



## More Vipers In Watergate

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**T**HERE IS a lot to learn from the open squabble between the Watergate special prosecutor, Leon Jaworski, and the chairman of the House Judiciary Committee, Representative Peter Rodino of New Jersey.

To begin with, it appears that Jaworski is near to harvest time. Much high-level plea bargaining is now going on or is in prospect. One of those at the plea bargaining-table already, for instance, is the President's former lawyer, Herbert Kalmbach. In addition, all the main Watergate indictments should be handed down by mid-February.

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**I**T WOULD BE natural for Jaworski to want to avoid rocking the legal boat at this particular moment. There is no doubt, either, that Jaworski is basing himself squarely on existing law in his refusal to give the House Judiciary Committee the freedom of access to his files. He has cited two main points of law:

Point one is Rule 6 of the Federal Criminal Regulations, which sternly forbids publication or dissemination of data presented to a federal grand jury.

As to point two made by Jaworski, it is the so-called "Delaney decision," which says in effect that the federal government's executive branch cannot drag a man into court for prosecution if the government's legislative branch has previously prejudiced the trial by creating excessive pretrial publicity. Jaworski is going to have trouble enough with the Delaney decision because of the Senate's Watergate committee.

As for the House Judiciary Committee:

John Doar, the majority counsel, has firmly cut himself off from all contacts except with the committee members he serves — a most honorable decision for which he has been sharply attacked.

Because of Doar's old-fashioned care for propriety, one must look to Chairman Rodino in order to deduce the aims of the committee majority. To begin with, Rodino has not sent Doar to ask U.S. District Judge John J. Sirica for access to the grand jury material in Jaworski's custody. Yet Sirica has a legal right to open the files for Doar if Sirica regards such action as proper.

Furthermore, Rodino started by nobly promising a committee report by April. Yet he has now seized on the stand taken by Jaworski to excuse a new prediction that his committee will take a full year to deal with the President's impeachment.

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**I**N FACT, it looks very much as though the predominant left-wing group among the Democrats of Rodino's committee is pushing for a protracted proceeding. There is only one hitch: Most members of Congress agree that the great majority of voters want the Watergate matter out of the way, one way or the other, with maximum speed.

Thus there are great risks for Rodino and his attendant left-wing Democrats if they seem to drag out their task unduly. It is quite conceivable that the House would then vote for a motion discharging the committee by April 30, which would be later than the original Rodino target date.

In short, this is another basket of vipers.