

Impeachment Inquiry: Running Late

The little delays are adding up to months, as the House Judiciary Committee slowly grinds through its review of the evidence on impeachment. The Committee keeps slipping further and further behind its own schedule. If there is going to be a trial in the Senate, it seems increasingly unlikely to begin before next January.

The calendar is beginning to be crucial to Congress' progress toward a final resolution of the impeachment question. Small delays right now can have large consequences. It is neither healthy nor safe for the country to continue month after month under a President shadowed by unresolved suspicions of crime and conspiracy.

Originally the chairman of the House Judiciary Committee, Rep. Peter W. Rodino Jr., indicated that the committee might be ready to vote by April, then the target date drifted into June. Now we have arrived at the middle of June, and Mr. Rodino thinks that the committee might vote by the middle of July. It would presumably take a couple of weeks to write the report and move the impeachment bill through the Rules Committee. If the committee votes a bill of impeachment in late July, the bill would come to the floor of the House in early August. It seems likely that the House would debate it for two or three weeks. The House vote might then fall just before Labor Day, the traditional beginning of the election campaign.

Would the Senate conduct a trial of President Nixon during the campaign? If the answer is no, then what about the weeks after the election, in November and December? Should the trial proceed in a lame-duck Senate? No one, incidentally, knows how long the Senate trial might go on. The only precedent is the 1868 trial of Andrew Johnson, and it ran 2½ months.

The writer is a member of the editorial page staff.

Senators are already beginning to debate whether an impeachment trial can run from one Congress into another. A respectable legal case can be made for it. But the Senate probably will decide against it. As a standard of fair procedure in an impeachment, lawyers and laymen throughout the country generally go back to the familiar rules of an ordinary criminal trial. In a criminal trial, the court can't change jurors after the case opens.

The political considerations in Congress—a strange mixture of the highest and lowest—all are working in favor of delay. Chairman Rodino is trying to maintain a bipartisan coalition in the committee. Most Democrats feel that they must not impeach the President on a straight party-line vote, and

"It's time for the Judiciary Committee to step up the pace."

they are right about that. Mr. Rodino is delicately bringing along as many Republicans as he can, but they are in very painful circumstances. A good many Republican congressmen have discovered that their support at home is deeply split over impeachment, and they fear that a vote either way on impeachment could alienate enough constituents to defeat them in November.

The Democrats meanwhile are in an exquisite dilemma. If they try to force the pace, they invite the accusation that they are leaping to a judgment without examining the evidence fully. But it is pretty clear by now that lawyerish ingenuity could keep a full and fair examination of the evidence going

right up until January of 1977. If the Democrats keep postponing the votes, they invite the cynical suspicion that they are keeping Mr. Nixon in office in order to run against him in November and, if it comes to that, in 1976 as well.

The time has come for the Judiciary Committee to step up the pace. It has been going along at an easy jog, meeting several days a week. If it cannot meet its present timetable at that rate, the solution is to meet more often and longer. The committee has a responsibility to make up its mind before the end of July so that the House, at least, can vote before the end of the summer.

The President's Mideast trip demonstrated the doubts that arise when high policy and national commitments are being made by a man under the threat of removal. It is bad enough that, in the event of impeachment by the House, the Senate probably could not conclude its trial before late winter or early spring of 1975. The greater danger is that both the President and the congressmen, each of them for his own reasons, might now wander into a procedural maze and put off the final vote indefinitely.

The Washington Post

EUGENE MEYER, 1875-1959
PHILIP L. GRAHAM, 1915-1963

KATHARINE GRAHAM
Publisher

JOHN S. PRESCOTT JR. BENJAMIN C. BRADLEE
President Executive Editor

Philip L. Gevelin, Editorial Page Editor; Howard Simons, Managing Editor; Mark Meagher, Vice President-Business Affairs; Kenneth Johnson, Vice President-Operations; Gerald W. Siegel, Vice President; Jack F. Patterson, Vice President-Circulation.

Published by The Washington Post Company:
1150 15th St. NW, Washington, D.C. 20005

KATHARINE GRAHAM
Chairman of the Board

LARRY H. ISRAEL
President