

JAN 8 1974 NYTimes
**VOTE ON SUBPOENA
COULD TEST HOUSE
ON IMPEACHMENT**

**Rodino to Request Approval
of This Power for the Staff
of Advisory Committee**

FEBRUARY ACTION SEEN

**3 in Watergate Case Freed
—Senate Unit Asks Court
Order on Nixon Data**

By **BILL KOVACH**

Special to The New York Times

WASHINGTON, Jan. 7—The groundwork was laid for an early test of impeachment sentiment among returning Congressmen when the chairman of the House Judiciary Committee said today that a vote of the full House was needed to give subpoena power to the committee's impeachment inquiry staff.

Representative Peter W. Rodino, Democrat of New Jersey, told newsmen that such powers were not now available to the staff of the Judiciary panel's ad hoc advisory committee on impeachment and that "the advisory group feels strongly that subpoena power would be necessary—the question now is when to do it." The advisory body is composed of the 15 senior members of the Judiciary Committee.

While such a question would not deal directly with impeachment it would be the first formal test of the members' attitudes toward the House inquiry that would measure the impact of their visits home during the winter recess.

Other Watergate Actions

Other Watergate-related activities moving ahead today despite the Congressional recess included the following:

• An order by the United States Parole Board granting parole effective March 7 to Frank Sturgis, Virgilio R. Gonzalez and Eugenio R. Martinez, all convicted in the June 17, 1972, break-in at the Democratic national headquarters. [Page 15.]

• A return to Federal court today by the Senate Watergate

committee asking again that President Nixon be ordered to turn over the tape recordings and documents that the committee subpoenaed last July. [Page 14.]

• Indications, according to a private memorandum to the ad hoc advisory committee, that an investigation of President Nixon's personal finances by the impeachment inquiry staff is under way.

February Vote Expected

An informal poll of members of the ad hoc committee indicated that a resolution giving subpoena power to the panel was expected to go before the House for a vote in the first weeks of February. Congress returns on Jan. 21.

Ten of the members of the advisory committee interrupted their month-long holiday recess today to receive a progress report from John Doar, who was hired last month as special counsel to direct the staff inquiry.

Also at the briefing, held in

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closed session, was Albert E. Jenner, a Chicago trial lawyer who served as senior counsel to the Warren Commission that investigated the assassination of President Kennedy. Mr. Jenner was named today as the chief legal advisor to the Republican minority on the committee.

At a news briefing after the two-hour meeting Representative Rodino and Mr. Doar reported that organization of the inquiry staff (now numbering 38 persons and expected to reach 40 to 45) was continuing and staff members were "wading through the mass of material already made public."

"The staff," Mr. Rodino said, "is now dealing with a consideration of the areas in which the inquiry should go—and has yet to reach any conclusions on the questions of what is an impeachable offense and what sort of evidence should be gathered."

Report Hoped for in April

However, he added, a full report would "hopefully be ready by the latter part of April to be presented to the House of Representatives."

Although few specific areas of inquiry were acknowledged, the private memorandum from Mr. Doar to Mr. Rodino, which was obtained by The New York Times, noted that he had "retained Mr. Carl Price, an experienced Washington tax lawyer, to work with me on some of the problems in connection with the President's personal finances."

Mr. Price, a lawyer specializing in tax matters with the Washington firm of Ivins, Phillips & Barker, will serve as an adviser on tax matters to

the committee staff. A former Rhodes Scholar, Mr. Price has represented such corporations as E.I. du Pont de Nemours & Co. and Johnson Wax in tax matters.

According to Mr. Doar and members of the ad hoc committee, the relationship between the inquiry staff and other investigations of the Administration now under way is still unclear. Neither has there been a firm resolution of the inquiry staff's access to information collected by these other investigations.

Meetings With Dash

"I have met two times with [Leon] Jaworski [the special Watergate prosecutor] to discuss possible arrangements for access to the information he possesses and he wishes to know what procedures will be adopted by the committee with respect to security, and we have not reached an agreement," Mr. Doar said.

He added that he believed these matters could be handled without the need for a court

suit or other legal means to obtain information.

Similar meetings with Samuel Dash, counsel to the Watergate committee, he said, have indicated that staff's willingness to make material collected in that investigation available to the House inquiry. There has been, Mr. Doar said, no contact with the White House.

Members of the advisory committee took pains, in their public discussions today, to avoid any indication of partisan wrangling among the members.

Representative Edward Hutchinson of Michigan, senior Republican member, introduced the minority's counsel, Mr. Jenner, with the promise that the "minority staff who serve under him will cooperate fully with the committee's special counsel in insuring the inquiry is conducted in a fair, thorough and expeditious manner."

However, privately after the meeting some Republican members complained that the staff was moving too slowly.

"I am concerned," one Re-

publican member said, "with the delay in reaching essential, threshold questions—we don't even have a decision yet on what evidence is."

The criticism reflects the openly expressed concern of Republican members that the issue will be dragged out until it injects itself into this year's Congressional elections.

Doar's Report

The question of evidence is expected to be a serious one within the committee staff with the addition of Mr. Jenner as the minority counsel. In addition to a number of prestigious posts in the legal fraternity, Mr. Jenner has served since 1965 as chairman of the Supreme Court Advisory Committee on Federal Rules of Evidence and from 1960-70 on the Supreme Court Advisory Committee on Federal Rules of Civil Procedure. He is an acknowledged expert on matters of evidence in Federal legal proceedings.

Most of Mr. Doar's report to the committee today apparently dealt with organization mat-

ters including the following:

• Concern about security of the staff offices, which occupy the second floor of the Congressional annex, because one suite on the floor is still occupied by lobbyists for the trucking industry.

• Establishment of a filing system, organized by Maureen Barden, who organized the filing system for the Attica Commission in New York.

The report also noted that Mr. Doar expected that the staff would eventually include "30 or so" lawyers and require a total staff of 45 to 50, including investigative and clerical help.