

Impeachment Inquiry

# House Probers Seek Sealed Data

## Grand Jury

## Report

## On Nixon

Washington

The House Judiciary Committee directed its lawyers yesterday to obtain a sealed grand jury report on President Nixon's possible role in the Watergate coverup and to determine by tomorrow if the White House will supply evidence for use in an impeachment inquiry.

Implicit in both decisions by the Judiciary Committee was a threat to use, if necessary, the panel's broad subpoena powers against both the White House and the courts to obtain evidence for the investigation of the President's conduct in office.

The committee chairman, Representative Peter W. Rodino Jr. (Dem-N.J.), scheduled meetings tomorrow and Friday to "take further action" if the committee's quest for information is not successful.

The committee actions, at a closed two-hour "briefing," were intended to bring to a head today two developments that could determine the duration of the impeachment inquiry.

The committee authorized its two senior impeachment lawyers, John M. Doar and Albert E. Jenner, to take part in a hearing set today by Chief U.S. District Judge John J. Sirica on what is to be done with the grand jury's sealed report and a briefcase said to contain evidence supporting the jurors' conclusions about Mr. Nixon's alleged role in a conspiracy to obstruct the Watergate investigation.

But the House panel specifically instructed the lawyers to tell Sirica that the committee is entitled under the Constitution to any material bearing on the President's conduct and that the committee is not subject to

Back Page Col. 1

From Page 1

the jurisdiction of the courts.

Asked by newsmen if the committee would have the right to obtain the grand jury material even if Sirica should refuse to release it, Doar said flatly that the House of Representatives "would have that right."

Doar's position was apparently based on the widespread belief among committee members that the Constitution, in giving the House the "sole power" to impeach, confers on the committee unlimited authority to obtain any information necessary to reach a judgment.

The committee also focused on a letter sent to Doar late Monday by James D. St. Clair, the President's special Watergate counsel. In the letter, St. Clair said he would "try to expedite" a February 25 request from the committee for a number of Watergate tape recordings and documents, but that he could not give the White House reply before today.

The Judiciary Committee reportedly discussed briefly whether to issue an immediate subpoena for the White House evidence. Rodino said

the panel reached a "consensus," however, that it should wait until tomorrow and then take further action "in the event there is a failure to honor our request."

Representative Jerome R. Waldie (Dem-Calif.) told

newsmen after the meeting that "there's going to be a subpoena, sure as hell," if the White House does not supply the material voluntarily.

Others on the committee, Republicans and Democrats, voiced the same view in softer terms, but said the panel would prefer to avoid the risk of having subpoenas challenged in court and the completion of the impeachment inquiry delayed.

Lawyers for the White House, the committee, Watergate special prosecutor Leon Jaworski and defendants in Watergate criminal cases met privately with Sirica yesterday afternoon regarding the scheduled open hearing on the grand jury reports.

At the White House, Gerald L. Warren, the deputy press secretary, declared that Mr. Nixon has decided what course to follow if Sirica should decide to give the House panel the sealed document.

New York Times