

WHITE HOUSE TAPES
5TH CHRONOLOGICAL RELEASE
PART III
JANUARY 1973



Richard Nixon Presidential Library

National Archives and Records Administration

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NIXON WHITE HOUSE TAPES

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This group of 36 Nixon White House tapes, released on June 23, 2009, consists of the conversations which took place in the Oval Office, in the President's Old Executive Office Building (EOB) office, and on certain telephones in the Oval Office, the President's EOB office, and in the Lincoln Sitting Room in the residence of the White House. This group of White House tapes also includes room conversations and telephone conversations recorded in the President's study in the Aspen Lodge at the Camp David Presidential retreat in Maryland. In all, there are 994 conversations totaling approximately 154 hours of listening time. These conversations were recorded, for the most part, from January 1, 1973 to January 31, 1973. However, a number of conversations included as part of these "January 1972" tapes were recorded in February 1973. Several tapes in this release contained conversations from both late January and February. For archival purposes, all conversations from both January and February on these tapes are included in this installment.

According to the terms of the 1996 Tapes Settlement Agreement between the National Archives, President Nixon's Estate, and Public Citizen, the Nixon Presidential Materials Staff has previously processed and released to the public eight installments of Nixon White House Tapes. The installments were:

1. Abuse of governmental power (AOGP) conversations. These tapes consisted of excerpted portions of conversations that documented evidence of abuses of governmental power. These excerpted portions were recorded between February 1971 and July 1973. This first installment was released to the public in October 1996 and totaled 201 hours of listening time.
2. Cabinet Room conversations. These conversations were recorded in the Cabinet Room in the White House between February 1971 and July 1973. This second installment was released to the public in November 1997 and totaled 154 hours of listening time.
3. First chronological segment. These conversations were recorded between February and July 1971. They were released to the public in October 1999 and totaled 445 hours of listening time.
4. Second chronological segment. These conversations were recorded between August and December 1971. They were released to the public in October 2000 and totaled 420 hours of listening time.

5. Third chronological segment. These conversations were recorded between January and June 1972. They were released to the public in February 2002 and totaled 425 hours of listening time.
6. Fourth chronological segment. These conversations were recorded between July and October 1972. They were released to the public in December 2003 and totaled 238 hours of listening time.
7. Fifth chronological segment, part I (tapes 33, 388, and 813). These conversations were recorded in November 1972. They were released to the public in July 2007 and totaled 11 ½ hours of listening time.
8. Fifth chronological segment, part II. These conversations were recorded between November and December 1972. They were released to the public in December 2008 and totaled 198 hours of listening time.

The National Archives intends to make available additional tapes in the second half of 2010 or early 2011 and complete the release of the remaining tapes of the fifth chronological release as soon as possible.

All of these tapes are in the custody of the National Archives and Records Administration (NARA) and are part of the Nixon presidential historical materials under the provisions of the Presidential Recordings and Materials Preservation Act of 1974 (PRMPA) (44 USC 2111 note). In July 2007 with the establishment of the Nixon Presidential Library, the Richard Nixon Library and Birthplace Foundation signed a deed of gift donating large portions of previously withdrawn conversations from the White House tapes. These donated conversations concern personal and political matters that were initially identified and reviewed by the archivists as “returnable” to the Nixon Foundation as the content of those conversations had no bearing on the constitutional and statutory duties of the Presidency, as stipulated in the PRMPA and its implementing public access regulations. Conversations determined to fall within the scope of the Nixon Foundation’s deed of gift, were reviewed according to the terms of the deed. Accordingly, access to the Nixon materials, including the tapes, is now governed by the PRMPA, its implementing public access regulations, the 1996 Tapes Settlement Agreement, and the 2007 deed of gift.

A Brief History of the White House Taping System

In February 1971, the United States Secret Service (USSS), at the request of the President, installed listening devices in the White House. They placed seven microphones in the Oval Office: five in the President’s desk and one on each side of the fireplace. They placed two microphones in the Cabinet Room under the table near the President’s chair. The Secret Service technicians wired all devices to central mixers which were then connected to recorders in an old locker room in the White House basement.

