

House Unit Bids President Yield on Tapes by Tuesday

NYTimes By JAMES M. NAUGHTON APR 5 1974

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WASHINGTON, April 4 — The House Judiciary Committee demanded today that President Nixon decide by Tuesday whether he will turn over to it tape recordings of some 42 Watergate-related conversations it seeks for its impeachment inquiry.

"We will subpoena them if

we must," the committee chairman, Representative Peter W. Rodino Jr., Democrat of New Jersey, warned. He said that "the patience of this committee is wearing thin" after waiting 38 days for a White House reply to the panel's request of Feb. 25.

Congressional officials close to the inquiry said later that they expected the committee to vote next week, perhaps as early as Wednesday, to subpoena the tapes if they are not volunteered by the President.

Two of the President's lawyers, James R. Prochnow and Larry G. Gutteridge, were among the spectators, taking notes, at a meeting of the Judiciary Committee when Mr. Rodino declared:

"We have gone forward assuming good faith and cooperation. As regards the President himself, we have been respectfully patient. The courts were patient. The House has been patient. The people have been patient for a long, long time."

At the White House, a Presidential spokesman declined comment on the committee's deadline, reiterating that the tapes issue was the subject of

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confidential discussion between lawyers for Mr. Nixon and the Judiciary Committee.

The deadline grew out of the latest such meeting, on Tuesday, at which James D. St. Clair, the President's special counsel, asked the committee's senior lawyers, John M. Doar and Albert E. Jenner Jr., for more information to justify the request for the tapes.

Tapes Called Relevant

The 42 conversations, some of which the White House has said may never have been recorded, involved the President and former high officials of his Administration in February, March and April of last year.

In a letter to Mr. St. Clair today, Mr. Doar described the tapes as relevant to the central issue of whether the President had been aware of or had joined in the attempt to cover up Administration officials' alleged involvement in the bugging of the Democrats' headquarters in the Watergate complex.

One section of the letter said that the tapes could determine if the discussions "bear upon the President's knowledge or lack of knowledge, participation or lack of participation in the acts of obstruction of justice" alleged in the indictment last month of seven

former White House and Nixon re-election campaign aides.

The letter asked for "a reply by Tuesday, April 9, at the latest, with respect to whether or not the conversations referred to in our letter of Feb. 25 will be delivered to the committee."

Early Vote Sought

None of the 21 Democrats and 17 Republicans on the panel dissented from the Tuesday deadline.

The committee's senior Republican, Edward Hutchinson of Michigan, said that he failed to understand the White House's insistence on more justification for the request. He said that the panel was "not after any state secrets" but was seeking "evidence to bring this matter to a conclusion."

However, Republicans, led by Mr. Hutchinson, continued to press for an early vote to settle procedural issues, particularly their support of Mr. St. Clair's request for the right to take part in the gathering and presentation of evidence in the inquiry.

Democrats, who almost uniformly opposed the St. Clair request two weeks ago, indicated this morning that they were willing to let the White House lawyer play some role in the final stages of the inquiry.

Mr. Doar and Mr. Jenner presented a staff paper citing a "definite trend" in earlier

impeachment proceedings to permit the official under investigation to have counsel present "as a question of grace, not of right."

Republican Position

A brief prepared by Republican staff members strongly recommended that Mr. St. Clair be allowed to introduce evidence, cross-examine witnesses and join in every stage of the inquiry. But the Doar-Jenner brief urged that such a decision be deferred until all the evidence was assembled.

Meanwhile, a Democratic member of the House Armed Services Committee, Representative Les Aspin of Wisconsin, announced that he would introduce three resolutions designed to bar Mr. Nixon from traveling abroad or initiating any diplomatic accords during any impeachment trial.

Mr. Aspin said at a news conference that he was concerned that the President, who plans a trip to the Soviet Union this summer, would be "playing fast and loose with our national security during an impeachment trial."

The Senate majority leader, Mike Mansfield, Democrat of Montana, sent a letter to Senate committee chairmen urging them to speed up legislative business, presumably to facilitate a Senate trial if Mr. Nixon should be impeached. Mr. Mansfield said, however, that he was "just looking ahead."

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