

# Probers Dispute A Nixon Claim

Washington

Republicans and Democrats on the House Judiciary Committee yesterday challenged President Nixon's assertion that he could not be impeached except on the basis of evidence that he had violated criminal law.

But several members of the committee conducting the impeachment inquiry said that, as a practical matter, the outcome of the investigation would probably turn on Mr. Nixon's involvement, if any, in criminal aspects of the Watergate scandal.

Officials of the committee confirmed that a request for about 700 pages of documents and 17 tape recordings had been sent to the White House Monday night. John M. Doar, the panel's special counsel, said last week that it should take the President's lawyers no more than "just a day or two" to comply voluntarily with the request.

Investigative sources disclosed that Doar met yesterday with the Watergate special prosecutor, Leon Jaworski, as part of a continuing effort to gain access to evidence gathered for three Watergate grand juries and to determine what specific evidence Mr. Nixon refused to supply to Jaworski earlier this month.

Senate Republican leader Hugh Scott of Pennsylvania pressed Nixon to make a full disclosure of all relevant evidence to both the committee and the special prosecutor.

"If it were up to me," Scott said, "I would have

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pulled a truck up to the gates of the White House a long time ago and given them every damn memo they wanted, the whole works."

Mr. Nixon asserted at a White House news conference Monday night that his Watergate lawyers had advised him "that a criminal offense on the part of the President is the requirement for impeachment." He said the Constitution is "very precise" in setting that standard.

The statement was in direct conflict with the conclusion of the bipartisan staff of lawyers for the committee, who said in a 49-page memorandum last week that a president could be impeached on such non-criminal grounds as dereliction of duty or failure to comply with the "Constitution's mandate to take care that the laws be faithfully executed."

Senior Republicans on the committee — including Representatives Robert McClory of Illinois, Charles E. Wiggins of California, Charles W. Sandman Jr., of New Jersey and Tom Railsback of Illinois — said they agreed for the most part with the committee staff's judgment.

The staff analysis was "very accurate academically and historically," McClory said. But he added that he would "question whether it would have any applicability to the President at this time."

Wiggins also said that the House has power to impeach officials for a variety of serious, but not necessarily criminal, offenses, but that "we should exercise our power narrowly" when dealing with a president who was elected to a fixed term.

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