

An Uproar Over Doar's 'Gag Rule'



Jack Anderson

THE HOUSE Judiciary Committee's attempt to conduct its preliminary hearings on impeaching President Nixon with bipartisan agreement and gentility has been effectively shattered by a clash involving chief counsel John Doar.

Without consulting committee members, Doar agreed with Nixon campaign lawyers to put a "gag rule" on the committee, prohibiting them under penalty of contempt of court from any public discussion of the secret Nixon campaign contributors and other matters.

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DOAR'S MOVE so enraged Representative Jack Brooks, (Den-Tex.), that he wrote a letter to the federal judge in the case disassociating himself from Doar's action. Then Brooks sent copies of the letter to all the members of the committee.

"Mr. Doar was not authorized to enter into such an order by me nor, to my knowledge, by the Judiciary Committee, and, therefore, I am notifying you that I am not bound by the provisions contained therein," Brooks wrote.

"I expressly do not waive any congressional immunity for actions on my part as a member of Congress, and deny that I am in any way subjecting myself to the jurisdiction of the United States District Court for the District of Columbia as a result of said consent order."

Brooks ranks third in seniority among the committee's Democrats and is considered by many of the other members to be the panel's most astute and capable member.

Doar, who helped run the Justice Department's Civil Rights Division under Robert Kennedy, has little experience on Capitol Hill.

The agreement he signed would keep the committee members from talking about depositions by presidential crony Bebe Rebozo, about the milk producers' campaign fund scandal, or Rose Mary Woods' list of secret campaign contributors.

The wording of the agreement was so broad that Congressmen and staffers could have been considered in contempt if they discussed some matters that have already appeared in newspapers.

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THE MATERIAL involved was subpoenaed by Common Cause last summer and, although part of the material has become public, much of it has been held under court seal. Nixon campaign lawyers are determined to keep these depositions from the public gaze.

Footnote: When our associate Bob Owens queried the committee about Doar's original pledge, a spokesman for Representative Peter Rodino Jr., the committee chairman, said it was a routine legal move. But he said that due to the criticism, Doar now planned to withdraw the agreement in favor of committee subpoenas. Yet some committee members have complained that the subpoena legislation Doar drew up for the committee is faulty.

Today's column was written under the direction of Les Whitten of Jack Anderson's staff.