

# Judiciary Unit Votes To Release Evidence

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The House Judiciary Committee voted 22 to 16 yesterday to release during the next couple of weeks most of the more than 7,000 pages of evidence presented by its staff on whether President Nixon should or should not be impeached. It will release at the same time rebuttal evidence to be submitted by the White House this week.

In general, the President's severest critics voted to release the material and his staunchest defenders voted

against. But it probably should not be considered a test vote on impeachment.

Two Democratic critics said they voted against for fear of hurting third parties. At least two strong supporters of the President voted to release the material. The White House had called for releasing the evidence and opening up the committee's closed sessions.

The only material specifically held back by the resolution will be classified documents on the bombing of Cambodia from 1969 to 1973. The resolution also empowers Chairman Peter

W. Rodino Jr. (D-N.J.) and Rep. Edward Hutchinson (R-Mich.) to delete other unspecified material if they agree.

Members generally interpret this as power to delete offensive personal characterizations, but no matters of substance relevant to the question of whether the President should be impeached and removed from office.

Rodino told newsmen he did not know how rapidly the material could be printed and released, but said he wanted it all made public before the committee begins debating and voting on articles of impeachment on July 15.

The material will include the committee's transcripts of 12 hours of taped presidential conversations, most dealing with the Watergate cover-up. This would show discrepancies, many of which have already been published, between the committee's transcripts and those released by the President.

It will also include material obtained from other congressional committees, federal agencies and the Watergate grand jury dealing with Watergate, the dairy and International Telephone and Telegraph Corp. matters, domestic sur-

veillance such as wiretaps on government officials, the Ellsberg break-in, alleged misuse of the Internal Revenue Service and other federal agencies to punish political enemies, political dirty tricks and the President's personal finances.

Rep. Don Edwards (D-Calif.), a Nixon critic opposed release of the material on civil libertarian grounds. He said the material is "filled with rumor and gossip" and that its release is "unfair to the President and to various third parties caught in the web of Watergate." He proposed that the committee

decide on whether to recommend impeachment and then release only the evidence on which it based its decision.

Rep. Barbara Jordan (D-Tex.), another Nixon critic who joined Edwards in opposition, called it irresponsible to publish the material without first drawing conclusions. "The public wants answers," she said. "The committee should say: 'Here is our answer and here is the evidence to support it.'"

But Rep. Wayne Owens (D-Utah), author of the resolution, said the pub-

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lic has a right to know on what the committee bases its decision, and should have the evidence before it when the committee begins its public debate next month.

One argument against releasing the material is that it could prejudice the rights of defendants to fair trials in the Ellsberg break-in case trial beginning today and the Watergate conspiracy trial starting in September. Owens said the Ellsberg jury would be selected and sequestered before the material is released. Rep. Robert McClory (R-Ill.) said that if the committee votes impeachment on a Watergate allegation it would have to release relevant evidence before September anyway. The sooner it is released the less damage would be done, he said.

The committee made the decision to release the material in closed session, because it was discussing material considered confidential until released.

The committee also voted on straight party lines, 21 to 17, not to issue a subpoena to obtain from the clerk of the House records of dairy contributions to House members before April 7, 1972, when the public reporting law for campaign contributions took effect.

Rep. Wiley Mayne (R-Iowa) said that since the committee is investigating whether Mr. Nixon raised milk-price supports in exchange for a campaign contribution, it must examine dairy contributions to House members or lay itself open to criticism for setting a double standard and a "cover-up."

Rodino said the committee had no authority to make such an inquiry. Rep. Ray Thornton (D-Ark.) noted that any House member who receives improper contributions can be prosecuted in court, while the President can be subjected only to an impeachment inquiry.

Ken W. Clawson, White House director of communications, said this action meant Democrats did not want to be judged by the same standards to which they would subject the President. He noted that Rodino had received a \$4,100 contribution from dairy interests. Rodino acknowledged that this was so, but stated that he had then voted against the dairy position on legislation.

Today the committee will decide what witnesses to call

to testify during the next two weeks.

Members voting to release the material now were: Rodino, Harold D. Donohue (D-Mass.), Jack Brooks (D-Tex.), Robert W. Kastenmeier (D-Wis.), William L. Hungate (D-Mo.), John Conyers (D-Mich.), Joshua Eilberg (D-Pa.), Jerome R. Waldie (D-Calif.), Paul S. Sarbanes (D-Md.), John F. Seiberling (D-Ohio), George E. Danielson (D-Calif.), Robert F. Drinan (D-Mass.), Charles B. Rangel (D-N.Y.), Elizabeth Holtzman (D-N.Y.), Owens, Edward Mezvinsky (D-Iowa), McClory, Henry P. Smith III (R-N.Y.), Thomas F. Railsback (R-Ill.), William S. Cohen (R-Maine), Harold V. Froehlich (R-Wis.) and Joseph J. Maraziti (R-N.J.).

Voting against release were: Edwards, Walter Flowers (D-Ala.), James R. Mann (D-S.C.), Mrs. Jordan, Thornton, Hutchinson, Charles W. Sandman (R-N.J.), Charles E. Wiggins (R-Calif.), David W. Dennis (R-Ind.), Hamilton Fish (R-N.Y.), Mayne, Lawrence J. Hogan (R-Md.), M. Caldwell Butler (R-Va.), Trent Lott (R-Miss.), Carlos J. Moorhead (R-Calif.) and Delbert Latta (R-Ohio).