

NY Times MAR 13 1974  
**HOUSE AND NIXON  
 SEEM NEAR CLASH  
 ON WITHHELD DATA**

**Evidence Denied Jaworski  
 and Sought by Inquiry on  
 Impeachment Is at Issue**

**WHITE HOUSE IS BALKING**

**Ziegler Hints at Reluctance  
 to Give Material—Panel  
 Shows Rising Irritation**

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Special to The New York Times

WASHINGTON, March 12 — A major confrontation between Congress and the White House appeared today to be developing over information the White House is withholding from the House Judiciary Committee.

At issue is the request of the committee's impeachment inquiry for evidence covering the same ground as evidence the President refused to give to the special Watergate prosecutor, Leon Jaworski.

In a long briefing today, the White House press secretary, Ronald L. Ziegler, suggested that the Administration was unwilling to supply further materials to the impeachment inquiry.

**House Panel Angered**

Apparently infuriated by the White House disclosure yesterday of the nature of the evidence sought by the committee—42 tape recordings of Presidential conversations—members pressed today for a more formal White House decision and one member urged issuance of a subpoena to bring the matter to a climax.

The White House attitude toward the committee's request seems to support the growing feeling on Capitol Hill that Mr. Nixon would sooner risk impeachment for defying the House committee than on the basis of any further evidence accumulated in the impeachment inquiry.

That feeling was supported by Vice President Ford when he told newsmen today that White House refusal to comply with a House subpoena, should one be issued, might be the

catalyst that would bring about President Nixon's impeachment. He added, however, that he did not believe the White House would follow such a course.

**Material Withheld**

The material that both Mr. Jaworski and the impeachment inquiry have been unable to obtain from the White House covers Presidential conversations with five aides over a number of days both before and after the March 21 conversation in which the President contends he learned of the Watergate cover-up.

As Congressional concern increased during the day, the Judiciary Committee chairman, Representative Peter W. Rodino Jr., Democrat of New Jersey, scheduled a Democratic caucus for tomorrow morning. The meeting was apparently called in an effort to head off any precipitate action by members eager to bring about the confrontation before the staff has framed the outline of its pro-

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pective case against the President.

Mr. Rodino said the material was necessary "because it bears on matters that leave a lot of questions unanswered and [is] not intended by this committee as part of any fishing expedition."

Sources familiar with investigation report that both Mr. Jaworski and the impeachment inquiry staff believe the conversations could either support or refute the President's contention that he first learned of the cover-up on March 21. The material thus could be the most crucial evidence in the chain of events leading to the present confrontation.

At a Judiciary Committee meeting scheduled for other, non-impeachment business, Mr. Rodino and members of both parties took time to criticize the White House sharply for publicly disclosing information the committee had treated as confidential.

**Outburst by Sandman**

As part of an effort to demonstrate to the Administration, the courts and the public that the impeachment inquiry would be impervious to public leaks of sensitive information, the specific request of information had been kept secret from all but the two senior Judiciary Committee members.

A clear indication of the deterioration of the relations between the committee and the Administration and the frustra-

tion now being felt by committee members was an outburst by Representative Charles W. Sandman Jr., Republican of New Jersey.

Mr. Sandman, who keeps his own counsel and has hardly spoken in earlier committee meetings, said in irritation to his colleagues in today's meeting:

"All I hear about is how far the President is willing to go, or is not willing to go. When are we going to start running this investigation?"

Committee members were furious on learning of the details of the request for information sent the White House by their own staff in news accounts this morning originating from the White House. Their anger was increased by the implication of the White House-generated articles that the request was part of a "fishing expedition" on the part of the committee.

"This release of the letter," said Representative Jack Brooks, Democrat of Texas, during the meeting, "is an affront to the comity between the White House and the Congress of the United States and I think the hucksterism of the White House should not detract from the decency and forbearance of the committee."

"It is clear," he continued, "The White House is not going to cooperate with this committee and it is just a matter of time before we have to send a subpoena down there."

Committee members also expressed concern about a letter sent by White House counsel,

James D. St. Clair, to Federal District Judge John J. Sirica late last week. Although the White House maintained in court that it was taking no position on whether or not the court should turn a sealed grand jury report over to the impeachment inquiry, the letter asserts the White House right to examine that report should the court decide to send it to the committee.

**This type of White House Review Held Improper**

review of the material, the committee members agreed, would be improper and a letter was sent to the judge today stating the committee's right to the material without precondition. The report is believed to contain evidence on the President's conduct uncovered by the grand jury investigation.

Sources familiar with the Watergate investigations reported today that Mr. Jaworski was prepared to go to court to compel the White House to produce the tapes and other evidence now being withheld. Short of issuing a Congressional subpoena, the impeachment inquiry staff is reluctant to make other legal moves to obtain the material from the White House.

This reluctance is based on the position taken by the committee that the impeachment process is not subject to court review. Any effort to involve the court in the process, through subpoenas or otherwise, they feel, would establish a precedent and open the entire process to court review.