

Senate Watergate Committee Votes To Cancel Hearings, Issue Report

Public Support Found Lacking

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The Senate select Watergate committee, in a reversal of a decision made only last month, voted yesterday to cancel all further public hearings and issue its final report no later than the end of May.

The committee's withdrawal from the public spotlight leaves further investigation of the Watergate affair to the House Judiciary Committee, which is investigating grounds for the impeachment of President Nixon, and the special prosecutor's office, which may produce major Watergate indictments in the Watergate cover-up.

The decision to hold no further public hearings was announced after a closed-door committee meeting by Chairman Sam J. Ervin Jr. (D-N.C.), who, committee sources said, actually concluded some time ago that further hearings would be politically and legally counterproductive.

"... The committee believes that it should be careful not to interfere unduly with the ongoing impeachment process of the House Judiciary Committee or the criminal cases which will soon be prosecuted by the special prosecutor, on which the attention of the country appears now to be focused," Ervin said in a prepared statement.

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As a result of this shift in attention, committee sources said, Ervin became convinced that public support for further hearings by his committee was now lacking. In addition, these sources said, most evidence collected by the committee has already been presented at past hearings or since been leaked to the public through the press.

"Whether people want to admit it or not, the mood of the country has shifted," said one committee source. "The average American would know that the committee is attempting to compete with" both the Judiciary Committee and Special Prosecutor Leon Jaworski. "And frankly, all of the stuff has been leaked and people will think we're picking on the President."

Ervin said the committee would continue its investigations into a \$100,000 Nixon campaign contribution made by billionaire Howard Hughes to Mr. Nixon's close friend, Charles B. (Bebe) Rebozo, another \$427,000 campaign donation from milk producers that coincided with an administration decision to raise milk price supports, and allegations collected by Vice Chairman Howard Baker (R-Tenn.) of CIA links to the Watergate break-in.

These inquiries, Ervin said, will continue behind closed doors. The committee's staff, he said, will then prepare a final report to be made public sometime before expiration of the Senate resolution authorizing the committee's investigation.

The Senate originally authorized the committee to issue its report by Feb. 28, but Ervin will request and probably receive an extension to May 28. Chief counsel Samuel Dash said yesterday the report might well be ready within a month.

"The investigation in both areas will be completed shortly and then the committee will review and release publicly the information we gathered and the relevant portion of the executive session

testimony," Dash said. "There will be no concealment of any relevant things."

Dash refused to discuss what sort of report the committee was thinking of releasing, other than to say it would contain a mechanism for the implementation of committee recommendations.

Ervin said the decision to cancel further public hearings might be reversed "should special circumstances develop." One circumstance under which this might happen, committee sources said, is if the committee wins its appeal of a U.S. District Court decision dismissing the committee's suit for five presidential tapes. The committee adopted a resolution yesterday authorizing its staff to proceed with the appeal.

The vote to cancel public hearings was opposed only by Sen. Edward J. Gurney (R-Fla.) who, according to Ervin, favored an immediate end to the committee's investigation.

Staff members present at the closed-door session said the resolution ending public hearings was adopted with very little discussion.

"It was the shortest and the most amiable (meeting) I've ever attended and I've not missed a one," said Rufus L. Edmiston, the committee's deputy chief counsel.

Another staff member said the committee's mood was best summed up by a remark made by Sen. Herman E. Talmadge (D-Ga.) during yesterday's session. "The train has already passed our station," Talmadge was quoted by the source as saying.

Despite the committee's announced intention to pursue the Hughes-Rebozo investigation, two committee sources said that they doubted that committee subpoenas, particularly for financial records held by Rebozo, would be enforced.

"For several months Rebozo and his lawyers have ignored the subpoenas," one committee source said. "In our reduced status as an investigative committee that won't hold hearings, it is unlikely that... all of a sudden we'll start getting

cooperation." Rebozo has been interviewed by staff members.

According to sources, the committee had pretty well decided to end the public phase of its investigation last January and only voted 4 to 3 along party lines to continue to hold hearings as a way of showing support for its staff. The move was led by Sen. Ervin. Since then, a succession of events has conspired to thwart attempts to hold hearings, among them the concern of some committee members that the hearings would prejudice possible trials.

The committee showed itself sensitive to this consideration when it decided Jan. 26 to postpone public hearings until a jury is chosen in the New York trial of former Attorney General John N. Mitchell and former Commerce Secretary Maurice S. Stans, which opened yesterday.

The committee, which held its first public hearings on May 17, 1973, has not held an open session since Nov. 15. In between, the committee heard from 66 witnesses — many of them before national television audiences — and compiled 10,203 pages of testimony.

Throughout the summer, the committee's hearings dominated the headlines, offering the public a pastiche of former and present administration aides from the dour Richard Moore, a White House counsel, to the colorful Anthony Ulasevich, a retired New York City policeman and former White House investigator.

The hearings made Sen. Howard Baker (R-Tenn.) an immediate national figure and projected Chairman Ervin's likeness onto countless tee-shirts and wall posters. It made White House language "at this point in time... talking papers... stroking session... enemies... straying from the reservation" — nearly household phrases, and in a more serious vein uncovered the existence of the presidential tapes that provoked a series of crises for President Nixon.