

House Committee Begins Debate on Impeachment

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2 CHARGES LISTED

Obstruction of Justice, Other Abuses of Power Alleged

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WASHINGTON, July 24 —

The House Judiciary Committee began historic final deliberations tonight on the possible impeachment of President Nixon without waiting to determine whether new evidence might emerge as a result of a Supreme Court judgment earlier today.

Barely eight hours after a

Excerpts from proceedings
will be found on Page 24.

unanimous Court ruled that the President must obey subpoenas for Watergate trial evidence and shortly after the White House announced that Mr. Nixon would do so, the Judiciary Committee began debating whether to recommend a Senate trial of the President himself for alleged misconduct in office.

Some Republicans urged a delay in the deliberations, but Democratic committee leaders, adamant that the ambiguities of the Court decision not delay the end of the long inquiry, pressed ahead, on national television, with the second Presidential impeachment debate in history.

Charges Against Nixon

Representative Harold D. Donohue, a Massachusetts Democrat, declaring the act to be the capstone of a long House career that will end with his retirement in January, formally introduced proposed articles of impeachment—the heart of the matter — produced in complicated, private committee negotiations earlier in the day.

Two articles of impeachment were proposed, accusing the President of violating his constitutional oath of office.

The first article accused Mr. Nixon of obstructing justice by directing a Watergate cover-up. The second accused him of

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abusing his Presidential authority in a number of other ways, including his withholding evidence from the impeachment inquiry as he had the special Watergate prosecutor.

Not long after he rapped a wooden gavel to open the decisive debate, the committee chairman, Representative Peter W. Rodino Jr., Democrat of New Jersey, sought to set the tone.

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

"Let us leave the Constitution as unimpaired for our children as our predecessors left it for us," Mr. Rodino said.

Then, one by one, the 38 committee members began recounting their awe at the responsibility thrust upon them and their reactions to evidence assembled in the nine-month-long investigation of Mr. Nixon's conduct.

Hearing Room Tense

With most of the 21 Democrats and some of the 17 Republicans already tending toward a vote for impeachment, the likely outcome of the deliberations—a recommendation that the President be removed from office—filled the hot, crowded and tens hearing room.

Representative Don Edwards, Democrat of California, said in a prepared statement that he was prepared to face "my constituents, my family, myself and history" with the judgment that the President had consciously "corrupted and subverted our political and governmental processes."

Others gave only verbal clues to their forthcoming votes. Representative Jack Brooks, Democrat of Texas, sought, he said, to refute the defense theory "that the corruption we have witnessed in the last five years is only an extension of what has already been done."

The second-ranking Republican, Representative Robert McClory of Illinois, asserted in a statement that party labels should be set aside because Republicans could not, any more than Democrats, "tolerate the flouting of our laws by a President who is constitutionally charged with seeing to the faithful execution of the laws."

Support for Nixon

Mr. Nixon was not without support as the debate over his fate began, but much of it had the air of saddened defeatism, at least in so far as the committee's impending action was concerned.

A senior Republican, Representative Charles W. Sandman Jr. of New Jersey, accused the panel's majority and staff, and the news media, of partisanship and predicted in a state-

ment that, like the impeachment and ultimate acquittal of President Andrew Johnson 106 years earlier, the current impeachment proceeding was "likely to go down in history as another incident of bad judgment."

The flavor of the opening, general debate appeared to accent the harsh judgment earlier today of the House Democratic leader, Representative Thomas P. O'Neill of Massachusetts. Referring to the President, he said: "He's gone—there's no doubt about it."

Mr. O'Neill's Republican counterpart, Representative John J. Rhodes of Arizona, told reporters, in yet another symbol of the deterioration of putative House support for the President that he was "undecided" as to how he would vote, eventually, on the Judiciary Committee's impeachment recommendation.

What began unfolding in the hearing room was, accordingly a process aimed not so much at whether, but at how, to construct a formal accusation that would, if adopted by the House and proved in a Senate trial, lead to the forced removal of a President for the first time in the nation's history.

The decisive final stage of Judiciary Committee deliberations began amid much the same sort of Watergate drama as that that led, nine months earlier, to the impeachment inquiry.

The investigation of Mr. Nixon's conduct began on Oct. 23, 1973, in response to a tide of national outrage at the President's dismissal of the first special Watergate prosecutor, Archibald Cox, for refusing to abandon his pursuit of White House tape recordings through the Federal courts.

