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NEWS CONFERENCE

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AT THE WHITE HOUSE

WITH RON NESSEN

AT 12:30 P.M. EDT

APRIL 11, 1975

FRIDAY

MR. NESSEN: I am sorry to keep you waiting. I sent word out, and then it got to be even a little later than what I thought it was going to be.

So, to brighten your day, I thought I would start off with a little bit of nostalgia. It is also a demonstration of the fact that back in April, 1973, right after the Paris accords --

Q Shall we take notes?

MR. NESSEN: No, this is just a little something -- the then Defense Secretary, Elliot Richardson, was appearing in a television interview, and one hard-digging reporter, who could even see then what the issues were going to be, said, "Well, President Thieu's spokesman said that President Thieu is in the United States now to get a guarantee from President Nixon that the United States will support South Vietnam with military force if North Vietnam resumes the war. Is President Thieu going to get that guarantee?"

And that reporter was me. (Laughter)

Q What did Richardson say?

MR. NESSEN: The point of all this is that it is easier to ask these questions than to answer them. (Laughter) His answer was, "It would not be appropriate for me, Mr. Nessen" -- (Laughter)

O That sounds like you again.

MR. NESSEN: That is him. (Laughter)

O That is where we all went wrong.

MR. NESSEN: "It would not be appropriate for me, Mr. Nessen, to try to characterize in advance any content of the conversations that will take place between the two Presidents. There will, of course, be some announcement at the conclusion of those discussions."

Q What did you say on the Huntley-Brinkley show that night?

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MR. NESSEN: I can't remember that.

The President had his usual meetings with the staff today.

He met briefly with the group called the American Justinian Society of Jurists in the Cabinet Room. This is a society founded in 1966, composed of 790 American-Italian judges in the United States. Over 50 of them are Chief Judges.

This group participates in civic, patriotic and religious groups within their community.

At noon, the President met with Secretary Butz on various business.

At 12:30, about now, the President is presenting on behalf of the National Space Club the Robert H. Goddard Memorial Trophy to Astronaut Gerald Carr. Carr will be receiving the award on behalf of the nine Skylab astronauts.

The Goddard Trophy was established in 1958. It is presented annually for great achievement in advancing spaceflight programs contributing to the United States leadership in astronautics. That is going on in the Cabinet Room and is being photographed right now.

At 2:00, the President is meeting with Labor Secretary Dunlop to discuss issues involving that department. This is the President's first private meeting with the Labor Secretary since he took office. As you know, the President has made a policy to have a private meeting with each of the new Cabinet members to discuss department business and give some idea of the direction that the President wants each department to take.

We have one announcement of a Presidential speech, and that is on the 15th of April, on Tuesday -- that is next Tuesday -- at 11:30 in the morning. The President will be speaking to the 84th Continental Congress of the National Society of the D.A.R. at Constitution Hall. Of course, there will be open coverage. I don't have any more details for you, and we obviously will have an advance text for you.

Q Is he substituting for George Washington?

MR. NESSEN: I had not heard that.

We have passed out the personnel announcements.

The President is announcing his intention to nominate John L. Loughran, of Piedmont, California, to be Ambassador to the Somali Democratic Republic.

The President is announcing his intention to nominate John L. Petersen, of Aurora, Illinois, to be Administrator of the National Fire Prevention and Control Administration.

The President is announcing also his intention to nominate David A. Lucht to be Deputy Administrator of the National Fire Prevention and Control Administration.

The President is designating Irwin B. Canham of Boston, who, as you know, is connected with the Christian Science Monitor, to be his personal representative while he conducts the forthcoming plebiscite in the Northern Mariana Islands. He is a former editor of the Christian Science Monitor. He is Editor Emeritus now.

The appointment of a plebiscite commissioner will be made by the Secretary of the Interior under his responsibility for administering the trust territory of the Northern Marianas.

I think you have biographies of all of those people.

I think those are all the announcements I have today.

Q Ron, regarding the telephone and telegraph reactions to the President's speech, do you have any breakdown on that? Is it any more positive about this \$700 million than the universally negative, or almost universally negative, reactions on Capitol Hill?

MR. NESSEN: As of 11:45, the phone calls were --

Q a.m. or p.m.?

MR. NESSEN: a.m.

Q Are these total calls from the end of the speech?

MR. NESSEN: This is the running total as of 11:45.

On the telephone calls, in favor of the recommendation, 290; against the recommendation, 342; and just assorted comments without coming down on one side or the other, three.

