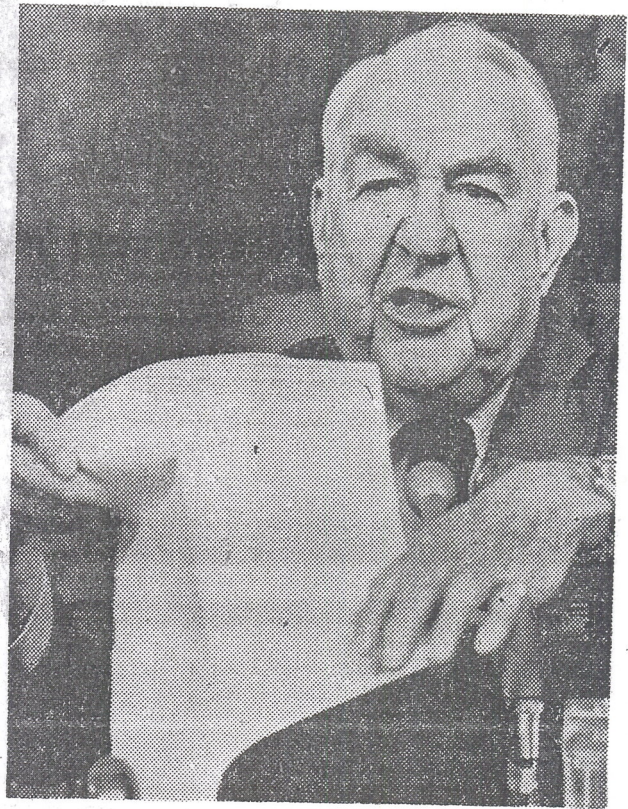




The New York Times/George Tames

Rufus L. Edmisten, left, deputy counsel, and Terry F. Lenzner, assistant chief counsel, delivering the Watergate committee subpoenas to Executive Office Building.



The New York Times/Mike Lien

Senator Sam J. Ervin Jr. as he finished reading the President's letter refusing to release the tapes.

CONGRESS IS WARY ON NIXON DECISION

'Let's Wait and See' Appears
to Be View—but Many
Think President Errs

7/24/73

By MARJORIE HUNTER

Special to The New York Times

WASHINGTON, July 23 —

Members of Congress reacted cautiously today to President Nixon's refusal to supply tape recordings of his personal conversations to Watergate investigators.

Many Democrats and Republicans said privately that they felt the President had made a grave political mistake. But there appeared to be no genuine move toward impeachment — nor even more than a scattering of support for a proposed House study of whether the House should begin impeachment proceedings.

The watchword around Congress, today as in past weeks, is "Let's wait and see."

Yet, there appeared to be concern in some quarters that the President's action would make it increasingly difficult for Senate and House leaders of both parties to continue to

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Congress Wary on Decision by Nixon

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keep the lid on a potentially explosive situation.

Aside from a few open colloquies on impeachment on the House floor in recent weeks, Congress has maintained what one Democrat has called "an incredible show of restraint."

"Some few have tiptoed up to it, but no one has really crossed the abyss yet," Representative John C. Culver of Iowa, chairman of the liberal Democratic Study Group, said today.

Representative John E. Moss, Democrat of California, is expected to introduce a resolution, probably within the next 10 days, to create a House select committee to study whether there are grounds for impeachment.

While Mr. Moss said that he had received "positive response" from some 12 or 15 colleagues he asked to join in the move, there are no indications at this time of widespread support for the resolution.

Partial Release Foreseen

In continuing their appeals for restraint, a number of key Congressional leaders expressed the opinion today that the President would eventually find a way to make pertinent portions of the tape recordings available, both to the Senate Watergate investigating committee and to Archibald Cox, the Government's special Watergate prosecutor.

"I can understand the Presi-

dent not releasing the tapes at this time," Senator Mike Mansfield of Montana, the Senate Democratic leader, said. "I'm sure he's waiting until this phase of the hearing is concluded. Then, he'll have his day in court."

But Senator Mansfield said that when that day arrives, "the President ought to be prepared to state his case."

Senator Hubert H. Humphrey of Minnesota, who lost the Presidential race to Mr. Nixon in 1968, also expressed the view that "the President will, in time, release pertinent portions of the tapes."

Bush Defends Nixon

George Bush, chairman of the Republican National Committee, also expressed confidence that the President would "fully expose" the entire story of the Watergate affair.

Mr. Bush defended the President's decision in refusing to disclose tapes of his "private and highly confidential talks with some of his closest aides" and said he felt the American people would agree with that decision.

"The President knows the main thing the people want is to get this matter fully disclosed and put to bed," Mr. Bush continued. "But he is acutely aware of his long-term constitutional responsibility, Thank Heavens."

Senator Robert Dole of Kansas, former chairman of the Republican National Committee,

also expressed the hope that the President would find a way to release the information to the Watergate investigators.

But Senator Dole was less confident than Mr. Bush that the American people would understand the President's refusal.

"I think he was legally right, but I don't think the American people will understand that," the Senator said. "They want to believe the President, but I just don't know how much longer the people will wait."

Senator Dole appeared to reflect the view of many in Congress that the key factor in determining where the Watergate affair may lead is public reaction.

"Until public opinion shifts dramatically to loud cries for impeachment, it's not likely there will be a serious move here in the House," Mr. Culver said.

Senator Mansfield expressed somewhat the same view when he said: "The people are the jury, the judge, the government. The people will decide."

The President's refusal today to release the tapes added to the gathering gloom in the House Republican cloakroom.

Several Republicans, including Representative William A. Steiger of Wisconsin and Representative Paul Findley of Illinois, said that they were disappointed that the President had not found a way to release the information.