

# New White House Report on Tapes

## Defective Machine Blamed

### Key Biscayne

The White House said yesterday that its own technical investigation has found that erase marks on an 18½-minute gap of a Watergate tape probably were caused by a defective recording machine.

James St. Clair, President Nixon's chief Watergate attorney, said the White House findings are being turned over to a court-appointed panel of experts which has suggested the erasures were deliberate.

St. Clair acknowledged that one member of the court-appointed panel "did express the opinion that two of the President's tapes could be re-recordings" — thus partially confirming weekend news accounts.

But St. Clair said he has concluded that the expert's opinion was unwarranted.

"Based on the views of one member of the panel of experts," St. Clair said, "a technical investigation has been made, with the result that the conditions found by this member are actually characteristic of the Sony recorder and do not indicate a rerecording was made."

St. Clair added: "I am absolutely confident that when all the facts are known the authenticity and integrity of the tapes turned over to the court will be clearly established."

St. Clair and another presidential lawyer, J. Fred Buzhardt were flown here by

government jet yesterday to confer with White House chief of staff Alexander M. Haig Jr.

Mr. Nixon was reportedly enraged when he learned of the Washington Post's story of the possibility of the re-recordings.

Haig had reacted sharply Saturday when the Post reported that two of the subpoenaed Watergate tapes "are suspected of being re-recorded versions of conversation rather than the orig-

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inal recording they have represented to be in court.

Haig said "there is no evidence that any of the tapes are duplicates or re-recordings," and St. Clair added in his Sunday statement that "this insinuation is utterly false."

"I cannot let another round of such inaccuracy and innuendo go unchallenged," St. Clair said.

Although St. Clair had earlier challenged a report by the panel that the gap was caused by at least five deliberate erasures, this was the first indication that another technical investigation had produced evidence to challenge the original findings.

St. Clair did not say who made the additional investigation and was not available to newsmen to amplify his remarks.

Later in his statement, he turned to the question of the 18½-minute gap in a June 20, 1972, tape of a conversation between Mr. Nixon and former staff chief H.R. Haldeman.

"Our technical investigation has determined that the erase marks identified by

the panel of experts in the gap could well have been,

and probably were, caused by the admittedly defective recording machine," St. Clair said.

St. Clair said that U.S. District Judge John J. Sirica had referred the tapes question to the Watergate grand jury, "noting the evidence was inconclusive." He added:

"Stories such as appeared in today's press based on unnamed sources can only impair the proper function of the grand jury process.

"I intend to discuss this matter promptly with the Department of Justice and request that an investigation be made to see if the newspaper violated legal constraints in referring to matters within the purview of the grand jury."

The new White House assertion that a defective recording machine probably was responsible for the erase marks came two days after press secretary Ronald L. Ziegler said there are no other gaps in the tapes similar to the 18½-minute one but "there are sounds . . . throughout it, over-rides and so forth . . ."

A White House spokesman said Ziegler, Haig and presidential counselor Bryce Harlow joined in yesterday's meeting with St. Clair and Buzhardt that resulted in the statement issued in St. Clair's name.

Mr. Nixon himself did not join in the meeting, the spokesman said, but was aware that the statement was being issued.

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