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Rodino Rejects Revival of Impeachment

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WASHINGTON, Sept. 9 —

Some Democrats in Congress sought today to reopen formal proceedings to impeach former President Richard M. Nixon, but Representative Peter W. Rodino Jr., chairman of the House Judiciary Committee, declared that "impeachment is dead."

For the most part, the reaction in Congress to President Ford's decision to pardon his predecessor followed lines that reflected past positions on impeachment of Mr. Nixon.

Mr. Nixon's former political allies, conservative Republicans and southern Democrats,

praised Mr. Ford as having performed a courageous act of mercy.

But the Democrats and Republicans who had often been critical of Mr. Nixon's policies and handling of the Watergate case were critical today of President Ford.

Their criticism, however, was moderate in tone, in contrast to the harsh attacks that occurred in the last year of the Nixon Administration.

Mr. Rodino, a New Jersey Democrat, was said to be "very upset" about the pardon. But his statement, through an aide, that he had no intention of renewing impeachment proceedings put a damper on what

some of his colleagues believed would be a way of completing a formal record of Mr. Nixon's wrongdoing as President.

Senator Mike Mansfield of Montana, the Democratic leader, and several junior Democrats on the House Judiciary

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Committee noted that the three articles of impeachment voted by the committee, which were laid aside after Mr. Nixon resigned as President, could be called up for action.

Three California Democrats who serve on the Judiciary Committee, Jerome R. Waldie, George E. Danielson and Don Edwards, suggested that the Judiciary Committee might insist that Mr. Nixon comply with the subpoenas for tapes that he had defied as President.

Mr. Waldie said that he and many of his colleagues had believed that the "judicial process" would disclose "in an unmistakable manner the extent of the acts for which he was removed." But the pardon, Mr. Waldie said, "changes all the concept that existed at the time of the final report."

Obstruction of Justice

In the committee's final report, published last month, all 38 members agreed that Mr. Nixon had obstructed justice in the Watergate cover-up, and, therefore, should have been removed from office had he not resigned.

Some of the moderates on the committee expressed disappointment with the timing of the pardon.

Representative Tom Railsback, an Illinois Republican, said that he had expected the pardon to come eventually but that it should not "impede full disclosure of the facts" or de-

ter Leon Jaworski, the special Watergate prosecutor, "from trying to get all the facts."

Representative Walter Flowers, an Alabama Democrat, said that the pardon had been "premature" and that he was "somewhat perturbed we might not have gotten all the information out in the sunlight that ought to be there."

He said that Mr. Waldie's idea of pursuing the outstanding subpoena "deserves some scrutiny."

Republicans Approve

The ranking Republicans on the committee, Representative Edward Hutchinson of Michigan and Representative Robert McClory of Illinois, approved of the pardon decision.

The Republican leader in the House, Representative John J. Rhodes of Arizona, said that "the best interests of the country, both domestically and abroad, are served by ending this matter at this time before it goes any further."

The Senate Republican whip, Senator Robert P. Griffin of Michigan, suggested that Mr. Nixon's physical and mental health might have been a principal factor in President Ford's determination to grant him a pardon.

"While I have no personal testimony to deliver," Senator Griffin said in a speech on the Senate floor, "I have no doubt in my own mind that the condition of the health of the former President was a factor in the decision—and the timing of

the decision — by President Ford."

A number of liberal Democratic Senators and Representatives, including Senators William Proxmire and Gaylord Nelson, both of Wisconsin, Senator Frank Church of Idaho, Senator George McGovern of South Dakota and Senator Walter F. Mondale of Minnesota, issued statements today critical of the pardon.

Senator Mondale suggested that the Senate Government Operations Committee subpoena all of Mr. Nixon's tapes and documents relevant to the Watergate case and other alleged improprieties "in order to accomplish full disclosure."

Liberal and moderate Republicans, including Senators Bob Packwood of Oregon and Clifford P. Case of New Jersey, were also critical.

But Mr. Ford's decision re- sissippi's Democratic Senators, John C. Stennis and James O. Eastland, and from such conservative Republicans as Senator Carl T. Curtis of Nebraska.

Senator Sam J. Ervin Jr., the North Carolina Democrat, whose Watergate investigating committee developed many of the allegations that were later included in the article of impeachment, questioned "most seriously the wisdom of President Ford thwarting the due processes of law by granting a pardon before Mr. Nixon was indicted, tried and convicted."

"A good case can be made," Senator Ervin declared, "for the proposition that the pardon power vested in the President by the Constitution exceeds that of the Almighty, who apparently cannot pardon a sinner unless the sinner first repents of his sins."