

Continues Bar to TV

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Television, and the nation, apparently will be barred from virtually all of the House Judiciary Committee's impeachment inquiry of President Nixon.

Despite repeated assertions by members that committee sessions should be open so the public will have confidence in the committee's work, votes and comments during business meetings Thursday and yesterday all went in the direction of keeping the sessions closed.

By 23 to 15, the committee rejected a motion to open up the hearings during which the committee has been examining evidence gathered by special counsel John Doar's staff.

Chairman Peter W. Rodino (D-N.J.), who had talked of opening next week's hearings to press and television, said the vote probably means that the process of examining Doar's evidence on all allegations against the President, requiring about three more weeks, will all be done behind closed doors.

The other potential area for televised hearings would be that of examining witnesses. However, committee Democrats yesterday put down a Republican effort to start making preparations to call witnesses. Democrats indicated they would be opposed to calling long lists of witnesses to duplicate Senate Watergate committee testimony. They would limit the number of live witnesses to those needed to resolve conflicts in evidence.

The only part of the inquiry that will certainly be open will be when the committee meets to debate and

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vote on articles of impeachment.

But this would be a meeting, not a hearing, and television is barred from committee meetings under House rules. The rules could be changed by the House, which also will be under pressure to permit television coverage of the House action on impeachment.

The television networks have spent about \$45,000 getting ready to cover the Judiciary Committee's inquiry, according to Kevin Delaney, assistant bureau chief here for ABC. This includes \$20,000 spent to erect a two-story platform outside the windows of the small committee room so cameras could peer over Rodino's shoulder at witnesses—if there are any.

Rodino said yesterday the reason he had changed his mind about opening the evidentiary hearings was that it had proved impossible to separate confidential from nonconfidential materials.

Another stated reason for delaying opening hearings is that Judge Gerhard A. Gesell has expressed concern that this might force dismissal of indictments expected to come to trial this month in connection with the White House "plumbers" break-in of Daniel Ellsberg's psychiatrist's office. The leak-plugging plumbers' operations are part of the Judiciary Committee's inquiry.

Fear of jeopardizing the trial may also have been a factor in Rodino's decision yesterday to delay for a couple of weeks at least release of evidence the committee has been examining. The evidence includes the committee's transcripts of tape recordings which could be compared with edited White House versions to show differences.

A reason given by some Republicans for favoring continued closed hearings is that this is the quickest way to proceed, and the Republican Party wants to get impeachment behind it as soon as possible, though that doesn't entirely square with demands by some Republi-

cans to call long lists of witnesses.

Another reason the committee is in no rush to open the hearings may be the manner in which they are conducted. Members silently listen to Doar's staff read evidence or put on earphones to hear tapes of presidential conversations. They may not wish to be televised to the nation sitting like students hearing a lecture.

The attempt to start calling witnesses was made yesterday by Rep. David W. Dennis (R-Ind.). He wanted to subpoena 13 witnesses, including most of the leading characters in the Watergate cover-up, to find out about the alleged payment of \$75,000 in "hush money" to Watergate defendant E. Howard Hunt Jr. on March 21, 1973.

Dennis argued that if witnesses invoke Fifth Amendment protection against self-incrimination and must be granted immunity to secure testimony, this would take about 30 days and should be started now.

Dennis's motion was ruled out of order because committee rules provide that the panel receive all of Doar's evidence before deciding whether it needs more evidence from witnesses. During discussion of Dennis' proposal, it appeared a majority view that the number of witnesses be limited to filling gaps and resolving conflicts. The President's lawyer, James D. St. Clair, would be permitted to call witnesses under certain conditions.