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NEWS CONFERENCE

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AT THE WHITE HOUSE

WITH JERRY TER HORST

AT 11:59 A.M. EDT

AUGUST 14, 1974

WEDNESDAY

MR. TER HORST: The President has been working in his Oval Office since 7:45 this morning. He met with senior White House staff people and others, among them General Haig, Counsellor Jack Marsh, and Robert Hartmann, Bill Timmons, NATO Ambassador Rumsfeld, who is the coordinator of the transition team, and obviously Secretary Kissinger and General Scowcroft.

He also met with Senator Russell Long, Chairman of the Senate Finance Committee, to discuss several important bills currently pending before that committee, notably health insurance and the trade bill.

The President also met with Soviet Ambassador Dobrynin in the Oval Office today at 11 o'clock. The meeting was at the Ambassador's request, and it is my understanding that he conveyed a personal message to the President from General Secretary Brezhnev.

The meeting also afforded the President a chance to reaffirm his commitment to working toward improving United States and Soviet relationships in the belief that such efforts are in the best interests of both countries, and obviously to world peace. Sitting in on that meeting was Secretary Kissinger.

This afternoon, as you know, the President will be meeting with Egyptian Foreign Minister Ismail Fahmy, and then will attend a working luncheon with the Foreign Minister in the first floor private dining room in the White House.

We will probably be able to have a picture session of that along about 12:40, and since it is a working luncheon, we will not have photographs of the luncheon group itself.

Q Who else will be there?

MR. TER HORST: The Foreign Minister has along a delegation of Egyptian officials and their American counterparts will be there. Secretary Kissinger will be there. It is a small group.

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Q Will there be any toasts?

MR. TER HORST: I would not think so because it is a working luncheon.

As you know, this afternoon the President meets with the Governors at 3 and the mayors at 4, and because there are so many of them, I will attempt to see if those respective groups care to pick a representative or two as spokesmen to bring before you. If I cannot arrange that, we will ask them to make themselves available to you out on the lawn.

It would be my guess you would rather have one or two in here, if you can do that. Would you prefer that?

Q Yes.

MR. TER HORST: I will try to do that. I will do my best, but if I can't get spokesmen from the groups and they want to speak individually to their respective hometown papers or what have you, then it will have to be a lawn event.

I have a couple of other announcements.

One is that the President is signing H.R. 14012, which is the Legislative branch appropriations bill for fiscal 1975. We are going to post details on that.

Q Do you know how much money?

MR. TER HORST: I am not familiar with the size of the bill, but it will be in the posting, Helen.

Earlier this week, I was asked what was the status of James St. Clair as a member of the Legal Counsel staff at the White House, and I told you I would be informing you when there was any change in that status.

Today, Mr. St. Clair is leaving the staff in his position as Special Counsel to the President, and he is returning to the private practice of law in Boston. Just to anticipate some questions, he is going off the payroll today.

Q Does that mean he is giving up the former President's case?

MR. TER HORST: That is something I think you will have to talk to Mr. St. Clair about because obviously President Nixon is now a private citizen.

Q Is he here?

MR. TER HORST: Mr. St. Clair has departed now.

Q Who is in charge of that office, or what remains of it?

MR. TER HORST: Fred Buzhardt, of course, is still legal counsel.

Q Is his departure at President Ford's request or his own?

MR. TER HORST: At his own initiative.

Q Jerry, the second part of that question, what remains of it, can you tell us how many assistants there are?

MR. TER HORST: There are still some staff members who are associated with Mr. St. Clair, and they are still aboard, but I would guess that in the matter of several weeks, one or two weeks, they also will be winding up their affairs.

Q When are we going to get word on what the status of these tapes are and where they will be going and the whole situation on it? It seems like it has been dragging on for a few days now.

MR. TER HORST: I can't give you very much on that, except I can perhaps move it along a little further than I could the other day. As I mentioned, the tapes are in the protective custody of the Secret Service, but they have been ruled to be the personal property of former President Nixon.

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Q With whom?

MR. TER HORST: By the legal counsel.

Q That would be St. Clair?

MR. TER HORST: I am not sure which particular attorney but the judgment was a collective one. It was an agreement among the legal staff that these tapes which have not been subpoenaed and not relevant to the ongoing inquiries, I am told, are designated as the former President's personal property.

Q How about the tapes that have been subpoenaed? Are they also his personal property?

