

SFChronicle

# Nixon's Call to Colson Not Taped, Lawyer Says

Washington

Defense lawyers for President Nixon said yesterday that one of 13 new White House conversations subpoenaed by the Watergate special prosecution force was never recorded, and that a second is of "poor audio quality."

Presidential special counsel James D. St. Clair said a half-hour telephone conversation on June 21, 1972, between Mr. Nixon and former aide Charles W. Colson was never taped because the President apparently placed the call from his second-floor White House bedroom.

The President's Oval Office and a suite in the Executive Office Building were rigged for automatic recording of telephone conversations, but the family quarters were not.

In an index and analysis of the 13 subpoenaed tape recordings submitted Monday to U.S. District Judge John J. Sirica Jr., St. Clair made no mention of the substance of the President's telephone conversation with Colson that apparently was not recorded.

However, St. Clair said "It would appear that" a tape of a 17-minute telephone talk between Mr. Nixon and Colson the preceding day, June 20, 1972, relates to the alleged Watergate coverup.

St. Clair said the tape is flawed by "poor audio quali-



JAMES D. ST. CLAIR  
He supplied index

ty," but he did not specify the nature of the flaws.

That call was recorded in the Executive Office Building beginning at 8:04 p.m., three days after the break-in at the Democratic National Committee headquarters.

The tapes were among 13 turned over to Sirica on Friday as a result of the U.S. Supreme Court decision against Mr. Nixon's claim of executive privilege.

Sirica has already listened to some of the tapes for any relevant evidence they might contain, and has said he expects the review to occupy him until the Water-

gate coverup trial begins September 9.

Of the 13 presidential conversations summarized in St. Clair's index, the White House is claiming executive privilege on all or parts of eight.

Taking into account the three transcribed conversations released by the White House Monday — in which the President is shown as directing the early Watergate coverup efforts — St. Clair's report to Sirica contains only two previously undisclosed tapes for which the President is making no claim of executive privilege.

Left unanswered by St. Clair's analysis yesterday is why a nine-minute, face-to-face conversation between the President and then chief of staff H. R. (Bob) Haldeman on June 23, 1972, covered only one page in the typed transcript released by the White House Monday.

In the conversation, Mr. Nixon discussed Haldeman's attempts to impede an FBI Watergate investigation.

The conversation ends in mid-sentence while the President is talking, and the only explanation in the White House transcript is the notation, "voice fade."

White House lawyers are scheduled to turn over tapes of 31 additional conversations today.

Washington Post