

White House Says Evidence It Gave Jaworski Doesn't

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WASHINGTON, Feb. 4—The White House stated "categorically today that evidence given to Leon Jaworski, the special Watergate prosecutor did not support sworn testimony by John W. Dean 3d implicating President Nixon in the Watergate cover-up before last March 21. Mr. Dean is a former White House counsel.

In a statement issued to newsmen, the special counsel to the President, James Ct. Clair, said, "The evidence does support what the President has said on this matter."

However, the White House did not make public any evidence nor did it say what evidence was meant other than to refer to unspecified "tapes and other evidence."

Gerald L. Warren, the Presidential press spokesman, said

meanwhile that Jaworski's request for additional tapes and documents related to the Watergate case was under consideration and would be discussed in "confidential conversations and communications."

But Mr. Warren declined to respond to questions about whether additional tapes and documents would be furnished to Mr. Jaworski's staff.

'Voluntarily' Given

At the regular news briefing Mr. Warren said he was "authorized" to disclose that in addition to subpoenaed materials, the White House had "voluntarily" turned over to the special prosecutor's office 17 tape recordings and more than 700 documents.

Under questioning, he explained that by "voluntarily" he meant turning over material after it had been requested by Mr. Jaworski. One piece of evi-

dence, a tape recording, was handed over by the White House without being asked for, he said.

The White House has "new, additional and pending" requests for Watergate evidence, Mr. Warren said. But when asked if the President's comment in the State of the Union Message that the prosecutor had all the information he needed meant that no additional evidence would be handed over by the White House, Mr. Warren declined comment.

Mr. St. Clair's statement appeared to be a direct challenge to remarks yesterday by Mr. Jaworski during a television interview. The prosecutor said that the evidence in his possession did not in any way compromise Mr. Dean's veracity as a witness.

Said Nixon Was Aware

Mr. Dean testified under oath before the Senate Watergate committee last spring that President Nixon was aware of the effort to cover up the Administration involvement in the Watergate burglary and also knew — by March 13, 1973 — that demands for money were being made by the Watergate defendants.

Mr. St. Clair's statement today opened with an oblique criticism of Mr. Jaworski and his staff for having "seen fit to discuss in public their view regarding John Den's veracity."

The statement went on: "I can say, categorically, however, that the tapes and other evidence furnished to the special prosecutor — at least as far as the President is concerned — do not support sworn statements before the Senate select committee made by Mr. Dean as to what the President knew about Watergate, and especially when he knew it."

Mr. St. Clair said it would not be appropriate for him to

discuss "the technical legal issues of perjury" and that the "time and place for discussing such matters is in court, or perhaps before the House Judiciary Committee."

In Court Statements

A spokesman for Mr. Jaworski's office said that the only time that members of the staff had commented on the subject of Mr. Dean's veracity as a witness was in court in response to allegations by defense attorneys and yesterday, when Mr. Jaworski referred to statements made in court.

Public statements attacking Mr. Dean's credibility have been made recently by Vice President, Ford and Hugh Scott of Pennsylvania, the Senate Republican leader, on the basis of evidence at the White House. Neither Mr. Ford nor Senator Scott has produced any of this evidence and Mr. Ford has said he has not actually seen it himself.

Sources familiar with the special prosecutor's office said that there was not necessarily

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Support Dean

a conflict between the way the White House and Mr. Jaworski's staff interpreted the evidence on Mr. Dean's testimony.

Noting that the White House could use the tapes to "make a case" that the President did not know of the Watergate cover-up before last March 21, one such source commented that today's statement by Mr. St. Clair was "very carefully worded."

He added that even if the tapes and other documents indicated that Mr. Dean's evidence was not correct in all detail, it would not necessarily mean that Mr. Dean had been lying when presenting the facts as he knew them.

The special prosecutor's office had reportedly been expecting an answer today to its request for additional tapes and documents. The White House did not produce the evidence or give any indication whether it would meet the requests. Instead, it produced Mr. St. Clair's statement on the veracity of Mr. Dean.