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Senators Back, Attack Nixon's Tape Proposal

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Reaction to President Nixon's latest move in the Watergate tapes controversy ranged from relief that a constitutional crisis had been averted to outrage that a fresh crisis has been created.

Sen. Edward J. Gurney (R-Fla.), a member of the Senate Watergate committee, said the President, in his announcement Friday night, had achieved "an excellent compromise" that would give the committee the information it needs to clear up the "Watergate tape mystery."

But Sen. Walter F. Mondale (D-Minn.) said Mr. Nixon's proposal "is not a compromise. It is a brazen and arrogant attempt to evade the judicial process and the full consequences of the law."

Other Senate Democrats criticized the President's plan to produce only an edited summary of nine subpoenaed tape recordings but did not criticize the White House editing. Some Democrats expressed special concern that the job of Watergate Special Prosecutor Archibald Cox, who opposed the President's move, had been placed in jeopardy.

Secretary of Commerce Frederick B. Dent called the Nixon plan "a constructive effort to avoid a major constitutional crisis." He urged Americans "to join the bipartisan leadership of the Senate's Ervin committee in supporting the President's proposal."

Although the White House claimed the endorsement of Watergate committee Chairman Sam J. Ervin Jr. (D-N.C.) and Vice Chairman Howard H. Baker Jr. (R-Tenn.), Garney approved, one committee

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member denounced the arrangement and Ervin and others expressed reservations about it.

Ervin said at his home in Morganton, N.C., that he expects to receive partial verbatim transcripts—not summaries—of the tapes. Expressing an interpretation possibly at odds with President Nixon's, Ervin told the Associated Press, "I would never accept anybody's summary of anything."

Ervin committee member Lowell P. Weicker Jr. (R-Conn.) called it "a hollow deal" between, "an evasive President and an easily persuaded Congress," and member Daniel K. Inouye (D-Hawaii), noting that he had not been consulted by the committee leadership, said he was anxious to learn from Ervin what "special considerations" persuaded him to approve the deal.

"I thought it was rather strange that those two members decided for the committee," said Inouye.

Another committee member, Herman E. Talmadge (D-Ga.), said, "I have complete confidence in Senator Stennis' integrity and I am satisfied with the President's decision in this regard."

Approval also was expressed by Senate Judiciary Committee Chairman James O. Eastland (D-Miss.) but three other committee Democrats, Sens. Philip A. Hart (Mich.), Edward M. Kennedy (Mass.) and Birch Bayh (Ind.), were sharply critical.

The President's action "must be seen for what it is," they said, "an eleventh-hour effort, in the face of two strong adverse court decisions, to let the Watergate suspects off the hook."

The three senators called Mr. Nixon's instructions to Cox to abandon the court proceedings "an unjustified challenge to the independence and integrity of the special prosecutor" and agreed with Cox that the promises made when he was appointed last spring had been broken.

They recalled that Attorney General Elliott L. Richardson, at his confirmation hearings, had spelled out a guarantee of independence for Cox, giving him final authority on legal strategy to combat claims of executive privilege.

"We view with deep alarm the President's implicit threat to fire the special prosecutor if he persists in his so-far victorious effort to

obtain the tapes," they said, noting that Richardson had pledged that Cox would be fired only if he "went off the deep end and committed extraordinary improprieties."

The senators concluded, "This additional assault on the integrity of the judicial process is a blow the country should not be forced to undergo, and we urge the President to pull back from this new and dangerous constitutional brink."

Similar concern for the independence of the special prosecutor was voiced by Senate Majority leader Mike Mansfield (D-Mont.). Mansfield said he thought Cox had "a good case" in objecting to the President's orders.

"I would think that the American people would want his (Cox's) hand strengthened as much as possible," Mansfield added.

Other Democrats criticizing Mr. Nixon included Sen. Edmund S. Muskie (D-Maine), who called the action "an unacceptable refusal to obey the court order" and Sen. Adlai E. Stevenson III (D-Ill.), who said it showed "disdain for the orderly processes of the law."

Vice President-designate Gerald R. Ford praised the decision and predicted that it "will be acceptable to the American people."

John W. Gardner, chairman of Common Cause, called on the Attorney General to stand behind his special prosecutor. "To do otherwise would be to join in a frontal attack on this nation's system of laws," he said.

John W. Douglas, president-elect of the District of Columbia bar, condemned "unjustified tampering with the rules of law." He said it is "hard to believe that the Attorney General, the grand jury and the District Court are going to meekly stand by and let this happen."



Meeting at White House on tapes issue, Charles Alan Wright, Nixon counsel, left, Sen. Ervin, Watergate panel chairman, Mr. Nixon, and Sen. Baker, of Watergate panel.

White House Photo