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OFFICE OF THE WHITE HOUSE PRESS SECRETARY

THE WHITE HOUSE
PRESS CONFERENCE
OF
SENATOR HUGH SCOTT
AND
CONGRESSMAN GERALD R. FORD

THE BRIEFING ROOM



10:52 A.M. EDT

MR. WARREN: Good morning. The leadership meeting lasted for an hour and three quarters this morning. There was a full discussion on legislative matters. As you recall, this would be the meeting where Senator Scott and Congressman Ford and other leaders brought up the matters they wished to discuss and set the agenda.

Also this morning, Dr. Kissinger discussed the recent meetings in Iceland with President Pompidou and the upcoming talks with Le Duc Tho in Paris.

I should tell you, before I turn this over to Congressman Ford, that the President this morning invited Senator Scott and Congressman Ford to participate in Cabinet meetings in the future, and that will be worked out as we go along.

I will turn this over to Congressman Ford now.

Q Can you tell us a little more about that?

MR. WARREN: I am sure the leaders can. Congressman Ford will discuss the meeting and get you started.

CONGRESSMAN FORD: Thank you very much, Jerry.

This was the first meeting with the President where the House and Senate leadership suggested the agenda, and it was agreed that the meeting was so successful that every third meeting between the White House and the Republican leadership would be one where we set the agenda.

At the outset, as Jerry said, Henry Kissinger took about 30 minutes to fill us in and to brief us on the outcome of the meeting in Iceland, and the report that we received was that the meeting went very successfully. It is laying the groundwork for subsequent meetings, negotiations, in the months ahead.

The second report given by Henry Kissinger involved his prospective negotiations with Le Duc Tho in Paris. The effort is not to renegotiate the peace agreement, but to insist upon adherence to the provisions of the agreement.

There are four areas of violation. The North Vietnamese are continuing to keep forces in Laos, in Cambodia. They are increasing, in violation of the agreement, the flow of arms into South Vietnam, and they are not adhering -- and this is most important from our point of view -- to the agreement as far as MIAs are concerned.

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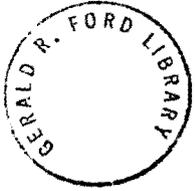
Henry hopes to negotiate greater adherence to the peace agreement in the next four or five days.

I might make a comment about the aim and objective of these meetings where we set the agenda.

We believe that this is already producing results in that Members of the House and Senate from the committees affected, and the leadership, are having an input earlier into proposed legislation and there is a closer cooperation and liaison between the White House and the various departments as the legislation progresses.

I think the net result will be beneficial both from the White House as well as from our point of view. It was agreed that Senator Scott and I would meet with the President and the Cabinet from time to time in an effort for us to get an input directly to the various Cabinet Members on matters that affect them from a legislative point of view. There was no definite time for the first meeting, but I believe we will be invited at the next meeting of the White House with the Cabinet.

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SENATOR SCOTT: I have just one word on that, and that is that the President has requested all the Cabinet and agencies to cooperate fully with Congressman Ford and myself to respond promptly to help us in the solution of our mutual problems, and that is occurring. It is most satisfactory.

We are in constant touch with Cabinet officers, and it is very helpful. On another matter, ladies and gentlemen-- and President Tolbert--in recent weeks the intelligence community and the White House have borne the onus of criticism from certain quarters for the use of wiretaps on NSC employees and newsmen.

Further, an Administration proposal for the use of special measures to protect the domestic security in the turbulent days of 1970 has served as the focus for domestic political opponents. The impression has been left with the American people that somehow wiretaps and clandestine operations were tactics dreamed up by internal security agencies and individuals and solely within the Nixon Administration.

This is an utterly false impression. I previously advised the President, my best recollection is it was on May 22, when Jerry Ford and I met with the President in the afternoon, that the interest of the American government, the intelligence community, his Administration and the American people are no longer served by continued silence on the subject.

Wiretaps for national security purposes, including of newsmen and government employees, were not initiatives without precedent in previous Administrations. Political and civil rights leaders were also among those subjected to wiretapping and other forms of clandestine investigation during prior Administrations.

At my request, the President has agreed to make public certain preliminary statistics and to have completed over the next few weeks a more detailed survey of national security wiretaps and other clandestine and covert activities undertaken in the United States in recent years and to do so in a manner consistent with the protection of national security interests and the constitutional rights of any of those who were or may be under investigation.

While the use of wiretaps for national security reasons was most widespread in the postwar, cold war years, it diminished under Dwight Eisenhower, was stepped up again under Attorney General Robert Kennedy, was reduced under Attorney General Ramsey Clark and remains today in the first years after the 1970s at about one-half of the level of the early to mid-1960s.

I asked the President to allow this information to be made public for these reasons: First, the absence of this information is leaving the public with the false impression that these types of activities are the exclusive province of President Nixon's Administration, whereas they have been going on with various intensity since President Roosevelt.

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Secondly, it is essential to do so in order to put in proper perspective the debate as to whether in a free society such means should be used at all and if so, when, and again to lift the debate out of its present false context where the President of the United States is on trial in the nation's press for pursuing policies that were pursued extensively and energetically by his predecessors.

The preliminary survey reveals the following statistics and national security wiretaps. This data is subject to refinements as the detailed search proceeds. In other words, the figures will not be less. They may be a few more in the degree of 1's or 2's or 10 or 15 or something like that, but I would not expect too much.

The figures, as best available today, subject to this refinement that will be also announced, are, and I will read them slowly: 1945, 519; 1946, 364; 1947, 374; 1948, 416; 1949, 471; 1950, 270; 1951, 285; 1952, 285; 1953, 300; 1954, 322; 1955, 214; 1956, 164; 1957, 173; 1958, 166; 1959, 120; 1960, 115; 1961, 140 -- and I will come back to that because there was some testimony before the Judiciary Committee at that time -- 1962, 198; 1963, 244; 1964, 260; 1965, 233 -- 1966 and 1967, which were under Attorney General Ramsey Clark -- 1966, 174; 1967, 113; 1968, 82; 1969, 123; 1970, 102; 1971, 101, and 1972, 108.

