

Impeachment Hearings Begin on Hill

House Committee Hears Staff Report In Closed Session

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After nearly seven months of preliminaries, the House Judiciary Committee yesterday began the crucial fact-finding phase of its historic mission to determine whether the President of the United States should be impeached.

The last time Congress embarked on such a mission was 1868, when President Andrew Johnson was on trial.

For a brief 20 minutes, a divided nation witnessed the opening on live television as two senior members made opening statements calling on their 36 colleagues to put aside partisan politics as they begin their "awesome task" and proceed with "wisdom, decency and principle."

President Nixon's lawyer, James D. St. Clair, was present to assure fairness for his client. He agreed to abide by the committee's rule of confidentiality, which Chairman Peter W. Rodino (D-N.J.) said permitted him to discuss confidential material only with the President.

Then, after a brief flurry of protest, the committee voted, 31 to 6, to go behind closed doors to hear from its staff a recitation of events that led up to the break-in of the Democratic Party's national headquarters in the Watergate office complex here on the night of June 17, 1972, and triggered events that led to the impeachment inquiry. The missing member was Rep. Walter Flowers (D-Ala.), who was attending a groundbreaking ceremony in his home state.

It was the firing of Watergate Special Prosecutor Archibald Cox last Oct. 20 that produced the avalanche of public protest that forced the House to begin the inquiry. Since then, a staff of 104 has been assembled and has collected material concerning a long list of allegations against the President, ranging from bombing Cambodia to trading government favors for contributions from dairy interests.

After a closed session of nearly three hours, Rep. John Conyers (D-Mich.) said none of the information

presented by the staff indicated that the President had prior knowledge of the Watergate break-in. He called this first presentation a stage-setting background session that added no infor-

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mation that he had not already read in the newspapers. Other members agreed that the session produced no new matters of substance.

There has been no allegation that the President knew in advance of the break-in. His critics contend however, that he knew of and participated in attempts to cover up White House connections with the crime. Mr. Nixon has released tapes of his conversations with associates that show that he was told by March 21, 1973, that hush money was being paid the burglars and more needed to be raised. The President said the tapes show his innocence. Many of his critics disagree.

Until yesterday only the staff, Rodino and senior Republican Edward Hutchinson of Michigan had been allowed to view confidential material obtained by the staff from the White House, the Watergate grand jury, other congressional committees and federal agencies. Now it is available to all 38 committee members.

During the next six weeks or so, these elected officials—including the President's sharpest critics and staunchest defenders, members from every part of the country, three of them black and two women—will decide

whether they should recommend that the House impeach the President for Watergate or other matters.

If the House impeached (indicted) the President, his case would be tried in the Senate, where a two-thirds vote would be required to remove him from office.

Only once in history has the House impeached a President. That was in 1868, when Andrew Johnson was impeached for being soft on the South after the Civil War. He was acquitted by a single vote in the Senate.

Before the session began at 1:08 p.m., St. Clair told reporters, "I don't anticipate bringing my client up here" to testify. St. Clair also said he had agreed to abide by

the committee rule that confidential material cannot be made public until the committee votes to release it. Any information the committee used as the basis for an impeachable offense would have to be made public eventually.

After the session, St. Clair said he was glad the committee deliberations had finally started, but added, "On balance, I'd rather be back in Boston practicing law."

Rodino and Hutchinson began the proceedings with their call for nonpartisan fairness. Then Rep. Harold Donohue (D-Mass.), second-ranking Democrat, moved, on cue, that the committee go into closed session be-

cause confidential material would be discussed.

When Conyers and Rep. Jerome Waldie (D-Calif.) protested, Rodino stated that House rules require closed session if testimony is to be given that "may tend to defame or degrade" anyone.

Conyers continued to protest closed sessions at a news conference after the meeting.

"It was exaggerated governmental secrecy which led to Watergate and now... we impose the same secrecy on ourselves," he said. "We need to invite the searchlight of full coverage on our activities" because the President "tells his distorted side of the story every chance he gets."

Rodino said three more full-day sessions next week also will be closed as the staff presents evidence it has assembled on the Watergate cover-up. The committee is then expected to hold open hearings to consider nonconfidential material on Watergate and other allegations. Much of the Watergate material now consid-

ered confidential is expected to be made public by the committee soon, including its version of the March 21, 1973 tape. Committee counsel John Doar said his equipment was able to pick up parts of the conversations which White House transcripts call "unintelligible."

When the committee assembled yesterday, each member found at his place on the two-tiered committee table two thick black binders. One contained the material Doar's staff presented yesterday. The other was an annotated index of the documentary or taped evidence that members may now hear or read. Members were permitted to take these books home with them, but were pledged not to divulge the contents.

Yesterday's session consisted largely of Doar and other staff members reading a series of 20 statements detailing information which "form the facts believed by the staff to be pertinent to the inquiry." These are what the staff believes the evidence proves. Now committee members may view the evidence to see for themselves.

"It was very detailed and prepared chronologically," said Rep. William Cohen (R-Maine). "The professionalism it exhibited was of the highest caliber."

Committee members said they were not allowed to ask any questions. One member said Doar laid out the first stage of the case in a soporific monotone that would have put any television audience to sleep. Conyers conceded, while arguing for open sessions, that a colleague observed that the American people would have been "bored stiff" by yesterday's session.

Rep. Don Edwards (D-Calif.) called the opening session thorough but unspectacular. "There wasn't much in it. It was just 'everything we knew about Watergate.' It was very responsibly done, a very scholarly, fair job."

The presentation included some reference to Watergate grand jury material, said Rodino. It also included a description of the organization of the Nixon White House staff, efforts of the Committee for the Re-election of the President to develop political intelligence-gathering machinery and the plans of G. Gordon Liddy that led to the Watergate break-in.

Waldie said he told Ro-

dino at the conclusion of the hearing that he found nothing "Defaming or degrading" about the staff presentation that warranted a closed session. He said Rodino replied: "That's your opinion."

After the staff has presented its entire case covering all allegations against the President, St. Clair will be permitted to make a reply. He may at a later stage also call witnesses and question others called by the committee, but under strict committee control. St. Clair said he expected the committee would enforce its rules "reasonably" as far as his participation was concerned.

Rodino said the committee will meet morning and afternoon next Tuesday, Wednesday and Thursday to hear the rest of the staff case on the Watergate break-in and cover-up.

Evidence of other allegations involving the President's taxes, dairy, ITT, "plumbers," misuse of government agencies and other matters will be handled in similar fashion. First the staff will present its evidence, then the committee will view the back-up materials, discuss it, decide whether to call witnesses. There is expected to be far less confidential material involved in other allegations than on the Watergate issue.

Sometime around the first of July the committee will vote on whether the President should be impeached on one or more formal counts.