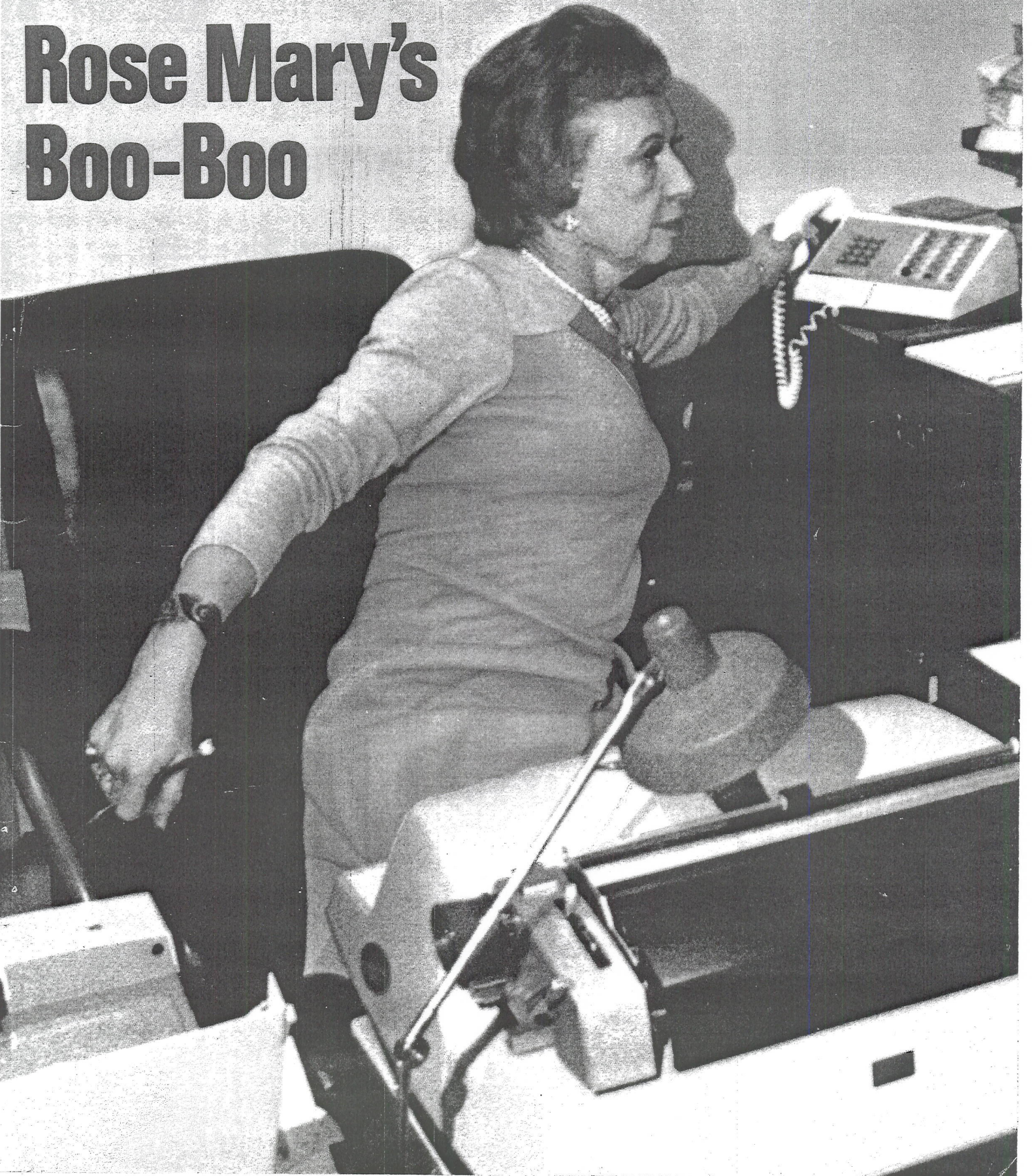


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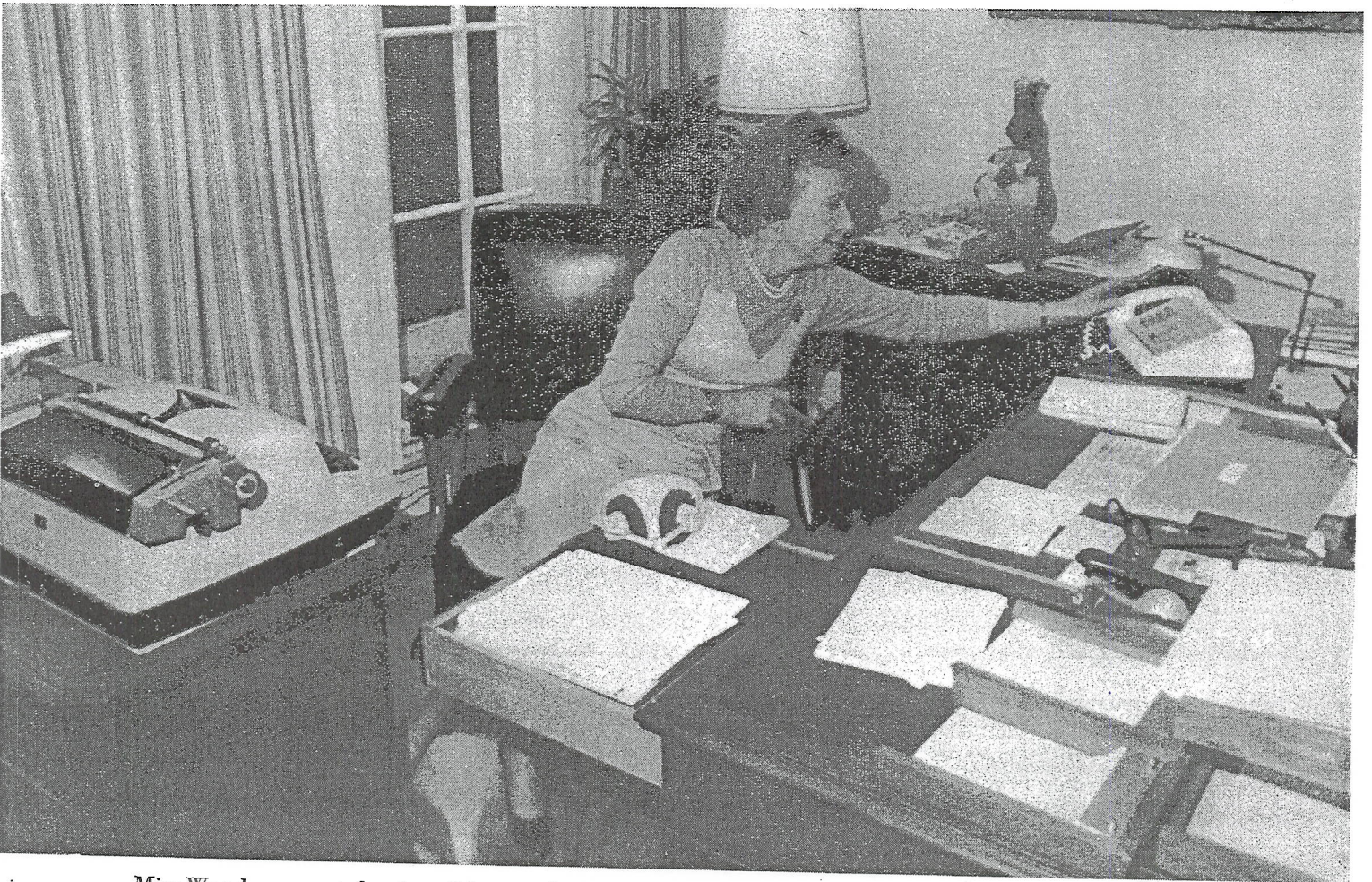
## Rose Mary's Boo-Boo





## Rose Mary's Boo-Boo Page 26

The President's Operation Candor was all but inoperative last week after a spate of new revelations about tapes and money. Mr. Nixon's most faithful hand, Rose Mary Woods, spent three days explaining her "terrible mistake" in erasing part of one key tape, but even the President's lawyer found it hard to understand. With files from Nancy Ball, Hal Bruno, Thomas M. DeFrank, Henry W. Hubbard, Stephan Leshner and Samuel Shaffer, Senior Editor Peter Goldman wrote the cover story. A companion piece details the improbabilities of Miss Woods's account; another profiles two key members of the Watergate prosecution team. (Cover photo from the White House.)



