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Nixon Maneuvered to Oust Jenner

By Jack Anderson

It looks as if most Republicans on the House Judiciary Committee are taking their cues from the White House as the impeachment drama approaches its climax.

President Nixon, for example, has been maneuvering behind the scenes for weeks to undercut the chief Republican impeachment lawyer, Albert Jenner. Now the GOP minority has put Jenner's subordinate, Sam Garrison, in charge of the Republican staff.

House GOP leader John Rhodes of Arizona, meeting privately with the Judiciary Committee faithful early last May, told them the President "couldn't stand" Jenner.

According to sources who were present, most Republican committeemen were willing to depose the distinguished Chicago attorney whom they had chosen to handle their side of the impeachment case.

Even Jenner's sponsor and fellow member of the Chicago bar, Rep. Robert McClory (R-Ill.), assured Rhodes privately that he would support a move to oust Jenner.

The backroom strategists agreed to wait for the best time to act against Jenner. This came after he was quoted in a Texas paper as calling for impeachment. The Texas clipping was posted on the wall of the Republican cloakroom and McClory took the lead in lining up the votes to shove Jenner aside.

In his place stepped the man whom the White House preferred all along—the tough, partisan, 32-year-old former aide to ex-Vice President Agnew, Sam Garrison.

He was hired as a hatchetman by the committee's senior Republican and dogged Nixon supporter, Rep. Edward Hutchinson (R-Mich.). We reported as early as Feb. 26 that Hutchinson had instructed Garrison "to react negatively to all Democratic proposals and never to initiate any action of his own."

The President's strategy has been to obstruct impeachment and, after it could no longer be delayed, to portray it as a Democratic vendetta against him.

Now, with Garrison stepping forth and leading the political revival, the President's supporters are trying to whip up partisan feelings and make a vote against impeachment a Republican loyalty test.

This has dismayed many Republicans who fear the party may be destroyed unless it divorces itself from the President. They believe it would be disastrous for a majority of Republicans to condone his activities by supporting the President.

We have spoken to agonized GOP congressmen who privately believe the President should be impeached but confess they are under tremendous pressure to vote against it. Here are the points that trouble them:

• The mountains of incriminating evidence are absolutely

staggering in their dimensions. Several of the President's top aides already have been convicted and sentenced for criminal conduct. Whether or not the President participated in these crimes, it was his constitutional duty to execute the laws faithfully.

• The White House transcripts reveal a shocking failure on the President's part to express moral indignation over Watergate. The conversations inside the Oval Office were sordid and ugly.

• Out of the President's own mouth came incriminating statements that simply won't go away. "I don't give a shit what happens," he told top aides on March 22, 1973. "I want you all to stonewall it, let them plead the Fifth Amendment, cover up or anything else if it'll save it—save the plan. That's the whole point . . . We're going to protect our people, if we can." Not only did the President thus call for a cover-up, but his aides carried out his instructions. Some of them are now going to jail for it.

• A day earlier, the President spoke of Watergate conspirator E. Howard Hunt's blackmail demand for \$120,000. "You've got no choice with Hunt but the hundred and twenty or whatever it is. Right?" demanded the President. Counsel John W. Dean III agreed: "That's right." Then the President asked again: "Would you agree that that's a buy time thing, you better damn

well get that done, but fast?" Again Dean agreed. "Well for Christ's sakes," said the President, "get it . . ." Subsequently, his aides paid hush money to Hunt.

• Many Republicans are deeply troubled over the President's use of government agencies, including the Internal Revenue Service, to harass his critics.

• What concerns some Republicans more than anything else is the President's refusal to respond to House impeachment subpoenas. The Constitution gives Congress the sole power to impeach the President. This implied access to the evidence. But Mr. Nixon is claiming, in effect, that he has the right to decide what evidence against himself that Congress will be permitted to consider. If this principle should be applied to all defendants, there would be precious few convictions.

Most of the Republicans we interviewed agreed, not for attribution, that the case for impeachment is overwhelming. Certainly, enough evidence has been developed to warrant a Senate trial to determine the President's guilt or innocence.

Footnote: Rhodes, through a spokesman, denied having mentioned Mr. Nixon's animosity toward Jenner. The House Republican leader suggested that back in May Mr. Nixon may not even have known who Jenner was.