

Impeachment Timetable

With Slipping of Deadlines, Proceeding May Parallel 1974 Election Campaign

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WASHINGTON, May 29—With every passing day, the impeachment proceedings against President Nixon become more intertwined with politics—and as spring passes into summer and summer into fall, the linkage will endure. One of the principal reasons is the timetable. Ever since the House Judiciary Committee began its inquiry, deadlines have been slipping. Originally, the committee hoped to finish its work by April 30; then it began aiming for June 30. Now, although its chairman, Representative Peter W. Rodino Jr., Democrat of New Jersey, speaks hopefully about voting by mid-July, other members expect to vote in late July or possibly August.

Mr. Nixon's defenders ascribe the delay to the committee's insistence on collecting more evidence instead of pressing on. Mr. Nixon's critics ascribe it to what they call the dilatory tactics of his defense counsel, James D. St. Clair.

Two Approaches

It is probably a bit of both. It seems incontestable that Mr. St. Clair, skilled advocate that he is, has tried to exploit every opening presented to him, to probe every procedural weak spot, and that takes time. It seems equally incontestable that John M. Doar, the committee's special counsel, is determined to proceed so as to avoid the slightest suggestion of a kangaroo court.

Wherever the blame lies, it now appears that, if all goes according to plan—which it seldom does, either in the Watergate case or in Congressional proceedings generally—the House of Representatives will vote on impeachment no earlier than mid-August. If the House voted to impeach, that would suggest a Senate trial beginning about Labor Day.

Senator Mike Mansfield of Montana, the leader of the Democratic majority, has speculated that the trial would take about two months. If he is right, that would mean that the trial would coincide almost precisely with another activity that begins on Labor day and lasts two months—the 1974 electoral campaign.

Campaign Dilemma

In that situation, Senators facing re-election would not only have to weight the impact of their votes on their chances of surviving; they would also have to decide how many days they could afford to absent themselves from such a momentous proceeding to campaign. The problem would be particularly difficult for vulnerable incumbents from distant states, such as Senator Robert Dole, Republican of Kansas.

But even more complications could be generated if the trial began later. And there are ample reasons to believe that it might.

For example, if the Supreme Court refuses to grant an immediate ruling on the right of Leon Jaworski, the special Watergate prosecutor, to obtain more White House tapes,

the question could remain unsettled until the Court returns for its fall term in October. That in turn could delay any agreement on the Judiciary Committee's effort to obtain more tapes.

Again, the President's planned overseas travels in late June could delay matters.

Representative Thomas P. O'Neill Jr., Democrat of Massachusetts, who is the House majority leader, has been telling friends that it may be impossible to consider any impeachment issues while Mr. Nixon is abroad—lest seem that the President is being undercut at home.

Also, Mr. Nixon could bring about further delay by asking for 30, 60, even 90 days to prepare his defense for a trial. No one in a position of power in Congress is prepared to deny him, as one senior legislator put it, "any reasonable or, for that matter, mildly unreasonable request."

If, because of these or other factors, the trial could not be completed until after Election Day, a substantial number of lame duck Senators would play a part in deciding Mr. Nixon's fate. There will be at least eight of them—six retiring incumbents and two, Democratic Senators Howard Metzenbaum of Ohio and J. W. Fulbright of Arkansas, who were beaten in primaries—and possibly more, if Watergate cuts as deeply into Republican ranks as expected.

'All '73 Bills Die'

Would lame ducks be more or less likely to support the President? That has been one of the favorite topics among politicians with a fondness for the arcane for several months here, and there is no clear-cut answer. But at any rate, a wild card would be introduced.

Finally, there is the possibility, although it is considered remote by most members of Congress, that it might be impossible to complete the impeachment process by January, when the new Congress takes over. Senator Henry M. Jackson, Democrat of Washington, said yesterday that he had "serious questions whether this case can be adjudicated in this session." If not, he suggested, the process would have to begin again, because "all bills of this Congress die, including a bill of impeachment" at the end of this session.

Some parliamentary experts argue that because the Senate is a "continuing body"—with only one-third of its members elected in any one year—it could continue with a trial into 1975. But even if they are correct, the new Senate would be different and might well contain a number of members who had been elected on overt impeachment platforms.

All of these considerations and more are on the minds of the White House strategists and the movers and shakers in Congress, and they will inevitably lie beneath the surface of many a maneuver later this year. For in the politics of impeachment, as in the politics of the Presidency, timing is often nearly everything.