The original documents are located in Box 26, folder "First Debate, 9/23/76: Issues -Nixon/Watergate" of the Michael Raoul-Duval Papers at the Gerald R. Ford Presidential Library.

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LEADERSHIP/TRUST



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GOR

- I chose to keep revenue sharing which I fought for as Minority Leader of the House.
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Social Programs/Goals Block

My personal goal is to expand the freedom of every citizen. I want every American to have a good job and be free of dependence. The number one cure for our social problems is a good job with a paycheck. Every American should feel physically secure, free from the horror of war and the threat of crime. Every American should have a home in a decent neighborhood with schools where our children can get a good education. Every American should have the best medical care at costs which will not wipe out our savings. Every American wants to work and relax in a clean, healthy environment. These are my goals for our social programs. Now let me show you how we get there.

It's logical that local people are best equipped to cope with local problems. Our policies are aimed at giving them more power to do this in the local areas where the action is. We don't need to create more agencies or hire more bureaucrats in Washington. We need to free the local people to solve their problems. For example, Apropose reforming programs into bloc grants to make your tax dollars work more efficiently where it counts; in your community, etc.

For example:

. in Education we mus

NIXON - FORD (WATERGATE/TRUST) - ALTERNATIVE NO. 1

What I've tried to provide is a new kind of leadership -- strong and protecting the people's rights, but a little less frantic, a little less strident, a little quieter than past years. I think it's helped to bring an amazing American recovery in the past two years; and I'm proud to be a part of it.

The pardon is an example of this leadership.

At the time I faced that decision, this Nation was in one of its most distrustful periods of our history. That had to be dispelled.

I can remember vividly -- perhaps better than anyone in this theatre -- (looking into the TV camera) maybe better than anyone watching on television -- the raw emotions of those days in August of 1974. The distrust, the hatred, the preoccupation away from the great issues of the day.

That image is still vivid in my mind tonight, and because of it, if faced with the same set of circumstances, I would make the very same decision again -- especially now Gecause I Gelieve that we know how much that decision contributed to the healing of America.

The interest of all Americans have been served because we have been able to turn to the problems confronting us and to dome up with colutions.

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NIXON - FORD (WATERGATE/TRUST) - ALTERNATIVE NO. 2

My leadership is very different from that of my predecessor and from the type of leadership we can expect of Mr. Carter. What I've tried to provide is a new kind of leadership -- strong and protecting the people's rights, but a little less frantic, a little less strident, a little quieter than past years. I think it's helped bring about an amazing recovery in the past two years, and I'm proud to be a part of it.

I cannot accept Mr. Carter's assumption that my Administration has followed in the exact footsteps of my predecessors.

I recall a President, Woodrow Wilson -- he had a war.

I recall a President, Harry Truman -- he had a war.

1 recall a President, John Kennedy -- he also had a war.

And I recall a President, Lyndon Johnson -- he accelerated a war.

Does that mean if my opponent is elected he will start a war?

No.

THE WHITE HOUSE WASHINGTON



September 22, 1976

MEMORANDUM FOR:

MIKE DUVAL

FROM:

DAVE GERGEN

Bob Bork has sent along the following. It is worth reading.

cc: Richard A. Cheney

Ken:

I think the question of the pardon has not always been presented as well as it might and I have tried drafting some of the reasons that seem to me to (the second, for instance) support it. Perhaps some should not be used and undoubtedly all could benefit from rewording, but I send along this rough outline since I think the issue should not be evaded but rather met strongly and the decision presented for what it is -- a difficult choice with which people may disagree but made for solid reasons that reflect statesmanship.

I may Try rewording to further.

I pardoned former President Nixon for the good of the country and under the same circumstances, I would do the same thing again. It is important that the nation know my reasons.

First, the House Judiciary Committee's impeachment investigation had been so thorough that there would be very little or no additional information important to the nation that could be developed under the strict constraints of a criminal proceeding.

Second, I thought there was a real possibility that the initiation of criminal proceedings might produce a tragedy. It must be remembered that the former President had already suffered more than almost any criminal defendant ever suffers.