Let me make one correction. These are broken down pro and con on the speech and were not directed specifically, necessarily, at that proposal. So, you would have to say that the 290 favored the speech, 342 didn't like it, or opposed the speech, and three had assorted comments.

Q Ron, is that the total number of three or total of almost 2,000 calls last night?

MR. NESSEN: I am getting on to the rest of it here now. Telegraphs, as of noon -- I am told there is some backlog of telegrams, but this is as many that have been counted as of noon --

Q Is this still on the speech, Ron?

MR. NESSEN: Yes.

Those who expressed support for the speech number 443 telegrams, and those who voided opposition to the speech number 1,125.

Q See what happens when the literate set weighs in.

MR. NESSEN: Yes.

The comment category is 164.

I didn't monitor any of these.

I am told that some T.V. people expressed an interest in filming all this activity. If there is that interest, get together with Larry or Bill. I think he has laid something on, for those who have any interest, at 1:00.

Q Is this all you have?

Fran, this is the total.

Q So, there were not that many calls?

MR. NESSEN: These are the ones that have been counted so far.

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Q We were told this morning that you had received between 1,500 and 2,000 calls during the first two hours alone last night after the speech.

MR. NESSEN: Larry said that that number was a total of calls and telegrams, and this adds up to over 2,200.

Q So, you received virtually nothing this morning, is that right?

MR. NESSEN: I don't quite get the thrust of the question, but the fact of the matter is, we have counted every phone call, we have counted every telegram, so if you suggest we are hiding something, you are wrong.

Q No, I didn't mean that.

MR. NESSEN: I think you can see from the numbers that if we were trying to hide something, we were not doing a very good job of it.

Q Ron, are you considering this an unusually heavy load or a fairly normal load at this time?

MR. NESSEN: I have no way of answering it, but maybe when you are over there filming you could ask them.

Q Do you know what your backlog is on telegrams?

MR. NESSEN: At one point last night there was a backlog of 500 telegrams. I don't know where it stands now.

Q Ron, what sort of types are taking the phone calls, please?

MR. NESSEN: We have a room where volunteers sit and take phone calls. Last night we did. Today is just the normal switchboard operation. I am told the switchboard is very crowded.

Q Aren't some of your girls taking phone calls?

MR. NESSEN: I think we are getting some, yes.

Q Ron, did the President regard these phone calls and telegrams as having any significance or importance?

MR. NESSEN: I think he mentioned in the speech last night that he was fully aware of the public opinion polls.

Q Which show what? What does that mean?

MR. NESSEN: Was there not a poll that indicated 65 or 64 percent of the people questioned or opposed aid to Vietnam?

Q I really admire the honesty of the White House --

MR. NESSEN: That is something.

Q -- in putting out these figures, but what I would really like to know is --

MR. NESSEN: Does it change his mind about his recommendation?

Q -- or have any influence on it? Does anybody really care what these telegrams are because there is such a small group that is represented? Does the White House think that only interested people would call in, not of public opinion polls, but of telegrams and telephone calls to the White House. Has this given any shrift?

MR. NESSEN: Any what?

Q Credence.

Q Is this judged of any value?

MR. NESSEN: As I say, I think the President knew ahead of time, at least, what the polls show the public opinion to be, and it breaks about on these lines almost exactly, as a matter of fact, one-third against two-thirds.

The President laid out in his speech last night the reasons he had reached the conclusion that the \$722 million in additional military aid, plus the humanitarian aid, was needed, and he was aware when he did that that the polls at least showed that the public opinion was not in that direction.

The public opinion really didn't affect the three reasons that he laid out for asking for the money.

Q I don't doubt that at all, Ron, but what I am just trying to get at is, I noticed that for two years you people cite telephone calls and telegrams to the White House, but does it have any significance or are people just wasting their time by telephoning in?

MR. NESSEN: No, I don't think so. The President keeps up with and is aware of public opinion.

Q Ron, is the President disappointed that he got such a negative reaction from Congress and a two-thirds/one-third negative reaction from the public?

MR. NESSEN: Well, I think it remains to be seen what Congress will do, and he is hopeful that Congress will provide the money.

Q He feels this is of importance?

MR. NESSEN: Yes, he does.

Q Ron, can I ask a question about the \$250 million he requested for the economic and humanitarian aid? If Congress approves that amount, will the money go directly on a bilateral basis to Vietnam or will some or all of it be channeled through international organizations such as the U.N., the Red Cross, and such? What are his plans for that?