In April 1971, the Secret Service technicians installed four microphones in the President’s office in the EOB. These microphones were located in the President’s desk and wires led to a mixer and recorders in an adjoining room. The Secret Service also tapped the telephones in the Oval Office, in the President’s EOB office, and in the Lincoln Sitting Room. These telephone

conversations were recorded by tapping the telephone lines from the White House switchboard and relaying the conversations to recorders in a closet in the basement of the residence.

Finally, in May 1972, the Secret Service set up a taping system in the President's study in Aspen Lodge at Camp David. There were three separate recording systems put in place. A single microphone recorded conversations taking place in the study. The President's telephone on the President's desk was tapped as was the telephone on the study table.

This was a secret taping system maintained by the Secret Service. Only President Nixon, H. R. Haldeman, and a few of the President's close personal assistants knew the system existed. One of its key features was that the recording equipment in the Oval Office, the EOB office, at Camp David, and on the telephones was sound activated, operating without a conscious decision by the President to record a specific conversation. Most participants were unaware that their conversations were being recorded. The system was tied to the Presidential Locator System and would only activate if the president were present in the room. It was designed to continue recording for fifteen to thirty seconds after the President left the room.

The Cabinet Room recording system operated somewhat differently. It was a manual rather than a sound activated system. It was activated by Alexander Butterfield, a Special Assistant to the President who managed the President's activities in the West Wing of the White House. Butterfield activated the system from a switch on his desk (although the Secret Service also placed on/off switches on either side of the President's chair at the Cabinet Room table). When Butterfield inadvertently left the system "on," the tape recorders captured non-historical conversations as well as hours of room noise.

Tapes Processing

The archivists have archivally processed the sound recordings for public access under PRMPA, its implementing public access regulations, the 1996 Tapes Settlement Agreement, and starting with the July 2007 release, the 2007 deed of gift.

Archival processing included duplicating the recordings to preserve the original tapes, enhancing the sound quality of the tape copies, describing the contents of the tapes by creating tape subject logs and other finding aids, and reviewing the tapes for restrictions.

The PRMPA regulations define eight restriction categories. In accordance with PRMPA and its implementing public access regulations, NARA restricts the content if release of the information would:

- Violate a Federal statute or agency policy (restriction category "A");
- Reveal national security information (restriction category "B");
- Violate an individual's rights (pending) (restriction category "C");
- Constitute a clearly unwarranted invasion of personal privacy (restriction category "D");
- Disclose trade secrets or confidential commercial or financial information (category "E");
- Disclose investigatory/law enforcement information (restriction category "F");

Disclose purely private and personal information, as defined by the PRMPA (restriction category “G”);

Disclose non-historical material (restriction category “H”).

In some cases, the archivists withheld certain portions which were so unintelligible that the staff could not adequately review them for release at this time. These portions are noted on the tape subject log as “Unintelligible.” For all of the withdrawals (except those removed because they were unintelligible), the tape subject log will note the relevant restriction category and the duration of the withdrawal. For national security withdrawals, the tape subject log will also indicate the main topic or topics of the withdrawal.

Portions of conversations determined to fall within the “G” restriction category originally were to be returned to the Nixon Estate in accordance with PRMPA and its implementing public access regulations. However, the July 2007 deed of gift from the Nixon Foundation donated a large portion of this “G” material to NARA. The deed of gift allows NARA to retain and review all of the “G” material that does not concern the medical history or personal finances of Richard M. Nixon and does not concern the private, non-public activities of the immediate First Family (Thelma “Pat” Nixon, Tricia Nixon Cox, Edward Cox, Julie Nixon Eisenhower, and David Eisenhower). The archivists review these deeded portions to determine if they can be released to the public. In conducting this review, the archivists only restrict information that constitutes a clearly unwarranted invasion of personal privacy. These privacy withdrawals are indicated on the tapes subject logs as “Deed of gift-privacy” along with the duration of the withdrawal. Material previously returned to the Nixon Foundation that falls outside of the scope of the deed of gift as well as material returned to the Nixon Foundation under the 2007 deed of gift are indicated on the tapes subject logs as “Personal returnable” along with the duration of the withdrawal.

