

# Hill Unit

## To Seek Jury Data

### Confrontation Possible on Other Requests

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The House Judiciary Committee voted unanimously yesterday to ask Judge John J. Sirica for the secret grand jury report dealing with President Nixon's involvement in the Watergate case.

At the same time, the committee appeared headed toward confrontation with the White House over obtaining other information it considers essential to its impeachment inquiry, including six presidential tapes not given to the special prosecutor.

Special counsel John Doar reported that a White House letter received Wednesday failed to mention the committee's request for the six tapes, although it agreed to delivery of other materials. Doar said he took this to mean "no," but asked the committee to delay issuing a subpoena until he has made sure it is not a misunderstanding.

Other portions of the letter from presidential lawyer James D. St. Clair also irritated members. St. Clair told the committee the impeachment inquiry should be limited to Watergate matters—and presumably not include other areas such as campaign spending and personal finances—that the committee should define impeachable offenses before proceeding further, and that one committee request amounted to seeking license to rummage through all presidential files.

Doar, turning to the sealed material from the grand jury, said it was clear from Wednesday's court hearing that the grand jury intended that it be delivered to the House committee.

It would be "unthinkable," said Doar, that the committee should proceed with its inquiry, which is "of the highest constitutional importance," without having "the best available ma-

terial." He recommended that the committee write to Sirica:

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#### IMPEACH, From A1

requesting the material "forthwith," and the motion was approved by voice vote without dissent.

Doar outlined for the committee the request he made in a letter Feb. 25 to St. Clair. The requests were for:

- Some but not all of the more than 700 documents and 19 tapes the White House had given to Watergate Special Prosecutor Leon Jaworski for presentation to the grand jury.

- A list of other materials requested by Jaworski but not given him by the White House.

- Six tapes not given Jaworski, which Doar described as presidential conversations concerning the Watergate cover-up.

- A request that St. Clair "outline for us how White House files are indexed." Chairman Peter W. Rodino (D-N.J.) stressed that this was not

a request for the index, but for a description of how the White House filing system works so the committee could be more precise in its future requests for materials.

St. Clair's response, which both he and Mr. Nixon discussed Wednesday, offered to turn over all the materials given Jaworski. It also contained the offer, not requested, that the President would "respond to relevant written interrogatories" and that if the committee decided "as a result of such answers that a conference with the President would be desirable I will be glad to discuss with you appropriate procedures therefor."

Wednesday night at his news conference Mr. Nixon expressed willingness to meet at the White House with Rodino and the committee's senior Republicans, Rep. Edward Hutchinson (R-Mich.) and answer their questions under oath. Rodino said yesterday

he thought the committee "would not consider at this time" limiting interrogation of the President to two members.

St. Clair's letter made no mention of Doar's request for an index of material Jaworski had requested but not received. Doar said, however, that St. Clair subsequently agreed to discuss this.

Nor did St. Clair's letter mention the six tapes. It was this that particularly upset committee members.

On the request for information on how White House files are indexed St. Clair had this to say:

"You appear to have requested, in effect, access for your staff to other presidential papers . . . without apparent limitation . . . Since there is really no effective index of all the presidential documents and materials, this request as it appears to me, means that you contemplate

access by staff members to hundreds of thousands of documents and thousands of hours of recorded conversations covering the widest variety of subjects."

In the President's judgment, he said, granting such a request would "completely destroy the presidency as an equal coordinate branch of our government and is beyond his constitutional ability to grant." St. Clair said the President declined the request, "assuming it is this that you have requested."

Rodino said this was a "distortion" of the request, which was not to seek access to all documents but to learn how materials the committee wants are filed.

St. Clair also stated that because of differing views as to whether impeachable offenses are limited to criminal acts, the committee should define the term before proceeding further. He also asked as a matter of "fundamental

fairness" that allegations against the President be identified so that Mr. Nixon knows the charges against him.

The committee has refused to define impeachable offenses on the grounds that this is decision for individual congressmen to make. Its staff has identified more than 50 different categories of possible offenses that it is investigating.

St. Clair also said the materials offered "are more than sufficient" to tell the committee the full Watergate story. And he closed with this statement, which Doar read as trying to limit the committee's inquiry to "the Watergate cover-up":

"In the President's opinion, the Watergate matter and widespread allegations of obstruction of justice in connection therewith are at the heart of this matter. By making available to the committee without limitation all of the materials furnished to the

grand jury . . . he feels that he will have provided the committee with the necessary materials to resolve any questions concerning him."

Committee members, led by Rodino, said it was up to the committee, not the President, to decide the scope of its inquiry and the information it needs.

After hearing Doar's request and St. Clair's response, Rep. Robert Drinan (D-Mass.) moved that the committee issue a subpoena ordering that the White House turn over all the requested information.

But Doar recommended delay. He said it would take "a week or two" for the committee staff to study the materials St. Clair agreed to deliver. During that period, Doar said he would make sure failure to misunderstand, and during give up the six tapes was not a that period the grand jury information would be available and help more clearly phrase a subpoena for other information.

"We will vigorously go after the material needed," Doar promised. Drinan withdrew his motion.

Rep. Tom Railsback (R-Ill.) was the first to suggest such a delay. He said that if the requested materials are not made available there would be Republican support for issuing a subpoena.

Democrats went along, but only after several made clear they considered the White House position unacceptable.