

St. Clair Request Divides Hill Unit

Offer on Tapes

By Lou Cannon

Washington Post Staff Writer

The White House, searching for a way to halt the gathering momentum of impeachment, suggested yesterday that the President would be willing to have his chief Watergate counsel, James D. St. Clair, screen transcripts of disputed tapes and then turn the edited transcripts over to the House Judiciary Committee.

White House counselor Bryce Harlow said that St. Clair would have a professional obligation as a lawyer to transcribe accurately the content of tapes requested by committee counsel John Doar and Albert Jenner. Harlow stressed that the evidence should not be yielded until the committee defines the grounds of impeachment.

"I can see the possibility . . . that Doar and Jenner might say to St. Clair, 'We want anything on that tape that refers to clemency or hush money,' and then trust the opposing attorney to furnish it — because his whole professional reputation is at stake," Harlow said.

Despite this latest suggestion, there was growing skepticism both in the White House and on Capitol Hill.

See STRATEGY, A15, Col. 1

STRATEGY, From A1

that Mr. Nixon can now head off the impeachment process in the House.

Minority Leader John J. Rhodes of Arizona, asked at a closed-door Wednesday night meeting of Republican press secretaries whether the President could "pull a rabbit out of the hat" and avoid impeachment, replied: "Don't bet on it."

A highly placed White House source said he was not optimistic that a confrontation could be avoided and added that if an agreement isn't reached "I could see a subpoena next week."

The Judiciary Committee is seeking the tapes of 42 conversations that St. Clair has declined to turn over.

Harlow said yesterday at a breakfast meeting of reporters that it would be improper of Doar to listen to a conversation that the President had with former chief of staff H. R. (Bob) Haldeman about Chinese Premier Chou En-lai. He said that St. Clair would be the logical person to screen out those portions of the conversations not relevant to the Judiciary Committee inquiry.

Once the committee defines an impeachable offense and draws a "bill of particulars," said Harlow, there might be cooperation.

"If they said, 'We want anything on the tape of such and such a date related to the Watergate break-in or burglary' . . . they'd have a very solid case that would be very hard to resist," Harlow said.

"As it stands, the committee wants to come into the White House files and look around for some kind of charge to use against the President. That is an outrageous procedure."

Harlow, while predicting that there are still not enough House votes to impeach the President, said the situation was "least favorable" in the Judiciary Committee and "most favorable" in the Senate.

Only a majority vote is needed in the committee and the House to impeach the President. A vote of two-thirds would be required in the Senate to convict Mr. Nixon and remove him from office.

Privately, White House aides have become increasingly skeptical that they can head off impeachment in the House, although they remain convinced that the President can win any Senate vote.

One aide said that the increasing importance of the Senate is one of the reasons that St. Clair, accompanied by White House aide Dean Burch, met Tuesday with

Senate Minority Leader Hugh Scott of Pennsylvania, Minority Whip Robert Griffin of Michigan and Republican Sens. Wallace Bennett of Utah and William Brock of Tennessee.

One senator called it "a sounding-board attempt. Another said that the purpose of the meeting, the first St. Clair has held with a group of Republican senators, was to reassure them that the White House was continuing to negotiate with the House Judiciary Committee.

A third-party arbiter to monitor the disputed tapes—a proposal made Wednesday by Rhodes—was one of the possibilities raised at the meeting, this participant said.

According to Saul Kohler of the Newhouse News Service, another participant said: "We told St. Clair and Burch that for the good of the President and all concerned, they had better aim for negotiation rather than confrontation. We warned them pretty candidly of the danger in defying a subpoena of the House of Representatives."

The White House knows it is unlikely to win a confrontation in the Judiciary Committee, and one White House official described Harlow's suggestion as an attempt to show that the President is not being unreasonable.

If the committee rejects "a reasonable attempt at compromise," this official said, the House would be less likely to vote for a committee action citing the President for contempt.

Some White House officials also believe that Mr. Nixon will be upheld in the long run, probably by the House and certainly by the Senate, if the Judiciary Committee attempts to base its impeachment case on a contempt charge because Mr. Nixon has refused to comply with a subpoena.

"If contempt is the only charge, I don't think there's enough to impeach him," this official said.

The White House is taking informal soundings of the committee and the country in an effort to determine the response to the President's stand and his recent public appearances.

"We're not making a deliberate effort to poll," said one official, "but obviously we talk to everybody we can. We're nosing about . . . We are trying to get a sense of the mood of the members."

That mood, on the basis of the most recent White House soundings, indicates that the Senate is most likely to be the battleground.

Staff writers Carroll Kilpatrick, David S. Broder and Spencer Rich contributed to this report.