

Unit Votes Resolution For Probe

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The House Judiciary Committee unanimously approved a resolution yesterday asserting its power to obtain from any source, including President Nixon, information needed for its inquiry into whether the President should be impeached.

The resolution, which the House is expected to approve next week, is an attempt to define the powers of the House in an impeachment inquiry. The committee considers them unlimited because the Constitution vests sole power of impeachment in the House.

Chairman Peter W. Rodino (D-N.J.) said there are no present plans to call the President to appear in person during the inquiry as to whether he should be impeached and removed from office for Watergate or other matters. But he would not rule this out "if it became important to the completeness of the inquiry."

The committee's request that the House grant it what amounts to unlimited subpoena power came the morning after the President in his State of Union address gave a qualified promise of cooperation "consistent with my responsibility to the office" of the presidency.

This poses the possibility of a confrontation between the two down the road as to their relative powers to demand and refuse information.

Rep. Edward Hutchinson of Michigan, senior Republican on the committee, said he read the President's words to mean that he would cooperate with all requests for information "relevant" to the inquiry but not with a "fishing expedition." Rep. Charles Wiggins (R-Calif.), another senior committee member, voiced the same view.

Rodino had no comment on what the President may have meant, but said: "We are prepared to go forward and hope the President will cooperate."

The resolution which the House is expected to approve next week specifically author-

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izes and directs the committee to undertake the inquiry which is already under way. It would also arm the committee with the powerful weapon of subpoena to obtain information on which to make its judgment.

The committee would be authorized to "require by subpoena or otherwise the attendance and testimony of any person . . . and the production of such things . . . and information as it deems necessary to such investigation."

The resolution empowers Rodino and Hutchinson, together or separately, to issue subpoenas, and provides that the Democrat-dominated committee could resolve any disagreement between them.

The committee was in agreement that it could go anywhere to obtain information—to the White House which could not assert executive privilege, to Watergate Special Prosecutor Leon Jaworski's files without court order—because, in Rodino's words, of "the express grant to the House by the Constitution of

the sole power of impeachment."

In response to questions from committee members, special counsel John Doar and the Republican's counsel, Albert Jenner, both said they believed that power, as delegated to the committee by the resolution, could be used to order the President to appear. It is more likely that the subpoena power would be used to obtain documents or written statements from him, but Jenner said that an impeachment inquiry is a matter "in which the House is supreme."

No effort was made in committee to weaken the resolution, though Rep. Jack Brooks (D-Tex.) called it too wordy. "We shouldn't spend our time lecturing Leon Jaworski or threatening the President," said Brooks. "Power is best defined by its exercise."

Several Republican members said after the meeting that it is one thing for the committee to assert vast power but may be another thing to enforce it.

The President or anyone else served with a subpoena retains his constitutional rights, said Hutchinson, and

could go to court to argue that the subpoena was improper.

Republicans attempted to write in an April 30 cut-off date for the investigation, but lost by a near-party line vote of 23 to 14. They contended a deadline would forestall criticism of "foot dragging," but Democrats protested that the committee should not place itself in a time "strait jacket" so early in the investigation. Rodino has set the end of April as a target date for reporting to the House.

Wiggins was defeated 21 to 16 in his effort to give Republicans an absolute right to issue their own subpoenas, rather than be subject to a full committee veto. Hutchinson voted against Wiggins, saying he thought the minority had already obtained as much power as it could expect and might lose everything if it tried for too much. On the House floor, Rep. Sidney R. Yates (D-Ill.) introduced a resolution that would permit the televising of the debate when the impeachment issue reaches the full House. House rules permit televising committee proceedings, but not debates of the full House.