Today, in the final outcome of the battle over White House evidence, the Supreme Court ruled, 8 to 0, that the President had no inherent constitutional right to withhold 64 recorded Watergate conversations from Mr. Cox's successor, Leon Jaworski.

Delay on Debate Suggest

A few of Mr. Nixon's defenders among the Judiciary Committee's Republican minority suggested this afternoon that the impeachment debate should be delayed to determine how Mr. Nixon would reply to the Supreme Court ruling and, if he should comply in full, whether additional evidence might emerge to seal the outcome of the inquiry.

But Mr. Rodino declared, through an aide, that the debate would go on as scheduled. He and other Democrats noted

that it might be months before new taped evidence made its way from the White House to the Judiciary Committee and that, in any event, as Representative Elizabeth Holtzman, Democrat of Brooklyn stated



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Peter W. Rodino Jr., left, chairman, and Edward Hutchinson, ranking Republican, at session of impeachment panel

it, "The President had every opportunity since February to turn over any exonerative material."

Even Mr. Nixon's most persistent and articulate defender on the committee, Representative Charles E. Wiggins, Republican of California, said that it would be "premature" to propose delaying the final debate unless there was some concrete reason to believe the committee might obtain new evidence reasonably soon.

Mr. Wiggins said that he had urged the President's chief defense attorney, James D. St. Clair, "throughout the proceedings" to prevail upon Mr. Nixon to supply voluntarily at least edited transcripts of the 147 taped discussions subpoenaed by the committee. He said he had made the same point this morning, at an accidental encounter in a Washington television studio, with Dean Burch, a counselor to the President.

Barring such a prompt voluntary disclosure by Mr. Nixon, Representative Wiggins, said the Supreme Court ruling today "has nothing to do with impeachment because we don't have any other evidence at all" on which to assess the President's conduct.

Possible Political Effect

Some Democratic critics of Mr. Nixon agreed that the Court verdict would have no direct effect on impeachment, but said that it could help to jell a political atmosphere in which a majority of the House, including Republicans, would feel compelled to pass the evidence on to the Senate for a full-fledged impeachment trial.

"It obviously make a climate for impeachment more probable," said Representative Jerome R. Waldie of California, a Democrat who was one of the first sponsors of an impeachment resolution. Representative Wayne Owens, Democrat of Utah, said that the impact of the Court ruling would be to "add momentum to the impeachment process."

Throughout the day, two separate groups of committee members attempting to draft proposed articles of impeachment—one group composed of senior Democrats committed to vote for impeachment, the other of Republicans and Democrats leaning toward impeachment votes—sought to reach an accommodation on the final form of the charges against the President.

The two groups, hidden away in Capitol Hill cubbyholes to avoid reporters, reached agreement on the basic framework of two central allegations—that Mr. Nixon had violated his oath and the trust reposed in him by directing a Watergate cover-up attempt and thus obstructing justice, and that the President had exceeded his powers in a series of steps, dating to 1969, to spy on United States citizens in disregard of their Constitutional guarantee to privacy.

Issue of Defiance

he caucusing Congressmen finally agreed, at the day's end, to include Mr. Nixon's defiance of court and Congressional subpoenas under the over-all charge of abuses of authority rather than listing it as a separate allegation.

In any event, the proposals submitted when the debate began tonight were but the starting point of the televised process of deliberation that may reach a climax in a vote on the first proposed impeachment article, late this week.

Two Democrats, Representatives Robert F. Drinan of Massachusetts and Miss Holtzman, said that they might offer amendments that would add to the list of charges an accusation that Mr. Nixon had overstepped his authority under the Constitution by secretly ordering the bombing of Cambodia in 1969 and subsequently concealing the action from most members of Congress.

In addition, Representative Jack Brooks of Texas, the panel's second-ranking Democrat, was soliciting support for yet another charge, that Mr. Nixon had violated a constitutional ban against the acceptance of "emoluments" while in the White House. The charge, Mr. Brooks said, would be based on findings of the Internal Revenue Service that Government-funded improvements to Mr. Nixon's homes in California and Florida should have been listed on tax returns as personal income, in excess of the President's salary.

G.O.P. Strategy Indicated

Members of the Republican minority on the committee, most of whom are avowed opponents of impeachment, suggested that their participation in the debate would focus on trying to block, rather than amend, the proposed articles.

Mr. Wiggins and Representative Trent Lott, Republican of Mississippi, each said that, as a matter of principle, they believed they should oppose an impeachment recommendation instead of attempting to make it more palatable.