

Ervin Bill On Court's Jurisdiction

Washington

Senator Sam J. Ervin Jr. (Dem-N.C.) introduced a bill yesterday that would give the U.S. District Court here jurisdiction over suits by Congress that seek executive branch information, including tape recordings of President Nixon's conversations.

Ervin is chairman of the Senate Watergate committee, which is seeking those tapes and other presidential documents.

It is appealing a decision by Chief U.S. District Judge John J. Sirica that he could not rule on the issue because the committee lacked jurisdiction to sue.

Ervin also introduced a Senate resolution making clear that in suing to obtain the tapes the committee acted for the entire Senate and in accordance with the mandate it was given when it was created to investigate the conduct of the 1972 presidential election.

The resolution would put the Senate on record as approving and ratifying the Watergate committee's actions.

In a speech to the Senate, Ervin also endorsed legislation putting the new Watergate special prosecutor under the control of Judge Sirica and the courts and outside the control of either Congress or the White House.

"I think the time has come to restore the confidence of the American people in our system of justice," Ervin said.

The Ervin bill would give either house of Congress or any authorized congressional committee the power to sue "to enforce or secure a declaration concerning the validity of any subpoena or order" duly issued against any officer or employee of the executive branch, "including the president and vice president."

Ervin said the Watergate committee believes the court does have jurisdiction in the case and that it would eventually win on appeal.

"But this bill removes any doubt that the bill is properly before the court," Ervin said.

Associated Press