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NEWS CONFERENCE

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AT THE WHITE HOUSE

WITH JERRY TER HORST

AT 12:30 P.M. EDT

AUGUST 31, 1974

SATURDAY

MR. TER HORST: I will try not to get into the habit of Saturday briefings, but a few things happen occasionally on Saturday that require at least more than a posting.

Let me get through the announcements, please, if I can, and then take your question afterwards. This is a help to me so that I don't forget to give you something, which happened the other day.

The President today signed Senate Joint Resolution 222 providing for the appointment of Dr. Murray Gall-Man, and Senate Joint Resolution 220 and 221 providing for reappointments of Dr. William A. M. Burden and Dr. Caryl P. Haskins to the Board of Regents of the Smithsonian. These are for terms of six years.

Q Will you have postings on those?

MR. TER HORST: We hope to post those, yes.

The President also has signed Senate Bill 2510 which creates an Office of Federal Procurement Policy designed to promote economy, efficiency, and effectiveness in the procurement of goods, services, and facilities by and for the Executive Branch.

The President also has signed H.R. 15205 which authorizes appropriations for fiscal years 1975 and 1976 for carrying out the National Gas Pipeline Safety Act.

He also signed H.R. 3620, the Great Dismal Swamp National Wildlife Refuge for Virginia and North Carolina.

I think you probably have the President's statements on Labor Day. As you note on the wires, New Zealand's Prime Minister, Norman Kirk, died suddenly and a condolence message from the President to Mrs. Kirk and the family is on its way to New Zealand now. The President obviously is deeply sorry for the sudden death of Prime Minister Kirk and he is conveying his best wishes at this hour of tragedy to the Kirk family.

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I don't have the names of an American delegation to give you yet, but there will be an American delegation to attend the funeral which we understand will be Wednesday.

As you know, this afternoon the President intends to golf at Burning Tree and following that he will leave for Camp David at 5:30 as previously announced.

I believe yesterday I told you that only the members of the family were going. There will be in addition to the President, Mrs. Ford, Steven and Susan -- I am advised that Susan Ford will be taking to Camp David Gardner Britt, and Steven will be taking along Dee Dee Jarvis.

There is no staff going, as I announced previously.

Q That is a girl, I assume. (Laughter)

MR. TER HORST: Yes.

And as we have already announced, but I need to repeat it this morning so you will have it on hand, on Monday at 11:30, the President will sign H.R. 2, the Pension Reform Bill, or what is often known as the Employee Retirement Income Security Act.

Following that signing ceremony, there will be a briefing here in the White House briefing room by Secretary of Labor Peter Brennan, Under Secretary of Labor Richard Schubert, Under Secretary of the Treasury, Steven Gardner, Paul Fasser, who is Assistant Secretary of Labor for Labor Management Relations, and Donald Alexander, Commissioner of the Internal Revenue Service.

We will also have a Presidential statement and a fact sheet to hand out to you Monday morning. And we are going to try to have them available to you an hour or so before the ceremony.

Q What time was that again, Jerry?

MR. TER HORST: 11:30 here at the White House.

I also want to announce that after careful consideration of possible alternatives, the President has concluded that because of economic conditions it is necessary to propose to the Congress a deferral of the comparability pay raise bill from October 1974 to January 1975, a three-month deferral. In other words, therefore, the President today is sending to Congress a message which contains a proposal to defer the scheduled comparability increase in the pay of Federal employees.

In addition, the President also will inform the Congress in his message of actions he is taking to reduce by attrition Federal civilian positions by approximately 40,000 positions. This deferral of the pay raise for three months will save the spending of approximately \$700 million and the reduction of Federal civilian positions will save another \$300 million, or the two together, in other words, will save about \$1 billion.

Also this morning, as you know, the President met for about two hours with Secretary of Defense Schlesinger and Attorney General Saxbe on the subject of earned reentry into American society for military deserters and draft evaders of the Vietnam War.

The discussion was far ranging and extensive with the President closely questioning each of the Cabinet Members on their recommendations to him. The President took their proposals and options under consideration and said he would devote extensive time this week-end to perusing them in detail, and that he would probably be in touch with them over the coming days.

