

A Tape Erasure Theory

When Rose Mary Woods, the President's personal secretary first appeared before Judge John Sirica in the White House tapes inquiry on Nov. 8, she coolly and convincingly said she was careful, "used my head" and never deliberately or accidentally erased a tape. Eighteen days later, after public disclosure that 18½ minutes of the June 20 tape had been obliterated, Miss Woods returned to testify. This time she confessed to a terrible mistake, the accidental erasure on Oct. 1 of a portion—but not all—of the 18½-minute gap.

The questioning of Miss Woods and others logically focused on her failure to disclose this "accident," since it had apparently happened prior to that first day of testimony. Questions later were directed at her hard-to-believe story of answering the phone, pushing the record button instead of the stop button and keeping the foot pedal depressed. Both these lines of inquiry seemed based on the assumption that Miss Woods had been evasive in her first appearance and was now coming clean in more candid testimony.

After study of the transcripts, I would propose a different possible theory: Miss Woods was being candid in her initial testimony on Nov. 8. As of that date she had not erased anything and was unaware that any 18½-minute gap existed. Only after that first day in court, probably after Nov. 14 when it became certain the entire June 20 tape would have to be turned over to Judge Sirica, did she adopt or develop the "accident" story. But in so doing, Miss Woods had no intention of taking the blame for the entire 18½-minute gap.

The purpose of Miss Woods' new story, if this theory is correct, would have been to confuse Judge Sirica, the prosecutors and the public, and perhaps take the spotlight away from whomever did the actual erasing. Miss Woods' confession to producing a small portion of the 18½-minute gap gave just enough credibility to the claim that the whole erasure was just an accident.

Under this theory, Miss Woods' "accident" was an event designed around the two distinct buzz tones that came from playing the erased tape. Supporting the theory that her story was made up is the report of the court-appointed technical experts. They found the two tones were not caused by any particular operation of the tape recorder, such as pushing the stop button as Miss Woods said she did after four-and-a-half or five minutes (the tone lasted four and a half minutes). The tone change, the experts said, probably came from things an amateur

at tapes would not be aware of—"the noise on the power line, erratic functioning of the recorder and changes in the position of the operator's hand while running the recorder."

Taking the experts' report one step further, it would appear that Miss Woods' "accident," if it happened at all, had to have occurred before the erasure now on the tape took place—and thus was erased along with any other conversation.

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The technical report is not the only testimony casting doubt on the "accident." There are the inconsistencies about when and where Miss Woods—very upset by what she had done—informed the President after it happened. As she described it, the "accident" occurred between "one and two or one-thirty to two" the afternoon of Oct. 1. After realizing what she had done, she waited about five minutes because the President was with someone. She said a light on her desk showed when he was alone. "I went into his office around 2:15 p.m.," Miss Woods said, into the Oval Office that connects directly with hers through a hallway.

The President's daily logs do show that Miss Woods met with him that afternoon from 2:08 to 2:15. But the same logs punch two holes in her story. The logs show that when Miss Woods walked in, the President's personal physician, Maj. Gen. Walter Tkach, was with him and remained there during the first two minutes Miss Woods was present. So Miss Woods' light could not have shown the President was alone before she entered. Secondly, though Miss Woods specifically recalled seeing Mr. Nixon in the Oval Office, the logs show that at 2:15 — in fact since 12:58 p.m. — he was in his Executive Office Building office, which is across a private street from the White House. Disturbed as she was, could Miss Woods have confused the two offices?

Miss Woods was not the only one whose testimony casts doubt over when and where the "accident" was first reported. When he appeared before Judge Sirica, the confident, unflappable Alexander Haig added to the confusion. At first, under friendly questioning from White House attorney Leonard Garment, Haig recalled he learned of Miss Woods' "accident" from the President "around midday" on Oct. 1. Shortly thereafter he put it

at "mid-afternoon." During cross examination by the special prosecutor's attorney, Richard Ben-Veniste, Haig changed his story. Again the President's logs became key. They showed Haig did not meet with the President in the afternoon of Oct. 1 until 2:45—some 30 minutes after Miss Woods supposedly reported on the erasure. But, testified Haig, "I don't believe it (the President's telling him the bad news) was then. It could have been, but I think that is later than my recollection would suggest. It could have been earlier in the day where I met (the President) from 8:50 a.m. to 9:16 a.m." Haig's memory was jogged further by the logs which showed that at 3:05 p.m., he and Mr. Nixon went for a one-hour and thirty-five minute ride around Washington. Said Haig, "I know he didn't tell me about (the "accident") on the ride. I would assume that it probably occurred during the morning—that morning."

The other tape recorder that the technical experts found "probably" caused the erasure was purchased about midday Oct. 1 and not delivered to Miss Woods until after 1 p.m. Thus the "accident" as described by Miss Woods could not have happened in the morning as finally recollected by Haig.

There is one other portion of Miss Woods' testimony which, though less dramatic, is more compelling in support of the theory that no "accident" as described occurred on Oct. 1. Miss Woods' erasure story—and her failure to disclose it to the court in her first appearance—rests on the fact she believed the grand jury subpoena only called for the June 20 conversation between the President and John Ehrlichman and not the conversation that followed between the President and his chief of staff, H. R. Haldeman. During her second court appearance, Miss Woods said she had been directed by Haig on Sept. 29 not to type the Haldeman conversation. On Oct. 1, after her "accident," she said she had been reassured by the President that the Haldeman "portion of the tape had not been subpoenaed."

If both those events had happened as Miss Woods described them in court Nov. 26, why during her first time in the witness chair, 18 days earlier, did Miss Woods volunteer that it had taken her some 29 hours to type the "gist" of "two or two-and-a-half hours" of conversation "between the President and Ehrlichman, chiefly, and Haldeman, briefly"? Why, when the subpoena language of the June 20 tape was read to her that day in court, including Haldeman's name, did she not point out his conversation—she had been told—was not included? Why, instead, did she respond, "I believe that is exactly what I testified"? Why, in two other occasions during that first court appearance, did she place Haldeman along with the President and Ehrlichman in the meeting she had transcribed?



Rose Mary Woods demonstrates how she thinks she erased a portion of a presidential tape.

The single answer, I believe, is that on Nov. 8 she did not know of any erasures, nor did she know that someone was later going to try to hold back the Haldeman portion of the tape because of the erasure on some theory that the subpoena didn't require it. The fact that Miss Woods later had to contradict much of what she first said in court Nov. 8 suggests she was not in on the original tape cover-up. Since the final erasure had to be accomplished prior to Nov. 12—when the Uher record button was locked—it is doubtful she participated in the event itself, unless it was done between Nov. 8 and 12.

Since it is more likely the deed was done earlier—probably prior to Oct. 19, in preparation for the proposed tape review by Sen. John Stennis—Miss Woods, under this theory at least, could be removed from the list of suspects doing the actual erasing. That would leave the President and his assistant, Steve Bull, with access to the tape and the recorder, though either one could have handed them off to a third party. In any event, with the circle of suspects drawn that small, Mr. Nixon must know—or could easily find out—who did it. Meanwhile, as the grand jury starts its inquiry, one question it should ask Miss Woods is, "Who suggested that you change your Nov. 8 testimony?"