

President Disputed On Data

Jaworski Says He Still Lacks Some Evidence

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Watergate Special Prosecutor Leon Jaworski yesterday disputed President Nixon's contention that the White House has given him all the evidence he needs to conclude his investigations.

Jaworski said he has not yet decided whether to issue any subpoenas, but he emphasized that the White House has yet to comply with several outstanding requests for presidential tapes and documents.

The special prosecutor said he expects to learn today whether another confrontation in the courts will be necessary.

Mr. Nixon said in his State of the Union address Wednesday night that he had already provided Jaworski with all the material he needs to conclude his investigations and to proceed to prosecute the guilty and clear the innocent.

Interviewed on ABC's "Issues and Answers" (WMAZ), Jaworski disagreed and indicated that another showdown with the White House may be in the making.

"To conclude the investigation would mean that it should be concluded with care and with thoroughness," Jaworski declared. "Simply to say that I might have sufficient evidence to indict certain individuals is not enough. That's not the criterion as I see it. I think what it means is that I must conclude it, as I say and as the courts have said, with care and with thoroughness."

The special prosecutor said last month that the White House had not refused him any evidence since mid-December when he threatened to subpoena specific files. The President's State of the Union address contained the first clear hint that Mr. Nixon and his lawyers were considering a cutoff.

Asked whether he was close to "another subpoena and another confrontation in the courts," Jaworski said: "I will

know that probably tomorrow (Monday), unfortunately." White House lawyers, he said, told him Friday that "on Monday, there would be a final decision."

Mr. Nixon's new lawyers, led by recently appointed White House special counsel James D. St. Clair, began taking what seemed a harder line last month during hearings in U.S. District Court concerning the controversial erasures on

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JAWORSKI, From A1

one of the President's Watergate tapes.

St. Clair declined to comment yesterday, however, on whether a cutoff or limitation was being formulated. He said only that Jaworski's requests were "under consideration" and that the White House had made no final decision.

Should the White House draw the line, Jaworski said he still might hold back any subpoenas—at least for the moment — if their issuance would mean a long delay in the indictments he hopes to obtain this month.

In the interview, Jaworski also took mild issue with Vice President Ford who said in a separate appearance on CBS's "Meet the Press (WTOP)—that the White House had given Watergate prosecutors both "more tapes" and "more documents" than they had asked for.

Jaworski said he was once handed a document he had not expressly requested, but nothing more. He said he was still waiting for a number of tapes.

In any event, Jaworski said, "any idea that this material has been spoon-fed to me is in error. I've had to go after it. I've had to designate precisely what I wanted."

The special prosecutor also stepped up a notch his backing of former White House counsel John W. Dean III's credibility, which has come under sharp attack from Senate Minority Leader Hugh Scott (R-Pa.)

Jaworski said his prosecutors not only have found no basis for any perjury charges against Dean, but also would not consider calling him as a government witness — as they intend to do—if they thought he was a liar.

"If we believed John Dean's veracity was subject to question," Jaworski said, "we would not use him as a witness."

Scott has said that White House summaries he saw of conversations between Mr. Nixon and Dean persuaded him that Dean should be charged with perjury for implicating the President in the Watergate cover-up.

Vice President Ford said he



LEON JAWORSKI
... undecided on subpoenas

would like the White House to release whatever it has to show "that the President is right and Mr. Dean is wrong."

Ford said he decided not to look at the same material himself because "I could interpret that information to my own personal good, and to harm the President ... I think it would be a very bad position for me, being number two, to misinterpret some information that might make it difficult for the President and more beneficial to me."

Ford's remarks seemed to suggest that the summaries are at best ambiguous. Jaworski, by contrast, has the actual tapes of most, if not all, of the conversations Scott has cited.

On other issues, Ford said he felt the House Judiciary Committee should get broad subpoena powers for its impeachment inquiry, including the power to call the President. He suggested that Mr. Nixon might be willing to respond in writing to prepared questions.

Ford predicted the President would cooperate with the Judiciary Committee to a "reasonable" extent, but not to the point of a "fishing expedition" through White House files.

Asked whether he thought Mr. Nixon was criticizing Watergate prosecutors in stating Wednesday night that "one year of Watergate is enough," Jaworski said that "we've moved ahead as fast as anybody could move, consistent with fairness, consistent with thoroughness."

"When you say that one year of Watergate is enough," Jaworski said, "I don't know exactly in what context that was used. I'd say that perhaps one day of Watergate was enough—I mean, if you talk in terms of the tragedy of Watergate."