

NY Times MAR 1 1974
**White House Moves
To Narrow Grounds
For an Impeachment**

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Special to The New York Times

WASHINGTON, Feb. 28—Attorneys for President Nixon have concluded that the Constitution requires not only a finding of criminal conduct but also criminal acts of "a very serious nature" to provide grounds for impeaching a President.

Putting substance behind Mr. Nixon's vow to "fight like hell"

Summary of an impeachment standards analysis, Page 13.

against impeachment and his argument that he can be impeached only for criminal conduct, the White House lawyers drew a very narrow interpretation of the constitutional question.

Their argument places the White House in direct opposition to the conclusion reached by lawyers directing the House Judiciary Committee's impeachment inquiry, who said that a President could be impeached for acts not indictable under criminal law.

In a 61-page analysis of the constitutional standards for Presidential impeachment prepared under the direction of James D. St. Clair and released this afternoon, the White House argued:

"The use of a predetermined criminal standard for the im-

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peachment of a President is also supported by history, logic, legal precedent and a sound and sensible public policy which demands stability in our form of government."

Carrying the argument one step further, the lawyers asserted, "not only do the words [of the Constitution] inherently require a criminal offense, but one of a very serious nature committed in one's governmental capacity."

While it is not yet clear if the White House would resist Judiciary Committee requests for evidence to support or rebut a broad variety of charges against the President, the position taken by the White House lawyers could form the basis for a refusal to turn over any information deemed not to relate to a criminal charge against the Presi-

dent.

Third Federal Study

The analysis, submitted to the Judiciary Committee's impeachment inquiry staff at noon today, is the third such study of the question done by the Government. The committee's staff used the same historical and legal background to reach the conclusion that impeach-

ment could rest on many acts that are not specifically against the criminal law.

The third study, carried out by the Department of Justice, merely concluded that an impeachable offense is open to both interpretations. A number of similar studies have been done by legal groups and other organizations, nearly all of which support the broad view adopted by the House committee staff and a majority of both Democrats and Republicans on the committee.

Under the Constitution, a President is removed from office if impeached—in effect, accused—by the House and convicted by the Senate of "treason, bribery or other high crimes and mis demeanors."

View of English Practice

Citing many of the same sources relied upon by the House committee staff, the White House lawyers said, "The evidence is conclusive on all points: a President may only be impeached for indictable crimes." To conclude otherwise, they argued, would expose the executive branch to the threat of "political impeachments."

The White House argued that, in its later years, the English impeachment process was used as a weapon of the legislative branch to win supremacy over the executive branch of government.

It thus rejected many of the precedents in English law cited by the impeachment inquiry staff.

"To argue that the President may be impeached for something less than a criminal offense, with all the safeguards that definition implies," the White House analysis said, "would be a monumental step backwards into all those old English practices that our Constitution sought to eliminate. American impeachment was not designed to force a President into surrendering executive authority but to check overtly criminal actions as they are defined by law."

In American history, the study maintained, only the impeachment of President Andrew Johnson should be looked to for guidance. Other impeachments, dealing almost exclusively with Federal judges, are not enlightening because judges are not removable by the elective process, as are Presidents, it said.

"The most salient lesson to be learned from the Johnson trial," the study concluded, "is that impeachment of a President should be resorted to only for cases of the gravest kind—the commission of a crime named in the constitution or a criminal offense against the laws of the United States."