

House Probers Subpoena Nixon's Tapes Documents. President Promises Some Data

Washington

The House Judiciary Committee subpoenaed tapes and documents from President Nixon yesterday, and the White House responded with a promise to give the panel "comprehensive and conclusive" materials regarding the President's Watergate role.

But presidential press secretary Ronald L. Ziegler declined to say that the materials would be all those demanded by the House committee.

Ziegler would say only that within two weeks Mr. Nixon will give the committee materials "consistent with his constitutional responsibilities" and that they would bear out the President's past explanations of his Watergate role and "receive the support of the House."

The committee subpoena, approved by a 33-to-3 vote, called for a response by 10 a.m. on April 25, four days after Congress returns from an Easter recess.

The subpoena was hand-delivered to the White House and accepted late yesterday afternoon by James D. St. Clair, the President's chief Watergate lawyer.

About two hours later, Ziegler told newsmen that the White House plans to deliver unspecified materials to the committee between April 22 and 25.

The committee voted to subpoena the material despite a last-minute offer from St. Clair to deliver part of it voluntarily within a few days. But committee members, including many of the Republican minority, were angered by St. Clair's refusal to give an immediate response about all of the material the panel had re-

Back Page Col. 2

From Page 1

quested in a letter sent February 25.

A committee source said there was no special significance to the April 25 deadline other than an effort to give the White House the maximum reasonable amount of time to respond.

All the dissenting votes were cast by Republicans: Representative Edward Hutchinson of Michigan, the ranking minority member of the committee, Charles E. Wiggins of California and Trent Lott of Mississippi.

Hutchinson said he doubts that a subpoena directed at the President could be enforced. He said he opposed the subpoena because St. Clair had indicated he would give the committee all or most of the material it is demanding.

Representative Robert McClory (Rep.-Ill.), who had supported many White House requests at committee sessions, called St. Clair's offer "entirely too equivocal."

Ziegler's statement appeared to adhere to a letter St. Clair sent the committee on Tuesday, in which he said a review of the requested materials was under way but would not be completed until the end of the recess.

The White House already has indicated that some of the tapes sought by the committee do not exist. Some conversations on the weekend of April 14-15, 1973, weren't recorded because a machine ran out of tape, according to the White House.

Ziegler told newsmen, "The real question here isn't the number of tapes or gamesmanship, but facts."

He then added, "There should be no question about our desire to provide facts."

Meanwhile, Vice President Gerald R. Ford, former House Republican leader, said the committee action is "unfortunate."

He said he doesn't think the action represents a confrontation between the committee and the White House.

Ford predicted "it will work out all right."

If the White House should defy the subpoena, the Judiciary Committee would have several alternatives. One would be to prosecute its subpoena in the court as the Senate Watergate committee is doing with its subpoena for tapes. A committee lawyer said the committee could ask the House to cite the President for contempt or simply determine defiance of the subpoena to be an impeachable offense.



UPI Telephoto

Chairman Peter Rodino held the subpoena while he consulted with chief counsel John Doar.

Before the final vote, the committee agreed unanimously to make more specific its demands for some conversations.

St. Clair had called John Doar, chief counsel for the impeachment inquiry, and offered to deliver the tapes sought on February and March conversations if such a delivery would "avoid issuance of a subpoena."

But Doar said St. Clair also told him that if all of the items requested on February 25 were subpoenaed, the committee would get nothing until the President had decided on a response to the entire subpoena.

The committee is demanding tapes of a total of 35 conversations in April, 1973, and tapes of six conversations that took place in February and March of that year.

The tapes St. Clair offered to turn over cover conversations the President had with H. R. Haldeman, John D. Ehrlichman and John W. Dean III between Feb. 20 and March 30, 1973. In each case, the committee staff was able to request, in its letter of Feb. 25, 1974, a specific conversation believed

to have concerned Watergate.

But the remainder of its request called for "all conversations" the President had with Haldeman and Ehrlichman between April 14 and 17, 1973, as well as those he had with then Attorney General Richard G. Kleindienst and Assistant Attorney General Henry Peterson between April 15 and 18, 1973.

It was that part of the request that St. Clair and many committee Republicans said was not specific enough.

Associated Press