

WXPost

Often-Criticized Montoya Changes Quizzing Tactics

By Herbert H. Denton
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Sen. Joseph M. Montoya, the junior Democrat on the Watergate committee, hammered away yesterday in questioning of former White House aide John D. Ehrlichman—pressing to determine whether the White House had used the Internal Revenue Service for political reasons and chopping away to find out why Ehrlichman had not reported to law enforcement authorities the break-in at the offices of Daniel Ellsberg's psychiatrist.

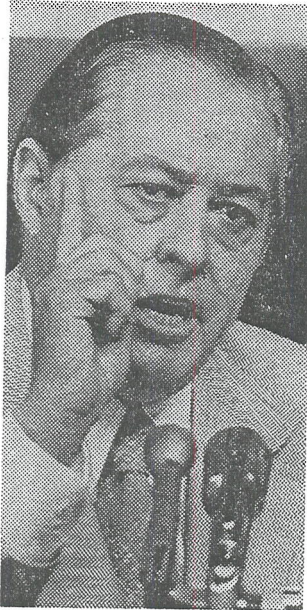
There were some snags and tangles, but all in all observers began to suggest that Montoya's performance might signal the emergence of a new image for the New Mexico Democrat.

Fairly or unfairly, Montoya had developed the reputation of being the least able questioner of the seven senators on the committee.

The criticism has been that Montoya, who reads his questions from yellow legal size pieces of paper, generally asks questions that have already been posed or, if he hits on some new line of inquiry, fails to follow up on questions.

When it is his turn to do the questioning, a low murmur usually pervades the Watergate hearing room. Reporters stop taking notes and chat among themselves. Some of the other senators on the committee seem to take the occasion for small private conferences among themselves.

Humorist Art Buchwald has suggested that one "fact" gleaned from Watergate is that "the best time to go to the bathroom when watching the Watergate Senate hearings is when



SEN. JOSEPH M. MONTOYA
... "entirely new approach"

Sen. Montoya is questioning the witness."

And it's not just the humorists who are making cracks like that. Lawyers surveyed by Time magazine regarded Montoya as the least able of the questioners on the committee, and it is reliably reported that the other senators on the committee have privately muttered some complaints themselves.

"Why does Joe (Montoya) always ask questions that have already been asked?" one senator on the committee is said to have complained.

Persons close to Montoya say that the ridicule has hurt the senator. But Montoya himself said he judged his performance by the fact that 85 per cent of the letters he receives praise him.

But he concedes he has had some problems with questioning.

"Sometimes you hit a witness right," Montoya said. Sometimes you don't. We had to develop an entirely new approach in these hearings. You can't question like you do in the courtroom. You don't have that much time."

If a new Montoya who questions with greater skill is emerging, sources close to the committee suggest that some of the credit ought to go to Jed Johnson, the former Oklahoma congressman who works full-time as a consultant to the Watergate committee staff. At Montoya's request, Johnson was assigned about a month ago to brief the senator on upcoming witnesses and provide back-up material for him.

Previously, Montoya had to rely on two members of his personal staff who did not have the time for extensive research and who, in addition to Watergate, were working on New Mexico matters on Capitol Hill and other concerns of the senator.

Both Johnson and Montoya are emphatic in denying that the committee aide writes out Montoya's questions.

"I do my own work and I assign tidbits to my staff," Montoya says.

Johnson said he collects newspaper clips, documents, previous testimony and other materials and suggests lines of inquiry to Montoya, but that the questions the senator asks are his own.

"The individual senator ultimately has to be responsible for the questions he asks," Johnson says. "They get ideas from the staff but they're not robots. You don't get elected to the U.S. Senate without a great deal of ingenuity."