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And Robert Novak

The Missing 18 Minutes

Before informing U.S. District Judge John J. Sirica that another key 18-minute segment of the presidential tape recordings is gone forever, White House lawyers pleaded with Special Prosecutor Leon Jaworski—unsuccessfully—to delay breaking the news.

That Jaworski flatly turned down the appeal powerfully reinforces his status as independent prosecutor. But far more important, the fact that the White House actually asked for a delay shows how ominously this latest fiasco looms in the wary eyes of President Nixon's lawyers.

Indeed the obliterated 18 minutes of conversation between the President and his then chief of staff, H. R. Haldeman, on June 20, 1972, the first working day after the Watergate burglary, may prove Mr. Nixon's most severe problem of all. Both prosecution lawyers and Republican politicians believe his presidency may hang by a thread today when Sirica convenes a hearing on the missing 18 minutes.

Last Wednesday, less than 48 hours after Mr. Nixon had assured Republican governors meeting in Memphis he is not aware of "any more bombs," Jaworski's office received a telephone call from the White House. J. Fred



Buzhardt, Mr. Nixon's lawyer handling the Watergate case, requested and received an appointment with Jaworski at his office.

Not once in all the weeks since the special prosecution force opened shop under the deposed Archibald Cox last spring had Mr. Nixon's attorneys entered its offices (in a downtown commercial office building). Jaworski's lawyers guessed Buzhardt was about to bring them presidential documents, long sought by the prosecutors and long denied by the White House. They were soon proved spectacularly wrong.

Buzhardt, accompanied by White House counsel Leonhard Garmert, dropped his bomb: 18 minutes were obliterated from the June 20 tape subpoenaed by Cox. He had no explanation for it. But he had a request: Would Jaworski please give him a little time—a few days—to get his ducks in a row before shocking the nation once again?

This was the moment of truth for Leon Jaworski, senior member of the Houston establishment as one of the Southwest's richest corporation lawyers. Moderate LBJ Democrat Jaworski had already disappointed the White House with his full approval of the tough investigative approaches of Ib-

eral Kennedy Democrat Cox. Now, on Thanksgiving eve the Nixon men were bidding hard for sympathy.

Had Jaworski granted the delay, he would have committed a heinous offense, particularly in the eyes of zealous deputy prosecutors inherited from Cox—would, indeed, have endangered his relationship with them. Instead, without hesitation, Jaworski said no.

The news was immediately carried to Sirica's chambers, and the stunned judge promptly scheduled today's hearings on the missing 18 minutes. Those hearings may become the most severe test yet for President Nixon.

Unlike the non-existent tapes controversy two weeks ago, the White House had no ready explanation for the missing 18 minutes. The six technical experts now operating under the court's auspices will examine the tape, and each person believed to have handled it—in particular Rose Mary Woods, the President's long-time personal secretary—will testify under oath.

That testimony may pose a new challenge for Jaworski. Sirica, though obviously irritated by the White House handling of the subpoenaed tapes, has shown understandable reluctance to

When White House lawyers informed Special Prosecutor Leon Jaworski of the tape with 18 blank minutes, they asked him to delay the announcement. Without hesitation, he said no.

initiate action against the President. Rather, he is looking toward the Special Prosecutor for guidance. Based on his peremptory refusal to grant the White House a delay last Wednesday, Jaworski is apt to move hard if this week's hearings expose White House shenanigans.

Simultaneously, Jaworski faces another challenge. When Buzhardt asked for his appointment, the prosecutors thought he would produce documents about the White House "plumbers" unit, including files on the mysterious M-1 and Odessa Projects. Those papers had been denied Cox but were promised Jaworski. However, with Jaworski on the job three weeks now, the papers have still not been produced. He must decide soon whether to institute legal action.

Against this backdrop, Mr. Nixon's ballyhooed "Operation Candor" fades into insignificance. He is still dunned by prosecutors for secret documents and, much worse, is forced to explain highly unusual deficiencies in the physical evidence. Depending on what happens in Sirica's court this week, the worst for Mr. Nixon may be yet to come.