

President says recordings might be 'misinterpreted'

Nixon tapes subpoenaed by Cox, committee

WASHINGTON (UPI) — President Nixon rejected requests Monday from the Senate Watergate Committee and Special Prosecutor Archibald Cox for access to record presidential conversations. Both Cox and the committee promptly subpoenaed the tape recordings, touching off a constitutional confrontation.

The subpoenas were the first addressed to a President since Thomas Jefferson received one in 1807 in connection with the treason trial of Aaron Burr. Jefferson supplied the requested documents.

Nixon, in letters to Senate chairman Sam Ervin Jr. (D-N.C.) and Cox said he was withholding the recordings to protect the independence of the presidency and because release of them would not settle the "central issues" in the Watergate investigations. He said he listened to some of the tapes and making them public might subject them to misinterpretation.

Ervin, responding at the televised Senate hearing after the committee voted unanimously to issue subpoenas for the tapes and for documents bearing on Watergate also withheld by Nixon, said the

doctrine of separation of powers cited by the President does not apply to "alleged illegal activities."

Cox's subpoena — issued to "Richard M. Nixon, the White House, Washington, D.C. or any subordinate officer, official or employee with custody or control of the documents hereinafter described" — was to be answered by 10 a.m. Thursday. It was accepted at 6:20 p.m. EDT by Fred Buzhardt, presidential counsel who succeeded H.R. Haldeman after Haldeman, Nixon's chief of staff, fell victim to the Watergate scandal.

Rufus Edmisten and Terry Lenzer, lawyers for the Senate committee, delivered their subpoenas to White House counsel Leonard Garment at 5:24 p.m. EDT.

The issue almost certainly would have to be settled by the Supreme Court. Although in recess until Oct. 1, the chief justice can summon the court for a special term on extraordinary issues.

This has occurred only three times in the last 20 years.

Nixon cited the Constitution's provision

of separation of government powers in refusing requests from Cox and the committee for access to the tapes, and said his own review of the recordings showed they "are entirely consistent with what I know to be the truth and what I have stated to be the truth" about his knowledge of Watergate.

In his letter to Ervin, Nixon said, "If release of the tapes would settle the central questions at issue in the Watergate inquiries then their disclosure might serve a substantial public interest that would be weighed very heavily against the negatives of disclosure."

"The fact is that the tapes would not finally settle the central issues before your committee."

Moreover, the President said, "as in any verbatim recording of informal conversations they contain comments that persons with different perspectives and motivations would inevitably interpret in different ways."

Ervin also disclosed that the President had informed him he now sees no need for the private meeting the two agreed to

before it was revealed that the tapes existed. "I will not dissent from that view. So I won't ask for the privilege of visiting the White House."

As for the President's message refusing the tapes, Ervin said: "This is a rather remarkable letter . . . about the tapes. If you'll notice the President says he has heard the tapes, some of them, and they sustain his position. But he says he is not going to let anybody else hear them for fear they might draw different conclusions."

Cox called a news conference to issue his statement, which said: "Careful study before requesting the tapes convinced me that any blanket claim of privilege to withhold this evidence from a grand jury is without legal foundation."

"It therefore becomes my duty promptly to seek subpoenas and other available legal procedures for obtaining the evidence for the grand jury. We will initiate such legal measures to secure the eight tapes and other evidence as soon as proper papers can be prepared."

UPI Roundup

Housing funds illegally suspended

WASHINGTON — A federal judge ruled Monday that the administration unlawfully suspended several programs providing housing assistance for low and moderate income families. U.S. District Judge Charles Richey ordered the Department of Housing and Urban Development (HUD) to begin immediately to process applications for over \$431 million in housing funds which have been withheld since Jan. 8 by an order of then HUD Secretary George Romney. Richey said Romney's decision to suspend the housing programs "was in excess of his authority and contrary to law, and the court has jurisdiction . . . to compel him to perform his duty."

Nader asks U.S. to 'ban the Thing'

WASHINGTON — Ralph Nader Monday asked the government to ban sales in this country of Volkswagen's "The Thing," largely recreational vehicles which the consumer advocate termed "disasters" which are "lacking in rudimentary occupant crash protection." Nader and an associate, Dr. Carl Nash, said the vehicle, built on the chassis of the VW Beetle, "is completely lacking in rollover protection and protection against occupant ejection despite the well-known propensity of Volkswagens to overturn and despite the special hazards of overturning in off-road operation." Nader and Nash wrote James Wilson, acting administrator of the National Highway Traffic Safety Administration, urging that import and sales of "The Thing" be barred until it is made to conform to federal safety standards for regular passenger cars. They also requested recall of the vehicles already marketed for installation of safety features.

Was Congress misled on pipeline?