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Now, in 1961 or '62, Attorney General Kennedy testified in open hearing before the full Judiciary Committee of the Senate and offered vast legislation greatly expanding the authority of the Attorney General to engage in electronic surveillance in aid of the discovery of a very large number of felonies.

At that hearing, as I recall, the American Civil Liberties Union appeared and opposed the bill -- I think it was a Mr. Furman, if I remember -- and there were a number of questions asked. There was considerable discussion as to whether permission should be obtained from the Federal courts, and so on, and the committee did not act favorably or unfavorably on the bill. In fact, it refused to act at all.

What I am trying to point out here is the existence of what I feel to be a double standard in that I am giving this summary on my own authority. I made the request. I have pursued it since with other members of the White House. I think it important.

I make the point that these are the only wiretappings carried out by the Federal Bureau of Investigation under Presidential authority or under authority of law, and I will add that the extent to which other activities by other agencies may have involved such surveillance is presently under investigation and such figures I have asked be released.

But the present wiretapping is the lowest level in any Administration since World War II. It has been conducted with more restraint and the President, I am informed, has not used the Secret Service for electronic wiretapping in regard to these offensives relative to national security. If they have been used for any other purpose, that information will be made available to you. I don't know of it. The only thing that occurs in my mind would be counterfeiting.

I will be glad to respond to questions.

Q Senator Scott, the figures you have given since 1968, and the passage of the Safe Streets and Crime Control Act of that year which provided for certain other Government wiretaps with a court order, basically in organized crime cases -- your figures do not include, for the years '69 through '72, those for which court permission was obtained, or do they? That procedure didn't exist before '69.

SENATOR SCOTT: It did not exist, and I would have to ask Mr. Timmons to ascertain that. I think they do not.

CONGRESSMAN FORD: It is my understanding that this is a compilation of all FBI wiretaps, those that were used prior to the Safe Streets Act and those that have been used subsequently.

Q Before the Safe Streets Act, we don't have a question of the ones that were under a warrant or some procedure close to that. What I am uncertain about is '69 through '72, whether these include the ones where they get permission from the court because of organized crime or kidnapping or two or two or three other things.

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SENATOR SCOTT: I think they do, but we are checking it.

CONGRESSMAN FORD: It is my understanding it is all-encompassing.

Q Senator, would you assess the effect of these figures on the Supreme Court decision that wiretaps for domestic security purposes were illegal?

SENATOR SCOTT: I would think it fair to say that there was very widespread wiretapping in previous Administrations and that the decisions of the courts would have contributed to the impact, but I think, more importantly, the decision of this Administration was not to engage in the same widespread, prevalent wiretapping which was used by other Administrations, and this Administration did not, contrary to the action of the previous Administration, ask for enlargement of its powers to apply to numerous crimes, including a great many listed felonies.

Q Does this include the wiretaps of the plumbers as well as the FBI?

SENATOR SCOTT: This refers to all wiretaps carried out under Presidential authority or under authority of law. As relates to any wiretaps carried out in violation of law, it would not apply.

Q Does it include bugging, or just wiretaps?

SENATOR SCOTT: Well, it includes electronic surveillance, which would be broad enough to include everything.

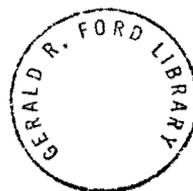
Q The wiretaps that were in dispute recently were for alleged domestic subversion, that being the controversial aspect of it. In other words, there wasn't a tie-in with a foreign power. How many of these previous wiretaps were for what you would call legitimate national security reasons?

SENATOR SCOTT: Well, I couldn't possibly break down each wiretap. I can tell you that a very considerable number of wiretaps under previous Administrations were in pursuance of information which had to do with what the then Attorney General regarded as domestic security as well as security against foreign powers, but security in protection of the Federal Government at that time.

For instance, if you go into it far enough, you will find wiretaps involving syndicates in organized crime. You will find other wiretaps. We tried to get them in the Rules Committee in the Bobby Baker case, but we were defeated by 5 to 4 partisan vote, as we were in the attempt to get the FBI files.

Q Senator, you did have a breakdown on the newsmen and there were supposedly four. Do you have any breakdown on previous wiretaps on newsmen?

SENATOR SCOTT: I have not asked for and will not ask for the names here because I think it is important to protect the innocent. I know only that civil rights leaders were involved and newsmen were involved, and there were a great deal more than four altogether. The number was considerably larger.





QUESTION: Senator Scott, do you approve -- without quarreling with your assertion that newsmen were tapped in previous Administrations -- of the government wiretapping newsmen's phones?

SENATOR SCOTT: I think it depends. I think it depends on the circumstances which would have to be passed on in accordance with the law, the law which carries with it very careful safeguards. It is not my judgment that counts but whether a federal judge would approve.

QUESTION: Not on the national security wiretaps. You don't need to go to a federal judge.

SENATOR SCOTT: I would think if a newsman, being as fallible presumably as anyone else, were engaged in espionage, I think it would be proper to use electronic surveillance. If you were engaged simply in an honest and energetic search for information, which did not involve a danger to the security of the United States, it would not be involved. I would never make that judgment. Judgment would be made by a federal court.

Since June of 1972 every wiretap has needed a court order, Mr. Warren tells me, so that the figures for the last half of 1972 would not include wiretaps under court order in domestic security cases. None of them, including organized crime.

QUESTION: Senator, you say you are informed by Mr. Warren since 1972 every wiretap has required a court order?

SENATOR SCOTT: Wiretaps involving organized crime have required a court order and are not included in the 1972 figures since June.

QUESTION: Otherwise, the earlier ones were?

CONGRESSMAN FORD: All of them from the beginning to the end involved national security.

SENATOR SCOTT: None of them involved organized crime.

QUESTION: Do these figures include the ones for which warrants or court orders were obtained?