The President also told them that he would make his decision promptly and that it would be announced sooner rather than later.

For guidance, I would anticipate we probably may have a Presidential decision on the method he chooses to carry out his announced intention on the program of earned reentry in the coming week.

Q In the coming one week?

MR. TER HORST: In the coming week.

Q You say for guidance?

MR. TER HORST: That is for guidance, yes. Let me put for BACKGROUND, the coming week.

Q Can we attribute it to a White House source?

MR. TER HORST: Yes; attribute it to a White House source.

Q Could you tell us whether, first of all, their recommendations included 18 months of public service of some kind, and secondly, whether there is any act of contrition or affirmation of loyalty in their joint recommendations?

MR. TER HORST: Well, I can't tell you that, Bob, because their recommendations were made as the President requested to them personally, and obviously the recommendations have no validity unless he accepts them, so we are talking hypothetically if we discuss various items that might have been suggested by either the Attorney General or the Secretary of Defense.

I think the important thing to remember is the President has a great deal of flexibility in the proposals that were submitted to him. I know this for a fact since I sat through the entire meeting. And he has some ideas of his own which amends some of their proposals, and it is not just a case of being able to accept or reject the proposals made to him by the two Cabinet officers.

Q Jerry, did both Cabinet officers make specific recommendations, each for himself, along with their suggested options? Is that the way it went?

MR. TER HORST: They proceeded in a sort of two-track way. They had some joint proposals since the subject is one that concerns both Selective Service cases, which fall under the aegis of the Attorney General, and military deserters, which fall under the aegis of the Pentagon.

And they also had separate recommendations of their own, of course, under respective responsible areas.

Q But they had a joint initial proposal and then an addendum from each man or something?

MR. TER HORST: In areas where their concerns overlapped, they were together on it. They had obviously been working together in the past week to be able to do that for the President's help. But there were additional differences by law and by responsibility which required them also to proceed separately on some things.

Q Are you talking about a situation where if someone has been charged by a U.S. attorney in a Federal court with the crime of evading the draft, that would be the Attorney General's responsibility, whereas if somebody had actually been taken into the military and was facing the charge, that would be under Schlesinger's responsibility?

MR. TER HORST: That is right, because obviously a deserter is still a member of the service. He is absent, but he is still a member of the service. He is a deserter from military service. He is not at that point a criminal before a civilian court.

Q So any joint proposal they had was in the areas where the responsibilities overlapped?

MR. TER HORST: Yes, that is precisely right.

Q Jerry, there is some confusion about the number of people involved as deserters and evaders. Do you have a number?

MR. TER HORST: I do not have a number. That subject also came up today. There are several ways of determining precise numbers, depending on categories, and the President asked for refinement of that so that he, himself, will know and both Cabinet officers agreed to supply some additional information on that point.

Q Could you give us that list you had on the plane coming back from Chicago that time, or is that now inoperative?

MR. TER HORST: I would hesitate to fall back on that based on what I heard today, but it is my understanding that this number would range -- there are people who would be applicable or could be affected by this -- would range from perhaps 13,000 to maybe as high as 50,000.

But the precise categories and the precise number is something that is still awaiting refinements.

Q That is both categories together?

MR. TER HORST: Yes.

Q 13,000 to 50,000; that is a big range, isn't it?

MR. TER HORST: Yes, that is a wide range, and that is the reason the President asked for some refinements.

Q Was there any discussion of people who had gotten dishonorable discharges and it was not applicable?

MR. TER HORST: That is also, of course, part of the problem, because, as you know, there are men who were dishonorably discharged.

There are also men who have been convicted and are serving prison sentences for draft evasion, and the entire area is under Presidential review, and the President hopes to come up with a program which is all-encompassing and fair to all. Fair not only to those who deserted and evaded the draft, but also fair to those who served voluntarily in Vietnam and obeyed their country's call.

Q Did any of the participants in the discussion mention knowing anyone who had people in their family who would be affected by this proposal?

MR. TER HORST: No; I cannot say that came up at all. In fact, it did not.

Q Jerry, whatever he decides to do, can he do it on his own, or does it need legislation?

