

Nixon Unwilling To Surrender 42 More Tapes

Washington

The White House indicated yesterday that President Nixon is unwilling to supply 42 additional Watergate-related tape recordings requested by the House Judiciary Committee for its impeachment proceedings.

Presidential press secretary Ronald L. Ziegler said at an unusually long news briefing — almost an hour and a half — that it would be “constitutionally irresponsible” for Mr. Nixon to give the committee all that it is seeking.

“The mere fact of an impeachment inquiry does not give Congress the right to back up a truck and haul off White House files,” Ziegler said.

The press secretary stopped short of outright rejection of the committee's request, which might well lead to a subpoena and to yet another constitutional confrontation.

Late yesterday afternoon, Bryce Harlow, a counselor to the President, said Mr. Nixon has not precluded release of the 42 tapes. But he said Mr. Nixon wants the committee to adopt tighter “rules of relevance” and wants the committee itself, rather than its staff, to decide which tapes it really needs.

Ziegler argued, in response to questioning, that the committee is asking for “more and more and more,” before it has received and analyzed materials that the White House is in the process of furnishing to it.

Besides the material already given to the special prosecutor, Ziegler said, the White House is providing “boxes of materials” on such subjects as antitrust deliberations, oil import

quota actions and decisions by the Environmental Protection Agency, the Cost of Living Council, the comptroller of the currency and the Federal Communications Commission. He did not explain why the house committee had sought these materials.

“We feel that once they begin to assess what we are now in the process of furnishing,” the press secretary asserted, “they will conclude that they have sufficient materials to complete their inquiry and to complete it quickly.”

He returned repeatedly to

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the theme that the committee ought to define an impeachable offense and prepare a list of specific charges against Mr. Nixon before gaining access to any more tapes and documents.

Ziegler was asked several times whether such action was a precondition to further negotiations on the 42 tapes between James D. St. Clair, the special White

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House counsel, and John Doar, special counsel to the judiciary committee. At no point did he give a direct response.

But his answers left the

clear implication that negotiations between the two lawyers are unlikely to progress much unless the committee is willing to come forward with a definition and a list of charges.

On two other matters, Ziegler said that:

The White House would provide soon a detailed explanation of the apparent contradiction in Mr. Nixon's accounts of his March 21, 1973, discussions about payments of “hush” money to the seven original Watergate defendants.

The apparent contradictions concern statements the President made last Wednesday, and last August 15.

Mr. Nixon said last Wednesday that then-counsel John Dean told him at a March 21, 1973 meeting, that “payments had been made to the (Watergate) defendants for the purpose of keeping them quiet, not simply for their defense.”

Last August, the President said of the March 21 meeting: “I was only told that the money had been used for attorneys' fees and family support, not that it had been paid to procure silence from the defendants.”

Ziegler also said that Mr. Nixon had told him yesterday morning that he had never asked to see the tax files of previous presidents and that, to the best of his

recollection, he had never asked any aide to look them up, as indicated in an article published in the New York Times.

Last night, the President made a brief appearance before the 25th annual congressional dinner of the Veterans of Foreign Wars.

The key to this country's ability to play the role of peacemaker lies in its strength, he told the 2500 VFW members.

New York Times