

Waldie to Press Impeachment Vote If Nixon Bars Data

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Rep. Jerome R. Waldie (D-Calif.) said yesterday that if President Nixon refuses to turn over materials needed by the House Judiciary Committee for its impeachment inquiry, he will demand an immediate vote on impeaching the President without further investigation.

Waldie, a member of the Judiciary Committee, wrote to Chairman Peter W. Rodino (D-N.J.) expressing concern based on printed reports from White House sources that the President may assert some alleged executive privilege and withhold documents necessary for the inquiry.

Waldie said that if the President refused to cooperate the issue could be thrown into the courts and tied up in litigation for the rest of Mr. Nixon's term. Waldie said he was convinced that the President could not legally assert any executive privilege in an impeachment proceeding because such an inquiry was intended to be "an intrusion of the Legislative Branch into the conduct of the President's use of his office."

Waldie asked Rodino to instruct the special impeachment staff to research this question so the committee could respond immediately if the President refused to provide requested information.

The Watergate special prosecutor, Leon Jaworski, has already said he could not hand over to the House Committee White House documents provided him under conditions of confidentiality for presentation to the Watergate grand jury.

Waldie told Rodino that if the President should try to impede the impeachment inquiry, Waldie would move immediately, first in the commit-

tee and then on the House floor, for the President's impeachment. If that were approved by a majority vote, the issue of the President's involvement in Watergate, or whatever the alleged charge, would be sent for trial to the Senate, which could remove Mr. Nixon from office by a two-thirds vote.

Waldie's letter points up the fact that the impeachment issue cannot be bottled up in committee, as are other issues by the will of the leadership or a majority of the committee.

Impeachment is what parliamentarians call such a highly privileged matter that any member can stand up in the House at any time and demand a vote on a motion to impeach the President.

Rep. Robert Drinan (D-Mass.) could have demanded an immediate House vote when he introduced the first resolution to impeach the President last July. So could have Waldie when he introduced an impeachment resolution in October after Mr. Nixon fired Archibald Cox, the first Watergate special prosecutor.

But both felt they stood no chance to win without first sending the issue off to a committee to conduct an inquiry and gather evidence. That inquiry is now under way and, according to Rodino's tentative timetable, is scheduled to be completed by April. Waldie evidently is convinced that a refusal by the President to turn over relevant material would so antagonize House members that impeachment would stand a good chance to win without further evidence of wrongdoing.