Miss Woods re-enacts her 'terrible mistake': Did a sliding-into-third-base stretch erase the tape? The White House

## ROSE MARY'S BOO-BOO

She is the oldest of the old Nixon hands—the President's unflinchingly loyal private secretary for almost all his in-and-out political life—and last week she took on the hardest assignment of her quarter-century in his service. For three days, Rose Mary Woods, 55, sat tense and pristinely before an openly skeptical Judge John J. Sirica and testified that she may have erased at least some of the eighteen minutes missing from one of Mr. Nixon's secret Watergate tapes—all, of course, by a terrible mistake.

But her story rested on one feat of contortion and several unlucky coincidences, and in the end the perfect secretary may have done the boss more harm than good. With two tapes already reported to be nonexistent, the gutting of a third—and Miss Woods's apologia for it—rendered the President's Operation Candor very nearly inoperative. Anyone who believes him now," said one Texas congressman, "is a goddam fool." And his credibility stood in further peril still from the unlikeliest source of all: the possibility that Miss Woods might return to the stand to say that she was coached in the White House to forget about the gap the first time she was questioned about it—and finally to take the blame for it all by herself.

The official story of the gap did strain belief, in court and far beyond; even Mr. Nixon's head Watergate lawyer, J. Fred Buzhardt, admitted having suspected down to the day he first broke the news in court a fortnight ago that the erasure—whoever did it—had been intentional. Miss Woods insisted that it was not. She had, she said, been interrupted by a phone call in the midst of playing back a June 20, 1972, conversation between Mr. Nixon and his then chief of staff, H.R. (Bob) Haldeman; she guessed that by accident—or really a series of them—she had punched the RECORDING button on her Uher Universal 5000, kept her toe on the operating treadle and so set the erase mechanism in motion while she was on the telephone.

### Sirica's Options

But that alone required a reach, physically and imaginatively as well (page 28). And her story came in train with a whole series of damaging disclosures—that the gap conveniently started just when Haldeman and the President began talking about Watergate; that Miss Woods was allowed to handle other original tapes long after her first "mistake" was discovered, and that there are still more unexplained silences on still

more of the surviving Watergate recordings, some running up to several minutes. The doubt that so many vicissitudes could have befallen only nine tapes thus far under subpoena was palpable in the courtroom, and Judge Sirica for one was visibly less than pleased. He was said to be pondering a whole series of options, ranging from doing nothing at all to holding one or more of the principals in contempt—or referring their stories to the grand jury for possible perjury or obstruction-of-justice charges.

And therein lay the most explosive danger of all for the President: the possibility that his own Miss Woods might under pressure wind up a witness for the prosecution. Mr. Nixon's men by last week had already begun putting as much distance as possible between his cause and hers; Buzhardt's case tended to blame her for the entire eighteen-minute hiatus in the tape—not just the five minutes or so she said she had spent on the phone—and chief of staff Alexander Haig Jr. advised her curtly on Thanksgiving Day to get a lawyer of her own.

She did—her choice was Charles Rhyne, an old Nixon chum and a former American Bar Association president—and, NEWSWEEK's Stephan Leshner learned, Rhyne was quickly persuaded

that Miss Woods had been elected the goat of the case. He told friends that White House lawyers failed to advise her to mention the gap when she was first called to the stand Nov. 8; she didn't, and in fact argued vehemently that she had taken every precaution against erasing anything on the tapes. Further, Rhyne told these sources, she was allowed to believe that she alone was responsible for the whole gap, when she may in fact have caused only part of it—if any. She backed off from taking the full blame during her three days in court last week, and Rhyne was contemplating recalling her this week to amend her version still more. "They're throwing her to the wolves," he told a friend. "Just from the little I know, I could blow the lid right off the White House."

