

Judge Bars Tape Comment

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U.S. District Court Judge John J. Sirica told White House lawyers and Watergate prosecutors yesterday to stop "continued public comment" about President Nixon's subpoenaed Watergate tapes.

The judge said that it could only hinder the federal grand jury investigation now under way to determine whether any of the recordings had been tampered with.

Sirica summoned the attorneys to his chambers after The Washington Post reported Sunday that two of the tapes were suspected of being re-recordings.

The White House reacted strongly to the story.

Mr. Nixon's chief of staff, Alexander M. Haig Jr., said the White House was going "to take it to the mat" and perhaps even "go on national television about it."

Mr. Nixon's chief Watergate counsel, James D. St. Clair, followed up the next day with a public statement denouncing the "insinuation" in The Post's story that some tapes had been altered.

Alarmed by the growing debate, Sirica met for more than an hour yesterday morning with St. Clair, Watergate Special Prosecutor Leon Jaworski and Charles S. Rhyne, the at-

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torney for Mr. Nixon's personal secretary, Rose Mary Woods.

All of them, the judge said in a short statement issued after the session, agreed "that continued public comment on the grand jury's work by those who have any association with the investigation is inappropriate.

"The interests of justice require that the grand jury be allowed to speedily complete its work without risk of external interference," Sirica added. "Once the grand jury is through, there will be time enough and opportunity for thorough public analysis."

The judge later called the 23 grand jurors investigating the condition of Mr. Nixon's tapes into his courtroom in what Sirica called "another precautionary step to prevent the disclosure of matters which ought, for the time being at least, to remain confidential."

He specifically told the grand jury "to disregard the news coverage which precipitated this meeting." In an apparent reference to remarks from the White House, Sirica also told the jurors to ignore "all statements unless properly submitted to you."

St. Clair had said that one member of the court-appointed panel of experts assigned to check the tapes for any signs of tampering had expressed the opinion weeks ago that two of them could be recordings rather than the originals they have been represented to be in court.

However, he said that a "technical investigation" by the White House indicated that this was not the case.

St. Clair brushed aside newsmen's questions yesterday about who the White House experts were by citing Sirica's call for strict silence.

A spokesman for Sirica also declined to name the White House's new technical consultants. He said the grand jury has been told who they are and may call on them later.

The six experts on the panel named by Sirica last November were jointly selected by the White House and Watergate prosecutors, but the White House apparently grew disenchanted with them when they reported last month that the 18½-minute gap on one of Mr. Nixon's tapes was the result of five separate erasures, all done manually. They said none of the erasures could have been caused by the foot-pedal Miss Woods said she used.

Miss Woods' attorney, Rhyne, has since denounced the experts and pointed to a report volunteered to him by a Virginia firm, Dektor Counterintelligence & Security, Inc. It suggested that a faulty part in Miss Woods' recording machine could have erased the tape itself by sputtering on and off without her noticing it.

At the same time, Dektor's president, Allan D. Bell Jr., has told reporters this theory still leaves unanswered the problem of how 18½ minutes could have been erased.

Miss Woods has said she might have accidentally caused a short gap in the tape, but she has stated repeatedly that she noticed and corrected her mistake immediately after a five-minute phone call.

In his latest statement, White House special counsel St. Clair seemed to be endorsing the Dektor report. Speak-

ing of the 18½-minute gap, he said that "our technical investigation" has determined that the erasures found by the court-appointed panel "could well have been, and probably were, caused by the admittedly defective recording machine."

However, Sirica's law clerk, Todd Cristofferson, told reporters that the White House has had no direct contact with the Dektor firm and had not enlisted it for expert advice.

The court-appointed experts are expected to resume their work on other subpoenaed tapes shortly.

They have been assigned to check all the recordings for any signs of tampering while the grand jury pursues its inquiry, as Sirica has put it, "into the possibility of unlawful destruction of evidence and related offenses."

Meanwhile, Haig has said he would ask for a Justice Department investigation into sources of The Post's story. It relied on "informed sources at the White House and close to the prosecution."

A Justice Department spokesman said yesterday afternoon that Haig had notified Attorney General William B. Saxbe that an official request would be forthcoming, but the spokesman said it had not arrived yet.