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Senate Panel to Subpoena 'Scores' of Nixon Records

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The Senate select Watergate committee voted yesterday to subpoena "scores" of White House documents and presidential tapes connected to the Watergate break-in and buggings campaign financing and "dirty tricks" in the 1972 presidential campaign.

Committee chairman Sen. Sam J. Ervin Jr. (D-N.C.) announced that the new subpoenas would be issued less than 24 hours after a new law went into effect giving the United States District Court here jurisdiction to enforce the committee's subpoenas served on anyone in the executive branch, including the President.

The legislation became law without presidential signature at 12:01 a.m. yesterday after President Nixon announced four hours earlier that although it was "bad legislation," he could not "in the present circumstances" veto it.

Although Ervin said he could not estimate the volume of materials the committee would seek—in addition to five presidential tape recordings and other documents it subpoenaed last summer—other reliable sources said the subpoenas would cover tapes of as many as 300 or 400 meetings of President Nixon with persons involved in the Watergate affair.

In addition, these sources said, the committee would seek a large volume of documents, including more than 70 involving the possible relationship between contributions from milk produc-

ers and the decision of the Nixon administration in 1971 to increase government milk price supports.

Chief committee counsel Samuel Dash said last night that he had been informed by special White House counsel J. Fred Buzhardt that Buzhardt would accept service of the subpoenas for the White House. Earlier yesterday, there had been speculation that the White House might refuse even to accept the subpoenas. Dash said the subpoenas would be served today.

The White House last summer declined to honor subpoenas issued to it by the committee. Chief United States District Judge John J. Sirica on Oct. 17 dismissed a committee suit seeking to enforce them. Sirica ruled that he had no jurisdiction under federal law to rule on the matter.

The committee subsequently appealed Sirica's decision to the United States Court of Appeals here. At the same time, the committee introduced legislation giving the federal courts here jurisdiction to rule on suits brought by the committee to enforce its subpoenas. The legislation passed both houses of Congress and became law yesterday after President Nixon failed to sign or veto the bill within 10 days of its passage.

The legislation does not settle the merits of the dispute between the White House and the committee over the question of whether the committee may properly demand presidential tapes and documents. That ques-

tion still remains before the court for decision.

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The committee yesterday filed a motion with the Court of Appeals asking it to retain jurisdiction of the case and to rule on the committee's request for the documents on an expedited basis.

Alternatively, the committee asked the court to send the case back to Judge Sirica for a fresh look under the new law which covers pending legislation as well as any future action by the committee.

Ervin said yesterday that the White House's refusal to turn over documents to the committee had "postponed the committee's work by many, many weeks" and was "responsible for some of the prolongation of the Watergate affair in the public eye."

Among the documents that the committee will subpoena, Ervin said, is a tape from June 4, 1973, the day that President Nixon has said he listened to other tapes. The committee is hoping to obtain a "tape of the tapes" to determine whether it contains erased portions from original tapes as well as tapes the White House has said do not exist.

Asked if the committee knew that such a "tape of the tapes" existed, Ervin replied, "We have information both ways." Ervin said that White House aide Stephen Bull has told the committee that such a tape did and does exist.

On the other hand, Ervin pointed out, the White House has asserted that President Nixon used earphones while listening to tapes for several hours and that therefore the taping system used by Mr. Nixon did not record what he heard.