

NIXON DECIDES NOT TO YIELD TAPES AT RISK OF CONSTITUTIONAL FIGHT; SCOTT FINDS TRANSCRIPTS 'SHABBY'

MOVE IS SURPRISE

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Decision by President Follows Hints He Would Retreat

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WASHINGTON, May 7—

James D. St. Clair, President Nixon's chief attorney, announced today that the President had decided not to turn further Watergate-related tape recordings over to the House Judiciary Committee of the special prosecutor, Leon Jaworski.

The surprise announcement, in a news conference, came shortly after the President's

Excerpts from news conference by St. Clair, Page 34.

aides indicated that Mr. Nixon might once again back down in the face of pressure and make more material available.

As to the prospect that the House committee would turn its request into a subpoena, as it did once before, Mr. St. Clair said, "If the House wants to issue a subpoena, then we will have a constitutional confrontation. The President is firm in his resolve not to produce this."

Only yesterday, Federal District Judge John J. Sirica granted a five-day delay in the legal proceedings on Mr. Jaworski's subpoena for tapes and records of 64 White House conversations. The judge granted the delay "for the purpose of facilitating discussions leading to possible compliance with the subpoena."

Subpoena Is Opposed

But at 4 P.M. today, Mr. St. Clair opened his news conference by announcing that Mr. Nixon had made a final decision not to provide more Watergate tapes for the Judiciary committee and to "press forward" with a motion to quash Mr. Jaworski's subpoena.

As to the House committee's

request for additional tapes and documents on the International Telephone and Telegraph Corporation antitrust case on political contributions from dairy interests, Mr. St. Clair said that the President would consider turning over whatever materials were found to be pertinent to the committee's inquiry into his possible impeachment.

Meanwhile, J. Fred Buzhardt Jr., special counsel to the President, avoided an all-out confrontation with the Senate Watergate committee by answering questions about a \$100,000 campaign contribution from Howard R. Hughes. [Details on Page 34.]

The sudden turn of events concerning the tapes reflected a mood of anxiety and confusion that has been evident in the White House as the President's recently released Watergate transcripts aroused widespread criticism. Mr. Nixon's latest decision was announced shortly after two key Republican leaders in Congress — Senator Hugh Scott of Penn-

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NIXON NOW BALKS ON YIELDING TAPES

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sylvania and Representative John J. Rhodes of Arizona— issued scathing statements about the transcripts of taped Presidential conversations.

Mr. Nixon once again seemed to be drawing a line beyond which he would not retreat. In the past, after drawing the line, Mr. Nixon has retreated and has turned over materials sought as pressure mounted. Today, he was drawing a line in the face of extensive criticism of his actions, and Mr. St. Clair minced no words in saying the President would stick by his decision.

Asked if Mr. Nixon's refusal might not indicate to the public a last-ditch effort to cover up illegal acts, Mr. St. Clair said that the President felt the continued efforts to obtain more materials would continue to "erode" the office of the Presidency, adding, "The President is not going to stand for it."

Stand Is Repeated

Mr. St. Clair repeated the President's assertion of the last few days that the House committee now has "the full story of Watergate" in the transcripts, tape recordings and other documents it has accumulated over the last few months.

The committee's pending request, for 141 additional tapes, includes material on the cover-up of the Watergate burglary, as well as the I.T.T. and milk cases, according to committee sources. Mr. Jaworski wants tapes and records of 64 White House conversations in order to prosecute indictments against the former Nixon Administration officials in the Watergate case.

That Mr. St. Clair's statements reflected a sudden turn in the President's policy was underlined by the contrast with comments made a few hours earlier by Dean Burch, Mr. Nixon's counselor on political and Congressional mat-

ters. Mr. Burch told a group of reporters at breakfast this morning that Mr. St. Clair was attempting to "reach an accommodation with Mr. Jaworski" to "negotiate a settlement of Joworski's requests."

This evening, Mr. Burch was asked about the St. Clair statements.

"The only explanation," he said by telephone "is that there was a change of signals. When I spoke to you this morning this was not what I understood to be White House policy."

The St. Clair news conference appeared to have been set up specifically to explain that change of policy. The Boston lawyer, who joined the White House last January, displayed no loss of confidence as he sat in an easy chair in the office of Ken W. Clawson, communications director for the executive branch, and faced a battery of reporters. He left the impression he had just come from a meeting with the President.

He was asked if he agreed with the policy line set down by the President.

"I recommended it," he replied, but he added, as he has in the past, that Mr. Nixon made all major decisions in his legal battle with the courts and Congress.

He was then asked about efforts to reach an accommodation with Mr. Jaworski, efforts that indicated strongly, as of yesterday, that Mr. Nixon was backing down and might be willing to comply with the subpoena, at least in part.

Mr. St. Clair said that Mr. Jaworski had initiated the talks between the two sides on the subpoena, which Mr. St. Clair had challenged and indicated he would appeal, if necessary, to the Supreme Court.

It was understood that what Mr. Jaworski wanted was to find a way to cut the time required for litigating the dispute, but Mr. St. Clair, when he entered the courtroom yesterday, suggested that, if the court permitted more time for the talks, an "accommodation" might be reached.

Today, Mr. St. Clair said, "The President decided he would not come to an accommodation on the matter."