

House Vote

Impeach Probe Gets Full Powers

President Could Be Subpoenaed

Washington

The House voted overwhelmingly yesterday to grant the Judiciary Committee broad constitutional power to investigate President Nixon's conduct.

By a vote of 410 to 4, the House formally ratified the impeachment inquiry begun by the committee last October and empowered the panel to subpoena anyone — including the President — with evidence pertinent to the investigation.

This was the second time in the Nation's history that such a step, directed at a president, has been taken in the House. But the roll-call vote was not a test of impeachment sentiment.

The vote followed an hour of debate in which no one rose to defend Mr. Nixon, but Democrats and Republicans quarreled about the best method to guarantee that the inquiry would not become a partisan venture.

The tone was struck by the Judiciary Committee chairman, Representative Peter W. Rodino J. (Dem.-N.J.), when he told the House:

"Whatever the result, whatever we learn or conclude, let us now proceed with such care and decency and toughness and honor that the vast majority of the American people, and their children after them, will

say: This was the right course. There was no other way."

The four members who opposed the resolution, all Republicans, were Representatives Ben B. Blackburn of Georgia, Earl F. Landgrebe of Indiana, Carlos J. Moor-

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head of California and David C. Treen of Louisiana.

Moorhead, a member of the committee, objected that the resolution would give the panel such unrestricted subpoena power that it "can only precipitate a constitutional confrontation and further divide the people of our country."

The significance of the House action was illustrated by Rodino's statement that the power to issue and enforce a subpoena would be drawn directly from the Constitution and would "not depend upon any statutory provisions or require judicial enforcement."

He said that a subpoena would be issued to Mr. Nixon only if the committee finds it necessary to reach a "fair" judgment about whether there are grounds for impeachment.

"The gentleman from New Hampshire hopes that will not be necessary," Representative Louis C. Wyman (Rep.-N.H.) said as he stared across the quiet chamber at Rodino.

"The gentleman from New Jersey does also," Rodino replied.

He told newsmen later that no decisions would be made within the next few days on requests for evidence to the White House or to the Watergate special prosecutor, Leon Jaworski.

The resolution was adopted after the House rejected,

by a vote of 342 to 70, a parliamentary effort to open the measure to amendments that would have set an April 30 deadline for completion of the inquiry and would have allowed the committee's senior Republican to issue subpoenas independently.

John J. Rhodes of Arizona, the House Republican leader, signaled the fate of the parliamentary maneuver when he declared that Rodi-

no's pledge to conduct the inquiry fairly and expeditiously is "good with me." Only 67 of 178 Republicans voting on the issue and 3 of 234 Democrats disagreed and sought unsuccessfully to write the restrictions into the resolution.

As adopted, the measure provides no termination date for the investigation. It authorizes Rodino and the ranking Republican, Representative Edward Hutchinson of Michigan, to issue subpoenas jointly. If either declines, the full committee — composed of 21 Democrats and 17 Republicans — must decide whether to issue a subpoena.

Representative Robert McClory (Rep.-Ill.) declared emotionally that a fixed deadline would assure a troubled nation that the Watergate turmoil would come to an early conclusion.

"Imagine!" he protested, his voice and arms rising and falling together. "Imagine this important resolution, historic in its impact, being presented here without an opportunity for amendment."

Representative William L. Hungate (Dem.-Mo.) retorted dryly that it would be irresponsible to set an "arbitrary" deadline that might put the committee in "the position of the skydiver whose chute failed to open and found he had jumped to a conclusion."

Several Republicans warned that the inquiry could degenerate into partisanship without a guarantee that the Democratic majority would not suppress a subpoena written by the senior Republican.

"Suppose we wanted to call (Senator) Hubert Humphrey or Bobby Baker?" asked Representative David W. Dennis (Rep.-Ind.). Baker was convicted in 1967 of larceny, fraud and income-tax evasion after an inquiry into his activities as secretary to Senate Democrats.

Republicans apparently took their cue, however, from Rhodes, who said that the minority would be able to "look at its options" later if the inquiry were to take on a partisan tone.

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