

# House Seems Cool to Moving Against Nixon If He Resigns

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House leaders yesterday rejected a proposal by Senate Majority Leader Mike Mansfield (D-Mont.) that impeachment proceedings should continue even if President Nixon resigns.

Mansfield expressed this thought solely as his personal view "in order to lay it all out and get away from the idea that the President was being forced out" unjustly.

House Majority Leader Thomas P. O'Neill (D-Mass.) consulted with House Judiciary Committee Chairman Peter W. Rodino Jr. (D-N.J.) and said both would be opposed to such a move.

O'Neill called it "overkill." If the President resigned and the House dropped the impeachment charges, that would be the end of the matter, because under the Constitution the Senate could try the President only

if the House sends it charges in a bill of impeachment.

House Republican leaders strongly opposed the Mansfield plan on grounds that resignation would render the impeachment issue moot and that what the country would need in such an event would be reconciliation not recrimination.

Some members of the House Judiciary Committee, which worked for seven months on its impeachment inquiry, expressed strong views that their record of Mr. Nixon's offenses should be placed before the country so he could not contend he had been unjustly hounded from office.

Rodino took the view that in case of resignation a proper ending of the inquiry would be to file with the House and release to the public the committee's report detailing the evidence against the President. Committee members could publi-

cize the report by a series of speeches.

A Mansfield aide said the impeachment process could legally continue even if the President resigned because another penalty besides removal from office automatically flows from impeachment and conviction. That is disqualification from ever again holding federal office.

Rodino agreed that legally the process could continue, but stated his view that from a practical standpoint, "we will have served the full purpose if he resigns."

House Minority Leader John J. Rhodes (R-Ariz.) said resignation would make the impeachment issue moot and that "no useful purpose would be served" by pressing impeachment further.

Rep. John B. Anderson (R-Ill.) added: "If he resigns we want to fill the leadership vacuum. What we need is reconciliation, we won't fail

See **IMPEACH, A14, Col. 3**

## IMPEACH, From A1

to take the lesson from this unfortunate experience."

Rep. Barbara Jordan (D-Tex.), a Judiciary Committee member, said: "We've got to get the record out. We owe posterity something—to say these are the offenses that drove him out of office." But she did not insist that formal impeachment proceedings were required to do this.

The practical political considerations that are compelling to leaders like O'Neill are that if the House continued with impeachment after the President resigned, it would split the House along partisan lines and make it appear a needless lust for blood.

The House Judiciary Committee recommended Mr. Nixon be impeached on three counts—obstruction of justice in the Watergate cover-up, misuse of federal agencies to violate rights of citizens and defiance of committee subpoenas. With the release of more damaging tapes Monday, House support of the President has virtually disappeared and impeachment, if he remains in office, is assured by an overwhelming vote.

The House is scheduled to begin the impeachment debate on Aug. 19 and complete it within a week. Yesterday, the House voted 385 to 25 to permit live televi-

sion coverage of the debate. Most Republican members of the Judiciary Committee, backed by Rhodes, asked that total time for the debate be cut down to 20 hours. But Rodino insisted on the 35 hours that a joint leadership meeting agreed to on Tuesday.

Also shot down yesterday was any hope that Congress might pass a law granting Mr. Nixon immunity from criminal action or civil suits if he left office.

House Republican leaders and members in both bodies expressed strong views that Congress does not possess the constitutional power to grant immunity to the President. They said immunity is a function vested solely in the Executive branch, and furthermore that a legislative grant of immunity to one person would deny equal justice to others going to prison for offenses the President allegedly was involved in.

Sen. Edward W. Brooke (R-Mass.) said he is considering sponsoring a "sense of Congress" resolution stating a desire that the President not be prosecuted for any criminal offenses if he resigns from office. However, Brooke, first senator to call for the President's resignation, told reporters he had checked with the White House, which indicated the President might be cool to

the idea. The reason given was that if the President decided to resign he would want to do so voluntarily without the appearance of bait being held out.

Rhodes said such a resolution "wouldn't be worth the paper it was written on."

Many Democrats were cool to Brooke's proposal for fear it might seem to the public a confession that Mr. Nixon's guilt is uncertain and thereby fuel the idea that he was being hounded from office by his political

### Senate Unit Votes Live TV Coverage

The Senate Rules Committee agreed yesterday to allow live radio and television coverage of the Senate impeachment trial of President Nixon, if it takes place.

No details as to how the coverage would be handled were agreed on, merely the general principle that radio and TV broadcasts should be allowed live.

Regulations on how much lighting will be allowed, whether cameras will be fixed on the witness and lawyer benches, will be worked out later.

enemies. A sense of Congress resolution has no legal effect.

If Mr. Nixon should resign and be indicted, the criminal penalties could conceivably total from 30 to 60 years in prison and \$57,500 in fines, according to knowledgeable criminal lawyers.

The lawyers based their estimates on the specifications in the three-article bill of impeachment approved by the House Judiciary Committee.

They said the most likely charges, if any are ever brought, would come under three sections of the criminal code forbidding attempts to influence or impede witnesses, obstruct criminal proceedings before a congressional committee (the Senate Watergate Committee) or cause misrepresentation of facts in criminal cases. These are the articles normally used to prosecute obstruction of justice. They would cover offenses alleged in Article I of the bill of impeachment, relating to the Watergate cover-up.

But there is substantial question whether Mr. Nixon would actually be prosecuted. Sen. Frank Moss (D-Utah), for example, said he feels the public wouldn't like the idea of prosecution after removal from office, and would feel it would constitute harassment.

Apart from stimulating a

demand for Mr. Nixon as a witness in Watergate-related trials, a resignation would not be likely to affect criminal proceedings against former White House aides.

Officials of the Watergate Special Prosecution Force last night were reluctant to speculate on what impact resignation would have on current investigations.

"We're here, and we plan to proceed at this time. But putting it in the context of rumors of resignation is very difficult," a special prosecution spokesman said.

Defense attorneys in the Watergate cover-up trial, scheduled to begin Sept. 9, have said they almost certainly would call Mr. Nixon as a witness if he resigns or is removed from office. Whatever protection the office of the presidency offers an incumbent from being called as a witness would be eliminated in either case.

In addition to the impending criminal trials, three federal grand juries are still hearing Watergate-related evidence, and resignation would not interrupt their deliberations, according to prosecuting sources.

The same grand jury that named the President as an unindicted co-conspirator in the cover-up case would be free to indict Mr. Nixon, but Special Prosecutor Leon Jaworski would have to provide the lead for that course of action.