

A Proposal by Ervin, Baker

An 'Audition' Plan for Nixon Tapes

Washington

The leaders of the Senate Watergate committee suggested yesterday, in a compromise move, that President Nixon permit a private audition of tape-recorded conversations dealing with the scandal.

Senators Sam Ervin Jr. of North Carolina, the Democratic chairman of the panel and Howard Baker Jr. of Tennessee, the Republican vice chairman, said in an interview that such an arrangement would be "fine."

The proposal would involve the two senators and the special prosecutor in the Watergate case, Archibald Cox, hearing the tapes and screening out statements unrelated to their investigations before making the in-

formation public.

"Frankly, I'm not too enthusiastic about lawsuits about it because . . . there's never been a case of this kind brought and it's quite possible the Supreme Court would hold adversely to the committee," Ervin said.

"Separation of powers and 'executive privilege' will probably prosper more by avoiding confrontation than it will by having it," Baker observed in endorsing the idea of examining the tapes.

Cox has started legal proceedings to obtain the recordings despite the President's refusal to give them up, and the Senate committee is expected to follow suit early this week.

Both senators, interviewed on the CBS television program "Face the Nation," also said they were now aware of the nature of a se-

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cret operation undertaken in 1971 by the White House investigative unit known as the plumbers.

John D. Ehrlichman, the former assistant to the President for domestic affairs, invoked "executive privilege" in refusing to discuss the operation during his testimony before the panel last week.

Baker confirmed that he and Ervin had met subsequently with two White House lawyers, Leonard Garment and J. Fred Buzhardt, for a briefing on the details of the operation.*

INFORMATION

"Certain information was brought to our attention," Baker said. "The matter, of course, has not been fully resolved by the committee, but I really think at this time I have nothing further to say about it."

The senators disagreed on whether the operation should ever be made known. Baker said that he had not "fully made up my mind about the importance and significance" of the activity.

But Ervin said he did not think the committee, which is limited to investigating last year's election and related matters, had the authority to pursue the activity. He added that the panel would discuss it further.

The operation, which Ehrlichman said had involved grave "national security" matters, came up in connection with other activities of the "plumbers," including the burglary of the office of

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Daniel Ellsberg's former psychiatrist.

COMPROMISE

In another interview yesterday, Senator Hugh Scott of Pennsylvania, the Senate Republican leader, said that the White House recordings should somehow be made available, and he expressed hopes for a compromise.

"I have suggested that the tapes be inspected by a panel of two or three citizens of the highest public repute," Scott said. He was questioned on the ABC television program, "Issues and Answers."

"By settling it out of court is meant that some means might be found by which the President's replies and the President's information can be made available to the American people," he said. "We are uncomfortable, of course, until it is."

Scott was asked whether he had any reason to believe that Mr. Nixon — who had no immediate reaction to yesterday's proposals — would change his mind and agree to a compromise.

"The President has in the past responded directly to public opinion," Scott replied. "He has responded to the views of members of his party on Capitol Hill . . . it is my judgment he will follow a course which will exonerate him."

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