MR. NESSEN: At the moment, the method of dispensing the humanitarian aid has not been decided on.

Q Ron, what are his plans since he has asked for a quarter of a billion dollars? What is his thinking? If he does get such money, what will he do with it? There must be some thinking that went into this conclusion.

MR. NESSEN: He cited specifically food and medicine and refugee relief, so that is what it would go for.

Q But no thought along the lines of Ralph's question?

MR. NESSEN: As I say, the method of dispensing this aid has not been decided.

Q Ron, on that point, Mike Mansfield, and others, have said that aid should go to both sides of the battle lines, presumably through international organizations.

The President's remarks last night indicated that he envisioned the aid going to those who have fled the Communist onslaught, indicating that he intends it to go only on one side of the battle lines. Do you know whether that is a correct interpretation?

MR. NESSEN: Just in general terms, I think that is the feeling at the moment of the Administration, but that is not the matter that has been 100 percent decided yet, either.

Q Ron, this is a question that I don't think that you have been asked since the figure was \$300 million, so let me ask you now. Does the President have any realistic expectation that his request for \$722 million will be enacted by Congress?

MR. NESSEN: He is hopeful that the case he made and the three points he made last night in support of this request will be persuasive.

Q You were talking the other day about the precision of words. I was not asking about his hopes because I think his hopes are clear. What I asked was, does he have a realistic expectation that the money will be approved?

MR. NESSEN: I do believe in precision of words, Jim, and the best insight into his belief that I can give you is that he is hopeful that the arguments he made last night will be persuasive.

Q Ron, have you given him a readout yet?

MR. NESSEN: No.

Q Have you been requested to?

MR. NESSEN: As to where this stands?

Q To get a readout quickly on the sentiment on the Hill.

MR. NESSEN: I don't know that you need a readout on sentiment on the Hill, and I have not heard of one being ordered, Steve. The request will go up there possibly today, the piece of legislation -- in fact, all three pieces of legislation will go possibly today. Since he has suggested that this ought to be done in nine days, you ought to be able to see the votes coming without having to make any advance head count.

Q Ron, Senator Sparkman has written a letter to the President asking that all of the documents and letters between former President Nixon and any other officials of the Administration be turned over to the Foreign Relations Committee.

MR. NESSEN: Yes.

Q What has been the response?

MR. NESSEN: I have not heard that such a letter had arrived, and I would have to check on that. I didn't know that it had arrived.

Let me say a couple of things on the general subject that Peter raises because I am not sure that everybody is entirely clear on what we were trying to say the other day.

It seemed to me that the question at issue is, were there secret commitments made, which means, were there any commitments of which the people of the United States were not aware, and Congress.

The answer to that question is this: the President knows of none. The Secretary of State, who was intimately involved in the negotiations, asserts knowledgeably that there were none. General Haig has issued a statement saying there were none. Former President Nixon has never said there were any.

Moreover, the former President did not raise this issue when he signed into law in 1973 a statute which would have made the fulfillment of any such secret commitments illegal if indeed there had been any secret commitments involving activities prohibited by that statute.

I have never suggested, in any way whatsoever, that there were any secret commitments, and I know of no commitments or agreements. I know of no secret commitments or agreements.

Now, what we said the other day, and I think it is quite obvious because it goes on virtually all the time between almost every nation in the world, there were numerous communications between officials of the two governments, and these were properly private.

But I thought the other day that I had said clearly and repeatedly that even though there were differences in the wording and the phraseology that the public statements made at the time reflected the substance of any private communications, and therefore, the private communications cannot accurately be described as secret commitments.

Now, I think that this is an issue of importance and it has some emotion involved in it, and it would be unfortunate if a mistaken impression were permitted.

Now, specifically anybody who states or implies that because there were private communications, which as I say go on all the time every day between nations of the world; anybody who states or implies that because there were private communications that there were therefore secret commitments, is making a statement that seriously lacks precision, to use Jim's words.

Q Does that include Senator Jackson?

MR. NESSEN: Any suggestion that the private communications contained secret agreements should be backed up with evidence, and I have not seen or heard of any such evidence.

Q Does that mean that Senator Jackson was in error?

MR. NESSEN: The private communications with Saigon which I have seen contained, in substance, the same assurances that were stated publicly.

Q Ron, is this a challenge to Senator Jackson to put up or shut up?

MR. NESSEN: I think I have tried very carefully to say what I wanted to say.

