

Court Action On Subpoena Is Deferred

By George Lardner Jr.
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The Senate Watergate committee will not take any immediate court action on its new subpoenas for hundreds of White House tapes and documents, chief committee counsel Samuel Dash said yesterday.

Dash said the request would be cut down to the "high priority items" before any lawsuit is filed.

Meanwhile, he said, the committee will continue to press for a favorable ruling on its initial lawsuit for seven of the President's Watergate tapes and other documents.

"We would like Judge (John J.) Sirica to decide the main case first," Dash said. "It's very important to establish the legality of our right to these materials."

Today is the deadline for a White House response on the new subpoenas, which presidential spokesmen have protested as "incredible."

Dash acknowledged that the committee had asked for "quite a bit," but he said that every new tape and document was carefully selected as relevant to the Senate Watergate investigations.

He said they were all demanded of the White House at once because the committee is running out of time for completing its work.

"We felt it important to ask for everything we believe relevant to our investigations—with the recognition that we might not have enough time to subpoena them again," Dash said.

The Watergate committee is currently scheduled to wind up its work Feb. 28. Dash said he hoped its new subpoenas would at least serve as "a guideline" for Watergate Special Prosecutor Leon Jaworski or other investigators even if they should fall by the wayside now.

The Senate committee was turned down last fall in its initial lawsuit for the Watergate tapes, but the case is now back in the courts as a result of new powers granted by Congress.

Dash said committee lawyers will concentrate on a quick resolution of this suit first. A Senate brief is scheduled to be filed with Judge Sirica on Monday.

Should the committee have to go to court again for enforcement of the new subpoenas, Dash said, "we will obviously select out the priority items." He said it would be unrealistic to expect the courts to inspect every one of the nearly 500 White House tapes and documents and rule on their relevance with any kind of dispatch.

The new subpoenas, issued by the committee last month, asked for tapes and documents involving the so-called milk deal, contributions from billionaire Howard Hughes, and the Watergate scandal.