SENATOR SCOTT: In national security matters.

QUESTION: In your study of this matter, Senator Scott, is there any prior indication that any Administration had something equivalent to the plumbers where a security apparatus was set up outside the FBI.

SENATOR SCOTT: You are asking me whether previous Administrations experienced violations of law, and I am unable to answer that because if they did, an energetic press has not been able to discover it, although you could have in the Bobby Baker case when we implored you to do it.

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QUESTION: Senator, I am now hopelessly confused. A statement has now been made by you and Mr. Warren that this list of totals, year by year, does include all national security wiretaps, national security wiretaps for which court orders were obtained.

MR. WARREN: Some of them.

QUESTION: My impression was that one of the arguments involved here is over the question of what constitutes national security since the government does not need to go into a court if it claims it is wiretapping for national security.

SENATOR SCOTT: Since June of 1972 my understanding is that the government always has to go into court, isn't that right?

QUESTION: Even in national security cases involving a connection with a foreign government?

SENATOR SCOTT: They have been so advised by the court, I think. I am not too clear on that court decision. I will be glad to check that.

QUESTION: I thought that case referred to so-called internal security ---

SENATOR SCOTT: You may be right.

QUESTION: And not involved in what is commonly called national security.

SENATOR SCOTT: I do not have the answer for you.

QUESTION: We would certainly like to clear up what categories are included in these totals.

SENATOR SCOTT: Mr. Warren will supply that for you.

QUESTION: Were you presented these figures in the meeting with the President?

SENATOR SCOTT: No, I was not.

QUESTION: How did you get them?

SENATOR SCOTT: Mr. Timmons is the person to whom I go in the liaison matters, and I got them this morning in talks with Mr. Timmons and other members of the White House staff.

QUESTION: Did you talk to the President?

SENATOR SCOTT: The President is aware of this. I talked to the President on the 22nd of May, and I talked to him this morning and thanked him for making the figures available.

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Q Senator Scott, your participation in the Cabinet meetings now and the input and the fact that you can set the agenda, is that part of the Watergate fallout and part of the recognition of the White House --

SENATOR SCOTT: No; neither is the illness of any foreign potentate. It has no more relation than that.

CONGRESSMAN FORD: I would say the increased coordination and cooperation that I indicated earlier, where we will have one in three meetings with the President, where we are setting the agenda, and where Senator Scott and I will meet with the Cabinet is an outgrowth of our request early this year when the President took office in January of 1973.

We felt then, as we do now, that in the last term of the President it was necessary, if we wanted to get the program through, to have a closer liaison between the Republicans in the House and Senate, the Cabinet, the departments and the White House, and this effort on our part, which has now materialized, has produced results, and it started long before the recent Senate committee hearings.

Q Is this part of the recognition that the President was too isolated under the old White House staff system when Haldeman and Ehrlichman were running things?

CONGRESSMAN FORD: The request was made some time before Mr. Haldeman and Mr. Ehrlichman left the White House. Our people, including Senator Scott and myself, have felt for some time if we were going to do the job we have to do that we had to have a closer liaison with departments, with Cabinet officers and with the White House, and it has now materialized.

SENATOR SCOTT: Our request was made around the 17th or 18th of March.

Q Was it only coincident that this was instituted after Haldeman and Ehrlichman left?

CONGRESSMAN FORD: No, I think the groundwork was laid well before that incident. As a matter of fact, the first meeting was set about a month ago, and for some unanticipated reason it was changed. We had two bipartisan leadership meetings that had a higher priority. So this is the first one, but it was planned at least a month ago.

Q Did you bring up anything about the Watergate case to the President? Did you have anything to say to the President about Watergate?

CONGRESSMAN FORD: No; not at all.

Q What was on your agenda?

CONGRESSMAN FORD: I tried to outline it at the outset: Closer initial cooperation between members of the committees that are affected on the issue or the legislation involved, with OMB, with the department, and then the whole sequence of legislative steps that lead to the bill getting down to the President.



Q Did you talk about one specific thing that you wanted to bring up today?

CONGRESSMAN FORD: We talked about one or two particular bills; for example, the one that is on the Floor of the House today, the vocational rehabilitation bill, which is legislation which was vetoed. The Senate sustained the veto. There is a compromise bill where the President has won about 75 percent of the battle that he sought to achieve, and we talked about what we were going to do in the House and what we hoped the White House would do when the bill gets down here.

We talked about revenue sharing, the special revenue sharing problem where the President, in the case of education and housing, has recommended special revenue sharing, and how the Democratic leadership apparently is not going to go along with either one at this point. We discussed strategy and how we might achieve that end result, if not this year, certainly in the next fiscal year.

Q That bill is about \$130 million over the present budget.

CONGRESSMAN FORD: About \$350 million less than what the bill was that the President vetoed, and in addition, it substantially changes many of the administrative procedures and layers that the President objected to, so the President, in my opinion, has won about 75 percent of the battle.

Q Did he say he would sign the bill?

CONGRESSMAN FORD: He didn't say he would sign it, but it is my judgment that the bill that is on the Floor of the House, when combined with the bill that is promptly coming out of the Senate, will be acceptable.

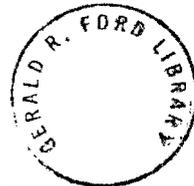
SENATOR SCOTT: Let me clarify one thing, and I was right in substantial part here.

The list does not include organized crime wiretaps, just national security, in all cases. Since the Supreme Court decision in 1972, all wiretaps, organized crime and national security, required court order. The wiretaps on the list I read you were obtained either by court order since 1972, the middle of the year, or by the Attorney General's authorization, if that helps.

Q On March 27th you told some people that the President had authorized you to say we have nothing to hide in the Watergate scandal. Is that still true?

SENATOR SCOTT: I think I told you that on March 20th, not the 27th. I have spent about two weeks trying to correct stories saying it was the 24th. But I said here in this room -- and I am pretty sure it was March 20th -- that I had talked to the President and he had said the White House has nothing to cover up.

