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**Nixon Faces G.O.P. Move
For Data in House Inquiry**

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WASHINGTON, Jan. 29 — The ranking Republican on the House Judiciary Committee said today that President Nixon could not use executive privilege to withhold information from the impeachment inquiry.

Representative Edward Hutchinson of Michigan told newsmen that if the White House asked his advice, "I would tell them that executive privilege, in the face of an impeachment inquiry, must fail."

Mr. Hutchinson's opinion, while not necessarily shared by the other Republicans on the committee, gained impact when Albert E. Jenner, special counsel to the minority on the impeachment inquiry, endorsed the statement "100,000 per cent."

Mr. Jenner added that any White House effort to resist a subpoena could be included "in the consideration of whether

articles of impeachment should be brought."

While the White House has put forward no specific decision on the use of executive privilege, the President's lawyer and Mr. Nixon himself have said only that he will "fight like hell" against the efforts to impeach him.

Mr. Hutchinson's statement, which surprised most observers of the developing impeachment inquiry, was part of the most open discussion yet of the progress made by the inquiry staff. It came at a news conference following a two-hour meeting during which the full 37-member Judiciary Committee was briefed for the first time by the attorneys on the inquiry staff headed by John M. Doar.

In that briefing, committee and staff members made the

Continued on Page 12, Column 2

Continued From Page 1, Col. 7

following additional points:

Mr. Jenner reported confidence that a way would be found for the inquiry staff to gain access to information gathered by the special Watergate prosecutor, Leon Jaworski, without having to go to court.

Mr. Doar said the staff would be ready to produce a report on impeachable offenses and other impeachment issues for a public meeting on the committee on Feb. 20 and a progress report on their own investigation by March 1.

Both attorneys have concluded that impeachment proceedings are not "judicial proceedings" and that, in Mr. Jenner's words, "no court in the land has the power to review House and Senate actions on impeachment."

Democratic and Republican members on the committee were reported in agreement on immediate issues, except for Democratic opposition to a Republican move to cut off the inquiry by April 30.

Full Subpoena Powers

The chairman of the Judiciary Committee, Peter W. Rodino Jr., Democrat of New Jersey, also said the committee was confident of receiving full subpoena powers from the House by resolution on Feb. 5 or 6 and then moving immediately by letter to request information, probably from the White House and Mr. Jaworski.

Until today, no progress report had been made to the full committee membership. Such reports had been heard only by the eight senior Democrats and seven senior Republicans who made up an advisory committee on impeachment to the House Judiciary Committee.

It was apparent from discussions with Mr. Doar and Mr. Jenner that the inquiry staff had made significant progress in the mechanical operation of their inquiry. The staff has not only developed an approach to security of information that it believes will allow an approach to Mr. Jaworski, but also Mr. Doar outlined areas of investigation, indicating task forces have been set up within the staff.

"We are looking into a number of areas involving the President's conduct," Mr. Doar said, adding quickly that the investigation was only "into allegations of misconduct."

The areas include the Watergate break-in and its aftermath, "agency" practices that include the misuse of Government agencies, intelligence activities by the President, personal finances and "other matters"

that Mr. Doar agreed could include the Cambodian bombing and impoundment of funds.

The March 1 progress report is expected to outline evidence gathered in each of these areas.

Mr. Hutchinson's statement on executive privilege, the first conclusion on the matter publicly voiced by a Republican, would seem to serve notice on the White House that efforts to block access to documents and tapes in the President's possession could lead to an immediate confrontation.

One Democrat on the committee, Jerome Waldie of California, had already announced a resolution that would call for an immediate impeachment vote if the President should seek that course in withholding evidence.

In expanding on Mr. Hutchinson's remarks, Mr. Jenner said the use of executive privilege would probably lead to issuance of a subpoena.

"If that were resisted," he added, "the committee could exercise its judgment and include the action in its consideration of whether articles of impeachment should be brought."

The position taken by Mr. Hutchinson and Mr. Jenner seems to coincide with that taken by the President in 1970 during an unsuccessful attempt to impeach Supreme Court Justice William O. Douglas.

At that time, President Nixon said the Administration was "obligated" to supply information to an impeachment proceeding and subsequently allowed that inquiry access to documents including tax returns and Justice Department reports.

However, last week it was reported that that letter was "under study" by lawyers for the White House, apparently in an effort to assure that it not be used as a precedent that would require similar cooperation if the President were impeached.

The only area of disagreement reported in the two-hour closed meeting was over Republican efforts to include in the subpoena power resolution to be presented to the House next week a clause to cut the inquiry off by April 30.

Mr. Rodino said he thought such a move would be "unwise" and "irresponsible to cut off the inquiry if we don't complete it by that time."

Mr. Hutchinson said Republicans would continue to pressure for the cutoff date and would call for a vote of the full committee on the issue at a public meeting scheduled for Thursday.