

First lady has seen this movie before

She worked on '74 impeachment study

By Lance Gay
Scripps Howard News Service

WASHINGTON — As a young Yale University law graduate, Hillary Rodham Clinton helped craft an impeachment process that 24 years later is coming back to hound her husband.

Her legal legacy from the Watergate investigation is whipping up a debate as lawyers dispute whether a report Hillary Rodham compiled in 1974 now helps or hinders the man she married.

Longtime Clinton critic Rep. Bob Barr, R-Ga., said he was surprised to find Rodham's work on the 1973-74 House Judiciary Committee so helpful to him as the 1998 House Judiciary Committee opened its impeachment inquiry into President Clinton.

"Thank you, Mrs. Clinton, for giving Congress a road map for beginning our inquiry," Barr said.

But some lawyers who served on the 1973-74 committee said a closer examination of Rodham's work could provide an escape clause for the president.

Fred Altshuler, a San Francisco attorney who worked on the Democratic staff with Rodham, said the Watergate staff concluded that it requires a misuse of presidential powers to trigger impeachment, not personal misconduct involving an unseemly sexual affair.

"Personal misconduct is not a misuse of presidential powers," Altshuler said.

Hillary Rodham was one of 43 attorneys hired by the House Judiciary Committee in 1973 to work on an impeachment inquiry that erupted after President Nixon fired special Watergate prosecutor Archibald Cox.

"We were the drones — the junior-level lawyers," Altshuler said, recalling that the course of the committee's probe was set by more senior staff lawyers.

Members of the junior staff say Rodham's job at first was to wade

through a morass of charges that had been made against Nixon, including the break-in at the Democratic National Committee's headquarters in the Watergate office complex in 1972, the bombing of Cambodia, Nixon's involvement in setting support prices for milk, violations on Nixon's income tax returns, and hiring irregularities at the Small Business Administration.

But her more lasting role was assisting in the draft of a historical study of the legal underpinnings of the impeachment process — a 60-page document known as the "grounds memo" that the House Judiciary Committee still uses today.

Rodham and six other staffers were part of the Constitution and law task force that prepared the report, released in February 1974. The report concluded that Nixon could be impeached even if he were not involved in any criminal activity himself.

"Some of the most grievous offenses against our constitutional form of government may not entail violations of the criminal law," the study said.

The framers of the Constitution intended that the reference to "treason, bribery, or other high crimes and misdemeanors" could mean both a course of conduct, or individual wrongdoings, the study concluded.

"The emphasis has been on the significant effects of the conduct — undermining the integrity of office, disregard of constitutional duties and oath of office, arrogation of power, abuse of the governmental process, adverse impact on the system of government," the report concludes.

Joe Woods, an Oakland attorney who supervised the constitutional and legal task force, said Rodham's role in writing the report has been inflated.

"I do not want to belittle her in any way, but she did not stand out

and she did not play a major role," Woods said, recalling Rodham as capable and cheerful.

Woods said he believes that the grounds memo that Rodham worked on helps Clinton dig out of problems with Congress because the president's private activities did not involve misuse of his presidential powers.

"I have great difficulty in thinking the conduct of which President Clinton is accused is of the gravity to challenge the Constitution," Woods said.

Jerome Zeifman, chief Democratic counsel on the House Judiciary Committee in 1974, disagrees. He said the work Rodham did during Watergate serves to incriminate her husband.

"Perjury by the president of the United States is a felony," said Zeifman, who now lives in Newtown, Conn. "It's a felony if you do it. It's a felony if I do it. But the president has an additional strike against him because he has taken an oath of office to obey the laws of the United States faithfully."

Zeifman does not have flattering memories of Rodham's work on the committee. "If I had the power to fire her, I would have fired her," he said.

Zeifman said Rodham sparked a bitter battle among Democrats by recommending the Judiciary Committee deny Nixon's lawyers the right to attend the closed-door meetings.

"Can you imagine that? This was a committee of lawyers and members of the bar, and she was saying the committee should deny the president representation," he said.

After a lengthy behind-the-scenes debate, Zeifman said the committee decided that Nixon's lawyers could attend.

That should result in a net savings of \$3.3 billion.

But the GAO found the savings generated by mergers difficult to trace to weapons prices. Critics question whether the savings are really passed on to the Pentagon and predict that the loss of competition will lead to higher prices.

Eleanor Spector, director of defense procurement, said the policy is fair and reaps "enormous savings." But she concedes it's difficult to measure

petitor goes out of business, if the cost of materials rises sharply — in short, if any of countless other factors work in the opposite direction — the price of the missile following the merger may go up.

"I've never been able to find a specific weapons system that's come down in price. I've never seen the documented savings," said Lawrence Korb, a defense expert with the Council on Foreign Relations.

Rep. Chris Smith, R-N.J., whose

percent. ■ The Navy was able to buy more air-to-air and surface-to-air missiles without increasing its budget after Raytheon took over Hughes' defense business.

■ Boeing says it lowered its winning bid on a national missile defense development contract because of savings following its takeover of McDonnell Douglas and purchase of Rockwell's defense and space business.

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Hillary Rodham Clinton

Ex-boss in 1974 says she was capable and cheerful.

Georgia gov ends term v

By Terry M. Neal
Washington Post

YOUNG HARRIS, Ga. — Democratic Gov. Zell Miller can't finish a bite of his burger here at Maryann's Restaurant, off Zell Miller Mountain Highway, without someone walking up and thanking him for helping send a daughter, a nephew or a cousin to college and pleading for him to run for some new office, any office.

As Miller's second term draws to a close, he will leave office as perhaps the most popular governor in the country, with a stratospheric job approval rating of 85 percent. Many political analysts point to Miller's second-term political revival as a parable for how Democrats can rebuild their fractured base in the South.

Stay to the middle. Focus on bread-and-butter issues, such as education and the economy. Avoid divisive social issues, such as school prayer and abortion. It was a social issue — Miller advocating the removal of the Confederate symbol from the Georgia flag — that nearly got him run out of office in 1994. He got the idea, Lurch back to the middle.

Between bites at lunch, Miller explained it this way: "I believe in diversity. I have appointed more minorities to judgeships than anyone else before me. I have funded the arts more than any other governor. Those things are important to me, but I haven't made them central issues. What I have focused on are things like, how are you going to send your child to college?"

If Democrats are to reverse the party's slide and make gains in the South, Miller's model should be instructive, said political analysts around the country.

Near the end of his first term and in his second term, Miller "made sure no Republican got to the right of him," said one former staff member, who now works in Washington. Miller pushed welfare reform, boot camps for juve-