MR. TER HORST: I am not sure that status has been determined. Obviously at the present time they are in the custody of the Special Prosecutor and the courts.

Q Do you know how many tapes are left?

MR. TER HORST: I have no idea.

Q When you say "legal counsel", are you talking about the White House Legal Counsel Office, meaning Buzhardt, or the Justice Department?

MR. TER HORST: I am thinking of a decision that is made by the legal office of the White House after, I am sure, consultation with the Special Prosecutor and I would not be surprised also with consultation with the Justice Department.

Q Was there any dissent in that? Did the Special Prosecutor and Justice Department agree unanimously?

MR. TER HORST: I would not think I would be able to announce if there was disagreement, Marty.

Q Jerry, do you expect them to be moved out of here soon?

MR. TER HORST: I have no reading to give you on that; I really don't, Jim.

Q Has the former President given any indication that he is going to take them?

MR. TER HORST: No, I have nothing on that for you either.

Q Did the President have any part in this decision?

MR. TER HORST: No, he did not. This was made independently of President Ford.

Q Does he concur in it?

MR. TER HORST: Yes, he does.

Q Do you know how it can be determined that these tapes are not relevant to an ongoing investigation?

MR. TER HORST: I presume that was a judgment made by the respective legal counsels, both those who served President Nixon and those who serve on the Special Prosecutor's Office, but that is a legal area and it goes without saying, I have to say it again, as we did before President Ford became President, and that is that I am really not competent to answer that question.

Q Jerry, you said that those that are not subpoenaed and not relevant to the Watergate inquiry are Mr. Nixon's personal property.

MR. TER HORST: That would be my understanding.

Q How would it be determined which ones are not relevant? Will someone listen to the tapes that have not been subpoenaed and determine that?

MR. TER HORST: I cannot give you a definitive answer on that. I think obviously that is a question the lawyers have to determine, not the Press Secretary.

Q Jerry, could we get a briefing from one of the lawyers about this whole area?

MR. TER HORST: I can check to see if that is possible. I wouldn't look for it any time today, however, but I will check and see if it is possible.

Q Are you saying there was agreement among the different staffs, the Special Prosecutor, the Justice Department and the White House Legal Staff?

MR. TER HORST: I am assuming there would be, because I am sure neither one would just take unilateral action.

Q Since these tapes are potentially evidence in a criminal prosecution, does the President take responsibility now for what becomes of them once they leave his custody.

MR. TER HORST: Which President? The former President?

Q I am talking about the current President.

MR. TER HORST: Then restate the question. I misunderstood you.

Q The question is, since these tapes are potential evidence in a criminal prosecution, does the President take responsibility for what now becomes of them once they leave the White House?

MR. TER HORST: Well, if they have been determined to be the personal property of the former President and the attorneys involved in the case have decided that these particular tapes are not relevant to the inquiries, it would seem to me the question would rather answer itself. But again it is a legal question and really I am not competent to get into that at all.

Q Did the legal staff write an opinion on this subject? The reason I ask is that after all these tapes were produced with taxpayers' money. There is a lot of precedents for Presidents taking their papers out when they leave and giving them to libraries and such, but I wonder, is there going to be a legal opinion as to the citing chapter and verse as to how it is possible for the President to take these tapes out?

MR. TER HORST: Again, that is another question you will have to ask the lawyers.

Q We would like to ask the lawyers.

MR. TER HORST: I will relay that to them.

Q What was the role of James St. Clair in arriving at this decision? Did he have any role and if so, was it as President Nixon's personal attorney or as a tax-paid attorney working on the White House staff?

MR. TER HORST: Marty, I cannot be specific. I have no guidance to give you on that. I think this is something that should be taken up with them if you care to pursue it.

Q Since it is a White House announcement of a decision we are talking about, can you find out for us?

MR. TER HORST: I am announcing only that the decision was made that these were the personal property of the former President as judged by the attorneys here and I am sure with the consultation with the Special Prosecutor's Office.

Q Jerry, I am a little confused about what is and is not personal property. Are tapes currently under subpoena also considered the personal property of Richard Nixon?

MR. TER HORST: I don't know. That is another legal question, but they are at least in the custody of the courts and the Special Prosecutor's Office.

Q Jerry, in addition to conveying our request to see the lawyers, will you urge them to appear here?

MR. TER HORST: I certainly will. I will tell them that there is a lot of questions I can't answer.

