

# Judiciary Committee Unsure

## Meeting Set For Tonight

By Richard L. Lyons  
Washington Post Staff Writer

President Nixon's bold bid for public support against impeachment by releasing transcripts of his Watergate conversations appeared to put the House Judiciary Committee off balance and unsure how to respond.

Chairman Peter W. Rodino (D-N.J.) and most committee Democrats considered unacceptable Mr. Nixon's decision to provide edited transcripts, rather than tapes, in response to their subpoena demanding the original materials for their impeachment inquiry.

House Speaker Carl Albert backed that position in telling newsmen, "As a lawyer, I believe in the best-evidence rule." The best evidence would be the tapes recording the conversations, said Albert.

But House Minority Leader John J. Rhodes (R-Ariz.), who had been prodding the White House to cooperate with the committee, swung solidly behind the President's position yesterday, calling it "substantial compliance" with the subpoena. Rhodes met with Republican members of the Judiciary Committee and said afterward that an "overwhelming majority" shared his view.

## How to Respond

Committee Democrats then caucused for two hours and reached no firm decision on how to proceed, beyond announcing that the full committee would meet at 7 o'clock this evening.

Rodino canceled an informal discussion session of the committee yesterday morning, turned down television network offers to reply to the President and stayed out of public view all day, reportedly reading the transcripts that were delivered to the committee at 9:45 a.m. yesterday.

This fit in with Rodino's conduct of the impeachment probe — to move cautiously and try to avoid a confrontation that would split the committee along partisan lines.

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Edited transcripts of many of President Nixon's Watergate-related conversations arrive on Capitol Hill.

## Strategy Shifts

By Lou Cannon

Washington Post Staff Writer

The White House yesterday reversed its strategy of silence on Watergate and deluged its congressional inquisitors with 240,000 words of President Nixon's Watergate-related conversations.

After a year in which the White House grudgingly provided scraps and segments of the information sought by Congress, the courts and a curious public, the President sent the House Judiciary Committee a 1,308-page paperbound volume of edited transcripts that included a 50-page summary of evidence presumed favorable to Mr. Nixon.

"The way to get at the press is to get out so many things they run out of newsprint," quipped former White House Communications Director Herb Klein.

Klein said he was speaking facetiously, but his comment was at least a partial description of the carefully conceived White House campaign to convince the American people, and through them the Congress, that Mr. Nixon has not committed an impeachable offense.

This campaign began Monday night when Mr. Nixon spoke to the nation from a carefully written text in which he declared that the edited transcripts would "once and for all" prove his innocence. No texts of the speech were provided, in a maneuver that one aide said was aimed at discouraging "instant analysis" of the speech on the television networks.

Yesterday morning the White House put an early call to photographers so that they could take pictures of the voluminous transcripts being loaded into a station wagon to take to Capitol Hill.

The White House did not, however, issue the transcripts to reporters at that time. Instead, it gave them only the 50-page favorable summary.

The summary was intended to provide the story  
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## PRESIDENT, From A1

for afternoon newspapers. To ensure that it did, the White House canceled its usual morning briefing.

Late yesterday afternoon the transcripts were finally made available, about two hours before the deadlines for the evening newscasts.

One White House aide said that "frankly, the President wanted to get his case out to the American people before the critics started in on the President. We thought this was the best way to do it."

Klein, a longtime friend and associate of Mr. Nixon and now a vice president for Metromedia Inc., said he had come in "to review the material and to help in the followup" after the transcripts had been prepared by the regular White House staff. He said he telephoned 20 to 25 editors and reporters around the country to discuss the President's decision and his television speech.

"The reaction is quite good," Klein said. "The people I talked to think that the President has been quite fair and that he's put the ball in the Judiciary Committee's court. But they are withholding judgment until they read the transcripts."

A mixed mood of buoyancy and apprehension prevailed at the White House. The reaction of aides who for months have had little to cheer about was overwhelmingly positive to Mr. Nixon's television appearance. But there was concern about how the transcripts would be read by those outside the White House circle.

The 50-page summary that formed the basis for most of yesterday's news reports placed the most favorable construction possible on Mr. Nixon's motives in his Watergate-related discussions and depicted deposed White House counsel John W. Dean III as the villain of the cover-up.

According to the summary, "Only Mr. Dean has accused the President of participation in such a cover-up."

