

White House Says Key Nixon-Colson

Conversation Occurred 3 Days After Break-In

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WASHINGTON, Aug. 6—The White House said today that a key telephone conversation between President Nixon and Charles W. Colson three days after the Watergate break-in was never recorded.

James D. St. Clair, Mr. Nixon's chief Watergate defense attorney, said in an "analysis" of 13 Presidential conversations field with Federal District Judge John J. Sirica today that it was his "belief" the June 20, 1972, call was made from the President's bedroom telephone, which was not connected to the White House tape-recording system.

The 13 conversations were among a total of 64 for which Leon Jaworski, the special prosecutor, has issued a subpoena to the White House. The Supreme Court last month rejected Mr. St. Clair's assertion that the subpoena was without legal force, and the President has thus far provided 32 tape-recorded conversations to Judge Sirica. He is scheduled

to turn over the remaining 31 tomorrow.

The telephone call to Mr. Colson, at the time a special counsel to the President, was placed at 11:33 P.M. on June 20, less than six hours after Mr. Nixon made a four-minute call to Mr. Mitchell, a tape of which had been subpoenaed by Archibald Cox, Mr. Jaworski's predecessor, had also not been recorded.

Gerald L. Warren, the deputy White House press secretary, said in October that the President, in calling Mr. Mitchell, had used a telephone in the west hall of the House that was not patched into the tape recorders that made up the system.

The monitoring setup, according to the testimony of Secret Service agents who installed it in February, 1971, and operated it until it was unhooked last summer, was connected only to telephones in three rooms — the President's Oval Office, his "hideaway" in the Executive Office Building, and the Lincoln Room, on the Second floor of the White House.

Other Calls Recorded

The President's calls to Mr. Mitchell and Mr. Colson are the only two made from the second-floor residential area that, the White House has maintained, were not preserved on tape.

A number of other Presidential telephone conversations that took place there in the spring of 1973, presumably from the Lincoln Room, were recorded, and some of them have been transcribed and released by the White House in edited form.

The analysis filed today by Mr. St. Clair contains the President's assertion that parts of the 12 recorded conversations are protected from disclosure by the doctrine of "executive privilege." It also says that the tape of another call placed from Mr. Nixon's office in the Executive Office Building to Mr. Colson earlier in the evening of June 20 "is of poor audio quality."

There appear to have been technical problems with the White House taping session in the week after June 17, 1972, when five burglars employed by agents of Mr. Nixon's re-election organization were arrested at the Democratic party's offices in the Watergate complex.

Inaudible Sections

Three transcripts of Oval Office conversations on June 23, 1972, all released yesterday by the White House, were officially described as prepared from tapes that contained extensive inaudible portions. One, of a nine-minute meeting, was only five paragraphs long.

At one point on June 23, according to a transcript, Mr. Nixon was informed by H. R. Haldeman, then his chief of staff, that Mr. Mitchell had "apparently" urged the bugging operation that had led to the Watergate break-in.

"We won't second-guess Mitchell and the rest," the President replied. "Thank God it wasn't Colson."

Mr. Haldeman, Mr. Mitchell and Mr. Colson were among those indicted in March on charges that they conspired to cover up responsibility for the Watergate bugging. Mr. Colson later pleaded guilty to another charge.

The White House tapes, central to the President's plummeting political fortunes, have been characterized by anomalies of one sort or another that have obscured what investigators believe were significant Watergate-related conversations.

A recording of an Oval Office meeting between Mr. Nixon and Mr. Haldeman on June 20, 1973, the same day the two reportedly unrecorded telephone calls took place, contains an 18½-minute buzz in the place where, according to Mr. Haldeman's notes, a discussion of the Watergate break-in occurred.

Tape Held Missing

In addition, a tape of a crucial meeting with Mr. Haldeman on April 15, 1973, just at the time the Watergate cover-up had begun to unravel, has been reported missing by the White House.

Mr. Nixon's lawyers have also reported that 19 minutes of a March 20, 1973, presidential conversation were never recorded, and last week Mr. St. Clair announced that 5 minutes 12 seconds of an April 17, 1973, Oval Office meeting was lost when one of the recorders in the White House basement ran out of tape.

An analysis of the President's "daily diary" for April 17 last year, however, shows that he spent less than six hours in meetings in the Oval Office that day by the time that MR. St. Clair said the tape ran out.

According to the Secret Service, the tapes used on the White House recorders provided some 6 hours 22 minutes of recording time. Time magazine reported this week that some of the April 17 tape had been cut off the reel, but Mr. Warren responded that the allegation was "just not true."

Phone Call on June, 1972, Was Not Recorded

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