

A Telltale Tape Deepens Nixon's Dilemma

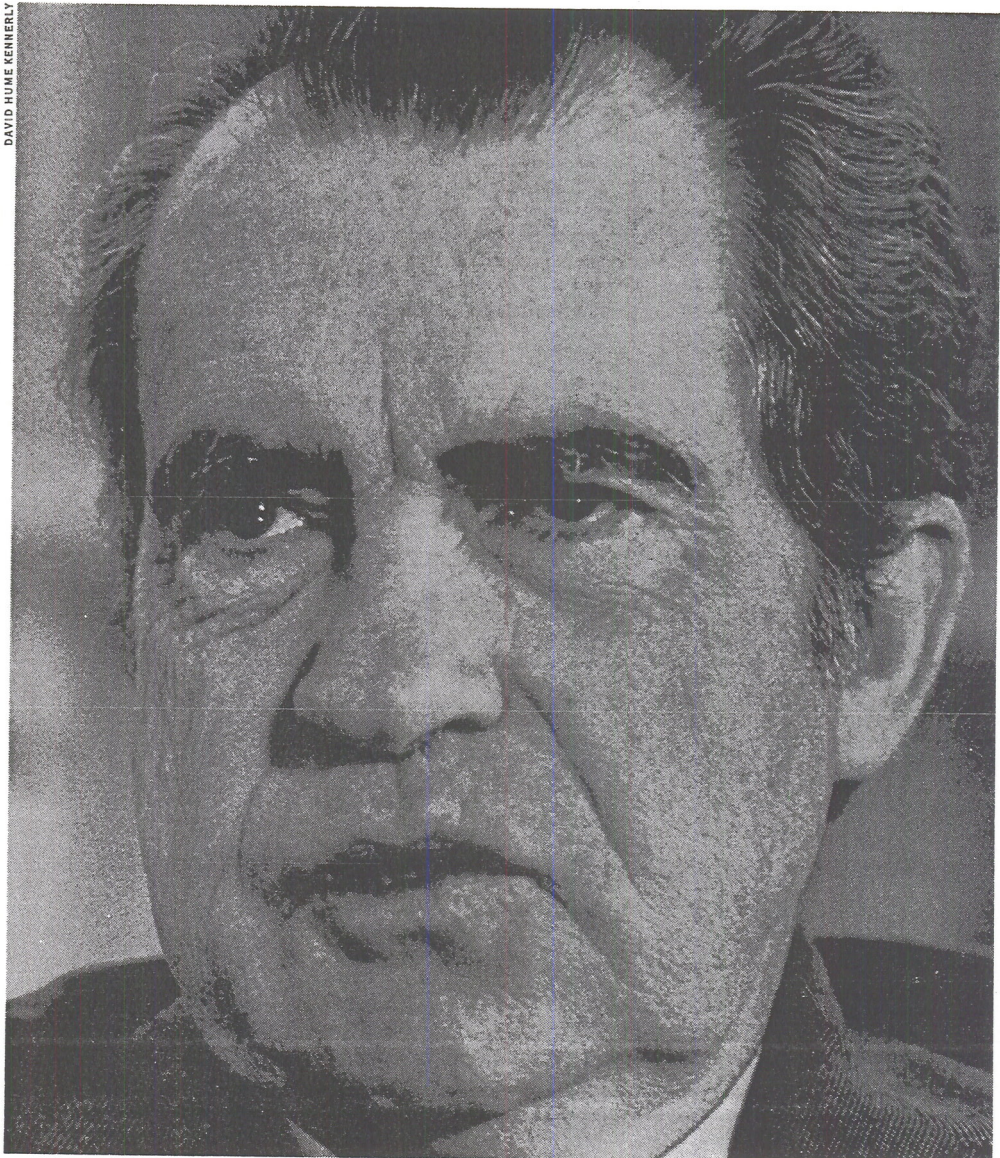
The report was coldly scientific, its source unassailably objective, its grave import unmistakably clear: at least as late as last October, an effort to conceal evidence in the Watergate scandal was still in operation in the innermost reaches of Richard Nixon's White House.

No such direct conclusion was explicitly drawn, of course, by the six professional sound, recording, and electronics experts who had exhaustively examined a presidential tape recording containing a mysterious 18-minute deletion of a Watergate conversation between Nixon and his intimate aide, H.R. Haldeman. It would have exceeded both their purview and their competence. But in reporting to Federal Judge John J. Sirica that the conversation had been erased by pushing buttons on a tape recorder at least five—and probably nine—times, they had found, in effect, that this destruction of evidence necessarily had to be deliberate. Until someone within the White House steps forward to admit that his or her fingers pushed those keys to wipe out the conversation, the cover-up cannot, indeed, be considered to have ended.

