

Nixon Is Unwilling to Yield More Tapes to House Unit

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WASHINGTON, March 12—The White House indicated today that President Nixon was unwilling to supply 42 additional Watergate-related tape recordings requested by the House Judiciary Committee for its impeachment proceedings.

Ronald L. Ziegler, the Presidential press secretary, said at an unusually long news briefing—almost an hour and a half—that it would be “constitutionally irresponsible” for Mr. Nixon to give the committee all that it was seeking.

“The mere fact of an impeachment inquiry does not give Congress the right to back up a truck and haul off White House files,” Mr. Ziegler said. He stopped short of outright rejection of the committee’s request, which might well lead to a subpoena and to yet another constitutional confrontation. But his comments constituted the most overt challenge yet by the White House to the committees’ search for Watergate evidence.

Late this afternoon, Bryce N. Harlow, a counselor to the President, said that Mr. Nixon had not foreclosed release of the 42 tapes. But he said that Mr. Nixon wanted the committee to adopt tighter “rules of relevance” and wanted the committee itself, rather than its staff, to decide which tapes it really needed.

‘More and More and More’

Mr. Ziegler argued, in response to a long series of questions, that the committee was asking for “more and more and more” before it had received and analyzed materials that the White House was now in the process of furnishing it.

In addition to the material already given to Leon Jaworski, the special prosecutor, Mr. Ziegler said, the White House is providing “boxes of materials” on such subjects as antitrust deliberations and oil import quota actions and decisions by the Environmental Protection Agency, the Cost of Living Council, the controller of the Currency and the Federal Communications Commission.

He did not say why the House committee had sought these materials.

“We feel that once they begin to assess what we are now in the process of furnishing,” the Presidential spokesman said, “they will conclude that they have sufficient materials

to complete their inquiry and to complete it quickly.”

Mr. Ziegler refused to say how the President’s lawyers had distinguished between one set of materials over and above the Jaworski lot — the 42 tapes — and another — the agency decisions — deciding to release only the latter.

However, he returned repeatedly to the theme that the committee ought to define an impeachable offense and prepare a list of specific charges against Mr. Nixon before gaining access to any more tapes and documents, rather than using new evidence to fame its charges.

Mr. Ziegler was asked several times whether such action was a precondition to further negotiations on the 42 tapes between James D. St. Clair, the special White House counsel, and John M. Doar, special counsel to the Judiciary Committee. At no point did he give a direct response.

But his answers left the clear implication that negotiations between the two lawyers were unlikely to progress much unless the committee was willing to come forward with a definition and a list of charges.

He insisted that the House’s requests for documents and tapes threatened the constitutional separation of powers, a subject on which he said Mr. Nixon felt “very deeply,” and said that unlimited “perusing of White House files cannot be tolerated” by the President.

On two other Watergate matters, Mr. Ziegler said the following:

The White House would soon provide a detailed explanation of the apparent contradiction in Mr. Nixon’s accounts of his March 21, 1973, discussions about payments of “hush” money to the seven original Watergate defendants.

Mr. Nixon told him this morning that he had never asked to see the tax files of previous Presidents and that, to the best of his recollection, he had never asked any aide to look them up, as indicated in a New York Times article published this morning.

Thursday night Mr. Nixon is to fly to Chicago for a luncheon speech before a businessman’s group on Friday. On Saturday, he will be in Nashville to help to dedicate the new home of the Grand Ole Opry. And next Tuesday, he will travel to Houston to speak to the National Association of Broadcasters.