

White House Said to Bar Compromise Over Tapes

7/31/73 By R. W. APPLE Jr.

Special to The New York Times

WASHINGTON, July 30—The White House all but rejected today proposals for a compromise in the constitutional struggle over access to Presidential tape recordings dealing with the Watergate case.

Asked whether President Nixon was amenable to compromise, Gerald L. Warren, the deputy White House press secretary, said that "the President has made his position clear on this matter" and that there had been no change in that position.

Pressed to elaborate, Mr. Warren said repeatedly, "I have nothing further to add on this at the present time."

The President refused on Thursday to comply with subpoenas from the Senate Watergate committee and from the special prosecutor, Archibald Cox, directing him to turn over the tape recordings. Mr. Cox obtained a show-cause order from Chief Judge John J. Sirica of the United States District Court requiring Mr. Nixon to explain early next month why he should not be compelled to make the tapes available.

Prof. Charles Alan Wright, the White House legal consultant who will prepare and argue the President's case in court, said in an interview that he knew of no compromise between Mr. Nixon and the committee that would eliminate the necessity of litigation.

President's Decision

Any decision to compromise would be made by the President himself, Professor Wright declared, but he would expect to be consulted in an effort to avoid setting any "damaging precedent" that would affect the White House, Congress or prosecutors in the future.

Senator Sam J. Ervin Jr. of North Carolina, the Democratic chairman of the committee, and Senator Howard H. Baker Jr. of Tennessee, the Republican vice-chairman, said on a television broadcast yesterday that they would support an arrangement under which they and Mr. Cox could audit the tapes privately.

Mr. Cox suggested on Friday that he would be happy to see a compromise.

Then, this morning, the committee, which had been expected to file a lawsuit to gain access to the tapes, did not do so, suggesting to some observers that negotiations looking toward a compromise might be under way. It is not known when the lawsuit will be filed.

In another development, Philip A. Lacovara, counsel to Mr. Cox, said the hearing on Judge Sirica's order would not take place until mid-August. It had been thought that the proceeding would begin on Aug. 7, but Mr. Lacovara explained

that that was the date for the filing of Mr. Nixon's response.

After the President's papers have been filed, Mr. Lacovara said, Mr. Cox will file a replying brief and Judge Sirica will set a hearing date.

Senator Hugh Scott of Pennsylvania, the minority leader, said that he understood that Mr. Nixon "has not so far indicated an interest" in the compromise proposals. He also reported that Mr. Nixon planned to reply to the Senate testimony relating to his Watergate role within a week to 10 days after the completion of the first phase of the current hearings.

Senator Scott said that he would guess that Mr. Nixon would choose to speak "in some sort of public forum where an opportunity for interrogation exists." The President has not held a news conference since March 2.

The Ervin committee decided today to extend the hearings past the original cut-off date, which was this Friday. If, as expected, the hearings run through Aug. 10, Mr. Nixon's statement would come about Aug. 20, according to Senator Scott.

At that time, Mr. Nixon is tentatively scheduled to be in the midst of a month-long stay at the Western White House in San Clemente, Calif.