

# Most Members of Panel Reject Nixon's Argument

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By DAVID E. ROSEBAUM

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WASHINGTON, June 10—Most members of the House Judiciary Committee rejected today President's Nixon's argument that he had the constitutional authority to withhold subpoenaed tapes and documents from the impeachment inquiry.

Meeting in separate caucuses, Democratic and Republican members discussed the President's letter to the committee defying the committee's fourth subpoena for evidence.

When Representative Peter W. Rodino Jr. of New Jersey, the committee chairman, reading aloud the President's letter to his Democratic colleagues, got to the third paragraph, where the President said that there had been "extensive and unprecedented cooperation from the White House," the Democratic Representatives reportedly laughed scornfully.

Mr. Rodino said that "constitutionally, we feel that the House of Representatives has the sole power of impeachment, and it is a part from the doctrine of separation of powers."

The Republican consensus, expressed by Representative Robert McClory of Illinois, was that "the doctrine of separation of powers has to yield to our inquiry."

The committee's ranking Re-

publican, Representative Edward Hutchinson of Michigan, said he thought it was "a pretty good letter."

He was the only committee member to vote against the subpoena that was due to be answered today.

In the past, however, Mr. Hutchinson has also argued that the doctrine of executive privilege had to fall in the face of an impeachment inquiry.

The Republican members agreed unanimously that, because of the President's refusal to supply further evidence, the committee should call witnesses to testify under oath about their dealings with Mr. Nixon.

In a letter to Mr. Rodino, the Republicans suggested at least four former high Presidential assistants—H. R. Haldeman, John D. Ehrlichman, John W. Dean 3d and Charles W. Colson—as witnesses.

Some Democrats have in the past opposed an extensive witness list, on the ground that the testimony would be repetitive and that it would delay the impeachment proceedings.

The panel resumes its hearings tomorrow with a continued exploration of whether impeachable offenses were committed in the 1971 burglary of the office of Dr. Daniel Ellsberg's former psychiatrist.