In past tapes processing, room noise captured on the tapes had been withdrawn. If President Nixon was alone in the room during these room noise recordings, the room noise was withdrawn as “G” personal returnable. If President Nixon was not in the room, the room noise was withdrawn as “H” non-historical. Under the 2007 deed of gift agreement, the Nixon Foundation allowed NARA to retain and release room noise captured on the tapes that had been designated as “G” material under PRMPA. In this release, for the sake of consistency and because of its potential, albeit limited, historical value, the Director of the Nixon Presidential Library decided to release both types of room noise as well as any incidental background conversation inadvertently captured on the tapes (e.g. faint conversations in the outside hallway). Room noise is segregated from identifiable conversations and labeled as such. Withdrawals from the room noise segments have been made for unintelligible segments that might be conversation. Room noise is not indicated on the tape subject logs.

All withdrawals under PRMPA or the 2007 deed of gift, including unintelligible withdrawals, are identified on the tapes by a ten second tone.

In this installment, the National Archives is releasing 36 White House tapes recorded between January 1, 1973 and February 27, 1973 totaling approximately 154 hours of listening time. Approximately 43 hours are room noise. In the course of processing the tapes, the Nixon

Presidential Library restricted a total of approximately 2 hours worth of conversation. According to PRMPA and the 2007 deed of gift, the archivists determined that approximately 44 minutes remained under the restriction category “G” and would be returned to the Nixon Estate. Under the deed of gift, the archivists withheld only 2 seconds for privacy. In the course of processing these recordings, the archivists determined that approximately 7 minutes required restriction because the conversations or room noise were too unintelligible to review. The archivists only restricted 3 seconds because of statute (restriction category “A”). The archivists only restricted approximately 49 minutes worth of conversation for reasons of national security (restriction category “B”). Lastly, the archivists only restricted approximately 2 minutes worth of conversation for restriction category “D” (release would clearly constitute an unwarranted invasion of personal privacy).

Description of Tapes Included in the June 2009 Release (January and February 1973)

Introduction

This release comprises conversations involving the President and a variety of participants primarily in January 1973. The most frequent participants are White House staff members H. R. Haldeman, Henry A. Kissinger, Charles W. Colson, Ronald L. Ziegler, John D. Ehrlichman, Alexander M. Haig, Jr., Stephen B. Bull, and Richard T. Kennedy. Others include members of the Cabinet, foreign dignitaries, members of Congress, the President’s friends and family, journalists, celebrities, and members of the White House staff and federal agencies. While the conversations document the entire scope of issues in which the Nixon White House engaged in early 1973, these conversations particularly concern the peace settlement ending United States involvement in the Vietnam War and the return of American prisoners of war from Southeast Asia. Other major topics include visits from foreign dignitaries for former President Harry S. Truman’s memorial services, maintaining US access to oil produced in the Middle East in the face of tighter controls by the Organization for Oil Producing Countries (OPEC), and the Supreme Court’s decision on abortion rights in *Roe v. Wade*.

The Library reviews individual tapes in their entirety. The US Secret Service, which operated the taping system in 1973, only replaced tapes when they had been fully recorded. As a result a few of the tapes from the end of January 1973 include conversations from February. Those have been included in this release.

All January conversations recorded in the Cabinet Room were released in 1997 and are not included in this release. Unlike the other elements of the White House taping system, the recording devices in the Cabinet Room were manually operated.

Vietnam

In late January 1973, the United States reached an agreement to end American involvement in the war in Vietnam. The New Year began with the Nixon White House considering additional negotiations with North Vietnam following the decision in late December to halt the bombing of Hanoi and Haiphong harbor. Besides speculation about the resumption of negotiations, recorded

conversations in early January shed light on the participants' evaluations of the December bombing and reveal growing Congressional support for cutting off funding for the war.

On January 3, President Nixon and his National Security Advisor Dr. Kissinger met in the Oval Office to set strategy for the next round of negotiations and to discuss the likely future of Nguyen Van Thieu's government in South Vietnam. The two men continued this discussion on January 4. That same day the tapes captured a briefing for the President by the Chairman of the Joint Chiefs of Staff, Admiral Thomas H. Moorer, on the military situation in Vietnam and the effectiveness of the December bombing campaign.

Four days later US-North Vietnamese negotiations resumed in Paris. On January 9, President Nixon's birthday, Dr. Kissinger sent word from Paris that so much progress had been made that he believed a settlement was imminent. The tapes provide a glimpse of the President's reaction to Dr. Kissinger's cable. In conversations with Dr. Kissinger's new deputy Colonel Richard T. Kennedy and his former deputy General Alexander M. Haig, Jr., who had recently been appointed as Army Vice Chief of Staff, President Nixon considered the possible timing of a settlement with Hanoi, and the need to consult with Saigon.

