

Hill Planning To Seek More Nixon Tapes

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The senior Republican on the House Judiciary Committee, Edward Hutchinson of Michigan, said yesterday an additional request for presidential documents is being prepared.

"It is in the works," he told The Washington Post.

This raises the prospect of a deeper and wider conflict between the President and the committee over access to presidential records for its impeachment inquiry. The committee has in its possession White House records turned over by the Watergate special prosecutor and has issued a subpoena of its own for materials bearing on 42 presidential conversations.

Hutchinson declined to say how far along the new request has progressed. And he backed away from a statement attributed to him earlier in the day by United Press International that he had "joined the chairman in making the second request"—a remark suggesting that new demands might already have been served on the White House.

Similarly, Hutchinson backed away later in the day from another statement attributed to him by UPI that he had "no reason to believe" from listening to nearly all of the 19 tapes already voluntarily furnished to the committee that President Nixon is guilty of any major crimes. "Confidentiality forbids me from indicating any conclusions one way or the other," he told a reporter later, adding that there had as yet been no formal presentation of evidence to the committee.

But the committee's top Republican made it clear that the committee is planning to seek still more presidential records and that he is prepared to support further requests. This by itself seems certain to compound the controversy over the President's right to decide or himself what material he will make available to the House committee.

Mr. Nixon and White House aides have repeatedly argued that there must be some limit to the House committee's demands. At one point the White House adopted as its line of defense the argument that the

committee should be satisfied with the same material—including 19 tapes and related records—that has been made available to Watergate Special Prosecutor Leon Jaworski. And that is all that the White House has so far yielded up to the impeachment investigators.

Last week, however, this line of defense was weakened when Jaworski was granted a subpoena by U.S. District Court Judge John J. Sirica for

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an additional 64 tape recordings and other White House records, including some of the same material subpoenaed by the House.

Meanwhile, still another demand for Watergate-related presidential records developed when the judge trying the case involving the burglary of the office of Daniel Ellsberg's psychiatrist asked Special Prosecutor Jaworski for any material he might have from the White House involving this matter.

These mushrooming requests for presidential records are almost certain to stiffen Mr. Nixon's resistance to all claims for access to his tapes and records—including that of the House committee.

As the Thursday deadline for a reply to the committee's subpoena drew closer, the White House refused to say yesterday how or exactly when the President would respond. Indications were that the answer could come today or Wednesday—and that the President's compliance would be somewhat less than complete.

There have been persistent reports that Mr. Nixon is con-

sidering giving the House committee transcripts of most of the requested tapes, with explanation of why some material was withheld. The Democrats on the committee have made it clear that this will not satisfy them and a significant number of Republicans have indicated that they too would insist on total compliance.

Just what the committee can do, if it is not satisfied with the President's response,

is not clear. One possibility is that the President's failure to honor the subpoena would be included among any articles of impeachment. Another possibility is a compromise that would provide some mechanism for the committee to satisfy itself that nothing relevant to its inquiry was being withheld. One suggestion for doing this would be to let the chairman, the ranking Republican member and the majority and minority counsel ex-

amine any subpoenaed material that is not forthcoming.

Hutchinson, who was one of only three Republican committee members to vote against the subpoena, advocated a third possibility yesterday—that of merely pressing ahead with the material at hand. But such easy acquiescence to the President is unlikely to satisfy most if not all of the 33 Democratic and Republican committee members who voted for the subpoena.