## White House Faces Clash With Impeachment Panel

## By JAMES M. NAUGHTON Special to The New York Time

WASHINGTON, Feb. 22-|than "a day or two" to comply The White House and the with a committee request for the with a committee request for the some 700 pages of documents and 17 tape recordings. Mr. I Ziegler declined to say whether the White House would volunter the White House would wolunter the White House would wolunter the White House would wolunter the Wh

peachment of President Nixon. The White House press sec-retary, Ronald L. Ziegler, de-istration views on the proper clared that the President's Wa- grounds tergate lawyers and the Depart-would be made public early ment of Justice would both issue "another point of view" House committee that his re-challenging the conclusion of the committee staff that the dence, based on a list of materscope of impeachment covered ial already assembled by the a broad array of offenses not special Watergate prosecutor, limited to indictable crimes.

The Judiciary Committee's livered "promptly." special counsel, John M. Doar, posing a second possible con-both sides in the impeachment flict, told the panel at a meet-inquiry would know in a few ing this morning that it should

Leon Jaworski, would be de-

impeachment

for

Thus it appeared likely that

take the White House no more Continued on Page 7, Column 1

Continued From Page 1, Col. 7 days whether they would confront or cooperate with one another.

Mr. Doar, and other members of the committee's bipartisan impeachment inquirey staff, issued a 49-page advisory report yesterday, categorically rejecting the argument that a President may be impeached only for violations of Criminal laws. The study did not de-fine precisely the scope of impeachment, but made clear that it included a broad assort. ment of actions that might represent "grave misconduct."

At a White House briefing this morning, Mr. Ziegler declined to characterize the Administration view on the basic issue of what constitutes impeachable misconduct. But he said that the President's advisers would have "another

point of view on this question." James D. St. Clair, the Presi-dent's special Watergate counsel, has described impeachment as an "adversary" proceeding much like that between lawyers representing conflicting interests. He is expected by Republicans on the Judiciary Committee to challenge the committee staff's assertion that "impeachable conduct need not be criminal."

2 Justice Agency Studies

The Justice Department is-sued late today two "working papers" on the historical back-ground of impeachment, but withheld publication of a legal memorandum drawing conclu-sions from the two appendices sions from the two appendices. The two background studies

The two background studies were accompanied by a dis-claimer in which Robert G. Dixon Jr., an Assistant Attorne General, stated that the docu-ments "should not be regarded as an official position of the Department of Justice." Nonetheless, the documents may have suggested the outline of the Administration's view-point.

point.

The House Judiciary Com-mittee staff said that the im-peachment standard in the Con stitution — "high crimes and misdemeanors"—was a legal "term of art" drawn from Brit-ich imeachment anoradhas ish impeachment proceedings. The committee lawyers said th phrase would include "consti-tutional wrongs that subvert the sinucture of government, o undermine the integrity of of-fice and even the Constitution itself."

itself." One of the two Justice De-partment "working papers," a 57-page report, "The Concept of Impeachment Offense," took account of interpretations of constitutional scholars similar to the committee staff's judg-ment. But the department paper also said that "much of what the framers" of the Constitu-tion had done "was a reaction against rather than a copy of the British model," Text of Constitution

The Justice study also said that "one can make a strong argument, based on the text of the Constitution alone, that impeachment can only be pred-icated on a 'high' criminal of-fense" like treason or bribery, the only impeachable offenses specifically mentioned in the Constitution.

The scope of impeachment is likely to be debated for some time, but the question of White House willingness to sup-ply evidence to the committee will apparently be tested apparently swiftly.

In a progress report to the 38-member Judiciary Commit-tee, Mr. Doar said that he was tee, Mr. Doar said that he was ready to make the first specific request for White House evid-ence, that the staff would begin interviewing "witnesses "on a fairly major scale" next week, and that he was preparing to make a number of requests for documents from several Admin-istration departments

documents from several Admin-istration departments. Several of the committee's Democrats pressed Mr. Doar to tell the panel how quickly he thought the White House should volunteer evidence. Although he said he was not going to set any deadline, Mr. Doar told Representative Wayne Owens, Democrat of Utah, that he believed it would be "no burden" for the White House to respond to the initial House to respond to the initial request in "just a day or two."

## Jenner's Opinion

The committee's chief Repub-Inc commutees other Repub-lican counsel, Albert E. Jenner Jr., told newsmen later he thought it would be "asinine" for the White House to refuse to give the committee any evid-ence already supplied to

to give the committee any evid-ence, already supplied to Watergate prosecutors. The White House has not made clear, and Mr. Ziegler de-clined again today to do so, whether evidence will be volun-tarily available to the acom tarily supplied to the com-mittee

Representative Robert Mc-Representative Robert Mc-Clory, Republican of Illinois, said he was "very confident we're going to have full consid-eration" from both the White House and the special Water-vate prosecutor gate prosecutor. But Democrats suggested

strongly that they would not tolerate White House delays and would, if necessary, resort to issuing formal subpoenas for

"The public is looking for expeditious action," the panel's chairman, Representative Peter W. Rodino Jr., Democrat of New Jersey, said at one point: "Congress has asked us to act promply. Any delay will not be for coming from out ide." 

 $\widetilde{\mathcal{A}} \in \mathcal{S}_{n}^{\mathcal{H}}$ 

3