

# 'PUSHING OF KEYS' CAUSED TAPE GAP, EXPERTS ASSERT

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Panel Rules Out Faulty  
Recorder as Reason for  
18½-Minute Buzz

**NYTimes**  
REPORT IS CRITICIZED

White House Makes Public  
Review That Rejects  
Technicians' Finding

By LESLEY OELSNER

Special to The New York Times

WASHINGTON, June 4—A court-appointed panel of technical experts has concluded that "the only completely plausible explanation" for the 18½-minute gap in a crucial White House tape recording is that it was caused by the "pushing of keys" at least five times on a tape recorder. The panel said this ruled out the possibility that it was caused by a faulty machine.

The panel's conclusion, contained in a final technical re-

*Excerpts from final panel report on tapes, Page 28.*

port released today by the United States District Court, thus rebuts the only explanation the White House has ever offered publicly for the gap—that President Nixon's personal secretary, Rose Mary Woods, may have accidentally caused the gap by mistakenly pressing the wrong button on her recorder, and perhaps pressing the foot pedal too, as she reached to get a phone call.

The White House reacted to the panel's report by making public a review of the report prepared by a White House consultant. This review expressed "general agreement" with the panel, but argued that the panel should not have "finally and irrevocably" dismissed the possibility that part of the 18½ minute gap might have been caused by a defective machine.

An attorney for Miss Woods, who has contended that she might have caused part of the gap but that she could not have caused the entire erasure, also released copies of reports reaching different conclusions than those reached by the panel.

The panel based its explanation on the same seven "conclusions" that it announced nearly six months ago, repeating them almost verbatim. The panel said that it had made further "analysis" since that announcement, as a result of suggestions offered by other experts—including the experts hired by the White House following the report—and that the further analysis simply confirmed its original conclusions.

The panel stated that its report "draws no inferences"

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about whether the erasure of the tape and the "buzz" that can now be heard on the tape were made "accidentally or intentionally," or "by what person or persons."

Evidence introduced at Judge John J. Sirica's hearing last winter into the cause of the gap established that the "buzz" covers the only Watergate-related section of the conversation—a conversation between President Nixon and H. R. Haldeman, then his chief of staff, on June 20, 1972, three days after the Watergate break-in.

The panel found the erasure was caused by "several operations of the push buttons" on the White House tape recorder—at least five separate operations and probably nine Judge Sirica has suggested that there had been "unlawful tampering" with the tape.

President Nixon's chief defense counsel, James D. St. Clair, in effect took note of this in a critical statement that he issued this afternoon.

Mr. St. Clair charged that the panel's report "creates the false impression that all portions of the erasure were done manually and deliberately."

### Stanford Institute Report

He also issued copies of a report written by Dr. Michael H. L. Hecker of the Stanford Research Institute, which was retained by the White House as a technical consultant, and said that the Hecker report showed that "such a conclusion"—that the erasures were manual and deliberate—"is not supported."

The Hecker report, which contains a note saying that the White House was required under its agreement with S.R.I. to notify the court of the report, states "general agreement" with the panel's report. However, it specifically disagrees with the panel's dismissal, "finally and irrevocably," of the possibility that a faulty machine was involved in creating the erasure.

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The Hecker report says that the White House consultants believe that the tape recorder in use—the one used by Miss Woods—was "electronically faulty at the time when the erasure was produced."

"In our opinion," the Hecker report says, "it is still possible that some internal malfunction of the machine, although undetermined and unexplained by the panel and SRI, could have been partly responsible for the 18.5-minute erasure."

### Panel Called 'Worthless'

Miss Woods's attorney, Charles S. Rhyne, issued a stronger critique this afternoon. He called the panel "worthless," and provided copies of reports made by other technical experts contending that the erasure could have been made by the faulty machine.

Mr. Rhyne had argued, in a legal brief to the district court, that the court should "not receive" the panel's report as evidence. He had contended, among other things, that the court's panelists were "unqualified."

The panel was appointed by Judge Sirica last fall, after the White House and the special Watergate prosecution had mutually approved its members.

Judge Sirica appointed the panel to assist the court in determining whether the White House was complying adequately with the Watergate prosecution's original subpoena of tapes of nine White House conversations.

The judge had decided to have a panel after the White House announced, belatedly, that two of the nine conversations discovered by the subpoena had never been taped. By the time the panel was actually chosen, the White House had also announced the existence of the 18½ minute gap.