

NIXON AIDE HINTS SOME OF 42 TAPES MAY NOT EXIST

But Ziegler Says Much of
Material Sought by House
Inquiry Was Recorded

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By JOHN HERBERS

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WASHINGTON, March 27 —

A White House official left open today the possibility that some of the 42 tape recordings sought by the House Judiciary Committee might not exist.

Ronald L. Ziegler, President Nixon's press secretary, was asked whether all the recordings requested by the committee were intact in the White House. He said that "it would depend on where the conversations took place"—whether tape recording equipment had been in place and working when the President talked to his aides.

Jury's Evidence Studied

The figure 42 for the number of tape recordings sought by the committee was specified by the White House itself on March 11 when, in an effort to picture the committee request as irresponsible, it released portions of a letter from John M. Doar, special counsel to the committee.

Mr. Doar had specified areas of White House conversations on which the committee wanted tape recordings, and the White House said that 42 tapes would be required to cover those areas.

Meanwhile, the two senior members of the Judiciary Committee made their first examination today of evidence concerning the President that was turned over to the panel by a Watergate grand jury yesterday. [Details on Page 24.]

Mr. Ziegler said it was his understanding that "a good deal" of the conversations sought by the committee had been tape-recorded but he added, "I don't know how much." He said that he was not fully informed on the subject, wanted to talk to James D. St. Clair, the President's chief attorney for Watergate matters, and would provide further information later in a statement.

Statement Is Issued

However, when the written

statement was issued this afternoon, it said, "I am not prepared to discuss any aspect of this matter further at this time."

Mr. Ziegler thus left standing his implication that the White House did not possess all recordings of conversations that the committee has requested in its impeachment inquiry.

The subject arose at the daily White House news briefing when reporters asked whether anyone in the White House had

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checked to see if there were recordings of all the conversations in question and whether any of the tapes had been tampered with.

"There has been no tampering with the tapes," Mr. Ziegler said, but he was vague as to what steps had been taken to see how much of the material was on hand.

The questions arose from the fact that White House material turned over to the Watergate grand jury included one tape with an 18½-minute buzzing sound where the jury hoped to hear a recording of a conversation about Watergate matters between Mr. Nixon and H.R. Halderman, a former White House chief of staff, held June 20, 1972, three days after the Watergate burglary. Technical experts testified that the gap had been caused by at least five manual erasures.

White House lawyers also disclosed in the court proceedings that two of nine disputed White House conversations had never been recorded, even though the lawyers had promised that recordings of all nine would be produced.

The White House said that a conversation between the President and former Attorney General John N. Mitchell on the evening of June 20, 1972, was not recorded because Mr. Nixon had spoken from a private telephone in his living quarters, that had not been

connected to a tape recorder.

The other conversation, between Mr. Nixon and his former counsel, John W. Dean 3d, on April 15, 1973, was not recorded, the White House said, because the tape ran out on the recorder in the President's office in the Executive Office Building.

The 42 recordings sought by the Judiciary Committee are currently the subject of controversy between Mr. Nixon and the committee. The President has charged that the committee in seeking the tapes and other documents, is on a "fishing expedition" for material that would bolster its case for impeachment. So far, he has refused to release any of the materials sought.

The conversations that Mr. Doar described as pertinent to the committee's inquiry involved the President and a number of his aides and took place

from February to April, 1973. Some were said to relate directly to the Watergate case.

After the briefing today and Mr. Ziegler's subsequent conversation with Mr. St. Clair, the following statement was released.

"Our position on this matter has been referred to by the President and in other White House statements. In short, no decision has been made by the President with respect to this request, pending the committee assessment of the extensive material now before it, and more specific and detailed references to the need for any additional material.

"The counsel's office, as we have pointed out, is having ongoing private conversation with members of the Judiciary Committee. I am not prepared to discuss any aspect of this matter further at this time."

Mr. Ziegler was also asked in the briefing to explain what security measures had been taken to see that tapes and other documents involved in the Watergate controversy were not tampered with. Who was responsible for the 18½-minute gap in the June 20, 1972, tape has never been disclosed and the White House has been vague about who is in charge of the tapes and how they are stored.

In his answers today, Mr. Ziegler said that "sometime back" security measures surrounding the tapes were strengthened, but he did not elaborate.