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Majority of Panel  
Ready to Subpoena

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A majority of the House Judiciary Committee, including some Republicans, is prepared to use subpoenas to demand White House data for their impeachment inquiry of President Nixon if requests for information they consider pertinent are rejected.

They were still taking a wait-and-see attitude after the courthouse statement by James D. St. Clair, the President's lawyer, and the President's news conference last night. The situation may become more clear today when a letter from St. Clair stating the White House position is presented at a committee meeting.

But it was learned that St. Clair did not agree to turn over four tapes requested and made other statements

not likely to satisfy the committee.

The committee is to meet this morning to discuss and perhaps act on the White House response to their first request for White House material to help them decide whether Mr. Nixon should be impeached for Watergate or other matters.

Chairman Peter W. Rodino (D-N.J.) repeated his statement that the committee "is of a mind to subpoena documents essential to its inquiry. We will stick by our request" for information. But he declined comment on Mr. Nixon's or St. Clair's statements and a letter received from St. Clair until the committee meets.

Mr. Nixon repeated St. Clair's statement that the

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White House would turn over, and was in fact delivering to the committee, more than 700 documents and 19 tapes already given to Watergate Special Prosecutor Leon Jaworski. The President said he would also be willing to respond under oath at a White House meeting with Rodino and the committee's senior Republican, Rep. Edward Hutchinson (R-Mich.).

But when asked if he would turn over materials not given to Jaworski, Mr. Nixon first said that was a

matter under discussion. Then, in answer to a second question, he repeated that the material given Jaworski would be turned over and that he would answer written or oral questions and that "I believe that will serve the purpose."

The committee appears solidly of the opinion that it has the sole power under the Constitution to decide what it needs for an impeachment inquiry and will not be limited to what Jaworski was given for the Watergate grand jury investigation.

Republicans generally ex-

pressed the belief that the President had decided to cooperate with the committee. Rep. Tom Railsback (R-Ill.) said he felt much more "optimistic" about White House cooperation, but insisted that "we are the ones who have a right to decide what is necessary . . . I would be willing to subpoena if necessary."

Rep. Robert McClory (R-Ill.), second-ranking committee Republican, said he understood that St. Clair's letter contained either a condition or a strong suggestion that the committee should adopt a definition of impeachable offenses before asking for more White House documents. St. Clair insists that a President can be impeached only for serious criminal acts, while the committee staff believes impeachable offenses need not be limited to indictable crimes.

McClory said such a request from St. Clair would not sit well with the committee, which considers this a decision for individual members to make. He also doubted that most committee members would be content to let the President meet only with Rodino and Hutchinson and not the rest of the 38 members.

It was McClory who said he understood that St. Clair had not agreed to turn over to the committee four tapes it requested which had not been given to Jaworski. McClory said he understood

the President preferred to discuss these in replies to written questions.

McClory expressed doubt that the committee would be satisfied with the President's written answers in lieu of giving them the tapes to play for themselves.

Democratic members of the committee reacted with a suspicion that the statements by St. Clair and the President were limiting cooperation rather than extending it.

Hutchinson, on the other hand said he was "delighted" with the White House response. "I think the committee should digest the material being turned over before it determines whether it needs anything more," he said.

But Rep. Robert Drinah (D-Mass.), who favors impeachment, was quoted by the Los Angeles Times as saying of the St. Clair letter: "To hell with him, we should subpoena what we want. As usual they are trying to befuddle and confuse the issue and make it appear they are cooperating."

Rep. Charles Rangel (D-N.Y.), who attended the court hearing where St. Clair made his statement, said he considered it "an attempt to give the appearance of cooperation while denying the request of the committee."

Brooks called St. Clair's statement "helpful," but said he expected the White House to produce all materials requested. "You don't limit information received to the information the defendant is willing to give you," he said.

House Minority Leader John J. Rhodes (R-Ariz.) said he believed that St. Clair's statement meant the White House would extend the "full cooperation" Rhodes has called for. "I don't think, from what I know of it, that this was intended as a cut-off" of information beyond that given Jaworski, said Rhodes.

Rep. Jerome Waldie (D-Calif.) said he understood the letter from St. Clair "falls considerably short of what he said in court."

After the President's news conference, Waldie was quoted by the Associated Press as saying he would try to persuade the committee to issue a subpoena for all material that had been sought unsuccessfully from the White House "and if those materials are not forthcoming promptly, I will move the committee personally subpoena the President."

Committee members, led by Rodino and Hutchinson, were unanimous in rejecting the suggestion by Judge John J. Sirica that the impeachment inquiry might be postponed until after the Watergate trials are completed, a process expected to take several months.

All agreed that the committee is under a mandate to move expeditiously and that the impeachment inquiry of a President should take precedence over criminal trials of subordinates.