

The original documents are located in Box 51, folder “President - Press Conferences General” of the Philip Buchen Files at the Gerald R. Ford Presidential Library.

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Question:

What is your position on the request of Boston's Mayor, Kevin White, for Federal marshals to enforce the Court's busing order?

Answer:

This request is now before a Federal Judge in Boston, and I do not wish to intrude upon his discretion in this matter. However, I regard this as fundamentally a local law enforcement problem.

Background:

Mayor White is asking the Federal District Judge in Boston to order 125 marshals to enforce the Court's desegregation busing order. The Department of Justice is quietly opposing that order, as well as the sending of any Federal troops unless the State police and National Guard of the State of Massachusetts are called out beforehand.

If a follow-up question pointing out the Boston police cannot handle the problem should occur, your recommended response is that Mayor White should request additional State resources as the next step.

Technically, the Fed Dist Ct. Judge has no authority to bring in fed. marshals - it is a DOJ prerogative. Thus far DOJ has resisted use of marshals. The State & City have likewise resisted use of their enforcement branches -

The President's answer during press conference indicated that the judge in Boston had the right to bring in marshals. There was a meeting @ 2:30 PM in Boston between city attorneys and the Judge about the enforcement problem and Geoff Shippard ^{ECS} 10/8/74 is worried that the Judge will now unilaterally state, in light of the President's words, that he wants federal marshals brought in.



THE WHITE HOUSE

WASHINGTON

Phil:

This has gone to
Evans, Novak &
Jack Anderson.

There may be
question in press
conference.

I have notified
State & Defense
through channels
& they will
provide material
prior to Press Conf.
Kaig's in loop.
2nd man



DRAFT
August 23, 1974

2 Jen. Fish
3 Vilet
Bill Rogers
Partner
Rossides
American Hellenic Council
202 | 331-7760

We are shocked to learn that, by continuing to provide military assistance to Turkey, the U.S. Government is in direct violation of the Foreign Assistance Act. The matter goes beyond a difference of opinion as to appropriate policies; it becomes a question of compliance with or violation of the laws of our country.

Ever since her invasion of Cyprus on July 20, 1974 and flagrantly since her second attack on August 14, 1974, Turkey has been using defense articles furnished to it by the United States under the military assistance program in wholesale violation of the provisions of the Act, especially those stating the purposes for which military assistance is to be used (as specified in Section 2302, Volume 22 USCA (1974 Supplement)). She has thus become ineligible for further assistance, in accordance with Section 2314 (d) (22 USCA), and all shipments of defense articles to it should have ceased immediately.

The purposes for which defense articles and services provided by the United States may be used are clearly and unequivocally stated in the law. Turkish military operations, from the very start, and flagrantly since August 14, have not been in pursuance of any of them. No internal security or legitimate self-defense is involved. There is no question of participation in collective measures requested by the United Nations. To the contrary, military action was undertaken in utter disregard of UN

Lamy



decisions and in direct opposition to the UN forces on the island. Finally, the Turkish military action was not undertaken in pursuance of any regional arrangement consistent with the UN Charter. The Zurich Treaty of Guarantee, sometimes invoked by Turkey, is not relevant. It is obviously not a regional arrangement in the sense of Articles 52 & 53 of the UN Charter. It is furthermore debatable, at the very least, whether the Zurich Treaty allows forceable intervention and whether if it may be interpreted to do so, it is valid--since it would then be in violation of the UN Charter. Moreover, Turkey herself has not claimed that her action was taken under Articles 52 or 53 of the Charter. It would have been hard for her to make such a claim, since Article 53 specifically prohibits any enforcement action, under regional arrangements, unless authorized by the UN Security Council. In this instance, the Security Council, far from authorizing the Turkish action, has repeatedly sought to stop it. Its calls for a cease fire were contemptuously ignored by Turkey until her military objectives were attained.

