

**The original documents are located in Box 16, folder “Nixon, Richard - General (1)” of the Ron Nessen Papers at the Gerald R. Ford Presidential Library.**

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BENTON BECKER

Q He didn't really give an answer.

MR. HUSHEN: That is a problem for the lawyers. I couldn't enlighten you any more.

Q Was Mr. Ford happy with that? Wasn't President Ford unhappy with that?

MR. HUSHEN: He didn't indicate any emotion one way or another about it. It was a very complicated subject reaching that agreement between the former President, the General Services Administration and the White House to get the tapes and documents out of the White House, but still in safekeeping.

Q Jack, have you been able to determine why the President authorized you to say last Tuesday that that entire matter is under study in answer to a question about pardons for other Watergate figures?

MR. HUSHEN: Yes, but I am not going to have anything further to say about it.

Q Jack, can you explain why the President would use an emissary who is under investigation in the Justice Department for such a delicate negotiation, something that means so much to the American people?

MR. HUSHEN: Well, you are still innocent until you are proven guilty.

Q Was he aware of the investigation?

MR. HUSHEN: I believe when Mr. Becker first came to the attention of President Ford, it was to assist in the confirmation hearings as Vice President, and at that time, I believe --

Q Jack, that was the second time.

MR. HUSHEN: All right, the second time, then.

Let me just finish this. Mr. Buchen told me that Mr. Becker said that he had had some problems, most of which had been resolved satisfactorily. The only remaining one was a question of a tax deduction, and he had given the necessary documentation and had heard nothing furthermore on it and just assumed that that matter was closed. I think, you know, we were generally aware of it.

MORE

#28

RN: HUSHEN IS ON RECORD WITH THIS!



Tan

GSA REQUEST FOR FUNDS FOR NIXON

Q: Does the President personally favor this \$850,000 request?

A: Obviously anything the President puts his name on and sends to Congress he does not disapprove of. The President feels that Congress does have the obligation to investigate and make its own judgment, and the President would abide by whatever decision Congress makes on this.

Guidance: Refer back to your statement of the other day that the specific request was worked out between GSA and the former President and the formality of it is that the President signs all requests for funds to Congress.

Also point out that some of the money requested there is no choice on because he is legally entitled to a pension and money for his staff.

Also point out that a large part of the request was for a vault to store the papers in, which was requested on the assumption it would be needed.



Ans. to first Q on Nixon - -

With respect to ~~the~~ the former President

- a) Dr. Wengren and Dr. Lusk have been in touch as have ~~Mr. [unclear] and Mr. [unclear]~~ other members of both staffs -

~~Pres. Ford will not be commenting on his health~~

Of course reports on his health will and are being made by the appropriate people at the hospital.

However Pres Ford is being kept ~~well~~ posted.

I understand ~~from~~ still on critical level

~~At this time~~ there are <sup>plans</sup> no plans for a visit ~~at this time~~ and on personal basis my understanding of the situation is that given ~~Mr Nixon's~~ <sup>Mr Nixon's</sup> ~~present~~ situation it would not be <sup>best</sup> appropriate.

Delay

*[Handwritten signature]*

I understand that Mrs. Ford ~~may have~~ <sup>loped to be</sup> ~~not spoken~~ <sup>with</sup> Mrs. Nixon and the Pres. may <sup>also</sup> ~~well~~ speak to ~~see~~ ~~the~~ ~~Felic~~ ~~Eberhaver~~ or Mrs. Nixon today - <sup>members of the family</sup> late today.

As the President indicated yesterday he is etc - praying for a speedy recovery - <sup>presure</sup>

Q- Does Pres Ford plan to visit Former Pres Nixon tomorrow?

A.

Q Why not?

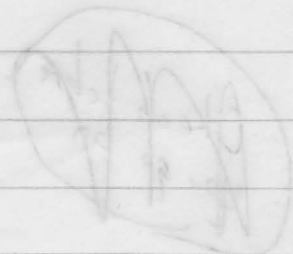
A.

Q Does Pres Ford plan to telephone Former Pres Nixon?

A. Why not?

Q ~~Do~~ You have the impression that President Ford is going out of his way to avoid any contact with the former President?

A



This has been superseded

LEGISLATION RE: OWNERSHIP OF PRESIDENTIAL PAPERS AND  
NIXON TAPES AGREEMENT

- Q. Has the President taken any position on the legislation which would make Presidential papers the property of the government rather than of the former President?
- A. There has been some research and analysis done by the White House on the legislation as it was originally drafted which disclosed some serious constitutional questions. To the extent that the legislation is unconstitutional the President would oppose it. But I would point out that we don't know what form the legislation will finally take.
- Q. Has he instructed his Congressional Relations office to work against the Bill?
- A. Bill Timmons office is aware of the questions that have been raised as to the validity of the proposed legislation and I believe that he has made that information available on the Hill.
- Q. Will the President veto a bill requiring former President Nixon to relinquish the ownership of his papers?
- A. To the extent that such legislation would be unconstitutional, the President would oppose it; however, I would point out that it has only been acted upon by a Senate Committee and we do not know what the final product will look like.



Q. Why would the President oppose such legislation?

A. By tradition, the personal papers and tape recordings of a President are his property. This position is supported by a ruling by the Attorney General. Therefore, custody of the material is a decision which each President has to make ~~\_\_\_\_\_~~ <sup>stcT</sup> has said, he does not plan to retain custody of his papers, but will turn them over to the University of Michigan.



STATEMENT BY THE PRESIDENT  
UPON SIGNING S. 4016, THE  
"PRESIDENTIAL RECORDINGS AND  
MATERIALS PRESERVATION ACT"

I have today affixed my signature to S. 4016, an Act to protect and preserve tape recordings of conversations involving former President Richard M. Nixon and made during his tenure as President, and for other purposes.

Title I of the measure governs the possession, security and accessibility of tape recordings and other materials of the former President. The Administrator of General Services is charged with obtaining "complete possession and control" over the tape recordings and materials which would be made available immediately, subject to any rights, defenses or privileges which may be asserted, for "subpoena or other legal process." The Administrator is also directed to issue protective regulations "at the earliest possible date" governing the possession, security and custody of the tapes and materials. Finally, the Administrator shall draft regulations governing general public access to the tapes and materials, taking into account a series of specified needs: (1) to provide the public with the "full truth" on the abuses of governmental power incident to "Watergate"; (2) to make the tapes and materials available for judicial proceedings; (3) to guarantee the integrity of national security information; (4) to protect individual rights to a fair trial; (5) to protect the opportunity to assert available rights and privileges; (6) to provide public access to materials of historical significance; and (7) to provide the former President with tapes or materials in which the public has no interest.

Title I also provides for the expedited judicial review of challenges to the "legal or constitutional validity" of the statute or of any regulation issued under its authority, and any action or proceeding involving "the



question of title, ownership, custody, possession or control" of any tape recording or other material. In the event it is determined that the former President has been deprived of personal property under the provisions of Title I, "just compensation" shall be paid to him.

Title II of the subject bill establishes a "Public Documents Commission" to study problems with respect to the control, disposition and preservation of records produced by or on behalf of "Federal officials", defined to include elected Federal officials and any officer of the executive, judicial or legislative branch of the Federal Government. The Commission is directed to make specific recommendations for legislation and other recommendations for rules and procedures as may be appropriate regarding the documents of such officials. A final report fulfilling their mandate is to be submitted to the Congress and the President by March 31, 1976.

It may be helpful to place the enactment of this legislation in some perspective. Following the release of an opinion of the Attorney General of the United States to the effect that the tapes and materials of the former President constituted his personal property, an agreement was entered into by Mr. Nixon and Mr. Sampson, Administrator of General Services, on September 6, 1974. This agreement was intended to govern the possession, security and accessibility of the tapes and materials and it did secure them from destruction or alteration during the periods when they might be needed in court and grand jury proceedings. Since then, a great deal of litigation and public attention has centered on that agreement. Although I do not believe it would be appropriate to comment on the various issues, constitutional or otherwise, which are presented by pending cases or by the subject bill, I do want to mention that, by agreement made November 9, 1974, the interests of the Watergate Special Prosecution Force for access to the tapes and materials were fully accommodated.

that it  
It is my understanding of the intent of the Congress/will operate to provide the former President and others with every opportunity to

litigate any right or privilege which may be asserted relevant to the tapes or materials. (My faith in our judicial system convinces me that these rights and privileges will be protected.)

I trust that the Administrator of General Services will move promptly to obtain complete possession and control of the tapes and materials and to discharge his other duties under the law.

A search will be underway shortly to recruit Presidential appointees to the "Public Documents Commission". I am hopeful that the commission will be able to suggest even-handed and uniform rules governing the documents of all Federal officials.