However, the summary omits some key phrases in the actual edited transcripts, omissions that would allow for a different interpretation than the one reached by the White House.

For instance, in discussing a Sept. 15, 1972, conversation in which the President congratulates Dean for his efforts in relation to Watergate, the summary says:

"Oh well, this is a can of worms as you know a lot of this stuff that went on. And the people who worked this way are awfully embarrassed. But the way you have handled all this seems to me has been very skillful putting your fingers in the leaks that have sprung here and sprung there."

The summary says this statement of the President was made not in the context of "a criminal plot to obstruct justice as Dean alleges, but rather in the context of the politics of the matter, such as civil suits, countersuits, Democratic efforts to exploit Watergate as a political issue and the like.

However, the summary

reaches this conclusion by omitting a question of the President following his congratulation of Dean in which Mr. Nixon asks: "The grand jury is dismissed now?" The grand jury was limited to consideration of criminal matters.

In this same conversation with Dean the President also expresses his view on the treatment of political adversaries during the second Nixon administration.

"I want the most comprehensive notes on all those who tried to do us in," Mr. Nixon said. "They didn't have to do it . . . They were doing this quite deliberately and they are asking for it and they are going to get it. We have not used the power in this first four years as you know. We have never used it. We have not used the bureau (FBI) and we have not used the Justice Department but things are going to change now. And they are either going to do it right or go."

"What an exciting prospect," Dean replied.

Despite the self-characterization of Mr. Nixon that emerges in some of the transcript pages, the White House is hopeful that the transcripts will cast enough doubt on the credibility of Dean's testimony before the Senate Watergate committee that he will no longer be a believable witness.

This strategy was undergirded by the acquittal last Sunday of two former Nixon Cabinet officers, John N. Mitchell and Maurice H. Stans, in what the White House regards as a refusal by the jury to accept Dean's testimony. If Dean is not be-

lievable, then the prospects for indicted former Nixon aides H. R. Haldeman and John D. Ehrlichman are brighter.

Ultimately, in the White House view, the discrediting of Dean also will result in the acquittal of Mr. Nixon by the Senate even if he is impeached by the House.

The summary, therefore, attempts to make strongly the case that Dean all along concealed important facts about his own involvement in the cover-up. This contention emerges with far less focus in the transcripts themselves, but it is the belief at the White House that the full transcripts will be read by only a minority while the summary will gain a wide readership.

Nevertheless, no one at the White House was making the optimistic "we have turned the corner on Watergate" statements of a year ago. The mood instead was one of political realism, reflected in Mr. Nixon's own concession Monday night that the transcripts will subject him to ridicule and embarrassment.

Offsetting this ridicule, in the White House view, will be growing public support for the President's decision to release the transcripts and an eventual acknowledgment by the Congress that Mr. Nixon's statements do not constitute impeachable offenses.

Mr. Nixon will not depend entirely on the transcripts to make his case for him. Instead, he intends to continue taking his case to the country, as he will again Friday in Phoenix and Saturday in Spokane.



United Press International

Rep. Robert Drinan (D-Mass.), a member of the House Judiciary Committee, with his copy of the transcripts.

#### IMPEACH, From A1

Some committee Democrats wanted to call a meeting to push through a declaration that the President was in noncompliance with the subpoena in failing to produce the tapes as ordered. This conceivably could be presented to the House as an impeachable offense.

But one Rodino aide said the chairman wanted to "put some distance" between the emotional impact of the President's speech and any committee action, waiting to see whether some Republican members would consider the President's action noncompliance and join in any such resolution.

Several Republican members — including Reps. Tom RAILSBACK (R-Ill.) and William COHEN (R-Maine) — had stated reservations about substituting transcripts for tapes. They feel it important to get the added impact of hearing the spoken words.

After the meeting with Rhodes, both Republicans said they still had problems with accepting transcripts instead of tapes; but they added that it had been agreed that only Rhodes would make a statement about the meeting.

Even Rhodes expressed some reservations about the details of the President's decision. Mr. Nixon will permit Rodino and the committee's senior Republican, Rep. EDWARD HUTCHINSON (R-Mich.), to listen to the tapes to verify the transcripts. But the committee's top staff members, John DOAR and Albert JENNER, in charge of assembling evidence, would

not be permitted to do so. Rhodes said he felt that they should be included.