Q Ron, I understand that Senator Sparkman has asked the White House for --

MR. NESSEN: That is what Peter was saying, and I said I was not aware that such a letter had arrived, but I will check.

Q Under the circumstances, if these are the same, why would the White House have any objection to turning these over to the appropriate committees of Congress?

MR. NESSEN: I never said there was any objection, Peter. I have not seen the letter, and I was unaware that it had arrived.

Q Ron, the communications you have seen, where did you get those?

MR. NESSEN: From the people who have custody of them.

Q From the Secretary of State?

MR. NESSEN: They are kept in the normal course --

Q You said that you had seen all of the communications.

MR. NESSEN: The ones I have seen, as I say, contained in substance the same thing that was said publicly.

Q Ron, President Thieu of South Vietnam has said in interviews -- and I think this was before the 1973 law was passed -- that it was his impression that if there were massive violations by North Vietnam, that endanger the Paris accords, that the United States would respond not with manpower, but with air power to help his government. He said that flatly, and he said that was his belief, his understanding of our position.

Did any of these communications spell that out to him?

MR. NESSEN: Peter, I think the way I would like to leave it is the way I have tried to say it all this week, and apparently without much success, and that is this: It is no news, or it seems to me it was not news, that there were private communications between countries. It goes on all the time.

Nobody ever charged that there was anything wrong with private communications. The charge was that there were secret agreements or secret commitments, and I have seen nothing that would add up to a secret agreement.

Q I am asking a very specific question. President Thieu said that he felt the United States would respond with air power if there were massive violations of the Paris accords. He is on the record as saying that.

Are you saying that there was no such understanding in any of these documents?

MR. NESSEN: The way I prefer to answer that, Peter, is that the private documents in substance contain the same assurances that are contained in the public statements at the time.

Q Ron, could I get a clarification of the timing of that?

Q Is there any greater degree of specificity in the private communications than in the public?

MR. NESSEN: The phrasing was different, the wording was different, but in substance, they were the same.

Q An inference can be drawn from the public. Is there a different inference which can be drawn from the private?

MR. NESSEN: You know, we are doing the same semantic exercise we did yesterday, which totally confuses the point. This whole thing started with the charge that there were secret agreements.

Now, what we said the other day was that there were private communications, which apparently struck everybody as great news. The charge was that there were secret agreements, and what I am saying is that based on what I have seen, there were no secret agreements.

We ought to keep our eye on what the story is all about, and that is what it is all about.

Q Ron, let me ask the question again. I don't think I got an answer.

Are you satisfied that you have personally seen all the communications, all the correspondence?

MR. NESSEN: I have no way of answering that, Phil. I have seen documents which apply to this period and seem to be the basis on which this issue is being discussed.

Q Ron, you said anyone who makes these charges should put up the evidence, back it up with the evidence. My feeling there is that you folks have got the evidence, and you are the ones probably who should put it up, should you not, I mean, if you want to prove your point?

MR. NESSEN: Let me answer that two ways. One, I think it is very important to keep your eye on what this story is all about. It is not the fact that there were communications. The charge was that there were secret agreements, and nobody has produced any evidence that there were.

To answer your question specifically, the answer is that if private diplomatic communications were published as a matter of course, heads of state would never communicate with each other. It is not normal diplomatic procedure to make them public.

Q Let's change the semantics and let's drop the phrase "secret agreements."

MR. NESSEN: We cannot discuss this by dropping -- that is where we went wrong --

Q The word "commitments."

MR. NESSEN: Wait a minute. That is where we went wrong the other day, Walt, was that people forgot about what the charge was and got all excited about the private communications, which, as I say, to me is not news and never was included in the charge.

The charge was that there were secret agreements.

Q Secret promises.

MR. NESSEN: Promises or commitments or whatever the words were that were used. That was the charge, and that is what we were talking about.

Q Ron, if Congressional committees asked for these communications, will you be willing to turn them over or will you have to invoke Executive privilege?

MR. NESSEN: I have heard nobody talk about Executive privilege because I was not aware that the letter had arrived, and I don't know where it stands or what work has been done.

Q As far as you know, the Administration would be willing to turn these over to the appropriate committees if they asked for them?

MR. NESSEN: I really ought to check on that, Bob, before I answer the question.

Q One problem. Certainly my problem and probably the problem of others is that in trying to interpret this is that you are trying to state a case without answering -- you say, "I cannot answer the question," when asked if you have seen all the documents. I am having difficulty in comprehending and interpreting what you say.

