

'Fairness' Group Loses in Attempt To Halt Hearings

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An attempt by the National Citizens' Committee for Fairness to the Presidency to stop the next round of Senate Watergate hearings was thrown out of court yesterday.

U.S. District Judge June J. Green dismissed the suit curtly, saying that the main problem with the complaint was the group's lack of standing to sue the Senate members.

The group, which is based in Rhode Island, said it did not know whether it would appeal Judge Green's ruling.

Although the judge made it clear that she felt the suit should not be allowed to stand in District Court here for many reasons, the fairness committee made just as many efforts to adjust it so it could remain in court.

One of those attempts included making Charles W. Colson, former special counsel to the President, one of the plaintiffs in the suit although he was not present in the courtroom and had asked in a letter that his name not be used in connection with the

organization.

That move came when Judge Green indicated that the suit might be dismissed because none of the plaintiffs would be harmed by the continuation of the Senate hearings Monday.

At that point, attorney John S. Bottomly, after consultation with the fairness committee head, Rabbi Baruch Korff, introduced as an exhibit the letter he said came from Colson.

That letter said:

"Needless to say, I have a small interest in what you're doing and I want to make a token contribution.

"I would have to ask you not to use my name since I will soon be a witness before the Ervin committee.

"I don't think that fact, however, should alter my feeling of admiration and support for

the courage, and I must say, I believe, correct position you are taking."

Since that letter included a \$5 donation, Korff told Judge Green that Colson could be considered a supporting member of his organization and could be added as a plaintiff.

Senate committee attorneys argued in favor of the continued hearings, saying the claim by the fairness group completely ignored the history of the Congress' right to conduct investigations.

Bottomly argued for the fairness committee, however, that the Senate hearings represent a "de facto impeachment" of the President, and that the Senate group is not taking proper steps to protect the constitutional rights of persons who testify before it.