Mr. Nixon went right ahead trying to keep the lid on with his Operation Candor; he referred only fleetingly to Rose Mary's boo-boo in a private meeting with 37 House Democrats ("Oh," shrugged the President, "that was just an accident that happened") and otherwise kept on scattering promises to tell all soon and hang tough forever. "You don't need to worry about my getting seasick or jumping ship," he told the unshakably friendly Seafarers International Union. "I am going to stay at that helm until we bring it into port."

But it remained plain that Operation Candor still meant candor-up-to-a-point. Mr. Nixon promised one deputation of senators that he would make his tax

returns public within the week; his staff promptly postponed the delivery date and waffled on whether he really meant the returns or just some selected information from them. And the President's pledge of full cooperation with special prosecutor Leon Jaworski dissolved into a spate of name-calling hauntingly like what preceded the dismissal of Archibald Cox. Press secretary Ron Ziegler charged Jaworski's inherited staff with harboring an "ingrained suspicion and visceral dislike" for the President; he exempted Jaworski himself, but he did complain that the tapes already delivered under subpoena ought to be enough for any "reasonable men"—a signal that just happened to coincide with a request by Jaworski for some additional Watergate recordings.

Who's on First?

The President's defenses were further weakened by the demoralization and disarray of his own overmatched legal staff. Having run through three previous Watergate lawyers dating to John Dean, he was said now to be dissatisfied with his fourth, Fred Buzhardt, for his handling of the tapes case. Ziegler himself conveyed this message by praising Buzhardt with faint damns ("The difficulty of the workload led to some problems") and leaving the clear suggestion that he would shortly be supplanted by Illinois appellate judge John J. Sullivan, an old Duke classmate and Navy messmate of the President's. But Sullivan, after six dispirited days in Washington, told NEWSWEEK's Thomas M. DeFrank that he couldn't get anybody's ear and probably wouldn't take the job. Buzhardt, in any case, was magically rehabilitated the next day; Ziegler's deputy, Gerald Warren, was in the process of ducking the whole question at a briefing when somebody handed him a note, whereupon he blandly announced: "Fred Buzhardt is indeed still in charge."

The gloom inside the garrison at 1600 Pennsylvania Avenue thickened with the daily disaster bulletins from Sirica's courtroom. "We're getting our brains beat out," Buzhardt's co-counsel, Leonard Garment, conceded glumly. That the eighteen-minute buzz on the June 20 tape might in fact have been accidental was almost universally discounted on Capitol Hill; one normally sympathetic Southern congressman guessed bluntly that the Nixon men were "thumbing their noses at the people and don't expect anybody to believe it." The result was a dangerous further curdling of what goodwill Mr. Nixon has left in Congress and within his own party. Even Senate Minority Leader Hugh Scott, an indefatigable loyalist, put forth a mild scold urging the President to release "everything relevant in every single tape" he ever made to recover his lost credibility. And Republican professionals around the country edged a panicky step closer to breaking openly with Mr. Nixon for their own salvation next year. "The