MR. NESSEN: I think maybe you ought to look at the other parts of this, too, Ralph.

Q Yes, I have.

MR. NESSEN: I mean, the President knows of none; the Secretary of State, who was intimately involved in them, asserts that there were none; General Haig, who was involved, issued a statement saying there were none; and President Nixon never said there were any.

Q Did he ever say that there were not --

MR. NESSEN: You are right to question the amount of information I have, but let me step back a little bit and cite the other people who say they know of none.

Q Ron, can I just ask about the point that Pete raises here?

MR. NESSEN: Yes.

Q You stated pretty flatly today that in fact there were no deals or secret agreements, and it seems to me that you have gone a little further than you went the other day, which I am not quite sure --

MR. NESSEN: Wait a minute. I think if you compared, you will see I am saying exactly what I said the other day, but I am trying to focus people on what the issue was because, based on what I read about the other day, there was some confusion about what the issue was.

The issue was never were there private communications. The issue was, were there secret agreements.

Q Well, in any case, Pete brings up --

MR. NESSEN: It is not any case, Bob; that is why I am going through this exercise.

Q It is very hard to get you to say it as flatly as you have today, but now that you have said it, the issue still remains, why did President Thieu have the impression that air power was to be used? Furthermore, are there any documents after he made the statement saying he thought air power was going to be used indicating he was disabused of this view?

MR. NESSEN: First of all, I cannot speak for President Thieu or tell you where he gained that impression.

The other part of your question was whether documents --

Q Has anybody in this government ever since he made the statement that he thought air power was going to be used, straightened him out on that?

MR. NESSEN: Was that recent, or was it --

Q No, it was not.

MR. NESSEN: Was that the Bernie Kalb interview?

Q Yes, the interview with Bernie Kalb.

MR. NESSEN: I don't know what the date of that was.

Q It was right after the agreements were signed in 1973.

MR. NESSEN: The public statements were being made all through that period, and they, in substance, said the same thing that was being communicated privately.

Q Ron, you said that you cannot guarantee and cannot be sure that you have seen all the written correspondence. Was one of the things that you saw former Vice President Agnew's report on his conversation with President Thieu shortly after the Paris accords were signed?

MR. NESSEN: I am not sure I ought to give a shopping list of what I read, Jim.

Q I want to give you a chance to finish your response.

MR. NESSEN: I just say that based on what I have seen --

Q Do you know one way or the other whether or not the conversations between Mr. Agnew and President Thieu were in substance the same as the public statements? In other words, can you make the same statement about that particular conversation that you made about the others?

MR. NESSEN: Jim, let me back you up and tell you the same thing I told Ralph. You are quite right to question the amount of material I have seen, but what I have just said here goes beyond my own knowledge of what was said.

The President knows of no secret agreements; the Secretary of State says that there were none; Haig, who was involved in that period, says there were none, the former President has never said there were any.

So, while you are right to make sure I know everything I am talking about, I just want to remind you that there are others who are saying these things.

Q Ron, "The President never said that there were any," is different from the President saying "that there were none" -- that the former President said.

Has President Ford asked former President Nixon if there were any or not, Ron?

MR. NESSEN: Not that I know of, Les.

Q He has not?

Q You gave us a reaction of various people to the speech. How did the President feel about how the speech went last night?

MR. NESSEN: How he felt his own speech went?

Q Yes.

MR. NESSEN: He felt that the speech, itself, was a document that he was happy with and said the things he wanted to say in the way he wanted to say it.

He felt he had delivered it in the manner he wanted to deliver it and was pleased by the reception.

Sarah?

Q Ron, is Mr. Buchen investigating anything besides the airline tickets and the resort stay in Santo Domingo involving Nancy Howe and her husband?

MR. NESSEN: First of all, I want to say that the President and Mrs. Ford have expressed their deepest sympathy to the family of Jim Howe and feel that it is a great personal tragedy.

On your specific question, Sarah, I don't have anything to communicate at this time.

I think maybe I should say this as a broad general rule, that it is unlikely that I would comment on such matters unless and until a conclusion is reached.

Q Well, maybe I am wrong, but it seems a little different from the way they have treated the case of Tim, when he was head of CAB, and he took some free trips with airlines and he didn't have to be pulled off from work and on leave and be investigated. It seems like there is a little difference here. There must be something else.

