

Side Issues Fade Away

ITT, Cambodia, Milk, San Clemente Suddenly Moot

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Month after month, the various charges made big black headlines and added an atmosphere of gravity to the case against the President. Now suddenly, poof, they are gone, like burst balloons.

ITT, Cambodia, San Clemente, taxes, milk money—all those are the code words used around the House Judiciary Committee to describe a galaxy of non-Watergate scandals that hovered over the White House.

But now it's clear that, in terms of impeachment, they will add up to nothing—with the possible exception of Mr. Nixon's income-tax trou-

bles, the only side issue that still has some life in it.

"We went fishing," grumbled Rep. Harold Froehlich, of Wisconsin, one of the Republicans expected to vote for impeachment. "And we played every issue we could for whatever it was worth. Part of it was creating an atmosphere for impeachment."

Rep. Jerome Waldie, (D-Calif.), an impeachment advocate of long standing, more or less confirmed Froehlich's complaint that these other issues were used to provide thunder-and-lightning—even if no rain.

"I think all of these things make an ultimate pattern which influences this vote,

even though a member cites another single issue," Waldie said. "My guess is that it took this entire pattern of conduct to bring many members to a vote for impeachment. Certainly, it provides a symphony in the background."

As it happens, the committee consensus that emerged in private caucuses during the last two weeks has managed to abandon every accusation involving political campaign funds—the one area where congressmen and senators have their own ethical problems, from time to time.

If the impeachment of Richard M. Nixon is sup-
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posed to reassert standards of proper conduct, as some insist, the process is clearly not going to do anything to alter the way politicians of both parties, including congressmen, raise money for their campaigns. That was one of the major scandals that swirled around the 1972 campaign of President Nixon, including illegal gifts from 11 corporations and the peddling of ambassadorships by the President's personal lawyer. But the subject isn't mentioned in any of the majority articles before the committee.

In particular, the milk money charges hit close to home. Mr. Nixon was accused of granting an increase in government price supports for milk in 1971, in exchange for a promise of \$2 million in campaign contributions. Many in Congress got campaign money from the same co-op—and supported the same price-support increase.

Rep. Charles Wiggins (D-Calif.), the President's principal defender, noted that the committee members listened to a tape recording of the 1971 conversation when Mr. Nixon made the decision and political considerations were discussed.

"It sounded," Wiggins said, "like a Republican or Democratic caucus where you're recognizing the inevitability of something and are trying to make the best of it."

Wiggins insisted that Democrats were never serious about the milk case or the others. "The name of the game has not been impeachment on those issues—the name of the game has been the publicity of the in-

vestigation," he said.

Some of the Democrats, such as Brooklyn's Rep. Elizabeth Holtzman, still insist that the evidence they collected shows a case of bribery at the White House. Others back away from such judgments, however.

"Some members felt the President was not sufficiently directly linked and the overtones were more political," said Rep. Robert Kastenmeier of Wisconsin. "In such matters, distinctions between appropriate and improper conduct are less precise."

Rep. William Hungate (D-Mo.), thinks the whole system of campaign financing creates such ambiguous situations where a politician takes money for his campaign and the contributor hopes for some friendly relationship in return. "The indictment," he insisted, "lies against the American public as much as it does the Congress or the President."

The one subject that does have a slim chance of adoption after the major articles are approved is the issue of Mr. Nixon's personal taxes and the government money spent on his private estates in California and Florida.

Rep. Jack Brooks, of Texas, the committee's third-ranking Democrat, is preparing an article that combines the two. But he will lose some fellow Democrats on the issue, who feel that the case against Mr. Nixon isn't proved or doesn't involve his official conduct as President.

"Assuming the offense exists," said Rep. Ray Thornton (D-Ark.), "is it an offense against the system or is it a matter that could be resolved in court or somewhere else?"

His benchmate, Rep. Edward Mezvinsky (D-Iowa) feels strongly to the contrary. He devoted his televised opening speech to Mr. Nixon's taxes and some Republicans thought he was "waving the bloody shirt" on a dead issue. That phrase, incidentally, originated in the era of America's last presidential impeachment when radical Republicans made emotional speeches about the Civil War dead to whip up sentiment against President Andrew Johnson.

Mezvinsky agrees that the issue arouses the public and he insists there is still a chance that it can be adopted as another reason to place the President on trial before the Senate.

"When you get to the Senate," he said, "the greatest cutting edge may be the money issue because the public understands that; from the wealthy to the poor, everyone understands it."

The problem, Mezvinsky said, is that some Judiciary members "have been spoiled by the tapes. They say we've got to have a tape to listen to; you've got to have the actual voice in order to impeach him."

The one issue of Mr. Nixon's foreign policy—his secret bombing of Cambodia—is also dead, if it ever had any real life to it. As Kastenmeier explained, that charge has always been "undercut by basic ideological differences."

Cambodia only aroused those who were strong opponents of the war in Southeast Asia. Others regarded it as a question of policy and noted that, if Mr. Nixon were removed for secret war-making, then his predecessor should have gotten the same.

Rep. Robert Drinan, the Massachusetts Democrat who has urged impeachment on that charge, thinks it would be futile now to bring Cambodia up for a vote. "It would just be tabled," he said.

But the matter still bothers him. "I'm more and more persuaded," Drinan said, "that history may look back and decide we did the right thing for the wrong reason. Should we impeach the President for unlawful wiretapping and not for unlawful war-making?"

Those questions, right or wrong, seem to be settled now, but only history can judge.