

NIXON ASSERTS A CRIMINAL OFFENSE IS REQUIRED FOR AN IMPEACHMENT; HE DOES NOT EXPECT HOUSE TO ACT

NEWS CONFERENCE

President Rejects Bid to Testify Before U.S. Grand Jury

Special to The New York Times

WASHINGTON, Feb. 25 — President Nixon declared tonight that the House of Representatives could not impeach him without first finding evidence that he had violated criminal law.

"I do not expect to be impeached," Mr. Nixon asserted

Transcript of news conference will be found on Page 22.

at his first White House news conference in four months.

Moreover, the President disclosed that he had been asked to testify before a Federal grand jury investigating the Watergate scandals but said that he had declined on constitutional grounds.

The President said he had offered to submit to written questions from the Watergate special prosecutor, but that Leon Jaworski, the prosecutor, was not prepared to accept the indirect testimony.

He reiterated that he would not resign from office and said that even if the Republican party should face imminent disaster in the 1974 Congressional elections he would finish his second four-year term.

"I want my party to succeed, but, more important, I want the Presidency to survive," Mr. Nixon said.

Differs on Impeachment

The President's statement that the Constitution was "very precise" in requiring proof of criminal misconduct before impeachment was in direct conflict with the judgment of the staff of the House Judiciary Committee, which is holding an inquiry into Mr. Nixon's conduct in office.

Mr. Nixon's position appeared to signal a determination to resist the request by the House committee for any information that was not related directly to the possibility of any criminal misconduct.

The issue will be joined quickly. The staff of the Judiciary Committee reportedly sent to the White House tonight a formal request for voluntary submission of some 700-pages of documents and 17 tape recordings to be used in the House investigation.

Data Reported Sought

Moreover, the chairman of the Judiciary Committee, Representative Peter W. Rodino Jr., Democrat of New Jersey, was preparing to send a second letter to Mr. Nixon asking his personal cooperation in complying with the committee request.

On other domestic matters raised during the 40-minute meeting with newsmen in the East Room, the President made the following points:

¶ Declared that the energy crisis was over but that the nation would face continued difficulties getting a sufficient amount of gasoline.

¶ Voiced confidence, based on the projections of his advisers, that the economy would improve but said he would be prepared to provide emergency

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aid for "spot" areas of hardship.

¶ Said that his advice to Republicans running in Congressional election campaigns this year would be to recall that election outcomes historically have turned on the twin issues of peace and prosperity.

Appears Nervous at First

Mr. Nixon was nervous—and seemingly short of breath—at the outset of the session with correspondents over national television and radio. But his self-assurance appeared to grow as he took questions and, for the most part, replied with restatements of positions he had taken over the last several months.

Asked if he would turn over

evidence to the House Judiciary Committee for its impeachment inquiry, the President said that the issue was being discussed by lawyers for the White House and the Committee.

He again pledged cooperation as long as it would not "weaken the office of the Presidency.

Whatever arrangements are made between the White House and the House Committee, Mr. Nixon said, "I will cooperate with."

But Mr. Nixon did not specify the limits of the cooperation.

On the question of inflation, Mr. Nixon said it was a "nagging" problem.

It is important, he said, to get to the source of the problem in the areas of fuel and food. The answer is to increase supplies in both areas, he said.

Two-thirds of the increase in prices last year was in these two areas, and he said that the problem could be brought under control by the end of the year.

Mr. Nixon said a decision whether to turn over evidence to the impeachment panel would depend on assurances that the material would remain confidential and would not be used in any way to jeopardize the rights of prospective criminal defendants.

As to the appropriate grounds for impeachment, Mr. Nixon smiled when asked for his own definition of the Constitution's meaning and said that the Constitution was "very precise."

He said it was the opinion of White House and other constitutional lawyers that a criminal defense "is the requirement for impeachment."

Committee Staff Differs

The House committee's legal staff said last week that criminality need not be established as an element of impeachable misconduct by a President.

Thus the White House appeared likely to confront the committee on the basic procedural issue involved in the inquiry.

Mr. Nixon said he had offered to respond to any written questions about the Watergate Scandals, but that he would not testify in a Los Angeles trial of

several former administration officials.

According to the President, the Watergate special prosecutor, Leon Jaworski, refused to accept the arrangement under which written questions would be submitted to the

White House.

An impeachment trial could come only after the House determined that there was an offense, the President said, and he doubted that the House would act that way.

"I do not expect to be impeached," he added.

The President said the country was going through a "down-turn in the economy" but that it had not met a recession and the prospects for the rest of 1974 were good.

'Great Areas of Strength'

Food prices likely will rise, Mr. Nixon said, but "there are very great areas of strength" in the economy and it will be on an "upward" curve, according to his economic advisers. He said that "we will be and should be prepared" to deal with "spot" areas of hardship.

"We will not stand by and allow this country" to encounter a recession, he said.

Asked about the election of a Democrat to Vice President Ford's old House seat, Mr. Nixon said that he did not think that other candidates could be elected on a broad scale by campaigning for the President's resignation.

"What will affect the election in this year, 1974, is what always affects elections — peace and prosperity," the President

said. He said that he thought he had good marks on both counts.

Asked whether he planned to taxes for 1973, Mr. Nixon said he would pay any state tax "the law requires." He called attention to a California ruling that he was not a legal resident, subject to state income taxation.

He said there was "no question" about his intention to turn over to the National Archives his Vice-Presidential papers, although some of the paperwork was not done promptly.