There are no tapes from January 13-18 because the President spent that period in Key Biscayne, Florida.

When the President returned to the White House, the Paris negotiations were reaching their final stages. The tapes suggest presidential concern that President Thieu of South Vietnam would reject the settlement. On January 20, in a telephone conversation with his aide Charles Colson, the President considered the possibility of pushing ahead with an agreement with Hanoi even if President Thieu were to reject it. President Thieu did resist and other conversations from January 20-23, involving Dr. Kissinger and General Haig indicate the President's reaction to President Thieu's attempts to insist on additional changes in the settlement. Ultimately, the South Vietnamese government accepted the agreement which was initialed by Dr. Kissinger and Le Duc Tho in Paris. And on January 23, President Nixon announced the peace settlement to the world. The tapes from that day reveal the President working on the Vietnam settlement speech and his consultations with the Congressional leadership. The tapes also show a reflective President who shares with aides thoughts on the nature of the ceasefire and the future prospects for peace in Southeast Asia.

Tapes from January 23 and the days that follow also reveal White House discussions about press strategy and approaches to take with prominent critics of the war. On January 30, the President met with South Vietnamese Foreign Minister Tran Van Lam and Ambassador Tran Kim Phuong in the Oval Office to discuss future relations between South Vietnam and the United States. Historians may find interesting both his personal assurances to the Thieu government and the obligations he delineated on behalf of the United States. The next day the President and Dr. Kissinger discussed the future prospects for the Saigon government. Also on January 31, the President discussed the Vietnam settlement with former Japanese Prime Minister Eisaku Sato, in a conversation that also touched on US-Japanese relations.

This release also includes a number of notable telephone conversations from February 1973 that bear on the immediate aftermath of the Vietnam settlement. These conversations include President Nixon discussing expectations for the cease-fire and peace settlement with Senate Majority Leader Michael J. Mansfield, Secretary of State Rogers, and Dr. Kissinger. In mid-February, the President spoke with several wives of American prisoners of war about their husbands' impending release and return.

The 1973 Inauguration and the Second Term

The tapes contain many conversations about President Nixon's second inauguration, writing his inaugural address, and the events surrounding the occasion. The issue of reorganizing the executive branch for the second term, a theme present in the November 1972 and December 1972 tapes, appears in several January conversations.

The Supreme Court and *Roe v. Wade*

On January 22, the Supreme Court handed down its landmark decision in the abortion rights case *Roe v. Wade*. The next day, President met with Charles Colson in the President's office in the Executive Office Building. The recording, though difficult to hear, includes a discussion of *Roe v. Wade*. The President and Colson consider the problem of abortion, its justification, and the implications of the decision on families and sexual mores. They also briefly speculated on the identity of the two justices who dissented from the opinion.

Watergate

The January tapes include several conversations relating to Watergate, most of which were already made public as part of the Watergate Special Prosecution Force (WSPF) tapes release in 1991 and the Abuse of Government Power (AOGP) tape releases in 1993 and 1996. The first Watergate trial, involving the break-in and presided over by Judge John J. Sirica, began on January 10 and ended January 30. Among these are discussions about White House knowledge of Donald Segretti and campaign activities against Democratic presidential candidates and about warrantless wiretapping. Two of the January conversations between the President and Charles Colson relating to possible clemency for E. Howard Hunt were previously released. This release, however, includes a previously unopened conversation between the two men on January 6, involving the question of Hunt's state of mind, the death of his wife in a December 1972 plane crash and the course of the Watergate trial. This release also includes new discussions involving the President and his aides about using Executive privilege as a defense against future investigations, and one between the President and Charles Colson about former Attorney General John Mitchell and former Deputy Director of the Committee to Re-Elect the President Jeb Stuart Magruder.

