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McClory Studies Contempt Move

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Rep. Robert McClory of Illinois, the second-ranking Republican on the House Judiciary Committee, may support a contempt-of-Congress citation against President Nixon for his refusal to provide tapes requested for the impeachment inquiry.

McClory said he is "mulling over" this course of action as a means of persuading the President to comply with the committee's subpoenas. He does not, however, believe that a contempt citation should be considered grounds for impeachment. It would merely be a "procedural" step, he said. Impeachment, he added, should be based on "substantive," not "procedural" grounds.

McClory differs on that point with another committee member, Rep. John Conyers (D-Mich), who has argued that contempt of Congress is in itself an impeachment.

McClory told reporters yesterday that he feels that the committee should try very hard to enforce its subpoenas to obtain "clear and convincing proof" of the President's guilt or innocence of impeachable offenses—which McClory said he has not yet seen.

The committee has overwhelmingly rejected proposals to seek court help in enforcing its subpoenas, on the ground that the courts have no constitutional role in impeachment.

McClory's problem of not wanting to vote impeachment on procedural grounds but not knowing how to get the evidence is shared by other Republicans. They can't march on the White House and seize the tapes.

Most Democrats, on the other hand, seem content to let the matter rest where it is, permit members to infer that the President's defiance means that he has something to hide, and perhaps make his action a ground for impeachment.

Committee Chairman Peter W. Rodino (D-N.J.) yes-

terday rejected suggestions that the House be asked to cite the President for contempt now, which he said would merely "divert" attention from the committee's main business of determining whether Mr. Nixon should be impeached for involvement in Watergate or other matters.

After eight days of hearing staff evidence on Watergate in closed session, the committee moves on this week to hear closed-session evidence on the ITT and dairy matter.

It is seeking to determine whether an antitrust suit against International Telephone and Telegraph Corp. was improperly settled in return for a pledge of financial support toward the cost of the 1972 Republican national convention.

It is also seeking to determine whether the President was involved in false testimony given the Senate Judiciary Committee about his desire not to press the suit.

The committee is also exploring whether Mr. Nixon ordered an increase in milk-price supports in 1971 in exchange for campaign contributions.