

Sirica Orders Examination of Further Tapes

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Judge John J. Sirica has told technical experts to move ahead with tests of other subpoenaed White House tapes despite protests from President Nixon's lawyers.

In a memo made public yesterday, the U.S. District Court chief judge told the panel of experts that he would like to see them start new experiments on untested tapes for any signs of tampering at the same time that they compile backup data for their report on the 18½-minute gap in one subpoenaed recording.

The experts said the long gap was the result of at least five separate erasures, all done manually, and strongly indicated that the obliteration was deliberate. They said none of the erasures, which wiped out a June 20, 1972, discussion of the Watergate scandal, could have been caused by the foot pedal which President Nixon's secretary, Rose Mary Woods, said she used.

Stung by the findings, White House lawyers reportedly asked Sirica at a recent conference that the experts not be allowed to examine other subpoenaed tapes for signs of tampering until they could document their conclusions about the June 20 tape with detailed scientific data and worksheets.

The experts have promised a voluminous final report on those findings. At the same time, they have also been assigned to check out nine other subpoenaed reels of magnetic tape as well as dictabelt and a cassette recording of Mr. Nixon's recollections about two of the meetings at issue.

Watergate prosecutors disclosed at hearings before Judge Sirica last month that both the dictabelt and the cassette contain short but abrupt gaps of their own. In one of these recordings, the President's voice breaks off in mid-sentence while dictating remarks about a series of meetings with then White House counsel John W. Dean III on March 21, 1973.

In the other, Mr. Nixon can be heard talking about a phone

call he had just had with Attorney General John N. Mitchell on June 20, 1972, when the tape goes bank.

Judge Sirica told the experts to decide their own priorities on what assignment to tackle first.

But he emphasized, in light of the federal grand jury investigation now under way, that he would like to see them "work concurrently on completion of the (June 20 tape) report and new experiments if possible."

Sirica recommended the grand jury investigation Jan. 19 because of what he called "the possibility of unlawful destruction of evidence and related offenses." He made clear at the same time that he did not intend it to be confined to the 18½ minutes of erasures.

In other Watergate developments yesterday, Special Prosecutor Leon Jaworski and White House special counsel James D. St. Clair met privately over the latest dispute involving Mr. Nixon's tapes and files.

The President's lawyers reportedly refused earlier this week to give Jaworski any more evidence—in line with Mr. Nixon's contention in his State of the Union message that the special prosecutor has been handed all he needs to conclude his investigations.

Neither side had any comment on yesterday's session, which was held in Jaworski's office. Others attending were White House assistant special counsel John A. McCahill and Deputy Special Prosecutor Henry Ruth.

A spokesman for Jaworski said later that "the matter remains under discussion."

The White House is believed ready to give up some additional evidence that Jaworski wants, but in turn reportedly wants a guarantee that he will make no more requests. The prosecutor, on the other hand, apparently feels that he cannot give a flat promise to that effect.