An FBI Quiz. In a statement, the White House pleaded with "the American people" to realize that the erasure did not prove that the lost conversation had contained any incriminating evidence. But that legally valid distinction defied logic and, perhaps more important to Nixon's survival as President, plain ordinary common sense. Only the White Queen in *Alice's Adventures in Wonderland*, as conservative Columnist George F. Will observed, was capable of believing "six impossible things before breakfast."

In the wake of the court-appointed panel's devastating findings, the nation once again experienced the dismay of knowing that FBI agents were back in the White House, quizzing Nixon's closest associates in a search for those who had committed a criminal act. This time the inquiry had the official sanction of Sirica, who ordered that all evidence be turned over to a federal grand jury for possible indictment. Unlike an earlier foray into the White House—shortly after the wiretap-burglary of Democratic National Headquarters at the Watergate in June of 1972—the FBI agents this time had an imposing prime suspect: the President himself.

In four days of testimony in Sirica's second-floor courtroom following submission of the experts' report, the evidence increasingly constricted the period during which the taped conversation had been erased. Since the erasure apparently required the confluence of a specific tape machine and one specific tape, the suspects were also severely limited. If the White House's own records



PRESIDENT NIXON DURING DISCUSSION IN THE WHITE HOUSE LAST WEEK
The erasure was deliberate, the suspects limited.

are accurate—an uncertain proposition—only three persons are known to have had access to both the tape and the recorder in the suspect period. They are Stephen Bull, Special Assistant to the President; Rose Mary Woods, Nixon's secretary for 22 years; and Nixon.

Whether either subordinate would dare do such a deed without the President's knowledge seems doubtful, though not impossible. Either way, Nixon's case does not improve much. Surely neither Miss Woods nor Bull would have acted alone unless to protect the President from his words on the tape. Indeed, the theory most helpful to Nixon is that Bull might have acted to shield his old boss, Haldeman. Again, however, it is hard to imagine what Haldeman might have said that did not at least implicate Nixon in knowledge of some

Haldeman misdeed, past or planned.

Other possibilities may yet be turned up by investigators or put forward by the White House, but no innocent explanation for the erasure itself seems at all likely. The missing words involve a conversation between Nixon and Haldeman on June 20, 1972, just three days after the original Watergate arrests. The tape was among those subpoenaed by Archibald Cox, the special prosecutor whom Nixon fired last October. It was later turned over to Judge Sirica. Cox had drawn the "irresistible inference" that Haldeman had reported to the President that day whatever he knew about the origins of the Watergate conspiracy. Nixon, claimed Cox, might well have advised Haldeman how to handle the cover-up of the affair in its earliest stages. Haldeman's own notes of the

Ford 1/22/74 called them "so-called experts"

THE NATION

conversation describe it as a discussion of a "PR [public relations] offensive to top" the effects of the break-in on the 1972 presidential campaign.

For Nixon, the new blow came at a most inopportune time. He had closed down Operation Candor, designed to answer most of the suspicion about his role in Watergate and other disputes and about his personal finances and taxes. So far as events would allow, according to White House spokesmen, he would now turn to other matters of national concern, while his aides and supporters took a new hard line on Watergate, accusing his critics of badgering him for partisan and selfish purposes.

Indeed, only hours before the tape

been told of the impending tape report, while Ford apparently had not. Yet he later gamely contended that he still believed what he had said. He lamely dismissed the tape revelation as "a technical and confusing matter."

There was no way, however, to read the technical report as the work of political or philosophical enemies of Nixon. Nationally known experts in their field, the six scientists had been mutually accepted by both the special prosecutors and the White House. Four had been readily proposed by both sides; each of the other two had been suggested by one party, then checked out and accepted by the other. Sirica finally appointed the panel. The fact that the six,

47% to 42%, agreed that he should resign. A Gallup poll also showed Nixon slipping again; his approval rating fell two points to match his alltime low of 27% last October after the Saturday Night Massacre. Ominously for Nixon, both polls reflected opinion samplings taken before last week's report on the tape.

The latest tape debacle is certain to further endanger Nixon's survival in office. One of the most powerful men in the House, which must decide whether the President is to be impeached, issued a qualified—but possibly portentous—call for his resignation. House Ways and Means Chairman Wilbur Mills, the Democratic head of the committee investigating Nixon's taxes, said the tape erasure had "destroyed the candor program" of the President, and made an impeachment recommendation from the House Judiciary Committee more likely. Mills said that if Nixon asked his advice, he would say, "Resign in the near future." He added: "We would be better off with Jerry Ford as President." Mills offered an intriguing inducement: he said he would support legislation to assure Nixon's immunity from federal prosecution if he leaves office. Even the House Republican leader, Arizona's John Rhodes, predicted that the Judiciary Committee will vote to impeach. Illinois Republican Congressman John Anderson, a good political weather vane, declared, "This is the penultimate link in the chain of evidence that has steadily been forged to show that there has been a conscious, deliberate effort to obstruct justice. One has the feeling of approaching the final denouement in this drama." He also thought the mystery of the erasure should soon be solved (see THE ESSAY).