Q Jerry, does the Office of the Legal Counsel now include someone that President Ford has put in that office?

MR. TER HORST: Not at the present time, no. That, of course, is a question that has to await the outcome of this transition study which is going to recommend to the President the structure for changing the White House structure, if that is what he wants done and, of course, there will be some personnel input also from the recommendations to the President based on what is decided in that restructuring.

Q Jerry, I go back to the question I asked before only because I think it is something I would like to get cleared up.

When the decision was made, I take it that James St. Clair was still officially part of the White House staff. Therefore, I am asking, did he sit in and represent the White House in any of these decisions concerning the disposition of the tapes?

MR. TER HORST: Marty, I honestly can't help you on that. I just announced he has just left the White House staff. That may be of some help to you, but I can't push it beyond that, and I think all of these questions, really, we will have to wait for the lawyers to answer them if they will.

Q Was the ruling today or when?

MR. TER HORST: I can't give you a time as to when i the ruling occurrec. But I was advised of it today.

Q Did St. Clair see President Ford before he left?

MR. TER HORST: No, he did not.

Q I have two international questions. First of all, does the President have any statement to make about the Cypress situation; and secondly, when, if ever, will we know the contents of the Dobrynin message from Brezhnev.

MR. TER HORST: The President has been kept abreast of developments in Cyprus and the United Nations through the night and this morning by Secretary Kissinger, and obviously he remains in close touch on continuing developments with Dr. Kissinger.

While the Secretary was in the Oval Office this morning with the President, the President spoke by telephone to Foreign Secretary James Callahan in London, and later today the President will speak to the British Prime Minister by telephone.

Q Can you pursue that a little?

MR. TER HORST: I am afraid I can't.

Q What did he talk to Callahan about?

MR. TER HORST: Again, I would refer you -- all other questions on the Cyprus situation I will have to refer you to the State Department.

Q What time is that telephone call set for?

MR. TER HORST: I have no idea, Ralph. Perhaps State can help you.

Q Can we be more specific about White House action? For example, was the President woken up at a precise hour, did he have precise meetings with people on the things this morning; in other words, what did the White House do?

MR. TER HORST: I can't give you, Pierre, any breakdown on that kind of detail, except to tell you that during the night, as often as necessary, the President and Secretary Kissinger did talk by telephone and, of course, they spent a good deal of the morning on this question.

Q Jerry, did the question of Cyprus come up in the Dobrynin meeting?

MR. TER HORST: It is possible that it did, although that meeting was not scheduled for that purpose. The Soviet Ambassador returned to Washington several days ago, and at that time requested an opportunity to meet with the President so that he could present him the message from General Secretary Brezhnev.

Q Was the trade bill brought up in the Dobrynin meeting?

MR. TER HORST: I can't give you any guidance on what they discussed on that particular matter. I think I would have to refer questions on that to State, also.

Q Did Chairman Long give the President any assurances on the two bills you mentioned?

MR. TER HORST: Yes, he did tell the President that he hoped to be able to present the President with a trade bill and a health bill that the President could sign.

Q This year?

MR. TER HORST: I presume he is talking about this year, yes.

Q The Japanese foreign office has announced today that the President will visit Japan at the earliest possible date convenient to both countries. Can you tell us a little about that, please?

Also, if I might add a supplementary to that, why was this not announced here, Jerry? Why was it left to a foreign office to announce a Presidential trip?

MR. TER HORST: Let me read you the text of a joint American-Japanese announcement:

"The President of the United States has accepted the invitation of the Government of Japan to visit Japan before the end of the year, at the earliest opportunity available to both sides. Detailed arrangements on the timing of the visit will be worked out in discussions between the two governments."

What was your other question?

Q Why was it left to a foreign office to announce a Presidential trip? Why was the White House not able to announce it first?

MR. TER HORST: We are announcing it now.

Q It is about an hour late. Do you have a ballpark time frame, despite the second sentence in the announcement?

MR. TER HORST: If I may go on BACKGROUND there, and not for attribution, it would appear that a trip by President Ford to Japan would not occur before late November or early December. That would be the earliest.

Q Could you tell us who will be on the working luncheon besides the President and Kissinger from the American side?

MR. TER HORST: I cannot do it right at this moment, but we will try to get, if we can, a list of the participants in the working luncheon for you, and if we do, we will post them.

Q Can you give us the President's impressions or reactions to the Senate subcommittee's reduction of the defense and foreign aid bills?