Becher in S. C. to arrange - talking to Miller  
Disposition of tapes and possibly  
whole Watergate, including pardon  
for Nixon.

1st time ↑



2nd time, called Bucher back -  
Bucher assumed JTH that  
Becher wasn't working on that.



# Ford said to limit Nixon files access

By MURIEL DOBBIN  
Washington Bureau of The Sun

Washington—Senator Frank Church (D. Idaho), chairman of the Senate intelligence committee, yesterday charged the White House was giving "privileged status" to the papers of former President Nixon by limiting congressional access to files about Central Intelligence Agency operations in Chile.

According to Senator Church, Philip W. Buchen, a presidential adviser, indicated at a meeting with the Senate committee that the White House might claim executive privilege regarding information about the assassination of Gen. Rene Schneider, Chilean chief of staff.

General Schneider reportedly died as the result of CIA activities ordered by Mr. Nixon in a futile attempt to prevent Salvador Allende, a Marxist, from being elected president of Chile in 1970.

A White House spokesman flatly denied that any favorable treatment was being afforded Mr. Nixon's papers, and stressed that the Ford administration was anxious to co-operate with the intelligence investigation.

The spokesman added that material relevant to the Nixon policy on Chile—not restricted by court order—had been turned over to Senator Church by Mr. Buchen.

The Senate committee recently subpoenaed both the Chilean material and matters relating to the so-called Huston plan, drawn up by a former Nixon aide, Tom Charles Huston, through which the Nixon

administration sought to make illegal domestic use of the CIA.

This plunged the committee into the legal morass in which the Nixon papers are embedded while a judicial decision is reached on whether such documents are owned by the government or the former president.

Representing the White House, Mr. Buchen pledged compliance if the United States District Court rules that the Nixon files should be searched for the papers requested by the Senate committee, now probing the chain of command in illegal intelligence operations.

However, Mr. Buchen noted yesterday that such compliance could take months, even given a speedy court decision, because of the time needed to search "hundreds and thousands" of documents to determine which were relevant.

Senator Church said he was "disturbed" by the White House position that it would reserve the right to determine what information from the Nixon files on Chilean operations should be turned over to the investigating committee.

The chairman noted that the Ford administration had not tried to withhold any papers from the files of the John F. Kennedy administration regarding CIA operations in Cuba.

"It is quite wrong that all papers relating to Cuban activities should be available but a privileged status is bestowed on President Nixon," Mr. Church commented.

The Idaho Democrat urged



FRANK CHURCH  
... charges White House

that the White House "reconsider" its stance by the time Mr. Buchen reports back to the committee next week.

It is hoped that by then the district court will decide whether even the White House will be allowed to examine the Nixon files while such material is the subject of legal action.

Mr. Nixon's attorneys are expected to oppose such access. The former president contends that only he or his family should have the right to determine what will be released.

Senator Church emphasized that any delay resulting from the Nixon problem would not affect completion of the Senate committee's interim report on CIA involvement in political assassination plots, due next month.

Senate hearings will also open in September, at which the intelligence agency's domestic activities will be examined, at least partially, in public.

In the na

Detroit (AP)—have uncovered James R. Hoffa, former Teamster, a car owned by Anthony (Tony Jack) Detroit Mafia figure to a copyrighted day's editions of *Free Press*.

The newspaper experts using do work in kidnaping officials to believe Hoffa recently hit back seat and turned owned by Joseph

The car was Mr. Hoffa's foster L. O'Brien, July 3, Hoffa disappear to Mr. O'Brien at

calone.

Mr. O'Brien held a central figure in the and was subpoenaed to appear before a jury in Detroit W

FBI agents caught younger Giacalone on August 9 to the front seat. He had fish blood, a had maintained.

FBI investigators found three dogs to determine if there was any trace of scent in the car, told the *Free Press*

**'Jack the Ripper' killer feared**

Miami (AP)—"Ripper" type of loose in the Miami forensic examiner

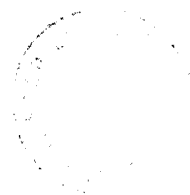
## Epidemic alert issued in Portland in effort to stem hepatitis outbreak

SECOND NIXON PHONE CALL

*Monday.*

The President called former President Nixon on July 12 and spoke from 140 p.m. to 145 p.m. He inquired about Mrs. Nixon's health.

They previously spoke on July 8, the day Mrs. Nixon was hospitalized.



September 6, 1974

Honorable Arthur F. Sampson  
Administrator  
General Services Administration  
Washington, D. C.

Dear Mr. Sampson:

In keeping with the tradition established by other former Presidents, it is my desire to donate to the United States, at a future date, a substantial portion of my Presidential materials which are of historical value to our Country. In donating these Presidential materials to the United States, it will be my desire that they be made available, with appropriate restrictions, for research and study.

In the interim, so that my materials may be preserved, I offer to transfer to the Administrator of General Services (the "Administrator"), for deposit, pursuant to 44 U.S.C. Section 2101, et seq., all of my Presidential historical materials as defined in 44 U.S.C. Section 2101 (hereinafter "Materials"), which are located within the metropolitan area of the District of Columbia, subject to the following:

1. The Administrator agrees to accept solely for the purpose of deposit the transfer of the Materials, and in so accepting the Materials agrees to abide by each of the terms and conditions contained herein.
2. In the event of my death prior to the expiration of the three-year time period established in paragraph 7A hereof, the terms and conditions contained herein shall be binding upon and inure to the benefit of the executor of my estate for the duration of said period.
3. I retain all legal and equitable title to the Materials, including all literary property rights.

4. The Materials shall, upon acceptance of this offer by the Administrator, be deposited temporarily in an existing facility belonging to the United States, located within the State of California near my present residence. The Materials shall remain deposited in the temporary California facility until such time as there may be established, with my approval, a permanent Presidential archival depository as provided for in 44 U.S.C. Section 2108.
5. The Administrator shall provide in such temporary depository and in any permanent Presidential archival depository reasonable office space for my personal use in accordance with 44 U.S.C. Section 2108 (f). The Materials in their entirety shall be deposited within such office space in the manner described in paragraph 6 hereof.
6. Within both the temporary and any permanent Presidential archival depository, all of the Materials shall be placed within secure storage areas to which access can be gained only by use of two keys. One key, essential for access, shall be given to me alone as custodian of the Materials. The other key may be duplicated and entrusted by you to the Archivist of the United States or to members of his staff.
7. Access to the Materials within the secure areas, with the exception of recordings of conversations in the White House and the Executive Office Building which are governed by paragraphs 8 and 9 hereof, shall be as follows:



- A. For a period of three years from the date of this instrument, I agree not to withdraw from deposit any originals of the Materials, except as provided in subparagraph B below and paragraph 10 herein. During said three-year period, I may make reproductions of any of the originals of the Materials and withdraw from deposit such reproductions for any use I may deem appropriate. Except as provided in subparagraph B below, access to the Materials shall be limited to myself, and to such persons as I may authorize from time to time in writing, the scope of such access to be set forth by me in each said written authorization. Any request for access to the Materials made to the Administrator, the Archivist of the United States or any member of their staffs shall be referred to me. After three years I shall have the right to withdraw from deposit without formality any or all of the Materials to which this paragraph applies and to retain such withdrawn Materials for any purpose or use I may deem appropriate, including but not limited to reproduction, examination, publication or display by myself or by anyone else I may approve.
- B. In the event that production of the Materials or any portion thereof is demanded by a subpoena or other order directed to any official or employee of the United States, the recipient of the subpoena or order shall immediately notify me so that I may respond thereto, as the owner and custodian of the Materials, with sole right and power of access thereto and, if appropriate, assert any privilege or defense I may have. Prior to any such production, I shall inform the United States so it may inspect the subpoenaed materials and determine whether to object to its production on grounds of national security or any other privilege.



the recipient of the subpoena or order shall immediately notify me so that I may respond thereto, as the owner and custodian of the Materials, with sole right and power of access thereto and, if appropriate, assert any privilege or defense I may have. Prior to any such production, I shall inform the United States so it may inspect the subpoenaed materials and determine whether to object to its production on grounds of national security or any other privilege.

10. The Administrator shall arrange and be responsible for the reasonable protection of the Materials from loss, destruction or access by unauthorized persons, and may upon receipt of an appropriate written authorization from the Counsel to the President provide for a temporary re-deposit of certain of the Materials to a location other than the existing facility described in paragraph 4 herein, provided however that no diminution of the Administrator's responsibility to protect and secure the Materials from loss, destruction, unauthorized copying or access by unauthorized persons is affected by said temporary re-deposit.
11. From time to time as I deem appropriate, I intend to donate to the United States certain portions of the Materials deposited with the Administrator pursuant to this agreement, such donations to be accompanied by appropriate restrictions as authorized by 44 U.S.C. Section 2107. However, prior to such donation, it will be necessary to review the Materials to determine which of them should be subject to restriction, and the nature of the restrictions to be imposed. This review will require a meticulous, thorough, time-consuming analysis. If necessary to fulfill this task, I will request that you designate certain members of the Archivist's staff to assist in this review under my direction.

