

Bar Group Cites Requests for Impeachment Study

The Association of the Bar of the city of New York said yesterday that it had received "numerous" requests for copies of its report on Presidential impeachment. The report concluded that acts "which undermine the integrity of government" were sufficient grounds for impeachment.

"We've had lots of calls from Washington, including one from the Executive Office Building," said a bar association spokesman.

He explained that the primary purpose of the report, which was filed with the House Judiciary Committee and distributed to all members of Congress over the weekend, was to give the legislators a concise, readable review of the law of impeachment.

The 24-page study makes no attempt to apply its findings to the possible impeachment of President Nixon. But because of the high professional regard for the city bar association, the report is expected to be referred to frequently during the impeachment debate in Congress.

Its preparation by the asso-

ciation's Committee on Federal Legislation began last November when the city bar group was one of the first organizations to urge that Congress should investigate whether or not impeachment proceedings should be instituted against the President.

So far, among the country's major legal groups, only the American Civil Liberties Union and its affiliates have called for the President's impeachment.

Distillation of Volume

Although much of the study is a distillation of the rambling 718-page volume on impeachment prepared last fall by the House Judiciary Committee, its conclusions were drawn independently.

The framers of the Constitution, the study says, "did not provide for impeachment and removal only for instances of criminal conduct by a President or other officials."

After reviewing the original intention of the framers of the Constitution, the history of the

actual use of impeachment, and "consideration of sound public policy," the report argues that Article II, Section 4 of the Constitution, which provides for impeachment for "high Crimes and Misdemeanors," is not limited to offenses "under the ordinary criminal law."

Reviewing the only four Senate convictions of Federal judges for impeachable offenses, the report concludes that "Congress clearly acted on the premise that an impeachable offense need not necessarily be criminal if it is of sufficient gravity."

According to the report, impeachable acts include conduct "amounting to a gross breach of trust," acts constituting official corruption and "serious abuse of power."

The framers of the Constitution included the remedy of impeachment, the report asserts, "because they were unwilling to rely solely on periodic elections as the method of removing the unworthy from office."

Stressing that impeachment

should not be treated as a partisan political weapon, the report warns that Congress should impeach and remove a President only for conduct "for which it would be prepared to impeach and remove any President."

In firm language the report rejects the view expressed by then Representative Gerald Ford in the last great impeachment debate. In arguing for the impeachment of Supreme Court Justice William O. Douglas in 1970 the present Vice President Ford contended that "an impeachable offense is whatever a majority of the House of Representatives considers it to be at a given moment in history."

The 26-member bar association committee that drafted the report said it had "emphatically" disagreed with Mr. Ford's "casual view of impeachment."

The committee was headed by Martin F. Richman, a former Deputy Assistant Attorney General under President Johnson and President Nixon.