MR. TER HORST: Yes, I think I may have something on that for you.

If I could just backtrack, since there was a previous subject of the President talking to the British Prime Minister, I have just been informed that the President has just spoken to Harold Wilson to discuss the Cyprus situation and obviously to get acquainted.

Q Will the President speak to the heads of the governments of Turkey and Greece as well?

MR. TER HORST: The negotiations at this point are being handled by Secretary of State Kissinger through American channels, and through his own diplomatic channels in Turkey and Greece.

Q Is this the first time they have spoken, Mr. Wilson and the President, personally?

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

Q Can you give us any more on the substance of that conversation and what he hopes to achieve by it, the conversation between Ford and Wilson?

MR. TER HORST: I cannot, no, and any other questions on Cyprus, I suggest that you take up with Ambassador Anderson at the State Department.

Q Jerry, can you tell us possibly how long the telephone conversation lasted; also, how long the visit with Dobrynin was?

MR. TER HORST: I cannot give you any guidance at all on how long the telephone conversation with Mr. Wilson lasted, because it occurred while I am in here talking with you.

As to the Dobrynin visit, it was scheduled for 30 minutes.

Q What was the gist of the message? Was it congratulations?

MR. TER HORST: As you know, the President had received from Soviet President Podgorny a letter of congratulations after his swearing-in as President, and earlier, as we announced from here, the President, in sending a number of communications to heads of foreign governments, also sent a message to Secretary Brezhnev, and this was in response to that.

But I cannot and will be unable to give you details of what precisely was in the message.

Q Jerry, given the impact on NATO of the renewed fighting in Cyprus, is Don Rumsfeld going to continue in his present ex-officio capacity here, or has the President asked him to refocus on NATO?

MR. TER HORST: Ambassador Rumsfeld is over here, as you know, on sort of detached service as a member of the four-man transition team which President Ford has set up, but he is intending to return to Brussels as soon as he can.

In the meantime, of course, he does have a deputy in place there who is fully conversant with the requirements of his duties at NATO.

Q Is it likely that he will be returning for some permanent assignment on the White House staff after he has settled up there?

MR. TER HORST: I can't give you a flat yes or no, but it is his hope to return to Brussels and to my knowledge, that is probably what will happen.

Q Is he involved at all in the NATO aspects of the Cyprus crisis?

MR. TER HORST: Not at the moment, no. At the moment, his total time is occupied with the tasks of the transition team.

Q Could we go back to Bill Theis' question. I am not sure exactly what you are saying. Is it your understanding that he probably will return to Brussels and resume on a more or less permanent basis that job over there, right?

MR. TER HORST: To my present knowledge, that is his plan, and he is here, as I said, on sort of detached duty because the President knows him from long-standing and likes his advice and the work he can do as coordinator and asked him to undertake this task, which is, of course, very temporary.

I am sure the transition team will be out of business within, hopefully, a week or two and maybe sooner and then Secretary Morton will revert to being a Cabinet Secretary only and it is my understanding that Ambassador Rumsfeld will return to Brussels.

Q Jerry, several hours ago you were quoted as saying that your input on the Vice Presidency at that hour was there would be a decision by the weekend. That was several hours ago. Is your input any different now?

MR. TER HORST: There possibly may be a change in the President's plans for announcement of his selection of a Vice Presidential nominee brought about, unfortunately, by the time he is having to spend today and possibly tomorrow and tonight on the Cyprus situation.

He has not told me that that is necessarily the case, but he has indicated that the time he had hoped to spend today in reflection and consideration of the Vice Presidential selection has been pre-empted by his need to devote attention to the Cyprus matter.

Q Have you figured out what sort of forum the announcement will take when it comes?

MR. TER HORST: No. As I said before, the method of announcing it and the precise time and the way it is done, the President feels can only be decided after he has made his choice, because the nature of the individual selected, as to who he is, and where he is physically, and the position he might hold or might not hold, will dictate to him the kind of procedure for announcing that would seem best.

Q Jerry, will the timing slip until after the Chicago speech, until after he gets back from Chicago next Monday afternoon?

MR. TER HORST: Ralph, I just can't give you any more guidance than I have, except I am aware of the fact that the pressure of events today are not going to help the President to meet his original schedule, which was to come up with it in a week or ten days, and the ten days would run out this weekend. Friday would be a week since he became President.