At that time, I am convinced that that was his belief and conviction. He has since made further statements which speak for themselves and which indicate that there were things which involved wrongdoing here and he has mentioned them. I am not going any further.



Q In that same context, I wonder if I could ask you what the present state of your feelings is with respect to whether you think the President has said enough; whether you think further statements are needed by the President? What is your feeling on it now?

SENATOR SCOTT: I think that is for the President to decide. He indicated in his lengthy statement that if it were necessary to make further statements, he would do so. There will, in due time, be a press conference in which I assume every question which can be thought of will be asked him, and you can address those questions to him then.

The President is the best judge as to whether further statements need to be made. I don't think he has to reply to every rumor, every innuendo, every surmise or every threat by frightened people who are in pursuit of the avoidance of jail.

Q Do you have any indication from him how soon he might hold his press conference?

SENATOR SCOTT: I have no direct indication. I think you will get that from the people down here authorized to speak, and they will tell you as soon as they are able to tell you. I think it is a good idea. Governor Holton said that. I agree.

Q Senator, how would you describe the President's general mood on Watergate? Is he angry? Does he feel persecuted? How would you describe it?

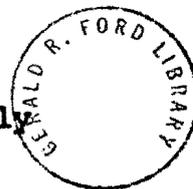
SENATOR SCOTT: The President's mood is to go on with the work of the country, notwithstanding what may be said about him in any quarter; to get the Nation's business done; to do those things which are necessary to maintain and in some cases, I think, to restore the confidence of the country. He is strong. He is going to be here for 3-1/2 years. He is going to continue to engage in both foreign and domestic policy decisions, and in the foreign policy decisions his record is superior to that of any other President in this century, and he has much more which I am sure he will do.

On the domestic side, he has the difficulty of dealing with a Congress of the opposition. He has not been overridden on a single veto this year. I think he notices, as well as I do, that in the country at large the Watergate does not seem to have affected the electoral results. In Pennsylvania we had a judge elected on both tickets for the first time in modern history in a statewide election the day the Ervin committee opened its session.

So I think the President is, as I said before, of strong heart and of high purpose. I think he knows what is being attempted to be done to him and I think it is not going to work.

Q What do you mean by that?

SENATOR SCOTT: I will leave it where it stands.



QUESTION: Senator Scott, you have been quoted recently as expressing some unhappiness with the Administration's anti-inflation policies. Did you tell the President about that today?

SENATOR SCOTT: No, I am on the record that I think we ought to consider a return to selective controls. I do not know what the Administration thinks. The only conversation with the President was in reference to the fact that the Democratic Senate Caucus had opted for a three-month freeze, and that simply was brought up in the course of information as to legislative programs.

I think my views are known. I am not an economist. I don't know what restoration of controls will be best for the country, but I think something needs to be done. I am assured that something is under very active consideration. I do not know what it is.

QUESTION: What was the President's reaction to the Democrats in opting for a three-month freeze?

SENATOR SCOTT: There was no comment from him at all on that. It was simply included in the report which Jerry and I made of what is going on on Capitol Hill.

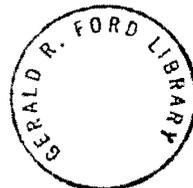
QUESTION: In view of the beating that the dollar is taking in Europe and the new international crisis that seems to be brewing up, would that not have been a proper subject for you and Mr. Ford to discuss with the President this morning?

SENATOR SCOTT: It would, except that our agenda had to do this morning with legislation pending and particularly with legislation that had once been vetoed and with an improvement in the cross-communication between ranking members of the committees and the committee members of the minority on Administration programs, so that this will undoubtedly be included in other meetings.

The meetings are happening very rapidly now, and I assume we will discuss it more at length when we get into a meeting where the main topic will be economy rather than legislative progress.

QUESTION: Senator, a minute ago, rather in passing, you referred to Governor Holton's statement, and you said, "I agree with that." Governor Holton, if I recall correctly, suggested rather strongly a whole series of Presidential press conferences, not just one, in which the President would respond to questions about the Watergate case. Does your enforcement extend to that?

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SENATOR SCOTT: No, because I only know what I see in the papers, and on television, and the only thing I saw on television was a presentation of Governor Holton, who was carefully identified as a Republican, and a presentation of Governor Lucey of Wisconsin, who was not identified as McGovern's floor leader, and that upset me for a moment.

It shouldn't have. All that Governor Holton said on the television, as I remember it, was that, yes, he thought the President should hold a press conference or perhaps he said more press conferences. I didn't hear the word "series." That is up to the President.

I think press conferences are a good thing, and I am sure he will hold that one and others to follow. It is not for me to say how many he should have. That is for you to say.

(Laughter.)

QUESTION: How much good will that do us?

SENATOR SCOTT: I don't know.

QUESTION: Senator, seemingly out of context but apparently not, you said "it" is not going to work. Would you qualify "it"?

SENATOR SCOTT: I mean the general "get the President" process. It is not going to work.

QUESTION: Senator, do you mean by that that you think there is some sort of force at work or conspiracy among the press or other organizations to get the President?

SENATOR SCOTT: I have never really bought conspiracy theories. I think the people who wanted to beat Nixon in November still want to beat him. That doesn't mean the press, necessarily. It is how many votes were cast against him.

QUESTION: Do you mean this is a Democratic thing and the Republicans ---

SENATOR SCOTT: No, I mean that people who felt they would rather have seen another President still feel that way.

QUESTION: Do you include Senator Goldwater in that category?

SENATOR SCOTT: No, Senator Goldwater hasn't said things that would involve getting the President.

QUESTION: Senator, would you include those people overseas who according to the best financial observers' reports are indicating that part of the trouble in the gold run and the weakness of the dollar is Watergate. Would you include those people as wanting to get the President?

SENATOR SCOTT: I have taken in enough territory without going into other countries, it seems to me, but I would say the foreign Ambassadors with whom I have talked have privately expressed to me very strong confidence in the President as a strong and effective man and very great hope that he will surmount all the present difficulties. I would believe they are so reporting to their people. I think the Sunday London Times indicates somewhat the same thing.