Q Ron, can you explain the situation to us? Was Mr. Buchen investigating anything? Was Mrs. Howe on leave or on vacation? Can you just clarify her status before this thing occurred?

MR. NESSEN: Mrs. Howe's status is unchanged.

Q From what?

MR. NESSEN: From what it was, what it has always been.

Q In other words, then, she was not on leave?

MR. NESSEN: No.

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Q You mean she is actually working in the White House?

MR. NESSEN: She is on the White House payroll. She has taken some time off because of her personal tragedy.

Q Does she intend to resign, Ron?

MR. NESSEN: I have no way of knowing that. I have not heard that.

Q Ron, I would like to go back to the question that was asked before about the interview with President Thieu in which he said that his belief was that American airpower would be used if there were massive violations by the North Vietnamese of the peace agreement.

MR. NESSEN: Yes.

Q What he said was on television. It must have been known by the government at the time.

MR. NESSEN: Yes.

Q Was he disabused of that belief by American officials?

MR. NESSEN: Fred, I just don't know what happened at the time.

Q Can you find out?

MR. NESSEN: Again, I think we are falling into the same trap that was fallen into the other day. What is this story all about? The story is about a charge that there were secret commitments. I have given you a whole long list of people who say they don't know of any secret commitments. I have given you the fact that President Nixon never raised this issue when he signed the bill.

I just think we have got to avoid falling into the same semantic trap and confusion that we did the other day and keep our eye on what the story is all about, what the reaction to that is.

Q Ron, isn't the story really about what a vigorous reaction is? Isn't that what the story is about? And President Thieu interpreted a vigorous reaction to be American air support?

MR. NESSEN: Fred, I think that is at the very point where everything went wrong the other day. That is not what the story is about. The story is about a charge that there were secret commitments.

Q Okay. Let's talk about a different story, then.

MR. NESSEN: All right.

Q What was the belief of the American government that a vigorous reaction was going to be?

MR. NESSEN: What --

Q President Thieu obviously interpreted it to be air support if there were massive violations by the North Vietnamese. Was that the interpretation of the American government?

MR. NESSEN: I am simply not able to answer that question, Fred.

Dick?

Q Ron, I would like to get a clarification on the timing of these assurances. I seem to recall the other day that you told us that essentially the same kind of language which you referred us to in that printed statement was passed along to the Saigon government in advance of the signing of the agreement. Is that not right?

MR. NESSEN: I said that the private communications we talked about were during the period of negotiation, that is correct.

Q All right. Now, if that is the case, doesn't, in fact, this add up to the Nixon Administration having assured the Thieu government that we would react vigorously if the accords were violated in a major way?

MR. NESSEN: I gave you a paper the other day in which that was stated publicly and then it turned out --

Q But it was stated publicly after the accord was signed. Now, it seems to me that the timing of when these assurances were given privately and publicly --

MR. NESSEN: Dick, let me stop you at that point and again say that we are playing with words and semantics and looking for things that are simply not there. The point that I am trying to make, and I clearly didn't make it very well the other day, is that the charge was that there were secret agreements. What I am telling you is what the various people involved at the time say and what the record shows.

If we don't all keep our eye on that, we are going to veer off as a number of people did the other day.

Q Ron, it takes two to make an agreement, and you keep leaving out the other side of the equation, which is President Thieu, who had the impression that he had been promised air power.

Now, can you say unequivocally that President Thieu was never promised any kind of air power in case of massive intervention by the other side.

MR. NESSEN: Bob, I can see this going just as wrong today as it did the other day.

Q I don't think that is wrong at all. That is the whole point.

MR. NESSEN: What I am saying is that what you have seen that I gave you the other day in the way of public assurances is in substance what was communicated to the Saigon government privately.

Q Ron, it is possible to read any of former President Nixon's or Secretary Kissinger's statements at the time to imply something like air power? For instance, Nixon, "Look at my record of the last four years," and this sort of thing. Given that fact, have you or anyone else inquired of Kissinger or other people who were present at the time, has Ford inquired of these people, whether or not when you say that there was nothing private that was not public, air power was not --

MR. NESSEN: Different words and different phrases, but in substance the same assurances.

Q So, maybe your interpretation of "same substance" is that Nixon is saying, "Look at my record of the last four years," and Haig or Agnew or somebody saying privately, "We will bomb the hell out of them if it goes back to that," is the same thing.

Is anybody checking to see if it is possible to have included air power and if it might have been specified in private where it was only alluded to in public?

