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**2-1 Approval  
Of 2d Article  
Is Expected**

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The House Judiciary Committee is expected to approve today by a margin of more than 2 to 1 a second article of impeachment charging President Nixon with abuse of power in the conduct of his office:

Still unsettled after a meeting of committee Democrats yesterday was whether a charge of contempt of Congress for defiance of committee subpoenas should be lumped into this article or stand as a separate one. It appeared more likely to be made a third article.

The latest draft of Article II includes six categories of actions by the President that committee drafters contend constitute impeachable offenses.

The draft article charges Mr. Nixon:

- "Misused the constitutional powers of his office" by authorizing or permitting unlawful wiretaps and permitting use of information obtained for purposes unrelated to proper government function. This would include the 17 wiretaps placed on telephones of government officials and newsmen from 1969 to 1971 in an effort to

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find the source of news leaks.

- Authorized creation of the secret "plumbers" unit in the White House, "financed in part through the unlawful conversion of campaign contributions." Their activities included the break-in of the office of Daniel Ellsberg's psychiatrist, which resulted in dismissal of the charges of releasing the Pentagon Papers against Ellsberg.

- Misused the Internal Revenue Service, Central Intelligence Agency and the Federal Bureau of Investigation whose "proper functioning is essential to the faithful execution of the laws and the protection of the rights of the people."

- Endeavor to impede court and congressional inquiries of the Watergate break-in by concealing relevant evidence.

- Obtained material information from the Department of Justice of the Watergate investigation and passed it on to his aides who were subjects of the investigation.

- Knew that his aides ob-

structed justice by trying to cover up White House involvement in the Watergate break-in, and in doing so failed "to take care that the laws be faithfully executed." The "take care" clause is a duty of the President written into the Constitution.

Rep. Robert McClory (R-Ill.), who voted against the obstruction of justice article on Saturday, has worked with Democrats on the draft of Article II and is expected to vote for it. If so, the vote approving this article could climb to 28 to 10 unless one of the six Republicans who voted with the committee's 21 Democrats Saturday changes his position.

The original draft of Article II, placed before the committee when it began general debate Wednesday evening, made contempt of Congress one count in this article.

But some members feel contempt does not rise to the high level required for impeachable conduct. Others, who feel contempt is an especially strong charge, want to make it a separate article because it does not fit into the Bill of Rights theme of Article II.

Rep. Don Edwards (D-Calif.), one of the drafters, said the President's refusal to turn over relevant material to the impeachment inquiry is "so clear cut—it strikes at the heart of the impeachment process." If a President can refuse to turn over material bearing on the charges, the impeachment clause would become a dead letter, he said.

Rep. Edward Mezvinsky (D-Iowa) plans to offer an article charging the President with tax evasion and unconstitutionally receiving "emoluments from the United States in excess of" his salary. This would be based on Mr. Nixon's underpayment of taxes by nearly \$500,000 and use of federal funds to make improvements on his home in San Clemente and Key Biscayne. The committee staff had recommended a tax-evasion article, but it was dropped by Democratic drafters as too weak a case. Mezvinsky's amendment is expected to be defeated.

The charge of misusing agencies, especially the IRS, for political purposes has strong support from several Republicans, including Reps. Tom Railsback (R-Ill.) and M. Caldwell Butler (R-

Va.), who referred repeatedly to the chilling implications of using powerful government agencies to harass citizens.

Saturday's action commits the House to an impeachment debate and vote next month because approval of a single article by the committee sends the issue to the House. The House needs approve only one article by majority vote to impeach the President. Then the case would go to trial in the Senate, where a two-thirds vote would remove the President from office.

Only once has a President been impeached. That was in 1868 when Andrew Johnson, caught up in post-Civil War bitterness, was impeached but acquitted in the Senate by a one-vote margin.

Impeachment of President Nixon by the House now appears almost certain, barring some unforeseen national event, in view of the bipartisan support of Article I in committee. House Majority Leader Thomas P. O'Neill (D-Mass.) has predicted that if the Judiciary Committee recommended impeachment, the House would impeach the President by a margin of 50 to 100 votes.

When the committee has finished voting, it must prepare a report explaining in detail to other House members why it recommended impeachment. Next week, the committee will go to the House Rules Committee to obtain a resolution fixing ground rules for House consideration of the impeachment articles. It is expected to permit about two weeks' consideration and make amendments in order. A final House vote is expected.

Charles L. Black Jr., Yale law school professor and an authority on impeachment, said on NBC's "Meet the Press" (WRC) yesterday that he considered the wording of the article approve Saturday "unsatisfactory in several strategic ways."

Black said the article seemed to "straddle" the question of Mr. Nixon's personal participation in the Watergate cover-up. He also joined Republican opponents in criticizing the article for lack of specificity. The committee argued this point all day Friday, read the specifics into the record

and will repeat them in the committee report. Black also disagreed with last week's unanimous Supreme Court decision instructing Mr. Nixon to turn over tapes and records of 64 conversations to the Watergate special prosecutor.

**TV Schedule  
For Debate**

Today's deliberations by the House Judiciary Committee on additional articles of impeachment are scheduled to be televised starting at 10:30 a.m. by CBS (WTOP, Channel 9) and national public television (WETA, Channel 26).