

# Historic Debate Begins

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The House Judiciary Committee began its historic impeachment debate last night with a plea from Chairman Peter W. Rodino Jr. (D-N.J.) to proceed "with honor and decency and the courage to decide rightly."

Partway through the session, the hearing room was emptied while police, responding to a telephoned threat, searched for a bomb. Rodino recessed the hearing without an explanation, but said it would resume.

The televised debate, which is expected to result in a recommendation that President Nixon be impeached, began just hours after the Supreme Court ruled unanimously that the President must turn over taped conversations he has tried to withhold from the Watergate special prosecutor.

Some committee Republicans wanted to delay committee action until it has tried again to obtain the tapes for its inquiry. But Rodino was determined to proceed on schedule to a vote by the weekend.

The committee is expected to recommend that the House impeach the President for obstruction of justice in the Watergate cover-up and for abuse of power covering a long list of acts,

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such as authorizing illegal wiretaps and the Ellsberg break-in.

Rodino charged the committee with the task of determining whether President Nixon had abused the powers of his office or had been duped by his administration's top aides. It must determine, he said whether Mr. Nixon "has used the power of his high office to cover up and conceal responsibility for the Watergate burglary and other acts of a similar nature."

He emphasized that the Constitution did not call for impeachment of a President who has merely made mistakes — "even serious mistakes"—in the conduct of

their office. They must be offenses that are "incompatible with the Constitution."

He observed that only a President takes an oath to take care that the laws must be faithfully executed.

Rodino said the debate would be neither a court of law or a partisan proceeding. It must be a judgment on

the facts "which must stand for all times."

He said that each generation of Americans must protect the constitution and that impeachment is part of that protection. "Let us leave the constitution as unimpaired for our children as our predecessors left them for us," Rodino concluded.

He observed that the committee had investigated Mr. Nixon's administration for seven months and heard 10 weeks of evidence presented. "We have deliberated, we have been patient, we have been fair," Rodino said. "Now the whole history of our Republic demands that we make up our minds."

A drafting committee of Democrats led by Rodino spent much of yesterday refining language of the proposed articles of impeachment to be placed before the committee as a working vehicle when it began its debate at 7:30 p.m.

Right up to the last minute the drafters were still trying to decide whether to submit three articles or two. The decision on whether to make contempt of Congress for defiance of subpoenas a

separate article or make it one count under abuse of power depended on which approach would attract the most votes. One or more Republicans were inclined to vote for a contempt article, but probably would not vote for an omnibus abuse-of-power article.

"We are trying to make it appeal to as many people as possible," said Rep. Don Edwards (D-Calif.), a member of the drafting committee.

Meanwhile, in another private meeting, a group of Republicans and conservative Democrats were trying to agree on a different set of articles.

Rep. Tom Railsback (R-Ill.), calling it a meeting of the "undecidables," said the group was trying to "thrash this thing around to see whether we share views about the responsibility of the President."

Meeting with Railsback were Democrats Ray Thornton (Ark.), James Mann (S.C.) and Walter Flowers (Ala.), and Republicans Wil-

liam Cohen (Maine), Hamilton Fish (N.Y.) and M. Caldwell Butler (Va.).

All of them were publicly uncommitted on the issue of impeachment, and their votes were regarded as important in swinging support on the House floor for the articles ultimately voted out of the committee.

Railsback, a key figure on the GOP side, said their view might be swayed by the President's response to the Supreme Court decision on the tapes.

Railsback said that if the President promised to turn over the tapes within one or two weeks the committee might be wise to hold up its impeachment deliberations and wait to hear those conversations.

If the President tried to delay beyond two weeks, Railsback said, the committee should proceed to vote and let the full House decide whether impeachment proceedings should be delayed until those conversations are available.

There would be no guarantee, however, that the committee would automatically get the tapes if they were turned over to the special prosecutor.

The committee last night began 10 hours of general debate on the articles of impeachment. Friday it should be ready to debate and amend the specific articles and reach a final vote during the weekend or early next week. Each member was entitled to speak for 15 minutes, by seniority and alternately by party, during the general discussion.

Rodino led off the debate with a stage-setting speech that did not announce how he would vote but reviewed the seven-month inquiry and concluded with these words:

"Let us go forward into debate in good will, with honor and decency and with respect for the views of one another. Whatever we now decide, we must have the integrity and the decency, the will and the courage to decide rightly."

Rodino is considered a sure vote for impeachment, as are all the 21 Democrats with the possible exception of the three Southern Democrats. The committee is expected to recommend one or more articles of impeachment by a vote of about 2 to 1.

If the House voted by a majority to impeach the President, he would be tried by the Senate, where a two-thirds vote would be required to remove him from office.

Rep. Jack Brooks (D-Tex.),

a certain vote for impeachment, confined his brief statement to a plea for a non-partisan determination of whether Mr. Nixon was involved in the "governmental corruption unparalleled in the history of the United States" which the committee has reviewed during its 11-week examination of evidence.

"There is no political gain for anyone or any political party in this procedure," Brooks said. "If ever there was a time to put aside partisanship, it is now. There would be no Democratic gain from removing a Republican President and having him replaced by another Republican who could request and might well receive a great outflowing of support from our people."

"We must decide whether this corruption attached to the President," he said. "It is our constitutional duty to determine whether there is sufficient cause to bring Richard Nixon before the U.S. Senate for trial and removal from office."

The President's counsel, James D. St. Clair, has argued that the committee should recommend impeachment only if it finds "clear and convincing proof" of criminal acts by the President.

Rep. Charles W. Sandman (R-N.M.) said he could not now vote for impeachment because the evidence is only circumstantial. "Find me clear and direct evidence involving the President of the United States in an impeachable offense, and I will vote for impeachment, even at this late date," he said.

He said a President should be removed from office on only "the most severe circumstances affecting his ability to continue to serve . . ." Sandman said "many wrongs" were committed by men close to Mr. Nixon, but that he found no proof that the President authorized their acts.

Sandman expressed a doubt that the Senate would convict the President, and suggested that Congress should better spend its time dealing with inflation and other national problems. He also chided the media for "blatant, downright dishonest reporting . . . The American people have not been given a fair and accurate account of what is going on."

Rep. Robert McClory (R-Ill.), considered a possible pro-impeachment vote on the issue of the President's contempt of Congress, announced no final decision on

how he will vote, but expressed his agony over crimes of men around the President and the President's acts of defying committee subpoenas.

"What about the offenses committed by—or charged against Haldeman, Ehrlichman, Colson, LaRue, Dean, Liddy, Hunt, Magruder, Chapin, Mardian, Strachan, Kalmbach, Mitchell and

Kleindienst?" McClory asked. "There is substantial authority for attributing their misconduct to the President in a strictly legal sense—and require him to account for their offenses."

"After receiving evidence for weeks and weeks," he said, "I ask myself—is this any way to run a White House or a country?"

"The clearest and most

convincing issue before us, and one which is perhaps more fundamental to our inquiry" is the President's defiance of committee subpoenae demanding evidence, he said. McClory called this action a "usurpation of the power of the House" and a serious breach of the President's sworn duty to "preserve, protect and defend the Constitution."

McClory said he was distressed when people say they don't understand how a Republican could vote to impeach a Republican President. That implies, said McClory, that "no matter what high crimes or misdemeanors might have been committed . . . I as a Republican am foreclosed from judging the merits of the case."