Third, the Special Prosecutor, Leon Jaworski, advised me that in his best judgment it would be impossible to afford the former President a fair trial for more than a year, if ever, due to the unprecedented barrage of publicity that had gone on continuously during the time that he was being publicly investigated. In my view, it would have been intolerable to indict and then delay the trial for perhaps years. Aside from the unfairness to the individual, that procedure would have kept the nation in a state of bitterness, division, and recrimination that we could ill afford while facing domestic and international problems of great severity. Fourth, many of those who most severely criticized the pardon also said that they did not wish to see the former President go to prison, they just wished to see the judicial process carried through. In my view, it would have been unconscionable to put the former President through that process for no purpose other than inflicting a further ordeal. That would be to use the trial process simply as additional punishment. It would also have been wrong to misuse the nation's courts for such a purpose.

Finally, and this is my most important reason, had I allowed indictment and trial to go forward at that time, and had there been a conviction, the question of whether and how much a single man should be punished would inevitably have become a heated political issue. It is utterly improper and foreign to our system to bring political pressures to bear on a man's fate. That would be both destructive to our system of justice and poisonous to our politics. I was determined that would not happen.

Taking all of these factors into account, I determined, for the good of the nation, to issue the pardon. I knew then that it would not be an act popular with everyone, but I regarded it as a necessary act of statesmanship. I still do. And I repeat that, under the same circumstances, and for the same reasons, I would do it again.

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FORD - NIXON DIFFERENCES

One reason why this Nation has grown stronger over the past 200 years is because each successive Administration builds on the accomplishments of past Administrations, changes policies and programs that do not work and reacts to new challenges and problems.

My Administration is carrying out Truman initiatives, Eisenhower initiatives, Kennedy initiatives, Johnson initiatives as well as some Nixon initiatives.

But I have also initiated my own policies and programs for example:

- -- Proposed biggest tax cut in history;
- -- First comprehensive energy policy in our Nation's history (1975 State of the Union);
- -- Brought federal budgetary processes under control;
- -- Catastrophic health insurance;
- -- Proposed comprehensive reform of all federal regulations
- -- Proposed consolidation of federal programs such as education, health and child nutrition;
- -- Parks program;
- -- 1975 Sinai Agreement;

- -- First comprehensive reorganization of our foreign intelligence agencies in 30 years;
- -- 1974 agreement limiting offensive weapons with Brezhnev;
- -- Economic summits both at home and abroad -- an historical first.

Perhaps even more significant than my initiatives is the manner in which I have tried to govern during these difficult two years (go to camera):

* I have rejected the idea of an Imperial Presidency; we have seen too much raw power concentrated in the Oval Office in the last 15 years.

* Instead, I have unclogged the lines of communication and authority to the President.

* I have taken power away from the White House staff and restored it to the Cabinet where it belongs.

* And I have taken the Presidency to the people with an unprecedented number of regional briefings, meetings and press conferences.

The changes in the country have been very noticeable, I believe. It was most apparent in the way that the Nation celebrated the 4th of July. But I have also seen it in smaller ways. Last week when I went back to the University of Michigan and met with a number of students, the thing that struck me was that the students were not overawed to see their President; they seemed very confortable and we had a good, open exchange. I can remember a day not many years ago when a President of the United States could not go on a college campus; I'm very happy to see the difference.

Follow-up - What policies of President Nixon have you rejected?

ANSWER:

I have rejected the Imperial Presidency and substituted openness and candor.

I kept Revenue Sharing (which I fought for as Minority Leader) but I have changed some policies, for example:

- I reject:
- -- the use of wage and price controls
- -- the assumption that government spending must continue to grow;

I supported increased assistance for mass transit.

\$1.35 BILLION "WINDFALL" FOR THE OIL COMPANIES

QUESTION

The recent revelation of a \$1.35 billion regulatory mix-up -and of FEA's proposal to allow refiners to keep the associated windfall benefit -- seems to confirm the administrative incompetence of the FEA and a pattern of excessive regulatory friendliness toward the U.S. oil companies at the expense of consumers. What is your position on this?

