

Capitol Hill Sends A Clear Message: Comply With Court

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The message resounded from Capitol Hill in loud, clear and overwhelmingly bipartisan terms yesterday that President Nixon has no choice but to comply with the Supreme Court's decision on the tapes or face the certainty of impeachment.

Even those members of the House Judiciary Committee who have been portrayed as leaning against impeachment echoed the congressional consensus on compliance.

"It would be a disastrous situation for the President, and I don't see how we could avoid articles of impeachment" if Mr. Nixon does not obey the court order, said Rep. Robert McClory (R-Ill.) second-ranking Judiciary Committee Republican

member.

Sen. Barry M. Goldwater (R-Ariz.), the senior bellwether of conservative Republican sentiment on Capitol Hill, said if the President refuses to turn the tapes over "I think it would have a very bad effect on his chances of surviving impeachment."

In the reaction which quickly crystallized in the wake of the court ruling there were no declarations to be heard in behalf of the President in his legal battle to keep the 64 White House tapes from the hands of the Watergate special prosecutor and Congress.

The adverse Supreme Court ruling was the second of two severe jolts to the President before the House Judiciary Committee debate of an impeachment resolution. The first was the defection of Rep. Larry Hogan (R-President's defenders and his announcement that he Md.) from the ranks of the would vote for impeachment.

Hogan said yesterday that if the President were to defy the court, "we could almost impeach him by unanimous consent in the House . . . He would be impeached by the committee 38 to 0."

The Maryland Republican, who was accused by White House counselor Dean Burch of playing politics with the impeachment issue in his prospective gubernatorial campaign, said that in view of the court decision "for the first time there is a real possibility in my mind that the President will resign."

On both sides of the political aisle there were calls yesterday for the President not only to comply with the Supreme Court decision but to do it quickly.

Several Republican members of the Judiciary Committee indicated they would favor a delay in the impeachment proceedings to consider the new evidence contained in the new tapes, but only if they were submitted quickly for review.

"I would support a delay on some reasonable assurance we would get the material in a week or two, but I wouldn't favor an indefinite delay," said Rep. Harold V. Froelich (R-Wis.)

However Judiciary Chairman Peter W. Rodino Jr. (D-N.J.) has no intention of altering the impeachment timetable to review the new tapes. That schedule calls for completion of the general debate by this evening. It will be followed by another round of debate on the articles of impeachment and amendments.

In the reaction to the Supreme Court ruling yesterday there was a note of rising impatience with current White House impeachment tactics.

Rep. Thomas F. Railsback (R-Ill.), regarded as an important swing vote on the Judiciary Committee list of "undecideds," said the President's only course now is to surrender the remaining evidence "as fast as possible."

"One of the main reasons you will see six Republicans on the committee vote for impeachment is that the President has stonewalled us," Railsback added.

"Congress would look like a paper tiger if it did nothing after the President had promised to cooperate with us" and then reneged.

Speaking of the White House attacks on Hogan, Railsback said, "If the White House uses the tactics they did yesterday on Hogan, who was expressing his true feelings, that would have the immediate effect of making enemies of more Republicans . . . they'll have a very large majority of Republicans reacting in opposition."

Meanwhile, the Republican leadership in the House moved swiftly to shore up any leakage in the President's strength resulting from Tuesday's announcement by Hogan that he will vote for impeachment.

In a letter to all House Republicans, Reps. John J. Rhodes (R-Ariz.) the House minority leader, and Leslie C. Arends (R-Ill.), the minority whip, urged their colleagues to refrain from declaring themselves now on the issue.

Republican reported he had been told Arends was so incensed at Hogan's statement that he offered to go to Maryland to campaign for Hogan's primary opponent, Maryland Republican National Committeewoman Louise Gore. When asked about the report, Arends said: "Forget it. Just forget it."

"I don't think Congressman Hogan's statement will have too much impact on the committee," Rep. Henry P. Smith III (R-N.Y.), a fellow Judiciary member, said. "But possibly it will be helpful to him in Maryland."

Rep. Barber Conable (R-N.Y.), chairman of the House Republican Policy Committee, said there was some anger among House Republicans about Hogan's move, "But I personally don't have much anger with Larry, because he's at least on the Judiciary Committee and has had some exposure to the evidence."

At the same time, some conservative Republicans continued to accuse Presi-

"We have consistently advised all Republican members to keep their own counsel concerning their intentions in the matter of impeachment until all evidence is in and arguments concluded," they wrote. "We still think this is good advice."

There was little indication that Hogan's statement was creating any immediate ground swell against Mr. Nixon among heretofore pro-Nixon or undecided House Republicans. In fact, some cited as a reason to hold fast for the President a Hogan statement of Tuesday night that reaction to his statement had been so adverse among Maryland Republicans that he might consider quitting his race for the GOP gubernatorial nomination.

But Hogan said yesterday that his mail and phone calls were now running slightly in favor of his statement, and aides said it was extremely unlikely that he would pull out of the race.

A prominent Capitol Hill

dent Nixon of playing "impeachment politics" by courting liberals with legislation they favored.

Sen. James A. McClure (R-Idaho) warned the White House that the President could forfeit the support of conservatives if he makes substantial policy concessions to the liberals to win their support against impeachment.

McClure for the second time in recent days complained about Mr. Nixon's reported intent to sign a bill creating a new legal services corporation, anathema to conservatives, after telling them he opposed it.

"If reversal of position on legal services became a marked trend on other issues," he warned, "we would have no alternative. . . but to ask his resignation." More concessions to liberals, he said, would demonstrate the influence of the impeachment atmosphere and "bring his ability to govern effectively and to lead at all into sharp question."



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Rep. Robert McClory (R-III) talks on the telephone after the Supreme Court ruling yesterday.