Making Records of the Presidential Tapes

By Tom Zito

terial and possible recorded aides. And yesterday one commentary by actor George with transcripts of the mafor packaging the tapes as an 11-LP boxed set, complete Records - detailed its plans company-Warner Brothers xon's conversations with his industry. Several major com-panies are considering al-bums of former President Ni-White House tapes as public property has provoked a blur-A court ruling early this month that designated the ry of cogitation in the record complete

and the issue of access to public editor here who has been writing on Watergate for almost three weeks. ing on the record project the tapes, has been work-Walter Pincus, a New Re-

yesterday. "It's a fascinating thing for a journalist to do. Part of it is to try to do what I'm trying to do in my [New Republic] pieces, only on records this time. They've let me structure this exactly the way I want to The a story that's fair and at the challenge is to make it tell "Journalistically this is unprecedented," Pincus said



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same time interesting. It's got to be done as a documentary that's carefully put in context. That's really what my job is."

process of designing a taste-

Pincus, who is formally listed as project consultant on the venture, is working under record produced Mickey Kapp, who has been heavily involved recently in creating special record sets that are mass marketed on TV.

we were one of the four Along with the ous piece We want this to be a serirecord out in no time at all. it would be possible to get a once the tapes are released most record companies, and idea is being considered at project. be of the essence on this dent. "Speed is not going to Brothers senior vice presirock 'n' roll this time and we're well aware of it," said "We're not dealing with Cornyn, Undoubtedly this of journalism. a Warner networks

first petitioners for access.

"We're looking for a narrator who will have an image of respect. We're negotiating with George C. Scott right now. We're also in the

ful album cover. First we'll put out a two-record set that will list for \$9.98. Then we'll follow that with the 11-record set that should sell for about \$25. Of course, the number of records in that box will depend on how much material is in the tapes. We want this to be a complete set, whether it takes 11 or 20 records."

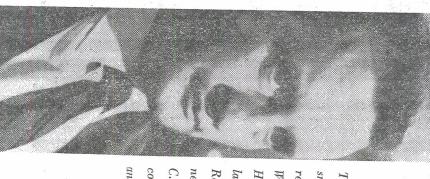
The legal precedent for a record album of the White House tapes was created when U.S. District Court Judge Gerhard A. Gesell ruled on Dec. 5 that "former President Nixon has no right to prevent normal public access to these public documents which have already been released in full text. His words cannot be retrieved; they are public property."

Judge Gesell has set a Jan. 3 deadline for the networks, Warner Brothers and other interested parties to propose a plan for reproducing and distributing the tapes. His order specifically prohibited

any "overcommercialization" of the tapes, although sources indicated that the order did not preclude the prouction of phonograph records from the tapes.

tends is an unusual legal their parties interested in obtain-"certify" the question after decide on whether or not to question. Judge Gesell will cause of what Miller confore a final order is made beof appeal for a ruling bepresented to a higher court of releasing the tapes be certified"—that the issue be instituted by Nixon lawyer of the Watergate cover-up ing the tapes have submitted has asked that the question Herbert J. Miller Jr. Miller sell's ruling on an action trial, as well as Judge Genow keyed to the conclusion Release of the tapes is arguments in

should Judge Gesell decide against certifying the question, the former President can still appeal the order to a higher court.



Then-President Nixon, above, smiles after agreeing to release transcripts of the White House tapes to the House Judiciary committee last April; Warner Brothers. Records is currently negotiating with actor George C. Scott, left, for possible commentary to accompany an II-record set of the tapes.