029A

HEALTH 9-10

DAY LD

WASHINGTON (UPI) -- A WHITE HOUSE SPOKESMAN SAYS THE STATE OF RICHARD NIXON'S MENTAL AND PHYSICAL HEALTH WAS NOT A FACTOR IN PRESIDENT FORD'S DECISION TO GRANT A PARDON.

"THE QUESTION OF HEALTH WAS NEVER DISCUSSED" AMONG SENIOR AIDES, SAID ACTING PRESS SECRETARY JOHN W. HUSHEN.

ON THE OTHER HAND, AN OLD AND CLOSE FRIEND OF FORD'S, SEN. ROBERT P. GRIFFIN, R-MICH., SAID: "I HAVE NO DOUBT IN MY OWN MIND THAT THE CONDITION OF THE HEALTH OF THE FORMER PRESIDENT WAS A FACTOR IN THE PRESIDENT'S MIND IN REACHING HIS DECISION."

ALL THAT WAS KNOWN OFFICIALLY WAS THAT AS FORD WAS TELLING THE NATION SUNDAY THAT "SERIOUS ALLEGATIONS AND ACCUSATIONS HANG LIKE A SWORD OVER OUR FORMER PRESIDENT'S HEAD," HE CHOSE TO DEPART FROM HIS TEXT TO ADD, "THREATENING HIS HEALTH."

THE ADDITION ADDED FUEL TO RUMORS ALREADY FLYING ABOUT THE CAPITAL. HAD NIXON HAD AN EMOTIONAL SETBACK? PUBLISHED REPORTS LAST WEEK DESCRIBED HIM AS "DEEPLY DEPRESSED."

REP. DAN KUYKENDALL, R-TENN., WHO RECEIVED A TELEPHONE CALL FROM NIXON TWO WEEKS AGO, TOLD UPI TODAY, "I LEFT THE PHONE CONVERSATION WITH THE FORMER PRESIDENT CONCERNED ABOUT HIS WELL-BEING AND HIS HEALTH. IT WAS MORE OF AN INTANGIBLE FEELING THAN A TANGIBLE ONE.

"I WAS WORRIED BECAUSE IT WAS JUST A DEEP-SEATED FEELING OF CONCERN, AN OVERWHELMING FEELING OF SADNESS. IT IS BEYOND ME HOW ANY MAN CAN STAND THE STRESS THAT HE HAS ALREADY STOOD. HE EXPRESSED THIS CONCERN TO ME WHEN HE SAID, 'WE HAVE OUR PROBLEMS.'"

HUSHEN SAID THE WHITE HOUSE HAD NOTHING TO INDICATE THAT NIXON HAD AN EMOTIONAL SETBACK. "THE REPORTS WE GET ARE TO THE CONTRARY," HE SAID, BUT NOTED THAT FORD HAD RECEIVED OTHER REPORTS ON A SECOND AND THIRD-HAND BASIS.

NIXON AND HIS WIFE WERE RESTING AT THE PALM DESERT, CALIF. ESTATE OF WALTER ANNENBERG, THE AMBASSADOR TO GREAT BRITAIN.

WILLIAM LUKASH, FORD'S DOCTOR WHO PREVIOUSLY SERVED UNDER NIXON, SAID THAT TO THE BEST OF HIS KNOWLEDGE THE FORMER PRESIDENT WAS GETTING ALONG FINE.

UPI 09-10 03:33 AED



PRESS CONFERENCE NO. 2

of the

PRESIDENT OF THE UNITED STATES

8:00 P.M. EDT  
September 16, 1974  
Monday

In the East Room  
At the White House  
Washington, D.C.

THE PRESIDENT: Please sit down.

Ladies and gentlemen, this press conference is being held at a time when many Americans are observing the Jewish religious new year. It begins a period of self-examination and reconciliation. In opening this press conference, I am mindful that the spirit of this holy day has a meaning for all Americans.

In examining one's deeds of the last year and in assuming responsibility for past actions and personal decisions, one can reach a point of growth and change. The purpose of looking back is to go forward with a new and enlightened dedication to our highest values.

The record of the past year does not have to be endlessly relived, but can be transformed by commitment to new insights and new actions in the year to come.

Ladies and gentlemen, I am ready for your questions.

Mr. Cormier.

QUESTION: Mr. President, some Congressional Republicans who have talked to you have hinted that you may have had a secret reason for granting President Nixon a pardon sooner than you indicated you would at the last news conference, and I wonder if you could tell us what that reason was.

THE PRESIDENT: At the outset, let me say I had no secret reason, and I don't recall telling any Republican that I had such a reason. Let me review quickly, if I might, the things that transpired following the last news conference.

MORE



As many of you know, I answered two, maybe three questions concerning a pardon at that time. On return to the office, I felt that I had to have my counsel undertake a thorough examination as to what my right of pardon was under the Constitution. I also felt that it was very important that I find out what legal actions, if any, were contemplated by the Special Prosecutor.

That information was found out, and it was indicated to me that the possibility exists, the very real possibility that the President would be charged with obstructing justice and ten other possible criminal actions.

In addition, I asked my general counsel to find out, if he could, how long such criminal proceedings would take, from the indictment, the carrying on of the trial, et cetera, and I was informed that this would take a year, maybe somewhat longer, for the whole process to go through.

I also asked my counsel to find out whether or not under decisions of the judicial system a fair trial would be given to the former President.

After I got that information, which took two or three days, I then began to evaluate, in my own mind, whether or not I should take the action, which I subsequently did.

Miss Thomas.

MORE

QUESTION: Throughout your Vice Presidency, you said that you didn't believe that former President Nixon had ever committed an impeachable offense. Is that still your belief or do you believe that his acceptance of a pardon implies his guilt, or is an admission of guilt?

THE PRESIDENT: The fact that 38 members of the House Committee on the Judiciary, Democrat and Republican, have unanimously agreed in the report that was filed that the former President was guilty of an impeachable offense, I think is very persuasive evidence.

And the second question, I don't recall --

QUESTION: An admission of guilt?

THE PRESIDENT: Was the acceptance of the pardon by the President an admission of guilt? The acceptance of a pardon, I think, can be construed by many, if not all, as an admission of guilt.

Yes, Mr. Nessen.

QUESTION: What reports have you received on Mr. Nixon's health, and what effect, if any, did this have on your decision to pardon him now?

THE PRESIDENT: I have asked Dr. Lukash, who is the head physician in the White House, to keep me posted in proper channels as to the former President's health. I have been informed on a routine day-to-day basis, but I don't think I am at liberty to give any information as to those reports that I have received.

You also asked what impact did the President's health have on my decision. I think it is well known that just before I gave my statement at the time that I gave the pardon I personally wrote in a phrase "the threat to the President's health."

The main concern that I had at the time I made the decision was to heal the wounds throughout the United States. For a period of 18 months or longer, we had had turmoil and divisiveness in the American society. At the same time, the United States had major problems both at home and abroad that needed the maximum personal attention of the President and many others in the Government.

It seemed to me that as long as this divisiveness continued, this turmoil existed, caused by the charges and counter charges, the responsible people in the Government could not give their total attention to the problems that we had to solve at home and abroad.

And the net result was that I was more anxious to heal the Nation. That was the top priority. I felt then, and I feel now, that the action I took will do that. I couldn't be oblivious, however, to news accounts that I had concerning the President's health, but the major reason for the action I took related to the effort to reconcile divisions in our country and to heal the wounds that had festered far too long.

QUESTION: Mr. President, after you had told us that you were going to allow the legal process to go on before you decided whether to pardon him, why did you decide on Sunday morning, abruptly, to pardon President Nixon?

THE PRESIDENT: I didn't decide abruptly. I explained a moment ago the process that I went through subsequent to the last press conference. When I had assembled all of that information that came to me through my counsel, I then most carefully analyzed the situation in the country and I decided that we could not afford in America an extended period of continued turmoil and the fact that the trial, and all of the parts thereof, would have lasted a year -- perhaps more -- with the continuation of the divisions in America, I felt that I should take the action that I did, promptly and effectively.

QUESTION: Mr. President, I would like to ask you a question about the decision relating to custody of the Nixon tapes and documents. Considering the enormous interest that the Special Prosecutor's office had in those documents for further investigation, I am wondering why the negotiations with Mr. Nixon's representatives were conducted strictly between the counsel in your office without bringing in discussions with either Mr. Jaworski's representatives or those from the Justice Department.

