

WXP Post MAY 8 1974
More Gaps Reported on Nixon Tapes

By Bob Woodward
and Carl Bernstein

Washington Post Staff Writers

The White House tape recordings from which the edited transcripts of President Nixon's Watergate conversations were prepared contain numerous periods of unexplained silence lasting as long as several minutes each, according to informed sources.

Because the White House tapes were recorded by a voice-activated system, the tape should have stopped automatically within several seconds whenever no sound was being recorded, thus eliminating the possibility of long silences or gaps in the replayed conversations.

Information from persons in the White House involved in preparing the edited transcripts suggests that the cause of newly discovered silences—in which no conversation or other sound while the tape is running—is not known.

"In dozens of instances," in the words of one source, the silences occur inexplicably in the midst of conversations. Yet the transcripts prepared by the White House for the House Judiciary Committee contain no hint of such gaps in conversation.

The existence of the unexplained silences could lend weight to arguments by the House Judiciary Committee and the special Watergate prosecutor's office that only the tapes themselves—and not edited transcripts—can represent acceptable evidence.

Asked about the sources' report of silences on the tapes, a ranking presidential aide confirmed their existence, but said there was nothing sinister or intentional about the gaps.

On some occasions, this official said, the peculiarities of the taping system caused it to keep running when the President would leave his office in the old Executive Office Building.

Other silences, he said, might be explained by normal lapses in conversation or situations in which the President was reading or writing—though the official did not explain how such action would activate the recording device. Sometimes, he said, the

See WATERGATE, A16, Col. 1

WATERGATE, From A1

varying sensitivity of the activating mechanism caused the tape to record the tick of a clock, the squeak of a chair, a bump on a table, the scratching of a pen, a siren or car noise in the background.

Other White House sources said, however, that the silence in question seem absolute and contain no such intruding background noises.

According to sources familiar with the tapes, the newly-discovered silences are different from the celebrated

18½-minute "gap" or erasure on one of the tapes originally subpoenaed by the Watergate prosecutors. Whereas the 18½-minute gap is marked by a buzzing tone, the new gaps of silence contain no audible sound, the sources said.

Last weekend, a panel of technical experts submitted a report to U.S. District Court Judge John J. Sirica that virtually ruled out the possibility that the 18½-minute gap could have been the result of an accident. According to informed sources, the experts' report reaffirmed the panel's preliminary finding that the gap was caused by five to nine separate manual erasures of that tape.

The same sources reported that the panel now is studying at least two additional tapes to determine if they are original recordings, as required in the special Watergate prosecutor's subpoena. The experts reportedly have found some preliminary technical signs that two or more of those tapes—turned over to the Watergate prosecutors last November—are duplicates. Sources familiar with this inquiry have said it may be impossible to determine definitively whether or not the tapes are originals.

Although the transcripts submitted by the White House to the House Judiciary Committee contain no references to silences in the tapes, they do suggest the existence of unexplained deletions from the recorded conversations.

One example, which occurs more than a dozen times at various points in the transcripts, shows the conversation going from the President to the President with no intervening conversation.

In addition, there are many instances in which discussions are dominated by the oft-repeated notations "(inaudible)" and "(unintelligible)," thus leaving many portions of conversation incomprehensible.

According to House Judiciary impeachment counsel John Doar, the Committee's audio equipment is sufficiently sophisticated to decipher some of the passages labeled as "unintelligible" in the transcripts on the limited number of tapes already in the House Committee's possession.

There are other unexplained inconsistencies in the transcripts. For example, an April 16, 1973, a meeting that lasted 14 minutes, according to White House logs, covers 11 pages in the edited transcripts. Another meeting that

same day that lasted 28 minutes according to the White House log—twice as long as the earlier meeting—fills only nine pages in the edited transcripts.

There is no indication in the transcripts of either meeting that portions were removed because the conversation did not relate to Watergate, as was done in transcripts of several other conversations.

An apparent discrepancy involving time occurs in the transcript of a conversation on March 22, 1973, the day after White House Counsel John W. Dean III disclosed to the President that convicted Watergate conspirator E. Howard Hunt Jr. was "blackmailing" the White House.

According to the White House transcript, the March 22 meeting in question began at 1:57 p.m. and ended at 3:43 p.m. However, the following exchange at the close of the transcript is inconsistent with that time frame:

The President: "Yeah, then its done. Yeah, I understand. Bob—what time is my take-off schedule for Florida? Are you ready?"

H. R. (Bob) Haldeman: "Yes, Sir."

The President: "Well, we won't rush."

John Ehrlichman: "It is 3:16—how about 15 or 20 minutes from now?"

At that point the transcript ends.

Similarly, some casual comments about the time of day by President Nixon and Haldeman during another conversation—on April 14, 1973—suggest the possibility that the transcript may have been excised—though no notation of a deletion is included.

On that morning, according to the transcript, the President, Haldeman and Ehrlichman met in Mr. Nixon's Executive Office Building hideaway from 8:55 a.m. to 11:31 a.m. Among the topics of discussion were ways of encouraging John Mitchell to accept responsibility for the Watergate cover-up.

At one point in the meeting, the President apparently picked up the telephone to talk with his appointments secretary, Steve Bull: "Put that thing with Haig, what time you got now? Quarter after? I'll be there at EOB," the President states.

Then, eight pages later in the transcript, Haldeman states: "It is 11 o'clock."

If the President was referring to the actual time of day (rather than the time of some future appointment) it would

appear that 45 minutes elapsed between the two remarks. However, it takes less than 10 minutes to read the intervening eight pages of dialogue aloud at a conversational rate, thus suggesting another possible instance of deletion in the transcripts.

By submitting edited transcripts to the committee last week, President Nixon failed to comply with Judiciary's subpoena requiring, among other things, all available original tape recordings of the conversations in question. Several recordings already in the committee's possession—and submitted again last week in transcript form by the White House—were received earlier this year from the special prosecutor's office.

One White House source said yesterday that the transcribing and editing of the conversations was such a large task, done in a short time that "it had to be a sloppy job . . . just the simple typing mistakes could change meanings."

Sources said that White House lawyers tried to verify each transcript by listening to the tapes themselves, but the process was hurried and inevitably led to confusion and insufficient double-checking.

The raw, unedited transcripts were typed by a team of four trusted secretaries in the White House, but the sources said the typists were overworked and often not familiar with the names or legal terms used by the President and his aides.

White House Press Secretary Ronald L. Ziegler said yesterday that he was unaware of any periods of silence in the tapes. "With this system, however, anything could happen," Ziegler said, referring to a purported lack of sophistication in the presidential recording system.

Ziegler said that he knew of no concern in the special prosecutor's office or the House Judiciary Committee about such silences.

The White House sources said that the silences are definitely known to appear in tapes that are not among the 19 that have been turned over to special prosecutor's office and subsequently were forwarded to the House committee. It could not be learned if such silent gaps also occur in the 19 already surrendered.