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Tapes release sets no

NEW YORK (AP) — Two network news presidents say they're delighted by a federal judge's memorandum that may pave the way for broadcast of White House tapes played during the Watergate cover-up trial.

But Richard S. Salant of CBS and Richard Wald of NBC agree it sets no legal precedent for eventually permitting live or delayed broadcast coverage of federal court cases they'd like to cover electronically.

"I don't think it goes that far," Salant said of U.S. District Judge Gerhard A. Gesell's memo, which last week indicated the tapes probably will be released for broadcast after the cover-up trial ends.

"He was exceedingly clear that it doesn't set that kind of precedent," said Wald, emphasizing that this wasn't the intent of the broadcasters who sought court permission to air the tapes.

Bill Sheehan, ABC News president, was in Hawaii on business and couldn't be reached for comment.

His network, NBC, CBS, the Public Broadcasting Service, the Radio and Television News Directors Association and record firms had asked the U.S. District Court in Washington if they could copy the tapes.

Prior to that request, filed as a legal motion, CBS newsman Fred Graham and his NBC and CBS colleagues informally had asked the trial's presiding judge, John J. Sirica, for permission to air tapes played at the trial.

Sirica informally denied permission after seeking guidance from Judge George H. Hart Jr., head of the federal district court in Washington, who gave Sirica consensus of opinion by the court's judges.

Hart, in a memo to Sirica, said the judges felt verbatim tape transcripts provided the press "appear to constitute more than adequate disclosure" to the public of the tapes' contents.

In a key passage, he also noted the judges were concerned that release of the tapes for broadcast might prove a

crack in the court's long-standing ban against any broadcast of court proceedings.

"In a sense, if we allow replay of what occurred in court," he said, referring to the playing of the tapes in court, "it will be very difficult to explain why we will not let a tape recorder be used by a court reporter to replay the entire proceedings."

NBC's Wald, reiterating his belief the Gesell memo isn't even a small step towards broadcast coverage of federal trials, says it nonetheless is a "very wholesome advance in the general concept of what evidence can be released from a trial."

As far as broadcast coverage of federal trials, both he and Salant say that still is something their networks would like to do.

"We think we can do it unobtrusively and we think that the courts will agree with us in the future," Wald said. "But this case has nothing to do with that."

precedent