

Bitter Debate on An Impeach Rule

Washington

The House became embroiled in bitter debate yesterday over the impeachment inquiry.

The growing partisan friction erupted as House Judiciary Committee chairman Peter W. Rodino (Dem-N.J.) agreed, in an apparent gesture of conciliation, to summon all of the witnesses proposed by President Nixon's defense lawyer for the impeachment hearings that start today.

The House, rejecting pleas from Rodino and the leaders of both parties, refused to adopt a proposal that would have expedited the hearings by suspending a House rule giving each of the 38 committee members the right to question witnesses.

The plan failed, by a vote of 207 for to 140 against, to gain the two-thirds majority necessary for waiver of the rule. Representatives John J. Rhodes of Arizona, the House Republican leader, endorsed the proposal but 120 of his Republican colleagues voted against it.

Later yesterday, following rancorous debate, the Judiciary Committee split nearly along partisan lines again in voting, 23 to 15, to examine the witnesses behind closed doors.

All but two of the 17 Republicans on the panel opposed the motion to seal the hearings from public view.

Presidential counselor Dean Burch called the committee's decision "deplorable," saying the panel "has preserved an unblemished record of locking out the American people from its impeachment inquiry."

"Elemental due process for the President is the loser, and so is the public's right to know," Burch said in a statement.

Last week, in deciding the course of the final stages of the inquiry, the committee's Democratic members rejected Republican demands to summon all six of the wit-

Back Page Col. 1

From Page 1

nesses recommended by James D. St. Clair, the President's chief defense counsel.

Instead, the committee majority voted last week to call two witnesses recommended by St. Clair — John W. Dean III, the ousted White House legal counsel, and Frederick C. LaRue, a former official of the President's 1972 re-election campaign.

Yesterday, Rodino suggested that all six be heard, but his peace gesture failed to stem the acrimony.

It was not clear last night whether all six witnesses will be called.

The four other men whose testimony was suggested by St. Clair were to have been interviewed by the inquiry staff before a decision would be made whether to summon them.

They are H. R. Haldeman, the former White House chief of staff; John N. Mitchell, the former attorney general; Paul O'Brien, a former lawyer for the re-election committee; and William O. Bittman, a lawyer who had represented E. Howard Hunt Jr., one of the convicted Watergate burglars.

When the proposal to waive the rule governing interrogation of witnesses reached the House floor shortly after noon yesterday, Rodino announced that it was "the chairman's intention, following interviews, to recommend that all six of the White House witnesses be summoned. He gave no further explanation for the change in position.

The committee's second-

ranking Republican, Representative Robert McClory of Illinois, told reporters that Rodino had contacted him to say he would make the announcement as a "concession" to the Republicans.

Another committee member, a Democrat, said privately that he understood Republican leaders would in turn agree to seek the support of the House minority for a plan to limit questions of witnesses to the committee's lawyers, thus expediting the hearings.

But the plan to limit questions foundered on the opposition of Republicans, led by Representative David W. Dennis of Indiana.

Shouting from the House floor, Dennis declared that it would be "parliamentary suicide" for members of Congress to yield their right to question witnesses.

"Why should an investigation of this magnitude be conducted entirely by the hired help?" Dennis asked rhetorically.

A few Republicans joined him in the debate.

"This is a gag rule," said Representative Trent Lott of Mississippi. "I admit you may want to gag some of us on both sides of the aisle, but is this the way to do it?"

Rodino and others, including House speaker Carl Albert of Oklahoma, and Representative Edward Hutchinson of Michigan, the Judiciary committee's senior Republican, countered that the hearings would bog down if the rule were not waived.

Under the waiver proposal, the 38 committee members would have been permitted to submit written questions to the panel's two senior lawyers. The questions would have been asked if they were relevant and not repetitive.

Following the defeat of the proposal, some Democrats and Republicans on the committee said that they would voluntarily wave their right to ask questions. But most members said they will wait until the witnesses appeared before deciding whether to join the interrogation.

New York Times