



ROSE MARY WOODS
... finds gap in tapes



JOHN C. BENNETT
... describes playback



JUDGE JOHN J. SIRICA
... seeks expert analysis

Tapes Have Puzzling 'Gap'

Nixon Aide Testifies

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By George Lardner Jr.
Washington Post Staff Writer

President Nixon's personal secretary, Rose Mary Woods, has found a puzzling "gap" in one of Mr. Nixon's Watergate-related tapes, a White House aide testified yesterday.

Deputy presidential assistant John C. Bennett said in federal court here that Miss Woods complained to him on Tuesday that one of the recordings she was reviewing for the President seemed to trail off in mid-conversation.

"She apparently had found a gap in what she expected to be a recorded conversation," Bennett said. He said he presumed it involved a talk between the President and former White House counsel John W. Dean III.

The White House aide said that Miss Woods mentioned the problem to him when he returned to the White House Tuesday evening following his first day's testimony on the tapes before U.S. District Court Judge John J. Sirica.

"Did Miss Woods seem to be surprised?" Judge Sirica asked him.

"I think she was puzzled," Bennett said. "The tape was on the machine. She said, 'I've got a gap in this.'"

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Parts 'Inaudible'

By Carl Bernstein and Bob Woodward
Washington Post Staff Writers

Portions of the seven White House tapes that President Nixon has agreed to turn over to the U.S. District Court here are "inaudible" and thus will probably fail to definitively answer questions about Mr. Nixon's role in the Watergate affair, according to White House sources.

The sources said the tapes may be of questionable evidentiary value in court because of defects variously described as "gaps in conversation," "unevenness," "excessive background noise," "periods of silence," and "cut-ins and cut-outs during conversation."

According to White House sources questioned over the past three days, there is serious concern among the President's aides and advisers that the latest problems regarding the tapes will further strain the credibility of the White House.

"This town is in such a state that everybody will say 'They've doctored the tapes,'" said one high-ranking presidential adviser who made clear he rejected that notion. "The problem is that these tapes are like all other home-made tapes: Some you can hear very well, some you

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TAPES, From A1

Bennett, the official custodian of Mr. Nixon's secret tapes since last July 18, said he told her: "Rose Mary, I don't know what portion of the tape you're interested in, but do the best you can."

Bennett said that he was not certain just what tape Miss Woods was having a problem with. She has had eight of Mr. Nixon's secret Watergate tapes for more than a month and another six were given to her Monday. But not all of them are covered by the subpoenas that were issued either by former Watergate Special Prosecutor Archibald Cox or by the Senate Watergate committee.

The White House asserted last week that two of the tapes that Cox subpoenaed for the Watergate grand jury here—one of them a crucial April 15, 1973, talk between the President and Dean about the Watergate scandal—never existed.

Miss Woods was told on Monday, however, that the President wanted an account of a conversation he had with Dean on April 16—which was not subpoenaed. Bennett said he gave her half a dozen tapes, any one of which might contain a recording of that encounter.

Under questioning by Watergate Assistant Special Prosecutor Richard Veniste, Bennett said Miss Woods was playing the tapes back on an ordinary machine without any special devices that he knew of for preventing inadvertent erasures or mutilations.

If any chance damage were done to the tapes, Bennett acknowledged, there would be no way to retrieve the conversations.

"So far as I know," he said, "there is no copy of the tapes in existence."

Bennett testified Tuesday that White House chief of staff Alexander M. Haig Jr. told him Miss Woods was "transcribing" conversations on the tapes in her possession for the President. Yesterday he said she might simply be summarizing them instead of making word-for-word transcripts.

Miss Woods, Bennett ex-

plained, walked into his White House office yesterday morning after reading of Bennett's Tuesday testimony about her "transcribing" Mr. Nixon's conversations about the Watergate scandal.

"She said, 'I want you to know that's not the right word,'" Bennett related. She said, "I did not transcribe the tapes. That's the wrong word to use."

"I said, 'Rose Mary, just tell the truth when you go over there,'" Bennett said of Miss Woods' expected appearance as a witness.

White House lawyers said Miss Woods would testify, but it was not clear when

she will be called. Former White House chief of staff H.R. (Bob) Haldeman is expected to be on the stand today.

The lengthy hearings on the missing conversations—one with Dean and the other a phone call that Mr. Nixon placed to former Attorney General John N. Mitchell on June 20, 1972—are certain to continue into next week.

