

By Lawrence Meyer
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Quietly and unceremoniously, the Senate select Watergate committee goes out of business today—19 months, \$2 million and one President since its creation Feb. 7, 1973.

Whatever else may be eventually be assessed as the historical impact of the committee's hearings in the summer of 1973, it is fair to say that without the hearings Richard M. Nixon would still be President.

Those hearings, which presented 62 witnesses in 52 days of public sessions, provided the fullest and to this day the only comprehensive statement of the

Watergate break-in and the cover-up that followed it.

Millions of Americans, watching the historic and often marathon Senate Caucus Room sessions on television were mesmerized by what they saw and heard as day after day the committee served up fresh revelations, new banner-headline scandals and growing controversy.

As a news event, the committee's hearings were unprecedented, attracting more than 100 reporters from every major American newspaper, magazine and new service as well as foreign publications. American radio and television networks devoted more time to the hearings than to any other domestic news event in American history.

The high points of the hearings were from mid-May through early August, 1973, when the formerly high and mighty of the Nixon administration were hauled before the committee to give their versions of the Watergate affair. By the time the hearings recessed in August, 1973, the Nixon presidency had been dealt a series of blows that proved to be fatal—the penchant for "covert" operations, the listing of administration "enemies," the use of government agencies to punish those "enemies" and finally the White House tapes.

The most reclusive President in modern American history, who so care-

See COMMITTEE, A8, Col. 1

COMMITTEE, From A1

fully cultivated a public image while shielding his private self, ultimately became the most damaging witness to testify publicly against himself.

It was the Senate committee that discovered the existence of the tapes and that provided the bulk of the evidence used in the impeachment proceedings against President Nixon.

The process was not inevitable. Less than two weeks after the hearings began, before the most damaging testimony had been given, special Watergate prosecutor Archibald Cox asked committee chairman Sen. Sam J. Ervin Jr. (D-N.C.) to postpone the hearings until after indictments had been returned in Watergate cover-up case.

Ervin refused, explaining later in an interview that he knew that once indictments had been returned, Cox would want a further delay until after the trials had been held. It is Ervin's opinion, shared by others, that if he had acquiesced to Cox's request, "in all probability" Richard Nixon would still be in the White House.

The hearings brought forward an entirely new set of faces who became instant celebrities as the proceeding began:

- Ervin, who had been drafted to become committee chairman against his wishes by Senate Majority Leader Mike Mansfield (D-Mont.). Ervin had spent his career in the Senate fighting an uphill battle to preserve individual rights guaranteed under the Constitution. For Ervin, who had found himself increasingly at odds with the Nixon administration, the hearings provided a platform for him to deliver a continuing civics lecture to the American public.

- Howard H. Baker Jr., the Tennessee Republican who posed the question that ultimately pointed to President Nixon's undoing—"What did the President know and when did he know it? Frustrated in earlier attempts to assume a formal leadership role in the Senate, Baker became an overnight matinee idol with the advent of the hearings.

- Lowell P. Weicker Jr., the committee's most junior and most outspoken member. Weicker brought the diligence, morality—and, some believed, the sophistication—of a Boy Scout to his pursuit of witnesses during the hearings.

- Samuel Dash, a former Philadelphia prosecutor who had become a law professor and something of an expert on wiretapping. Occasionally hampered by shoddy staff work and his work tendency to ask convoluted questions, Dash became a controversial figure to his own right with some committee staff members who viewed him with contempt because of his sense of self-importance.

The committee staff had not been fully formed when the scandal it was charged with investigating began to break open publicly. Watergate con-

spirator James W. McCord Jr., who had sat silently through his month-long trial in January, 1973, and faced a potential sentence of more than 40 years imprisonment, asked on March 23, 1973, for an opportunity to speak to the committee. McCord said that he trusted neither federal prosecutors nor the FBI agents who had conducted the Watergate investigation.

McCord spoke to the committee the following day and within 24 hours news had leaked that McCord had accused the White House counsel John W. Dean III and former deputy Nixon campaign manager Jeb Stuart Magruder of involvement in the Watergate conspiracy.

Reflecting on the committee's history, Ervin speculated during a recent interview that if the committee had not existed, McCord might have remained silent. And had McCord remained silent, Dean and Magruder might have felt no pressure to tell what they knew of the Watergate affair.

