

Nixon Lawyer Says Tapes Have Other Blank Spots

'Not Particularly Surprising'

Washington

One of President Nixon's attorneys testified in U.S. District Court here yesterday that there are a "number" of blank sections lasting several minutes each on White House tape recordings.

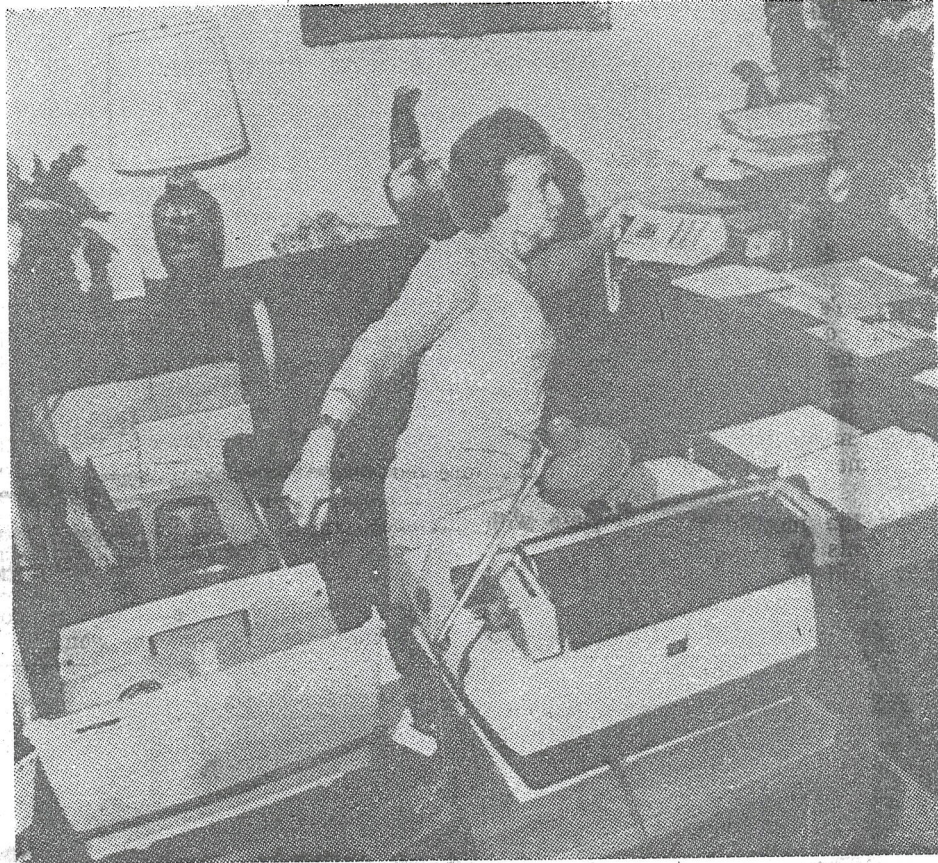
The attorney, J. Fred Buzhardt Jr., termed this disclosure unimportant, telling reporters at a mid-afternoon recess, "Don't get excited," and testifying later that the existence of the "spots" is "not particularly surprising."

Leonard Garment, the White House counsel, also tried to play down the disclosure, telling Chief U.S. District Judge John J. Sirica, who presided over the hearing, that the existence of the spots is a "collateral" matter and that its significance would have to be determined by technical experts.

Last night the White House press office also attempted to make clear that the "spaces" described by Buzhardt are simply blank spaces rather than "gaps" in which parts of conversations were obliterated.

"On the seven subpoenaed conversations," said deputy press secretary Gerald Warren, "with the exception of the 18-minute gap" which has been under inquiry in court this week, "those seven subpoenaed conversations are intact."

But Richard Ben-Veniste, the member of the special Watergate prosecution who



White House photo introduced as evidence showed President Nixon's secretary, Rose Mary Woods answering phone. Tape recorder is at left.

was questioning Buzhardt, and whose questioning elicited the testimony about the spots, noted that he disagreed with Buzhardt at least on technical details of just what the spots showed.

In response to Garment's objection that the testimony

Back Page Col. 6

From Page 1

about the spots was "collateral" to the issue at hand — the 18-minute gap on one particular tape — Ben-Veniste responded, in a clearly skeptical tone, that "apparently it's a coincidence" that Buzhardt first learned of the existence of the spots on the same date that he says he first learned that the particular gap under discussion lasted a full 18 minutes.

After he finished testifying, Buzhardt made another unexpected disclosure. He said he had been told that there is a "remote" possibility that the material originally recorded on the 18-minute segment that had been obliterated could in some way be "brought out."

During his testimony earlier, he had said that on November 14, when he discovered the full extent of the 18-minute "gap," he had asked a technical expert whether the obliterated section could be brought out. He went to Howard Rosenblum "of NSA" (the National Security Agency), a White House technical expert, and asked "if there was an erasure, was there a process" whereby the missing sound could be "brought out."

Ben-Veniste, who was pursuing a different point, did not ask whether Rosenblum had answered affirmatively. After the hearing, however, Buzhardt was asked how Rosenblum had answered.

"Very unlikely," he replied, as he tried to wend his way through the crowd of lawyers and reporters.

But was it possible? he was asked.

"It was remote," he answered.

It was also unclear whether the White House had tried to bring out the tapes, although Buzhardt, in his testimony, indicated that the White House might at least have made a tentative first step. Just after his remark about questioning Rosenblum, he noted that he had tried to "duplicate the sound" of the 18-minute gap — a buzzing noise — and this, possibly, was the first step recommended by Rosenblum.