

# House Novice May Be Swing Vote on Nixon

By Helen DeWar

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Pictures of President Nixon line his office walls and he had one of the most consistently pro-administration records in Congress last year. But conservative freshman Rep. M. Caldwell Butler (R-Va.) — a meticulously precise lawyer with a keen mind, sharp tongue and paucity of tolerance for wrong-doing — is emerging as a key swing vote on presidential impeachment in the House Judiciary Committee.

It wasn't always that way.

At the start, Butler was openly wary of impeachment, saying the House had a heavy burden of proof and he would be hard to convince.

More recently he has grown impatient with the President's refusal to release records requested by the Committee, suggesting at times that an adverse inference might be drawn from noncompliance.

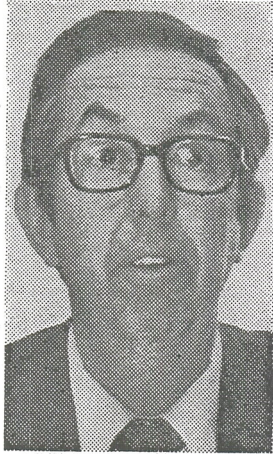
In the Committee's historic April 11 vote to subpoena presidential tapes, Butler was the only Republican to side with the Democrats and ask for more items than the White House was willing to supply, and he has voted with the Democrats on other occasions.

He also is said to have influence on the committee that is uncommon for a freshman. He's a "very thoughtful conservative" who often plays the role of a "common-sense arbiter" of disputes among his colleagues, said Rep. Thoms F. Railsback (R-Ill.), another Judiciary member.

Assiduously keeping his own counsel, Butler tells both his Washington colleagues and Roanoke homefolks that he is reserving judgment until he sees all the evidence. Railsback and others say he's one of the least predictable of the six or seven pivotal members of the Committee.

Butler acknowledges that "it's hard to put aside party loyalty" and quite natural to want to be charitable to your friends" but adds: "I don't have any sort of commitment to condone anything that is inappropriate."

His own Sixth District, stretching across the lower Shenandoah Valley from the eastern slope of the Blue Ridge to the Alleghenies and encompassing some of the most Republican territory in Virginia, gave the



M. CALDWELL BUTLER  
... 'common-sense arbiter'

President his biggest victory margin in the state (72.7 per cent) in 1972.

At the same time Butler won handily over two opponents to succeed Richard H. Poff (R), who resigned to take a seat on the Virginia Supreme Court after withdrawing from consideration for nomination to the U.S. Supreme Court.

Butler again has two opponents in this fall's election but is favored to win reelection, regardless of how he votes on impeachment. "He's just that strong," said a local Democrat.

Butler figures his constituents want the issue resolved swiftly, that there is strong feeling on both sides, but there is no overwhelming consensus for or against impeachment. "But then I may know my district as well as Fulbright knew Arkansas," he observed with a grin, adding that there's no such thing as a safe district this fall.

Before Butler came to Congress in 1972, he spent 10 years in the Virginia General Assembly and, as minority leader of the minuscule GOP contingent in the House of Delegates, was regarded as a fiercely loyal Republican.

But, as a legislator, he was not above quietly voting the Democratic majority when he agreed with its position on a particular issue.

The 49-year-old Butler—whose tall, thin profile is dominated by coal black hair, owlish glasses and receding chinline at the end of a long, expressive face—counts himself as "one of the aborigines" of Virginia, its southwestern mountain regions and its Republican Party.

Among his ancestors are John Marshall, the nation's first chief justice, and James A. Walker, a mountaineer congressman who got shot during an election campaign in the late 1880s.

A Phi Beta Kappa graduate of the University of Richmond, he studied law at the University of Virginia in the company of several other now-prominent Virginians, including U.S. District Judge Albert V. Bryan Jr. and Butler's old political sparring partner, House Majority Leader James M. Thomson (D-Alexandria).

After settling back in Roanoke, Butler joined Linwood Holton, another young attorney who wound up as his

law partner and later as Virginia's first GOP governor in this century, in reorganizing Roanoke's moribund Republican Party.

This, coupled with Republican growth among transplanted Yankees in the Washington suburbs, was the real beginning of the party's resurgence in Virginia, which had been solidly Democratic since the end of Reconstruction.

In 1961, after an unsuccessful City Council race, Butler won election to the House of Delegates, where he found himself in the lonely company of seven Republicans, out of a total of 140 Assembly members.

Getting the treatment reserved at that time for Republicans and wayward Democrats, he served for six years without appointment to a committee that ever met. "One of my committees was the Currency Committee," he recalls. "If we had ever met, we'd have had a strangle-hold on the economy."

Butler's partisan role frequently got under the skin of Democrats, as did his rapier-style debating skill, but regard for him crossed party lines.

"Even when we had our differences," said Majority Leader Thomson recently, "I always had a very high regard for his ability and integrity . . . for his good, keen, logical mind and insight."

Thomson still thinks of Butler now and then. "I don't know anything I've chuckled about more than the pickle he's in now," said Thomson.

In Richmond, Butler was regarded as a moderate, a leader of the "mountain-valley boys" who were allied with Holton, often in opposition to the conservative forces that recently took over the Virginia GOP.

But in Congress, largely because of his fiscal views, he is regarded as a conservative, earning a flat zero rating, on a scale of zero to 100, from the liberal Americans for Democratic Action last

year.

Butler laughs now about the fact that he wanted to be assigned to the Commerce Committee, rather than Judiciary, "because I wanted to be where the action is." At first, he conceded recently, he thought Judiciary was "a bunch of crazies," but he now says he has great respect for his colleagues, particularly Committee Chairman Peter W. Rodino Jr. (D-N.J.).

He is sharply critical of committee leaks of documents damaging to the President. "Till the leaks, our image was pretty good but the leaks hurt badly," he said, although he feels "we'll outlive all that."

How does it feel to come from the obscurity of the Republican corner of the Virginia House of Delegates to what may be a pivotal role in the impeachment of the President?

"It is a little frightening," he says. "I'm not waking up in the middle of the night in a cold sweat yet, but it does bother me . . . it's a hard, hard decision."

Or as he put it to Richmond Times-Dispatch columnist Charles McDowell earlier this month: "I don't feel they're saving a little niche over there at the Capitol for Thomas Jefferson, Woodrow Wilson and Caldwell Butler."