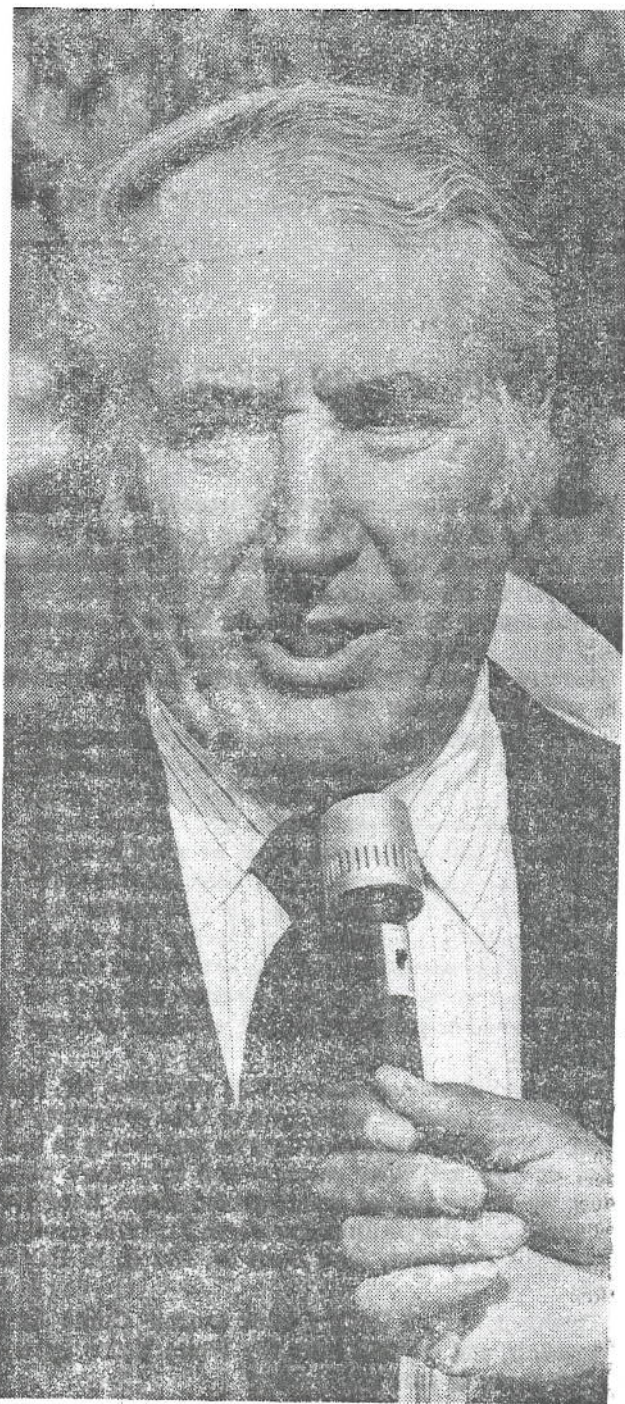
Rep. Charles WIGGINS (R-Calif.), one of the President's staunchest supporters on the committee, called Mr. Nixon's submission a "good-faith effort to comply." But he said, "where actual voices will aid in our understanding of the evidence, I would expect the President to cooperate by furnishing those portions of the actual tape."

Rhodes, who had been predicting that the White House would turn over the tapes, paid off a \$10 bet with a newsman yesterday when this didn't happen.

When asked whether he felt that the White House should comply with the committee's second request for tapes, made two weeks ago, Rhodes responded that "if the committee is on a fishing expedition," perhaps the White House should give it nothing more.

"The time has come for the committee to get to work, present the evidence and get the issue resolved," said Rhodes. "It has almost got to the point of foot-dragging. I think the American public wants to get Watergate behind it."

The Judiciary Committee tentatively plans to begin hearing evidence from its staff next week, but there could be some delay, committee sources said. The committee has not yet agreed on procedures for the staff presentation of the case and committee action on it. A subcommittee headed by Rep. ROBERT KASTENMEIER (D-Wis.) will meet this morning to try to work out procedures.



By Larry Morris—The Washington Post

Judiciary Committee chairman Peter W. Rodino (D-N.J.) turned down network offers of television time to reply.