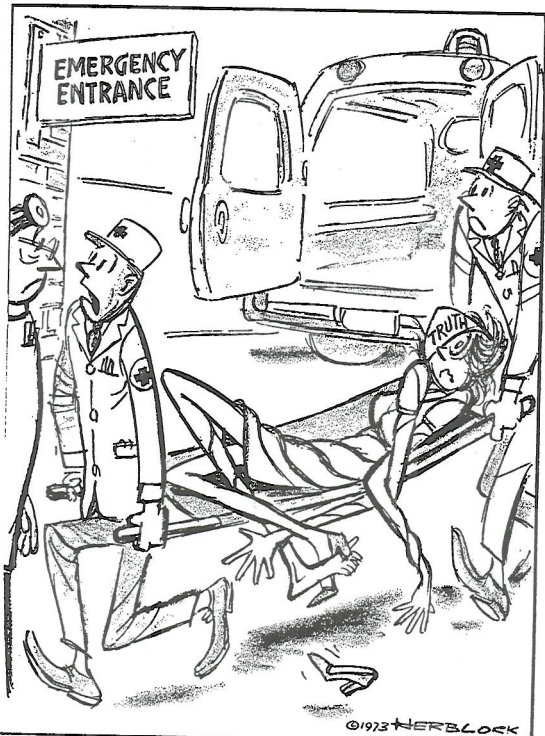
Buzhardt: Tapes in a tin box

dam," declared one, "is about to crack."

Nor was there any surcease from the gush of bad news. Haig himself was due on the stand this week in the tapes case, presumably for questioning about his own role—and the President's. Egil Krogh Jr., who headed the White House plumbers, pleaded guilty to a single count of conspiracy in the Ellsberg burglary case and agreed to turn state's evidence; his *faccuse* too could reach into the Oval Office, though his lawyers think not. Dwight Chapin, Mr. Nixon's former appointments secretary, was indicted on charges of lying to the Watergate grand jury about his alleged complicity in Donald Segretti's dirty political tricks. Not even a 92-3 Senate vote to confirm Gerald Ford as Vice President could be counted an unmixed omen for Mr. Nixon. Ford is likely to do equally handsomely in the House this week and to be sworn in immediately before a joint session of Congress—whereupon, one Senate GOP leader wanly agreed, "it will be easier to impeach the President."

'Highly Personal'

But the tapes remained the gravest of all Mr. Nixon's immediate problems—a snarl that has entangled him like some latter-day Laocoon since their existence was first revealed last July. Buzhardt finally delivered them—or what remains of them—to Judge Sirica's court in a little metal case last week, to be locked away against any further accidents. Yet even then the surrender was grudging and incomplete. The White House argued on



'She tried pushing a tape-recorder button while holding her foot on a pedal and reaching back for a telephone—'

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ground of Executive privilege that parts or all of three of them ought still to be kept secret—most intriguingly a taped conversation among the President, Haldeman and John Mitchell the day before Mitchell quit as director of the reelect-Nixon campaign, not two weeks after the Watergate break-in. (Mr. Nixon's announced objections: the talk touched only intermittently on Watergate and at points got "highly personal.")

The more stunning news accompanying Buzhardt's tin box to court was the White House theory of the buzz on the June 20 tape—that the key passage had been accidentally expunged "by the depression of a record button . . . possibly while the recorder was in the proximity of an electric typewriter and a high-intensity lamp." This hypothesis, as it developed, was the product of some frantic

testing by Buzhardt himself the evening after he had disclosed the gap in Sirica's court on Nov. 21. In his own telling, Buzhardt had by then known for seven weeks that there was a buzz on the tape and for a week that the buzz ran fully eighteen minutes—loud for the first five and a half, the rest at a somewhat lower pitch. He went to Jaworski's office the morning of the 21st to plead for more time before going public. He told the prosecutors, *NEWSWEEK* learned, that "someone"—possibly Miss Woods—might intentionally have erased part of the tape out of some misguided sense of loyalty to the President.

But Jaworski insisted on going to court that very day. Buzhardt went along, telling Sirica in chambers (though not in open court) that the erasure "could not have been accidental." It was only that

evening, so he testified last week, that he got a fresh reel of tape, put it on the recorder in Miss Woods's office, set the erase mechanism going and tried to reproduce the hum. The typewriter and the Tensor lamp going together, he said, made a noise roughly like the loud buzz of the first five and a half minutes; the lamp alone, with the typewriter switched off, produced something approximating the softer hum that followed. Electronics experts who tried subsequently were unable to reproduce the sounds, Buzhardt conceded; still, his experiment framed the basis of the White House accident theory—and Miss Woods's first guarded explanation of just what it was that she might have done.

Her version was that she was given the June 20 tape, along with the others under subpoena, at Camp David

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