

## WATERGATE TAPES DENIED NETWORKS

Judge Prevents Broadcast,  
at Least Temporarily

WASHINGTON, Jan. 8 (UPI)

—A Federal judge denied today at least temporarily, requests by the major networks to broadcast copies of White House tapes played at the Watergate cover-up trial.

In a brief order, Judge Gerhard A. Gesell of Federal District Court said the networks had failed to make any proposals to insure that the tapes would not be put to "undignified use."

But he left the way open for broadcasters to propose a new plan, and turned the problem over to Federal District Judge John J. Sirica, who presided at the trial.

Judge Gesell's action was a setback for the networks and a victory for Former President Richard M. Nixon, who has tried to block the broadcast of the tapes.

### Suggestions on Release

On Dec. 5, at the request of CBS, NBC, ABC and others, Judge Gesell ruled that the tapes introduced at the trial could be made available for broadcast once the trial was over, but he asked for suggestions on how the release should be handled.

His order today rejected all the suggestions he had 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," his order said.

"Moreover, they suggest no responsible agency or person to administer the plan and merely undertake to place all of these 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. Judge Gesell said he had Judge Sirica's approval for turning the matter back to them.

The tapes case thus came full circle. The original application was made to Judge Sirica, who sent it to the chief judge of United States District Court for the District of Columbia, Judge George L. Hart. Judge Hart in turn sent the matter to Judge Gesell.

In his ruling last month, believed to be unprecedented, Judge Gesell agreed with the networks that they had as much right to broadcast the tapes as newspapers had to print transcripts of them. Judicial tradition previously has barred broadcast of any court proceedings.

### Four Aides Convicted

Some 31 tapes were played at the cover-up trial, which resulted in the conviction of four former Nixon aides, John N. Mitchell, H. R. Haldeman, John D. Ehrlichman and Robert C. Mardian. All but two of the tapes were of White House conversations that included Mr. Nixon.

The former President's lawyers argued against permitting broadcast of the tapes, contending that release would lead to the everlasting embarrassment of Mr. Nixon and others whose voices were recorded.

At least one record company was planning to offer the tapes for sale, and the networks were believed to be preparing special programs featuring the tapes.