

## ERVIN REPORT AIDE DRAFTS PROPOSALS

### Urges That Congress Curb Executive Privilege and President's Advisers

WASHINGTON, June 25 (AP)—Recommendations that Congress limit a President's use of executive privilege and define exactly what he can do in the name of national security have been proposed for the Senate Watergate committee's final report.

The committee, which is headed by Senator Sam J. Ervin Jr., Democrat of North Carolina, is also being urged to advise Congress to reduce the power acquired by key Presidential advisers over the last three Administrations.

These White House aides have become virtual assistant Presidents, accountable to no one, the committee was told.

The recommendations were drafted by Dr. Arthur Miller, a legal consultant who has organized several scholarly studies of the broader problems posed by the Watergate scandals for the committee. A copy of the Miller report was obtained by The Associated Press.

The seven Senators on the committee have been meeting each day in executive session this week to consider dozens of staff reports and recommendations for its final report.

The report is due on Friday. But it was learned it may not be issued officially until Congress returns from its Independence Day recess.

#### Court Hearings Set

Historically, Presidents have used executive privilege to withhold certain documents and material from Congress and from public scrutiny. The Su-

preme Court has agreed to hear arguments July 9 on President Nixon's claim of executive privilege to protect White House papers and tapes wanted as possible evidence in the Watergate cover-up.

The Miller report suggests that the Senate committee say the privilege is available only to the President and only as to communications with and by him to his personal advisers and by his advisers among themselves.

It recommends that legislation be drafted limiting the use of the privilege doctrine to the President's official acts only, excluding his political or purely personal activities or allegations of misconduct.

The report said that national security had been invoked as a defense for several otherwise completely illegal acts—including the burglary of the office of Dr. Daniel Ellsberg's former psychiatrist.

But national security has never been defined by any governmental body, the report said.

"Rather than docilely following along when the executive speaks of national security, Congress should assume the role of devil's advocate or at least of a loyal opposition so that past, present and proposed public policies are given the most searching scrutiny and analysis," the report advised.

#### Permanent Prosecutor Urged

WASHINGTON, June 25 (Reuters)—The Senate Watergate committee agreed to recommend a permanent special prosecutor and an independent commission be set up to handle violations of campaign laws, Senator Ervin said today. He disclosed the recommendations as the panel neared completion of its final report on its year-long investigations. These include last year's nationally televised hearings of the Watergate break-in, political dirty tricks and other illegal campaign violations.