Although unreeled in flat, dry phrases, the findings of fact by the tapes panel, and the testimony that followed, furnished a plethora of tantalizing clues with which much of the nation could join a grim whodunit game of mystery solving. After all Nixon's professions of innocence, his multiple promises of full disclosure, his vows to "get at the truth," someone terribly close to the Oval Office was still destroying evidence, obstructing justice and lying about the crime.

Magnetic Imprint. The first expert to explain the report in the crowded Sirica courtroom was Richard H. Bolt, chairman of Bolt Beranek & Newman Inc., a Massachusetts firm employing acoustics experts. Tall, slender and professorial in manner, he ticked off his credentials, including long service as a physics professor at both M.I.T. and the University of Illinois. He noted that the panel had first assembled last Nov. 17 in Washington's Executive Office Building to agree on their procedures. "I've done almost nothing else for two months," he said, estimating that the panel had spent up to 300 man-days examining the tape variously in Manhattan, Cambridge, Salt Lake City, New



SIX COURT-APPOINTED TAPE PANELISTS WITH FEDERAL MARSHAL (RIGHT)*
Unanimous agreement, that rarity among experts

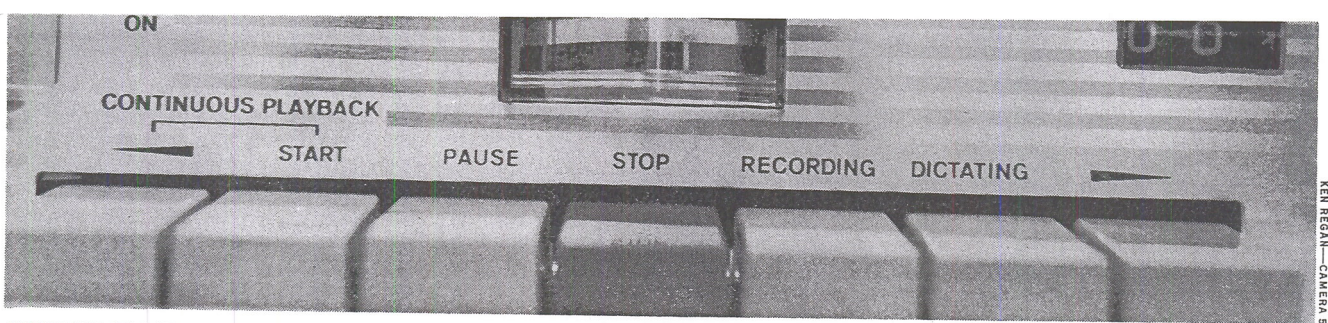
report was made public, Vice President Gerald Ford had launched that line in a strident, almost Agnewesque speech to the American Farm Bureau Federation in Atlantic City. He lashed out at "a few extreme partisans" who were determined to "crush the President and his philosophy" so they could "dominate the Congress, and through it, the nation." It was an ill-considered and surprising turnabout for Ford. Until then he had seemed fully aware of his delicate role as a possible successor who would be called upon to play a healing and conciliating role if Nixon left office.

After some hesitation, White House spokesmen admitted that Nixon's speechwriters had drafted the Ford remarks. Apart from the surprising non-sequitur that Nixon's resignation and Ford's ascendancy to the Oval Office would destroy Nixonian policies, the speech was an indication that Ford may have been sandbagged by the White House. Some White House aides had

representing various specialties bearing on the detection of tape alterations, had agreed unanimously—a rarity among experts of any type—lent heavy weight to the professionalism of their report.

The tape report also came at a time when Representatives and Senators touring their home districts during a congressional recess had detected no overriding tide of opinion for the impeachment of the President. Ford had even declared, wishfully perhaps, that "the corner has been turned," and Nixon was regaining popularity. Fresh opinion polls quickly challenged that optimistic assumption. A Louis Harris Survey indicated that Operation Candor had been a dismal flop. Despite it, Nixon had skidded to a low point in popularity: only 30% of the public found his job performance acceptable. More significant, for the first time a plurality,

*Richard H. Bolt, John G. McKnight, Franklin S. Cooper (kneeling), James L. Flanagan (standing), Mark R. Weiss and Thomas G. Stockham Jr.



KEN REGAN—CAMERA 5

KEYBOARD OF A UHER 5000 RECORDER, MODEL ON WHICH THE TAPE SCIENTISTS BELIEVE THAT THE ERASURE PROBABLY OCCURRED
Three buttons had been pushed at least five times, and perhaps as many as nine times.

