

Ervin Agrees to Counsel When Nixon Aides Testify

By HARRY KELLY
News American
Washington Bureau

WASHINGTON — With an unusual display of unity, a special Senate panel has agreed to open its hearings on the Watergate in a month with no holds or cameras barred — but with an olive branch extended toward the White House.

In its closed session Monday the committee reported approval of an arrangement that would permit presidential aides to testify with the advice and counsel of a White House lawyer who could pose a question out of bounds by invoking executive privilege in the name of the President.

The arrangement appeared to be a compromise aimed at avoiding a legal confrontation with the White House over questioning of presidential aides.

Sen. Sam Ervin, D-N.C., chairman of the select committee, acknowledged that he has been negotiating with the White House to win the voluntary testimony of presidential aides and added, "I have been hoping and praying to the good Lord that they will come down to testify."

But Ervin said he would not make any deal that would bar presidential aides from testifying in public and under oath. He said after the meeting.

"The White House has made no offers at all. The White House has put out feelers like the feeler that we ought to write our questions and send them out to the White House aides and let them write answers. We don't think that's the way to take testimony."

The reason the committee has agreed on guidelines for testimony is so the White

House aides will know exactly how they are to testify if they elect to come down and testify or if the President permits them to testify.

"I contemplate the guidelines will make it clear that every witness who appears before the committee will testify on oath or affirmation before the committee in meetings which are open to the public and the news media," Ervin added.

Ervin said he is prepared to seek the arrest for contempt of the Senate of any person who refuses to appear at his committee's hearings into political espionage aimed at Democratic candidates in 1972.

Atty. Gen. Richard Kleindienst recently took a hard line on executive privilege that was criticized by some Republican as well as Democratic members of Congress.

He contended the President could forbid any of the nation's federal workers — mailman or presidential assistant — from appearing before a congressional committee.

And the White House, faced with demands its aides face questioning on what they know about the political espionage plot against Democratic candidates, has also taken a strict public position that has drawn fire from some Republicans.

The President has said he would bar his White House legal counsel John W. Dean III or any other past or present aide from being grilled on Capitol Hill.

But at the same time presidential spokesmen have held out the possibility that some kind of deal could be worked out.