

Warren: Some Tapes Don't Exist

Associated Press

White House spokesman Gerald L. Warren said yesterday that it was a matter of court record that some tapes of conversations sought by the House Judiciary Committee do not exist because a recorder ran out of tape.

Asked about a published report that tapes do not exist of some of the 42 conversations sought by the committee investigating whether to recommend impeachment of President Nixon, Warren said the White House had made no public announcement of the fact since court records already indicated that a tape ran out on April 15, 1973.

Warren did not make any estimate of how many conversations might not have been taped, and another analysis of the court documents indicated that perhaps five conversations were not taped.

Meantime, the Senate Watergate committee's long-run quest for five White House tape recordings surfaced again, even as President Nixon prepared to answer a subpoena from the Watergate special prosecutor.

No one at the White House would say whether the President will comply by Friday's deadline, with the subpoena from Special Prosecutor Leon Jaworski asking additional documents and possibly tapes.

Jaworski's office would not comment on whether the issue will be carried to court should the White House refuse to comply.

The subpoena required an answer by March 25 but Jaworski extended the deadline to Friday at the request of White House counsel James D. St. Clair. The men and their staffs have been negotiating all week.