The Middle East

In the early 1970s, oil producing nations launched an effort to acquire greater control over their reserves. A landmark agreement by OPEC, brokered by the Saudi government in the summer of

1972, and the announcement of a new Iranian policy on January 23, 1973 set the tone for White House conversations that same month about the security of American oil supplies and the future of US-Iranian relations. Saudi success in requiring 51% participation in the oil profits of the Seven Sisters oil companies in 1972 inspired the Shah of Iran to seek a better deal from the western oil consortium that had controlled Iranian reserves since 1954. In January Iran presented western companies with a stark choice: either immediate nationalization of the oil fields in return for long-term preferential purchasing contracts; or the continuation of the existing relationship, with some modest adjustments, until 1979, when Iran would nationalize its fields and the oil companies would lose all special privileges. Concerned about the strategic consequences of this new regional reality, President Nixon chose a new ambassador for Teheran who was familiar with the geopolitical implications of the Shah's relationships with both Washington and the oil companies. In a telephone conversation with former CIA director and US ambassador-designate Richard Helms on January 25, 1973, President Nixon outlined the key role he expected his new envoy to play. Former Treasury Secretary John Connally met with President Nixon on January 31, to recommend an aggressive US strategy to secure as much control of Middle Eastern oil reserves as possible.

The tapes in this release contain a little about preparations for Prime Minister Golda Meir's March 1973 visit to Washington, DC. On January 25, President Nixon met with Israeli Ambassador Yitzhak Rabin in the Oval Office to discuss the upcoming visit and developments in the Middle East.

The Death of President Harry Truman

Memorial services for former President Harry S. Truman, who died in late December 1972, brought a number of visiting foreign dignitaries to Washington, DC. On January 5, President Nixon met with Israeli President S. Zalman Shazar, South Korean Prime Minister Kim Chong-pil, Prime Minister of Ireland John Lynch, Philippine Foreign Affairs Secretary Carlos P. Romulo, and the Taiwanese Vice President Yen Chia-Kan. Prime Minister Lynch discussed the growing sectarian violence in Northern Ireland with President Nixon. The President and Secretary Romulo shared their thoughts on Philippine President Marco's commitment to order and the feasibility of American-style democracy for countries in East Asia and Latin America, and Secretary Romulo reassured President Nixon that the United States' efforts to normalize relations with the People's Republic of China would not alienate American allies in East Asia. In a January 10 Oval Office conversation with H. R. Haldman and Rose Mary Wood, the President discussed former President Truman's leadership, particularly his conduct of the Korean War and removal of General Douglas MacArthur.

The Death of President Lyndon Johnson

On January 22, 1973, former President Lyndon B. Johnson died, and a number of conversations address his death and arrangements for memorials.

Other Topics and Notable Participants

The tapes include many other noteworthy conversations. At the end of the month, Senator John C. Stennis was shot and wounded during a robbery in front of his home in Washington, DC, and the tapes capture the President's response to the news. Several conversations also address the subject of affirmative action and hiring quotas, particularly at universities. Other notable topics include economic and tax policy, creating a "New Majority," drug policy, the Federal Bureau of Investigation's investigation of the journalist Daniel Shorr, race relations, environmental policy, gun control, busing, John F. Kennedy's leadership, a memorial fund for baseball legend Roberto Clemente, the purpose of the White House taping system, the earthquake in Nicaragua, broadcasting licensing and the development of cable television, defense research funding for universities, United States relations with Canada, the Washington Redskins, the President's taste in classical music, the President's opinion of American cities, and the President's sixtieth birthday interview with journalists Helen Thomas and Fran Lewine in which he comments on the role of age in politics.

The tapes contain a number of conversations with notable individuals besides the ones already mentioned above. On February 1, President Nixon met with British Prime Minister Edward R. G. Heath, however, the audio quality of this conversation recorded in the Executive Office Building is very poor. On February 15, the President spoke with the comedian Bob Hope over the telephone, and the two of them discussed the end of the Vietnam War, the significance of the December 1972 bombing of North Vietnam, and Americans' need for heroes like the returning prisoners of war. On February 21, the President talked to Reverend Billy Graham about a variety of topics including the President's success in Vietnam, the Israeli shoot down of a civilian Libyan airliner, the forthcoming visit by Prime Minister Golda Meir, Jewish-Christian relations, anti-Semitism, American prisoners of war returning from Vietnam, the World Council of Churches, and Catholicism. Other notable individuals on these tapes included Republican National Committee Chairman (and future President) George H. W. Bush, House Minority Leader (and future President) Gerald R. Ford, Vice President Spiro T. Agnew, journalist Barbara Walters, film director John Ford, professional golfer Arnold Palmer, conductor of the Philadelphia Symphony Orchestra Eugene Ormandy, "Truck driver of the year" Curtis C. Stapp, and Washington Redskins football coach George Allen and his family.

