

# Tape Played in Court: Noise, <sup>11/28/73</sup>

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One of President Nixon's Watergate tape recordings was finally played in public yesterday. It was an anticlimax. All of the testimony was about the part that wasn't there.

Played in federal court here by Mr. Nixon's personal secretary, the recording was full of barely distinguishable chatter about elections and presidential speeches, press conferences and cups of soup.

It was also interrupted in spots by the roar of a jet plane, a cheerful whistle, a clatter of cups.

But the centerpiece was an 18¼-minute "gap" in the conversation, which took place on June 20, 1972. Watergate prosecutors have charged that the tape was erased just as a discussion of the Watergate scandal began.

Mr. Nixon's secretary, Rose Mary Woods, testified again that she might have caused a five to six-minute blank in the conversation by accidentally pressing the wrong button when she was reviewing it for the President last Oct. 1. She said she pushed the "Record" button when she meant to push "Stop" as she turned around at her

desk at the White House to answer the phone. Meanwhile, she said, she "must have" kept her left foot on the floor pedal that she had been using to play back the tapes on the machine she was using—but only for as long as the phone call lasted.

As a result, she said yesterday that she didn't think she could have caused the persistent but uneven hum that fouled up the presidential recording for more than 18 minutes.

On the witness stand for the second day in a row, Miss Woods said she made the same point to Mr. Nixon him-

## Chatter—and Big Gap

self when they discussed the matter in the Oval Office around Nov. 15.

"I told him I didn't think there was any way my hitting the 'Record' button could have caused that long a gap that we just listened to," Miss Woods testified. "I think I would have remembered that long a telephone conversation."

She said the phone call lasted, as best she could recall, for only about 5½ minutes.

Perhaps by coincidence, the humming noise in the portion of the tape played back before U.S. District Court Judge John J. Sirica yesterday dropped

noticeably in pitch at just about the 5½-minute mark.

The hum sounded very much like the noise on a television set after a station has signed off for the night, but the volume went down and stayed down for the final 12½ minutes.

What was played for Judge Sirica yesterday was actually a partial copy of a copy of the original tape. The complete recording includes a set of back-to-back meetings between Mr. Nixon and former White House adviser John D. Ehrlichman and then between the President and former White House chief of staff H. R. (Bob) Haldeman on

June 20, 1972—three days after the Watergate scandal broke.

The recording which was played back in Sirica's hushed courtroom yesterday began with the last few minutes of the Ehrlichman session and ended about 39 minutes later with the President talking to Haldeman in Mr. Nixon's suite at the Executive Office Building here.

It was far from a dramatic production. The quality was poor, marred by background noise and whirring sounds. But some exchanges, including a bit of

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profanity, came through loud and clear.

At one point, Mr. Nixon was telling Ehrlichman about how "presidential speeches are dull." At another, Ehrlichman began making some observation about something being "over-reported."

"Don't worry," a voice very much like Mr. Nixon's replied. "The hell with it."

White House lawyers have said that "nothing in the conversation (with Ehrlichman) relates to Watergate or anything connected therewith."

In his testimony before the Senate Watergate committee last July, however, Ehrlichman said, "I am just certain that we did discuss" Watergate at the meeting in question.

It remains unclear just what was "over-reported." But a few moments later, Mr. Nixon was telling his one time domestic adviser. "In the 1968 campaign, the press was violently pro-Humphrey . . . and that hurt."

According to White House logs, the meeting with Ehrlichman lasted from 10:30 until 11:20 a.m. Haldeman, the logs indicate, walked in at 11:26 a.m. and stayed until 12:45 p.m. Somewhere in between, the President's steward wandered in.

"I'd like a little of that consommé," the President told him.

Then there was some whistling. Papers rattle. Cups clatter. A few moments later, Haldeman seems to be there, apparently talking about the New Republic magazine and wondering whether anyone reads it.

The chatter seems relaxed. Haldeman starts taking down a letter the President wants to send the governor of South Dakota about

a trip Mrs. Nixon had made to the state. It ended with the observation that her parents had been married in South Dakota and "later moved to Ely, Nev.," where Mrs. Nixon was born.

The hum took over from there. And according to Haldeman's notes, the discussion turned to Watergate with Haldeman jotting down plans for a "PR offensive to top this. . . We should be on the attack—for diversion."

White House lawyers say the notes "reflect that the President gave instructions to Mr. Haldeman to take certain actions of a public relations character which related to the Watergate incident."

But nothing of what they actually said can be heard on the tape. The hum ends, 18 minutes and 15 seconds after it began, with the President and Haldeman talking about the upcoming Democratic National Convention and the challenges over convention delegates that could be expected.

Asked how she could have wiped out even a small five-minute portion of the tape by answering the phone, Miss Woods attempted a re-enactment before the playback began. She said she had been working on the recording at her typing table—with her Uher Universal 5000 recording machine to the right of it.

Miss Woods said she had her left foot on the floor pedal. The lid was on the recording machine, she said, since the typewriter carriage would otherwise have kept ramming into it. As a result, she said, she couldn't see the tape itself.

The phone rang on her desk, which is at a right angle to the typewriter table and stood to her left. She said she reached over with her left hand to scoop up the receiver and flicked down on what she thought was the "Stop" button but was really "Record." She

said she must have kept her left foot on the floor pedal, too, or the machine would still have turned off.

Acting out the scene, Miss Woods turned on the Uher, now a courtroom exhibit, and put her earplugs on.

"Before I did anything else, I took these off," she told assistant Watergate prosecutor Jill Volner as she removed the plugs.

Suddenly the machine stopped. Mrs. Volner looked down at Miss Woods' left foot.

"You also took your foot off the pedal, didn't you?" Mrs. Volner asked.

Miss Woods replied, "Yes, but that's just because I'm here and not doing anything else." She said she "must have" left her foot on the "Play Forward" button on Oct. 1.