

Censure Proposed

By Mary Russell

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House Republicans continued their efforts to avoid an up-or-down vote on impeachment by promoting a proposal yesterday to censure the President for "negligence and maladministration" instead.

The censure move, which would allow the President to stay in office, isn't given much hope of carrying and perhaps won't even reach the floor since the Democratic leadership is strongly opposed.

But it provides a measure of the agony some House Republicans are going through on what one termed "the awesome and troubling decision of impeachment."

A censure resolution was introduced yesterday by Rep. Paul Findley (R-Ill.), while Rep. Delbert Latta (R-Ohio) circulated a petition to let the House vote on censure before it takes a final vote on impeachment at the end of the month.

Latta hopes to have 175 signatures to present to the Rules Committee by Aug. 13, when it will meet to vote on the procedures that will be allowed. The more the signatures, the better the chance that the committee will allow a floor vote on censure, it is reasoned.

Latta collected 58 signatures within a few hours yesterday afternoon, while Rep. G. V. (Sonny) Montgomery (D-Miss.) was collecting on the Democratic side.

First to sign Latta's petition was Minority Leader John J. Rhodes (R-Ariz.). Rhodes is to announce his decision on

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impeachment Monday, and colleagues are speculating that may be leaning toward impeachment. "I've made no decision," Rhodes said yesterday.

An aide said that Rhodes' signature on the censure alternative did not commit him, but merely that he thought members should have a chance to vote on it. "He is not going to address the question of censure at his Monday press conference," the aide said, indicating that he will **come out** for or against impeachment rather than any alternative.

The minority leader is known to oppose the first and third articles of impeachment voted by the Judiciary Committee that deal with obstruction of justice and failure to comply with subpoenas.

But he has said he is bothered by the abuse-of-power charges, particularly as they relate to the creation of the "plumbers" unit and the tax audits ordered on White House "enemies."

The censure motion would be an expression of House sentiment, having no legal effect on the President. But if it carried, it would prevent impeachment and foreclose a Senate trial. It

would be offered after the House had debated and voted on the articles and right before the final vote on impeachment.

Findley's censure motion cites Mr. Nixon's "great achievements in foreign policy" but says he has:

"... shown insensitivity to the moral demands, lofty purposes and ideals of the high office which he holds in trust and has, through

negligence and maladministration, failed to prevent his close subordinates and agents from committing acts of grave misconduct, obstruction and impairment of justice, abuse and undue concentration of power, and contravention of the laws governing agencies of the executive branch."

Strong opposition to permitting a vote on censure was voiced Thursday at a meeting of Rules Committee members, the chairman and ranking member of the Judiciary Committee and Republican and Democratic leaders.

Latta, a member of both the Rules Committee and the Judiciary Committee who voted against all articles of impeachment suggested a motion to recommit with instructions to the Judiciary Committee to make a substitute censure resolution in order. House Major-

ity Leader Thomas P. (Tip) O'Neill (D-Mass.) strongly objected.

At a press conference yesterday, Speaker Carl Albert said the censure motion would not be "germane" or material to the issue, indicating the chair might rule that it was not in order.

Albert said that, if he were voting, "I wouldn't vote to censure the President; I would vote either for or against impeachment." But he said he won't vote at all.

The Speaker usually votes only to break a tie, and Albert said, "I must maintain the integrity of the chair."

Majority Whip John McFall (D-Calif.) said he would favor allowing a vote on the censure motion if the Republicans wanted it. "It's a possible way out, and if a man wants the alternative of voting to censure I think he should have it," McFall said.

Rules Committee member Gillis Long (D-La.) called the censure attempt "a futile sort of thing," noting that if a majority voted against censure, the members would still be faced with an up-or-down vote on impeachment.

And Judiciary Committee Chairman Peter W. Rodino Jr. (D-N.J.) said he was opposed to it. "The House only has the power to impeach. There is no constitutional power to censure the President."

Introducing the censure resolution, Findley said he thought the evidence established negligence, moral insensitivity and maladministration, but he questioned whether the evidence established proof that the President personally did sufficient wrong to warrant removal from office. Findley said many Republicans were "agonizing" over impeachment and censure would give them an alternative.

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