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Jaworski Seeks Tape Believed to Deal With I.R.S.

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WASHINGTON, May 28—The special Watergate prosecutor, Leon Jaworski, asked Federal District Judge John J. Sirica today to turn over portions of a key Watergate tape that the judge has withheld from him. Mr. Jaworski argued that these portions might be tied to alleged attempts to "abuse and politicize" the Internal Revenue Service.

He also asked for notes made of the same meeting, that of Sept. 15, 1972, by the former White House chief of staff, H. Haldeman, Mr. Haldeman's note were also withheld by Judge Sirica.

The effort to get access to the full tape and the Haldeman notes has apparently been undertaken by the House Judiciary Committee staff, too, in meetings with Judge Sirica last week.

When the original seven Watergate-related tape recordings were turned over to the court last October after the dismissal of Archibald Cox as special prosecutor, Judge Sirica began sorting out relevant material on the tapes.

The judge was looking for material relating to the cover-up of the June 17, 1972, burglary at Democratic national headquarters in the Watergate complex here and selected 33 minutes of the 50-minute conversation that day as appropriate to go to the special prosecutor. The rest of the talk dur-

ing that session "contains nothing related to Watergate or anything connected there with," Judge Sirica stated.

Thus, the judge ruled, the remaining 17 minutes, along with Mr. Haldeman's notes, would be held back by the court.

Since that time, however, the investigation by the special prosecutor has broadened into possible use of the I.R.S. to punish the President's enemies in politics and the press.

Also, Mr. Jaworski argued in his brief submitted to the judge today, the 17 minutes may contain material bearing on the conspiracy indictment brought against seven men in an attempt to coverup the Watergate burglary.

'Motion for Reconsideration'

He formally filed a "motion for reconsideration" with Judge Sirica today asking that he be allowed to study the entire 50 minutes on the tape.

John M. Doar and Albert E. Jenner Jr., the majority and minority counsels, respectively of the House Judiciary Committee's impeachment inquiry, met with Judge Sirica last Thursday, apparently on the same matter. On Friday, they delivered a letter to Judge Sirica from Representative Peter W. Rodino Jr., Democrat of New Jersey, who is chairman of the committee.

Asked about it today, Mr. Jenner said, "We are seeking

access to materials he [the judge] has."

Asked if it related to I.R.S. investigations, he replied, "Could be."

He said that Judge Sirica had been "responsibly receptive" but that various possible objections to release of materials had been discussed.

This morning Mr. Jaworski, Mr. Jenner, James D. St. Clair, Mr. Nixon's chief lawyer, and William G. Hundley, attorney for John N. Mitchell, the former Attorney General, who is one of the seven men charged with criminal conspiracy to cover up Watergate, all met in Judge Sirica's chambers.

Judge's Office Silent

The meeting lasted an hour, but the judge's office would not comment on it. House sources indicated it may have been over the common desire to hear more of the Sept. 15 tape. The judge has not announced what action he might take in the motion for reconsideration. In the past he has held hearings on such matters before reaching a decision.

In his brief today, Mr. Jaworski said the President's lawyers contended that the 17 minutes related only to "discussions with and advice from the President's senior assistant and his counsel on matters relating to the President's conduct of his official duties and are unrelated to the Watergate matter."

"There is evidence, however,

that refutes this assertion," Mr. Jaworski stated.

The Sept. 15 meeting was attended by the President, Mr. Haldeman and John W. Dean 3d, then the President's counsel.

Among the evidence cited by Mr. Jaworski was Mr. Dean's testimony before the Senate Watergate committee that they had discussed preparing a list of newsmen who had written critically of the Administration and also the use of the revenue service to attack enemies of the White House.

Also cited was a June, 1973, conversation between J. Fred Buzhardt Jr., then special counsel to the President, and Fred D. Thompson, minority counsel for the Senate Watergate committee.

Mr. Thompson's notes of that conversation indicate that subjects discussed included use of the revenue service against Lawrence F. O'Brien, who was head of Senator George McGovern's 1972 Presidential campaign.

At present, the special prosecutor said, "allegations concerning the White House's attempt to abuse and politicize the I.R.S. have been and are the subjects of investigation" by two of the Watergate grand juries.

The Sept. 15 meeting was one of the transcripts released in edited form by the White House.