Haven, Murray Hill, N.J., and Los Gatos, Calif. They were supplied with the now-celebrated Uher 5000 tape recorder used by Rose Mary Woods for transcribing subpoenaed tapes, another White House Uher recorder for comparison, as well as Miss Woods' lamp and typewriter.

Picking up a pointer, Bolt explained a large chart that presented the panel's findings in graphic form. A principal technique used in arriving at their conclusions, he noted, was to develop the tape "in a sense that you develop a picture." A fluid containing magnetically sensitized particles was rubbed over the tape. The particles arranged themselves in conformity to magnetic imprints previously induced on the tape by electronic signals in the original recording and erasing processes. Thus the imprints could be seen with the naked eye and photographed. Bolt also noted that the signals had been analyzed by oscilloscope, fed through frequency spectra devices, and put into digital computers. Seventy minutes of the tape, which also contained a non-Watergate conversation between Nixon and John Ehrlichman, former Domestic Affairs Adviser, had been played back for listening.

The Signature. Speaking animatedly and in a high-pitched voice, Bolt explained the rudiments of a tape recorder's operation. When the "record" and "start" buttons are pushed, the tape rolls past two "heads" containing tiny electromagnets. The first, the erase head, eliminates most previous signals on the tape. The second, the record head, implants new signals. On the Uher, the two heads are "rigidly fixed" at 28.6 mm. apart. When the erase head is released on the Uher (but not on all recorders) it leaves a minute but discernible four-line "signature" on the tape. This mark is distinctive to the machine. When the

machine is set to begin recording, the record head also leaves a distinctive mark.

Another of the experts, Thomas G. Stockham Jr., a computer-science professor at the University of Utah, then cheerily demonstrated that once the record button is depressed, it "locks itself down." It can be released only by pushing any of four other buttons: "start," "fast forward," "rewind" or "stop." If a foot pedal is used to control the recorder, the lifting of a foot will cause the tape to stop moving, but will not result in the erase head's leaving the telltale four-line "off" signature.

When they developed the 18-minute segment of tape, the experts found five of the "off" signatures, indicating that while the record button was down, it had been manually released at least five times by pushing other buttons. Each of these "off" signatures was preceded on the tape, logically enough, by an "on" mark. That meant that someone had pushed three buttons (two to start, one to stop the erase-record process) at least five times (*see chart*).

Actually, the experts are almost certain that nine such operations were involved. This is because they discovered four other "on" marks. The only reason they did not declare definitively that there were nine recorded segments within the 18-minute portion was that none of these four was paired with a distinguishable "off" signature. They assume these "off" signatures were fully or partly removed by the erase head in minutely overlapping operations. As Stockham explained it: "It is impossible to start recording and then start recording again without having stopped in between."

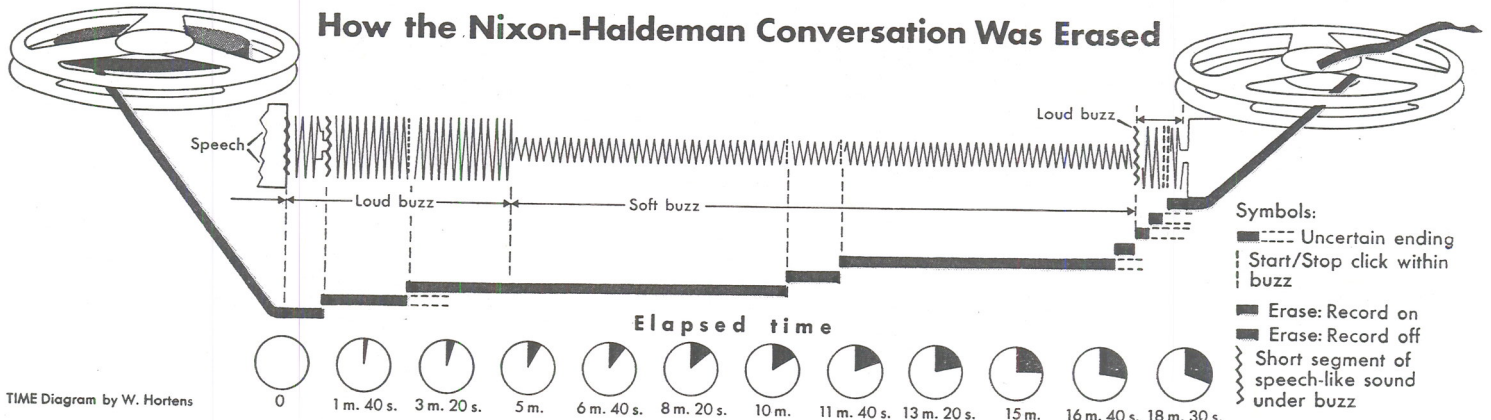
Thus the experts convincingly explained two of the key conclusions in their report: 1) "The erasures and buzz recordings were done in at least five, and

perhaps as many as nine, separate and continuous segments" and 2) "Erasure and recording of each segment required hand operation of keyboard controls on the Uher 5000 machine."

