

Six Republicans join majority in 27-11 vote against the President

Knight News Service

WASHINGTON — The House Judiciary Committee recommended last night that Richard Nixon be impeached and removed from the presidency on grounds he "prevented, obstructed and impeded administration of justice" as part of the Watergate cover-up.

Their faces grim, several streaked with tears, committee members voted by the comfortably bipartisan margin of 27-11 to approve a nine-part article of impeachment charging the President with violating his "constitutional duty to take care that the laws be faithfully executed."

The dramatic and climactic vote, shortly after 7 p.m. in a hushed, packed and brilliantly lighted hearing room, meant that for the first time since 1868, the full House of Representatives will debate the impeachment of a president.

Six Republicans joined the 21 Democrats in the recommendation against the President, giving great strength to chances that the House will vote impeachment in late August and send Richard Nixon to trial in the Senate this fall.

At the White House, Press Secretary Ronald Ziegler said the President is confident that the House will not impeach him. He said the President's confidence is based on the knowledge that "he has committed no impeachable offense."

The House, he said, "will recognize that there simply is not the evidence to support this or any other article

of impeachment and will not vote to impeach."

The article of impeachment voted by the committee, the first of two or perhaps three it is expected to approve, charged the President with obstructing justice and covering up White House responsibility for the burglary, June 17, 1972, at the Watergate office building headquarters of the Democratic Party.

The second article, involving abuse of power, will be taken up tomorrow. There may be debate on a third proposed article, contempt of Congress.

Article 1 charged that since that burglary, "Richard M. Nixon, using the powers of his high office, engaged, personally and through his subordinates

and agents, in a course of conduct or plan designed to delay, impede, and obstruct the investigation of such unlawful entry; to cover up, conceal and protect those responsible; and to conceal the existence and scope of the unlawful covert activities."

The charge, written during hours of meetings by a bipartisan group of committee members, listed nine counts supporting the article. They included:

Lying to investigators, withholding evidence, approving false testimony, interfering with the FBI and the Justice Department, "approving, condoning, and acquiescing in" the payment of his money, misusing the Central Intelligence Agency,

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passing on grand jury secrets, making false public statements, and promising "favored treatment" for Watergate defendants "in return for their silence or false testimony."

The article, borrowing language from dusty precedents, concludes that "Richard M. Nixon has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States."

"Therefore, Richard M. Nixon, by such conduct, warrants, impeachment and trial, and removal from office."

At precisely 7 p.m., clerk Garner Cline began the roll call beginning with elderly, white-haired Harold Donohue, an old-line Democrat from Massachusetts.

tors and reporters headed for committee members to ask about what they had done.

Barbara Jordan, a black Democrat from Texas, merely sat back, remained silent and shook her head from side to side.

The first and last such recommendation for impeachment came on Feb. 22, 1868, when the Committee on Reconstruction asked for the impeachment of President Andrew Johnson. Two days later the House impeached. By one vote, however, the Senate refused to convict.

As the vote drew near and the hearing room filled with reporters, spectators and the families of members, the squad of presidential defenders on the committee grew almost quiet.

Chairman Rodino, weary but relaxed, leaned his cheek on his hand, staring at nothing in particular and smiling to himself.

The television cameras panned along on the long, broad bench, focusing on each member as he called out, "aye" or "no" in solemn tones.

First vote was on a substitute article, a refined version of the original draft introduced Friday by Paul Sarbanes, a Maryland Democrat, on behalf of a bipartisan group of members.

It was the key vote and it passed 27-11, but it wasn't the official impeachment recommendation vote. That came on the original resolution, by Donohue, as modified by the Sarbanes substitute.

At 7:03, Cline again began calling the roll. Some of the votes were barely audible to the absolutely silent audience. Two minutes and 21 seconds later, he announced the vote.

Along with all 21 Democrats, the pro-impeachment

Occasionally, California Republican Charles Wiggins, a leader of the Nixon loyalists, suggested softly that: "After a reading of the record, I hope you will be satisfied that the allegations are not true."

Before the last roll call, Rep. Walter Flowers, a leader of the southern Democrats whose votes were crucial to the outcome, delivered a soft, somber speech to the committee — and to his Alabama constituents who voted overwhelmingly for Mr. Nixon in 1972.

"There are many people in my district who will disagree with my vote here," said Flowers. "Some say it hurts them deeply . . . I have enough pain for them and me."

Flowers said he had agonized over his vote but found from the evidence that "it is clear what we must do here."

majority included six of the 17 Republicans: Tom Railsback of Illinois, Hamilton Fish of New York, Lawrence Hogan of Maryland, Caldwell Butler of Virginia, William Cohen of Maine, and Harold Froehlich of Wisconsin.

When the roll call concluded, Committee Chairman Peter Rodino, a New Jersey Democrat, announced "Article One is adopted and will be reported to the House of Representatives."

Under the committee procedures, when any one article is passed, a recommendation of impeachment has been made. Thus while other articles are to be taken up next week, it will be something of an anti-climax.

Except for photographers scurrying in front of the raised committee dais, those in the audience remained in their seats, silent and thoughtful.

But seconds later, specta-

But he reminded his colleague, "make no mistake, what we do here will reduce the influence and the power of the office of the President . . . I hope not one of us ever has to look into the subject of impeachment again."

Republican Charles Sandman of New Jersey, who nagged and needled the pro-impeachment forces all day Friday, was relatively benign.

As Democrats and their Republican supporters, in response to demands that the charges be more specific, recited again the litany of Watergate facts, the gruff, heavy-set Sandman insisted: "This is going to be the most unusual case in the history of man . . . This is not the kind of evidence that will convict anybody."

His remarks were a sign to the Presidential loyalists

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knew the impeachment recommendation was coming.

Sandman pledged, however, that "we will have another day on the House floor."

Flowers, a supporter of impeachment, wanted to assure his conservative Deep-South constituents that there was enough hard evidence to justify impeachment. Thus he offered motions to eliminate most of the nine counts in the article in order to elicit the detailed material to back up the charges.

Under pressure from Rodino and other committee Democrats, Flowers was persuaded to ask only for 20 minutes of debate on each of his motions in order to move the Watergate article to a vote.

Sandman, who Friday had precipitated a day-long argument by pushing his own motions to strike, ridiculed Flowers' tactic and demanded a series of six roll call votes.

On each vote, Sandman voted to strike the counts and thus kill the article. Most times Flowers smilingly voted "present."

It was a complicated, time-consuming parliamentary play, but it gave those who favored impeachment the opportunity to recite much of what they had learned behind closed doors during ten weeks of hearing evidence and witnesses.

The bipartisan impeachment coalition, stung by Friday's jabs that its Watergate article "lacked specificity," was armed to the teeth with specifics yesterday.

Overnight, Chief Committee Counsel John Doar and his staff had compiled more than 60 specific pieces of evidence to support charges of the President's involvement in the coverup.

Earlier, the committee adopted several amendments to focus more sharply the President's participation in the Watergate coverup.

The only serious debate came on an amendment by Rep. George Danielson, (D.-Calif.) to the fourth count of the article charging

the President with interfering or trying to interfere with investigations by the Justice Department, FBI and Watergate special prosecutor.

The amendment widens the charge to include congressional committees, including the Judiciary Committee itself, the Senate Watergate Committee and the House Banking and Currency Committee.

Republicans led by Wiggins, protested that the evidence doesn't show that the President himself interfered with committee investigation.