

O'Neill Is Silenced In House Clash on Impeachment Data

By Richard L. Lyons and Spencer Rich

Washington Post Staff Writers

The House yesterday witnessed the rare event of a freshman Republican forcing Majority Leader Thomas P. O'Neill (D-Mass.) to stop talking and sit down for violating debate rules.

O'Neill, angered by a maneuver by Rep. Robert E. Bauman (R-Md.) in connection with the filing of the Judiciary Committee's impeachment report on Tuesday, called it "a cheap, sneaky, sly way to operate."

Bauman protested that this violated the rule that one member may not impugn the motives of another. Speaker Carl Albert ruled in Bauman's favor, the words were stricken from the record and O'Neill was forbidden to speak on the subject again during yesterday's session.

Although Bauman won the parliamentary skirmish, he probably did not gain favor with most of his colleagues. These were the circumstances:

On Tuesday, after the House had accepted the impeachment report, 412 to 3, without any debate, O'Neill made the customary request for unanimous consent that all members be permitted to insert remarks in the Congressional Record on the action taken.

Bauman objected as a protest, he said, against the procedure by which the House was asked to accept a report most members had not seen. The objection defeated O'Neill's request. But when O'Neill saw the printed Record yesterday he noted that Bauman had obtained unanimous consent later on Tuesday to insert his own remarks in the Record. Only three other members had

made such requests on their own, the rest apparently relying on O'Neill's blanket request that failed.

Yesterday, when O'Neill voiced his displeasure with Bauman's action, Bauman demanded that the majority leader's "words be taken down." The reading clerk read the words back to Albert, who ruled that "without objection" they would be stricken.

But Rep. Wayne L. Hays (D-Ohio) objected on grounds that "if someone tells the truth around here there is no reason to strike the words from the Record." The words were finally stricken by a motion offered by Rep. B. F. Sisk (D-Calif.), and readers of the Record will never know what O'Neill thought of Bauman's action.

The Judiciary Committee's report on impeachment is expected to be printed in the Record shortly, perhaps on Friday. The report in pamphlet form may be available today.

In another impeachment development, the Senate Rules Committee yesterday approved revisions of the Senate rules for impeachment trials, making only two major changes.

One change forbids any motions for reconsideration of a vote of guilty or not guilty. This means that the initial vote stands and can't be reopened if a senator reaches the floor late or changes his mind.

A second change forbids separate votes on the different portions of a single impeachment article, requiring that the entire article be voted up or down as a whole. Before President Nixon resigned, there had been a dispute over whether

the senate could, for example, take separate votes on each of the nine subsections in the House Judiciary Committee's first article of impeachment.

Sen. Robert C. Byrd (D-W.Va.) said the committee didn't write into the impeachment rules any standards of proof of guilt, any specific regulations on admissibility of evidence, or any curbs on the right of the presiding officer to vote to break ties on procedural matters.

He said the committee did make revisions assuring the presiding officer—the chief justice of the United States in trials of a President or Vice President—of the right to make rulings on the relevance, materiality and redundancy of evidence, although these can be overruled by a Senate majority vote.

Sen. Howard W. Cannon (D-Nev.), the Rules Committee chairman, said the report on the changes won't be filed for several weeks, and the proposed revisions may not reach the floor until next year. With President Nixon's resignation, neither the House nor Senate will vote on impeachment, so there isn't any hurry about the rules.