Tape Logs

In the course of processing the tapes, the archivists prepared tape subject logs as researcher aids to follow conversations. Each log contains the tape number, the conversation, the tape location, the date and time of the conversation, and the names of the participants involved. The logs include activity statements which document when someone entered or left a room. These activity statements are based on research done by archivists. In instances when there is a telephone conversation in one of the offices, the logs contain cross references to the corresponding telephone recording, noting the tape and conversation number. The logs also indicate which portions of the tape were reviewed under the 2007 deed of gift. Room noise is not indicated on the tape subject logs. No transcripts have been created for any of these tapes.

Variations in sound quality can produce wide variations in what is heard. Even though transcripts may be prepared with great care and substantial effort, many points of ambiguity are inevitable, and erroneous or different interpretations from transcripts are always possible. As a general policy, the National Archives does not create transcripts of conversations, and considers existing transcripts to be an interpretation of the record rather than the record itself. NARA considers the actual tapes to be the record, and strongly urges users to listen to the tapes in forming their own interpretation.

Conversation Numbers

During the processing of the White House tapes, the archivists identified and assigned a unique number to each recorded conversation. The conversation number consists of an initial number which identifies the reel of the original White House tape. Each conversation on each reel is further identified by a unique number, with the first conversation on a particular reel usually labeled “1,” the second conversation labeled “2,” the third conversation labeled “3,” and so on sequentially until the tape goes blank. Infrequent exceptions to the sequential numbering of conversations on a tape occur because of the procedures used to process the tapes. For example, the first conversation on a tape may be labeled “1,” the second “39,” and the third “2.”

When listening to an Oval Office or an EOB office tape recording, there may be instances where the President or someone else in the room places or receives a telephone call while a meeting is in progress. The tape subject log identifies each instance by an activity statement, alerting the listener as to what is occurring, and lists a cross reference, if there is one, indicating the tape and conversation number for that telephone conversation on the White House telephone tapes. Likewise, the subject logs for the White House telephone tapes indicate the cross reference, if there is one, with the corresponding conversation from an Oval Office or an EOB office conversation.

Audio Quality

The audio quality of the recordings varies greatly. In general, conversations recorded in the Oval Office are of good audio quality; those recorded in the President’s EOB office are of poorer sound quality. Conversations recorded on the telephone are generally very audible; however, in some instances, the recording equipment malfunctioned, and those conversations are barely audible. In some instances, background noises, such as footsteps or the clinking of coffee cups and glasses, make parts of the tape segments more difficult to understand.

The National Archives duplicated the original tapes using both analog and digital technology for preservation purposes and to produce copies with improved sound quality and audibility for the review of the conversations. Digital Audio Cassettes (DATs) were used for review purposes. Digital audio files, available on compact discs and on the Nixon Library website, were then produced from these DATs for researcher use.

Executive Order 12958 and Declassification

In processing these recordings for public access, the National Archives implemented Executive Order 12958 as amended, which mandates declassification of materials more than twenty-five years old. Using agency guidelines, on-site visits from agency declassification specialists, detailed reference information, and textual records from the Nixon Presidential materials, the archivists were able to review substantial amounts of material. The National Archives determined that only 49 minutes required restriction out of 154 hours in this segment. These 18 withdrawals are indicated on the various tape subject logs. For national security withdrawals, the tape subject log indicates the main subject or subjects that have been withdrawn.

Other Finding Aids

In addition to the tapes subject logs, the archivists also created the following finding aids to assist researchers in their work:

Conversation Lists: Two complete lists of each conversation found on the tapes, providing the conversation number, the date and time of the conversation, the abbreviations of names of participants (by individual or described by group), the length of the released portion of the conversation, and the reference compact disk or cassette where the conversation can be located. One list is arranged by conversation number and the other by conversation date.

Abbreviations List: A list of the name abbreviations used on the conversation lists.

Index: A search engine searchable by key words such as names, geographic places, and subjects.