

Probers Consider Next Move

Washington

Democrats on the House Judiciary Committee are weighing a formal move to cite President Nixon for "noncompliance" with the committee's April 11 subpoena of White House tape recordings.

But most Republicans on the panel are balking at the legal challenge to the President, and a number of them voiced qualified acceptance yesterday of the White House substitution of more than 1200 pages of edited transcripts for the subpoenaed recordings.

The possibility of a "non-compliance" citation — a first, restrained step toward either citing Mr. Nixon for contempt of Congress or including his refusal to yield the tapes among any eventual articles of impeachment — emerged within hours of the arrival of Capitol Hill of a black station wagon bearing 38 sets of the White House transcripts.

Offices of the committee members were deluged, at the same time, with telegrams from voters urging the panel to insist on obtaining copies of the relevant White House tapes.

Committee chairman Peter W. Rodino Jr. (Dem.-N.J.) scheduled a meeting for tonight to consider the 38-member panel's next move in the impeachment inquiry.

Democrats, who met privately late yesterday to discuss the "noncompliance" motion, said they would attempt to win Republican support for it before the 7 p.m. meeting.

One participant in the closed Democratic caucus said Rodino had spoken of "the dilemma of not wanting to split open the committee, but not wanting to appear

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weak" in the face of the White House refusal to comply fully with the subpoena.

In a television interview last night, Rodino said:

"I'm disappointed. After waiting all this period of time that the material that we requested which is pertinent to the inquiry, to which the American people had expected we would examine, and then be able to make a judgment, has not been forthcoming."

Committee members, including some Republicans, expressed growing dissatisfaction with the President's response to the subpoena of 42 taped conversations believed to bear on the Watergate coverup attempt.

The House members cited the following major deficiencies in Mr. Nixon's reply:

- Eleven of the 42 conversations listed in the committee subpoena were not among the transcripts. The White House said nine never were recorded and two could not be located.

- Mr. Nixon made no reply, publicly or privately through his lawyers, to an April 19 request from the committee for a number of additional tapes and documents dealing with the alleged Watergate coverup, the controversial settlement of government antitrust action against the International Telephone and Telegraph Corp. and large political gifts from milk producers to Mr. Nixon's re-election campaign.

- Although the President offered to let Rodino and ranking committee Republican Edward Hutchinson of Michigan audit the tapes to verify the accuracy of the transcripts, he made no provision for the committee lawyers to join in the process. Some Republicans, including the House Republican leader, John J. Rhodes of Arizona, said they had objected to the ban on committee counsel in a screening process.

- The White House, according to Representative William S. Cohen (Rep.-Maine), ruled out any

technical tests on the withheld tape recordings to verify that they had not been tampered with.

- The edited transcripts yielded by the President contained numerous passages marked "unintelligible" or "expletive deleted."

Mr. Nixon said in a nationally televised address Monday night that the transcripts should finally "get Watergate behind us."

But some committee members noted pointedly yesterday that the material yielded by the White House did not touch at all on other issues that the inquiry staff listed last week as "priority matters" in the investigation of the President's official conduct.

Among these matters were the President's federal income tax payments from 1969 through 1972, the secret 1969 bombing of Cambodia, and the \$100,000 cash campaign contribution offered by Howard R. Hughes, the reclusive billionaire, to Mr. Nixon's close friend, C. G. Rebozo.

Most Republicans, such as Trent Lott of Mississippi and Lawrence J. Hogan of Maryland, expressed misgivings about Mr. Nixon's refusal to yield the actual tapes. But they said that the President's reply was, as Lott stated it, "a situation I can accept."

Representative Robert McClory of Illinois, the second-ranking Republican, endorsed Mr. Nixon's transcript offer. But his office reported that he had received telegrams bearing messages including the following:

"Don't buy it. The tapes, the whole tapes, nothing but the tapes."

"If the subpoena was worth issuing, it is worth enforcing."

Similar bundles of messages were stacked up in chairman Rodino's office and other committee members said the volume was the largest on impeachment since the President's dismissal of the first Watergate special prosecutor, Archibald Cox touched off a national storm—and prompted the impeachment inquiry — last October.

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