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**RODINO UNIT ASKS
 A HOUSE MANDATE
 FOR NIXON INQUIRY**

**Subpoena Power Requested
 in Study on Impeachment
 —Approval Expected**

EARLY HOUSE VOTE SEEN

**Judiciary Chief Says No One
 Would Be Excluded From
 Resolution's Authority**

By **BILL KOVACH**

Special to The New York Times

WASHINGTON, Jan. 31—

The House Judiciary Committee unanimously adopted a resolution today asking that full constitutional authority for the impeachment inquiry on President Nixon, including subpoena power, be given the committee by the House of Representatives.

The adoption of the resolution, which is expected to win House approval next week, was, in effect, the Congressional response to President Nixon's promise of limited cooperation on his State of the Union address last night.

President Nixon said that his cooperation with the impeachment inquiry would be limited by precedent and his desire not to erode Presidential authority.

Several Republican members of the Judiciary Committee, while encouraged by the President's words, suggested that it remained to be seen how open the President would be to demands for evidence in the inquiry.

Exclusions Ruled Out

Peter W. Rodino Jr., New Jersey Democrat who is the committee chairman, alluded to the President's position when he told newsmen that once the authority requested in the resolution was granted, "no one is excluded from its authority."

The unanimous action on the resolution, after nearly three hours of discussion and debate, supported the general impression on Capitol Hill today that President Nixon's nationally televised address had done little to distract or delay the determination of Congress to

investigate the Watergate scandal and its aftermath.

Senator Sam J. Ervin Jr., North Carolina Democrat who is chairman of the Senate Watergate Committee, said he had not changed his position that hearings should resume on matters remaining before that committee.

Ronald L. Ziegler, the President's press secretary, reinforced President Nixon's indications of limits on his cooperation with the inquiry.

"His remarks last night were

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carefully thought out," Mr. Ziegler said. "He feels this deeply. What he said will be the framework for what will be forthcoming."

The question of whether the President's concept of limits will lead to a constitutional crisis could be answered soon. Speaker Carl Albert, Democrat of Oklahoma, said he saw no obstacle to the House's approval of the resolution, probably on Tuesday.

The Judiciary Committee staff has indicated that it will begin collecting evidence immediately after that, and an early approach could be made to the White House for documents, tapes and other evidence.

The resolution, voted during the first full committee meeting to consider the impeachment inquiry, was marked by pleas—backed by votes—for bipartisanship in the inquiry. The Republicans concentrated their efforts on restricting the time or powers asked for the inquiry. In a series of six roll-call votes on proposed amendments, no issue failed or carried strictly on party lines.

The key Republican amendment, offered by Robert McClory of Illinois, would have set April 30 as a cutoff date for the work of the inquiry.

The eventual defeat of the amendment was foreshadowed almost immediately when its concept was opposed by Albert E. Jenner, the minority counsel.

Mr. Rodino, displaying control over the committee proceedings, asked Mr. Jenner for his opinion of the wisdom of a cut-off date just before allowing Mr. McClory to introduce the amendment.

Did he, Mr. Rodino asked of Mr. Jenner, agree that it would be unwise to set a cut-off date before it was clear how much

evidence there was to be gathered and analyzed?

Glancing across the room toward Mr. McClory, Mr. Jenner grinned and nodded: "Yes, I do."

Mr. McClory smiled in return and then introduced his resolution. The vote was 23 against and 14 for, with all Democrats and two Republicans opposing the cut-off. Amendments to limit subpoena power or restrict the kind of evidence that could be subpoenaed went down by similar margins.

The Effect on Nixon

In the analysis of the resolution by committee members, primary interest focused on subpoena powers that would require "the attendance and testimony of any person."

The special counsel to the committee, John Doar, told members that the language would apply to President Nixon and further that the President "would not be able to assert" the claim of executive privilege

to refuse to appear or withhold information.

A crucial question, however, remains unresolved. Because both Mr. Doar and Mr. Jenner believe that no court has the power of judicial review over impeachment actions, it remains unclear how refusal to honor a subpoena would be enforced.

The inquiry staff plans extensive research into the question, but the tentative conclusions offered today was that such an action by the President could, itself, become an act that could be considered an impeachable offense.

Republican members of the committee seem most troubled by this possibility in light of the President's indication of limits to his cooperation.

"The people," said Representative William S. Cohen, Republican of Maine, "simply want the truth and the President's statement injected ambiguity in the question of Presidential cooperation."



The New York Times/George Tames
 Peter W. Rodino Jr., right, chairman, and Edward Hutchinson at House Judiciary Committee meeting yesterday.

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