

# Nixon Aide Asks Probe of Tape Story

By Martin Weil

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The President's Watergate counsel said yesterday that he will ask for a Justice Department investigation to find the sources for a report in *The Washington Post* regarding a suspicion that White House tapes had been rerecorded.

In Sunday's editions, *The Post* reported that both the White House and the special prosecutor's office have been told that two of the originally subpoenaed Watergate tapes are suspected of being rerecorded versions of conversations rather than original recordings. The story was attributed to "informed sources at the White House and close to the prosecution."

In his statement issued in Key Biscayne, Fla., yesterday, the counsel, James D. St. Clair, said, "Many weeks ago one member of this panel (of court-appointed experts) did express the opinion that two of the President's tapes could be rerecordings."

However, St. Clair called "utterly false" what he said was an insinuation in *The Post* that tapes turned over to the court had been rerecorded or otherwise altered.

"The simple truth is," St. Clair added, "no report by the panel of court-appointed experts tentative or otherwise, has been filed with the court that suggests that two of these tapes are rerecordings."

In its Sunday story, *The Post* said that the panel has found preliminary technical indications that cast doubt on the authenticity of the two tapes.

It also said the experts plan to conduct further tests before making a final determination or issuing a report to the court.

After referring in his statement to the opinion expressed by a member of the panel that two of the President's tapes could be rerecordings, St. Clair denied that either "in any way involves the crucial conversations of March 13, 1973, or of March 21, 1973, between the President and Mr. (John) Dean (former presiden-

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tial counsel) in the Oval Office as was insinuated in today's press story."

In its Sunday story, *The Post* reported that the dates of the two tapes under suspicion could not be learned with certainty.

Reference to the two March dates came in a portion of the saying that investigators are story that reported sources as concentrating on a key discussion of the Watergate cover-up, which Dean maintained took place on March 13, 1973, but which apparently occurs in the March 21, 1973, tape.

St. Clair also said that after the member of the panel of experts expressed his opinion that the two tapes could be rerecordings, a technical investigation was carried out.

The result, he said, was "that the conditions found by this member are actually characteristic of the Sony recorder and do not indicate a rerecording was made. The results of our technical investigation are being made available to the panel of experts."

After learning of St. Clair's statement last night, Benjamin C. Bradlee, executive editor of *The Post*, said:

"Nothing in Mr. St. Clair's statement disputes any facts in *The Washington Post* story."

In his statement, St. Clair also said that the matter of the authenticity of presidential tapes is being studied by a federal grand jury.

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

"I intend to discuss this matter promptly with the Department of Justice and request

that an investigation be instituted as to the person or persons who may have violated legal constraints in referring to matters within the purview of the grand jury."

In addition, St. Clair's statement referred to the 18½-minute gap in a third subpoenaed White House tape, asserting that White House experts had made their own study of the gap, which the court-appointed panel of experts had concluded was caused by an erasure.

In comments similar to those made Saturday night by the White House chief of staff, Gen. Alexander M. Haig Jr., St. Clair said that the White House investigation has found that the marks "could well have been, and probably were, caused by the admittedly defective recording machine."

St. Clair said the findings of the White House experts would be turned over to the panel of court-appointed experts. The names of the White House experts were not disclosed.

In the statement made Saturday night in response to the same *Post* story, Haig said he had "called the lawyers to Key Biscayne . . . we will probably go on national television. This is a humdinger . . ."

Among those at a meeting yesterday at Key Biscayne were Haig, St. Clair, White House counsel J. Fred Buzhardt, press secretary Ron Ziegler and presidential counselor Bryce Harlow.

It was reported that President Nixon did not attend the meeting, which lasted more than two hours, but that he was made aware of the contents of St. Clair's statement before it was released.

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