

NYTimes OCT 2 5 1973 NYTimes

SENATE REPUBLICAN LEADERS URGE NIXON TO NAME NEW PROSECUTOR; IMPEACHMENT INQUIRY IS WIDENED

NYTimes OCT 2 5 1973
DEMOCRATS FIRM

House Panel Will Move 'Full Steam Ahead,' Chairman Says

By JAMES M. NAUGHTON
Special to The New York Times

WASHINGTON, Oct. 24—

Democrats in control of the House Judiciary Committee decided today to pursue and broaden an inquiry into the impeachment of President Nixon.

Representative Peter W. Rodino Jr. of New Jersey, the committee chairman, said after a meeting with 19 other Democrats on the panel that they would "proceed full steam ahead" with the impeachment investigation despite the President's sudden decision yesterday to surrender the Watergate tapes to the courts.

Mr. Rodino said the committee would investigate any allegations of "impeachable offenses." Other committee members said that these would include, but not be limited to, the secret bombing of Cambodia in 1970, a short-lived Administration plan for burglary and wiretapping of suspected subversives, and the President's refusal to spend funds appropriated by Congress.

Albert Announces Action

The White House and Republican Congressional leaders had apparently hoped that the impeachment movement would collapse as a result of the President's decision to comply with Federal court orders to turn over the Watergate tapes to Judge John J. Sirica of United States District Court here.

But House Speaker Carl Albert, an Oklahoma Democrat, said at noon today that the inquiry would continue until it "plays this thing to rest one way or the other."

Mr. Rodino said the Democratic majority on the Judiciary Committee, to which eight impeachment resolutions co-sponsored by a total of 31 Democrats were referred yesterday, had agreed to the following steps:

¶Hiring a separate chief counsel and staff to investigate any charges against the President that might bear on his impeachment.

¶Seeking authority for Mr. Rodino to subpoena, without a vote of the full committee, any documents, tapes or other materials bearing on the investigation. The committee members deferred a decision on whether to subpoena all of the investigative files of Archibald

Continued on Page 48, Column 3

Continued From Page 1, Col. 5

Cox, the special Watergate prosecutor who was dismissed last Saturday by the President.

¶Proceeding simultaneously with the impeachment inquiry, hearings on the President's nomination of the House minority leader, Representative Gerald R. Ford of Michigan, to succeed Spiro T. Agnew as Vice President and legislation to create an independent Watergate prosecution staff that would be appointed by Judge Sirica.

Republican members of the Judiciary Committee also caucused late today, but made no decisions on the course they might follow in response to the Democrats' actions.

Cooperation Promised

Mr. Rodino told newsmen that the committee's ranking Republican, Representative Edward Hutchinson of Michigan, had promised to cooperate with the Democratic majority.

But Mr. Hutchinson said later that he did not believe it was necessary to expand the committee's staff, that he opposed "blanket" subpoena authority for the chairman, and that he did not think the inquiry should go beyond a "very preliminary" examination of the impeachment resolutions.

His attitude was in sharp contrast with that of the Democrats, both on the committee and elsewhere in Congress.

Representative Jerome R. Waldie, a Judiciary Committee Democrat from California and the author of one impeachment resolution, said flatly that "we're in the midst of the impeachment process."

Several members of Congress reported that their offices here and in their home states con-

tinued to be besieged with demands from constituents for the President's impeachment, trial by the Senate and removal from office.

The House can impeach—that is, bring charges of high crimes and misdemeanors—against a Federal official by majority vote. The Senate then holds a trial, and can convict the official by a two-thirds vote. Upon conviction, the official is removed from office.

The 29 co-sponsors of Mr. Waldie's impeachment proposal

—all Democrats—issued a joint statement this afternoon reaffirming their commitment to push for its approval.

"The President's belated action" to comply with the court decisions on the tapes issue, the statement said, "removes only one of the grounds on which we sought impeachment, and it occurred only after the even graver attempt to obstruct justice by abolishing the office of the special prosecutor was carried out."



The New York Times
James O. Eastland, left, chairman of the Senate Judiciary Committee, and Roman L. Hruska, ranking Republican member, after yesterday's committee meeting.



Former Deputy Attorney General William D. Ruckelshaus, left, talked with Henry E. Petersen, right, Assistant Attorney General, as Acting Attorney General Robert H.

Associated Press
Bork took notes in the Justice Department yesterday. Mr. Bork and Mr. Petersen entered shortly after Mr. Ruckelshaus had finished an interview with reporters.

FAST ACTION ASKED

10/25/73

NYT

Early Indictments on Watergate Sought to Assure Public

By ANTHONY RIPLEY

Special to The New York Times

WASHINGTON, Oct. 24—The Senate's top Republican leaders, who had stood beside President Nixon during the long Watergate crisis, urged him today to restore public confidence in the investigation by naming a new special prosecutor and by speedily pursuing the case.

