

WHITE HOUSE TAPES
5th CHRONOLOGICAL RELEASE
PART IV
FEBRUARY – MARCH 1973



Richard Nixon Presidential Library

National Archives and Records Administration

Diana Borowik
Jerome Bozeman
Sahr Conway-Lanz
Bridget Crowley
William J. Cowell
Ellen Knight
Cary McStay
Jonathan Roscoe
Mark Sgambettera
Timothy Naftali

December 2010

NIXON WHITE HOUSE TAPES

FIFTH CHRONOLOGICAL SEGMENT

PART IV

FEBRUARY – MARCH 1973

This group of 75 Nixon White House tapes, released on December 9, 2010, 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 1801 conversations totaling approximately 265 hours of listening time. These conversations were recorded, for the most part, from February 1, 1973 to March 31, 1973. However, a number of conversations included as part of these "February and March 1973" tapes were recorded in April 1973. Several tapes in this release contained conversations from as late as April 13, 1973. For archival purposes, all conversations from April 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 and its later manifestation, the Nixon Presidential Library and Museum, has previously processed and released to the public nine 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.
9. Fifth chronological segment, part III. These conversations were recorded in January 1973. They were released to the public in June 2009 and totaled 154 hours of listening time.

The National Archives intends to complete the release of the remaining tapes of the fifth chronological release in 2012.

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 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 75 White House tapes recorded between February 1, 1973 and April 13 totaling approximately 265 hours of listening time. Approximately 62 hours are room noise. In the course of processing the tapes, the Nixon Presidential Library restricted a total of approximately 2 hours and 18 minutes worth of conversation. According to PRMPA and the 2007 deed of gift, the archivists determined that approximately 1 hour remained under the restriction category "G" and would be returned to the Nixon Estate. Under the deed of gift, the archivists withheld only 14 seconds for privacy. In the course of processing these recordings, the archivists determined that approximately 3 minutes required restriction because the conversations or room noise were too unintelligible to review. The archivists only restricted 5 seconds because of statute (restriction category "A"). The archivists only restricted 1 hour and 7 minutes and 30 seconds worth of conversation for reasons of national security (restriction category "B"). Lastly, the archivists only restricted approximately 7 minutes 35 seconds worth of conversation for restriction category "D" (release would clearly constitute an unwarranted invasion of personal privacy).

Description of Tapes Included in the December 2010 Release (February-April 1973)

Introduction

This release comprises conversations involving the President and a variety of participants primarily in February and March 1973. The most frequent participants are White House staff members H. R. Haldeman, Henry A. Kissinger, John W. Dean, Ronald L. Ziegler, John D. Ehrlichman, Alexander M. Haig, Jr., Stephen B. Bull, and Charles W. Colson. 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 Native Americans, the international monetary situation, events in the Middle East, the President's domestic agenda, Most Favored Nations (MFN) status for the Soviet Union, the diplomacy around the Agreement on the Prevention of Nuclear War, and energy and broadcasting policy.

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 March 1973 include conversations from April. Those have been included in this release.

All February and March 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.

Watergate

With the conclusion of the Watergate burglars' trial in January 1973 and the establishment of the Ervin Committee on February 7, 1973, the White House became increasingly focused on the growing scandal. The tapes in this opening include many previously released conversations that were part of the Watergate Trial Tapes, Watergate Special Prosecution Force, and Abuse of Governmental Powers tapes releases. Previously released tapes (now being released as part of the comprehensive chronological release of the White House Tapes), include conversations about the White House's suspicion of Mark Felt serving as a leak, and John Dean's declaration to the President that there is a "Cancer on the Presidency." Additionally, staff members met with the President to discuss ways to navigate the Senate Select Committee, ameliorate complications resulting from L. Patrick Gray's confirmation hearings, draw attention to abuses of power by other agencies and previous politicians, and protect staff from testifying to the Grand Jury and Ervin Committee through legal arguments of executive privilege. This opening of tapes includes a newly identified Abuse of Governmental Power segments involving using the Internal Revenue Service (IRS) to investigate Democrats.

