

House Panel Cites Liddy for Contempt

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WASHINGTON, July 31 — The House Armed Services Committee voted unanimously today to cite G. Gordon Liddy, a convicted Watergate conspirator, for contempt of Congress.

Contempt proceedings against Liddy were recommended two weeks ago by an armed services subcommittee on intelligence after he refused to be sworn in as a witness.

Representative F. Edward Hébert, Louisiana Democrat who is chairman of the full committee, said that House floor action on the contempt citation would probably be delayed until after a month-long Congressional recess that starts on Friday.

"There's no real hurry," Mr. Hébert said. "After all, he's in jail."

Liddy was convicted in Federal court last spring of conspiracy, burglary and wiretapping of the Democratic National Committee headquarters in the Watergate complex. He was sentenced to 80 months to 20 years in prison.

Liddy is also serving a contempt of court sentence in the District of Columbia jail for refusing to answer questions of a grand jury investigating the Watergate affair. Later, he will be transferred to the Federal prison in Danbury, Conn.

Liddy was subpoenaed by the House Armed Services Sub-Central Intelligence Agency involvement in the Watergate matter.

An official transcript of the closed meeting shows that when he was asked to rise and be sworn in as a witness, Liddy dutifully rose and held up his right hand as the subcommittee chairman, Representative Lucien N. Nedzi of Michigan, recited the brief oath.

The transcript further shows that Liddy then said: "Mr. Chairman with all due respect to you personally and to the body of the Congress, for reasons that will be explained by my counsel, I respectfully decline to take the oath as a witness."

Liddy's attorney, Peter L. Mroulis of Poughkeepsie, presented a 30-minute legal argument in which he maintained that the United States Constitution incorporates the right of a witness not to take the stand and therefore not to be sworn.

Fifth Amendment Fear

Mr. Maroulis further argued that his client's rights under the Constitution would be jeopardized by "prejudicial publicity in the media" if he invoked the Fifth Amendment guarantee that no one can be compelled in a criminal case to a witness against himself.

While terming the Maroulis argument both "unique" and "intriguing," members of both the Nedzi subcommittee and the full Armed Services Committee agreed that the constitutional question was one to be decided by the courts.

Meanwhile, members of both panels decided that under existing law, they had no alternative but to bring contempt proceedings against Liddy. To do otherwise, they argued, would jeopardize the ability of all Congressional committees to obtain testimony from witnesses.

Under existing law, refusal to testify before a Congressional committee is a misdemeanor, punishable by 30 days to a year in prison and a fine of \$100 to \$1,000.

If the House upholds the contempt action, the matter would be turned over to the

Federal district attorney for presentation to a grand jury for possible indictment for contempt of Congress.

As adopted today by the Armed Services Committee by a vote of 33-0, for presentation to the full House, the resolution calling for contempt of Congress action against Liddy states:

"Resolved, that the Speaker of the House of Representatives certify the report of the Committee on Armed Services of the House of Representatives as to the refusal of George Gordon Liddy to be sworn or to take affirmation to testify before a duly authorized subcommittee of the said Committee on Armed Services on July 20, 1973, together with all the facts in connection therewith, under the goal of the House of Representatives to the United States Attorney for the District of Columbia, to the end that the said George Gordon Liddy may be proceeded against in the manner and form provide by law."

Liddy earlier this year also refused to be sworn in as a witness before a closed meeting of a Senate select committee now conducting televised hearings into the Watergate affair. That committee, however, has not brought contempt proceedings against him.