

Nixon Weighs Asking Sirica To Air Tapes

By David S. Broder
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President Nixon's attorneys may try to persuade U.S. District Court Chief Judge John J. Sirica to make public the substance of the seven White House Watergate tapes, rather than just passing them on to the grand jury, White House officials said last night.

That tactic—which the officials admitted involves serious legal problems—is apparently going to be Mr. Nixon's response to rising demands from his fellow-Republicans for complete disclosure of his role in the Watergate case.

The President flew back from Key Biscayne last night after scheduling and then canceling a meeting with his Watergate lawyers, J. Fred Buzhardt and Leonard Garment. Instead Mr. Nixon met with his top energy adviser, John Love, on steps to meet the energy crisis.

Buzhardt and Garment returned to Washington ahead of Mr. Nixon. They are scheduled to be in Judge Sirica's courtroom today for further arguments on the two missing White House tapes.

With Senate Minority Leader Hugh Scott (R-Pa.) and conservative Sen. Peter H. Dominick (R-Colo.) adding their influential voices to the demand that Mr. Nixon take steps to halt the erosion of public confidence in his leadership, the White House said Mr. Nixon had no plans for speeches, news conferences or appearances before congressional investigating committees.

White House deputy press secretary Gerald L. Warren implied that the Nixon response would come in court, and other White House sources said the preferred tactic was to ask Judge Sirica to make public the information on the tapes.

They acknowledged, however, that there were unresolved legal questions in such a procedure. Under the Court of Appeals ruling, Judge Sirica is permitted to hear the tapes in private

ly to the conversations recorded on the tapes.

White House officials said that making public the substance of the tapes now would answer public suspicions about the President more effectively than any testimony he might himself give to the Senate Watergate committee—the tactic that a number of Republican and Democratic senators have suggested in recent days.

The officials did not, however, rule out such an appearance if Sirica declines to adopt the White House proposal.

Meanwhile, White House domestic adviser Melvin R. Laird was busy on Capitol Hill trying to speed action on the confirmation of House minority Leader Gerald R. Ford (R-Mich.) for Vice President. Laird told reporters he had no success with House Democratic leaders and expressed concern that if the House recesses next Thursday, as planned, "it could be sometime in December—four or five weeks from now—before Jerry is confirmed."

Laird complained that the 25th amendment "never contemplated such a protracted delay in confirming the President's choice."

A spokesman for House Judiciary Committee Chairman Peter Rodino (D-N.J.) said Rodino plans to start hearings on the Ford nomination "next Tuesday or Wednesday." The spokesman said some members of the committee had asked Rodino if they could take a trip over the Thanksgiving holidays but Rodino said no.

The hearings could take longer in the House than the Senate, the spokesman said, since there are 38 members of the committee to ask questions, but he denied there was any concerted effort to delay the hearings.

Congress is expected to recess over the Thanksgiving holidays, but for how long will not be worked out until a meeting Wednesday between House and Senate leaders. Some House leaders want to recess from Nov. 15 until Nov. 27, but Senate Majority Leader Mike Mansfield wants to keep Congress in session until Nov. 20 or Nov. 21.

Meanwhile, two more major Republican senators, Hugh Scott and Peter Dominick, added to the pressure for further disclosure.

Scott told reporters that

he disagreed with Sunday's statement by Sen. Edward W. Brooke (R-Mass.) calling on the President to resign. Brooke was the first Republican senator to take that stand.

But the Senate Republican leader said his advice to the President was to "give the people all the information and let them judge... A forum has to be found to make this information available."

Dominick, who faces reelection next year, gave the same advice in more pointed fashion in a biting critical speech on the administration's "crisis of confidence," delivered to the Denver Bar Association.

"Nothing short of complete disclosure will be adequate to restore the confidence of the American people," Dominick said. "There can be no more deals and no more technical arguments about evidence."

The Colorado conservative said that "complete disclosure" meant to him that "the President should divulge everything he has personal knowledge of, and should permit complete access to all tapes, papers, files, documents and memoranda which have been requested by the Senate Watergate committee and the special prosecutor."

Dominick said he knew that such disclosure might "do violence to the principle of separation of powers and the doctrine of executive privilege," but he contended "they are insignificant in comparison with the absolutely critical need to restore the confidence of the American people..."

"Under present circumstances," he said, "the further invocation of executive privilege, or national security arguments, in connection with the issues under investigation would be viewed simply as another attempt to cover up."

Dominick did not discuss resignation, but said the House should determine "quickly" whether there are grounds for impeaching the President — preferably through a bipartisan select committee, rather than through the Judiciary Committee, whose Democratic majority has already begun such proceedings.

He said, "I am not suggesting there are grounds for impeachment at the

and to pass on to the grand jury such portions as he deems essential to its work.

One of the key features in the court order was that this procedure would protect the secrecy of the material on the tapes that have been provided. Whether the White House could waive that secrecy unilaterally is not certain.

In essence, the new White House plan is to ask Sirica to play the role envisaged for Sen. John Stennis (D-Miss.) in the abortive compromise the President proposed before bowing to the

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court order to turn over the tapes.

Under the "Stennis compromise," a summary of the tapes, including verbatim transcripts of relevant passages, would have been authenticated by Stennis and then made public.

But, under the circuit court order which Mr. Nixon finally accepted, Sirica is empowered only to screen the tapes for the Watergate grand jury.

White House officials noted that under this procedure, the information in the tapes — which they said would support the President's assertions of innocence in the cover-up — would not be available to the public for months.

Not until after the grand jury has handed down its indictments and those named are brought to trial would prosecutors and defense attorneys be able to refer pub-

and the continuation of the work of the special prosecutor by a new prosecutor "unhindered by outside interference from any source."

In a scathing reference to the "little willingness" he

said the administration has shown "to cooperate with Republican Party leaders, let alone seek their advice," Dominick urged his party "to follow a more independent course from here on."

"I think a good place to start," Dominick said, "would be for the Republican Party to take the leadership in resolving the crisis of confidence in our government."

present time," but added, "the confidence of the American people cannot be restored until the impeachment question is disposed of, and this must be done as quickly as possible."

Dominick also urged quick confirmation of Ford