

Tapes Have Puzzling Gaps

Parts 'Inaudible'

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Portions of the seven White House tapes that President Nixon has agreed to turn over to the U.S. District Court here are "inaudible" and thus will probably fail to definitively answer questions about Mr. Nixon's role in the Watergate affair, according to White House sources.

The sources said the tapes may be of questionable evidentiary value in court because of defects variously described as "gaps in conversation," "unevenness," "excessive background noise," "periods of silence," and "cut-ins and cut-outs during conversation."

According to White House sources questioned over the past three days, there is serious concern among the President's aides and advisers that the latest problems regarding the tapes will further strain the credibility of the White House.

"This town is in such a state that everybody will say 'They've doctored the tapes,'" said one high-ranking presidential adviser who made clear he rejected that notion. "The problem is that these tapes are like all other home-made tapes: Some you can hear very well, some you

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can't some are jumbled in parts, some are inaudible in parts—there is considerable unevenness."

Although the White House devices used to trip the tape-recording mechanism were voice-activated, another source said, the microphones used for recording apparently failed to pick up some conversation. Previously, White House officials had said the microphones were highly sensitive and capable of picking up even hushed conversation.

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Of five sources who confirmed that defects have been found in the tapes, one said the problems are "of a suspicious nature." According to this source, some conversation on some of the tapes appears to have been erased or obliterated by the injection — inadvertent or otherwise — of background noise.

The four other sources disputed that there is anything suspicious about the deficiencies and insisted the tapes are marred only by technical problems that can be satisfactorily explained in court.

An apparent reference to the problem of the quality of the tapes was made yesterday during a hearing before Judge John J. Sirica in

U.S. District Court when an aide to White House chief of staff Alexandria Haig spoke of "a gap" in one of the President's tapes.

The aide, John C. Bennett, testified that he had been told by the President's personal secretary, Rose Mary Woods, that she encountered "a gap in what she expected to be a recorded conversation" she was reviewing for Mr. Nixon.

A new attorney on the White House team of Watergate lawyers, Samuel J. Powers, later told reporters that "I don't know of any gap" and said the description by Bennett "could be a total misnomer as far as I'm concerned."

Most of the White House sources said they learned of the latest problems with the tapes only in the past week, although some persons—including President Nixon and former White House chief of staff H. R. Haldeman—listened to portions of some of the recordings as long ago as Sept. 29, 1972, and mid-April, 1973, respectively.

During his testimony before the Senate select Watergate committee, Haldeman said he had listened to two of the tapes that Mr. Nixon eventually agreed to turn over to Judge Sirica and the Watergate grand jury. Asked about the quality of the tapes he heard, Haldeman testified on July 30:

"It's good at times and not good at times. It's the kind of tape recording you have in a large room, which the Oval Office is; there is a lot of echo and bounce. It's difficult to follow the conversation completely, but it is not by any means impossible."

Neither President Nixon nor White House spokesmen have publicly raised the possibility of portions

of the tapes being inaudible.

In a July 23 letter in which he refused to turn over the tapes to the Senate committee, Mr. Nixon said that the "tapes would not finally settle the central issues before your committee," and added:

"Before their existence became publicly known, I personally listened to a number of them. The tapes are entirely consistent with what I know to be the truth and what I have stated to be the truth. However, as in any verbatim recording of informal conversations, they contain comments that persons with different perspectives and motivations would inevitably interpret in different ways. Furthermore, there are inseparably interspersed in them a great many very frank and very private comments on a wide range of issues and individuals, wholly extraneous to the committee's inquiry."

The existence of the White House recording system was publicly revealed on July 16 in testimony before the Watergate committee by Alexander P. Butterfield, a former aide to Haldeman who is now the administrator of the Federal Aviation Administration.

Butterfield testified that he had personally tested the system and then the following exchange took place:

Question: You tested the system . . . to see if the Oval Office or the EOB Office, that you could pick up sound even though it was hardly audible when a sound was made in the room?

Butterfield: Yes.

Question: What was the result of your test?

Butterfield: The result was that voices, conversations, were picked up very well, very clearly.

Question: Even if there was a whisper?

Butterfield: I can't tell you about a whisper. I just don't know. But it would appear that even low tones were picked up well.