

Adm. Kidd Refuses to Testify On Gordon Rule's Demotion

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By Morton Mintz

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Adm. Isaac A. Kidd has refused to testify about his controversial demotion of Gordon W. Rule, the Navy procurement official who criticized the performance of Litton Industries and President Nixon's selection of its president, Roy L. Ash, to head the Office of Management and Budget.

Sen. William Proxmire (D-Wis.) termed Kidd's explanation for refusing "absurd" and accused the admiral, chief of the Navy Material Command, of "evading your duty to appear . . . in a matter that vitally affects the conduct of congressional business."

The explanation, given in a letter to Proxmire signed by Rear Adm. Edwin K. Snyder, the Navy's legislative affairs officer, was that Rule had filed "an appeal" with the Civil Service Commission that must be reviewed and acted upon before public comment would be "appropriate."

The commission, however, says that no appeal has been filed, and that none can be until Rule may exhaust procedural remedies within the Navy Department.

Rule himself has not, to date, even begun to use these Navy procedures. Instead, he sent a letter of complaint, labeled an "appeal," to Commission Chairman Robert E. Hampton.

Proxmire has invited Kidd and Rule to appear today before his congressional joint economic subcommittee. Rule accepted.

In a letter to Kidd, Proxmire said that "the possibility" of an appeal to the commission is "extremely thin ground for evading your duty to appear . . .

" . . . should this situation be permitted to stand, all witnesses before committees will be nothing more than censored recordings of whatever the executive department wants Congress to know," Proxmire continued.

"Our inquiry here is the question of whether there has been an attempt to intimidate

a witness and obstruct the congressional power of inquiry in violation" of criminal laws, the senator said.

John D. Ehrlichman, Assistant to the President for Domestic Affairs, said Sunday that although he endorsed "the right of the Congress to inquire," this consideration must be balanced by the need of department administrators "to have confidence in your key people."

Rule, who holds the Navy's highest civilian service award, testified last month after clearing it with Kidd and Navy Secretary John W. Warner.

Asked by Proxmire for his views on the appointment of Ash and his former company, which has financial disputes with the Navy aggregating a half billion dollars, Rule began his answer by saying that

"old Gen. Eisenhower must be twitching in his grave." As President, Mr. Eisenhower had warned against the military-industrial complex.

On Capitol Hill Monday, Defense Secretary Melvin R. Laird termed Rule's remark "crude, rude and indecent. I think he showed very poor taste and judgment." He said he had nothing to do with Kidd's reassignment of Rule to upgrading the curriculum at a Navy school. Similarly, Ehrlichman said on "Meet the Press" (NBC-TV, WRC) that the episode occurred "without any White House involvement at all."

Laird told the House Armed Services Committee that the Navy had reassigned Rule because of "a series of statements over a period of time," other than the remark about President Eisenhower. Laird did not specify the statements.