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Jaworski
Firing 'Not
Discussed'

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KEY BISCAZYNE, Feb. 15 —

The White House said today it has no desire "to move to a point of confrontation" with Watergate Special Prosecutor Leon Jaworski over President Nixon's refusal to turn over any more Watergate tapes or documents to him.

Ronald L. Ziegler, the White House press secretary, told reporters that there has been no discussion whatever in the White House about the possibility that if Jaworski persists in his requests for more material he will be fired.

Asked to reaffirm that Jaworski will not be fired if he goes to court to try to force Mr. Nixon to turn over the additional tapes he has requested, Ziegler replied: "There is nothing for me to reaffirm except to say to you that we are not and have not talked about the special prosecutor in the terms you suggest, and that will have to be my answer."

Nor has the White House considered asking Jaworski to cease asking for the additional tapes and documents, Ziegler said. What the President has said, the press secretary observed, was that on grounds of separation of powers and confidentiality of presidential conversations, he will not supply any more.

This position was underlined in a statement by James D. St. Clair, special counsel to the President, issued today at The Florida White House on Key Biscayne. It said Mr. Nixon "has fully cooperated with the special prosecutor and his staff to the extent consistent with the constitutional responsibilities of the office of the presidency."

Recordings of presidential conversations and papers have been produced "voluntarily in a volume unprecedented in our history," St. Clair said. But Jaworski's request for 40 more tapes and an unspecified number of additional documents "would have the necessary result of further delaying grand jury deliberations many months" in the Watergate case, he said.

Jaworski has said he needed 27 for his work on the Water-

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Jaworski

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gate break-in and cover-up and still other recordings for the grand jury inquiry into the Nixon campaign's milk money, but the special prosecutor has never given an overall figure.

Any subpoenas for the recordings are not likely to be issued until next month at the earliest. Jaworski has said the Watergate grand jury will still be able to return indictments within the next two weeks, but he said the 27 tapes are still "important to a complete and thorough investigation, and may contain evidence necessary for future trials."

St. Clair's statement said: "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," he

St. Clair contended that on that basis "continued and seemingly unending incursions into the confidentiality of presidential communications was unwarranted . . ."

Ziegler, in a briefing that lasted more than an hour while the President conferred with his staff at his Key Biscayne home and enjoyed the bright, sunny day, steadfastly refused to get into substantive discussion of where Mr. Nixon's refusal might lead.

Asked whether the President would obey an order from the Supreme Court to surrender the requested material to Jaworski, he said: "The matter is not before any court and therefore I won't take that question."

Asked how concerned the President was that his refusal would "feed the thoughts and minds of the American public that he has something to hide," Ziegler replied, "We have been facing that for 19

months, and the President . . . has a responsibility to uphold the principle of separation of power and confidentiality of executive branch."

Under intense questioning, Ziegler said that neither President Nixon nor any one else at the White House has listened to the additional tapes requested by Jaworski. Pressed on how the White House then could decide that the tapes were, as St. Clair said, "only corroborative of or cumulative to evidence al-

ready before the grand jury," Ziegler repeatedly said the decision was made on principle, not on the substance of the tapes.

The President's press secretary also said he and St. Clair "can't figure out" what was referred to in a published report that Jaworski's office had found gaps in more White House tapes. "Aside from the story, to our knowledge, and I think we would know, there are no other gaps in the tapes," he said.