

# Rhodes, Albert and Byrd Lead Bipartisan Criticism

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By DAVID E. ROSENBAUM SEP 11 1974

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WASHINGTON, Sept. 10—Rhodes of Arizona, the House Republican leader, reiterated his support for President Ford's pardon of former President Nixon, but said that the aides of Richard M. Nixon who have been charged with Watergate offenses.

At the same time, widespread opposition and little support was expressed across the country to President Ford's decision to pardon his predecessor and to the idea of his pardoning others.

Representative John J. Rhodes of Arizona, the House Republican leader, reiterated his support for President Ford's pardon of former President Nixon, but he said that the Nixon assistants "have not been forced to suffer the special consequences that a fallen President must bear."

Even with no details available of what the White House "study of further pardons" entailed, Representative John J.

There was solid, bipartisan opposition in Congress today to the idea of a blanket Presidential pardon for onetime aides of Richard M. Nixon who have been charged with Watergate offenses.

Moreover, Mr. Rhodes said, the aides' "fates are not directly connected with the well-being of the Republic."

The Speaker of the House, Representative Carl Albert, Democrat of Oklahoma, said that pardoning the many Nixon aides "would be viewed as an abuse of Presidential power."

Senator Robert C. Byrd of West Virginia, the assistant Democratic leader in the Senate, said that further pardons would "complete the cover-up of the cover-up."

The Senate Republican leader, Hugh Scott of Pennsylvania,

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said that he opposed blanket clemency and that, if Mr. Ford considered pardons, he should do so only on a case-by-case basis.

In New York, Nelson A. Rockefeller's office said that the Vice President-designate had no knowledge of the White House study of pardons and would have no comment.

Telephone calls, telegrams and letters about Mr. Nixon's pardon continued to flow into the White House.

John W. T. Hushen, Mr. Ford's spokesman, said that as of last midnight the White House had received 5,700 calls supporting the President and 3,900 opposing him.

Mr. Hushen said that there had been 16,000 telegrams and mailgrams on the pardon as of 11 A.M. today and that they were running 6 to 1 against the pardon.

Within hours of the announcement by the White House press office that the possibility of pardoning former Nixon aides was under review, dozens of members of Congress issued critical statements.

Among them were legislators of such diverse political viewpoints as Senator John J. Sparkman, the conservative Alabama Democrat; Senator Jacob K. Javits, Republican of New York; and Representative Jerome R. Waldie, Democrat of California.

Mr. Waldie, a member of the House Judiciary Committee, said that President Ford's mere consideration of the pardons "brings into sharp question his ability to govern."

Senator James L. Buckley, Republican - Conservative of New York, said that selective clemency might be justified in some cases but should not be considered until individuals were tried and convicted. Earlier, Mr. Buckley issued a statement calling Mr. Ford's decision to pardon Mr. Nixon "premature."

In a speech he had prepared for delivery at American University tonight, Senator Walter F. Mondale, Democrat of Minnesota, said that he was planning to propose a constitutional amendment allowing Congress to overrule a Presidential pardon by a two-thirds vote of the House and Senate. President Ford received support from J. F. terHorst, his former press secretary, who resigned Sunday over Mr. Ford's decision to pardon Mr. Nixon.

In an interview on the National Broadcasting Company's "Today Show," Mr. terHorst said, "Mercy, like justice, must be dispensed even-handedly when it's done at a Presidential level. That would take in, I think, many of the defendants and some of those in prison as a result of offenses stemming from the same Watergate situation for which the former President received his pardon."

In Austin, Tex., Governors attending the Southern Governors' Conference expressed solid opposition to a blanket pardon of those involved in Watergate cases.

Meanwhile, there was continued reaction here and elsewhere to the announcement Sunday that President Ford had pardoned Mr. Nixon uncondi-

Some Congressional Democrats were considering focusing their opposition to the pardon on the Ford administration's request for an appropriation of \$950,000 to pay various expenses of Mr. Nixon this year.

A Senate appropriations subcommittee is scheduled to open hearings on the request tomorrow. The subcommittee chairman, Senator Joseph M. Montoya, Democrat of New Mexico, was understood to favor cuts in the request.

At a breakfast meeting with reporters, Elliot L. Richardson, the former Attorney General, said that he approved of the general idea of a pardon for Mr. Nixon but that he felt a harder bargain should have been struck for a full confession by the former President or an outlining of the charges against him before the pardon was granted.

Mr. Richardson was instrumental in negotiating the arrangement under which Spiro T. Agnew resigned as Vice President after pleading no contest to a charge of tax evasion. A detailed list of the allegations that a grand jury had developed against Mr. Agnew was published as part of the arrangement.

Mr. Richardson later resigned rather than follow Mr. Nixon's order to dismiss Archibald Cox, who was then the special Watergate prosecutor.

