

# The incentives for resignation

By Robert S. Boyd  
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WASHINGTON — President Nixon has vowed never to resign, but there are powerful financial and legal incentives for him to do so.

He could save himself hundreds of thousands of dollars and possibly avoid the risk of criminal prosecution by stepping down voluntarily, rather than waiting for impeachment by the House and conviction by the Senate.

If conviction and removal seem likely, he must take into account these dollars-and-cents factors:

- He would, if removed, automatically lose his right to a \$60,000-a-year lifetime presidential pension. The law says this pension is payable to all former presidents except those who leave office "pursuant to Section 4 of Article II of the Constitution" — the impeachment section.

- He would forfeit Mrs. Nixon's right to a \$20,000 a year widow's pension.

- He would be unable to collect up to \$96,000 a year provided by Congress to pay for staff salaries and allowances for the rest of his life.

- He would lose his right to free office space for himself and his staff for the rest of his life.

If Nixon resigned, he would of course lose his \$200,000-a-year presidential salary, but he would still be eligible for pension and staff benefits worth roughly that much.

Whether he resigns or is convicted, he will continue to be eligible for civil service retirement benefits, estimated at \$18,000 a year, for his four years in the Navy, six years in Congress and eight years as Vice President, plus Social Security earned during his years as a private lawyer.

But that is an enormous drop in income for a man who has two lavish estates to keep up and who also faces disbarment, preventing him from practicing his chosen profession.

If he chooses to fight his case in the Senate, moreover, Nixon may have to pay legal expenses that could cost him \$100,000 or more for a three-month trial.

Meanwhile, there are also legal considerations.

The three Articles of Impeachment approved by the House Judiciary Committee last week include 15 specific counts, most that fall under one or more criminal states, such as obstruction of justice, conspiracy, making false statements, illegal wiretapping, subornation of perjury, violation of civil rights, misuse of IRS information, and misprison of a felony.

When he leaves office, Nixon will lose his immunity from criminal prosecution. Article 1, Section 3 of the Constitution says an official who is impeached and convicted "shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law."

Nixon would be subject to prosecution, of course, whether he leaves the White House voluntarily or after conviction by the Senate.

Congressional staff aides are examining the possibility of a law sanctioning deal between Nixon and the government.

In exchange for a resignation and some kind of acknowledgement of wrongdoing, the President might be guaranteed immunity from prosecution.