ANSWER

The discussion of this issue that has occurred so far indicates a clear misunderstanding of the facts, which are as follows:

- . No "windfall" has been granted to the oil companies by FEA. This case is wide open. FEA is considering a variety of alternatives to deal with it -- some of which could result in penalties for the refiners involved.
- . The alternatives for dealing with the problem will be fully aired by FEA in public hearings. FEA first announced its intention to hold hearings on the matter on August 3, 1976.
- . When the public hearings are held -- they are now scheduled for October 13, 1976 -- all parties at interest, including consumers, will be heard.
- . When all the facts are in, I am confident that FEA Administrator Frank Zarb will decide in a way that is correct and fair for consumers and others involved.

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The interest of all Americans have been served because we have been able to turn to the problems confronting us and to come up with solutions. NIXON - FORD (PROGRAMS/POLICIES)

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WATERGATE SCANDALS

Mr. President: Do you think that Watergate should be an issue in the national campaign?

No, I do not. Everyone involved in Watergate was removed from office, and government years ago. They have been prosecuted and punished. The Republican Party is no more responsible for the misdeeds of that handful of men than is the Democratic Party responsible for the sex scandals of Capitol Hill. In its Bicentennial, I think Americans are looking forward, not back---and the party that attempts to drag this country through the muck and mud cf Watergate, just to pick up a precinct or two, will pay a heavy price I think on November 2.

Besides, if we are going to go rummaging around in the closet of the past, the Democratic Party would have to explain to the American people just which party dragged the country into the Vietnam War---and then ran away and joined the peacenik parade--leaving the Republicans to clean up the mess.

Finally, I think any effort by Mr. Carter himself directly--or through Mr. Mondale---to blame me, or my Administration for the misdeeds of others who are long gone, smacks of a practice that used to be called McCarthyism.

Mr. President: How do you think history will treat Richard Nixon; what do you think of the man who appointed you?

I believe Richard Nixon is a flawed and tragic figure; he is a man of great courage and capacity who did many splendid things for his country, but whose record in history, I am afraid, will be permanently tarred by Watergate---which I believe was indeed a "Breach of Faith" with the American people. After the election of 1972, he had an historic opportunity, a tremendous mandate to achieve great things for his country. So, I think that in assessing him fully, one must get also a feeling of waste, of tragedy of lost opportunity.

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THE PARDONS

Mr. President: If you had enough compassion to pardon your old friend, Richard Nixon, why not show the same compassion and pardon those draft-resisters who refused to serve in Vietnam?

I oppose Governor Carter's blanket amnesty or blanket pardon for draft-dodgers for several reasons. When these young men ran away to Canada and Sweden, when they deserted their country---other young men went to Vietnam. Many of them were wounded. Some of them never came home. I am not a vindictive man, but I believe in fairness and justice.

And I say that those who deserted their country in its hour of need should make restitution to their country.when they come home. Not by going to prison. But by working in hospitals, by serving the society they themselves chose to abandon.

With the agony of Vietnam so near in memory, I believe a blanket amnesty would demoralize the armed services. It would embitter and divide millions of Americans, not unite this nation. It would create a special privilege, a special exemption for a special class of law-breakers---and I'm against that.

Mr. President: Yet, you pardoned Richard Nixon, despite his apparen guilt?

Yes, I did. And it was the right decision. There were dozens of men involved in Watergate; I pardoned one of them. I did so, not just to spare Mrs. Nixon and the family the shame and agony of his being dragged back here for trial---but to spare the country another year of being dragged through the muck and mud of Watergate. Can anyone tell me what national purpose would have been served by dragging the former President back to Washington to sit in the prisoner's dock, while we all listened to the same old Watergate testimony, the same old tapes---just so a jury could pronounce him guilty.

•The pardon of Richard Nixon was a tough decision, an unpopular decision. I made it because I was determined to ring down the curtain on the Watergate Scandal, to draw off the poison from American politics, and so I could lead this country into its Bicentennial, with its face to the future, not to the ugliness of the recent past.

I know there are those who say that pardon contradicts the concept of "Equal Justice under the Law." They, however, seem to be the same people who want me to issue blanket pardons to the thousands of deserters and draft-dodgers.

When our founding fathers put the pardoning power in the Constitution, they did so I think with precisely this sort of situation in mind. I used it. I make no apology for that decision which I believe history will commend, not condemn.

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