

Impeachment Grounds Become Clearer; Watergate Cover-Up Is a Likely Charge

By JOHN PIERSON

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—If the House decides to impeach President Nixon, the grounds on which it will do so are becoming clearer.

Yesterday's meeting of the House Judiciary Committee and discussions with various committee sources indicate that a bill of impeachment would probably include charges that Mr. Nixon tried to keep agencies of the law from getting to the bottom of the Watergate break-in. It might also include allegations that he sold favors to the dairy industry and to International Telephone & Telegraph Corp. in return for campaign contributions.

Two other bribery charges might also be included: one alleging that money from financier Robert Vesco was in return for trying to stop a government investigation of his affairs; another that funds from billionaire Howard Hughes were in return for an exemption from the antitrust laws.

Other charges that might appear in a bill of impeachment, but that now must be called long shots: that the President ordered the secret bombing of Cambodia; that he ordered a variety of espionage activities against U.S. citizens, and that he ordered a campaign of spying and sabotage against Democrats in the 1972 presidential election.

Unlikely to appear on any bill of impeachment are charges that he accepted a number of other campaign contributions in return for government favors, that he directed federal agencies to harass his "enemies," that he refused to spend money Congress had appropriated and that he dismantled the poverty office, when Congress wanted it kept intact.

And it seems less and less likely that the House will try to impeach the President for what makes many Americans angriest—the charge that he cheated on his income tax.

The Judiciary Committee's special counsel, John Doar, disclosed yesterday that the impeachment staff has stopped looking into 15 of 55 allegations against Mr. Nixon. In some cases, mainly various allegations of bribery, the staff hasn't uncovered enough evidence of wrongdoing to warrant further inquiry, Mr. Doar told the committee.

The staff has stopped investigating the impoundment of appropriated funds and the dismantling of the Office of Economic Opportunity, Mr. Doar continued, mainly because these questions have been argued in the courts. Where the courts have ruled against the President, the counsel added, the President has given way.

The staff's investigation of the Cambodian bombing is marking time, Mr. Doar disclosed, until the Senate Armed Services Committee gives the Judiciary panel a report on its hearings on secret U.S. military operations in Southeast Asia.

And the impeachment staff has hardly begun looking into the question of whether Mr. Nixon committed criminal tax fraud in connection with his gift of prepresidential papers to the National Archives, Mr. Doar said. The Joint Committee on Internal Revenue Taxation didn't address the question of fraud in its recent study of the President's tax returns for 1969 through 1972, which concluded that Mr. Nixon owes more than \$400,000 in back taxes and interest. The President has agreed to pay the money.

Mr. Doar said the staff is "moving forward" with its tax-fraud probe, but he left the strong impression that there won't be time to finish this investigation before the committee reports to the House. Mid-June is the target date for this report.

This disclosure brought howls of protest from some Democrats, who feel that Mr. Nixon's taxes are the one thing in the impeachment inquiry that most Americans understand. Rep. Robert Kastenmeier of Wisconsin said he was "quite disappointed." Rep. Wayne Owens of Utah said that if Mr. Doar needed "another 20 lawyers" to speed up his tax investigation, the House would put up the money to hire them.

It's likely, however, that the tax matter won't be pressed. Many committee members, including Chairman Peter Rodino of New Jersey, are known to doubt whether tax fraud is an offense worthy of impeachment. Anyone can cheat on his taxes, they argue, but impeachment has to do with acts that only a President can commit.

There are indications, too, that the committee may be reluctant to try to bring Mr. Nixon to court in the Senate on a charge of ordering the White House "plumbers" and other agents to spy on U.S. citizens unfriendly to his administration. One allegation is that the President ordered the plumbers to break into the office of Daniel Ellsberg's psychiatrist.

Deplorable as such acts may be, says one source close to the committee, the panel would probably have a hard time countering Mr. Nixon's claims that national security necessitated some, if not all, of them.

Similarly, it mightn't be possible to convince the public that spying and sabotage aren't normal practices in a political cam-

paign, the source says.

Nevertheless, the impeachment staff didn't say it was halting work in these areas.

But the staff's loss of interest in the pet impeachable offenses of other Democrats brought cries of alarm from those members. Rep. Jack Brooks of Texas said he was sure the committee would want to keep on the back burner, at least, allegations that the President ordered improvements made at taxpayer expense on his California and Florida properties.

Rep. Robert Drinan of Massachusetts charged that Mr. Nixon continues to refuse to spend housing funds appropriated by Congress. Rep. John Conyers of Michigan said it was "incredible" even to suggest an end to the investigation of the bombing of Cambodia.

Rep. Elizabeth Holtzman of New York objected to stopping work on the allegation that Mr. Nixon let McDonald's Corp. raise the price of its hamburgers in return for a \$240,000 campaign contribution by R. A. Kroc, McDonald's chairman, and Mrs. Kroc.

Chairman Rodino hastened to assure the liberal Democrats that yesterday's staff report was just a recommendation and that the committee itself would decide which charges to pursue and which to drop. "We're not writing 'Finis' to anything," Rep. Rodino said.

Republicans, meanwhile, were delighted to have the issues narrowed. Rep. Delbert Latta of Ohio, one of the most partisan GOP members and a frequent critic of Mr. Doar and his aides, commended the staff for its work. "There comes a time when we must fish or cut bait," Rep. Latta declared.

The only dissenting Republican note came from Rep. Wiley Mayne of Iowa, who demanded to know whether the staff was also looking into contributions by the dairy industry to House and Senate members.

Earlier, all the GOP members joined all but four liberal Democrats in voting Mr. Nixon five more days to answer the committee's subpoena for 42 taped conversations relating to the Watergate cover-up.