

Rodino Unit Agrees on Subpoenas

By Richard L. Lyons
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Senior members of the House Judiciary Committee put on their first display of bipartisanship yesterday as they reached agreement on how to obtain information needed for the impeachment inquiry of President Nixon.

Chairman Peter W. Rodino (D-N.J.) said they agreed that the full committee will ask the House for broad subpoena power be shared by Democrats and Republicans.

When the committee took up the subpoena question three months ago in connection with the confirmation of Vice President Ford, it fell into a partisan squabble. Democrats by a straight party vote gave subpoena power to Rodino alone.

This time Rodino has agreed that he will share the subpoena power with the senior Republican on the committee, Rep. Edward Hutchinson (R-Mich). Differences between them, however, would be resolved by the full committee, safely controlled by Democrats.

Rodino said House Minority Leader John J. Rhodes (R-Ariz.) has pledged his support in passing a subpoena resolution through the House. So a partisan House fight on that issue may be avoided.

Rodino said action by the House giving the committee subpoena power is needed because the impeachment power is lodged by the Constitution in the House. The House must delegate investigative power to a committee to do the preliminary work.

The House also will be asked in the same resolution to specifically authorize and direct the Judiciary Committee to make the impeachment inquiry. Though no question has been raised about the committee's power to make the study, Rodino said that historically the House has always passed such a resolution in impeachment cases. Most of them involved federal judges.

The subpoena power would be used to obtain documents and testimony from the White House or the Watergate special prosecutor's office or elsewhere that would help the

committee, and then the House, decide whether the President should be impeached (indicted) for Watergate or other matters. If the House voted to impeach, the case would be sent to the Senate for a trial that could lead to his removal from office.

Yesterday's meeting produced no decision on the best procedure for obtaining information. Watergate Special Prosecutor Leon Jaworski has compiled on the impeachment issue. But members said there appeared a bipartisan effort to work this out with the least strain possible.

Jaworski so far has felt himself unable to agree to turn over his files to the committee. His problem is the legal requirement of secrecy for information being presented to a grand jury and the problem of pre-trial publicity on criminal cases that may soon be going to trial.

Jaworski has advised the committee to ask District Court Chief Judge John J. Sirica to authorize him to turn over his information to the House committee, or in the alternative for the committee to obtain the information from the White House by subpoena. Rodino said this latter course would drag out his inquiry "until God knows when."

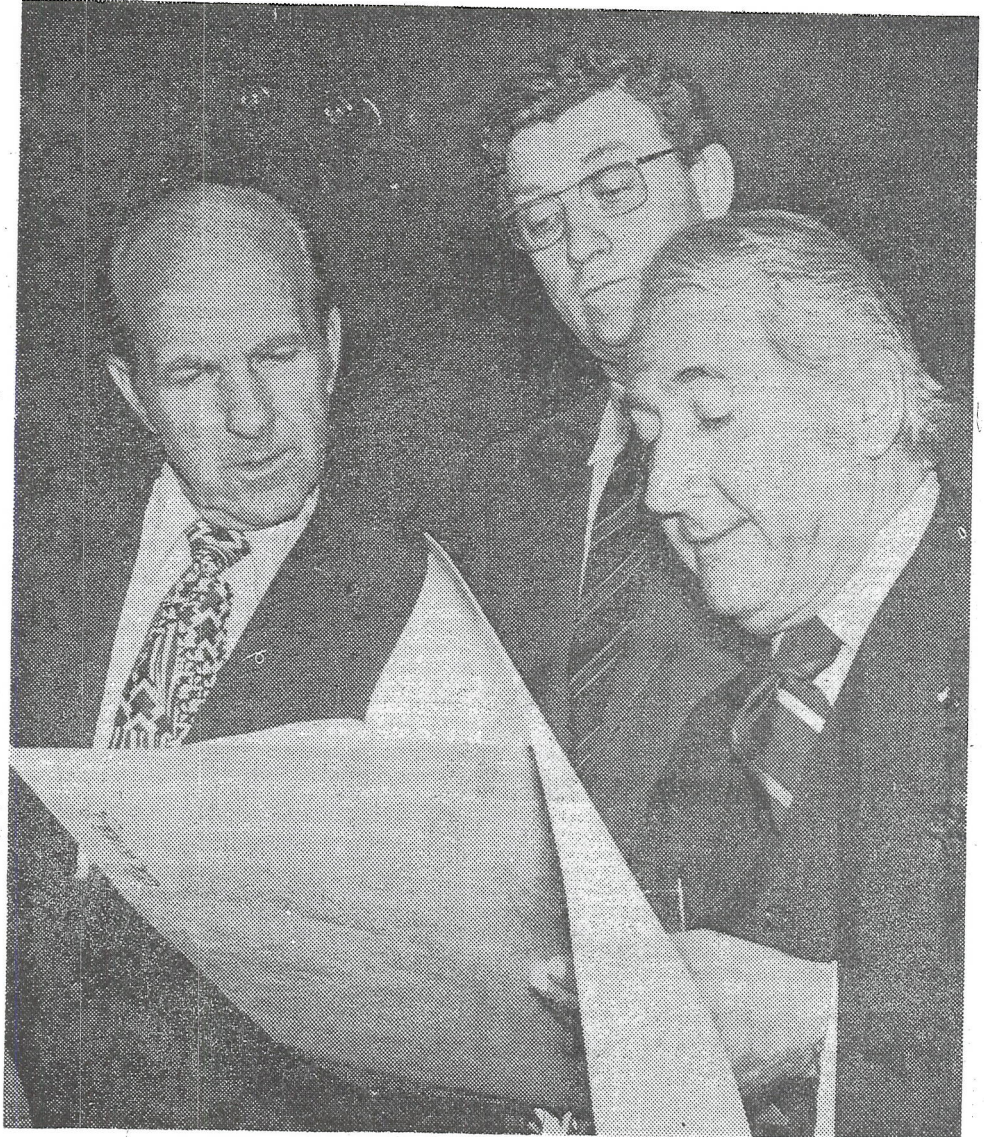
A second alternative would be for the committee, once it obtains subpoena power, to try to obtain the information from Jaworski by subpoena. A third possibility, pushed by some Republicans, is passage of a law directing Jaworski to turn over material relevant to an impeachment inquiry. The House Judiciary Committee probably will discuss this issue further at a meeting next week.

Rodino said the group also discussed without decision a proposal to hold public hear-

ings next month to hear from legal experts on what constitutes impeachable offenses—whether they must be indictable offenses or not.

As to the overall inquiry, Rodino's view of its scope appears to be that the Judiciary Committee will not undertake to seek out new acts of alleged wrongdoing by the President, but will review his actions that are already on the public record, attempt to fill in any factual gaps and then make a judgment.

The committee also named a public information officer for the impeachment inquiry. He is Donald Coppock, retired head of the Immigration and Naturalization Service's border patrol. He was hired by Rodino's special counsel for impeachment, John Doar, who worked with him a decade ago when both were federal officials trying to cope with civil rights problems in the South.



Associated Press

Before agreeing on how to secure information for the impeachment inquiry, House Judiciary Committee Chairman Peter W. Rodino (D-N.J.), right, confers with Rep. Robert McClory (R-Ill.), left, and John Doar, chief counsel for the inquiry.