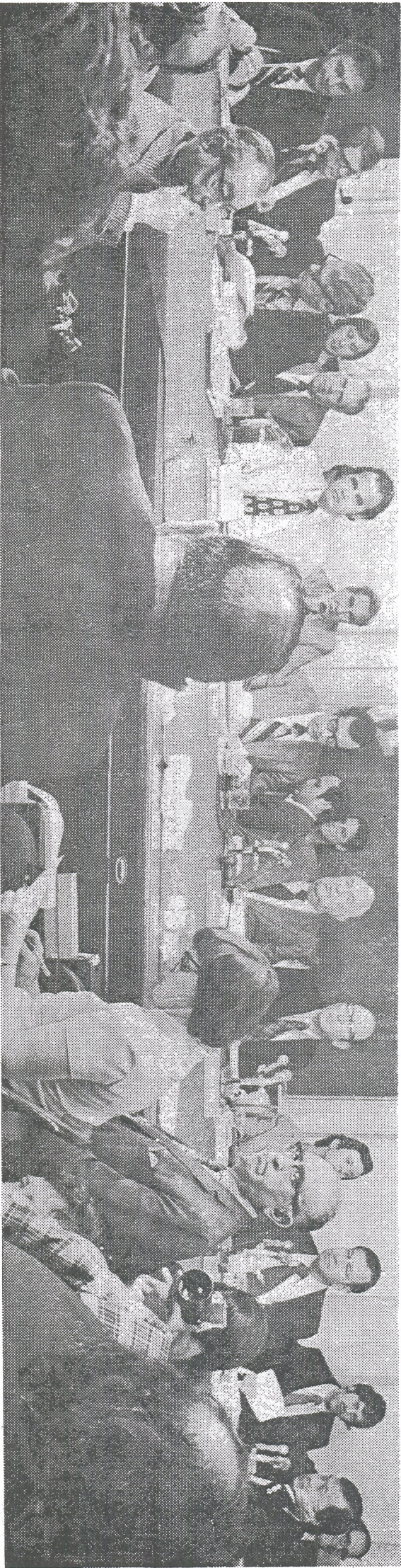
The incident concerning McCord's testimony was only a taste of what was to come. The committee and its staff either could not or had no collective desire to keep its information confidential until the information was presented publicly.

Leaks became the norm. During one hearing, Baker complained that testimony the committee did not hear publicly until Monday already had been published in Sunday newspapers across the country.

Some sources of leaks operated with a philosophy that the public could not properly digest what it was being told unless it was previewed. The leaks sometimes reached comical proportions. On at least two occasions, senators attempting to release "previously undisclosed documents" were told by reporters that the documents had been made public by the committee months before.

On another occasion, one senator's aide leaked committee material to several newspaper and television reporters with an embargo to insure that the leak was reported simultaneously by the news media.

In the end, staff reports came unsolicited to reporters. Staff members, eager to have their final product publicized, turned over copies to senatorial aides who had contact with the press.



Members of the Senate select committee investigating the Watergate affair and their counsels line table in hearing room to listen to testimony of James McCord (back to camera).

By Frank Johnston—The Washington Post

Although professing to be "distressed" by the leaks, Ervin never made any concerted effort to have them stopped. "Being in Washington," he said later, "I've learned you can't keep secrets. No sooner has something reached someone's ears here than it comes out his mouth."

The only time careful attention was paid to leaks was in the fall of 1973 when a Rolling Stone article present-

ing a searing backstage view of the committee quoted one staff member as calling Dash an "egomaniac." After a furor that took the committee staff away from its work for several days, Dash suspended Scott Armstrong, a committee investigator who had been identified as one source for the article.

By then, the committee was bogged down after a series of setbacks. Its "dirty tricks" phase, which was to have

laid bare campaign espionage and sabotage by the Nixon re-election committee, started on the wrong foot with White House aide and political strategist Patrick J. Buchanan, who proved more than a verbal match for the committee's lawyers and senators.

The committee's investigation into campaign financing, the third and final phase of its endeavors, stalled when representatives of billionaire Howard Hughes and President Nixon's friend, Charles G. (Bebe) Rebozo, refused to cooperate.

After the hearings recessed in November, to give the staff more time to investigate, Dash insisted publicly that the hearings would resume, at one point saying that he could "guarantee" their resumption and later predicting that the vote to resume would be unanimous.

When the vote finally came, it was 4 to 3—the committee's first party-line vote. The staff was given six days to present testimony in two of the most complicated areas left to explore—contributions from the dairy industry to the Nixon campaign and a \$100,000 contribution made by Hughes to Rebozo.

The hearings then were delayed at the request of federal prosecutors in New York where the trial of former Attorney General John N. Mitchell and former Commerce Secretary Maurice H. Stans was about to begin.

Finally, on Feb. 19, acting on a request by special Watergate prosecutor Leon Jaworski, the committee unanimously agreed not to hold further hearings.

Time and events had overtaken the committee. The committee had chosen to tackle the most dramatic event first, the Watergate break-in and cover-up. Neither Congress nor the public ever quite get its mind off the cover-up to look at the rest of the scandals with the same intense interest.