

Impeachment Data Requested of Court

Watergate Unit Already Given Matter Sought

By Richard L. Lyons
Washington Post Staff Writer

The House Judiciary Committee went to court for the first time yesterday to obtain information for its impeachment inquiry of President Nixon.

In a motion filed in U.S. District Court here, the committee's special counsel, John Doar, asked access to information already provided to the Senate Watergate committee on financial records of the Finance Committee to Re-elect the President. The action is expected to be uncontested.

The records sought are those involved in a still pending civil suit brought by the citizens' lobby Common Cause against the re-election committee to learn the sources and amounts of contributions made to President Nixon's 1972 campaign before April 7, 1972, the date that a new law required that all future contributions be made public.

The records and depositions taken from about a dozen persons were made available to the Senate committee by agreement of Common Cause and the Nixon re-election committee. Doar's office said the parties have also agreed to make them available to the House committee and that the court proceeding should be a pro forma action.

A Common Cause spokesman said documents involved which are still kept secret under court order and which presumably could not be made public by the House committee include a deposition from the President's close friend, C. G. (Bebe) Rebo, who received and subsequently returned a \$100,000 campaign contribution for the President from Howard Hughes. Another deposition was taken from Patrick J. Hillings, an attorney for milk producers who made a large contribution to the campaign. Also under court seal is a list compiled by the President's secretary, Rose Mary Woods, of pre-April 7 contributions.

At the Capitol, House Minority Leader John J. Rhodes (R-Ariz.) called on committee Democrats who have sponsored impeachment resolutions against the President to disqualify themselves from voting on the issue.

Rhodes said in an interview for the Republican Congressional Committee newsletter that in deciding whether or not to recommend impeach-



REP. ROBERT F. DRINAN REP. JOHN J. RHODES
... in new Hill confrontation on impeachment

ment to the House the committee is sitting as both judge and jury. "As a matter of honest justice" members who have said Mr. Nixon should be impeached for Watergate or other matters should not take part in the committee vote expected the latter part of April, Rhodes said.

Any judge who had made such statements in advance would not be allowed to try a case, said Rhodes.

"Baloney," replied Rep. Robert Drinan (D-Mass.), one of three members on the 38-member committee who have sponsored impeachment resolutions. The others are Rep. Jerome Waldie (D-Calif.) and Rep. Charles Rangel (D-N.Y.).

Drinan said he introduced the first impeachment resolution to get the proceeding started. "The assumption was that the President would have a hearing and that perhaps he can exculpate himself," said Drinan, former dean of Boston College law school. "I hope he can dispel the charges."

Drinan said the suggestion that the three should not vote "impugns our integrity... If I introduce a consumer protection bill, am I to disqualify myself from consideration of it?"

Rep. David W. Dennis (R-Ind.), committee member, said that as a matter of fairness he agreed with Rhodes, but that as a matter of law he didn't know the answer. He said he wouldn't be surprised if the question were raised within the committee.

If a majority of the House should vote to impeach (indict) Mr. Nixon, the case would be sent to the Senate for trial and a two-thirds vote would be required for removal from office.

Other impeachment comments:

• Sen. Robert C. Byrd (D-W.Va.), assistant Senate majority leader, told reporters he

believed it would take a "groundswell" of public sentiment not yet evident to convince Congress to impeach and remove the President. He added that Mr. Nixon would "greatly endanger himself" if he refuses to cooperate with the House Judiciary Committee by furnishing materials needed for its impeachment inquiry. There have been some hints that he may not cooperate.

• Sen. Walter Mondale (D-Minn.), who is considering running for President in 1976, said Mr. Nixon should resign because he has "undermined his moral credibility to the point that he can no longer lead the nation."