MR. NESSEN: Steve, two of the principals involved in that period -- General Haig and Secretary Kissinger -- are on the record this week with what they believe occurred at the time. Now, that is why I can't understand --

Q Ron, why then does Senator Jackson say that there will be copies of this in the correspondence or in the files of the National Security Council, and he says there will be copies -- that is, not being the original, but apparently in two places -- and he says

he knows that it is there and he has not seen it, but he has it from a very reliable person who does know that it is there, and he says that Senator Mansfield has agreed with him that the Armed Services Committee and the Senate Foreign Relations Committee should have joint sessions on this and they will call for the documents.

Is the White House prepared to surrender the documents?

MR. NESSEN: As I said to Peter, I didn't know the letter had arrived, and I don't have an answer.

Q You certainly have taken this up, and Mr. Ford has certainly been considering it since this public statement was made. Is the White House prepared to surrender these documents?

MR. NESSEN: I need to wait and see what the letter says and so forth.

Q That is not my question. My question is, hasn't Mr. Ford considered this and is he prepared to surrender them to the Senate?

MR. NESSEN: I cannot give you that answer today, Sarah, but let me back up and ask you a question, if I may.

Did Senator Jackson charge that there were private communications in the NSC file, or did he --

Q He didn't charge there were private communications. He used the word "documents," and he said these have to be available for us to get and see and read because he said there has to be copies of this in the files of the Security Council.

MR. NESSEN: But did he charge that there were secret commitments in the file of the NSC?

Q I think secret agreements were the words he used.

MR. NESSEN: If there are secret agreements in the files of the NSC?

Q That is right.

MR. NESSEN: Is that what the charge is?

Q That is what he said.

MR. NESSEN: But is that what the charge is, and is that what we are wrestling with here today?

Q I don't want you to get me on any particular word, but that is what he said.

MR. NESSEN: We have to pay attention to words. If he said there are private --

Q We are paying attention to words, Ron. We just want to know if the White House is going to be open above board and sincere and honest, and if they are just going to give these to the Senate. He said it was a matter of the integrity of this Nation's foreign policy. It seems to me that Mr. Ford must know by now what he is going to do.

Q Yes or no? (Laughter)

Q Will you give us the answer, Ron, as to whether he has considered it and decided what he is going to do?

MR. NESSEN: As soon as I have the answer, I will communicate it to you.

Q You seem to be working up to a response to the effect that if that is what Senator Jackson says, that is false. Is that what you were starting to say?

MR. NESSEN: If Senator Jackson says that there are secret agreements or secret commitments or whatever the charge is, then I simply fall back on what I have told you today, that the President knows of none and so forth.

Q Ron, if I could change the subject a bit --

MR. NESSEN: Peter has to tie up a loose end.

Q -- you gave us a paper yesterday quoting President Nixon at a press conference quoting from the foreign policy report and so forth.

MR. NESSEN: And the joint communique between the two governments.

Q And the joint communique. In the press conference statement, in the foreign policy report, what you say there was that President Nixon had warned Hanoi that if there were violations, beware. What did he tell North Vietnam we would do if there were violations?

Could you tell us that? What did he warn Hanoi? In other words, did he warn Hanoi that if there were massive violations that we would send them a diplomatic note, that we could complain to the UN or what would we do? In other words, the threat was there, the warning was there to the North Vietnamese not to violate the treaty. What, therefore, did we communicate with them?

MR. NESSEN: In private?

Q I guess so. I mean, the document, you have it here and you can read it, that we have told Hanoi repeatedly not to violate these accords or else. What is the "or else" part of it?

MR. NESSEN: I don't have that to give you, Peter.

Q You choose your words very carefully. You say the President knows of none and Secretary Kissinger, who is intimately knowledgeable about this, says there are none.

Your answer there is so phrased that the President is leaving open the possibility that perhaps Kissinger has not told the President everything or perhaps the President does not want to know everything.

Is that the way you mean to say it? Why can't you definitively say the President says there are no secret agreements?

MR. NESSEN: Again, I think we are going around the same track that we went around the other day, and I tried to clarify some of the issues that were confused the other day.

Q You are very careful with your words.

MR. NESSEN: I am trying to clarify some of the issues that were confused the other day.

Q Ron, why is it that if Senator Jackson himself -- not a spokesman -- has raised a very serious question, why is it that the President didn't answer it in that long speech last night or issue a statement rather than leaving it to you to answer?

MR. NESSEN: I think as a matter of fact --

Q He certainly takes the subject seriously, doesn't he, Ron?

