

House Panel Asks Dean to Testify on

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WASHINGTON, March 27—Bipartisan leaders of a House subcommittee offered today to forgo questioning of John W. Dean 3d about the Watergate conspiracy if Mr. Dean, the White House legal counsel, would testify on the issue of executive privilege.

Representatives William S. Moorhead, Democrat of Pennsylvania, and John N. Erlenborn, Republican of Illinois, made public the text of a letter in which they urged President Nixon to allow Mr. Dean to give "limited testimony" to the subcommittee on Foreign Operations and Government Information.

Mr. Moorhead, the subcom-

mittee chairman, said that Mr. Dean's testimony was "essential" to consideration of a bill to restrict the use of executive privilege to deny information to Congress. Mr. Erlenborn and six other Republicans sponsored the bill.

The President has refused to allow Mr. Dean to appear before either the Senate Judiciary Committee or the Select Senate committee investigating the break-in and bugging of the Democratic headquarters at the Watergate complex. Mr. Nixon contends that Mr. Dean is immune from Congressional examination by virtue of his position on the White House staff.

The White House, under growing pressure from Senate Republicans as well as Demo-

crats to have Mr. Dean clarify his relationship to the Watergate conspiracy, made no immediate response today to the more limited request from the House subcommittee.

A White House spokesman said, "We are studying the request carefully, as we study all such requests."

Mr. Moorhead and Mr. Erlenborn issued copies of a study by the Library of Congress that contradicted President Nixon's statement March 12 on executive privilege. The rarely invoked doctrine of executive privilege protects the confidentiality of communications within the executive branch if disclosure would impair the orderly functioning of the Government.

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Executive Privilege Only

Mr. Nixon said in the formal statement that he invoked the privilege only three times in four years, but the Library of Congress report cited 19 occasions on which the Nixon Administration refused to give information to Congressional committees.

The 19 instances included four in which Mr. Nixon expressly invoked the tradition of executive privilege and 15 occasions when documents or testimony were withheld without formally invoking the privilege.

As the White House lawyer, Mr. Dean is responsible for deciding when to declare executive privilege. Accordingly, Mr. Erlenborn and Mr. Moorhead said, Mr. Dean's testimony

would be "of such a unique nature" that the subcommittee was willing to limit the scope of its questions.

The two Congressmen stipulated in their letter to the President that Mr. Dean's testimony would be limited to executive privilege and "matters related to his key role in the handling of requests for the invocation of the privilege."

They also said that "no questions would be put to Mr. Dean that would in any way impinge on his confidential relationship" with Mr. Nixon and that "no questions would be put to Mr. Dean that would relate to his role in the investigation of possible involvement of White House personnel in the Watergate incident."