MR. TER HORST: It is my understanding that the President's hope and the way the discussion turned today that almost -- in fact everything that I heard could be handled by Executive direction. In other words, no Congressional action would be required.

Q Jerry, did you pick up a figure on the number of men who have been convicted of evasion or desertion?

MR. TER HORST: I did not.

Q Jerry, what about the category of men who committed crimes who were in the service and then who fled to foreign countries to evade military justice? Are they going to be in any way included in this group?

MR. TER HORST: Well, as I said, the President's hope is to come up with a program that is all-encompassing and I am sure those categories also will be under that. There are, for example, some cases in which young men served in Vietnam and then deserted after being ordered to a second tour in Vietnam. That is another category that the President wants to examine closely.

Q What about those persons who were involved in alleged criminal activity or were convicted of criminal activity involving the draft protest, people who are not subject to the draft?

MR. TER HORST: This applies only to those subject either as volunteers in military service and those who are in the service and those who had been called by Selective Service and did not answer. It does not apply to civilians who may have been active in the Vietnam War demonstrations.

Q Jerry, was there any consensus about what might constitute alternative service?

MR. TER HORST: There was a wide-ranging and general discussion on that subject, but there were no decisions made, everybody realizing that it would be the President who would make the decisions.

Q Has he made any decision on any part of this?

MR. TER HORST: He has made no decision to this point, except to proceed.

Q Jerry, you said he had several alternatives to what was presented. What is his position on act of contrition or reaffirmation of loyalty?

MR. TER HORST: You see, those are part of the decisions he has to make, but he is firmly convinced that there is a way, based on the situations in precedence which confronted former President Truman and former President Abraham Lincoln -- probably the two most notable examples of Presidents with amnesty questions -- that there should be a way for these young men to earn their way back into American society and to work to rehabilitate themselves.

He has not changed his position, obviously, of opposition to just blanket amnesty or unconditional amnesty. That was ruled out in his address to the Veterans of Foreign Wars and it is still operative.

Q On the pay raise bill, does Congress have the consent or is that a unilateral decision, too?

MR. TER HORST: This is done under a special act, not the Congressional Budget Act, but under the Federal Pay Act. And the President, as I understand it, has a right to ask for a deferral or a rejection, and he has chosen to defer.

Q He has a right to ask?

MR. TER HORST: Yes, he has a right to ask, and Congress has a right to respond.

Q Do you know how long Congress has to consider this?

MR. TER HORST: Thirty days I believe was the time.

Q If Congress does not disapprove within 30 days, it becomes final?

MR. TER HORST: That is my understanding, yes.

Q Jerry, getting back to the first subject, was there any discussion whatsoever about reinstituting some of the relief measures that were taken after World War II and after the Korean War for those families of persons still missing in action from the war?

MR. TER HORST: Yes; there was a discussion of the problem of the missing-in-action situation. The President has carried on, and in fact has reinforced the efforts of the previous Administration to attempt through the cease fire resolutions and agreements covering Indochina to try to work with Hanoi and with the Government of South Vietnam to find those whom we refer to as "missing in action."

The families of these missing-in-action persons obviously are left now in great uncertainty -- well, great grief, I would put it. And the President is determined to pursue that and has, but it is a very difficult area to proceed in. It requires cooperation of the two Vietnamese governments, and we are proceeding as best we can in the face of a situation on the ground in Vietnam which is not altogether conducive at this time to peace.

Q I was referring more specifically to relief measures for the families still here, for instance those who were living on post at the time the soldier, sailor, or whatever, was missing in action.

There is a question of how long they can stay in military housing. One example, there were specific steps taken after both previous wars.

MR. TER HORST: I can't answer that here, but I am sure the Pentagon, the Department of Defense, can tell you what measures they are taking in that regard.

Q Jerry, you said deferral of the pay raise would save \$700 million and the reduction in personnel \$300 million. I take it those are figures just for the balance of this fiscal year?

MR. TER HORST: That is my understanding, yes.

Q Can the sum, which is \$1 billion, be subtracted from the \$305 billion -- does that represent the first bill of economy?

MR. TER HORST: I would think that would not be an unreasonable way to look at it, yes.