We have urged in the past for a policy decision by the President and the Secretary of State to stop further military aid to Turkey in order to give clear expression to U.S. disapproval of Turkey's actions. This is not a mere case of action by a foreign government with which the U.S. happens to disagree. It is a case of aggression perpetrated with the weaponry furnished by the U.S. We now, however, realize with dismay



that much more than a difference in judgment as to the proper U.S. policy is involved. The very same laws that authorize the President to furnish military assistance specifically direct that the assistance be stopped immediately when its purposes are not being served. They leave no room for a separate policy determination by the Executive, on the basis of whatever considerations he deems relevant. Once a country is in substantial violation of the provisions of the Act, including those exhaustively listing the purposes for which assistance may be used, she is no longer eligible for further assistance. And the President, who is otherwise given a wide margin of discretion, is authorized to furnish military assistance only to countries which are eligible.

Failure to interrupt the flow of military assistance to Turkey constitutes, therefore, a direct violation of U.S. laws. The Secretaries of State and of Defense have competent legal advisors who cannot have missed the implications of the situation. It is then highly regrettable that an Administration that has affirmed its acute sensitivity to law and morality starts its foreign policy record in such a manner.



August 27, 1974

NIXON ADMINISTRATION TAPES AND DOCUMENTS

Question: What is to be done with the tapes and documents of the Nixon Administration which are still located in the White House complex?

Answers:

1. I asked the Attorney General on August 2 for a legal opinion on all issues which are being raised concerning this matter.

2. In the meantime, with the concurrence of Mr. Nixon, his previous instructions for allowing access to individuals formerly employed in this administration have again been put into effect. Each individual is limited to inspection by himself of files compiled by him, and no documents are to be copied or removed and no note-taking is permitted within the file room. Those are the same limitations as had been in effect earlier.

PWB



August 27, 1974

RIGHT OF PRIVACY

Question: What is to be the future of the Right of Privacy Committee, of which you as Vice President were appointed chairman?

Answer: It will continue to function. Its staff is hard at work to continue implementing initiatives approved by the full Committee on July 10. Doug Metz is acting Executive Director, and he and his staff are also preparing new proposals for consideration by the Committee. I anticipate that my nominee for Vice President when he is confirmed will become the new Chairman of the Committee.

Question: Will your Administration support restrictions on access to taxpayer returns and information?

Answer: Yes, comprehensive legislation on this subject is in the clearance process and should be ready for submission to the Congress soon. This legislation I will support, but not the attempts at piecemeal legislation through amendments to other bills which are being urged on Congress. Also, apart from legislation, I would personally control and limit the access to tax returns by anyone on my staff, and I have asked that an executive order be drafted to that effect for my signature.

Note: On other privacy-issue questions, I would suggest affirming your continued strong interest in protecting privacy, as you did in your Joint Session address, but stating that the Privacy Committee staff and the Executive Departments and Agencies have such questions under active consideration and will provide definitive answers to the Congress and other concerned people very promptly.



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P. W. B.



August 27, 1974

To: Jerry terHorst

From: Phil Buchen

EYES ONLY



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Question: What is to be done with the tapes and documents of the Nixon Administration which are still located in the White House complex?

Answers:

1. I asked the Attorney General on August 22 for a legal opinion on all issues which are being raised concerning this matter.

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Third item pulled and put in safe



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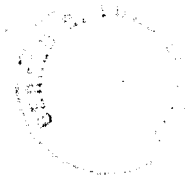
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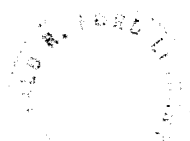
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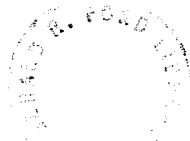
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10/1/2014

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Monday 10/7/74

2:00 Tom DeCair's office advises there is a deadline of
4 p. m. Tuesday (10/8) for the Q&A's for the President's
Press Conference (which is tentatively set for Wednesday).

Should be sent to Paul Miltich in 160 EOB.