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Q A clarifying question, I think, on these statistics. Do I understand they are confined only to national security surveillance and they would exclude internal security or organized crime?

SENATOR SCOTT: Yes.

Q And the civil rights leaders and so forth wouldn't be included in here, or newsmen?

SENATOR SCOTT: Not in the context of this Administration, but there have been surveillances of civil rights leaders and newsmen by previous Administrations. I do not undertake to say whether they had an excuse of national security or not, but they were taken in the national security context. What they were looking for, I don't know.

Q Are those included in the numbers for previous Administrations?

SENATOR SCOTT: They are. Under the category of national security, they were so included. I say I don't know whether national security was the real reason in going after certain well known Americans.

CONGRESSMAN FORD: I think you have to put in context the circumstances in some of these years. We had a number of riots in major metropolitan areas. We had a number of riots on campuses, attempts on campuses to get rid of the ROTC, and a variety of other military activities.

Now, any wiretaps in this list would involve national security, and logically could involve those kinds of circumstances.

Q My problem, Mr. Ford, is that I don't know whether the category -- you show lower figures for this Administration -- I don't know whether they are lower in part because certain categories of wiretaps which were included for past Administrations are excluded for this one.

SENATOR SCOTT: The categories have not been shuffled to make the figures look good. The categories apply the same all the way back to World War II.

CONGRESSMAN FORD: The definition of national security is identical, the last four years with the years from 1945.

Q Does that mean in the previous years there were, in fact, more Government wiretaps than these that you list here because they may have covered other areas than national security?

SENATOR SCOTT: No.

CONGRESSMAN FORD: Conceivably, it could.

SENATOR SCOTT: The reason could be. National security was the reason given. The motivation may have been different.

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Q That was given even when they were tapping organized crime in the Kennedy Administration. They called it national safety in some years. But the totals given seem to be the total FBI wiretaps for those years, because they called everything national security. Therefore, since you don't call everything national security in this Administration, the figures may be lower than the total.

CONGRESSMAN FORD: I will say categorically the definition of national security has not been changed in the compilation of these figures.

SENATOR SCOTT: Nor would anybody be justified in assuming from anything I have said that these figures refer to a different type of electronic surveillance or for a reason different from that which this Administration has used. The only distinction I made under pressure of questions was -- and a proper distinction -- that we don't know what the motivation was in previous years.

But you would not be justified in writing that these figures have been shuffled to show a lower figure by this Administration. The answer categorically is that they have not.

Q Why couldn't you have given the total number of wiretaps in any given year when you made the request? Is there a reason that was impossible?

SENATOR SCOTT: We did get the total number of wiretaps from the FBI. If there are other wiretaps, they will be given to you. They are in the process of investigating them now. I have brought you this as quickly as I could.

Q Senator, you said before, "He knows," referring to the President. You said, "He knows" and then you went on to say -- and I cannot quote you -- to say that there are some people who are out to get the President, and then you said this is not going to work.

Now, in what context did the President say this to you when you quoted him as saying "He knows"?

SENATOR SCOTT: The President didn't say it to me. I don't know why I said, "He knows." I think he probably is aware of what is going on in the country. I don't think there is any question of that. What I mean is, it isn't going to work and he is going to be the President, and he is going to be a strong President and he is going to be a good President, and the ministers of foreign countries in this country, so far as my interviews would warrant, are pulling for him to do it. His successes are necessary to the world's stability, too, and I have confidence that is what will happen.

Q Do you have full confidence that the Ervin committee is not out to get the President?

SENATOR SCOTT: I don't think the Ervin committee is out to get the President.

Q Then who is it that is out to get the President?

SENATOR SCOTT: I think there is enough material here for you to speculate on that.

THE PRESS: Thank you, gentlemen.

5/5/73 ①

Pres Nixon - introduced Henry Kissinger
 affair of Europe / Paris Peace Negotiations

H/K - European countries - like to appear
 to stand up vs U.S. Kennedy policies
 France is crucial - were a failure.

Iceland - 100% achieved
 objectives.

Common Defense - Schlemper

Trade - Schultz

Should there be a Summit?

President has never proposed.

- If procedure etc agreed
 to - YES.

R.N. - if Alliance is not shored-up there
 will be a mad rush to Moscow. USSR
 could pick off European nations "one by one."

H/K in Paris - to insist on compliance.
 1) no troop withdrawal - condition
 2) Every violating - 3) infiltration - 4) H/Ho

[Photocopied from Ford Scrapbooks,
 Box 14, Notes on White House
 Meetings, 1973-74]



PROPOSED AGENDA FOR MEETING WITH PRESIDENT
AND JOINT REPUBLICAN LEADERSHIP

- (1) Prompt follow-through on submitting legislative requests contained in Presidential messages and pre-consultation on proposed legislative proposals with senior Republican committee members and leadership. (15 minutes)
- (2) Earlier Administration signal on their position on bills before hearings. (5 minutes)
- (3) Earlier consultation on political appointments. (15 minutes)
- (4) What happens to appropriations if special revenue sharing fails? (10 minutes)
- (5) Is compromise possible on any of remaining bills subject to possible vetoes? (10 minutes)
- (6) Request White House Chief of Staff attend, periodically, the joint House-Senate Leadership meetings on the Hill. (5 minutes)
- (7) Labor Department emergency ban on fruit orchard pesticides. (5 minutes)

*OMB
Dept. of Energy*

Memorandum for Mr. Ford in regard to the announced emergency temporary standards relating to the re-entry of orchards, groves and fields following the application of organophosphorous pesticides:



1. Under date of September 1, 1973, Migrant Legal Action Program, Inc., et al (a total of twelve environmental and legal aid organizations), submitted a petition of the Occupational Safety and Health Administration which in part, requested the promulgation of emergency temporary standards pertaining to pesticides.