THE PRESIDENT: In the first place, I did receive a memorandum, or legal opinion, from the Department of Justice which indicated that in the opinion of the Department of Justice, the documents, tapes, the ownership of them were in the hands of the former President. Historically, that has been the case for all Presidents.

Now, the negotiations for the handling of the tapes and documents were undertaken and consummated by my staff and the staff of the former President. I believe that they have been properly preserved and they will be available under subpoena for any criminal proceeding. Now, the Special Prosecutor's staff has indicated some concern. I am saying tonight that my staff is working with the Special Prosecutor's staff to try and alleviate any concerns that they have. I hope a satisfactory arrangement can be worked out.

MORE

QUESTION: Mr. President, during your confirmation hearings as Vice President, you said that you did not think that the country would stand for a President to pardon his predecessor. Has your mind been changed about such public opinion?

THE PRESIDENT: In those hearings before the Senate Committee on Rules and Administration, I was asked a hypothetical question, and in answer to that hypothetical question I responded by saying that I did not think the American people would stand for such an action.

Now that I am in the White House and don't have to answer hypothetical questions but have to deal with reality, it was my judgment, after analyzing all of the facts, that it was in the best interest of the United States for me to take the action that I did.

I think if you will reread what I said in answer to that hypothetical question, I did not say I wouldn't. I simply said that under the way the question was phrased, the American people would object.

But I am absolutely convinced when dealing with reality in this very, very difficult situation, that I made the right decision in an effort, an honest, conscientious effort, to end the divisions and the turmoil in the United States.

Mr. Lisagor.

QUESTION: Mr. President, is there any safeguard in the tapes agreement that was made with Mr. Nixon, first, with their destruction in the event anything happens to him, because under the agreement they will be destroyed, and secondly, should not the tapes be kept in the White House until the Special Prosecutor has finished dealing with them?

THE PRESIDENT: The tapes and the documents are still in our possession and we are, as I said a moment ago, working with the Special Prosecutor's office, to alleviate any concerns they have as to their disposition and their availability.

The agreement as to destruction is quite clear-cut. As long as Mr. Nixon is alive and during the period of time that is set forth, they are available for subpoena by a court involving any criminal proceedings. I think this is a necessary requirement for the protection of evidence for any such action.

MORE

QUESTION: Mr. President, recent Congressional testimony has indicated that the CIA, under the direction of a committee headed by Dr. Kissinger, attempted to destabilize the Government of Chile under former President Allende.

Is it the policy of your Administration to attempt to destabilize the governments of other democracies?

THE PRESIDENT: Let me answer in general. I think this is a very important question.

Our Government, like other governments, does take certain actions in the intelligence field to help implement foreign policy and protect national security. I am informed reliably that Communist nations spend vastly more money than we do for the same kind of purposes.

Now, in this particular case, as I understand it, and there is no doubt in my mind, our Government had no involvement whatsoever in the Allende coup. To my knowledge, nobody has charged that. The facts are we had no involvement in any way whatsoever in the coup itself.

In a period of time, three or four years ago, there was an effort being made by the Allende government to destroy opposition news media, both the writing press as well as the electronic press, and to destroy opposition political parties.

The effort that was made in this case was to help and assist the preservation of opposition newspapers and electronic media and to preserve opposition political parties.

I think this is in the best interest of the people in Chile, and certainly in our best interest.

Now, may I add one further comment.

The 40 committee was established in 1948. It has been in existence under Presidents since that time. That committee reviews every covert operation undertaken by our Government, and that information is relayed to the responsible Congressional committees where it is reviewed by House and Senate committees.

It seems to me that the 40 committee should continue in existence, and I am going to meet with the responsible Congressional committees to see whether or not they want any changes in the review process so that the Congress, as well as the President, are fully informed and are fully included in the operations for any such action.

MORE



QUESTION: In view of public reaction, do you think the Nixon pardon really served to bind up the Nation's wounds? I wonder if you would assess public reaction to that move.

THE PRESIDENT: I must say that the decision has created more antagonism than I anticipated. But as I look over the long haul with a trial or several trials of a former President, criminal trials, the possibility of a former President being in the dock so to speak, and the divisions that would have existed not just for a limited period of time, but for a long period of time, it seems to me that when I had the choice between that possibility and the possibility of taking direct action hoping to conclude it, I am still convinced, despite the public reaction so far, that the decision I made was the right one.

QUESTION: Mr. President, in regard to the pardon, you talk about the realities of the situation. Now those realities rightly or wrongly included a good many people who speculate about whether or not there is some sort of arrangement -- even some of them call a deal -- between you and the former President or between your staff and his staff, resignation in exchange for a full pardon.

The question is: Is there or was there, to your knowledge, any kind of understanding about this?

THE PRESIDENT: There was no understanding, no deal between me and the former President, nor between my staff and the staff of the former President, none whatsoever.

QUESTION: Mr. President, there is a bill that the Treasury Department has put forward, I think it is about 38 pages. Under this bill, which deals with getting hold of the returns, Internal Revenue returns of the citizens of the country, you could take action to get those returns whenever you wanted to.

I wonder if you are aware of this, and if you feel that you need to get those returns of citizens.

MORE

THE PRESIDENT: It is my understanding that a President has, by tradition and practice, and by law, the right to have access to income tax returns. I personally think that is something that should be kept very closely held. A person's income tax return is a very precious thing to that individual and, therefore, I am about to issue an Executive Order that makes it even more restrictive as to how those returns can be handled and I do think that a proposed piece of legislation that is coming to me and subsequently will be submitted, as I recollect, to the Congress would also greatly tighten up the availability or accessibility of income tax returns. I think they should be closely held and I can assure you that they will be most judiciously handled as far as I am concerned.

Yes.

QUESTION: Mr. President, looking beyond the Nixon papers and in view of some criticism in Congress, do you believe we may have now reached the point where Presidential White House papers should remain in the Government's hands as the property of the Government?

THE PRESIDENT: As far as I am personally concerned, I can see a legitimate reason for Presidential papers remaining the property of the Government. In my own case, I made a decision some years ago to turn over all of my Congressional papers, all of my Vice Presidential papers to the University of Michigan archives.

As far as I am concerned, whether they go to the archives for use or whether they stay the possession of the Government, I don't think it makes too much difference.

I have no desire, personally, to retain whatever papers come out of my Administration.

Mr. Mollenhoff.

QUESTION: Mr. President, at the last press conference you said, "The code of ethics that will be followed will be the example that I set." Do you find any conflicts of interest in the decision to grant a sweeping pardon to your life-long friend and your financial benefactor with no consultation for advice and judgment for the legal fallout?

THE PRESIDENT: The decision to grant a pardon to Mr. Nixon was made primarily, as I have expressed, for the purpose of trying to heal the wounds throughout the country between Americans on one side of the issue or the other. Mr. Nixon nominated me for the office of Vice President. I was confirmed overwhelmingly in the House as well as in the Senate. Every action I have taken, Mr. Mollenhoff, is predicated on my conscience without any concern or consideration as to favor as far as I am concerned.

MORE

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Yes.

QUESTION: If your intention was to heal the wounds of the Nation, sir, why did you grant only a conditional amnesty to the Vietnam war veterans while granting a full pardon to President Nixon?

THE PRESIDENT: The only connection between those two cases is the effort that I made in the one to heal the wounds involving the charges against Mr. Nixon and my honest and conscientious effort to heal the wounds for those who had deserted military service or dodged the draft. That is the only connection between the two.

In one case, you have a President who was forced to resign because of circumstances involving his Administration and he has been shamed and disgraced by that resignation. In the case of the draft dodgers and Army and military deserters, we are trying to heal the wounds by the action that I took with the signing of the proclamation this morning.

QUESTION: Mr. President, another concern that has been voiced around the country since the pardon is that the judicial process as it finally unwinds may not write the definitive chapter on Watergate and perhaps with particular regard to Mr. Nixon's particular involvement, however total, however it may have been in truth. My question is, would you consider appointing a special commission with extraordinary powers to look into all of the evidentiary material and to write that chapter and not leave it to later history?

THE PRESIDENT: Well, it seems to me as I look at what has been done, I think you find a mass of evidence that has been accumulated. In the first instance, you have the very intensive investigation conducted by the House Committee on the Judiciary. It was a very well-conducted investigation. It came up with volumes of information.

In addition, the Special Prosecutor's office under Mr. Jaworski has conducted an intensive investigation and the Special Prosecutor's office will issue a report at the conclusion of their responsibilities that I think will probably make additional information available to the American people.

And thirdly, as the various criminal trials proceed in the months ahead, there obviously will be additional information made available to the American people. So, when you see what has been done and what undoubtedly will be done, I think the full story will be made available to the American people.

