

Two House Probers Voice Concern on Refused Tapes

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Two members of the House Judiciary Committee expressed concern yesterday over President Nixon's refusal to give up six Watergate tapes for use in the committee's impeachment investigation.

They said that continued refusal would most certainly lead to a congressional subpoena for the tapes. A refusal in the face of a subpoena could lead to a House contempt citation.

The two congressmen, Robert McClory of Illinois, the second-ranked Republican on the committee, and Robert Kastenmeier, a senior Democrat from Wisconsin, made their remarks on the television program "Issues and Answers" (ABC-WMAL).

Kastenmeier said that should the President be found in contempt of Congress by refusing to turn over the tapes, that in itself would be grounds for impeachment.

The committee will meet Tuesday to consider new efforts to get the tapes, which are thought helpful in establishing Mr. Nixon's innocence or guilt in connection with cover-up of the June, 1972, Watergate break-in and other alleged illegal re-election campaign activities.

The two congressmen agreed that Mr. Nixon was not giving the committee full cooperation in its probe, although they said they still hope to make their deadline of April 30 for coming up with an impeachment recommendation to the full House.

The President has said repeatedly he wanted Watergate over with and would cooperate with the House committee and Watergate Special Prosecutor Leon Jaworski to resolve all outstanding issues.

Jaworski has said he needs more documents and tapes for completion of grand jury investigations into the many areas of possible law-breaking in the 1972 campaign.

On another television program, Sen. Charles Percy (R-Ill.) said he was "distressed" over Mr. Nixon's refusal to comply with Jaworski's request for the tapes.

Speaking on "Face the Nation" (CBS, WTOP), the senator said that White House Chief of Staff Alexander M. Haig Jr. had given personal assurance that all tapes requested by Jaworski would be turned over, and that the assurance was given with the President's approval.

Mr. Nixon said at a press

conference last week that Jaworski had stated he already had all the tapes he needed, but the prosecutor's statement referred only to the break-in of the Democratic offices in the Watergate building and the later White House cover-up, and not to other possible campaign law-breaking.

Percy also said that the Republican Party might be better off if President Nixon resigned.

"There is a growing feeling in the party that Vice President Jerry Ford would be less controversial," Percy said. However, he added, "That is beside the point" because Mr. Nixon has said he will not resign.

Meanwhile, the leaders of the nation's two foremost business associations said the Watergate scandal has damaged both the national economy and the Nixon administration's ability to deal with it.

The comments were made on "Meet the Press" (NBC, WRC) by E. Douglas Kenna, president of the National Association of Manufacturers, and Arch Booth, chief executive officer of the Chamber of Commerce of the United States.