

# A New Showdown Over the Tapes

**THE LAWYERS IN THE HOUSE** impeachment inquiry have opened the way to a new confrontation between Congress and the President by their grave advice to the Judiciary Committee last week to reject the White House transcripts, now a nationwide best seller.

The President's edited 1300-page record of Oval Office conversations is "inadequate and unsatisfactory," majority and minority counsel maintain, for the carrying out of the committee's constitutional obligation. There is "an absolute need," they say, for the committee to have the original tapes if its impeachment process is to be based on the best evidence.

Chairman Peter W. Rodino Jr. joins in on this sudden expression of dissatisfaction with the printed Watergate record — a 300,000-word record which a sizable number of Americans has now managed to plow through. Presumably his stand will be endorsed by a committee majority at an early meeting this week. At that moment the new confrontation will begin.

**THE WHITE HOUSE** and the committee are, of course, already at odds over another area of the Watergate record. This has to do with 11 tapes that were subpoenaed by the committee earlier this month having to do with the ITT antitrust case and with milk industry contributions to the 1972 campaign. The President's refusal to comply with these subpoenas is point blank; he excuses it by

saying he had already submitted all material pertinent to these matters — and it is a fact that he has published a rather full record on both the ITT and the milk case. He declines to permit a "massive invasion" into the confidentiality of presidential conversations.

The two conflicts between the committee and the White House are a "grave matter," says chairman Rodino, and no end to them appears in sight unless the White House should surrender all the tapes the committee wants. Mr. Nixon's willingness to do that is unthinkable at the moment, though his attitude could change. He has, after all, offered to let the chairman and the senior Republican on the committee come down to the White House to listen to the tapes that have been transcribed. Going beyond that to give the tapes to the whole committee would not seem to involve any aggravation of the "massive invasion" of the presidency that he professes to see.

**THE LEAST THAT CAN BE SAID** is that, in taking these positions, Mr. Nixon has not helped himself to retain — or regain — credibility with Congress or the confidence of the public.

In fairness, it is possible to sympathize with him in his complaint about an "endless series of demands" for tapes. Nevertheless, it is hard to agree with his conclusion that to comply with the committee's subpoenas would "fatally weaken this office not only in this administration but for future presidencies as well." Certainly the American presidency and, arguably, Mr. Nixon's specifically, are strong enough to survive without fatality the publication of more White House conversations like the 1300 pages now in print.