

Panelists Redraft the Articles of

Bipartisan Push for Approval

By Lou Cannon

Washington Post Staff Writer

A bipartisan group of House Judiciary Committee members, meeting in a series of delicate behind-the-scenes negotiations, yesterday drafted revised impeachment articles that they believe will win committee approval with at least 25 votes.

"Substitute articles will be presented that we believe will have the backing of at least four Republican members," said one of the participants.

He identified the four as Reps. William S. Cohen of Maine, Hamilton Fish Jr. of New York, Tom Railsback of Illinois and M. Caldwell Butler of Virginia.

The negotiations occurred before Rep. Lawrence J. Hogan (R-Md.) announced, independently of the bipartisan discussions, that he planned to vote for impeachment. Hogan's vote would give the pro-impeachment forces on the committee 26 out of 38 votes.

The four Republicans who are expected to vote for the revised articles declined to say flatly whether they would support impeachment. But they gave a general impression of favoring articles that would declare in specific and dispassionate terms that Mr. Nixon had abused power by mis-

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Impeachment

Mansfield Lays Out Trial Plans

By David S. Broder

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Senate Majority Leader Mike Mansfield (D-Mont.) yesterday laid out plans for a possible impeachment trial of President Nixon that would virtually bar campaigning by senators this fall and preclude the passage of anything but emergency legislation.

He told reporters that if the House votes to impeach Mr. Nixon, he hopes the Senate trial can begin within "two or three weeks." He also said the Senate should meet from morning until evening, six days a week, without any break for the mid-term election, and try to finish the case in two months or less.

"I want it disposed of this year," he said.

Mansfield said he would plan to cancel all committee sessions while the trial was proceeding, "so every senator can be in his seat." The "normal workload would go by the wayside," he said, but the Senate might "recess the trial an hour or so" to pass necessary appropriations of emergency bills.

He said a Senate trial would be covered live on television, "because it's mandatory the people be drawn in," but there would be only a single camera allowed, focused

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sing government agencies and he had helped obstruct justice by participating in the Watergate cover-up.

"My feeling is that there is potential vulnerability on those two issues, and I'm trying to determine the magnitude," said Railsback. "I want to be very specific, to let the president respond to the charges."

Railsback himself was deeply involved in the revisions. He directed one aide to prepare his own version of an impeachment article relating to the Watergate cover-up.

Congressmen involved in the negotiations between Democrats and the Republicans who are leaning toward impeachment said that it has yet to be determined who will offer the substitute articles and in what form.

But one of the Republicans said he expected that revised articles now being drawn by Democratic leaders of the committee would meet GOP demands for greater specificity in the impeachment charges.

In private discussions some of the Republicans who are believed prepared to vote for impeachment questioned the language of four proposed articles prepared by the Judiciary Committee staff under the direction of special counsel John Doar.

"The tone of the first article (relating to the Watergate cover-up) makes it appear that

the President was directing the burglary," said one GOP congressman. "We want the articles to specifically show Mr. Nixon's participation in the cover-up."

Another Republican said the articles were "not artful in their legal draftsmanship."

Democrats started early and worked late in their efforts to satisfy these objections of tone and language. They came up with three revised articles of impeachment.

One article alleges that Mr. Nixon abused his power as President by directing agencies to perform improper acts. It also charges that he failed to carry out his constitutional duty to see that the laws be faithfully enforced. The second count charges him with obstructing justice by participating in the Watergate cover-up. A third says that he showed contempt for Congress by refusing to comply with committee subpoenas.

The four Republicans, who have been in steady consultation with each other for several weeks, are believed to favor only the first two articles.

Railsback said yesterday that he would not support the "contempt of Congress" charge as a separate article of impeachment. Cohen suggested last Saturday that the committee should draw "adverse inferences" from Mr. Nixon's refusal to turn over requested tapes and documents to the committee rather than impeaching him on this specific charge.

But the Democrats decided to present the contempt charge anyway, largely in the hope of attracting the support of Rep. Robert McClory of Illinois, the committee's second-ranking Republican. McClory, who is considered unlikely to vote for the Watergate cover-up charge, has said repeatedly that he is "disturbed" over Mr. Nixon's defiance of the committee subpoenas.

One Democratic member who helped in revising the impeachment articles pointed out that at least two other counts will be offered to the committee. One is the charge that Mr. Nixon engaged in "willful tax fraud," as alleged by the Doar staff, and the other is the Cambodian bombing, which probably will be put before the committee by Rep. Robert Drinan (D-Mass.).

Neither count is expected to win committee approval.

While Republicans who are evidently prepared to vote for impeachment were lending their support to substitute articles, opponents of impeachment were seeking to vote on

the issues as presented last week by Doar.

Rep. Charles Wiggins (R-Calif.), who agreed that some of the Doar articles were "inartfully and unprofessionally drafted," said he did not consider it his responsibility to improve them.

"If an article is offered by a member which is inartfully drafted, I don't regard it as my personal function to make it more acceptable to the membership," Wiggins said. "I personally am not going to take the lead in trying to correct somebody else's error."

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on the proceedings in the well of the Senate. No panoramic shots would be permitted, and individual interviews of senators during the trial would be discouraged, he said.

Mansfield said he would recommend the accelerated schedule in order to complete the trial in this Congress, but asserted his personal belief that the Senate is a "continuing body" that could carry over the trial into 1975 if necessary.

In that case, he said, newly elected senators could be given seats in the Senate gallery after the November election, so that they could hear testimony and be prepared to vote on the case after they have been sworn in next January.

In his discussion with reporters, Mansfield repeatedly inserted the phrase, "if a trial is necessary," saying he did not want to anticipate the out-

come of the House vote on impeachment.

He said the Senate majority would not even hire a lawyer to prepare procedures on a possible trial unless and until the House Judiciary Committee votes impeachment. But he acknowledged that several senators and staff members have begun to study the steps that would be required, and on some crucial procedural points, Mansfield appeared to have developed firm views.

When reporters asked him, for example, if he agreed with Sen. Henry M. Jackson (D-Wash.) that Mr. Nixon's attorneys could obtain a 60- to 90-day delay in the start of the trial to prepare their defense, Mansfield said, "No."

"Sixty days would be unreasonable," he said. "Andrew Johnson asked for 40 days and was given 10. I would think two or three weeks would be enough. Look at all the time they've had to prepare their

defense. They're not coming into it cold."

Mansfield also took a firm line about the President's producing any additional tapes the Senate may subpoena. Mr. Nixon has refused to turn over 64 subpoenaed tapes to the House Judiciary Committee.

"It will be much more difficult—if and when it gets to the Senate—for him to refuse the tapes," Mansfield said. "It would be almost imperative for him to comply."

The majority leader said any refusal of evidence by the President would weigh heavily with Southern senators, because "many of them are very constitutional and legal-minded."

Asked if his timetable would interfere with the campaign plans of the 26 senators seeking re-election this year, Mansfield replied, "They can have Sundays off." He added, "I would think it's in their interest to be on the job."