

HOUSE UNIT SPLIT ON ST. CLAIR PLEA FOR INQUIRY ROLE

Republicans Support Nixon
Aide on Request for Right
to Examine Witnesses

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FURTHER TALKS SLATED

Partisan Dispute Threatens
to Rupture Fragile Unity
of Impeachment Panel
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WASHINGTON, March 20—The House Judiciary Committee headed today toward its first serious party-line dispute, over a request by President Nixon's special Watergate counsel for the right to play an active role in the House impeachment inquiry.

James D. St. Clair, the President's attorney, told the committee in two letters that it was "imperative" that he be permitted to "cross-examine witnesses, suggest witnesses to be called and introduce relevant and material evidence for the committee's consideration. The committee made the letters public today.

At separate closed caucuses yesterday, the committee's Democratic majority agreed to oppose the request and the Republican minority decided to support it. The disagreement broke into the open at a committee meeting this morning, threatening to crack the fragile bipartisan unity the panel had developed in the last several weeks.

Hearing Set on Appeal

Meanwhile, Federal District Judge John J. Sirica refused to grant more than another 24 hours of delay in sending a secret grand jury report to the Judiciary Committee, and the matter was taken immediately to the United States Court of Appeals for the District of Columbia Circuit, which scheduled a hearing tomorrow. [Details on Page 32.]

And, after an interview with members of the Senate Watergate Committee, Charles G. Rebozo denied "unequivocally" that he ever transferred funds from his Florida bank to Switzer-

land on behalf of Mr. Nixon, his close friend. [Details on Page 32.]

Besides the rift in the House Judiciary Committee, several other partisan fissures developed in Congress over the impeachment proceedings. They included the following:

¶ Representative Walter Flow-

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ers of Alabama, until now one of the least outspoken Democrats on the impeachment panel, charged that Mr. Nixon was "playing games with our Constitution, the Congress, the Presidency and the American people." He said that while Mr. Nixon was a publicly pledging to cooperate with the panel he was withholding evidence and "we see developing the intricate maneuvers of a strategy to limit this committee and confuse the issue."

¶ The House minority leader, Representative John J. Rhodes, Republican of Arizona, acknowledged that he twice met privately with Mr. St. Clair. He said that the Judiciary Committee should "limit their investigation" to serious criminal allegations against Mr. Nixon and let a disinterested third party decide what White House tape recordings should be given to the inquiry.

¶ Senator Robert C. Byrd, Democrat of West Virginia, the Senate majority whip, told newsmen he was convinced that the White House was trying to "goad" the House Judiciary Committee into premature action on impeachment. Mr. Byrd also accused the President of "deliberately distorting the truth" by telling audiences in nationally televised appearances that he was cooperating with Watergate investigators.

Matter of 'Deep Concern'

The impending split in the House committee over Mr. St. Clair's request was the most serious of the developments. The committee chairman, Representative Peter W. Rodino Jr., Democrat of New Jersey averted a showdown on the issue today by pledging to schedule a meeting later to consider formally the White House bid to take part in the investigation.

Mr. Rodino called the request "a matter of very, very deep concern which affects the very essence" of the inquiry.

In a letter dated March 13 and addressed to John M. Doar, the committee's special counsel, Mr. St. Clair said, "in order for me to represent the President adequately it is imperative that I be allowed to participate in any prehearing discovery, as well as any hearing

conducted by the committee."

The committee lawyers have proposed rules of procedure for the inquiry that make no provision for White House participation, the committee has not yet formally adopted the rules.

Likened to Grand Jury

In reply to a question from Representative Harold D. Donohue, Democrat of Massachusetts, Mr. Doar agreed with the Congressman's suggestion that the inquiry was analogous to a grand jury investigation and that grand juries did not permit attorneys for potential defendants to play a role such as that sought by Mr. St. Clair.

Representative Jack Brooks, Democrat of Texas, declared more bluntly, "We're not having a trial here." He said that Mr. Nixon would not be a defendant against any charges until they were voted by the House.

Mr. Brooks said that the committee would be impeded in its examination of a witness "if the main subject of the inquiry sits there and says, 'Oh, yeah, I want to talk to him.'"

"We ought to quit worrying about whether Mr. St. Clair wants to sit by our warm side," the Texan said.

Republican Viewpoint

Representative Thomas F. RAILSBACK, Republican of Illinois, countered, however, that there was precedent in the impeachments of Federal judges for lawyers to protect the interest of the official being investigated. He said, referring to the Republican minority, that "there are some of us on this side who feel very strongly" that Mr. St. Clair's request should be considered.

Another Republican, Representative Charles E. WIGGINS of California, asked committee lawyers to draft language authorizing Mr. St. Clair to play an active role at all stages of the inquiry. Mr. Wiggins suggested he would offer the lan-

guage as an amendment to the rules of procedure when the committee takes up the rules.

The split over White House participation in the inquiry obscured, for the moment, the continuing dispute over the President's lack of formal response to a request three weeks ago for tape recordings of some 42 Watergate-related conversations between Mr. Nixon and former high officials of his Administration.

Mr. Doar told the committee that Mr. St. Clair said privately on Monday that Mr. Nixon was still considering the request. Albert E. Jenner Jr., the panel's senior Republican counsel, added that Mr. St. Clair had said the President "would be required to have some time to listen to these tapes" before responding.

Different Impression Seen

But Representative Jerome R. WALDIE, Democrat of California, said that Mr. Nixon gave the nation the clear impression in several recent televised appearances that he would not supply any more tapes to the panel.

"Whom are we to believe, the President or his attorney?" Mr. Waldie asked. "If the President is speaking for himself, are we not wasting our time talking to Mr. St. Clair?"

The committee has been virtually unanimous in its insistence on the right to examine the tape recordings at issue.

But Mr. Rhodes, the House Republican leader, said at a news conference that the committee's position was weakened by its refusal to issue a definition of proper grounds for impeachment.

"I have no objection," Mr. Rhodes said, "to the committee's having all conversations relevant to obstruction of justice or anything else they feel to be an impeachable offense. But I want them to ask for material only if it fits an offense."

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