Q You are not certain?

MR. TER HORST: Obviously it would have an effect of reducing the projected budget which varies, depending on how you look at it, from \$305 to as high as \$310.

Q How many workers are covered by this?

MR. TER HORST: There are 1,400,000 civilian Federal employees and about 2,150,000 military personnel.

Q That comes to how many?

MR. TER HORST: 2,350,000.

Q Are there any figures on how many of those 40,000 jobs are now vacant?

MR. TER HORST: I don't have that, no, but I will again say this: This is not an action to fire anyone. This is an action merely to hold down the size of the Federal payroll by not filling jobs as they become vacant, or as jobs are eliminated.

Q These are civilian jobs; is that right?

MR. TER HORST: It is my understanding they essentially are.

Q Is this the same action that former President Nixon said he was going to take?

MR. TER HORST: Yes, it is essentially, although there is a difference in that the President is sending up a deferral message to Congress, whereas I understand former President Nixon announced his action, but did not send up a message.

Q Is this a separate action on top of that 40,000 that Mr. Nixon had announced, or is this the same 40,000 that we are talking about?

MR. TER HORST: I wasn't aware that former President Nixon asked for a 40,000. We will check on that.

Yes, it is; I am told. It is the same 40,000. It is, in fact, the sheet you have before you.

Q Jerry, does this mean that automatically now the pay raise will go in on the first of January, or could he take another action and defer it again?

MR. TER HORST: I think the fact sheet probably touches on that, doesn't it?

Q I don't know; I haven't read it.

Q The deferral applies to military as well as civilian employees?

MR. TER HORST: Yes.

Q John, do you know the answer to that?

MR. CARLSON: This is a one-time thing. He has prior to October 1 each year the option to defer.

Q Once, and then it automatically goes into action on January 1 and he can't defer again.

MR. TER HORST: I would assume that is correct. I can check it for you, Bob.

Q Were the recommendations that were made today or the options that were presented to the President, were the recommendations from the Cabinet officers involved, or were they simply a listing of options?

MR. TER HORST: They were both. They were recommendations in some cases and options in another.

Q Are the UPI accounts of the recommendations accurate?

MR. TER HORST: I would hesitate to recommend that you pursue those.

Q How about the AP? (Laughter)

MR. TER HORST: I would apply that to anything that you have seen. Right at this present time, it is in the hands of the President. He has indicated from the conversation in the meeting that I was in, that he has some of his own views which he will put into what he recommends and I would not suggest that you, whatever papers you might find laying around, that you use those as a guide to what is going to come out.

Q That is not the question, really, Jerry. The question, are you -- let me put it this way: There are reports of what the recommendations were. Are you saying, when you say you wouldn't want to suggest that we follow those, that those accounts are incorrect?

MR. TER HORST: Let me put it this way, the report submitted to the President was not the account I read in the paper this morning.

Q Which paper? (Laughter)

I am serious. I mean we have a particular report out. Are you saying that is incorrect?

MR. TERHORST: I am saying only that the report referred to was not the one that was presented to the President.

Q Jerry, could we ask you once again -- I started out with this but I want to go back to it now.

Was one of the reports a recommendation to the President that 18 months of public service be asked for these young people?

MR. TER HORST: There were several proposals on length of time for earned service; 18 months was one of them.

Q Is that one that was agreed on by Saxbe and Schlesinger, the 18 months?

MR. TER HORST: I can't recall that.

Q There are reports to that effect, I believe.

MR. TER HORST: I can't recall that there was a precise agreement on that figure.

Q Jerry, was there any discussion of any proposal for temporary immunity for returning draft dodgers and deserters?

MR. TER HORST: By that you mean what?

Q This is Senator Taft's proposal, I believe, that evaders and deserters can come back and find out what will happen to them without risking arrest.

MR. TER HORST: Senator Taft's proposals were discussed briefly this morning and the idea was neither approved or rejected, it was taken under advisement by the President.

Q But specifically was the temporary immunity proposal discussed?

