

Democrats Criticize Pardon

9-10-74

By Spencer Rich
and Richard L. Lyons
Washington Post Staff Writers

Congressional Democrats sharply criticized President Ford yesterday for granting a pardon to former President Nixon, charging it creates a double standard of justice and may make it impossible ever to get the full story of the Watergate affair.

But they conceded that Mr. Ford has power under the Constitution to grant the pardon and that there isn't anything Congress can do to reverse it.

Moreover, there appears little immediate likelihood that the House Judiciary Committee will reopen its impeachment proceedings and call Mr. Nixon as a witness, despite the demands of Reps. Bella S. Abzug (D-N.Y.), Jerome R. Waldie (D-Calif.) and others.

Although critical of the pardon, House Judiciary Committee Chairman Peter W. Rodino Jr. (D-N.J.) was quoted by aides yesterday as strongly opposed to reviving the impeachment proceedings. Rodino has said the principal purpose of impeachment is removal from office, and Mr. Nixon is no longer in office. Aides said Rodino feels impeachment procedures shouldn't be used as a means to accomplish any other ends.

House Speaker Carl Albert (D-Okla.), who followed Rodino's recommendation when the same issue was raised after Mr. Nixon's Aug. 9 resignation, said yesterday when asked about further impeachment proceedings, "I'm not going to do anything about it right now."

House Minority Leader John J. Rhodes (R-Ariz.) predicted flatly there won't be any attempts to resume the impeachment.

In the Senate, Majority Leader Mike Mansfield (D-Mont.), while appearing unhappy about the pardon, declined to criticize the President directly. Mansfield said he hoped the special prosecu-

tor's office would move ahead with fact-gathering and opposed the idea of reviving the Senate special Watergate com-

See REACT, A6, Col. 3

REACT, From A1

mittee to examine Mr. Nixon's role in the Watergate scandals. Sen. Sam J. Ervin Jr. (D-N.C.), who headed the Watergate committee, also said he didn't foresee reestablishment of the committee, but strongly criticized Mr. Ford for issuing the pardon.

Sen. Walter F. Mondale (D-Minn.) urged the Senate Government Operations Committee to subpoena all of Mr. Nixon's documents and records that are relevant to the Watergate affair.

While Democrats generally were critical of the pardon, Republicans generally praised the act as compassionate and courageous.

Senate Minority Leader Hugh Scott (R-Pa.), Whip Robert P. Griffin (R-Mich.), Sen. Carl T. Curtis (R-Neb.) and Rhodes all supported Mr. Ford. Scott said, however, that all documents, tapes, grand jury transcripts and letters and other materials bearing on Mr. Nixon's case should be made public.

Although Congress may be handcuffed about reversing the pardon, there were widespread predictions it will revive the Watergate scandal as an issue, at least for a time, to the detriment of Mr. Ford, and will cool the honeymoon between Mr. Ford and Congress.

"Honeymoons do have to end," said Sen. Warren G. Magnuson (D-Wash.), who opposed the pardon.

Mansfield and Rhodes appeared to think the damage to Mr. Ford might not be so great. "It may cause a little strain, but I don't think it will affect his relations with Congress," said the Senate Democratic leader. "Will it knock out the honeymoon? Not nec-

essarily," said Rhodes. "His store of goodwill is greater than that."

One immediate consequence of the pardon will be an especially careful examination by Congress of President Ford's request for \$850,000 in fiscal 1975 for payments to former President Nixon for the costs of "transition," pension and

staff entitlements. A Senate Appropriations subcommittee headed by Sen. Joseph M. Montoya (D-N.M.), who was also a member of the Watergate committee, opens hearings Wednesday on the request and Montoya has promised to make the General Services Administration justify every penny.

The request is being made under several laws providing for special payments to former presidents. Of the total \$450,000 is for expenses connected with leaving office—largely for the costs of moving Mr. Nixon's files and answering letters still left over from his tenure of office. Another \$55,000 is for a mandatory presidential pension, prorated to 11 months from the statutory figure of \$60,000 a year. Another \$96,000 is for Nixon staff, \$40,00 for travel, \$8,000 for staff retirement benefits

for Nixon employe's, \$5,000 for office supplies.

The remainder consists of \$65,000 for office supplies and furnishings for an office for the former President, \$21,000 for the phones and other communications, \$10,000 for printing, and \$100,000 for "contingencies," a category that Montoya expects to examine with special attention.

Montoya has indicated that of the \$850,000 request, he believes only the \$55,000 pension is an automatic payment that must be funded, and that most of the added sums in the request must be justified on the basis of actual costs. The \$450,000 for moving files, answering letters and so forth is a one-time payment connected with moving out of the White House and won't be payable in later years. The added costs—for office space and equipment, staff, travel—constitute permanent benefits to former presidents but not necessarily at the levels being sought this year. What is involved in the \$100,000 being sought by the GSA for "contingencies" isn't clear and Montoya wants to know the details.

Another consequence of the pardon could be some effort

to reverse the decision of President Ford to let Mr. Nixon take from the White House eventually, as his own property, the papers, records and tapes of his tenure as President.

Mansfield said yesterday, "Those tapes should be retained in the control of the federal government and I would suggest, that except for those portions of the tapes dealing with national security, that they all be published."

Mansfield added, however, that he believed Mr. Ford "acted in good faith and did what he thought was best. I would not, will not and do not intend to criticize Mr. Ford personally for what he's done."

Ervin said, "When a public officer while drawing public salary makes official records paid for by the taxpayers on paper paid for by the taxpayers, those records in good conscience belong to the government."

Discussing the pardon, Albert said, "Does it pervert the American system of equal justice under law? Should the action have been taken before all the facts were out, if taken at all?"