

Court Order Sought

Watergate Committee Blasts Tapes Restraint

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The Senate Watergate committee yesterday assailed President Nixon's new refusal to release his Watergate tapes and called for a court order demanding their production.

Committee lawyers maintained that the President's claims of executive privilege were still too vague and general to stand in the way of the Senate subpoena for five contested recordings.

Mr. Nixon wrote U.S. District Judge Gerhard Wednesday that he had decided it "would not be in the national interest" to surrender any of the tapes because of the Senate committee's plans to make them public and because of the "possible adverse effects" of this publicity on forthcoming criminal trials.

In a six-page response filed with Judge Gesell yesterday, the committee charged that the President's invocation of the public interest was "highly suspect and that his expressed fears of pretrial publicity were "both belated and unconvincing."

The President himself, the committee said, has already "publicly commented on the contents of certain of these conversations" and recently allowed Senate Minority Leader Hugh Scott (R-Pa.) to look at some "purported transcripts."

Scott has maintained, on the basis of what he was shown, that former White House counsel John W. Dean III should be charged with perjury for implicating Mr. Nixon in the Watergate coverup.

"We quarrel with this concept of the 'national interest,'" the committee told Judge Gesell. "(T)he people have a right to know if their government has been corrupted."

Turning to the dangers of pretrial publicity, the Senate lawyers said Mr. Nixon seems more worried about them than Watergate special prosecutor Leon Jaworski. In a separate statement requested by Gesell, Jaworski said Wednesday that release of the tapes to the Senate committee would "add

only marginally to previous publicity" about Watergate.

The Committee promised to use the tapes "judiciously" and contended that the volume of publicity about what is on the tapes would actually be reduced by revelation of their contents.

Mr. Nixon renewed his overall claims of privilege in response to a request by Judge Gesell for "a particularized statement" of just what portions of the five recordings he still feels cannot be released. All five tapes are of conversations between the President and John Dean. The Watergate committee argued that it is now entitled to a favorable judgment since "the President has failed to present the 'particularized statement'" Gesell had called for.