

# White House

## Claim on Key Taper

Washington

The White House said yesterday that tape recordings of at least ten of the 42 presidential conversations sought by the House Judiciary Committee were never made.

Deputy Press Secretary Gerald L. Warren said it is a matter of court record that the conversations in question were never recorded. He would not say whether other conversations wanted by the House committee were also not recorded.

The conversations were between President Nixon and some of his aides last April 15 and, if reconstructed, could have a crucial bearing on the committee's impeachment investigation. They occurred when the President and his aides were in a flurry of excitement over the unfolding investigations of the coverup of the Watergate burglary.

In conversations Wednesday, White House Press Secretary Ronald L. Ziegler had left open the possibility that some of the requested tapes might not exist. But he was not specific and after conferring with White House lawyers refused to answer further questions on the situation.

Yesterday, Warren was asked about a story in the Baltimore Sun that at least ten of the 42 conversations were not recorded.

He said that it was a matter of court record but that he was under orders not to

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discuss other aspects of the committee's request.

In hearings before Judge John J. Sirica last year, the White House submitted an exhibit showing logs of presidential conversations. On April 15, Mr. Nixon had a number of conversations with his assistants in his office in the Executive Office building, but White House witnesses said that early in the afternoon the tape recorder ran out of tape and was not resupplied until the following morning.

It was this breakdown, the White House said, that made it impossible to supply to the Watergate grand jury a taped conversation between the President and the then White House counsel John W. Dean III.

Now, according to the White House, the committee has asked for recordings on other conversations that took place while the recorder was out of tape. These could be important because they occurred shortly after Richard G. Kleindienst, then attorney general, and Harry E. Petersen, assistant attorney general in charge of the Watergate investigation, informed the President that

several of his assistants were involved in the cover-up.

Meanwhile, John J. Rhodes of Arizona, the House Republican leader, suggested a compromise for settling the dispute between the committee, which has

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asked for tape recordings and other documents, and the President, who has refused to turn over the material and termed the committee request a "fishing" expedition.

Rhodes suggested that White House and committee lawyers jointly screen the materials in question and decide which are relevant to the committee's inquiry. In the event of a deadlock, he said, the committee's view would prevail.

Rhodes predicted that the White House would agree to such a mechanism and said he has a feeling that such an accommodation would be reached. However, there was no indication that such a proposal was under discussion.

New York Times