MR. TER HORST: Yes, that was also discussed but I think I will have to tell you, frankly, that I am going to have to stop talking about what was discussed because what was discussed is not necessarily what is going to come out and I don't want to mislead you into going off on something that may not within a few days time or a few weeks time emerge as to what is going to happen.

Q Jerry, along that line, you talked about the 18 months thing as one of the proposals that was discussed and this temporary immunity was discussed. Was there a discussion of whether these men would have to declare their allegiance to their country again and apologize for what they did?

MR. TER HORST: Well, the whole subject of every possible conceivable idea on how to be fair and equitable not only to those who have broken the law but also those who have served came under discussion. There was a general, wide-ranging discussion, as I said in my announcement. Nothing was excluded from the discussion process.

But in terms of recommendations or Presidential opinions on the subject, we will just have to wait and see where he comes down on these.

Q Those are two different things, recommendations and Presidential opinions.

MR. TER HORST: Right, and the President's feeling is that they are recommendations to him and have no validity until he acts on them in that respect.

Q We all understand that but was one of the recommendations that these men would have to acknowledge their guilt?

MR. TER HORST: I am afraid I can't give you any guidance on that.

Q Well, you gave guidance on the other two points.

MR. TER HORST: Yes. (Laughter)

Q Well, we agree on that.

Q Jerry, in Moscow this morning TASS characterized as a regrettable inaccuracy the President's statement the other day that the Soviet Union had three operating naval

bases in the Indian Ocean. TASS said there was not one.

Do you have any reaction to that?

MR. TER HORST: We are aware of that report but the President will stand on his statement that he gave at his news conference.

And if you have any further questions, I guess I would have to refer you to the Defense Department.

Q Jerry, does the President intend, when he announces his decision about the earned reentry, to come out with a clear-cut program which he can back up -- you said there would be no requirement for legislation -- so that he can announce it to those who are still abroad or hiding here so that they know exactly what they face, what their options are, so they will know at that time when it is announced what the shake is for them?

MR. TER HORST: That is precisely his intention.

Q Doesn't that make all this talk about temporary amnesty kind of silly?

MR. TER HORST: No, I was asked whether it was discussed and I said that it had been discussed but I did not say it had been acted upon or that it was even recommended. I just said it was discussed.

Q Was it your feeling once the President has made his announcement and has made it very clear that he can make it stick, that there is no legal problem there or Congressional problem, that when a fellow comes out of hiding, or back into the country, he knows precisely --

MR. TER HORST: That is the President's hope so that nobody will be under confusion as to which category he falls in or what his obligations or his opportunities are.

Q Would the President's decision go into effect immediately?

MR. TER HORST: That is also a matter the President has to decide because, obviously, whatever he decides may require time for the machinery to be set up and, if it is not already in place, you know a reasonably short period of time may be required but he expects to announce his plan sooner rather than later and, whether additional time will be required for additional machinery, we will have to see when we find out what he decides.

Q One problem in the past was that United States attorneys occasionally did not follow general departmental policy concerning individual cases. This is where the uniformity came up.

Would the President, if necessary, issue his order

in such a way as to inhibit the powers of a U.S. attorney to bring the charges under the criminal code?

MR. TER HORST: Obviously the President's program is not going to be in contravention of statutes on the book because that would, obviously, require Congressional action.

But within the framework of the laws on the book, the President expects to come up with a program and it will be rather widely disseminated to U.S. attorneys around the country for their guidance.

Q Jerry, was there discussion of whether some of these guys might choose not to come back if the offer was not good enough?

MR. TER HORST: That, obviously, was another matter that is before the President but these young men, obviously, have that option. If they do not wish to accept the President's proposals, and are content to be where they are, that is a matter for their decision.

Q I mean, was it discussed? You know there were a lot of quotes in the paper this morning from guys in Canada and elsewhere that they wouldn't come back under certain circumstances. Was it discussed about making it attractive enough to get most to come back?

MR. TER HORST: Not if the requirement is blanket amnesty.

Q Are you convinced that the President is convinced that this whole question of amnesty is wholly within his province under the Constitution?

MR. TER HORST: This is his belief and understanding, yes.

Q This not a matter of legislation?

