said if there was such a recording system in the Johnson

administration it was not operated by the Secret Service.

— Deputy White House Press Secretary Gerald Warren said Nixon was aware of Buzhardt's letter and Butterfield's testimony "did not come as a surprise to the White House."

— Sam Dash, chief counsel for the committee, told reporters he was "sure" the panel would seek the tapes of Watergate conversations that Nixon had with Dean and others.

— A spokesman for the Federal Communications Commission said it was illegal to tape telephone conversations without a beeper device to inform the parties they are being recorded. A spokesman for the Chesapeake and Potomac Telephone Co. agreed.

— A Secret Service spokesman said the tapes are kept in the White House — Butterfield had testified they were in the Executive Office Building — but would not comment when asked if a record of the tapes was maintained or if any had been withdrawn or destroyed.

Butterfield was called before the committee on three hours' notice to give testimony that he had given to the committee staff Friday. He was a reluctant witness.

Asked "Can you tell us if the President plans to make these tapes available to the

Ervin committee and, if not, what his rationale for not doing so is?" Warren replied:

"I am not able to comment on that question." He declined to comment on a barrage of other questions.

"Beyond telling you the President is aware of Buzhardt's letter I must say I have no information on the letter or Butterfield's testimony," Warren said.

Minority committee counsel Fred Thompson asked Butterfield: "On whose authority were the listening devices installed, Mr. Butterfield?"

"On the President's authority, by way of H.R. Haldeman and Larry Higbee, White House aides," Butterfield replied.

After the appearance of the surprise witness, President Nixon's former personal attorney testified Monday that ex-presidential adviser John Ehrlichman personally endorsed cash payments to the Watergate defendants last summer but warned that if the story ever got out the Democrats would "have their heads in their laps."

The attorney, Herbert Kalmbach, told the Senate Watergate Committee he was summoned from his Newport Beach, Calif., home just 11 days after the June 17, 1972, bugging arrests at the Democratic National Committee and assigned to raise cash for the men charged with the crimes.

He said he got the assignment from then White House Counsel John Dean III and agreed to take it because of the "moral obligation" to help the men with their legal fees and to support their families.

He said he sensed that "the green light had been given to these people in some manner" to undertake the Watergate bugging—which he described as "an idiotic and stupid thing"—and that it was "the decent thing" to help them.

But after raising more than \$100,000 and distributing it in a sort of "James Bond scenario," Kalmbach said, he began to have second thoughts and went to Ehrlichman July 26.

"I said, 'John, I'm looking right into your eyes... I know Jean and your family and you know Barbara and my family. You know that my family and my reputation mean everything to me. And it's just absolutely necessary, John, that you tell me first that John Dean has the authority to direct me in this assignment; that it is a proper assignment and that I should go forward on this,'" Kalmbach testified.

"And did he look you in the eye?" asked chief committee counsel Samuel Dash.

"Yes, he did," Kalmbach replied. "... He said, 'Herb, John Dean does have the authority. It is proper and you are to go forward.'"

UPI Roundup

Mitchell again asks suit dismissal

NEW YORK — Former Attorney General John Mitchell and former Commerce Secretary Maurice Stans filed new motions Monday for dismissal of federal grand jury indictments against them in New York on grounds the Senate Watergate hearings have made a fair trial impossible. Mitchell's lawyer said the Senate Watergate Committee has virtually vouched for the fact that Mitchell will be indicted in the Watergate scandal, and "perhaps even for his guilt." Mitchell asked that if the dismissal motion fails, his New York trial, now scheduled for Sept. 11, be postponed indefinitely.

Testing: un, deux, trois, ka-boom

PAPEETE, Tahiti — A flurry of French military activity in the South Pacific suggested Monday that France was on the verge of beginning its controversial series of atmospheric nuclear tests above Mururoa Atoll. French officials here continued to decline comment on the exact date of the beginning of the tests, which had been expected to start during the weekend.

Pentagon admits false reports covered up secret bombings

WASHINGTON (UPI) — The Pentagon said Monday American B52s secretly started bombing Communist sanctuaries in Cambodia prior to 1970 and military commanders covered up evidence of the raids under orders from their civilian superiors.

Defense Secretary James Schlesinger acknowledged the pre-1970 raids after former Air Force Maj. Hal Knight testified that he was ordered to burn reports about the Cambodia strikes and turn in bogus documents showing that they occurred inside South Vietnam.

Knight told the Senate Armed Services Committee his commanders told him to destroy targeting orders about the raids

because of political repercussions that would occur if Congress and the American people found out.

But Schlesinger, in a letter to the committee, said the precautions were taken "because of the sensitive operational and diplomatic situation."

Schlesinger and Gen. George Brown, Air Force chief of staff, neither confirmed nor denied in letters to the committee that

reports had been falsified. They referred to "special security precautions" surrounding the pre-1970 strikes and Brown assured the committee "they were not intended to deceive those with a security 'need to know.'"

Brown, however, said it was proper for reports to be falsified if it is ordered.

'No knock' restricted due to mistaken raids

WASHINGTON (UPI) — The government Monday announced new guidelines for search and arrest to minimize the chance that federal narcotics agents would mistakenly raid the homes of innocent persons.

The new policy, which includes restrictions on the use of "no-knock" authority, forced entry and firearms, came in the wake of investigations of two apparently mistaken drug raids in Collinsville, Ill., in which agents allegedly broke into the wrong homes, threatened the occupants, and departed without apologizing.

"Unhappily we are all too familiar with the incidents which made the issuance of this policy necessary," said John Bartels Jr., acting head of the Drug Enforcement Administration. "Any recurrence of such incidents cannot and will not be tolerated."

The new guidelines feature a combination of existing and new instructions requiring agents to "wear distinctive markings, such as badges, caps or other devices, to identify themselves to the public and their fellow officers in all cases involving forced entry..."

The new policy also bars newsmen or non-enforcement persons from accompanying narcotics agents on raids unless special permission is granted.

Stressing that proper identification is necessary, the new policy manual said, "It is essential that the operational team dress in a manner to invite confidence by the public and to lessen the possibility that an agent be mistaken for someone other than a responsible official."

The manual also said that use of "no-knock" authority, under which agents can enter a residence without knocking and announcing their purpose, "should be preceded by high-level review of existing circumstances."

"I cannot find words to express my contempt for any agent who misuses the badge of a federal officer for any illegal purpose," Bartels said. "Attorney General Elliot Richardson has made it clear to me that he fully shares the views I have expressed."

Here comes Phase IV

WASHINGTON (UPI) — The public will get a look at President Nixon's Phase IV wage-price controls later this week, the White House said Monday, but Nixon himself won't be making the announcement.

Nixon's illness has ruled out the nationwide television speech that, in the past, has been used to introduce major shifts in economic policy.

Instead, Treasury Secretary George Shultz, the President's No. 1 economic adviser, probably will brief congressional leaders, Cabinet members and the press on the Phase IV stabilization program, which will succeed the current price freeze.

The timing of the Phase IV unveiling was still unclear although presidential Press Secretary Ronald Ziegler said: "I would anticipate Phase IV would be announced later this week."



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