MORE



QUESTION: Mr. President, could you give us an idea who would succeed General Haig, and how are you coming on your search for a Press Secretary?

THE PRESIDENT: Do I have a lot of candidates here? (Laughter) No shows. (Laughter)

I have several people in mind to replace General Haig, but I have made no decision on that. It was just announced today that the NATO countries have accepted him as the officer handling those responsibilities.

I think he is to take office succeeding General Goodpaster on December 15. He assumes his responsibilities as the head of U.S. military forces November 1. In the next few days undoubtedly I will make the decision as to the individual to succeed him.

So far as the Press Secretary is concerned, we are actively working on that and we hope to have an announcement in a relatively short period of time.

QUESTION: Mr. President, prior to your deciding to pardon Mr. Nixon, did you have, apart from those reports, any information either from associations of the President or from his family or from any other source about his health, about his medical condition?

THE PRESIDENT: Prior to the decision that I made granting a pardon to Mr. Nixon, I had no other specific information concerning his health other than what I had read in the news media or heard in the news media. I had not gotten any information from any of the Nixon family. The sole source was what I had read in the news media plus one other fact.

On Saturday before the Sunday a member of my staff was working with me on the several decisions I had to make. He was, from my staff, the one who had been in negotiations on Friday with the President and his staff.

At the conclusion of decisions that were made, I asked him, how did the President look, and he reported to me his observations.

But other than what I had read or heard and this particular incident, I had no precise information concerning the President's health.

MORE

QUESTION: Mr. President, your own economic advisers are suggesting that to save the economy which is very bad and very pessimistic, we are hearing the word "depression" used now. I wonder how you feel about whether we are heading for a depression?

THE PRESIDENT: Let me say very strongly that the United States is not going to have a depression. The overall economy of the United States is strong. Employment is still high. We do have the problem of inflation. We do have related problems, and we are going to come up with some answers that I hope will solve those problems.

We are not going to have a depression. We are going to work to make sure that our economy improves in the months ahead.

QUESTION: Mr. President, in the face of massive food shortages and the prospects of significant starvation, will the United States be able to significantly increase its food aid to foreign countries, and what is our position going to be at the Rome conference on participation in the world grain reserves?

THE PRESIDENT: Within the next few days a very major decision in this area will be made. I am not at liberty to tell you what the answer will be because it has not been decided.

But it is my hope that the United States for humanitarian purposes will be able to increase its contribution to those nations that have suffered because of drought or any of the other problems related to human needs.

MORE

QUESTION: Back to the CIA, under what international law do we have a right to attempt to destabilize the constitutionally-elected government of another country, and does the Soviet Union have a similar right to try to destabilize the Government of Canada, for example, or the United States?

THE PRESIDENT: I am not going to pass judgment on whether it is permitted or authorized under international law. It is a recognized fact that historically, as well as presently, such actions are taken in the best interest of the countries involved.

QUESTION: Mr. President, last month when you assumed the Presidency, you pledged openness and candor. Last week you decided on the ex-President's pardon in virtually total secrecy. Despite all you have said tonight, there would still seem to be some confusion, some contradiction.

My question is this: Are the watchwords of your Administration still openness and candor?

THE PRESIDENT: Without any question, without any reservation. And I think in the one instance that you cite, it was a sole decision, and believe me, it wasn't easy, and since I was the only one who could make that decision, I thought I had to search my own soul after consulting with a limited number of people, and I did it, and I think in the longrun it was the right decision.

THE PRESS: Thank you, Mr. President.

END (AT 8:30 P.M. EDT)

This Copy For \_\_\_\_\_

NEWS CONFERENCE

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AT THE WHITE HOUSE

WITH JACK HUSHEN

AT 12 NOON EDT

SEPTEMBER 20, 1974

FRIDAY

MR. HUSHEN: Good morning. We seem to have a full house today.

Let me just go quickly through the announcements.

Last evening before making the campaign appearance on behalf of Congressman Stanford Parris, the President met for an hour with Indian Foreign Minister, Swaran Singh. As you know, this was the first opportunity for the President to meet with a high level Indian official since assuming office, and the first such Presidential contact since Prime Minister Gandhi's visit in November of 1971.

The President and Mr. Singh took this opportunity to have a wide-ranging discussion of issues of interest to both sides in the field of foreign policy. That includes South Asia, bilateral relations and a discussion of Secretary Kissinger's trip to that area next month.

The President expressed support for the continued strengthening of relations between India and the United States.

The President got started early this morning at 7:45 and has been meeting with staff members, including Al Haig, Secretary Kissinger, General Scowcroft, Phil Buchen.

Due to the fact that he met for about 45 minutes this morning with Senator Henry Jackson to discuss the trade bill, I was not able to see the President prior to coming out here.

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The only guidance I can give you on the meeting between the President and Senator Jackson was that it was, as I said, to discuss further efforts to achieve an acceptable trade bill. Progress continues to be made as a result of these discussions but I have nothing more that I can give you on that. Secretary Kissinger did sit in on that meeting.

At 1:30 this afternoon, the President will meet with Mr. David Rockefeller to discuss Mr. Rockefeller's proposal for a national development bank which would assist in creating new communities and redeveloping older cities. We will see if we can't get you something more on that after the meeting.

At 2:30 this afternoon, the President will meet with the Governor of Puerto Rico, Rafael Hernandez-Colon. Prior to that meeting, Governor Colon will meet with members of the Domestic Council. The Governor wants to talk to the President about matters of general concern to the people in the Commonwealth of Puerto Rico.

Then at 3:30 this afternoon, the President will meet with a group of his economic advisers to receive an update on the proceedings of the meetings leading up to the summit conference on inflation which, as I think you all know, will be held next Friday and Saturday.

As far as tomorrow goes, I can't give you the full schedule yet, but at 11:00 the President will meet with Alberto Juan Vicente Vignes, the Argentine Minister of Foreign Relations. The Foreign Minister is here in the United States for the U.N. General Assembly session and the President wanted to take this opportunity to discuss with him hemispheric relations and other matters of mutual concern.

Q Would that include Cuba?

MR. HUSHEN: Hemispheric relations.

Q About what?

MR. HUSHEN: Then, as we previously announced, the President will meet at 5:30 P.M. tomorrow with Prime Minister Tanaka of Japan, also in the Oval Office.



Looking ahead to Monday, the President will depart the White House for Detroit to address the World Energy Conference at about 8:15 A.M. Then he is scheduled about 11:00 A.M., and we hope to have an advance text for you either Sunday or on the plane Monday.

The President's departure time will require a press check-in at Andrews at 7:00 A.M., with a 7:30 departure for Detroit. I don't have any other detailed times yet, but I think I said yesterday, I expect the President to be returning to the White House in the early afternoon and there are no other visits scheduled in connection with the trip.

We will have the detailed schedule tomorrow, hopefully.

I have several other announcements that I want to get through here. The President is announcing the appointment of William E. Casselman, II, as an additional Counsel to the President. Casselman will serve along with Phillip Areeda as one of the two senior Counsel to the President and associated with Philip Buchen, who is Counsel to the President with Cabinet rank.

The President will nominate Daniel Minchew of Baxley, Georgia, to be a member of the United States Tariff Commission for the remainder of the term expiring June 16, 1976.

The President is announcing the appointment of Clyde S. DuPont of Alexandria, Virginia, to be a Commissioner of the Postal Rate Commission for the remainder of the term expiring October 14, 1974.

The President is announcing the reappointment of Addie J. Key of Baltimore, Maryland, as a member of the Board of Advisers of the Federal Reformatory for Women. We will post information on that appointment.

You have the memorandum from the President to heads of departments and agencies in which he reaffirms his belief in the career civil service system, and the integrity of the civil servants and wanted to let the heads of the executive departments and agencies know where he stands.

MORE

The President has also signed an Executive Order which you have and which he referred to in his press conference this week. This Executive Order is self-explanatory, but you do have a fact sheet on it.

The Order sets forth the strict and legally-binding procedures by which the President's access will be governed as well as access by members of the staff to tax records.

Under this Order, the President must personally specify in writing the returns desired and must personally designate in writing the member of his staff who is authorized to see the returns in his behalf.

MORE

Q Does he have to say why he wants to see the return and why not if he doesn't?

MR. HUSHEN: Does he have to say why he wants to see the returns?

Q Yes.

MR. HUSHEN: I don't think so. I think he just has to designate that he wants to see them.

Q Jack, can't he simply set that aside by another Executive Order of his own or a waiver? What is the effect of an Executive Order when he issues it only himself?

MR. HUSHEN: I think it certainly indicates to the public how he feels about the situation.

Q Does it have any legally binding effect on him if he changes his mind and wants to see someone's tax return?

