

27 Nov 73 ①

Tapes - Miss Woods testifies again before Judge Sirica, stressing that she could not have been responsible for more than  $5\frac{1}{2}$  minutes of erasure of tape of 20 Jun 72, leaving  $12\frac{1}{2}$  minutes unaccounted for. LATimes: "However, an explanation of the obliterated tape submitted to Sirica by ... Buzhardt [no date] said the entire erased portion 'was caused by the depression of a record button during the process of reviewing the tape.' Unlike Miss Woods' testimony calling the erasure accidental, Buzhardt's analysis did not characterize it one way or the other."

For the first time any WH tape has been heard in public, a section of this one is played in the courtroom. "The erased segment, as heard in the courtroom, at first produced a loud buzz - like the sound of an electric razor. But at the  $5\frac{1}{2}$ -minute mark the tone dropped sharply in volume."

Miss Woods also testifies she retained her own lawyer after having been told to do so by Haig. "General Haig told me none of the White House lawyers would come down here with me."

LATimes says all<sup>of</sup> this shows that Miss Woods has moved away from the WH position that she alone was responsible for the entire 18-minute erasure, and is a sign of possible split between her and WH lawyers. Says it has learned ~~today~~ that Buzhardt and Garment met with Jaworski in Sirica's chambers 21, after which she was subpoenaed.

Miss Woods demonstrates how she kept her foot on the control pedal as she reached for her phone to the left and rear of where she sat, and in doing so takes her foot off the pedal; insists "I didn't do it that day." Also says she had cradled the phone at her left ear while jotting notes on a pad on her lap or table. AMP - 8

Lawyers for Miss Woods and the White House agree that Jill Volner, assistant prosecutor, may inspect Miss Woods' White House office, and Sirica agrees that her electric typewriter and high-intensity lamp be brought to courtroom so that electronic tests can be made to determine if they could have caused the humming noise in obliterated portion of the tape.

SFC 28 Nov 73 [LATimes]

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27 Nov 73 (2)

Richardson, in television interview, says that before he resigned he made it clear to the White House on two occasions that he would ~~doxxaxifzfx~~ be forced to do so if Cox were fired. Did not tell Nixon directly, but spoke to Haig, Buzhardt and Laird.

Says he also proposed to the White House in August that Nixon submit to questioning by persons familiar with Watergate, specifically Cox, Ervin and Baker, with a neutral moderator such as Senator Stennis.

SFC 28 Nov 73 [AP]

Krogh will go on trial 11 Dec on charges he lied under oath about break-in of Dr. Fielding's office; U.S. District Court, WX, Judge Gerhard A. Gesell.

SFC 28 Nov [UPI]

Nixon (taxes) - Warren says Nixon intends to make public "complete information" on his finances but has not decided whether to make available copies of his income tax returns; senators who met with Nixon 26 Nov quoted him as saying he planned to release complete returns this week. Warren says, "The President wants this information out. He's going to get it out. I won't tell you now how it's going to be done."

SFC 28 Nov 73 [WXP]

Vesco - White House denies "categorically" it tried to limit investigation of heroin smuggling scheme after an informant reported that Vesco might be involved. (Entry 25 Nov 73.)

SFC 28 Nov 73 [UPI]

Ervin committee votes to adjourn, ~~public hearings~~ subject to the call of the chair, which will come probably in mid-January. Weicker is the only member to vote against this. Gurney is the only member not present; reported to be in Florida.

Committee says its investigations of milk fund and Hughes-Rebozo money are not going well, Ervin and Baker attributing this to failure of witnesses under subpoena to appear; \*WH refusal to turn over some documents, and admission by the staff that it simply is not ready to proceed.

SFC 28 Nov 73 [AP]

AMP - A

\*See following entry.

27 Nov 73 (3)

Ervin committee will summon several associates of Howard Hughes to show cause why they should not be held in contempt of the Senate for defying subpoenas to testify.

- The Hughes organization and five employees file suit (no date) against Ervin committee; they include Richard G. Danner, who delivered two Hughes contributions to Rebozo, and Chester C. Davis, to whom Rebozo said he returned the money. Davis says he and the others have provided much information to the committee in private and object to any more closed-door testimony because the news media have been given distorted and incomplete accounts of what was said, but are willing to testify in public.

SFC 28 Nov 73 [AP]

Ford is confirmed by the Senate, 92 to 3 (Thomas F. Eagleton, William D. Hathaway, Gaylord Nelson, all Democrats).

SFC 28 Nov 73 [NYT]

Jill Volner's home is burglarized; a radio, some clothing, a safe deposit box key and four boxes of canceled checks are taken. She says it looks like a routine burglary, but does not know why anyone would want her canceled checks.

SFC 29 Nov 73 [AP]

See entry 3 Dec. 73.

(27 Nov 73) AMP

(A) - Committee authorizes staff to subpoena more WH tapes and documents if Nixon continues to claim they are protected by executive privilege and the doctrine of separation of powers.

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(B) - See clipping, "Built-In Guards On Tape Device," which says an independent examination and tests with a recorder similar to the one used by Miss Woods "showed that more than one mistake must be made at the same time, whether the machine is operated by hand or by using a foot treadle."

"The treadle used by Miss Woods takes only slight pressure to operate. It is also easy to release. During a courtroom demonstration [today], after a simulated telephone call interruption, Miss Woods took her foot off the treadle quickly, indicating this may be a natural reaction. Photographs showing Miss Woods seated at her White House desk and typing table ... indicate that Miss Woods had to stretch as she answered a telephone call. The indication was that some contortion was needed to keep the toe of a shoe on the treadle."

SFC 29 Nov [NYT]

- "From this reporter's observation of [photographs taken 27 Nov], they seem to demonstrate that Woods could not have taken her telephone off the receiver without taking her foot off the foot pedal. Although she could easily have talked on the telephone while keeping her foot depressed on the pedal, she would have had to make a concerted effort to do the same while picking up the phone. Furthermore, based on the measurements made of her desk and typewriter table by prosecutors [today], simple geometry would show that the approximate distance between her telephone and the foot pedal was  $8\frac{1}{2}$  feet. Woods is approximately 5 foot 6 inches in height."

KPFA News 28 Nov 73, David Selvin, Pacifica, WX