Those findings completely ruled out the possibility, first raised in Sirica's court on Nov. 26 by White House Counsel J. Fred Buzhardt, that Rose Mary Woods had inadvertently caused the buzzed-out portion of the tape. She testified that she had been using a Uher 5000 to play back the June 20 tape in her White House office on Oct. 1 when she got a telephone call. She said that she reached for the telephone with one hand, mistakenly pushed the record button with the other and "must have" kept her foot on the pedal. But she also said her conversation lasted only about five minutes, and she refused to take responsibility for the rest of the buzz.

Buzz Section. The report does not mean that Miss Woods could not have done what she said she did. But such action would not produce the markings that the experts found on the obliterated section of tape. Even if she did make what she called her "terrible mistake," the erasure had to have been done in at least five other steps that could hardly have been accidental.

As for the source of the noise itself, a hum of varying loudness, the panel ruled out Miss Woods' typewriter and lamp—even though Counsel Buzhardt had said he had successfully simulated the sound on Miss Woods' recorder with them. Mark R. Weiss, vice president for acoustics research of Manhattan's Federal Scientific Corp., testified flatly that these could not have generated the noise. The panel used the lamp and typewriter, but "at no time," he said, "were we able to obtain a sound that resembled either by listening or by spectrum analysis the sound



TIME Diagram by W. Hortens

that was recorded on the tape."

The bearded and long-haired Weiss said instead that a defective component in Miss Woods' recorder had permitted a 60-cycles-per-second hum from the machine's electric cord to be picked up on the tape during recording. The experts reproduced a sound matching the buzz on the tape, but were unable to do so after replacing the component (a bridge rectifier). The sound level was affected by placement of a hand near the recorder, by noise on the line and by erratic functioning of the recorder. These tests further substantiated another finding of the panel: "The Uher 5000 recorder designated Government Exhibit No. 60 [the one Miss Woods used] probably produced the entire buzz section."

That, too, is a key finding, vastly narrowing the area of search for the per-

multiple manipulations of whoever tampered with the tape. Bolt explained that the assumption that speech underlies the entire buzz is basically "a statistical argument." There are only three breaks in the hum—and speech fragments appear in each. But the panelists say there is no hope of ever recovering the original conversation.

The persuasive testimony of the technicians inspired a spirited contest between two aggressive lawyers: Richard Ben-Veniste, 30, the brash assistant prosecutor who has handled much of the tapes controversy in the Sirica hearings, and James St. Clair, 53, the Boston trial lawyer who became the President's new chief counsel for all of his Watergate defense on Jan. 1. Far less defensive than his soft-spoken predecessors, Buzhardt and Leonard Garment, the poised, sil-

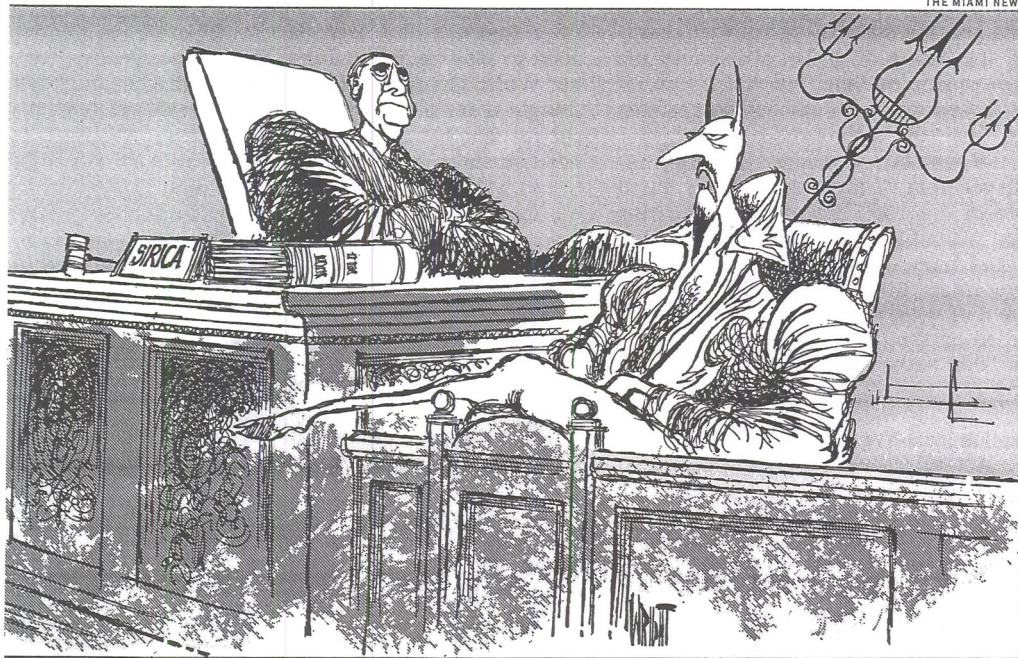
marks on the tape could only be produced by pushing tape recorder buttons by hand, he replied: "With a hand. Or with a stick." "But not a foot pedal?" Sirica asked. "Not with a foot pedal," Stockham declared. When the technicians completed their presentation, St. Clair grumped, "I think I'm going to talk to my own experts." Protested Bolt: "I thought we were your experts."

