



Future uncertain

WHAT IS IN THE FUTURE for USG President George Cernusca (left) is still uncertain. Last night a special committee recommended his impeachment but no vote was taken. If Cernusca is impeached, Vice President Marian Mientus (right) takes over.

USG deadlocked in impeachment issue

By JIM KUHNHENN
Collegian Staff Writer

A student committee investigating the insurance controversy last night recommended that Undergraduate Student Government President George Cernusca be impeached.

The committee presented five articles of impeachment to the Senate. They were:

— Failure to comply with a committee subpoena presented on September 24 for a tape recording. Cernusca was ruled in contempt of the committee.

— Failure to act in the interest of the University's student body and committing what a Centre County court has determined to be an illegal action. Cernusca was ruled guilty of misfeasance of office unbecoming an official of USG.

— Guilty of wrongdoing in handling public affairs and therefore guilty of malfeasance in office for signing a letter of endorsement after supposedly having been offered a bribe.

— Guilty of abuse of power for carrying on activities within the executive branch without consulting the Senate on an equal basis and for failure to ask for Senate confirmation of executive assistants.

The first article passed in committee by a vote of 4-0-1. Eliot Wiener abstaining. Wiener in his minority report said he felt the charge of contempt was based on a value judgment. He said he had yet to decide whether one day of tardiness should be considered an impeachable offense.

The second and third articles were passed unanimously.

The fourth article concerned nonfeasance by Cernusca, it was defeated by a 0-3-2 vote.

The fifth article passed by a 2-1-2 vote,

Wiener against and Gary Lightman and Rick Glazier abstaining. Wiener said in his minority report he felt the question of nonfeasance as an impeachable offense should be left up to the USG Supreme Court.

Nonfeasance is defined as failure to perform a duty.

The committee also found USG Vice President Marian Mientus innocent of nonfeasance, the only charge levied against her. The vote was 1-4-0 with Joanie McCarthy in favor.

Questions arose among committee members as to whether the report was a statement of fact or of opinion. Committee chairperson Pam Michaels eliminated the controversy by saying the chair deemed the report a statement of opinion.

Following Michaels's reading of the report, Cernusca asked to be recognized to refute some of the statements made in the report.

The report states that the committee determined Cernusca indicated to Hondru that he got the insurance contract.

Cernusca, using court testimony, showed Hondru was not sure who had made the remark regarding his having received the contract.

The report also said Cernusca should have consulted legal counsel before signing any document that was in question.

Cernusca said he had taken the advice of former USG insurance advisor Arthur Williams.

The report states Cernusca should not have signed a second document after supposedly having been offered a bribe. Cernusca said the letter of endorsement was signed before the alleged

bribe offer at a luncheon date with Williams and Hondru.

The report says the committee has found conflict in testimony which casts doubts upon Cernusca's contention that he was in Philadelphia on May 19, 20 and 21.

Cernusca said there is evidence, such as hotel bills, that was presented in court which proves he was in Philadelphia at the time.

After listening to the presentation of the report and Cernusca's statements concerning it, the Senate tried to decide whether or not to accept it.

Amid extreme chaos, the Senate decided to receive the report and table it until a special meeting Wednesday.

Cernusca said he was pleased with the report and the impeachment articles. He said that he will be able to show there was no wrongdoing on his part.

He said the committee could not come up with anything substantial and therefore had to depend on the insignificant.

"I will give as little of my energies to the insurance matter and get on with my work," he said.

Committee members expressed hope that the Senators will study the report closely before they decide whether or not to accept it.

In other USG action, the Senate agreed to appropriate \$100 in order to support the State College Tenants' Union under the direction of USG's Bureau of Town Affairs.

The Senate also agreed to print senators names, addresses and phone numbers in The Daily Collegian for the purpose of improving relationships with their constituents.

Ford to answer on pardon before Senate subcommittee

WASHINGTON (UPI) — President Ford told a House subcommittee yesterday he would appear in person within the next 10 days to answer its questions about why he issued a full pardon to former President Nixon.

In a surprise move, Ford sent Rep. William L. Hungate, D-Mo., a three-paragraph letter shortly before 8 p.m. EDT telling him, "I expect to appear personally to respond to the questions raised in two resolutions of inquiry concerning the pardon."

If Ford appears in person before the subcommittee, he would become only the third sitting President in U.S. history to appear before a congressional panel, according to White House researchers.

"It would be my desire to arrange this hearing before your subcommittee at a mutually convenient time within the next 10 days," Ford said in his letter.

"The President decided that the best approach was the direct approach," said White House press secretary Ron Nessen, who also said Ford expects the hearings to be public.

Televising the hearings would be up to the subcommittee, Nessen said.

"The pardon power is the sole power of the President under the Constitution and since he knows best all the circumstances surrounding the exercise of that power, he felt he was the best person to supply the information that was requested," Nessen said.

"The President is prepared to respond to each question and point of information in the resolution," said Nessen. "He understands that the hearing is limited in its scope to the questions and points of information [as stated in the resolutions and obviously it is limited to matters within the scope of his knowledge."

