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**NIXON REPORTED
REFUSING TO GIVE
DATA TO JAWORSKI**

**Tapes and Other Evidence
Said to Be Subject of a
Letter to Prosecutor**

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Special to The New York Times

WASHINGTON, Feb. 5 — President Nixon has reportedly refused to turn over requested White House tape recordings and other evidence, and thus is apparently headed for another major confrontation with the Watergate special prosecutor.

The office of the special prosecutor, Leon Jaworski, said today that it had received a "lengthy communication from the White House counsel which will require clarification and further discussion between Mr. Jaworski and Mr. St. Clair."

The White House confirmed that a four-page letter was sent yesterday from James D. St. Clair, the White House counsel, to Mr. Jaworski, but Gerald L. Warren, the President's press spokesman, refused to say anything else about the letter.

However, it was understood that the additional evidence that Mr. Jaworski had said he asked for and expected to receive yesterday was not delivered by the White House.

Refusal Indicated

Sources familiar with the Watergate investigations indicated that Mr. St. Clair's letter had notified the special prosecutor that the White House would not turn over the additional material and presented the reasons for the refusal.

These sources said that if the White House persisted in its refusal to hand over tapes and other materials, Mr. Jaworski would probably subpoena the evidence. His office is reportedly considering two options: either subpoenaing the materials before indictments are returned in the Watergate case or issuing the subpoenas when the trials begin. Mr. Jaworski has indicated that there will be indictments but has not disclosed the names of those involved.

The two sides are not yet deadlocked. Mr. Jaworski, who is now in Texas, reportedly will

ask for a meeting with Mr. St. Clair when he returns later this week to see if the dispute can be resolved.

But if both the special prosecutor and the White House continue on their present course, the result might be the same kind of confrontation that led to the dismissal of the former special prosecutor, Archibald Cox, the subsequent resignation of Attorney General Elliot L. Richardson and two dismissals in October.

Refused to Obey

At that time President Nixon ordered Mr. Cox to be discharged after he refused to obey instructions from the President not to press for the Watergate tapes.

Mr. Nixon retreated in the face of a public outcry following the October dismissals and agreed to comply with a court order to turn over the tapes and other Watergate evidence. He also pledged full cooperation with the new special prosecutor after Mr. Jaworski was

Continued on Page 17, Column 2

Continued From Page 1, Col. 5

named to the post.

Yesterday, Mr. Warren said that the White House had "voluntarily" turned over 17 tapes and over 700 documents to Mr. Jaworski's staff. Under questioning, he explained that by "voluntarily" he meant yielding materials that the prosecutor had specifically asked for.

However, Mr. Jaworski disclosed in a television interview Sunday that in December he had to demand materials of the White House "very firmly" before they were turned over.

Mr. Jaworski said that he had to threaten "to resort to the process which the President had agreed I could resort to," which presumably meant going to court.

In his State of the Union Message last Wednesday, President Nixon said the time had come to bring the Watergate investigations to an end and added that he had provided Mr. Jaworski with "all the material that he needs to conclude his investigations and proceed to prosecute the guilty and to clear the innocent."

His remark was taken by

some observers to mean that he would no longer provide the special prosecutor's office with requested White House tapes and documents. Mr. St. Clair's letter may, therefore, be a formal expression of the President's new policy.

The prosecutor's office did not say precisely what additional materials it was seeking. However, last Nov. 15, Mr. Jaworski sent a letter to J. Fred Buzhardt, then the special counsel to the President in charge of Watergate matters, asking for certain materials.

Among these requested materials was a White House recording of a conversation on Jan. 3, 1973, between Mr. Nixon and John D. Ehrlichman and H. R. Haldeman, the President's top advisers at the time. John W. Dean 3d, former White House counsel, has testified that that was the day that Mr. Ehrlichman said he would ask the President about demands for clemency made by a Watergate conspirator E. Howard Hunt Jr.

Another request was for a tape recording of a meeting between the President and Charles W. Colson, a former Presidential counsel, the following day at the White House. Mr. Dean said that Mr. Ehrlichman told him on that day that he had told Mr. Colson that the President had approved clemency for Hunt.