That seemed to signal a new approach by White House attorneys: a turning away from past expressions of dismay at new revelations. St. Clair's pose was the more traditional defense lawyer's approach, seemingly saying, "Well, if you think we did wrong, prove it." As the hearing continued, however, the White House attitude became one of pledging cooperation with the FBI probes, and St. Clair did not try to produce any contrary technical witnesses. In a series of White House briefings, Deputy Press Secretary Gerald Warren asserted that the President was not responsible for the erasure, and that Nixon had complete confidence in both Miss Woods and Bull.

Sharper Focus. Never seriously shaken in the courtroom was the implication that someone had deliberately, although crudely, manipulated Miss Woods' recorder until satisfied that the 18.5-minute Watergate segment of the Haldeman-Nixon conversation was obliterated. The multiple short erasures were amateurish: a single long erasure would be far more likely to have been interpreted as an accident. Even after making all of the short starts and stops—apparently listening to a portion, then erasing it, then moving on to another part—a shrewder operator would have activated a final continuous sweep of the tape past the erase head. This might have erased the telltale marks on the tape.

As the week's testimony progressed, the focus in time and suspects gradually grew sharper. Ben-Veniste quizzed Louis B. Sims, chief of the technical security division of the Secret Service, which had installed and operated Nixon's secret recording system. Its existence had been publicly revealed by a former White House aide, Alexander Butterfield, on July 16 in the televised Senate Watergate hearings. He said Nixon had had the microphones installed in the summer of 1970 in his Oval Office, Executive Office Building hideaway and in the Cabinet Room to preserve a historical record. Most conversations on his business telephones also were automatically taped.

Sims testified that on Oct. 1 he was asked by Bull, the President's appointments secretary, to secure a recorder "with a foot-pedal capability." Miss Woods had begun working on the June 20 tape at Camp David on Sept. 29, using a Sony 800B machine, but had complained that transcribing was difficult without a foot control. Sims testified that the Secret Service maintained a pool of four Uher 5000 recorders, but none were



THE MIAMI NEWS

"I don't give a damn what Haig said, I never went near those tapes!"

son or persons who caused the erasure. While the panel qualified this conclusion with the word "probably" and used the term "almost surely" in a second reference to the Uher at another point in its report, the experts have little doubt that Miss Woods' machine was used for the erasures. They cannot say so with absolute certainty only because it is conceivable that some other recorder could have the same component defect and produce recording characteristics identical with those of "Exhibit 60." But they greatly doubt that possibility.

Another major conclusion of the panel was that the 18-minute section of tape "probably contained speech originally." The evidence for this is that the scientists found three tiny "windows" on the tape—minute sections in which the buzz did not appear. Although undetectable by an untrained ear, they found in each of the windows "a fragment of speechlike sound lasting less than one second." These sections apparently were missed by the erase head in the mul-

ver-haired St. Clair sharply challenged any effort by Ben-Veniste to get the experts to draw conclusions going beyond their carefully stated report.

St. Clair interrupted Expert Weiss at midsentence in one answer with a curt, "Thank you." Objected Ben-Veniste: "This is a joint panel here and these experts should not be cut off." Sirica sustained the prosecutor. St. Clair, in turn, objected vigorously when Ben-Veniste tried to get one of the technicians to declare flatly that the erasure was "deliberate." Although the report leads to that inescapable conclusion, none of the experts would put it that bluntly. Sirica complained, "That's what I want to know." The best Ben-Veniste could get was Bolt's concession that "if it was an accident, it was an accident that was repeated five times." Several of the experts agreed that the markings on the tape were wholly "consistent" with a deliberate erasure.

They were so cautious that when Sirica asked Stockham if the signature

"in-house" when Bull asked for one. So Simms immediately purchased one for \$528.80 from Fidelity Sound Co. in downtown Washington at about 12:30 that afternoon. He checked the machine out and delivered it to Bull by 1:15 p.m. It apparently reached Miss Woods moments later. Up until that time, Sims said, neither Bull nor Miss Woods had received a White House Uher machine from the Secret Service.

The point was significant, since Bull had supplied recorders for listening to tapes to both the President and Haldeman. Sims said that when Nixon spent 12 hours reviewing tapes on June 4, Bull had set up five recorders for the playback—but all were Sony 800Bs. Similarly, when Haldeman listened to tapes on April 25 and 26, Bull did not withdraw a Uher from the pool, Sims said.