Vietnam cease-fire/Repatriation of US Prisoners of War [POWs]

The Vietnam cease-fire agreement in January 1973 allowed for a 60 day period to ensure the release of Prisoners of War. During this tenuous period of the cease-fire, before the signing of a peace agreement, the White House (usually the President and Henry Kissinger, but also staff members like Alexander Haig) debated reactions to cease-fire violations, reflected on the war and ultimate success of the settlement agreements, and remarked on the press coverage. Conversations frequently include ruminations on war opposition as well. Various staff members also discussed with the President the issue of amnesty for draft evaders. The White House weighed considerations for enforcing the cease-fire, especially the return of POWs, through military force or threats of withdrawal of aid to North Vietnam. Additionally, the taping system captures conversations that included discussions on the status of the cease-fire in Laos and Cambodia. Kissinger traveled to Hanoi in mid-February to cement negotiations and ensure the POW release. Tapes from this opening also include Kissinger's meetings with the President after his return from the trip. The first group of POWs left Vietnam for Clark Air Force Base in the Philippines on February 12, 1973. Many conversations include White House staffers and the President assessing the press coverage and national mood as the POWs returned. In March, the President had meetings with the highest ranking POWs including, Jerry Singleton, Robert Jeffrey, Robinson Risner, and Jeremiah Denton. On March 2, 1973, William Rogers signed the Declaration of the International Conference on Vietnam in Paris, and the President addressed the nation on March 29, 1973 when the last US troops left Vietnam.

International Monetary Crisis and Reform

In late January 1973, a global monetary crisis began to develop over the durability of the 1971 Smithsonian Agreement. This resulted in numerous conversations within the White House about negotiating currency actions on the part of the US and with other countries. On February 12, George Shultz announced a 10% devaluation of the dollar. Conversations with Shultz include

negotiating strategies with other countries and press strategies for making the devaluation announcement. The dollar devaluation destabilized the Japanese yen and German marc with both currency exchanges closing on March 1. Shultz travelled to Europe and the Soviet Union in March to negotiate monetary reform, and ultimately a monetary reform agreement was signed at the end of March after numerous meetings in Paris. Before Shultz's travels, the President engaged Kissinger in the discussions, so as to get his opinion on the diplomacy of currency negotiations. On the domestic front, the White House released a trade bill package to help with currency issues. Consequently, conversations within the White House contain discussions of leveraging labor leaders to support the trade bill and achieve monetary goals.

Middle East

During these months, the tapes include discussions about the Middle East and the Arab-Israeli conflict because of visits to Washington, DC by Golda Meir, King Hussein of Jordan, and the Egyptian foreign minister, Hafiz Ismail. There are conversations in the Oval Office with all of these individuals. Additionally, during these months, the tapes include commentary on events such as Israel's shoot down of a Libyan passenger airline on February 21, 1973. On March 1, 1973, Black September members invaded a reception at the Saudi Embassy in Khartoum, Sudan, and took hostage of five diplomats, including Americans Cleo A. Noel and George C. Moore. The guerrillas demanded the release of prisoners, including Robert Kennedy's assassin, Sirhan Sirhan. On March 2, the terrorists executed Noel, Moore, and a Belgian diplomat. This opening of White House tapes includes conversations with the President's view of terrorist demands, as well as a meeting with the Sudanese ministers shortly after the incident.

Native Americans

On February 6, police and Native American protestors clashed in Custer, SD over the second degree manslaughter charge a white man received who was accused of stabbing a Native American. These clashes extended as far as Rapid City, SD. Later on February 28, Native American militants took hostages in Wounded Knee, SD and relayed a list of demands to the Senate Foreign Relations Committee, particularly related to treaty obligations. The Wounded Knee occupation became a prolonged standoff between the Native Americans and Federal Marshalls with periodic eruptions of violence. The standoff lasted into May 1973. The tapes from February and March 1973 include brief updates for the President on agencies responses and responsibilities, the Administration's positioning of the White House in the affair, potential courses of action and speculation on the militants, and the linkage between these incidents and the Bureau of Indian Affairs (BIA) occupation that occurred in 1972.

