

On Tapes Refusal

Ziegler Says President Has No Intention Of Firing Jaworski

Key Biscayne, Fla.

The White House drew a firm line yesterday against what is called "continued and seemingly unending incursions" into the President's files by special Watergate prosecutor Leon Jaworski.

Press secretary Ronald Ziegler stressed that Mr. Nixon won't budge from his refusal to give Jaworski more Watergate tapes, but said the President doesn't want a confrontation with the prosecutor and doesn't intend to fire him.

Mr. Nixon's chief Watergate attorney, James St. Clair, said in a statement that Jaworski's request for 40 additional tapes plus documents could delay grand jury deliberations "many months."

Although Ziegler said St. Clair had not listened to the 40 tapes, the lawyer said in his statement that "a careful review of this request led me to the conclusion that this new material was at best only corroborative of or cumulative to evidence already before the grand jury and therefore was not essential to its deliberations."

"The President believes he has furnished sufficient evidence to determine whether probable cause exists that a crime has been committed and, if so, by whom," St. Clair said, adding:

"Under these circumstances the President determined that continued and seemingly unending incursions into the confidentiality of presidential communications was unwarranted . . ."

Jaworski, who reported the President's refusal in a letter to the Senate Judiciary Committee on Thursday, has not said whether he now will try to subpoena the White House tapes and documents. He declined

comment yesterday on the White House statement.

Indications were that

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some negotiations between the special prosecutor's office and the White House are continuing.

St. Clair said Mr. Nixon had told him to continue his private contacts with Jaworski and "to cooperate fully, consistent with the principles of confidentiality of presidential conversations, with a view toward bringing this matter to a prompt and just conclusion."

Senator Robert C. Byrd (Dem-W.Va.) said the Judiciary committee is to meet Tuesday to vote on whether to call Jaworski to testify.

Some members have indicated they want to question him about the White House's refusal to hand over the material.

Archibald Cox was fired by Mr. Nixon last October 20 in a dispute over his effort to subpoena Watergate tapes. Mr. Nixon later turned over



AP Wirephoto

DWIGHT CHAPIN
Indicted Nixon aide

the tapes to Jaworski, Cox's successor.

At an hour-long news briefing here, Ziegler avoided giving firm assurances that Jaworski would not be fired.

But afterwards he told a reporter that there was "no intention or contemplation whatsoever" of firing the prosecutor and that Mr. Nixon stands by a commitment that he would never discharge Jaworski without consulting Democratic and

Republican congressional leaders.

In discussing Mr. Nixon's refusal to turn over the additional tapes, Ziegler said, "The position we hold is not a position based on the desire or intent to move to a position of confrontation" with Jaworski.

He said Mr. Nixon acted to protect the confidentiality of presidential files and to defend the separation of powers doctrine. And he repeated the President's oft-expressed desire that Jaworski proceed with his investigations "quickly and without further delay."

The presidential spokesman refused to affirm or deny that Jaworski had promised the White House he would seek no additional tapes if he were given those now being withheld. Ziegler said St. Clair advised him to remain silent on that question.

Responding to another inquiry, Ziegler said Mr. Nixon is confident there are no new gaps in any of the White House tapes.

"To our knowledge, and I think we would know, there are no other gaps," Ziegler said.

Westinghouse Broadcasting Co. quoted unnamed sources as reporting that Jaworski has found additional tape gaps and has asked a panel of experts to try and decide if they stemmed from accidental causes.

Associated Press