Ford had been given until the end of yesterday to reply to 14 questions posed by two members of Congress asking the background to his Sept. 8 unconditional pardon. The pardon freed Nixon from any prosecution for crimes he may have committed while president.

The pardon angered Congress, and Reps. Bella Abzug, D-N.Y., and John Conyers, D-Mich., introduced resolutions of inquiry demanding an explanation.

Hungate said in reply to Ford's offer, "I am impressed by President Ford's desire to set the record straight personally. It is consistent with the frankness and openness he displayed as a congressman. I trust his appearance will make a positive step toward putting the final chapter of the Watergate affair on the public record, so we may at last close this book."

Hungate had asked Ford in a letter two weeks ago to explain the reasons behind his pardon. Ford answered that he or his counsel had already answered those questions in news conferences, the transcripts of which Ford sent Congress.

That response angered the subcommittee members and they decided to demand again answers to their questions and to insist that Ford send his counsel, Philip Buchen, or someone equally knowledgeable about the pardon decision to testify before the panel today.

Hungate, head of the House Judiciary Criminal Justice subcommittee, gave Ford until last Thursday evening to respond, but the White House requested an extension.

Hungate granted a 24-hour extension, but Ford became preoccupied with his wife's pending operation for breast cancer and said he would not be able to meet the new deadline. He asked for a

deadline last night and got it.

Among the questions Ford was requested to answer were:

— Whether he had any knowledge of Nixon's mental or physical condition prior to granting the pardon.

— Whether he knew of criminal charges that may have been brought against Nixon.

— Whether he discussed it with members of his White House staff and with whom and whether he discussed the pardon beforehand with the attorney general or special prosecutor.

Hungate said White House officials told him they had researched the practice of presidential appearances before congressional committees and found that only George Washington and Abraham Lincoln had appeared while President. Theodore Roosevelt appeared before a committee after he left the presidency, they said.

By appearing within 10 days, Ford would nullify the privileged nature of the Abzug and Conyers resolutions of inquiry.

In the House such resolutions require committee action within seven legislative days of their introduction. If the committee doesn't act, the members may raise the issue on the House floor and demand an immediate vote.

If the House adopts the resolution of inquiry, the President then would have 10 days to respond to the questions.

Hungate conceded, however, that there were no precedents beyond that and that he did not know if Congress would have any recourse if the President failed to answer.

It could subpoena the President or move to impeach him, Hungate said.

Hungate's subcommittee already has scheduled a second hearing for this morning, but witnesses will be members

of Congress concerned with the release of information Special Prosecutor Leon Jaworski compiled about Nixon's involvement in Watergate and will not include an administration witness.

The White House also said yesterday that Nixon had told Ford two weeks ago that he was willing to give up his pardon. Ford, according to his spokesman, did not consider it "a serious offer" and did not accept it.

Press Secretary Ron Nessen told reporters that Nixon, in a Sept. 17 telephone conversation with the President, made a "passing reference" to adverse public reaction to the pardon and offered to return it.

Ford considered it only a "polite gesture ... casual and not any form of legal offer," Nessen said, and "the President does not consider it a serious offer to return the pardon."

He said Ford reached that conclusion because of the manner in which the offer was presented.

Nessen said he could not quote from the conversation, but that in effect Nixon told Ford: "I'm sorry for the trouble that this has cost you. I'll send the pardon back if this will help."

He paraphrased Ford's reply as being along the lines of: "No, that's not necessary."

Ford has acknowledged that he did not anticipate the public outcry concerning the pardon. But Nessen said the President still thinks it "was the right course and he did it because of his conscience and convictions."

Nessen said he had not previously mentioned Nixon's offer — reported during the weekend by Time magazine — because Ford did not take it seriously and thus he did not consider it worth passing along to reporters.

Strachan to get separate trial

WASHINGTON (UPI) — On the eve of the Watergate coverup trial, U.S. District Judge John J. Sirica yesterday separated former White House political aide Gordon C. Strachan from the case and held a closed hearing on the authenticity of the White House tapes.

Sirica, however, refused to dismiss the charges against Strachan, who was former White House chief of staff H. R. Haldeman's liaison with President Richard M. Nixon's reelection committee. His trial will be held later.

Strachan has fought all the way to the Supreme Court for dismissal on grounds he had received immunity from prosecution for his testimony at the televised 1973 Senate Watergate hearings.

Special Prosecutor Leon Jaworski, however, moved for severance last week after the U.S. Court of Appeals, though ruling against Strachan, had said the issue raised serious questions that would have to be considered after the trial.

"It is the conclusion of the court that the matter in dispute would be most fairly resolved at a pretrial rather than post trial hearing," Sirica said in a two-page memo and order. "Since the time remaining before trial cannot accommodate such a hearing, defendant Strachan's case must therefore be severed."

Sirica's hearing on the authenticity of the tapes — for which Jaworski has

subpoenaed Nixon's testimony — was held in secrecy. Haldeman, one of five remaining defendants, attended the hearing but was not one of the witnesses who were called.