Q It would run out Sunday. That would be ten days. That is why I bring in the Chicago business.

MR. TER HORST: As I say, it is possible, but I can't give you guidance beyond what I gave you.

Q What happened to the names submitted by Republican Senators and Representatives? Are they handed to the President personally and does someone tabulate them? They came over yesterday.

MR. TER HORST: Yes, they came over yesterday, and, as I mentioned yesterday, the letters are being opened by the President's secretaries and they will be put before him and then he, in his own method of deciding it by himself, will review the recommendations and make his decision.

Q Have any names been taken off that list voluntarily?

MR. TER HORST: What list?

Q The list of Vice Presidential nominations. Has Senator Goldwater taken himself off the list?

MR. TER HORST: I don't know. You should ask Senator Goldwater.

Q He has not communicated anything with the White House about taking his name off?

MR. TER HORST: I am not aware of such communication. There could be a communication, but I am not aware of it.

Q What about Mr. Laird?

MR. TER HORST: I can't go down a laundry list for you.

Q I am not asking for a laundry list. I am asking about two names.

MR. TER HORST: I can't tell you about Mr. Laird. Mr. Laird, I am sure, is able to speak for himself. He does it very well.

Q Is Mr. St. Clair the only White House staff person who has gone off the White House payroll since Nixon left? For example, is Ron Ziegler still on the White House payroll, or is he on the former President's staff allowances?

MR. TER HORST: As you know, Ron Ziegler and Rose Mary Woods, and Steve Bull and a few other associates of former President Nixon went to California with him or are working with him in this transitional period, which is provided by the Congressional act covering transition.

So, therefore, he is still on the payroll. I can't answer whether he is precisely on the White House payroll, but he certainly is on the transitional payroll for the time it takes that is provided by law for this.

Q Will Japan be the first trip abroad?

MR. TER HORST: At this point it would look that way, wouldn't it?

Q Jerry, can you tell us why the Dobrynin visit was not announced in advance, since obviously you had known he was coming in?

Q And Long also?

Q And Meany?

MR. TER HORST: I presume it was because the Ambassador wished to come over here at a time when it would be convenient for the President to see him, and he expressed a desire for the President to see him and arrangements were made to see if he could be fitted into his schedule.

Q Then when they knew he was going to meet, was that just two minutes before he came here? I mean, you know, the press was here all morning.

MR. TER HORST: No, I don't mean to imply that he just walked over here and knocked on the gate, so to speak, but it was felt that today was a convenient time for him to come in, and as you know, there is not much value in announcing prospective meetings that might have to be changed by events, so it seemed best to do it in this fashion.

Q The reason I ask is it lends some air of crisis to have the Soviet Ambassador coming in at the time of the Cyprus thing.

MR. TER HORST: I am fully aware of that, and that is why I tried to stress the fact that his request to see the President was submitted to the President's office before the Cyprus crisis came up in the last 24 hours.

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Q Can you give us some guidance on what role the President might play in the elections this year? Specifically he has said as Vice President he would go back to Michigan to campaign for the seat that was taken in the Fifth District and the Eighth District. Do you know if he will keep that?

MR. TER HORST: As you know, the heavy schedule of speaking engagements that the Vice President had laid on when he was Vice President had to be stopped or aborted, in effect, when he became President and a good many of these speaking engagements are being taken up by other members of the Cabinet and other members of the Administration and other figures in the Republican Party and Members of Congress. But at the moment, as I have said, the President feels his most pressing problems are those that face him here in Washington, and I think his attitude at the present time is that the best politics of all is to be here attending to the affairs of the country rather than traveling, making political speeches.

Q Could we go back to the reaction on the defense cuts? You said you had something on that.

MR. TER HORST: Yes, excuse me.

The President was advised of the slash in the defense appropriation bill by the Congress and expressed serious disappointment at the size of the cut and he hopes that Congress will carefully analyze the impact a reduction of that magnitude would mean to the national security capability of the United States. Among other things, he hopes that the question of potential troop reduction that such a cut might mean as expressed by Secretary of Defense Schlesinger will at least encourage Congress to reconsider some of the individual items in the bill.

Was there another question I was asked and forgot to field?

Q Foreign aid?

MR. TER HORST: That would apply both to the defense aspects of that bill and to foreign aid. It applies to both.

THE PRESS: Thank you, Mr. Press Secretary.

END (AT 12:35 P.M. EDT)

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