The new prosecutor would replace Archibald Cox, who was dismissed by Mr. Nixon Saturday.

The Republican leaders also urged that in the meantime Henry E. Petersen, Assistant Attorney General in charge of the Criminal Division, who has been named to head the Watergate investigation, bring indictments as soon as possible to assure the public that the investigation had not stopped.

If Mr. Nixon does not appoint a special prosecutor, the Republican leaders said, then one should be appointed by Chief Judge John J. Sirica of the United States District Court.

Senator Hugh Scott of Pennsylvania, the Senate Republican leader, telephoned the message this morning to Bryce N. Harlow, counselor to the President, according to Mr. Scott's press secretary.

The call was placed following a meeting in the Senator's office that was attended by Senator Robert P. Griffin of Michigan, the Republican whip; Senator John G. Tower of Texas, the Policy Committee chairman, and Senator Wallace F. Bennett of Utah, secretary of the Republican Conference. Senator Norris Cotton of New Hampshire, chairman of the Republican Conference, was reached by telephone and agreed with his colleagues.

The Senators were clearly upset by the flood of mail and telegrams protesting the removal of Mr. Cox and the resignations of former Attorney General Elliot L. Richardson and former Deputy Attorney General William D. Ruckelshaus.

They were also troubled by the President's failure to consult with them over the move, aides said.

"As a Philadelphia lawyer," Senator Scott said, "I would not have given him the kind of advice he received and apparently accepted. He is left without an option for appeal."

One spokesman for the Republican leaders said, "The

Continued on Page 49, Column 1

Continued From Page 1, Col. 8

mood is such that the American people must be reassured that justice is working, and that a special prosecutor must be appointed."

Shortly after the meeting and the telephone call to the White House, Senator Scott and 13 other members of the Senate Judiciary Committee met in closed session and unanimously recommended that a special prosecutor be appointed.

However, the committee resisted a move by Senator Edward M. Kennedy, Democrat of Massachusetts, to call for reinstating Mr. Cox and a second move by Senator Kennedy to have Mr. Cox testify at once before the committee.

Instead, testimony was scheduled for Monday morning at the request of Senator Roman L. Hruska, Republican of Nebraska.

Mr. Richardson and Mr. Ruckelshaus are expected to follow Mr. Cox before the committee.

Senator James O. Eastland, Democrat of Mississippi, the committee chairman, said after the meeting that he was sending a letter to the Acting Attorney General, Robert H. Bork, asking the Justice Department to limit access to the evidence gathered by Mr. Cox and to preserve it.

Several bills were reported being drafted to create a special prosecutor's office, with the top man to be appointed by the President or Judge Sirica.

Such bills would be open to Presidential veto. Also, any indictments brought by such a special prosecutor would still have to be signed by Justice Department officials before they were legally binding.

Senator Kennedy said that he was "hopeful" the President would not veto such a move.

Senator Birch Bayh, Democrat of Indiana, said that it would be "totally inadequate" if the President named a new



The New York Times/George James

Senators Hugh Scott, standing at left, and John V. Tunney indulging in a bit of byplay before the start of yesterday's closed session of the Judiciary Committee.

Mr. Scott, who arrived late, found Mr. Tunney sitting in his chair and demanded—with a smile—that he get out of it. Senator Edward M. Kennedy is at center foreground.

special prosecutor within a day or two under the same guidelines that had been set up for Mr. Cox.

"When the crunch came, Mr. Cox was summarily discharged," he said. A newspecialprosecutor, he continued, "has got to be one that can't be fired by the President."

He suggested that "the President could really heal wounds by reappointing Mr. Cox." If the President attempts to block an independent prosecutor, he said, "he will be in as deep trouble tomorrow as he was yesterday."

"People are getting kind of fed up," he said.

Senator Hruska said that he approved appointing a special prosecutor but added, "I believe the Justice Department can be trusted to prosecute the case."

He said that Mr. Petersen had done "a very effective piece of work" in the investigation of former Vice President Spiro T. Agnew.

Senator Robert C. Byrd, Democrat of West Virginia, the assistant majority leader, who is also a member of the committee, said in remarks prepared for delivery in North

Carolina tonight that the public could have "little confidence" in the Justice Department's investigation ordered by the President.

He said that an independent investigation was necessary so "the whole sordid Watergate mess in all of its ramifications will be uncovered for the judgment of the American people."

Senator Eastland said that he did not think Congress should tell the President whom to appoint, but that a special prosecutor was necessary.

Asked about possible impeachment, Mr. Eastland said, "I do not believe that the President of the United States has committed an impeachable thing."