

TV Bid for Tapes Denied---For Now

Washington

A federal judge yesterday denied, at least temporarily, requests by the major networks to obtain for public broadcast copies of White

House tapes played at the Watergate coverup trial.

In a brief order, U.S. District Judge Gerhard A. Gesell said the networks had failed to make any proposals

to insure against the tapes' being put to "undignified use."

But he left the door open for broadcasters to come up with a new plan, and turned the whole problem over to U.S. District Judge John J. Sirica, who handled the trial.

Gesell's action was a setback for the networks, which had been counting on imminent release of the Watergate tapes, and a major victory for former President Nixon, who has been fighting to block their broadcast on radio and television.

Acting at the request of CBS, NBC, ABC and others, Gesell ruled December 5 that the tapes introduced as evidence at the coverup trial could be made available for broadcast once the trial was over. He at the same time invited suggestions on how it should be handled.

His order yesterday rejected all the suggestions he received.

"The burden is upon the applicants to come forward with a satisfactory plan to be administered without profit by some responsible agency or persons other than the clerk of court," he said. "It is a prerequisite to any plan that commercialization of the tapes for any undignified use of the material be minimized. Applicants have failed even to consider these matters.

"Moreover, they suggest no responsible agency or person to administer the plan and merely undertake to place all of these problems back on the court, which is not equipped with necessary funds, technology or manpower."

All pending applications for copies of the tapes were denied "without prejudice" — meaning the applications may be refiled — and the whole matter was turned back to Sirica "for any further action that may be appropriate . . . at some later date."

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