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NEWS CONFERENCE

#439

AT THE WHITE HOUSE

WITH RON NESSEN

AT 11:38 A.M. EST

MONDAY

FEBRUARY 16, 1976

MR. NESSEN: The legislation about which the President spoke is in the final stages of being printed and by the end of this briefing we will have it for you. So I think -- why don't we just go on with the briefing now, and if we go straight on with the briefing now, the pool for the 11:30 meeting should meet with Bill Roberts over here.

Q What pool is that?

MR. NESSEN: What is the meeting?

MR. ROBERTS: This is for the picture with Daniel Parker.

Q Can we have the President's statement, please? How about getting his statement Xeroxed since we have some time. We could not get it down, he went so fast.

Q Will we be able to get it?

MR. NESSEN: Have we got any Xerox copies of that?

Let's go on in the meanwhile. Let me just run through the President's schedule and a couple of other things on today.

Q Nobody is filing, I hope.

MR. NESSEN: Is anybody back there filing, Annie?

You know about the meeting with Daniel Parker this morning.

Q You are going to get us a fill on that?

MR. NESSEN: I am going to give you a little bit of it right now. He is the Special Coordinator for International Disaster Relief Assistance. Parker went down to Guatemala on Thursday early in the morning and came back late on Friday evening, and he is giving the President a report on his trip. I will share some of that with you, if you would like.

MORE

#439

Parker reported that the disaster affected primarily the rural poor. Because of the kinds of houses the rural poor lived in, they were most affected by the earthquake. The loss of life, Parker will report to the President, is estimated at close to 22,000 and injuries far in excess of that.

Some rebuilding has begun but Parker will tell the President that a tremendous amount still needs to be done.

The United States effort Parker will report on and he will say that it has been quite helpful and effective and he will also report that other countries in the area are also providing help, but that so far the United States aid teams which have been moved there from Panama and the United States in most cases have been the first to reach various isolated villages struck by the quake.

After this briefing, we will have a copy of Dan Parker's complete report and that will be available for those of you who would like to look at it after this briefing.

Q Will Parker have any information on the claim by some people that these supplies are not getting out to the people?

MR. NESSEN: That reminds me of the last earthquake I went to down there in Nicaragua.

Q I heard this morning some of the volunteers who are working in the area say they are not getting the supplies.

Q There is a report that said there is a lot of it that is sitting in New Orleans, too, Ron. I wonder if you have anything to say about that?

MR. NESSEN: Why don't you read Dan Parker's report. As I say, I did go down to the Nicaragua earthquake and I know the first few days after an earthquake there is quite a deal of confusion and things don't run as smoothly as they might ordinarily.

Now you know this afternoon the President is going out to speak at the Association of Secondary School Principals. Let me check where we stand on the text of that.

Q Breaking any new ground in the text?

MR. NESSEN: He will be talking, obviously, about education and I have to see where we stand on the text. I have not looked at the draft of it.

Then I think you know that this afternoon the President is meeting with his various people involved in the intelligence community to make some of the final decisions on his reorganization of the intelligence services.

I don't really have anything much to tell you on that today. The exact time of the announcement has not been settled on yet nor has the format. It is not entirely sure that it will be this week, but it should be very shortly.

Q Could we have the list of the people who will be there?

MR. NESSEN: Yes.

Q Are you not sure this week, because every sounding we have gotten has been it is going to be this weekend?

MR. NESSEN: Well, that may well be, but I would only caution you that it is not decided yet.

Q When you say some of the final decisions this indicates there may still be some final decisions to be made after this?

MR. NESSEN: Yes, some of them are made, some of them are still to be made.

Q Has he been in conference with Congressman Steiger on this election bill of the Federal Election campaign?

MR. NESSEN: You remember the meeting that was held over here one evening the week before last perhaps in which all the people -- Sam Steiger was at that meeting.

Q Not Sam. I am talking about Bill Steiger, the man who has been taking part in legislation. Will he be the one -- Bill Steiger of Wisconsin -- who is going to sponsor these bills in the House and Senate, do you know?

MR. NESSEN: Let me check on who will introduce the bill.

Q Does the President favor retaining the present panel?

MR. NESSEN: We will have the legislation for you by the end of this briefing, I hope.

Q Does the legislation say the names of the people he --

MR. NESSEN: It will spell out exactly what he is proposing.