MR. NESSEN: He does, Les. As a matter of fact, he did address it last night.

Q In other words, he provided an answer to all these questions, you feel, last night?

MR. NESSEN: One point in his speech -- "The chances for an enduring peace after the last American fighting left Vietnam in 1973 rested on two publicly stated promises" -- was meant to address that question.

Q In other words, they were publicly stated promises and that what you are telling is now is that ruled out any private promises? Is that what the President means by that, Ron?

MR. NESSEN: I will tell you, I would be happy to stay the day here with you, but I don't see that we are getting very far.

Q Ron, could I ask, to change the subject, please, can you tell me if in the unlikely event that the Congress would approve this \$722 million for military aid, do we have any assurances that the President would not come back for additional military aid after that?

MR. NESSEN: This is the best estimate that he can make of what is needed to accomplish the purpose he stated last night, which is to stabilize the military situation.

Q But is there any time limit on this? This is what is needed for what time period?

MR. NESSEN: This is what is needed, he said, urgently and immediately.

Q But for how long, Ron?

MR. NESSEN: I don't have an answer to that question.

Q One other question. Is there any evacuation going on in Vietnam now of American personnel?

MR. NESSEN: I believe there is a certain thinning out. It is not proper to call it an evacuation.

Q A rapid thinning out?

MR. NESSEN: No, it is not that. It is people whose jobs were in areas that have been taken over by North Vietnam. They obviously don't have much to do there these days and are coming out.

Q To follow up that question, Ron, in the briefing yesterday it was mentioned that this country would ask some other countries to take on refugees from South Vietnam if and when that became a possibility or reality. You said that the calls would go out today. Have those calls been going out, and to whom?

MR. NESSEN: I had not heard that there was that. I think you may have two things mixed up. A diplomatic note is being sent to the signatories of the Paris peace accords today, the text of which you can get from the State Department, including North Vietnam.

Q He also said that other countries would be contacted starting today and asking them if they could take some refugees if and when that situation becomes a possibility.

MR. NESSEN: I did not hear that, but I would say that is another thing to address to Mr. Parker.

Q Do you have a prospect of a release of General Weyand?

MR. NESSEN: I would anticipate that the possibility is good.

Q Today?

MR. NESSEN: Not today.

Q Ron, on the question of the legislation that you said was going to go up today on all three of these requests, with respect to the clarification and change in the War Powers Act, can you tell us what the President is going to request with respect to the evacuation of South Vietnamese civilians or South Vietnamese nationals.

Will he ask for authority to evacuate South Vietnamese national from any part of the country, regardless or will he limit the evacuation of South Vietnamese nationals -- should there be an evacuation, will he limit that to areas under control of U.S. military forces?

MR. NESSEN: I see what you are getting at.

Q In other words, is he going to ask for a blanket authority on evacuation of South Vietnamese nationals, or will he set some limits? For what period of time, numbers and so forth and so on?

MR. NESSEN: Actually, there are two factors in that, Jim. One is how do you do it if it should become necessary, and where do you get them from and what do you use to get them if you have to and so forth, and that is something that the Pentagon needs to put together.

But the legal question, the lawyers believe there is no authority to to use American troops for the purpose of evacuating nationals of another country, and that is what needs to be passed by Congress, is that authority.

The question of whether it is legally possible to use American troops to evacuate American civilians is a matter of controversy among the lawyers.

Q This is not what I am asking, Ron. What I am asking was prompted by the fact that Congress has already started to write this legislation, and in writing it, it appears fairly obvious at this point -- although it is still early -- that if they grant the authority to evacuate South Vietnamese nationals, they are going to grant it in a restricted way and that the U.S. forces could only take out a particular evacuation of South Vietnamese nationals from areas under control of U.S. forces.

They could not go up to Danang, in other words, just to get out some South Vietnamese -- it would have to be somewhere where there are already some Americans.

I guess maybe I will turn the question around and ask you, what is White House reaction? Will you accept that version?

MR. NESSEN: Jim, I cannot answer that question. I don't know what the plans are or how to do it, if it were going to be done. I don't know whether that legislation, as you describe it, is going to emerge from the Hill.

Q I bring it up because perhaps you are wording your own legislation to cover this point.

MR. NESSEN: It has been written and it is in the hands of the lawyers right now who are going over it. That is all I can give you at the moment.

THE PRESS: Thank you, Ron.

END (AT 1:24 P.M. EDT)