If the experts are correct in identifying Miss Woods' Uher as the machine on which the erasure was made, the act must have been committed on or after the Oct. 1 purchase date. The period in which the erasure could have occurred apparently ended on Nov. 12. Sims' assistant, Ray Zumwalt, testified that that was the day on which he rendered the machine incapable of recording—and therefore erasing—although it could still be used for listening. The apparent intention was to prevent accidental erasures. He did so, he said, at Bull's request. The recorder was still in this non-record condition when the June 20 tape gap was revealed to the special prosecutors on Nov. 20.

Florida Trip. Ben-Veniste indicated his special interest in a trip that Miss Woods took to Key Biscayne with the presidential party on Oct. 4, returning to Washington four days later. She had testified that she took the Uher recorder and all the subpoenaed tapes with her. The equipment was carried by Bull, who appeared extremely nervous and forgetful when called as a witness by Ben-Veniste. He did not recall who had asked him to bring the tape along. Nor did he remember whether Miss Woods had wanted it so she could continue transcribing from it—even though, according to her testimony, she had already discovered a buzz on the tape on Oct. 1.

The tape was placed in a safe in Miss Woods' villa on Key Biscayne and guarded by a 24-hour Secret Service detail, Bull said. Only he, the secretary and one security man knew the combination to the safe. Bull said that he thought he had removed a tape and placed it on Miss Woods' machine for her to hear. But he was not sure, and could not recall which tape it might have been.

Armed with a Secret Service log of movements at Key Biscayne during this visit, Ben-Veniste jogged Bull's recollection that he had visited the safe in Miss Woods' villa at 1:58 a.m. on Oct. 5. What was he doing up so late? Bull could not recall. He only knew that the secretary had called him, asking for help in opening the safe. The record showed that Bull had closed the safe five minutes later.

He could not recall what, if anything, had been withdrawn or put into it. Nor could he remember why, as the log showed, he opened it again at 2:05 a.m. and closed it at 2:11. Bull earlier had been startled by one Ben-Veniste question: "Was Mr. Haldeman at Key Biscayne at the time?" If he was, said Bull, "I did not see him." The prosecutor admitted that the question was a shot in the dark; he had no information that Haldeman had been in Florida then.

No Records. While no definitive record was produced of who had possession of the Uher recorder after it was brought back to Washington, the custody of the June 20 tape seemed clearer. Ever since the recording system was revealed in July, the tape had been held only by Bull, Miss Woods, Buzhardt, John C. Bennett and the President. Bennett, a retired Army major general and White House aide who took over custody of all the tapes from the Secret Service on July 18, had testified that no one had withdrawn it until Sept. 28, the day before Miss Woods began transcribing it at Camp David. He first took physical possession of the tape on Nov. 13 when he had a court-ordered copy made—at a time when the Uher recorder was incapable of recording. Buzhardt is not known to have had access to the tape until mid-November when he says he first learned that it contained the gap.

As for the President, he could have listened to it on June 4—long before the suspect Uher was in the White House. Miss Woods said that he punched some buttons on her Sony recorder at Camp David when the tape was on the machine on Sept. 29—again before the Uher was purchased. Any time that Miss Woods had access to the tape in the White House, Nixon also would have had it available. His office opens through a small empty office into hers.

There are great potential errors, however, in depending too heavily on the official White House documentation of custody for both recorders and tapes. As the Sirica hearings have repeatedly shown, the record keeping was extremely sloppy. Tapes were sometimes withdrawn with no record at all of their return. In fact, the FBI interviews are quite logically starting from scratch, eliminating no period, from the time the June 20 tape was made until it was given to Judge Sirica, as beyond questioning.

Despite his early bravado, Presidential Counsel St. Clair had no success at all at week's end in trying to undermine the experts' testimony. If his questions could not be answered by the technician on the stand, that witness quickly gave way to another member of the panel who could answer them. St. Clair's quizzing finally grew so repetitive that Judge Sirica urged him to make his point and cease. Finally Sirica had heard enough. Carefully explaining that no crime had been proved and no individual had been found guilty of wrongdoing, he nevertheless declared: "It is the



ROSEMARY WOODS



J. FRED BUZHARDT



H.R. HALDEMAN



STEPHEN B. BULL



JOHN C. BENNETT



MILLS TALKING TO NEWSMEN
The greatest schism.

court's considered opinion that a distinct possibility of unlawful conduct on the part of one or more persons exists here. A grand jury should now determine whether indictments are appropriate."

The possible crimes: obstruction of justice, suppression of evidence, contempt of court for failing to produce evidence, and perjury in Sirica's fact-finding sessions on the tapes.