WASHINGTON — Sen. Walter Mondale (D-Minn.) accused the State Department Monday of "grossly misrepresenting" the official Canadian attitude toward a trans-Canada pipeline as an alternative to the Alaskan route for tapping North Slope oil. The State Department immediately denied the charges, but acknowledged that the revised Canadian answer on one key aspect — the question of ownership of a trans-Canada pipeline — had somehow lost its way in the department's bureaucratic maze.

No more private donations?

WASHINGTON — Senate Republican Leader Hugh Scott and Sen. Edward Kennedy (D-Mass.) Monday proposed mandatory public financing of political campaigns for the presidency and for Congress. Scott announced that the bipartisan proposal would be offered as an amendment to a campaign reform bill which the Senate expects to begin debating today or Wednesday.

Former aide implicates Haldeman

WASHINGTON (UPI) — White House chief of staff H.R. Haldeman discussed strategy for gleaning political intelligence on President Nixon's potential foes at least a year prior to Watergate with Attorney General John Mitchell, an ex-Haldeman aide testified Monday.

Gordan Strachan, who was Haldeman's liaison with the Committee for the Re-Election of the President (CRP) said he himself had informed Haldeman when a "sophisticated" intelligence-gathering plan was finally approved 10 weeks prior to the Watergate bugging and that Haldeman had ordered him to destroy memos relating to it when the conspirators were arrested.

Nervous under intensive day-long questioning before the Senate Watergate Committee and a nationwide television audience, Strachan also said:

— Haldeman had a device on his telephone whereby aides could be signalled silently to pick up an extension and listen to conversations undetected.

— A number of Haldeman aides had their phones equipped with devices to record conversations on dictation machines.

— With Haldeman making the decisions, about 100 Democratic congressmen and an unspecified

number of Democratic senators, primarily from the South "who had supported the President on crucial votes on the Vietnam War," were not provided strong Republican opposition in the 1972 elections.

It was the strongest testimony thus far in the three-month-old

Senate hearings against Haldeman, who was the man closest to Nixon and after him the most powerful man in the White House until this spring. He stepped down as chief of staff April 30 in a major post-Watergate shakeup.

Hijackers fly to Damascus after mysterious message

DAMASCUS, Syria (UPI) — A hijacked Japanese 747 jetliner left the tiny Persian Gulf State of Dubai early Tuesday and flew to Syria after it was refused permission to land at airports of two other Arab capitals.

The 747 took off from Dubai after the hijackers received a mysterious message from West Germany following more than 90 hours on the ground at the Dubai airport with more than 100 hostages aboard. An elderly Japanese couple was freed shortly before takeoff.

Airport officials in Damascus announced that the 747, seized over the Netherlands on Friday, landed at 2:35 a.m. 7:35 p.m. EDT Monday.

Several high-ranking Syrian government officials and the Japanese charge d'affaires in Damascus were at the airport when the 747 landed.

Newsmen were not allowed to get close to the plane, however, and it was not possible to see what security precautions had been taken.

The 747 jet, believed to have 133 passengers, including five hijackers and a crew of 21 aboard, left Dubai at five minutes past midnight.

During its 3-1/2-hour flight, a Japan Air Lines official in Beirut said, it was refused permission to land at Baghdad, Iraq, then Beirut airport.

Reports from Tel Aviv's Lod airport, which was monitoring the plane's flight closely in the expectation it might try a landing in Israel, said the plane appeared to have mechanical trouble. Before leaving Dubai the pilot has asked about flying conditions

at 10,000 feet, a much lower altitude than the 35,000 feet at which a 747 jet would normally fly.

The fact that the hijackers did not appear to have decided before leaving Dubai precisely where they would land matched the pattern of their flight to Dubai after they hijacked the plane Friday afternoon shortly after it took off from Amsterdam's Schiphol International airport.

The Arab and Japanese hijackers claimed to belong to a guerrilla group called the "Sons of the occupied territories."

Butz denies grain deal knowledge

WASHINGTON (UPI) — Agriculture Secretary Earl Butz and one of his top assistants insisted during heated Senate testimony Monday they had no knowledge last July that the Soviets were buying millions of tons of American grain in record quantities.

Their testimony before the permanent investigations subcommittee conflicted with statements from major grain company officials who swore Friday they informed the Agriculture Department of the Russian offers to buy massive amounts of wheat and other grains.

But subcommittee chairman Henry Jackson (D-Wash.) said, "I'm not passing judgment. That may be for the Justice Department."

Phase IV bacon, eggs cost more

The great American breakfast of bacon and eggs cost more Monday, the first casualty in the expected assault on the grocery budget during the country's first full week under Phase IV.

The price of eggs, poultry and pork were up as supermarkets reopened Monday, free to raise food prices which had been frozen until last week.

Although the freeze on food was lifted except for beef with the imposition of Phase IV last Wednesday, most prices held fairly firm last week because grocers were committed by their advertising through the weekend.