

SFChronicle

AUG 15 1974

Impeach Report -- It's for the Record

Washington

For more than two years, President Nixon engaged in "deliberate, repeated and continued deception of the American people" about the Watergate case, according to the draft of the House Judiciary Committee's final report on impeachment.

The draft report, circulated yesterday among members of the committee, is expected to be submitted formally to the full House of Representatives on Monday.

But committee chairman Peter W. Rodino Jr. (Dem-N.J.) said the report would lie "dormant," serving only as a record of the events that led to Mr. Nixon's decision to resign the presidency.

Rodino said that neither the Judiciary Committee nor the House would vote on the final report, although it recommends the impeachment—and trial by the Senate—of Mr. Nixon.

The draft, running nearly 150 pages, is instead expected, according to Republicans and Democrats on the committee, to form the basis for assuring the public that the impeachment proceedings would have been justified had they not been aborted by Mr. Nixon's resignation last Thursday.

Copies of the draft were sent to the 38 committee members for any corrections or additions they might suggest. A copy was obtained by the New York Times from a Democratic congressional official.

In essence, the report describes the grounds for the committee's bipartisan votes to recommend three articles of impeachment against Mr. Nixon.

It listed 34 central items of evidence that led the committee to vote, 27 to 11, to charge Mr. Nixon with obstruction of justice in the

Watergate case in Article 1.

Among the 34 items was the set of June 23, 1972, transcripts, issued by Mr. Nixon four days before he resigned, that showed he had joined in the Watergate cover-up six days after the burglary at the Democratic party's headquarters on June 17 of that year.

Eleven Judiciary Committee Republicans who voted against Article 1 are expected to join in a concurring report, in the finding on the basis of the belated disclosure.

The majority draft, prepared at the direction of Rodino and John M. Doar, the panel's special counsel, said that the 34 items of evidence formed "a pattern of undisputed acts" that could "only lead to one conclusion."

The conclusion, the report said, was that Mr. Nixon sought personally and through his aides to "delay, impede and obstruct" the Watergate investigation almost from its inception.

The draft said the second impeachment article, charging Mr. Nixon with a variety of abuses of his authority as President, had been based on "improprieties by the President that served no national policy objective and cannot be justified under the most expansive view of the discretionary or inherent powers of a President."

Any one of the five central areas of alleged abuses of authority, the draft said, "would be sufficient" in a Senate trial of the President "to warrant his removal from office."

According to the majority draft, "undisputed facts, historic precedent, and applicable legal principles" would also have sustained removal of the President from office on the basis of the third article of impeachment, adopted by a narrow 21 to 17 majority.

The third article accused Mr. Nixon of having violated

his constitutional obligations by defying Judiciary Committee subpoenas for 147 tape recordings and other documents.

In refusing to supply the evidence, the draft said Mr. Nixon "interfered with the exercise of the House's function as the "grand inquest of the nation."

New York Times