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On Capitol Hill, Subpoenas and Rivalry

When the House Judiciary Subcommittee on Impeachment meets tomorrow, Rep. Thomas Railsback (R-Ill.) will move to issue this warning to the Senate Watergate investigating committee: Keep your hands off our constitutional prerogatives.

Railsback probably will have solid Republican support and might pick up some Democratic votes. Judiciary Committee members were outraged by the recent shotgun subpoenas issued by Sen. Sam Ervin's Watergate committee demanding hundreds of White House tapes and documents. Since much of the material will also be sought by the House committee in its impeachment investigation, the congressmen view Ervin's move as interference with the constitutional prerogatives of the House.

Rep. John Conyers of Michigan is one highly partisan Democrat on the Judiciary Committee who agrees with the Republicans. He recently urged the committee chairman, Rep. Peter Rodino of New Jersey, to confer with the Democratic leadership of both houses to prevent a proliferation of investigations into Mr. Nixon's conduct in office. Otherwise, Conyers says, the impeachment process "will be spread all over God's half-acre."

Ervin is not the only interloper worrying Conyers and other Judiciary Committee members. They believe that Rep. Wilbur D. Mills of Arkansas should have turned Mr. Nixon's tax problems over to the Judiciary Committee. Private remarks by Mills that his joint Internal Revenue Taxation Committee's audit of Mr. Nixon's taxes is the *real* impeachment/investigation have drifted into the ears of unhappy Judiciary Committee members.

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The prospect that President Nixon may soon revert to an all-out hard line against his multiplying political enemies threatens a backlash at high levels of the Republican Party, including the new party leader in the House, Rep. John Rhodes of Arizona.

Rhodes, a trusted and highly respected party man, believes that no Nixon counterattack could possibly work but, indeed, could have tragic results for the President, his party and the country.

"No counterattack is feasible," Rhodes told us, "until after the House has disposed of the impeachment matter. Let's face it, the White House crossed the Rubicon months ago when they decided to tell all the facts. They have to

go on down that road until the House has had its say on impeachment."

In stressing that any White House offensive would have to wait until after a House vote on impeachment (possibly late in the spring), Rhodes was carefully leaving the door open to a major shift in the President's strategy if the House should vote against impeachment.

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The new Internal Revenue Service (IRS) audit of President Nixon's tax returns, an investigation intended to protect itself from congressional second-guessing, reflects how little control the President has over decisions of his own administration.

The IRS decision to examine Mr. Nixon's returns again after having declared them correct last June is based primarily on fear that the joint congressional committee study may pick up discrepancies missed by federal tax agents and therefore embarrass the IRS. Consequently, ever since the congressional study was requested by Mr. Nixon Dec. 8, high IRS officials have been on pins and needles.

The wonder is that their demand for a new self-protecting audit shipped by

without being stymied by either the Treasury Department or the White House. In any event, Wednesday's announcement of a new audit was most unwelcome news to the presidential cadre at San Clemente, which has no desire to confront yet another investigation.

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Top-level U.S. officials, outraged at Canada's raising the price of its oil to Arab levels, privately and caustically refer to Canada as "the northern member of OPEC" (the Arab nations' organization of petroleum exporting countries).

After President Nixon, in his Disney World press conference Nov. 17, indicated he did not blame the Canadians for driving "hard bargains" on oil, Canada matched Arab \$9-a-barrel crude oil with an effective price (including export tax) between \$9 and \$10 a barrel. U.S. officials were stunned that a neighbor and ally would join in the petroleum price stampede.

Federal energy adviser William Simon meets at the end of January with his Canadian counterpart, Donald McDonald, against a background of deep-seated American hostility.