

Goldwater Says Nixon Should Stay in China

Washington

Senator Barry M. Goldwater accused former President Nixon yesterday of breaking an American law in China and suggested Mr. Nixon could do the United States a favor by staying in Peking.

Goldwater, a leader of GOP

conservatives and longtime Nixon ally, made the allegations when asked if Mr. Nixon's current trip to China had any impact on President Ford's showing in the New Hampshire primary.

"I don't think Mr. Nixon's visit to China did anything, and if he

wants to do this country a favor he might stay over there. He is violating the law," the Arizona Republican said in an interview on ABC-TV's "Good Morning America."

"The Logan Act prohibits any American—and that's all he is, he's an ex-president and a private citizen—the Logan Act says no one but the President and the Secretary of State can discuss foreign policy, and he made a tremendous mistake in doing what he did at the time he did it."

"I don't think it (the trip) hurt Mr. Ford," Goldwater said. "I don't

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think the average American has enough respect for Mr. Nixon any more to really believe that what he's doing is in anybody's interest but Mr. Nixon's."

Goldwater, who once criticized attempts to impeach Mr. Nixon and paid a personal visit to the former president after he resigned, did not cite any specific Nixon statement in alleging a violation of the Logan Act.

However, a controversy has arisen over Nixon's toast Sunday at a Peking banquet, where he said:

"There are, of course, some who believe that the mere act of signing a statement of principles or a diplomatic conference will bring instant and lasting peace. This is naive. There cannot and will not be lasting and secure peace until every nation in the world respects the security and independence of every other nation large or small."

The statement was regarded by some as criticism of Mr. Ford and Secretary of State Henry A. Kissinger for joining the Soviet Union in the Helsinki agreement on European security and cooperation.

Mr. Nixon denied that his statements were intended as criticism.

"My God," he said to an aide in Peking when asked about the controversy over the toast. "I've used that statement a dozen times before and I used it in a general context. It could apply to the United Nations charter or the Shanghai Communique or any international document."

Several State Department officials were angered by Mr. Nixon's comment, but both Kissinger and White House aides said that after

reading the full text of the toast they did not interpret it as a criticism.

The Logan Act prohibits citizens from trying "to influence the measures or conduct of any foreign government or any officer or agent thereof" without authority from the government. The law, which carries a maximum penalty of a \$5000 fine and three years in prison, also bars a citizen from defeating "the measures of the United States" in any correspondence or talks with a foreign government or its agents.

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