MR. HUSHEN: I think you can always change your Executive Orders, but I think what he is obviously stating here is what his policy is going to be.

Q Is he saying that no subordinate can order an income tax return without the President's knowledge? Is that what he is saying?

MR. HUSHEN: That is correct.

Q Does he still favor the legislation which would in effect prevent him from doing this kind of thing?

MR. HUSHEN: I don't know what his position is on that.

Q Jack, would he have to issue another public Executive Order to change this?

MR. HUSHEN: I believe so.

Q Why did he take this action?

MR. HUSHEN: He indicated in his press conference how he felt about it.

Q I mean, does it come from any abuses that he knows of? (Laughter)

MR. HUSHEN: You have been around here long enough.

Q That is a legitimate question.

Q No, I want to ask you why.

MR. HUSHEN: I think he has seen what has happened in the past, and I think he wants to make it very clear that it is not going to happen in the future, at least not as long as he is in the White House.

Q Will the file records on any requests for inspection of these returns be open for examination by any Members of Congress or just simply the public in any fashion, or will that be a secret file?

MR. HUSHEN: Do you mean the designations of approval?

Q Yes.

MR. HUSHEN: I don't know whether that would be open or not. I am sure we can get you an answer to that.

Q Congressional committees can see tax records if the President approves, if the President issues an Executive Order?

MR. HUSHEN: I don't know.

Q Jack, there are several Congressional committees that have blanket authority to see taxpayer's records under present law. Does this have any effect on that?

MR. HUSHEN: I thought that was the case.

Q Does this have any effect on that at all?

MR. HUSHEN: This would, I believe, be an order that would only affect the Executive Branch.

Q Can you explain why the President would want to visit a country like South Korea, which is becoming increasingly dictatorial and a regime where the government is under fire and under attack for undemocratic steps?

MR. HUSHEN: South Korea has been a long-standing ally of this country, and the United States has important security interests in that area, and he believes that talks with Mr. Park will be useful.

Q Did he think about it; I mean, did he weigh these considerations?

MR. HUSHEN: I am not privy to all of the information that went into this trip.

Q Is there any special worry about security arrangements there in view of the assassination attempt?

MR. HUSHEN: There is always a concern for security of the President, but I know of no unusual precautions.

Q Jack, do you expect different stops, if there are additional stops, to be announced piecemeal on this trip?

MR. HUSHEN: If there are any additional stops -- and I don't know of any right now -- they would be announced as they are firmed up.

Q Does that mean South Korea was firmed up yesterday?

MR. HUSHEN: Yes.

Q Does it mean --

MR. HUSHEN: That was in answer to Cliff's question, not yours.

Q Are there any additional trips contemplated, not at this time, additional stops, I mean?

Q Does the President consider this trip an endorsement of the Park regime?

MR. HUSHEN: I don't think you have to view it that way. He is going to be in Japan. As I said before, South Korea has been a long and strong ally.

Q Jack, does that mean that he will not be using his tickets to the Ohio State-Michigan game?

MR. HUSHEN: Do you want them?

Q Yes.

MR. HUSHEN: Is that the date?

Q The 23rd.

Q Was there any talk about him going to India during that talk last night?

MR. HUSHEN: I have no guidance for you on that.

Q Jack, when Senator Jackson left here this morning he said, if I understand him correctly, that the President was going to meet with Mr. Gromyko again on Tuesday. Do you know anything about that?

MR. HUSHEN: Well, that may have been discussed. The meetings that have gone on this morning have been virtually non-stop and I don't know.

Q Jack, has the President had any conversations with Attorney General Saxbe lately about several matters: about the increased crime rate around the country; the fact that the Justice Department has, on a non-stop basis, been losing political cases; and, third, about three investigations that are underway at LEAA including one that has to do with consultant-ships and alleged abuse of the Civil Service laws?

Has he talked to Saxbe about any of those matters?

MR. HUSHEN: The only conversation I am aware that the President has had with the Attorney General recently has been in connection with the conditional amnesty program.

Q Jack, the Venezuelan president has taken offense at the President's speech to the U.N. on oil producing countries and he sent a 2,000-word cable. Do you have any response to that?

MR. HUSHEN: I do not.

Q Jack, what prompted the President's memorandum to departments and agencies about Civil Service employees?

MR. HUSHEN: I think it has been something that he had been planning to say. I think the statement speaks for itself in the sense that he has a high regard for the civil servants and will not tolerate any abuse of that system.

Q Did it have any connection with his request for deferring the pay raise?

MR. HUSHEN: Absolutely not.

Q Did it have any connection with the front page Star News report yesterday?

MR. HUSHEN: No, this has been in the works for a long time, much longer than the series of stories.

Q Does it relate to any abuses he thinks may have occurred during the previous Administration?

MR. HUSHEN: He just wants to state his position.

Let me just mention something that I slipped by regarding our announcements of visits of foreign dignitaries. President Ford will meet with Australian Prime Minister, E. Gough Whitlam, Friday, October 4. The Prime Minister will be visiting Washington after his attendance at the General Assembly in New York.

And I have one addition to the President's schedule for today. About 3:25 P.M. the President will meet with Andrew May, who will be retiring in mid-November as the office manager and assignment editor in the Photo Office here in the White House.

Most of you know Buck May so I will not enumerate his many activities and accomplishments. This will be a photo session.

Q Does the President endorse Mr. Greenspan's statements to the summit meeting yesterday, the HEW meeting yesterday?

MR. HUSHEN: Well, if you look at everything that Mr. Greenspan said --

Q Do we have to? (Laughter)

MR. HUSHEN: -- I think he was addressing the wrong audience. (Laughter)

The President is on the record as saying that inflation hits hardest the people on the fixed incomes. What Mr. Greenspan was pointing out was purely a statistical fact which would stand by itself.

It is not a matter of endorsing that fact or the statement.

I think the President is fully on record as to his feelings about inflation and how it hurts everybody but most importantly those who are on a fixed income.

Q Does the President have any initial feeling on the new cost of living figures announced today, the highest in a year?

MR. HUSHEN: I can't give you anything on that.

Q Jack, this statement on Civil Service seems to be just restating what has been in the law for a number of years. If it is not related to any abuses, does the President plan to issue similar statements on other laws that he thinks should be obeyed? (Laughter)

MR. HUSHEN: The President just wanted to go on record as to what he feels about the Civil Service system and the quality of the employees.

Q And he doesn't agree with President Nixon about the bureaucracies and impenetrable force?

MR. HUSHEN: Well, you have what President Ford feels about it.

Q Jack, is the President giving any attention to the fact of his appointments he has to make at some point to the Board of the new Legal Services Corporation?

MR. HUSHEN: Yes, he is. I think that matter is close to being announced.

Q Jack, who is going to succeed General Haig?

MR. HUSHEN: I have nothing I can give you on that today.

Q When do you anticipate there will be an announcement on that?

MR. HUSHEN: I don't know. As I mentioned, I wasn't able to talk to the President this morning.

Q Do you know when General Haig leaves?

MR. HUSHEN: It will be next week.

Q The end of next week?



Friday morning

- 11 -

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MR. HUSHEN: No, it will be some time next week.

Q Has the President changed his position on the need for confirmation of Haig?

MR. HUSHEN: No.

Q And it still is that he doesn't need to be confirmed and won't be nominated?

MR. HUSHEN: That is correct.

Q I thought there was a formal request from a committee of the Senate to have General Haig come up to answer questions. Will that be refused as far as the White House is concerned?

MR. HUSHEN: Will it be reviewed or refused?

Q Refused?

MR. HUSHEN: Bill, I think we will just have to take a look at that request when it comes up.

Q Jack, can you tell us who authorized and under what provisions Julie Eisenhower could fly by military plane to California?

MR. HUSHEN: Mr. Gulley, over in the Military Aide's Office, said yesterday to those who contacted him, it has been a long-standing policy to make available to former Presidents' families seats on courier planes that are traveling to the location of the former President to give him briefing materials and other things like that.

And the Trumans took advantage of this, the Johnson daughters, so it is nothing unusual.

Q Was there a courier plane taking briefing materials to the former President?

MR. HUSHEN: That is correct.

Q Briefing materials on what aspects of Government?

MR. HUSHEN: Dick, I can't give you specifics on that but again this is the same policy that has been followed for ex-Presidents to keep them apprised of current issues.

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Q How frequently do these briefing materials go out? Are they accompanied by a person who gives a personal briefing or is it just written materials?

MR. HUSHEN: I don't know the answer to that.

Q Is it a special plane or the regular East-West courier plane from Andrews to San Bernardino?

MR. HUSHEN: It is not a special plane. It is the regular courier plane.