As the probers, directed by Special Prosecutor Leon Jaworski and FBI Chief Clarence Kelley, pursue their quarry, they have perplexing problems to consider. Many center around Miss Woods, surely one of the most tragic figures in the whole Watergate mess. Was she a collaborator in the destruction of evidence, out of a near lifetime of loyalty to Nixon? Or was she an intended victim of a White House scapegoat operation? Her feisty lawyer, Charles

FORD IN HOUSE BARBERSHOP



Rhyne,* quite emphatically charged the latter as he gained Sirica's permission to read the sealed transcript of a meeting of White House lawyers and prosecutors in the judge's chambers on Nov. 21.

The transcript quotes Buzhardt as saying that "we have discussed and discussed this—an obliteration for 18 minutes. It does not appear from what we know at this time that it could have been accidental." Buzhardt admitted last week that he had never told Miss Woods that he had given such information to the court and had never even discussed the long gap with her. She believed that he and Leonard Garment had represented her in

previous testimony before Sirica, although they deny it. She then testified in December about her "awful mistake." The sequence, contended Rhyne, meant that "these lawyers for Miss Woods came down here and pleaded her guilty before this procedure ever started."

Darker Shadows. Sharply challenged by the technical testimony, Miss Woods' story also contains other curiosities. How could she have transcribed the June 20 tape for 2½ hours on Oct. 1, as she testified, if she only got the Uher machine at about 1:20 p.m. that day and then discovered a buzz on the tape and reported it to Nixon at 2:08 p.m.? Why did she say she told him about the noise in the President's Oval Office, while the White House log shows that she saw him in his E.O.B. office? Why, as Bull testified, did she ask him the precise hour at which the Uher had been purchased?

There are other intriguing questions for other White House officials. Why was Nixon apparently unconcerned about Miss Woods' mistake on Oct. 1, while he, Buzhardt and other aides became worried later, when they presumably first learned that the gap was 18 minutes long? Would an 18-minute erasure be much more alarming than the five-minute gap Miss Woods took responsibility for? Why was not the Haldeman portion immediately played on Oct. 1 to determine just how long the erasure was? When the subpoena for this entire tape seemed quite clear to later lawyers, why did Nixon and Buzhardt insist at first that it applied only to the Ehrlichman portion? Was this claim part of an intended cover-up of the Haldeman conversation wipe-out?

There may be innocent explanations for these and other such questions. But until they are produced, the shadows over Nixon's White House and the presidency itself will continue to darken.

*Miss Woods asked Rhyne, a longtime friend, to represent her at her expense after White House aides suggested that she get her own attorney in the tapes controversy.

Nor was the 18-minute tape erasure Nixon's only setback of another painful week. Other developments:

▶ Assistant Special Prosecutor Ben-Veniste reported that two Nixon-dictated recordings furnished to Jaworski's staff by the President also contained gaps. Nixon's voice as he summarized conversations with John Mitchell (on June 20, 1972) and John Dean (March 21, 1973) either begins or ends in mid-sentence. Buzhardt testified that many of Nixon's personal recordings are like that, since he does not always coordinate his hand and speech movements. Sirica ordered the technical experts to examine both tapes for tampering.

▶ Edward L. Morgan, a former White House assistant, announced his resignation as an Assistant Treasury Secretary and admitted that it was related to the investigation of Nixon's income tax deduction for donating his official papers to the Government. Morgan, who has testified in Congressman Mills' investigation of Nixon's taxes, had handled much of the transaction and had signed the deed transferring the papers for the President, possibly without authority. Investigators are not sure that the transaction was legally completed before a new law banned such deductions.

▶ Special Prosecutor Jaworski said in an NBC interview that "discussions" between his office and "more than one" potential defendant in Watergate crimes are under way. Jaworski did not quarrel with the interpretation that this involved plea bargaining, in which some deal might be made to get the person's cooperative testimony.

As the bad news continued to engulf the White House, Nixon made a show of tending to more important matters. He went on television to express satisfaction in announcing the negotiated separation of Egyptian and Israeli forces on the Suez front (see THE WORLD). But he looked haggard, and phrased his thoughts uncertainly in a quavering voice. He took to radio to discuss the energy crisis. He called in photographers and reporters as he discussed his State of the Union message plans with House Republican Leader Rhodes. The effort was a conscious one to show that he is still leading the nation.

Yet the effort was visible and painful. More than ever before in the tangled and sordid revelations of the Watergate scandal, the tape report pinpointed the near certainty of wrongdoing within the White House and perilously close to the Oval Office. As more than one sympathetic Republican Congressman pointed out, the burden of proof has now been shifted to the President to demonstrate his innocence in the court of public opinion. On July 23 Richard Nixon had assured Senator Sam Ervin in a letter: "The tapes, which have been under my sole personal control, will remain so." While under that control, the Watergate evidence on one of them was forever erased.