Domestic Issues

The White House discussed a variety of domestic issues during these months. The most discussed issue was Phase III of the Economic Stabilization Program. Phase III involved relying on the voluntary cooperation of the private sector in making wage and price decisions, except for special problem areas. The government reserved the right to take action within the private sector

to ameliorate inflationary actions. One such area where the government maintained an active role in controlling prices to keep down inflation was the area of food prices. The Cost of Living Council (COLC) advised the President on the issue in the Oval Office, and the President sought to reduce US stockpiles of food. As part of the President's Address to the Nation on March 29, the President announced a freeze on meat prices. At another point, the President met with the head of the American Medical Association (AMA) to discuss the issue of physician fees as part of the voluntary participation in the program. During these months, the White House also discussed veterans' benefits, rural and farm issues, and welfare and housing.

MFN Status for the Soviet Union and Soviet Jewry

During the months of February and March 1973, the White House had to balance concerns from Congress members, Israel and American Jewish groups regarding Soviet Jewish emigration with negotiations for providing MFN status to the Soviet Union. Conversations being released at this time include the President's response to Israel's concerns as voiced by Golda Meir and Max Fisher, the American Jewish leader. The President and Kissinger advised George Shultz on MFN negotiations and the topic of Jewish emigration in anticipation of Shultz's trip to Europe and the Soviet Union. Other conversations include the President and Kissinger's view of Congressional activism on the issue and the importance of the issue to foreign policy.

Agreement on the Prevention of Nuclear War

During Kissinger's secret trip to Moscow in April 1972, the Soviets proposed a treaty between the US and Soviet Union renouncing the use of nuclear weapons against each other. This started off a year of diplomatic negotiations and treaty drafting, involving Great Britain as well. During Brezhnev's June 1973 US visit, the President and Brezhnev signed the treaty which did not prohibit the use of any particular weapon in wartime, but sought to preserve the peace by refraining from the threat or use of force. Great Britain's involvement in the negotiations for the Agreement on the Prevention of Nuclear War, as well as Kissinger and the President's strategy for the negotiations as it fit into larger Soviet policy are captured on the tapes.

Oil and Energy policy

The White House showed concern at this time for energy and oil policy. The President in particular relied upon the advice of John Connally who advocated the United States attaining a bargaining chip with oil exporters by controlling oil shipping with US tankers. The President relayed this advice during meetings with his energy policy advisor, Charles DiBona, Senator Russell Long, Congressman Wilbur Mills, and George Shultz. The President also sought advice on increasing energy supply by deregulating and removing price controls on natural gas and providing tax incentives for exploration. Lastly, the President advised Richard Helms, as he departed for his ambassadorial post in Iran, to keep in mind US interests in Middle East oil field developments, especially as French, Dutch, and British companies vied for opportunities.

Broadcasting policy

On December 18, 1972, Tom Whitehead, the Director of the Office of Telecommunications Policy Advisor, announced new broadcasting legislative amendments that would create licensing rules contingent on things like the amount of time devoted to specific types of programs. Through January 1973, Whitehead continued to give interviews and makes speeches about the new policy which garnered criticism from the media. The tapes for this release include discussions with Whitehead about the program and his public relations strategy. Conversations delve into why the administration intends to change policy, as well as some discussion of how staff members view Whitehead's handling of the issue.

Other Topics and Notable Participants

Notable participants:

Conversations with notable people include state visit conversations with Great Britain's Prime Minister Edward Heath, King Hussein of Jordan and Israel's Prime Minister, Golda Meir. Other notable people include Bob Hope, Yitzhak Rabin, Billy Graham, the Egyptian Foreign Minister, Hafiz Ismail, Congressmen Wilbur Mills, Daniel Patrick Moynihan, Senator Russell Long, NATO representative Donald Rumsfeld, George Wallace, Tony Martin, Herman Kahn, Richard Helms, Patricia Hitt, George H. W. Bush and businessman John M. Olin.

Other topics:

Other assorted topics of interest mentioned on the tapes include a discussion on seed genetics and Atlantic salmon. Tommy Corcoran, a lobbyist, discussed Micronesian independence with the President. Additionally, tapes in this release include minor discussions about abortion in light of the January 1973 *Roe v. Wade* decision. During an open door hour in the Oval Office, the President received a Valentine from the daughter of a staff member.

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 13526, Executive Order 12829 as amended and Declassification

In processing these recordings for public access, the National Archives implemented Executive Order 13526 and Executive Order 12829 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 1 hour 7 minutes and 30 seconds required restriction out of 265 hours in this segment. These 115 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.