



DEAN BURCH
Presidential counselor

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**Nixon Aide
Hits Probers
On Leaks**

Washington

Presidential counselor Dean Burch charged yesterday that members of the House Judiciary Committee or its impeachment staff are directly responsible for "back door, back biting" news leaks and that "any search for the truth is inoperative."

Burch also said that chairman Peter W. Rodino Jr. (Dem.-N.J.) "has pretty well lost control of that committee" in view of the news leaks relating to President Nixon and Secretary of State Henry A. Kissinger.

"The House Judiciary Committee must clear its own house," Burch told a news conference. "It must investigate to find out what is happening to the materials that have been turned over to it."

"And although I have had considerable sympathy for those members of the com-

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committee who in the past have insisted on closed hearings to protect the innocent, it seems that what is happening now is that the procedures they adopted have not protected the innocent — in fact they have harmed them a great deal."

Concerned himself about news leaks, Rodino admonished committee members to maintain the confidentiality of impeachment evidence or risk complete loss of public faith in its inquiry.

But Rodino told a news conference he did not accept Burch's criticism.

"While I deplore the fact that there has been a leak, I believe the committee has conducted itself responsibly," he said. "I cannot control any individual members."

Rodino said the committee would not be "diverted by individuals who seek to discredit the committee."

Vice President Gerald R. Ford also said news leaks about the role of Kissinger in national security wiretaps "is a very strong argument for open hearings."

If the committee does not hold open hearings voluntarily, Ford said, "I think the public ought to rise up and demand it."

Burch said "it would be a tragedy, a calamity" if Kissinger resigned from office. Ford described such action as "catastrophic."

Ford and Burch appeared at a question-and-answer session with reporters in the office of White House communications chief Kenneth Clawson.

Burch said he was moved to speak out after reading yesterday that the Washington Post and the New York

Times had obtained FBI documents apparently contradicting Kissinger's account of the role he had played in a series of national security wiretaps on government officials and newsmen between 1969 and 1971.

Kissinger, who claims he never directly recommended the surveillance, threatened Tuesday to quit his job if the controversy continued and his honor remained under challenge.

The Times and the Post said the FBI documents indicated that Kissinger had initiated request for at least some of the wiretaps.

Burch said he accepted Kissinger's version without any doubt.

"It's unfortunate, really, that the question of guilt has been raised at all," Burch said, noting that Kissinger and Mr. Nixon are beginning an important visit to the Middle East.

"But right at the moment, the biggest concern is the manner in which Secretary Kissinger's honor has been impugned, this back door, back biting type of procedure that's going on now,

More Watergate-related news on Pages 8 and 9.

and with absolutely no concern that this man is on the eve of an historic mission. It just somehow seems necessary to bloody him because he has not been bloody yet."

Asked how he knew the news leaks were coming from the House Judiciary Committee, Burch replied: "I'm just perfectly satisfied that they are because of the contacts we've had from newspaper reporters who are getting the information."

But he added he did not know whether the leaks were coming from the members or the staff.

Burch said that even as Kissinger was protesting these leaks at a news conference Tuesday in Austria, "someone on that committee, whether it be a staff member or a member of that committee, was busily shoveling documents out the back door — CIA documents, FBI documents, grand jury material."

"We must conclude from this that chairman Rodino has pretty well lost control of that committee," he said. "Also I think it is fair to say that any search for the truth is inoperative. In fact, the reason that we have adopted in this country open trials, cross examination and representation of defendants is to avoid exactly the kind of proceeding that is now taking place at the House Judiciary Committee."

Rodino, reportedly upset by the news leaks, called a caucus of Democrats on the committee yesterday to discuss the possibility of making public all of the secret evidence it has found in its investigation of possible grounds for impeaching Mr. Nixon.

A.P. & U.P.