2. On March 15, 1973, Organized Migrants in Community Action, Inc., filed a civil action in the District Court of the District of Columbia (Civil Action No. 502-73), being a complaint for declaratory and injunctive relief against the Secretary of Labor, seeking a temporary emergency standard with reference to re-entry after application of pesticides. (The relief sought in the cited action was pursuant to Section 6 (c)(1) of the Occupational Safety and Health Act of 1970 (P.L. 91-596))

3. Under date of April 19, 1973, the Assistant Secretary of Labor for Occupational Safety and Health Act signed an order entitled, "Emergency Temporary Standard for Exposure to Organophosphorous Pesticides", which was published in the Federal Register of Tuesday, May 1, 1973, at Page 10715. The effective date was stated as June 18, 1973.

4. In justification of the cited order, the Assistant Secretary of Labor referred to a statistic published in Senate Report No. 91-1282, 91st Congress, Second Session (1970), in which it was stated that, "an estimated 800 persons are killed each year as a result of improper use of such pesticides, and another 80,000 injured."

5. Examination of the record of the cited hearings reflect that no credible substantiating data were submitted in support of such statistics. (Obviously, a casual reference in a 1970 report hardly substantiates an "emergency" declared in 1973.)

6. Following promulgation of the temporary emergency standard by the Occupational Safety and Health Administration, it is understood that the action in the federal courts was not further pressed by the migratory labor group and other petitioners.

7. Under date of May 9, 1973, Dr. F. S. Arant, Chairman of the Subcommittee on Pesticides of the Advisory Committee on Occupational Safety and Health in Agriculture, a group advisory to OSHA, resigned by letter to Assistant Secretary of Labor, John Stender. In his letter of resignation, Dr. Arant, a recognized authority on pesticide effects, cited data countering the alleged emergency set forth by OSHA as justification of its order.



8. Under date of May 17, 1973, approximately sixty members of the House of Representatives directed a letter to the President asking reconsideration and modification of the order referred to above.

9. At various times following the promulgation of the so-called emergency temporary order, groups in agriculture, including the American Farm Bureau Federation and fruit grower and tobacco grower organizations, individually and in concert, filed actions in U. S. Courts of Appeals in Washington, Chicago, New Orleans and San Francisco seeking suspension and review of the subject order. These actions pend, with court orders requiring response by OSHA on dates ranging from June 8, 1973 to June 11, 1973, inclusive. (Additionally, these groups petitioned OSHA directly for suspension or revocation of the order complained of.)

10. OSHA has suggested that an appropriate remedy for individual employers, or groups of employers, would be an application for variance or exception from the order, on the grounds that such employers, or groups of employers, had taken steps assuring workers of protection equal to that proposed by the subject order. This is an impractical recourse because, first, it assumes acceptance of the validation of the order complained of, and in addition, it is a protracted process in which any employee may petition for hearing, involving substantial delays running well past the effective date of the subject order.



Wednesday, May 23, 1973

FLOOD INSURANCE

The House passed and cleared for the President S.J. Res. 112, increasing from \$4 billion to \$6 billion the limitation on the face amount of flood insurance authorized to be outstanding.

OMB DIRECTOR -- VETO VOTE

By a record vote of 236 yeas to 178 nays, the House sustained the President's veto of S. 518, providing that appointments to the offices of Director and Deputy Director of the Office of Management and Budget shall be subject to confirmation by the Senate (two-thirds present not voting to override). (GRF - Nay; Speaker - NV)

	<u>Yea</u>	<u>Nay</u>	<u>NV</u>	<u>Total</u>
Rep.	18	167	7	192
Dem.	<u>218</u>	<u>11</u>	<u>12</u>	<u>241</u>
	236	178	19	433

INTEREST RATES

The House disagreed to the amendment of the Senate to H.R. 6370, to extend certain laws relating to the payment of interest on time and savings deposits, to prohibit depository institutions from permitting negotiable orders of withdrawal to be made with respect to any deposit or account on which any interest or dividend is paid, to authorize Federal savings and loan associations and national banks to own stock in and invest in loans to certain State housing corporations, and agreed to a conference asked by the Senate. Appointed as conferees: Representatives Patman, St. Germain, Annunzio, Barrett, Hanley, Brasco, Cotter, Moakley, Ashley, Widnall, Rousselot, Johnson of Pennsylvania, Wylie, J. William Stanton, and Brown of Michigan.

NASA AUTHORIZATION

RULE

By a voice vote, the House adopted H. Res. 409, providing for one hour of open debate.

PASSAGE

By a record vote of 322 yeas to 73 nays, the House passed H.R. 7528, to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management. (GRF - Yea; Speaker - NV)

	<u>Yea</u>	<u>Nay</u>	<u>NV</u>	<u>Total</u>
Rep.	151	27	14	192
Dem.	<u>171</u>	<u>46</u>	<u>24</u>	<u>241</u>
	322	73	38	433

(MORE)



Wednesday, May 23, 1973 (continued)

NASA AUTHORIZATION (cont'd)

RECOMMIT

By a voice vote, the House rejected a motion by Mr. Myers to recommit the bill to the Committee on Science and Astronautics.

Prior to final passage of the bill, by a recorded vote of 104 yeas to 294 nays, the House rejected an amendment by Mr. Rangel that sought to prohibit the use of funds for tracking and data acquisition in South Africa. (GRF - Nay; Speaker - NV)

	<u>Yea</u>	<u>Nay</u>	<u>NV</u>	<u>Total</u>
Rep.	15	161	16	192
Dem.	<u>89</u>	<u>133</u>	<u>19</u>	<u>241</u>
	104	294	35	433

Thursday, May 24, 1973

CONDOLENCE RESOLUTION

Agreed to H. Res. 411, expressing the condolences and sympathy of the House on the death of Representative Mills of Maryland. Appointed appointed members of the funeral committee.

FORMER MEMBERS

Pursuant to a unanimous-consent agreement of March 7, 1973, the House went into recess at 12:34 p.m. and received former Members of Congress. Reconvened at 1:35 p.m.

