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House Committee Wins Broad Subpoena

Vote 410 to 4

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By the almost unanimous vote of 410 to 4, the House told its Judiciary Committee yesterday to proceed with the impeachment inquiry of President Nixon and armed it with unlimited subpoena power to obtain information to make a judgement.

Earlier, the House refused, by a vote of 342 to 70, to consider a Republican amendment fixing an April 30 deadline for the committee to report to the House.

Minority Leader John J. Rhodes (R-Ariz.) joined Democrats in opposing a cut-off date on the grounds that the Democratic-dominated committee has conducted itself in a "highly professional" manner and should be allowed to proceed unhampered unless and until it shows signs of partisan footdragging.

The vote on the resolution delegating to the committee the House's "sole" power over impeachment under the Constitution was no kind of test vote on the issue of whether the President should be impeached for Watergate or other matters.

It was rather a recognition that the inquiry must be made and that the committee should

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be equipped with the subpoena power to perform its task. The committee asked for an explicit directive that it proceed, so as to meet any question of legitimacy that might be raised.

Judiciary Committee Chairman Peter W. Rodino (D-N.J.) said the overwhelming vote meant that "the constitutional power is such that it can't be denied."

The resolution empowers the committee to compel the testimony of any person and the production of documents from any source, including the President, that it considers necessary.

Rodino's repeated answer to the question of whether he plans to call Mr. Nixon to testify in person was that he would do so "only if it becomes necessary to complete the inquiry and assure a fair judgment." He said he hoped it would not be necessary.

However, Rep. Jerome Waldie (D-Cal.) who has sponsored an impeachment resolution,

said it is "essential" that the President appear and testify under oath because he is the best source of information as to his guilt or innocence.

Several Republican congressmen who attended a White House breakfast with Mr. Nixon yesterday said Rep. Louis Wyman (R-N.H.) had told the President he should testify voluntarily. They said the President had replied only that he was considering "all viable alternatives."

Rodino indicated that no subpoenas will be issued for several days at least. He said he will meet with the special



REP. PETER RODINO



REP. JOHN RHODES

... impeachment committee wins Republican backing

impeachment staff today to go over information already available and decide what gaps need to be filled. Then he will write letters requesting that this information be turned over to the committee voluntarily.

The most likely sources of information are the White House and the files of Watergate Special Prosecutor Leon Jaworski.

Mr. Nixon has promised to cooperate to the extent "consistent with my responsibility to the office" of the Presidency.

Republicans from Vice President Ford down have taken this to mean, though claiming to have no personal knowledge, that the President would comply with requests for "relevant" information, but not a "fishing expedition."

Jaworski, on the other hand, has taken the position that he

is prevented from voluntarily turning over his information by legal requirements of secrecy for information being presented to a grand jury. Jaworski's staff has been submitting evidence to a special Watergate grand jury for months and expects criminal indictments soon. It appears that if the committee decides it needs Jaworski's files, it will have to go after them with a subpoena.

Rep. Robert McClory (R-Ill.) demanded the April 30 cut-off date, arguing that the country wants a speedy decision and that without a deadline the investigation could drag on forever.

Rodino has said he believes that it can be wound up by April 30, and, Minority Leader Rhodes yesterday stood with Rodino on the open-date, saying: "The gentleman's word is good with me."

Power

Rep. Barbara Jordan (D-Tex.) said the committee's work should not be made to suffer by demands for speed. "What we do must stand as a precedent for 100 years or more," she said.

This is the first presidential impeachment inquiry since 1868, when the House impeached (indicted) Andrew Johnson by majority vote and the Senate failed by a single vote to obtain the two-thirds needed to convict and remove him from office.

The resolution empowers Rodino and Rep. Edward Hutchinson (R-Mich.), senior Republican on the committee, to issue subpoenas together or separately, with the full committee to resolve any disagreement between them. Hutchinson said he would demand a full committee vote on a subpoena directed at the President.

In presenting the resolution to the House, Rodino said: "Whatever the result... let us now proceed with such care and decency and thoroughness and honor that the vast majority of the American people, and their children after them, will say: That was the right course. There was no other way."

The four votes against the resolutions were cast by Republican Reps. Ben B. Blackburn (Ga.), Earl F. Landgrebe (Ind.), Carlos J. Moorhead (Calif.) and David C. Treen (La.). Moorhead said the resolution was too broad a grant of power. Every Maryland and Virginia member voted for the resolution except Rep. Joel T. Broyhill (R-Va.), who was absent.