

# Speed Tape Release, Jaworski Asks Court

7/26/73 By George Lardner Jr.  
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Special Prosecutor Leon Jaworski moved yesterday to get a court order directing President Nixon to surrender all the tape recordings subpoenaed for the Watergate cover-up trial within the next two weeks.

Jaworski asked U.S. District Court Judge John J. Sirica to approve a hurry-up timetable that would require the White House to produce the recordings in three batches—with the first due Tuesday.

In a swift followup to the unanimous Supreme Court decision Wednesday rejecting Mr. Nixon's blanket claims of executive privilege, the prosecutor proposed that the turnover begin with the tapes of 20 conversations that have already been partially disclosed in White House-edited transcripts.

With less than seven weeks left before the trial is scheduled to begin, Jaworski suggested strongly that there was little excuse for further delay.

Sirica, who spent the afternoon in his chambers studying the Supreme Court decision, scheduled a hearing for 10 a.m. today. It would have been held yesterday afternoon, but the President's chief defense lawyer, James D. St. Clair, had not yet returned from San Clemente, Calif.

Mr. Nixon announced

Wednesday night that he would "comply . . . in all respects" with the Supreme Court's decree, but St. Clair said that the "time-consuming process of reviewing the tapes" at the White House itself had yet to begin.

Jaworski protested yesterday that the President himself "and perhaps other White House personnel" apparently had already listened to the tapes of more than half of the 64 subpoenaed conversations.

In asking for delivery of the first 20 tapes for Sirica's review by Tuesday, the prosecutor said the White House should also be required to submit at the

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## TV Schedule For Hearings

Channels 4 and 26 are scheduled to telecast today's session of the House Judiciary Committee debate on the articles of impeachment, beginning at 10 a.m. Radio stations WMAL (630) and WTOP (1500) will broadcast the hearing. The evening session is to be telecast by Channels 4, 26 and 53 followed by delayed tapes on 26 and 53.

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same time an index and analysis setting out any particular segments that Mr. Nixon still considers privileged.

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The reels of tape containing 21 other conversations—including 13 that Mr. Nixon apparently reviewed in person after being told in May that the Watergate grand jury had named him

an unindicted co-conspirator—would have to be delivered next, along with another index.

Jaworski said these should be turned over to Sirica by Monday, Aug. 5.

The final batch of 23 conversations, the prosecutor said, should be in Sirica's hands within 10 court days—or by Friday, Aug. 9.

St. Clair has estimated in the past that it would take as much as two months for the White House to review and index all of the tapes. He has also suggested that some of the subpoenaed conversations may never have been recorded.

In his motion yesterday, however, Jaworski said pointedly that he had written twice to St. Clair in recent weeks, asking the White House to start its review immediately "in the interest of the due administration of justice and in order to obviate unnecessary pre-trial delay."

St. Clair spurned the requests on the grounds that there was no need to check the tapes before the Supreme Court handed down its decision.

Estimating that Mr. Nixon has listened to 33 of the taped conversations in question, Jaworski contended that there was "no valid reason" why all these should not be turned over immediately to Sirica.

The prosecutor also pointed out that Sirica may already have tapes of as many as eight of the 64 conversations in his safe at the U.S. courthouse here.

The conversations, Jaworski said, may be found on the six-hour reels of tape that were turned over to Sirica last year in connection with the Watergate grand jury's original subpoena for other conversations that they contained. Sirica maintained custody of the reels so that court-appointed experts could check out their authenticity—a project that has been suspended on budgetary grounds.

The most crucial tapes of the 64 conversations that have been subpoenaed could prove to be those that Mr. Nixon apparently reviewed last May 5 and 6. Although the President had said that Watergate prosecutors and the House impeachment in-

quiry already had "the full story" on Watergate, Mr. Nixon evidently had some second thoughts after the White House was privately told, on May 5, that the Watergate grand jury had named the President an unindicted co-conspirator in the cover-up case.

The President's appointments secretary, Stephen Bull, then checked out 16 new tapes from their White House safe for Mr. Nixon to review on May 5 and 6, according to Watergate prosecutors. Meanwhile, St. Clair informs Sirica May 6 that the White House was considering "possible compliance with Jaworski's subpoena."

On May 7, however, apparently after Mr. Nixon had reviewed the 16 selected tapes, St. Clair announced that the President had decided not to surrender any more recordings after all.

Watergate prosecutors originally reported that 12 of those 16 tapes were among the 64 they had subpoenaed for the cover-up trial. Yesterday they said that 13 of the 16 were actually covered. All 13 were listed in an appendix to Jaworski's motion.

They include:

- Two phone conversations between President Nixon and former White House special counsel Charles W. Colson on June 20, 1972, shortly after discovery of the Watergate break-in and bugging at Democratic National Committee headquarters.

- Three meetings between Mr. Nixon and former White House chief of staff H. R. (Bob) Haldeman on June 23, 1972, around the time that the White House allegedly enlisted the CIA in a specious effort to block the Watergate investigation.

- Two meetings between the President and Colson in mid-February, 1973, and four meetings on March 20-22, 1973, between Mr. Nixon and either Haldeman or former White House aide John D. Ehrlichman when the cover-up was beginning to unravel.

- Two phone conversations between the President and Haldeman on June 4, 1973, after Mr. Nixon had spent hours reviewing tapes of earlier talks with former White House counsel John

W. Dean III.

Once the White House produces the tapes, it is expected to take Sirica at least several weeks to review them and rule on their relevance for the Sept. 9 cover-up trial. The Supreme Court yesterday rejected the last-ditch efforts of several of the defendants to have the judge disqualified.