Q What else does it do? I mean, what is its regular duties other than dropping off these briefings? I mean, does it have other people that it drops off briefing matters to?

MR. HUSHEN: I imagine it could be used for anything, any Federal activity on the West Coast.

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Q I was just wondering how much need there is for that. Is there a great deal of need to get Washington materials to some Federal agency on the West Coast that requires a flight out to the West Coast?

MR. HUSHEN: I am sure we can get a definition of the activities in that regard for you.

Q Can we find out, Jack, specifically what this airplane that carried Julie Eisenhower out, specifically what else it carried out?

MR. HUSHEN: I think we probably can.

Q Jack, have you seen information that this President has ordered that former President Nixon be kept up-to-date on foreign and domestic affairs through a private briefing?

MR. HUSHEN: As I understand it, that is the standard practice for former Presidents. I don't know how detailed these briefings are, and I can't go into how great the information is that is given to them.

Q Well, it seems to me that that is a fairly important issue. I wonder if there is a way we can find out who is doing the briefings and what information is being passed on to Mr. Nixon that the rest of us are not getting?

MR. HUSHEN: I think we can try to give you some help in that area.

Q Does Nixon send back any memos?

MR. HUSHEN: I don't know.

Q Do you know whether it is a packet of briefing papers or whether a personal aide went out?

MR. HUSHEN: I don't know.

I am informed that it can be either way, depending on the subject.

Q Jack, did Dr. Tkach go out on that plane?

MR. HUSHEN: I don't know who else was on that plane other than Julie Eisenhower.

Q Could you find that out?

MR. HUSHEN: Possibly. As you know, Tkach went out there last week.

Q Yes, and I understand he went out yesterday or today.

MR. HUSHEN: I will not guess at that. I haven't checked the manifest.

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Q What is the thinking behind briefing of former Presidents? Is it to get advice from those former Presidents, or what?

*query* MR. HUSHEN: That is probably part of it. I didn't explore what the purpose of it was. We got the ~~courier~~ about Julie Eisenhower and that is the only thing we went into.

Q Does President Ford know in fact that President Nixon is being briefed?

MR. HUSHEN: I believe so. As I said, it has been standard procedure to brief former Presidents.

Q Jack, are you equating the departure of President Nixon with those of other former Presidents?

MR. HUSHEN: What do you mean "equating"?

Q Well, in your statement you make it sound like that is what you do for all former Presidents.

MR. HUSHEN: I certainly wouldn't equate the way the former President left with other former Presidents, but he still is a former President.

Q You said that papers or a person can fly out there to brief. Do you mean by that that someone has flown out there to brief the former President at some point?

MR. HUSHEN: They may have, I don't know. We are in an area that I don't have that many facts on. It is obvious from my response to your questions that I am not well briefed in this particular area.

Q Jack, could you fairly expeditiously locate someone who could perhaps give us some information on this because there are a lot of holes right now.

MR. HUSHEN: We will try to get you some more information.

Q Jack, are you saying that there is material that is of such urgency that it can't be entrusted to the United States mail but has to be sent out by Air Force jet to Mr. Nixon?

MR. HUSHEN: Let me see if we can't get some answers here.

Q And also is any of it classified?

Q And is Secretary Kissinger going to brief Nixon? I believe he did brief Johnson after Johnson left on several occasions.

Q And is it correct this courier plane makes scheduled weekly stops once or twice a week there?

MR. HUSHEN: I think I read that.

Q We would like to confirm that. I have a need for it.

MR. HUSHEN: Okay.

Q What kind of security stamp is on this material that the former President is getting? Does he still have "Top Secret" security clearance?

MR. HUSHEN: I don't know.

THE PRESS: Thank you.

END (AT 12:30 P.M. EDT)

#32

AT THE WHITE HOUSE

WITH JACK HUSHEN

AT 3:56 P.M. EDT

SEPTEMBER 20, 1974

FRIDAY

MR. HUSHEN: The President met this morning for two and a half hours with the Soviet Foreign Minister, Andrei Gromyko, who, as you know, was in the United States for the General Assembly meeting.

The meeting was described as cordial in tone and provided for a very useful exchange of views on the major issues of current interest to the United States and the Soviet Union.

There was no set agenda for this morning's discussion. The majority of the meeting was devoted to a review of the current status of U.S.-Soviet relations, including developments that have occurred since the United States and USSR summit conference in June of 1974.

The two leaders also discussed upcoming issues of interest to both countries and also the Strategic Arms Limitation Talks, the SALT negotiations, that have resumed in Geneva.

In addition to the bilateral subjects, the meeting also included a review of international issues such as the East-West negotiations currently in progress and the situation in the Middle East.

President Ford and Foreign Minister Gromyko both agreed on the importance of continuing efforts toward a lasting and equitable peace in the Middle East.

Others attending the meeting this morning were Secretary of State Kissinger and Ambassador Walter Stoessel and the Russian Ambassador, Dobrynin.

The meeting did include a brief review of the Conference on Security and Cooperation in Europe. That is the CSCE, and the force reduction talks which have just resumed in Vienna.

There was a question this morning as to whether or not the President planned to meet again with Mr. Gromyko. The answer to that is no. I think there was some misunderstanding. He plans to leave the United States on Tuesday, but I think you had better, if you want to, check that definitely with the Russian Embassy.

Q Isn't Kissinger going to meet again with him?

MR. HUSHEN: I don't know the answer to that.

Q Did they talk about the trade bill?

MR. HUSHEN: Yes, the President touched on his discussions with the Congress aimed at producing an acceptable trade bill.

Q Did he get some sort of an agreement on immigration from the Soviet Foreign Minister?

MR. HUSHEN: I can't go beyond what I have said on that.

Q Did Gromyko say anything on this subject? You said the President touched on it. Did Gromyko respond in any way?

MR. HUSHEN: I can't give you any answer to that question.

Q Does the President feel that there is an agreement soon, that there might be an agreement soon, with the talks today? Jackson said much depended on the White House talks.

MR. HUSHEN: On the trade bill?

Q Yes.

MR. HUSHEN: Nothing that I can say.

Q Are you aware of what Senator Jackson said? His quote was that the Soviet Union had turned 180 degrees. Are you aware of that quote?

MR. HUSHEN: No, I am not.

Q Have you read anything about that?

MR. HUSHEN: No, I didn't see the wire on Jackson, and I didn't get a chance to get a fill-in.

Q Do you have answers for questions that haven't been answered.

MR. HUSHEN: That is a good way to phrase it. I have some more answers here.

Q What about the courier service to California?

MR. HUSHEN: I can't get into that until I have had a chance to get some more guidance on how it is going to be operated in this Administration. We have checked parts of the question as to what went on before.

Q Jack, as a result of the President's talks with Jackson and with Gromyko, does the Administration feel that a trade bill is near, that agreement is imminent?

MR. HUSHEN: The President certainly is hopeful, but I didn't want to put a time on it.

Q Is he more hopeful now than he was earlier this morning

MR. HUSHEN: Charlie, I have not seen the President, and I don't know.

Q The Senate hopes to get that through before they adjourn. That is what one of the Senators told me.

Q Do you have anything more on his weekend schedule?

MR. HUSHEN: No, that is about all I can give you on the meeting this morning and nothing more on what I have said this weekend.



Q What exactly did they talk about?

MR. HUSHEN: A whole range of issues. In fact, I think this is the first time they have sat down together and they discussed a whole broad range of issues.

Q Did anything come out of it beyond their exchange of views?

MR. HUSHEN: The purpose of the meeting was to provide a setting for this kind of discussion. No subjects were raised with the idea of hammering out an agreement.

Q Do you mean to say that the President touched on his discussions in Congress on this trade bill and you can't tell us whether it went beyond that, whether there was any discussion of a commitment from the Soviets in terms of numbers, whether there was any --

MR. HUSHEN: I cannot.

Q Was there any talk of renewing President Nixon's invitation to Mr. Brezhnev to come here next year for a return summit?

MR. HUSHEN: I think the invitation is still on, and President Ford looks forward to Mr. Brezhnev's visit here in 1975.

Q But there was no discussion that you know of?

MR. HUSHEN: No. Well, let me back up for a minute. The President indicated he was looking forward to the visit.

MORE

Friday afternoon

- 5 -

#33

Q Jack, have you got anything on this briefing of Mr. Nixon that you can tell us?

MR. HUSHEN: I was just saying to Fay, we were able to get some of the details, but I want to be able to talk to some other people before I start commenting on it.

Q When are you going to do this, Jack?

MR. HUSHEN: I don't know. Hopefully we will try to get some today, but the President's schedule has really been tight.

Q Let me just state what we know so far. Mr. Nixon gets regular briefings from the White House. Sometimes these briefings are in written form; sometimes they are in person. And they go by military courier flight. Is that right?

