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Impeachment Panel Seeks House Mandate for Inquiry

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WASHINGTON, Jan. 24—Senior members of the House Judiciary Committee agreed today to ask the full House of Representatives to ratify formally the committee's investigation of President Nixon's conduct in office.

The decision followed, though it apparently was not in direct response to, statements by the President to members of Congress that he intended to "fight like hell" efforts to impeach him.

The committee chairman, Representative Peter W. Rodino Jr. of New Jersey, said that the committee would seek the adoption of a resolution giving the panel broad subpoena power and confirming "the full prestige of the House of Representatives in anything we do."

Important Connotations

Although the committee had planned to seek the subpoena authority, the decision by the senior members from both parties to broaden the request had important political and procedural connotations.

Until now, the committee's only mandate to conduct the impeachment inquiry was a request by House leaders that the panel study more than a dozen impeachment resolutions submitted late last year.

Mr. Rodino said that a vote on the resolution — which he hoped would take place Feb. 5 — would "explicitly confirm the Judiciary Committee's responsibility and jurisdiction."

The vote is not expected to represent a test of House sentiment on impeachment, inasmuch as Republicans and

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Democrats alike have supported the inquiry as a means of either exonerating Mr. Nixon or fulfilling the House responsibility to initiate his impeachment.

But a committee official said that if the President should choose to seek an early test on the issue, the White House could seek to win enough votes — a majority — to defeat the resolution and thus cripple the inquiry before it reached a crucial stage.

Opposition Voiced

The President told at least three delegations from Con-

gress in the last few days that he would oppose the impeachment effort. Mike Mansfield of Montana, the Senate Democratic leader, told newsmen that Mr. Nixon raised the subject at a private breakfast meeting this morning and said "he would not resign and he would fight impeachment if it came to that."

Procedurally, the decision to seek an official House mandate to conduct the inquiry was said by Mr. Rodino and John W. Doar, the committee's special counsel, to be an important step toward certifying the legitimacy of the investigation.

Mr. Doar, who, along with the deputy counsel, Albert E. Jenner Jr., has been studying the history of impeachments, said that it appeared that a formal House resolution had been a precedent in each of the earlier inquiries.

Moreover, Mr. Rodino said that the grant of full House authority — including subpoena powers — would give the committee a more secure legal footing in pursuing evidence from the White House, the Watergate special prosecutor, or other sources.

Mr. Rodino said that in a letter he received yesterday from Leon Jaworski, the special prosecutor, and in a telephone conversation the two men had this morning, Mr. Jaworski had reiterated his belief that he was obliged to keep grand jury evidence secret but had "suggested there are avenues open" to the committee to gain access to the material.

Mr. Rodino, who warned Tuesday that the inquiry would be delayed as much as a year if the committee did not get access to the evidence, said that the panel would "explore" the possibility of a direct re-

quest to Chief Judge John J. Sirica of the United States District Court here.

Mr. Doar later said he was uncertain if the Federal rules of criminal procedure permitted

the transfer of grand jury material to a Congressional committee.

The alternative "avenues" would be to subpoena the evidence directly or to seek enactment of a law requiring the prosecutor to make it available. All three possibilities were discussed at the meeting of the eight senior Democrats and seven ranking Republicans who make up an advisory subcommittee on impeachment, but no decisions were reached.

Reversing an earlier position, Mr. Rodino said he had agreed to share the authority to issue subpoenas with the committee's senior Republican, Representative Edward Hutchinson of Michigan.

The decision appeared to underscore the increasingly bi-

partisan atmosphere in the committee and to diminish the prospect of a House floor fight over the subpoena power. Mr. Rodino said that the House Republican leader, Representative John J. Rhodes of Arizona, had pledged "absolute cooperation" on the committee resolution.

Mr. Doar told newsmen that he hoped to complete by mid-February a brief outlining the legal staff's views on the difficult and fundamental question of what constituted an impeachable offense.

The issue, Mr. Doar said, "is terribly important for the President, terribly important for the Presidency and terribly important for the country. It is not something we are going to do hurriedly."

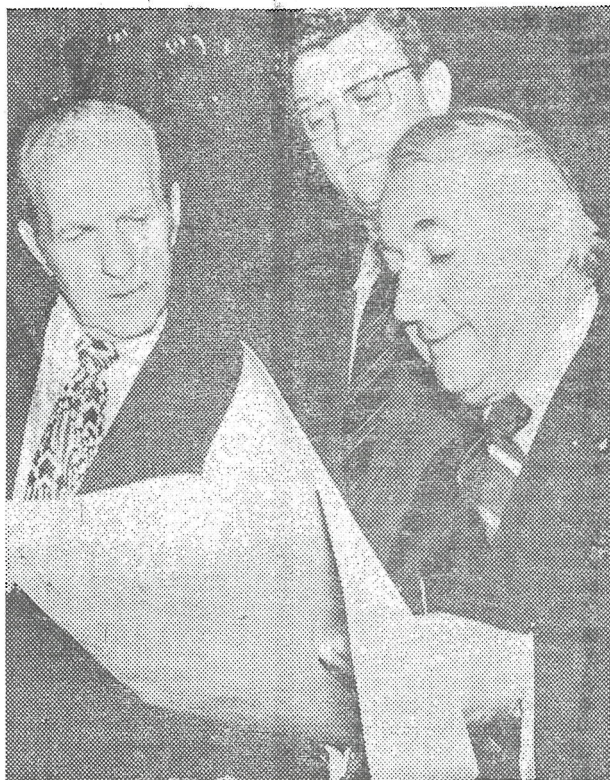
Mr. Rodino scheduled a meet-

ing of the full 38-member committee for next Thursday to act on the resolution.

He said after meeting with the smaller advisory panel this morning that Representative Wilbur D. Mills, Democrat of Arkansas who is the vice chairman of the Joint Committee on Internal Revenue Taxation, had promised to provide the Judiciary Committee with the product of a pending investigation into the President's tax returns.

Mr. Rodino noted, however, that the joint committee's findings would "not necessarily" be binding on the Judiciary Committee.

Mr. Rodino, whose office has been besieged by requests from news organizations, named Donald R. Coppock, the retired director of the United States Border Patrol, as the information officer for the impeachment staff.



Associated Press

Peter W. Rodino Jr., right, head of House Judiciary Committee; Robert McClory, left, Illinois Republican, and John Doar, counsel, before executive session.