The chairman of the House Judiciary Committee, Representative Peter W. Rodino Jr., Democrat of New Jersey, explained today to Speaker Albert his reasons for opposing a reopening of impeachment

proceedings against Mr. Nixon. Mr. Rodino told Mr. Albert in a telephone conversation that the impeachment inquiry was meant "to develop facts toward impeachment, not to determine whether a man is guilty of criminal acts. That's something," he said, "that belongs to another branch of government."

Mr. Rodino suggested in the conversation that the question of whether Mr. Ford had acted properly "would be decided through the electoral process."

An Associated Press survey of state Attorneys General showed that 23 flatly opposed the pardon of Mr. Nixon, while seven said that they favored it. The others had no comment or mixed emotions or had not been reached by the wire service.

The California Attorney General, Evelle J. Younger, a Republican, said that Mr. Nixon's pardon would not give him protection from any possible state prosecution and that Gov. Ronald Reagan could not grant a pardon in advance of prosecution.

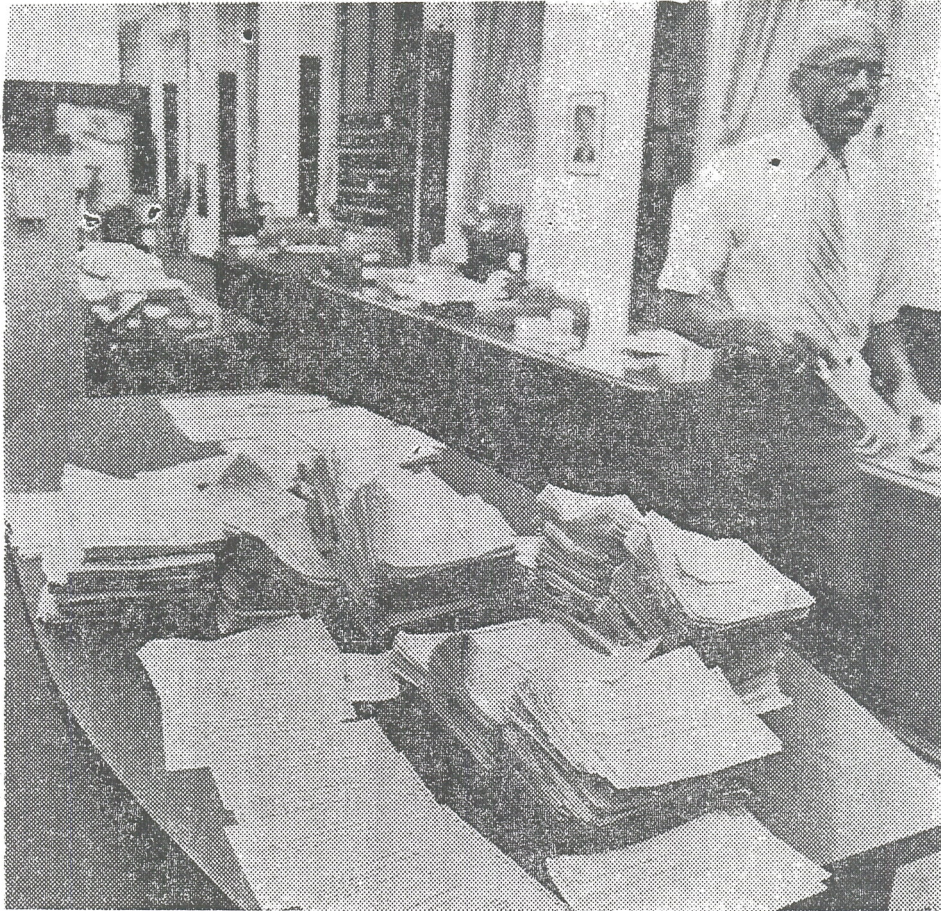
There have been suggestions that Mr. Nixon could be subject to indictment in California for his alleged role in the burglary of the office of Dr. Daniel Ellsberg's former psychiatrist.

The state bar of California, holding its annual convention in Sacramento, adopted a resolution by a vote of 347 to 169 criticizing the pardon of Mr. Nixon.

The board of governors of the District of Columbia bar also adopted a resolution condemning the pardon.

In Greenville, Pa., the father,





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**Reaction from the public on Watergate-related pardons piling up at the White House. From more than 16,000 messages sent in, the White House said, the reaction was about six to one against pardons.**

mother and sister of John W. Dean 3d, who was the legal counsel to Mr. Nixon, urged President Ford to pardon Mr. Dean and the other aides involved in the Watergate affair because "if Richard Nixon should be free, all others under him should have the same privilege." Mr. Dean's wife, Maureen, made a similar request last night.

Mr. Dean, whose accusations were paramount in the case against the former President, has pleaded guilty to obstruction of justice and is serving a prison term of from one to four years.

Martha Mitchell, wife of John N. Mitchell, the former Attorney General, also issued a statement urging pardons for Mr. Nixon's onetime associates. She asked: "Why didn't Mr. Nixon have to pay at least the price of truth for his pardon?"