MR. TER HORST: He has sufficient power as Commander-in-Chief and as administrator of legislation already on the statute books concerning draft evaders and military deserters so that he does not feel that any Congressional action will be required on the program he will recommend.

Q Has he made any consultation with the Speaker or the Majority Leader in the Senate to gain any assurance or to discuss it with them?

MR. TER HORST: I cannot tell you that precisely at this point but I am sure that will be done before any announcement is made.

Q How will he make is announcement, go on TV, or what?

MR. TER HORST: I am not sure how that will be handled either. We will have to wait and see.

Q Is he considering going on national television?

MR. TER HORST: I cannot tell you that; it is an open-minded question at this point. We will just have to leave that to the form of the President's decision and the timing of it.

Q Can you generalize at all about what the President sees as his purpose in coming out for conditional amnesty? Does he simply want to make it as a gesture or does he want to actually get some of these guys home?

MR. TER HORST: I am certain the President wouldn't do this and spend as much time on it or require Cabinet officers to spend as much time on it for purely a cosmetic exercise. He really believes, as he says, that he is trying to bind up the wounds of a nation that has been torn both by war and domestic trauma for many months and it is his hope and desire that he can come up with an effective program that will persuade many of these young men to return home and take up their life again in American society where he believes most of them really want to be.

Q Jerry, can I take you back to the timing once more? Did you say that we may have a decision within the coming week or do you expect one within the week?

MR. TER HORST: You can use either word as far as I am concerned.

I do think, as he said, it will be sooner rather than later and, for your guidance, it is my understanding that it probably would be within about a week.

And again for your guidance, I could be wrong if hitches develop but I am hopeful none will.

Q Jerry, you said that Mr. Saxbe and Mr. Schlesinger agreed on some of the recommendations and disagreed on others. Can you tell us did they agree on the question of the pledge, or oath, the statement, whatever it is? Did they come up with the same recommendation?

MR. TER HORST: I can't tell you that. It is a recommendation that is before the President. I mean the whole package is a recommendation before the President concerning not only time spans for earned reentry, nature of earned reentry, categories of men it would apply to -- which are obviously very different -- and the fact, as I mentioned, that there are laws on the books now which deal with these categories in different manners.

So, therefore, I would be doing you a disservice if I tried to push that too far.

Q Jerry, has the White House received any expression perhaps from either families here in the United States, or from draft dodgers, or deserters abroad that they seem to like what he is doing here?

We are hearing a lot about those who are calling it only a gesture and so forth. Have you gotten any expressions of interest, or that somebody might like to take advantage of some of these things?

MR. TER HORST: I am not aware of any specific proposals. The government has taken no polls on whether this is popular or unpopular.

Q I mean from those directly affected, their families.

MR. TER HORST: The President does not feel it would be a governmental function to do that. However, we are aware of various newspaper polls and surveys that have been taken which indicate there is a great deal of interest in the President's proposal.

I think if you would check with the various veterans groups and others in American public life who are interested in the question of amnesty in a broad way, that support for this approach is more favorable than unfavorable.

Q Jerry, you keep calling this "earned reentry", is this the term the President uses?

MR. TER HORST: That is the term the President used in his speech to the Veterans of Foreign Wars in Chicago, and he also used the phrase "work your way back". Those are the two operative guidelines under which he is attempting to develop this program.

Q Jerry, on the subject of these jobs, you know one of the reactions of the VFW the day he made the speech, some of the people, was where would the jobs come from?

You know a lot of the Vietnam veterans can't get jobs. Would this be a brand new program? Would jobs be created or would these guys be fitted into existing jobs, say, hospitals, or schools, whatever?

MR. TER HORST: The whole subject is again part of the President's review problem. I can say I am sure that it was the consensus of those in the meeting that it would not be necessary to create special job categories just to take care of persons who might fall under this program.

It is the belief and hope that there are many jobs available. In many cases a lot of these young men have skills which could be used in society generally and they could find jobs if they had a way to get back.

Q Was there also a concensus that there would be only a limited period of time during which draft dodgers and deserters could return?

MR. TER HORST: I would not say that was a concensus.

THE PRESS: Thank you, Jerry.

END (AT 1:08 P.M. EDT

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