Tuesday, May 29, 1973

DOLLAR PAR VALUE

RULE

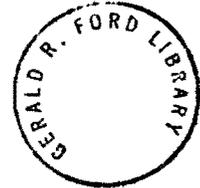
By a record vote of 299 yeas to 9 nays, with 1 voting "present", the House adopted H. Res. 408, providing for one hour of open debate.

	<u>Yea</u>	<u>Nay</u>	<u>P</u>	<u>NV</u>	<u>Total</u>
Rep.	142	4	1	44	191
Dem.	<u>157</u>	<u>5</u>	<u>0</u>	<u>79</u>	<u>241</u>
	299	9	1	123	432

PASSAGE

By a record vote of 281 yeas to 36 nays, with 3 voting "present," the House passed H.R. 6912, to amend the Par Value Modification Act.

(MORE)



Tuesday, May 29, 1973 (continued)

DOLLAR PAR VALUE (cont'd)

PASSAGE (repeating)

By a record vote of 281 yeas to 36 nays, with 3 voting "present," the House passed H.R. 6912, to amend the Par Value Modification Act. (GRF - Yea; Speaker - NV)

	<u>Yea</u>	<u>Nay</u>	<u>P</u>	<u>NV</u>	<u>Total</u>
Rep.	139	12	1	39	191
Dem.	<u>142</u>	<u>24</u>	<u>2</u>	<u>73</u>	<u>241</u>
	281	36	3	112	432

RECOMMIT

By a voice vote, the House rejected a motion by J. William Stanton to recommit the bill to the Committee on Banking and Currency.

Prior to final passage, the House took the following action:

By a recorded vote of 162 yeas to 162 nays, with 3 voting "present" rejected an amendment by Mr. Crane that sought to permit private purchase, sale, and ownership of gold after December 31, 1973. (GRF - Nay; Speaker - NV)

	<u>Yea</u>	<u>Nay</u>	<u>P</u>	<u>NV</u>	<u>Total</u>
Rep.	95	59	1	36	191
Dem.	<u>67</u>	<u>103</u>	<u>2</u>	<u>69</u>	<u>241</u>
	162	162	3	105	432

By a recorded vote of 100 yeas to 218 nays, with 3 voting "present" rejected an amendment by Mr. Gross that sought to strike out language that provides for Presidential determination and approval of private gold ownership. (GRF - Nay; Speaker - NV)

	<u>Yea</u>	<u>Nay</u>	<u>P</u>	<u>NV</u>	<u>Total</u>
Rep.	62	90	0	39	191
Dem.	<u>38</u>	<u>128</u>	<u>3</u>	<u>72</u>	<u>241</u>
	100	218	3	111	432

Wednesday, May 30, 1973

NATIONAL VISITOR CENTER

RULE

By a voice vote, the House adopted H. Res. 405, providing for one hour of open debate.

(MORE)



Wednesday, May 30, 1973 (continued)

NATIONAL VISITOR CENTER (cont'd)

PASSAGE

By a recorded vote of 288 yeas to 75 nays, the House passed H.R. 5857, to amend the National Visitors Center Facilities Act of 1968. (GRF - NV; Speaker - NV)

	<u>Yea</u>	<u>Nay</u>	<u>NV</u>	<u>Total</u>
Rep.	116	49	26	191
Dem.	<u>172</u>	<u>26</u>	<u>43</u>	<u>241</u>
	288	75	69	432

J.F.K. CENTER FOR THE PERFORMING ARTS

RULE

By a voice vote, the House adopted H. Res. 406, providing for one hour of open debate.

PASSAGE

By a recorded vote of 260 yeas to 100 nays, the House passed H.R. 5858, authorizing further appropriations to the Secretary of the Interior for services necessary to the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts. (GRF - NV; Speaker - NV)

	<u>Yea</u>	<u>Nay</u>	<u>NV</u>	<u>Total</u>
Rep.	85	80	26	191
Dem.	<u>175</u>	<u>20</u>	<u>46</u>	<u>241</u>
	260	100	72	432

INTERNATIONAL CENTER FOR FOREIGN CHANCERIES

RULE

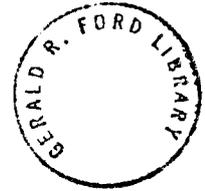
By a voice vote, the House adopted H. Res. 407, providing for one hour of open debate.

PASSAGE

By a voice vote, the House passed H.R. 6830, authorizing an additional appropriation for an International Center for Foreign Chanceries.

Subsequently, this passage was vacated, and S. 1235, an identical Senate-passed bill was passed in lieu, clearing the measure for the President.

(MORE)



Wednesday, May 30, 1973 (continued)

AIRPORTS AND AIRWAYS

The House agreed to the conference report on S. 38, to amend the Airport and Airway Development Act of 1970, as amended, to increase the U.S. share of allowable project costs under such act, to amend the Federal Aviation Act of 1958, as amended, to prohibit certain State taxation of persons in air commerce, clearing the measure for Senate action.

Thursday, May 31, 1973

DOLLAR PAR VALUE

The House disagreed to the amendment of the Senate to H.R. 6912, to amend the Par Value Modification Act, and agreed to a conference asked by the Senate. Appointed as conferees: Representatives Patman, Gonzalez, Reuss, Moorhead of Pennsylvania, Rees, Hanna, Young of Georgia, Stark, Stephens, Widnall, Johnson of Pennsylvania, J. William Stanton, Crane, Frenzel, and Conlan.

PEACE CORPS AUTHORIZATION

The House disagreed to the amendments of the Senate of H.R. 5293, authorizing additional appropriations for the Peace Corps, and agreed to a conference asked by the Senate. Appointed as conferees: Representatives Morgan, Zablocki, Hays, Fascell, Mailliard, Frelinghuysen, and Broomfield.

