

## Sirica Wary on Tape Airing

### Washington

U.S. District Court Judge John J. Sirica said yesterday the fair trial rights of the four Watergate coverup conspirators might be jeopardized by public broadcasting of the White House tapes.

Sirica said if an appeals court should order a new trial for the convicted conspirators, choosing an impartial jury would be difficult if the major television and radio networks had been

permitted to air tapes played during the three-month trial.

ABC, CBS, NBC, the Public Broadcasting System and Warner Brothers recording company are asking for rights to reproduce the more than 30 coverup tapes.

During the trial, U.S. District Judge Gerhard A. Gesell ruled there are no constitutional reasons for preventing the tapes from being aired.

But Gesell later expressed

reservations about the mechanics of having them reproduced. He turned the issue over to Sirica, who tried the cases against John N. Mitchell, John D. Ehrlichman, H. R. Haldeman and Robert C. Mardian.

During the trial, transcripts of the tapes were published in newspapers and magazines.

Although giving no indication at a hearing in his courtroom how he would rule, Sirica said he feels

there is a distinction between making transcripts public and actually airing conversations from the White House Oval Office when Richard Nixon was President.

Sirica asked attorneys in the case to provide legal answers in a week to his concern about when the tapes could be broadcast without affecting the appeals in the coverup case.

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