

CIA (D)

House Panel Ends Schorr Inquiry After Rejecting Any Punishment

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WASHINGTON, Sept. 22—The House ethics committee today rejected three proposals to punish Daniel Schorr, a CBS News correspondent, and ended its investigation into his unauthorized disclosure of a House intelligence committee report.

Moves were made by ethics committee members to either cite Mr. Schorr for contempt or have the House bring charges against him in Federal court, or deprive him of his House press credentials. All failed, with one motion defeated by a single vote.

A further vote absolved Mr. Schorr and the three New York newsmen who testified before the committee with him last week of further compliance with the subpoenas that had been served on them.

Mr. Schorr, 60 years old, and his lawyer, Joseph A. Califano, immediately hailed the decision as "a great victory for freedom of the press."

"Freedom to protect news sources is

indispensable to freedom of the press, and freedom of the press is indispensable to the freedom of this nation," Mr. Schorr said later.

Mr. Schorr's future status with CBS was still uncertain. Until a week ago it appeared that Mr. Schorr, who is under suspension from his CBS duties, would not return to the network. However, his appearance before the committee and the public reaction to it were reported to have improved his chances for reinstatement. [Page 14.]

Committee members stressed that in failing to act against Mr. Schorr they were not seeking to get a precedent that would apply to future activities of newsmen in reporting on Congressional affairs.

Representative Thomas S. Foley, Democrat of Washington, who serves on the committee, said that the effect of its ac-

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tions was to head off a "classic constitutional confrontation between Congress and the press."

The focus of the committee's investigation, which was ordered by a House vote in February, was the identification of the person who had made a copy of the document from the House Select Committee on Intelligence available to Mr. Schorr.

The report itself was a detailed examination and critique of the activities of the Central Intelligence Agency and other Federal intelligence-gathering bodies that had been made by the House intelligence committee, headed by Representative Otis G. Pike, Democrat of Suffolk County.

House Wanted Secrecy

The House had voted to keep the document secret. Its publication by the Village Voice, a weekly newspaper, caused an uproar within the House because many Representatives felt that the unauthorized disclosure severely compromised the ability of the House to keep its own secrets.

The subsequent ethics committee investigation into how Mr. Schorr obtained the document, which was conducted by 12 retired agents of the Federal Bureau of Investigation, cost more than \$150,000. Almost 500 persons were questioned but the investigation failed to identify Mr. Schorr's source.

Last week Mr. Schorr, testifying before the committee under oath, refused to either name the source or produce his copies of the report. He appeared at a public hearing with Aaron Latham, an editor of New York magazine, Clay S. Felker, the editor-in-chief and publisher of the Village Voice, and Sheldon Zalaznick, a former editor of New York magazine who currently is the editor of Forbes magazine. These three witnesses had prepared the Village Voice's version of the intelligence committee report.

Contempt Resolution Drawn

Before today's session of the ethics committee, its staff had drawn up a resolution recommending that the House cite Mr. Schorr for contempt of Congress because he had failed to produce the subpoenaed copies of the report.

But this was not introduced. Instead the resolution was diluted to read merely that the House "initiate proceedings" against Mr. Schorr, and turn the case over to the Justice Department for action.

Introduced by Representative Edward Hutchinson, Republican of Michigan, the resolution failed by a vote of 6 to 5 with one member absent.

Representative Thad Cochran, Republican of Mississippi, then moved to strip Mr. Schorr of his House press credentials for the remainder of this session.

Move Also Failed

This failed on a vote of 7 to 4. The committee then voted 9 to 1 to absolve Mr. Schorr and last week's other witnesses from further compliance with committee subpoenas.

Finally, the committee rejected on a vote of 5 to 5 a resolution stating that "the committee does not recommend" citing Mr. Schorr for contempt of Congress. At no time did the committee address itself to the refusal of Mr. Schorr and Mr. Latham to disclose information about the source of the report.

After the votes the committee chairman, Representative John J. Flynt, Democrat of Georgia, said that the panel would meet tomorrow to approve its own report of the investigation. He said the draft report should "not be released to any unauthorized persons."