

Nixon vs. House Panel: A Fight to Control

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The debate between the White House and the House Judiciary Committee over Watergate evidence may be significant less because of what is being said than because of what is being assumed on both sides: that, sooner or later, the committee will recommend that President Nixon be impeached.

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With that likelihood in mind, the President's associates and the committee's leaders appear to be maneuvering to control the timing of the impeachment decision and the grounds on which it will be framed.

The White House would evidently prefer a quick and perhaps consummate collision over the narrow constitutional question of whether Mr. Nixon would be in contempt of Congress

should he, as his aides have strongly suggested he will, refuse to supply tape recordings and documents sought by the committee investigators.

But the House committee is a fragile coalition of Republicans and Democrats, liberals and conservatives, and its chairman, Representative Peter W. Rodino Jr., Democrat of New Jersey, would sooner delay a confrontation with the President until the inquiry staff can obtain and digest evidence to suggest criminal misconduct by the President and persuade the committee's more reluctant members to support impeachment.

Thus the debate is more sym-

bolic than substantive, providing only hints of the underlying strategies involved.

On the surface, the issue is whether the President should give to the committee White House tape recordings of 42 Watergate-related conversations in which he was apparently involved last year.

Ronald L. Ziegler, the White House press secretary, contended that it would be "constitutionally irresponsible" for the President to surrender to the Judiciary Committee all that it was requesting.

Bryce N. Harlow, a senior counselor to the President, told newsmen that the committee

was in effect trying to forage through White House files like undisciplined children

And James D. St. Clair, Mr. Nixon's special Watergate counsel, underscored the essential point when he asserted in an interview with the New York Times that his client was not Mr. Nixon individually but "the office of the Presidency."

Taken together, the White House comments suggested the outline of a strategy for minimizing the impact of the impeachment inquiry:

First, the President would likely deny the committee request on the ground that to honor it would set a precedent for dangerous future forays

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into confidential White House records.

Second, the White House would attempt to picture the committee as irresponsible and thus perhaps weaken its influence in the House of Representatives.

Chairman Pressed

And, third, the White House might goad the committee members into a hasty attempt to subpoena the evidence and bring the inquiry to a climax.

The third tactic nearly succeeded. Three Democratic members of the committee — Representatives Jerome R. Waldie of California, John Conyers Jr. of Michigan and Charles B. Rangel of Manhat-

tan — stormed late yesterday into the chairman's office to urge that Mr. Rodino initiate a formal subpoena of the tapes.

Mr. Rodino, instead, convened a private caucus of the committee's Democratic majority this morning to head off what the chairman was understood to regard as a premature subpoena move. Mr. Rodino and John M. Doar, the committee's special counsel on impeachment, reportedly cautioned the angry Democrats that, as yet, there had been no official word from the White House that the request would be refused.

"We had to hold them back," a colleague of Repre-

sentative Rodino said. "We need time to get into other areas of the inquiry, apart from the Watergate cover-up itself. And it's essential that we not let the White House drive the liberal Democrats out front on this issue."

Thus, Mr. Rodino's strategy is to try to win broad support for the panel's ultimate judgment of the President by proceeding cautiously and deliberately, by trying to assemble the maximum evidence available from the White House and other sources in formulating the basic case against the President, if one should seem unwarranted, and by delaying until then a direct confrontation with

the White House over a subpoena.

"That way," a committee official said today, "We'll be able to say to the House, 'Look, we've gone as far as we can without White House material, here is our case, here is what we could not get from the White House, and you can judge for yourself.'"

For the moment, Mr. Waldie contented himself with a charge that the White House seemed to be trying to conceal "devastating" evidence. But he and the other irate Democrats on the committee agreed to put off until later the collision with the White House that everyone seems to consider inevitable.