

NYTimes JAN 17 1974
**SIRICA COURT TOLD
ERASURES ON TAPE
CAME AFTER OCT. 1**

**Disclosure Hints Cover-Up
on Watergate Could Have
Continued Into the Fall**

ROLE BY NIXON IS DENIED

**Judge Says He May Ask the
Prosecutor to Submit the
Matter to a Grand Jury**

By **LESLIE OELSNER**
Special to The New York Times

WASHINGTON, Jan. 16—The search for the person or persons who erased 18½ minutes of a key Watergate tape recording was narrowed today when the special Watergate prosecution established in court that the erasure must have been made between last Oct. 1 and mid-November.

This disclosure indicated that if the segment was deliberately erased, as suggested yesterday by the report of a court-appointed panel of technical experts, the Watergate cover-up continued into the fall.

The narrowing of the search for the responsibility for the erasure was based on testimony regarding the purchase of the tape recorder used to obliterate the segment and the first report of the existence of the gap.

A White House Denial

Meanwhile, the White House denied today that President Nixon had personally made the tape erasure, but otherwise refused to discuss yesterday's testimony by the technical experts. [Page 78.]

The panel's report touched off new moves toward additional investigation of the Watergate case by the special prosecutor and the Senate Watergate committee and provided increased impetus for the House inquiry into the question of impeaching the President.

The day's developments in the United States District Court, where Judge John J. Sirica is holding hearings into the circumstances surrounding the gap in the tape, added to the pressure.

New Step Studied

Judge Sirica said that he was

considering recommending that the prosecutor submit the whole matter to a grand jury.

Other testimony, moreover, provided more conflicts with the testimony last fall by Rose Mary Woods, the President's personal secretary.

The White House had originally tried to place the full responsibility for the gap on Miss Woods, saying that she had caused it by accidentally pressing the wrong button on a tape recorder while listening to the tape to type out a transcript.

Miss Woods, for her part, had testified that at most her "accident" could have caused only four or five minutes of the gap.

The tape recording in question, one of those subpoenaed last summer by the Watergate prosecution, covers the conversation that President Nixon had on June 20, 1972, with H. R. Haldeman, then his chief of staff.

The Watergate break-in at

Continued on Page 28, Column 1

Continued From Page 1, Col. 8

the Democratic national headquarters, had occurred just three days earlier. According to the prosecution, the tape of that meeting should have shown "the extent of the knowledge of the illegal activity by the participants, or any effort to conceal the truth" from the prosecution.

Notes by Haldeman

Mr. Haldeman's hand-written notes of the meeting, disclosed in an earlier stage of Judge Sirica's hearings, stated that was President Nixon's order for a "public relations" offensive to counteract the effect of the break-in. That portion of the conversation no longer appears on the tape.

The court-appointed panel of technical experts reported yesterday that the gap had been caused, not by one single accidental erasure, as the White House had contended, but by at least five separate actions of erasure and re-recording.

Each of these acts, the panel said, had been done manually on a Uher universal 5000 tape recorder—"almost surely" the Uher used by Miss Woods on Oct. 1, the day she said the accident had taken place.

According to testimony today, that Uher was not one of four that the White House had previously owned and made available through the secret service. The Uher in question was purchased mid-day on Oct. 1.

If the panel is correct, the prosecution, in looking for the person or persons who obliterated the 18½-minute segment, could narrow its search to trying to determine who had access to both the June 20 tape and the Uher machine between

Oct. 1 and the day that the White House first reported the gap to the court, Nov. 21.

Testimony by Agent

Previous to today's testimony, by Louis Sims, a Secret Service agent, it was unclear how far back the search would have to go.

As a practical matter the time period might be trimmed still further, to Nov. 14, the date that the White House says it first learned of the full extent of the gap.

There was testimony in earlier stages of Judge Sirica's hearing regarding access during that period, but it has been somewhat inconclusive. It is clear, for instance, that Miss Woods had the June 20 tape and others signed out to her for much of that time, and that Stephen B. Bull, the President's appointments secretary, who was assisting Miss Woods in her preparation of transcripts from the tapes, had access to them as well.

Earlier testimony also showed that Gen. John C. Bennett, deputy Presidential assistant, was officially responsible for the White House tapes during that period; that J. Fred Buzhardt Jr., a White House lawyer, had access to the tape during the period when he arranged for a copy of the tape to be made in mid-November and then when he delivered the tape to Judge Sirica later.

But it was unclear whether any of these persons had given anybody else a chance to see the tape; it was also unclear just who had had access to the Uher.

So today, before a courtroom packed with reporters, court buffs and dozens of high school students who were visiting as part of a civic affairs program, the Watergate prosecution pressed for more information.

Bull Questioned on Tapes

The assistant special prosecutor, Richard Ben-Veniste, called Mr. Bull to the stand and elicited from him the testimony that, as Miss Woods had previously said, he and she had taken a number of these tapes to Key Biscayne, Fla., the weekend of Oct. 4—a group of tapes, according to previous testimony, that included the June 20 tape.

Mr. Bull, wearing a red-white-and-blue shirt and an American flag in his lapel, testified that they had also taken

the Uher recorder with them. He said that the tape was kept in a safe in Miss Woods's villa at a hotel in Key Biscayne, guarded by the Secret Service, when she was not using it.

But Mr. Bull, whose answer often was "I don't recall," said that he did not know if anyone had visited Miss Woods in her villa that weekend.

He also said that he did not remember the names of the Secret Service guards, although, he added, he "knew" the men.

Mr. Ben-Veniste grew more and more impatient. At one point, Judge Sirica asked him to rephrase a question that, the judge said, was too "argumentative." Finally, as the court was about to recess for the afternoon, he asked his question point blank: Who had access to the June 20 tape?

"Who had access to the June 20 tape, to my knowledge?"

the witness replied, after an objection to the question was disposed of. "All right, Gen. John Bennett. Miss Woods, I did. Beyond that, I would be guessing."

Who had he "heard" that had access? the prosecutor went on.

James St. Clair, the White House counsel, objected to the question as a request for "hearsay." Judge Sirica said he would allow it.

Mr. Bull went on with his answer and said, "Mr. Buzhardt delivered the tape to the court, did he not?"

He did, the prosecutor replied.

"So add him on your list," Mr. Bull said. And then, he added, the President himself had had access to the tape on Sept. 29, the day Miss Woods began listening to it,

and Mr. Nixon stopped in to see her and, according to her earlier testimony, pressed various buttons on the recorder that Miss Woods was using that day.



James D. St. Clair, left, White House counsel, and Stephen B. Bull, the President's appointments secretary, arriving to testify yesterday at United States District Court in Washington. Associated Press
