

Mansfield View

Plan Rejected To Impeach Even If Nixon Resigns

Washington

House leaders yesterday rejected a proposal by Senate Majority Leader Mike Mansfield (Dem-Mont.) that impeachment proceedings should continue even if President Nixon resigns.

Mansfield expressed this thought solely as his personal view "in order to lay it all out and get away from the idea that the President was being forced out" unjustly.

House Majority Leader Thomas P. O'Neill (Dem-Mass.) consulted with House Judiciary Committee Chairman Peter W. Rodin (Dem-N.J.) and said both would be opposed to such a move. O'Neill called it "overkill."

If the President resigned and the House dropped the impeachment charges, that would be the end of the matter because under the Constitution the Senate could try the President only if the House sends it charges in a bill of impeachment.

House Republican leaders strongly opposed the Mansfield plan on grounds that resignation would render the impeachment issue moot and that what the country would need in such an event would be reconciliation not recrimination.

Some members of the House Judiciary Committee, which worked for seven months on its impeachment inquiry, expressed strong views that their record of Mr. Nixon's offenses should be placed before the country so he could not contend he had been unjustly hounded from office.

Rodino took the view that in case of resignation a proper ending of the inquiry would be to file with the House and release the committee's report detailing the evidence against the President. Committee members could publicize the report by a series of speeches.

A Mansfield aide said the impeachment process could legally continue even if the President resigned because another penalty besides removal from office automatically flows from impeachment and conviction. That is disqualification from ever again holding federal office.

Rodino agreed that legally the process could continue, but stated his view that, from a practical standpoint, "We will have served the

full purpose if he resigns."

House minority leader John J. Rhodes (Rep-Ariz.) said resignation would make the impeachment issue moot and that "no useful purpose would be served" by pressing impeachment further.

Representative John B. Anderson (Rep-Ill.) added: "If he resigns we want to fill the leadership vacuum. What we need is reconciliation. We won't fail to take the lesson from this unfortunate experience."

Representative Barbara Jordan (Dem-Tex.) a Judiciary Committee member, said: "We've got to get the record out. We owe posterity something — to say these are the offenses that drove him out of office." But she did not insist that formal impeachment proceedings were required to do this.

The practical political considerations that are compelling to leaders like O'Neill are that if the House continued with impeachment after the President resigned, it would split the House along partisan lines and make it appear a needless lust for blood.

The House Judiciary Committee recommended that Mr. Nixon be impeached on three counts — obstruction of justice in the Watergate coverup, misuse of federal agencies to violate rights of citizens, and defiance of committee subpoenas. With the release of more damaging tapes Monday, House support of the President has virtually disappeared and impeachment, if he remains in office, is assured by an overwhelming vote.

The House is scheduled to begin the impeachment debate on August 19 and complete it within a week. Yesterday, the House voted 385 to 25 to permit live television coverage of the debate.

Most Republican members of the Judiciary Committee, backed by Rhodes, asked that total time for the debate be cut to 20 hours. But Rodino insisted on the 35 hours that a joint leadership meeting agreed to on Tuesday.

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