Tuesday 10/8/74

2:30 Jay:

Mr. Buchen would like you to put the Q&A's together
and get them to Paul Miltich by 4 o'clock.

(not the memos -- just the Q&A's)



MEMORANDUM

THE WHITE HOUSE
WASHINGTON

October 8, 1974

FOR: PHIL BUCHEN
FROM: KEN LAZARUS *KL*
SUBJECT: S. 4016, the "Nixon Tapes" bill:
Press inquiries.

Pursuant to your request, attached is a proposed Q and A for the press conference on the subject noted above.

cc: Phil Areeda
Bill Casselman



THE WHITE HOUSE

WASHINGTON

October 8, 1974

MEMORANDUM FOR: Paul Miltich

FROM: Phil Buchen *P.W.B.*

SUBJECT: Q & A's for the
President's Press Conference

As requested by the Press Office, attached are the Q & A's for the President's Press Conference. The subjects covered are: (1) S. 4016, the "Nixon Tapes" bill and (2) Foreign Gift Records.

Attachments



Q: Mr. President, last week the Senate passed S. 4016, a bill which would condemn and preserve all the papers and materials including tape recordings of former President Nixon. Will you sign the measure if it is passed by the House?

A: Although I am aware of the general scope of the bill, I have not yet reached a final decision on the matter. As you know, this bill was rushed through the Senate in response to the agreement reached between the former President and the General Services Administration with almost no consideration of the fundamental constitutional issues which it raises. I am hopeful that the House will address itself to these problems.

Q: Does the Nixon-GSA agreement adequately insure the preservation of these tapes and records?

A: Paragraph 8 of the agreement provides that the tapes " . . . shall be destroyed at the time of Mr. Nixon's death or on September 1, 1984, whichever event shall first occur." It is my understanding that this provision is intended to govern destruction only after September 1, 1979.

Q: Does the agreement adequately insure the security of these tapes and materials?

A: I can assure you that steps have been taken in this regard to eliminate any possibility of destruction or alteration of any of these materials.

Q: Mr. President, The Washington Post for some time now has been seeking the release of the records of foreign gifts made to the former President and his family. Why haven't these records been turned over by your Administration?

A: All records of foreign gifts received by the former President have been recently transferred to the Department of State, which is the agency responsible for gifts from foreign governments to officials of this Government. The Department is analyzing and sorting these records, since many pertain to gifts from non-official foreign sources. Upon completion of this process, the Department will provide access to records of official foreign gifts as defined by law.

Q: Where are the gifts?

A: For many years it has been the practice of the White House to routinely transfer to the National Archives for storage those foreign gifts which are not being displayed or otherwise used for official purposes.

Q: What will eventually happen to these gifts?

A: All official foreign gifts of more than minimal value are the property of the United States. They will be kept in storage until a determination is made as to the most appropriate repository for their permanent display.



Q: Aren't such facilities available at this time for example, the Smithsonian?

A: Yes. However, gifts from foreign governments to recent Presidents have been displayed in official libraries which by law are operated by the Federal Government.

Q: What will be your policy with respect to the practice of exchanging gifts with other Heads of State?

A: The practice of exchanging gifts by representatives of foreign governments is a long-standing one. However, I have directed that our policies and procedures with respect to foreign gifts be thoroughly reviewed. That study is now underway by the Department of State, working in conjunction with my staff. Of course, any foreign gifts received by me or my family will continue to be handled in complete accordance with applicable laws and regulations.

Presidents
Press
Conf

11 am

10/29



October 29, 1974

Q & A ON DISCLOSURE OF TAPES

Q: Are you still planning to disclose publicly all taped conversations between you and former President Nixon?

A: In view of the case of Nixon v. Sampson before Judge Richey, no such disclosure can be made while the case is pending and until the rights to the tapes are determined. Also, in that case it may be decided whether the former President can invoke executive privilege to prevent disclosure if he desires to do so.

Philip W. Buchen

