

Details of the Charges

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The two articles of impeachment that were submitted to the House Judiciary Committee last week will undoubtedly be amended, rewritten and refined as the week progresses.

But these articles — one narrow, the other broad — provide the framework for the committee's final decision on whether to recommend President Nixon's impeachment.

They are a product of intensive negotiations among many committee members. They represent a compromise — the minimum acceptable to the majority of Democrats who are strongly critical of the President and the maximum allowable by the Republicans and Southerners who may vote for impeachment.

Many of the allegations leveled at the President over the last two years have been discarded.

The campaign contributions from milk producers, the Administration's relationship with the International Telephone and Telegraph Corp., the President's personal financial irregularities and his unauthorized bombing of Cambodia were deemed, for one reason or another, to be unlikely to command majority support on the committee.

The first proposed article, the narrow one, charges President Nixon with obstructing justice by trying to cover up the facts of the Watergate burglary.

The second and broader article accuses him of abusing the powers of his high office.

Many of the items listed under the articles — nine in the first one, eight in the second — are overlapping. But the accusations can be broken down into five categories.

What follows is an explanation of these accusations that seem unlikely to form the basis of the final articles of impeachment:

Impeding Investigations

The articles contend that the President impeded the investigations of the Department of Justice, the FBI and the Watergate special prosecutors by making false or misleading statements himself, condoning such statements by his associates and



GORDON STRACHAN
Nixon praise



HENRY PETERSEN
Less ambiguous data

by ordering the dismissal of the first special prosecutor, Archibald Cox.

The evidence presented to the committee by John M. Doar, the special counsel, cited repeated instances in which Mr. Nixon's public statements were misleading. And it points to conversations on tapes and in transcripts, that Doar said indicated the President wanted his aides to make false statements.

In a tape of a presidential conversation on April 16, 1973, after the Justice Department had begun to crack the Watergate case, the President instructed an aide, John D. Ehrlichman, to devise "a scenario with regard to the president's role."

The president learned in March, 1973, that three associates — Gordon C. Strachan, Jeb Stuart Magruder and Herbert P. Porter — had lied in court or to investigators, and according to the evidence, he not only condoned the lies but actually praised Strachan.

And he told his counsel, John W. Dean III on March 21, 1973, "just be damned sure you say I don't remember; I can't recall, I can't give any honest answer to that that I can recall. But that's it."

Favored Treatment

The articles allege that Mr. Nixon led defendants and subjects of investigations to expect "favored treatment" in return for their silence or false testimony.

They charge the President with "approving and concealing" the payment of hush money and with promising "executive clemency."

James D. St. Clair, the President's attorney, directed the bulk of his defense argument to an effort to refute charges of presidential complicity in the payment of hush money or offers of clemency.

There is evidence on both sides of this question, and it is likely to be strenuously debated.

The evidence appears to be less ambiguous on the President's dealings with Henry E. Petersen, the assistant attorney general, and Mr. Nixon's later discussions with his top aides, Ehrlichman and H. R. Haldeman.

In April, 1973 Mr. Nixon promised Petersen that he would keep confidential the details of the Justice Department investigation. Transcripts of the President's conversations show that time and again, after talking with Petersen, the President proceeded to apprise Ehrlichman and Haldeman of what Petersen had told him.

Illegal Surveillance

"In violation of the constitutional rights of citizens," the articles charge, the President permitted the telephones of 17 White House officials and reporters to be tapped. In addition, the President permitted the Secret Service to conduct surveillance of his brother, F. Donald Nixon.

The Articles also allege direct unlawful presidential complicity not only in the formation of the special investigative unit known as the plumbers but also in the burglary, conducted by that unit, of the office of Daniel Ellsberg's former psychiatrist.

The purpose of the burglary, it is asserted, was "to obtain information to be used by Richard M. Nixon and his subordinates in public defamation of Daniel Ellsberg."

Misuse of Agencies

The President is cited for his alleged efforts to use three sensitive agencies — the Central Intelligence Agency, the FBI and the Internal Revenue Service — for his personal and political

Against Nixon

benefit.

In the case of the CIA, equipment was provided to White House aides that was later used in surreptitious activities. The President has acknowledged having ordered CIA officials to block the initial Watergate investigation temporarily.

The President was said to have misused the FBI by directing that proper records not be kept of wiretap logs; by allowing secret files to be

given to L. Patrick Gray III, then acting director of the FBI, who proceeded to destroy the files, and by impeding the FBI's early Watergate investigation. Moreover, Mr. Nixon was said to have approved sounding out Judge Matthew Byrne Jr. about becoming director of the FBI while Byrne was sitting as judge in Ellsberg's trial.

As for the IRS, the President was accused of having

ordered tax audits conducted in a manner that helped his friends and harassed his opponents.

Contempt for House

The House has not formally cited Mr. Nixon for contempt. But the proposed articles accuse him of acting "in contempt of the House of Representatives and in defiance of the power of impeachment, vested solely in the House of Representatives" because of his refusal

to comply with committee subpoenas for tape recordings and other documents.