The trial comes two years and three months after a bugging team broke into the Democratic National Committee in the Watergate complex. Members of that team went on trial in January, 1973. Now the five defendants are on trial for trying to conceal the facts about the break-in.

They include some of the foremost names of the Nixon administration — former Attorney General John N. Mitchell; Haldeman; John D. Ehrlichman, Nixon's top domestic affairs adviser; former Assistant Attorney General John C. Mardian; and Kenneth W. Parkinson, attorney for the reelection committee.

All are charged with conspiracy and all except Mardian are charged with obstruction of Justice.

After nine hours and 40 minutes of hearings, not counting recesses, Sirica told reporters he had turned down a motion to sever Mardian's case.

He refused to comment on the proceedings but confirmed reports that attorneys for Ehrlichman filed a motion Friday. Sirica would not comment on the motion or reports that it supports Ehrlichman's insistence that former president Nixon is an essential witness.

U.S. reacts to Cyprus invasion

Senate kills Turkish military aid

WASHINGTON (UPI) — The Senate yesterday voted 57-20 to cut off military aid to Turkey but killed an attempt to ban all U.S. aid to the world's oil exporting countries.

The Senate approved an amendment by Sen. Thomas F. Eagleton, D-Mo., that would prohibit aid to any country using U.S. weapons in violation of laws governing their use. The Senate was

reacting to Turkey's invasion of Cyprus.

Earlier, the Senate killed an amendment by Sen. Frank Church, D-Idaho, to deny any aid to the oil exporting countries in retaliation for huge oil price increases set by the Organization of Petroleum Exporting Countries.

The Church amendment was killed, 46-33.

The Eagleton amendment to the pending continuing resolution on foreign aid won overwhelming approval despite arguments by Democratic leader Mike Mansfield that the Senate should not interfere with Cyprus negotiations being undertaken by Secretary of State Henry A. Kissinger.

Mansfield said that "passage of the resolution will undermine the efforts of

Mr. Kissinger."

Eagleton's amendment would deny military aid to "any country" but it was clearly aimed solely at Turkey.

"The secretary has been warned," Eagleton said, "that the letter and the spirit of American law require an immediate cutoff of military assistance to Turkey, which more than two months ago violated its bilateral arms agreement with the United States by using American weapons to intervene in Cyprus."

He said, "Recipient nations must understand that American weapons cannot be used to wage war with American allies."

The House has already approved a ban on military aid to Turkey that would last

until "substantial progress" is made toward a settlement.

Despite a sharp verbal attack on the oil producing nations last week, President Ford had indicated no desire to suspend aid to OPEC.

And he only grudgingly indicated he would accept a mildly worded embargo on aid to Turkey, one he could undo by simply telling Congress Turkey was making "good faith" efforts to reach a Cyprus settlement.

The nations that would have been affected by the ban on aid to the oil producing countries are: Abu Dhabi, Algeria, Ecuador, Gabon, Indonesia, Iran, Iraq, Kuwait, Libya, Nigeria, Qatar, Saudi Arabia and Venezuela. But not all of them receive U.S. aid.

Pressure results in Spinola resignation

LISBON (UPI) — President Antonio de Spinoza resigned yesterday in a power struggle with leftist officers. Thousands of persons waving red flags and shouting "Death to the CIA!" gathered to cheer his successors.

Gen. Francisco Costa Gomes, 60, chairman of the joint chiefs of staff, was named president. But the chief leader apparently was Premier Vasco Goncalves, the former army colonel who led the April 25 coup that ended a half-century of rightwing dictatorship.

The Communist and Socialist parties called a rally at Sao Benito palace, the seat of government. The middle-road Democratic Popular Party refused to take part. But thousands converged to demonstrate their support for Goncalves and Costa Gomes.

The demonstrators carried banners and red flags and gave the Marxist clenched fist salute. Some shouted "Unity of the People!"; others, "Death to the CIA!" the U.S. Central Intelligence Agency.

Costa Gomes, who up to now had voiced few political opinions in public, gave a television speech expressing sorrow at Spinola's resignation as president and chairman of the ruling

military junta.

Costa Gomes said he doubted whether any other revolution as deep as Portugal's could have produced so little bloodshed, sorrow and damage.

"There is much to be improved and corrected," he said. "But united we will do it."

Costa Gomes promised to carry on with bringing democratic reforms to Portugal itself and granting independence to Portugal's African colonies. He said Portugal would remain within the North Atlantic Treaty Organization.

The Communists claimed victory and said Spinola's resignation would "create the conditions for the progress of democracy."

Three other junta generals were dismissed, and radio reports said one of them, conservative Carlos Galvao de Melo, was arrested.

Spinola announced he was no longer able to carry out his duties because the nation tottered on the brink of chaos.

In his first act in office, Costa Gomes asked left-leaning Brig. Gen. Vasco Dos Santos Goncalves to stay on as prime minister.

Weather

Partly to mostly cloudy, breezy, and cold through tomorrow with a chance of a few showers this afternoon and tonight. High today and tomorrow, 46-50. Low tonight, 37.