Judge Sirica announced yesterday that he wants an analysis and testimony by electronic experts to explore "the reasons that might exist for the non-existence of these conversations." He said that phase "may well be the most important and conclusive part of these hearings."

White House lawyers and witnesses have said the tape ran out before Mr. Nixon's talk with Dean in the Executive Office Building on April 15, a Sunday night. They say the phone Mr. Nixon used to call Mitchell was not hooked up to the long-secret system for recording presidential conversations.

The Secret Service agent who helped install the system in February of 1971, Randy Nelson, testified yesterday that fresh reels of tape were not normally installed on weekends.

But Nelson, who went to a new assignment early in 1972, said under cross-examination that he never knew of a tape running out on a weekend either.

"Not to my knowledge," he said. But he added: "I've heard that a tape ran out."

The last witness of the day, Alfred Wong, now deputy assistant director of the Secret Service, said that he unsuccessfully opposed White House demands in 1971 that the Secret Service install the system, but was overruled by then presidential assistant Alexander Butterfield. He said Butterfield told him "the President wanted a historical record of the activities of his office."

Wong said he eventually agreed to the system only on condition that Secret Service technicians and agents not listen to any of the tape.

WATERGATE, From A1

can't some are jumbled in parts, some are inaudible in parts—there is considerable unevenness.”

Although the White House devices used to trip the tape-recording mechanism were voice-activated, another source said, the microphones used for recording apparently failed to pick up some conversation. Previously, White House officials had said the microphones were highly sensitive and capable of picking up even hushed conversation.

Of five sources who confirmed that defects have been found in the tapes, one said the problems are “of a suspicious nature.” According to this source, some conversation on some of the tapes appears to have been erased or obliterated by the injection — inadvertent or otherwise — of background noise.

The four other sources disputed that there is anything suspicious about the deficiencies and insisted the tapes are marred only by technical problems that can be satisfactorily explained in court.

An apparent reference to the problem of the quality of the tapes was made yesterday during a hearing before Judge John J. Sirica in U.S. District Court when an aide to White House chief of staff Alexandria Haig spoke of “a gap” in one of the President's tapes.

The aide, John C. Bennett, testified that he had been told by the President's personal secretary, Rose Mary Woods, that she encountered “a gap in what she expected to be a recorded conversation” she was reviewing for Mr. Nixon.

A new attorney on the White House team of Watergate lawyers, Samuel J. Powers, later told reporters that “I don't know of any gap” and said the description by Bennett “could be a total misnomer as far as I'm concerned.”

Most of the White House sources said they learned of the latest problems with the tapes only in the past week, although some persons—including President Nixon and former White House chief of

staff H. R. Haldeman—listened to portions of some of the recordings as long ago as Sept. 29, 1972, and mid-April, 1973, respectively.

During his testimony before the Senate select Watergate committee, Haldeman said he had listened to two of the tapes that Mr. Nixon eventually agreed to turn over to Judge Sirica and the Watergate grand jury. Asked about the quality of the tapes he heard, Haldeman testified on July 30:

“It's good at times and not good at times. It's the kind of tape recording you have in a large room, which the Oval Office is; there is a lot of echo and bounce. It's difficult to follow the conversation completely, but it is not by any means impossible.”

Neither President Nixon nor White House spokesmen have publicly raised the possibility of portions

of the tapes being inaudible.

In a July 23 letter in which he refused to turn over the tapes to the Senate committee, Mr. Nixon said that the “tapes would not finally settle the central issues before your committee,” and added:

“Before their existence became publicly known, I personally listened to a number of them. The tapes are entirely consistent with what I know to be the truth and what I have stated to be the truth. However, as in any verbatim recording of informal conversations, they contain comments that persons with different perspectives and motivations would inevitably interpret in different ways. Furthermore, there are inseparably interspersed in them a great many very frank and very private comments on a wide range of issues and individuals, wholly extraneous to the committee's inquiry.”

The existence of the White House recording system was publicly revealed on July 16 in testimony before the Watergate committee by Alexander P. Butterfield, a former aide to Haldeman who is now the administrator of the Federal Aviation Administration.

Butterfield testified that he had personally tested the system and then the following exchange took place:

Question: You tested the system . . . to see if the Oval Office or the EOB Office, that you could pick up sound even though it was hardly audible when a sound was made in the room?

Butterfield: Yes.

Question: What was the result of your test?

Butterfield: The result was that voices, conversations, were picked up very well, very clearly.

Question: Even if there was a whisper?

Butterfield: I can't tell you about a whisper: I just don't know. But it would appear that even low tones were picked up well.