

RODINO PREPARED TO SUMMON NIXON; CITES HOUSE VOTE

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Says Panel Has Authority to Investigate 'Impeachment in Totality' if Needed

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WASHINGTON, Feb. 10—The chairman of the House Judiciary Committee said today that committee members would "be shirking our responsibility" if President Nixon was not personally summoned—if deemed necessary—to answer questions on his conduct of the Presidency.

Representative Peter W. Rodino, Democrat of New Jersey, contended that the House had given his committee the authority to investigate "impeachment in totality" by overwhelmingly voting it broad subpoena powers.

Mr. Rodino suggested, during an interview on the American Broadcasting Company's television program "Issues and Answers," that last week's House vote gave the committee the right to override any future Presidential claim of executive privilege.

Hopeful on Understanding

He said further that the vote on subpoena powers should end the opposition already expressed by Leon Jaworski, the Watergate special prosecutor, toward the sharing of information with his committee.

Mr. Jaworski has said previously that he would fight in court, if necessary, to contest a Judiciary Committee subpoena for the private files of his office, which has been investigating the Watergate incident since last spring.

Asked about that today, Mr. Rodino said:

"I would think that the fact that the House has taken the action that it has indicates quite something, and I believe that we will meet that [a court battle with Mr. Jaworski] when we come to that, but I would hope that we all understand that the power that the House has now vested in the Judiciary Committee is such that all of these documents should be turned over that are necessary

to this kind of an inquiry."

Expects Cooperation

"We have got to recognize," Mr. Rodino said, "that the House voted overwhelmingly as it did, directing us and authorizing to inquire as far as we can—and it seems to me that Mr. Jaworski, I think, will cooperate."

"I feel that we would be shirking our responsibility if we did not conduct a complete and thorough inquiry," he noted, "and if it meant that we would have to do that, then we could do no less."

That responsibility, he said, includes the calling of Mr. Nixon if his testimony is needed

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"in order to settle this question once and for all."

The House-voted subpoena power, he added, "Goes wherever it must and therefore executive privilege, I think, cannot be asserted."

Mr. Rodino confirmed published reports that a meeting had been arranged this week between his staff and James D. St. Clair, who is now heading Mr. Nixon's Watergate defense.

At that meeting, Mr. Rodino said, his counsel, John M. Doar, will present a list of documents required from presidential files. The committee chairman refused to specify the documents that would be sought, but said "we are going to require and request the necessary documents and whatever may be necessary."

Asked about the President's reported intentions to "fight like hell" against any impeachment proceedings, Mr. Rodino replied that the President had a "right" to defend himself against any and all charges and "I would hope that is what he meant."

The New Jersey Democrat noted that Mr. Nixon had said in his State of the Union Address last month that he would cooperate in whatever manner

he felt might be consistent with his conduct of the office of the President.

Mr. Rodino added that "of course, we believe that the right to inquire under the power of impeachment is such that it can go as far as the secret recesses of the Presidency, as President [James K.] Polk once said, and we hope there is going to be this kind of cooperation."

"The House is vested with tremendous power here," Mr. Rodino noted. "It is our inescapable responsibility to do this job, to settle this question, to assure the American people that we will discharge our duty under the Constitution once and for all."

Later in the interview, Mr. Rodino again promised that his committee would do all it could to meet its self-imposed April 30 deadline for wrapping up its inquiry. He pledged that if the deadline was not met, he would go to the House and "make a representation as to what has happened and where we are at and why."

Mr. Rodino stressed, however, that "cooperation is tremendously important—cooperation from the White House, cooperation from the agencies, cooperation from Mr. Jaworski."