

House Guidelines For Impeachment

Washington

The staff of the House Judiciary Committee concluded yesterday that President Nixon could be impeached for abusing his powers and violating the public trust, even though he did not violate any criminal statutes.

The staff's 65-page report, intended to serve as a guideline for the committee when it decides whether to return articles of impeachment against the President, was disputed by the ranking Republican on the panel.

The report's primary conclusion, moreover, runs counter to the expected White House position that Mr. Nixon cannot be impeached unless he committed offenses for which he could be indicted, tried and convicted.

Representative Peter W.

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before John M. Doar, special counsel, and Albert E. Jenner, chief GOP counsel, could agree on it.

The staff cautioned that its largely academic study of English jurisprudence and American precedents for impeachment "offers no fixed standards for determining whether grounds for impeachment exist."

But the staff said it found a historical emphasis on "the significant effects of the conduct — undermining the integrity of office, arrogation of power, abuse of the government process, adverse impact on the system of government. Clearly, these effects can be brought about in ways not anticipated by the criminal law."

The President, the staff said, has a duty under the Constitution "to take care that laws be faithfully executed." This duty includes the duty "not to abuse his

Rodino Jr., (Dem-N.J.), chairman of the 38-member judiciary panel, said the report "confirms that impeachment was conceived constitutionally, not as a punishment for crimes but as a constitutional remedy for gross abuses of official power or serious violations of the public trust."

But Representative Edward Hutchinson of Michigan, the committee's senior Republican, said he still believes Mr. Nixon can be impeached only if he is proved guilty of a criminal offense.

Representatives Robert McClory (Rep.-Ill.) disputed Rodino's contention Wednesday that the report was "solidly approved by the staff," claiming there was sharp dissension on the staff and the report had to be changed

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powers or transgress their limits — not to violate the rights of citizens, such as those guaranteed by the Bill of Rights, and not to act in derogation of powers vested elsewhere by the Constitution," it said.

Nowhere did the report mention Mr. Nixon or the Watergate scandals directly, and the reference to the President's constitutional duties skirted the issue of whether a President is responsible only for his specific instructions to commit illegal acts — as Jenner contends — or for all actions of his subordinates.

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