

HOUSE FACES BAR ON NIXON MATERIAL

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St. Clair Insists President
Has Given Rodino Panel
All the Data It Needs

By JOHN HERBERS

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WASHINGTON, May 1—James D. St. Clair, special counsel to President Nixon, indicated today that the White House would resist turning over to the House Judiciary Committee the additional material it has requested in its impeachment inquiry.

His statement in a news conference, coupled with Mr. Nixon's motion in court today to quash a subpoena for additional material by the special Watergate prosecutor, Leon Jaworski, left a clear impression that the White House, having made public edited transcripts of Watergate tape recordings, would provide no further materials to investigators.

'No Basis for Charge'

Mr. St. Clair said that while the transcripts were being prepared for release, the committee submitted its request for about 142 additional recorded conversations. These, according to the committee, cover the Watergate cover-up, the International Telephone and Telegraph Corporation antitrust case and campaign contributions by milk interests.

Mr. St. Clair said that all evidence on Watergate that he knew about was now in the committee's hands. And, he said, he believes the committee has no impeachment case against the President on the milk fund or I.T.T.

"Are you saying," Mr. St.

Continued on Page 41, Column 3



Associated Press

James D. St. Clair, the President's special counsel, telling reporters yesterday that he would move to quash special prosecutor's subpoena for additional tapes and documents.

House Faces Bar on More Nixon Material

Continued From Page 1, Col. 7

Clair was asked, "that they should forget about milk and I.T.T.?"

Based on what I know about it, the answer is yes," he said. The President has published a white paper, so-called, on each of these. I don't know that anyone has seriously challenged the accuracy of them, and a fair reading of those white papers would make it reasonably clear in my view—but I don't happen to be the judge, obviously—there is no basis for a charge against the President."

The White House reluctance to provide the materials pointed to another confrontation with the committee. Representative Peter W. Rodino Jr., the chairman, said the committee would continue to pursue the material.

"We feel our request is relevant and can be justified," the New Jersey Democrat said.

Timing Is Questioned

Other members of the committee expressed surprise and suggested that Mr. St. Clair's remarks might have been impolitic at a time when the committee was trying to decide whether to reject the President's submission of the edited Watergate transcripts and press for the tape recording it had subpoenaed.

Mr. St. Clair said that the President had not yet instructed him on how to respond to the committee request, but he then began a long explanation as to why the materials should not be provided. He also spoke at length about his argument that the Watergate transcripts, while damaging to the President in many respects, showed that he was not criminally guilty of the Watergate cover-up.

"He did not cover this thing up and the proof of the pudding, gentlemen and ladies, is in the eating," he said. "These people now stand indicted. It took a long time and there was a lot of blood spread in be-

tween, but they are indicted."

His point seemed to be that the system of criminal justice was at work and there need be no conviction of the President to make it complete. John W. Dean 3rd, the President's former counsel, has pleaded guilty to conspiracy to obstruct justice, Mr. St. Clair said, adding:

"It just seems to me that we have here objective evidence that the system is working, and I think it is important that the American people realize and observe that the system is working, and I think it is important that the American people realize and observe that the system is working."

The there was this exchange with reporters:

Q. Part of the transcripts that I read makes and revives all over again the allegation of "Tricky Dick." He comes out a very shady character. Do you think that is in his interest as the leader of this country?

A. Well, sir, you have to realize that this was a tough call. The President said so in his speech. He said, "This is a hard thing for me to do." But it occurred to him people were getting the impression that he had something to hide, that he in fact was engaged in a criminal plot and people were beginning to think far worse things than were in fact so, so the President said, "well, it is going to be embarrassing to me, I know. There are going to be ambiguities and so forth, but I think the people should know what the facts are." And they are there, the good and the bad of it.

Q. What about the propriety of discussing for hours blackmail in the White House?

A. I am sure if he had to do it over again, he wouldn't. But you have to remember this was in the context of a threat against Mr. Ehrlichman [John D. Ehrlichman, Presidential aide] to disclose matters that the President said, as he did in his speech, rightfully or wrongfully, he

considered to be in the national security interest.

Q. Mr. St. Clair, that national security thing comes out as a concocted scheme.

A. You are certainly entitled to say so. Did you read the interchange with Assistant Attorney General Henry Petersen?

Q. No sir.

A. You have to look at this thing in its full contention, please. You know, we can sit here for four hours and argue it and you are certainly entitled to your point of view. This material is published so the people will have the facts with the full realization that various people will feel different things about it.

Mr. St. Clair said that in preparing the transcripts, secretaries working with White House lawyers made a "very strenuous effort" to make out unintelligible portions of the conversations, which he said were caused largely by people talking at the same time.

No Electronic Deciphering

He said no effort was made to bring in electronic equipment that might decipher unclear portions of the tapes.

"I don't know whether they could filter out two voices talking at the same time," Mr. St. Clair said. "The point though, is, I am not sure every single word there is important. Really, it is the sum and substance of the whole package. In my view, which has to be viewed, and it is for this reason we want the chairman and ranking minority member to come down" and see that the transcripts are authentic.

"Now if they say, 'This inaudible is extremely important to us,' then Mr. Doar [John Doar, committee counsel] and I will sit down and see what we can do about it. I won't say we won't have a computer try to figure it out, but I can't say we will either. But, you know, there are such things as a shortness of human life in these things, and that is a lot of work."