FOREIGN SERVICE BUILDINGS

The House disagreed to the amendments of the Senate to H.R. 5610, to amend the Foreign Service Buildings Act, 1926, and agreed to a conference asked by the Senate. Appointed as conferees: Representatives Hays, Morgan, Zablocki, Mailliard, and Thomson of Wisconsin.

PASSPORT FEE

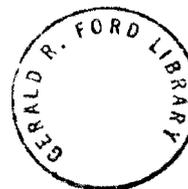
The House passed H.R. 7317, to authorize the U.S. Postal Service to continue to receive the fee of \$2 for execution of an application for a passport.

PUBLIC HEALTH PROGRAMS

RULE

By a voice vote, the House adopted H. Res. 418, providing for one hour of open debate.

(MORE)



Thursday, May 31, 1973 (continued)

PUBLIC HEALTH PROGRAMS (cont'd)

By a recorded vote of 372 yeas to 1 nay, the House passed H.R. 7806, to extend through fiscal year 1974 certain expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act. (GRF - Yea; Speaker - NV) (Crane voted "Nay")

	<u>Yea</u>	<u>Nay</u>	<u>NV</u>	<u>Total</u>
Rep.	169	1	21	191
Dem.	<u>203</u>	<u>0</u>	<u>38</u>	<u>241</u>
	372	1	59	432

Subsequently, this passage was vacated and S. 1136, a similar Senate-passed bill, was passed in lieu after being amended to contain the language of the House bill as passed.

BIOMEDICAL RESEARCH

RULE

By a voice vote, the House adopted H. Res. 417, providing for one hour of open debate.

PASSAGE

By a recorded vote of 361 yeas to 5 nays, the House passed H.R. 7724, to establish a national program of biomedical research fellowships, traineeships, and training to assure the continued excellence of biomedical research in the United States. (GRF - Yea; Speaker - NV)

	<u>Yea</u>	<u>Nay</u>	<u>NV</u>	<u>Total</u>
Rep.	158	5	28	191
Dem.	<u>203</u>	<u>0</u>	<u>38</u>	<u>241</u>
	361	5	66	432

PRIOR TO FINAL PASSAGE, by a recorded vote of 354 yeas to 9 nays, the House agreed to an amendment by Mr. Roncallo, that prohibits live fetus research. (GRF - Yea; Speaker - NV)

	<u>Yea</u>	<u>Nay</u>	<u>NV</u>	<u>Total</u>
Rep.	161	2	28	191
Dem.	<u>193</u>	<u>7</u>	<u>41</u>	<u>241</u>
	354	9	69	432

EMERGENCY MEDICAL SERVICES

RULE

By a voice vote, the House adopted H. Res. 415, providing for one hour of open debate.

(MORE)



Thursday, May 31, 1973 (continued)

EMERGENCY MEDICAL SERVICES (cont'd)

By a recorded vote of 261 yeas to 96 nays, the House passed H.R. 6458, to authorize assistance for planning, development and initial operation, research, and training projects for systems for the effective provision of health care services under emergency conditions.
(GRF - Nay; Speaker - NV)

	<u>Yea</u>	<u>Nay</u>	<u>NV</u>	<u>Total</u>
Rep.	72	88	31	191
Dem.	<u>189</u>	<u>8</u>	<u>44</u>	<u>241</u>
	261	96	75	432

Subsequently, this passage was vacated, and S. 504, a similar Senate-passed bill was passed in lieu after being amended to contain the language of the House bill as passed.

RAILROAD RETIREMENT

RULE

By a voice vote, the House adopted H. Res. 416, providing for one hour of open debate.

PASSAGE

By a voice vote, the House passed H.R. 7357, to amend section 4(1)(I) of the Railroad Retirement Act of 1937 to simplify administration of the act, and to amend section 226(e) of the Social Security Act to extend kidney disease medicare coverage to railroad employees, their spouses, and their dependent children.

Monday, June 4, 1973

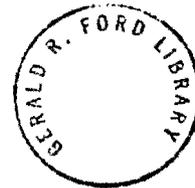
THE HOUSE CONSIDERED THE CONSENT CALENDAR

CAPITOL POLICE

The House voted to suspend the rules and agree to H. Res. 398, by a roll call vote of 299 yeas to 0 nays, providing for the promotions to positions of a supervisory capacity on the U. S. Capitol Police force authorized for duty under the House of Representatives and to reduce by 15 positions the total number of positions on such force under the House.

	<u>Yea</u>	<u>Nay</u>	<u>NV</u>	<u>Total</u>
Rep.	145	0	46	191
Dem.	<u>154</u>	<u>0</u>	<u>87</u>	<u>241</u>
	299	0	133	432

(MORE)



Monday, June 4, 1973 (continued)

SUPPLEMENTAL APPROPRIATIONS

Objection was heard to a unanimous-consent request to send to conference H.R. 7447, making supplemental appropriations for fiscal year 1973.

PROGRAM AHEAD

Tuesday, June 5, 1973, and Wednesday, June 6, 1973

PRIVATE CALENDAR

SUSPENSIONS (Three Bills)

1. H. R. 8070 - Rehabilitation Act of 1973
2. H. R. 1820 - Conveyance of Real Property by Arkansas to United States
3. H. R. 3620 - Establish Great Dismal Swamp National Wildlife Refuge

H.R. 7935 - Fair Labor Standards Amendments of 1973
(OPEN RULE, THREE HOURS OF DEBATE)

Thursday, June 7, 1973, and Balance of Week

- H. Res. 382 - Disapproving Reorganization Plan No. 2
- H. R. 7645 - Department of State Authorization Act of 1973
(SUBJECT TO A RULE BEING GRANTED)
- H. R. 5464 - Saline Water Program Authorization, FY 1974
(SUBJECT TO A RULE BEING GRANTED)
- H. R. 7670 - Maritime Authorization, Department of Commerce, FY 1974
(SUBJECT TO A RULE BEING GRANTED)
- H. R. 7446 - Establish the American Revolution Bicentennial Administration
(SUBJECT TO A RULE BEING GRANTED)

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