MR. HUSHEN: Let me just correct one thing in that. There have been no "in person" briefings. What has gone to Mr. Nixon is generally foreign policy intelligence type material similar to that which has been given to other former Presidents.

Q Did you find that classification, Jack? Did you get that?

MR. HUSHEN: No.

Q Does he get this once a week?

MR. HUSHEN: As I said, I can't get into any more details on this until I have some more information.

Q Jack, can you tell us whether the President is planning to go to the Ann Arbor-Colorado game Saturday?

MR. HUSHEN: This Saturday?

Q Tomorrow, yes. They seem to be expecting him.

MR. HUSHEN: Well, it would be one surprised Deputy Press Secretary.

Q He is seeing Tanaka, isn't he?

MORE

#33

MR. HUSHEN: He is seeing the Australian --

Q No, he is seeing the Japanese tomorrow.

MR. HUSHEN: But, I announced the Australian man for the morning and then Tanaka.

Q Just to clear this up, did you say this morning that one of the purposes of this briefing process is that Mr. Ford can seek advice from President Nixon on foreign policy? Did I understand you correctly to say that?

MR. HUSHEN: Well, that could be. I think I will just stick with what I said this morning.

Q Well, I haven't got it clear.

MR. HUSHEN: That would make sense to me, that the reason to keep former Presidents aware of what is transpiring after they leave office would be so that the sitting President could call upon them for consultation purposes primarily in the foreign policy area.

Q Has this been done yet? Has Mr. Ford asked --

MR. HUSHEN: You are getting into areas that I can be of no help.

Q Are you going to try to get this in the next hour?

MR. HUSHEN: There are a lot of things going on around here.

Q We have all had our preliminary stories and there is a certain backing-off here with you now, and before this day is out --

MR. HUSHEN: Backing off of what?

Q You are saying now there have been no individual briefings. The impression this morning was that this had been both ways.

MR. HUSHEN: There were individual briefings for former President Johnson, for instance.

Q You are saying this has not been the case for Nixon?

MR. HUSHEN: Not that I have been able to ascertain.

Q You know some of us already have these stories out and we need some clarification.

Q When we say "courier plane", do we mean that plane goes out there only for this purpose, or is this plane going out there anyway and it is used to send this along?

MR. HUSHEN: It is called a courier plane, but it is my understanding whenever there is material to go, and it generally occurs every week or ten days, it goes. But there are other things. For instance, we still have quite a bit of communications equipment out there and we exchange communication teams.

Q The plane is not sent out there primarily to deliver this material to Mr. Nixon, is it?

MR. HUSHEN: Again, I don't know the answer to that.

Q Do you mean you exchange communication teams? What does that mean?

MR. HUSHEN: Well, we have the White House communications system, Signal Corps, and they stay out there for a period of time, and then they come back here. There is still a lot of communications gear out there.

Q Did Julie Eisenhower call and ask to be taken there and a plane just happened to be ready to go?

MR. HUSHEN: I don't know.

Q What kind of communications?

MR. HUSHEN: The Signal Corps lines between here and San Clemente are still in place.

Q Is that the only kind of communications you are talking about? You are not talking of transition communications or anything like that?

MR. HUSHEN: There is that going on too.

Q You don't mean just people engaged in Signal Corps operations?

MR. HUSHEN: No, but for instance, on the plane Julie was on, there were some White House Communications people taken out there.

Q Was Dr. Tkach on that plane?

MR. HUSHEN: I think the answer is no, but I haven't had a chance to check it.

Q Was he on one today?

MR. HUSHEN: Again, I don't know. Call Mr. Gulléy in the Military Aide's office.

Q Gulley is out jogging.

Q Jack, have any of the former President's files been brought out to him on that plane?

MR. HUSHEN: Not that I am aware of, but I don't know what happened regarding the former President in that regard.

Q Has the President heard anything about the latest report that the former President is going to the hospital on Monday?

MR. HUSHEN: I don't know other than what I have said in the past, that he has asked Dr. Lukash to keep him generally informed. I think we will probably stick with that.

THE PRESS: Thank you.

END (AT 4:14 P.M. EDT)

September 24, 1974

SUBJECT:

DISMANTLEMENT OF KEY BISCAYNE

*Refer to GSA*

According to a wire story yesterday, the GSA is in the process of dismantling Key Biscayne. Is that correct?

GUIDANCE: It's my understanding that GSA is in the process of making a survey to determine what can be economically retrieved from Key Biscayne. (Underground wiring, etc., will not come out since it would cost more to take it out than leave it. However, the furniture, air conditioners, etc., will be removed.)

*2 homes owned by GSA - These are the one should down*

Is it correct that the Coast Guard Patrol has reduced in size their secure area around the former President's home?

GUIDANCE: It's my understanding that the Patrol has been brought in 200 to 300 yards to the area of the shark nets.

*Refer to S.S.*

Why is any security still provided for former President Nixon?

GUIDANCE: I understand that this security will be provided until GSA completes their survey, but if you want any more detailed answers, I strongly suggest you call Jack Warner at Secret Service.



MEMORANDUM

THE WHITE HOUSE  
WASHINGTON  
September 25, 1974

SEP 24 1974

MEMORANDUM FOR MR. RON NESSEN

FROM: Physician to the President



At 1:30 pm today I spoke to Doctor John Lungren regarding former President Nixon's current medical status. He stated that special diagnostic studies had indicated that the former President showed evidence of having had a blood clot to the right lung. The former President is resting well and in good spirits while undergoing the process of regulating the anticoagulant (or blood thinning) treatment. In addition, Doctor Lungren said the former President will be undergoing other diagnostic studies during his hospitalization. I related this information to the President in the Oval Office about 2:00 pm.

*W M Lukash*  
William M. Lukash, M. D.  
Rear Admiral, MC, USN

*Pres. Ford was pleased that there was no imminent danger and feeling reasonably well.*

- Q - When get another report?*  
*A - Probably a few days; until Lungren gives him a progress report. Wait for him to me.*

September 26, 1974

SUBJECT:

HAS PRESIDENT FORD BEEN UPDATED  
ON FORMER PRESIDENT NIXON'S  
CONDITION TODAY?

Has President Ford talked with Former President Nixon or had an update  
on his condition from Dr. Lukash today?

GUIDANCE: The President has not talked with Mr. Nixon, nor has Dr.  
Lukash talked with Mr. Nixon's physician today.

Dr. Lukash will be advised on any changes in the clinical  
condition of Former President Nixon by Dr. Lungren.



September 26, 1974

SUBJECT:

CONGRESS ASKS AMOUNT OF MONIES  
BEING SPENT ON RICHARD NIXON.

How much money is being spent, in toto, on Richard Nixon and his family,  
homes, etc.?

GUIDANCE: Roy Ash and Arthur Sampson, in testimony yesterday on the hill, were asked the same question. It is my understanding that OMB is looking into this and will have more information available in the next few days. Until that time, there is nothing further I can give you.

Briefing book

THE WHITE HOUSE  
WASHINGTON

September 26, 1974

MEMORANDUM FOR RON NESSEN

FROM: LARRY SPEAKES

SUBJECT: NIXON HOSPITALIZATION

Q: What medical benefits does former President Nixon have?

A: He--and all former Presidents--are entitled to free medical care at military hospitals. In a civilian hospital, he receives no government compensation.

FYI: Johnson used military hospitals.



Nixon

September 25, 1974

SUBJECT:

(~~TRANSITION~~) FUNDS FOR MR. NIXON  
CUT BACK

The House Appropriations Committee approved \$398,000, less than half the \$850,000 requested by the Administration for Mr. Nixon under the Transition Act and Former Presidents Act.

What's President Ford's reaction to the House Appropriations Committee cut of the Transition Funds for Former President Nixon?

GUIDANCE: I haven't talked to the President about that, so I have no reaction to give you.

I would point out, however, that GSA, on behalf of the Former President, requested the Transition Funds for Mr. Nixon, and that request was merely transmitted to Congress by the White House.

Are you saying that Mr. Ford never saw this request for funds for Mr. Nixon?

GUIDANCE: As you know, GSA did the negotiating with the Former President, and has since testified on the Hill on this subject. The mechanical process was that Mr. Ford did transmit the request to the Hill.

JGC



NIXON'S HEALTH

Q. Is President Ford being kept informed of President Nixon's condition?

A. Dr. Lukash is keeping the President generally informed of the condition of former President Nixon as he has in the past.

Q. Has Dr. Lukash been in contact with anyone at San Clemente?

A. Yes, he has spoken with Dr. Lungren about the former President's condition. (FYI - Lukash called Lungren last night and again this morning and gave President Ford a condition report which is that the former President is still carried on the critical list although his condition is stable.)