Q Ron, you were going to give us the list of those he has conferred with on intelligence.

MR. NESSEN: Yes, let me get that for you after the briefing.

Q Ron, the reports that came out over the weekend, would you say that -- and I realize your hands are tied, to a large degree -- but there was some unanimity on Saturday and Sunday between the reports that were on the two networks and in the Washington Post, would you say he found a considerable degree of error in those reports?

MR. NESSEN: Yes.

Q He did?

MR. NESSEN: Yes.

Q In what respect?

MR. NESSEN: In the stories that came out purporting to tell what the President was going to recommend there was a high degree of error.

Q In the sense that he simply has not made those final decisions and it is sort of tentative decisions.

MR. NESSEN: Some of the decisions have not been made; some of the decisions made were not those reported in the paper.

Q You are talking about intelligence now, right?

MR. NESSEN: Yes.

Q Ron, has there been any response from Carl Albert to the President's offer of aid?

MR. NESSEN: There has not been a response.

Q Could I ask a question on another subject?

MR. NESSEN: Yes.

Q Does the President have any comment on the attack on the U.S. Embassy which will shortly be visited by Kissinger in Latin America?

MR. NESSEN: I didn't know one had been attacked.

MS. VANDERHYE: There have been reports.

MR. NESSEN: In what city?

MS. VANDERHYE: Caracas.

MR. NESSEN: We will have to check on that. This is the first I have heard of it.

Q What country are you talking about?

MR. NESSEN: Are you talking about reports coming from Caracas?

MS. VANDERHYE: Yes.

Q What about the presence of Dobrynin? Is the President meeting with him?

MR. NESSEN: He was in the White House this morning.

Q Did they discuss this radiation business?

MR. NESSEN: Well, I would not like to -- actually, I would like only to say that he was in this morning and not --

Q In to see whom?

MR. NESSEN: I am not prepared to say who he saw.

Q But not the President?

MR. NESSEN: I am not prepared to say who he saw.

Q Come on, Ron. That is pretty silly.

Q You call this an open Administration and give an answer like that?

MR. NESSEN: On rare occasions I have to.

Q That is pretty silly, Ron. What is the reason in back of the fact that you cannot tell us who he saw?

MR. NESSEN: I am sorry, but on rare occasions I am going to have to ask your indulgence. I am not able to.

Q You can certainly tell us who he saw.

Q You already indicated that he did see the President.

MR. NESSEN: I hope I didn't because I am not prepared to.

Q I think if you look over the transcript there, you did.

MR. NESSEN: I think if you look over the transcript, I did not, Phil, and if I did, I did not mean to because I am not going to indicate who he saw.

Q You are not denying his presence? You are saying he did come?

MR. NESSEN: I am saying he was in the White House.

Q And you refuse to say who he saw or what the subject was?

MR. NESSEN: Correct.

Q Why?

Q How long was he here?

MR. NESSEN: We will check.

MR. CARLSON: He just left.

Q Why was he wearing an Irish cap? (Laughter)

Q Did he talk about the scoff-laws, Ron? I mean, the parking tickets? Does the White House have any concern about all the unpaid parking tickets that the Star reported?

MR. NESSEN: Let's deal with the serious ones.

Q That is not serious?

Q Was he invited?

MR. NESSEN: I am not prepared to say who requested the meeting either.

Q Are you prepared to say that you are stonewalling the question completely?

MR. NESSEN: I never try to tell you how to interpret.

Q Ron, I think this is rare where you have a --

MR. NESSEN: It is rare, Phil.

Q Is this a very sensitive subject?

MR. NESSEN: I am just not prepared to say more than I have said, which is to say he was here and we will get the length of the meeting for you.

Q What do you mean by this phrase "Not prepared to say?" Does that mean you have been ordered to not give us any information or does it mean that you just have not prepared yourself?

MR. NESSEN: I am prepared myself.

Q Is it a national security matter?

MR. NESSEN: It means that I am not going to be able to give you any further details other than the fact he was here.

Q On orders, right?

MR. NESSEN: I am sorry.

Q Does that mean we are going to get an explanation some time soon?

MR. NESSEN: I don't know, Howard.

Q Does this not, in your opinion, Ron, as Press Secretary, kind of increase the mystery? I mean, Ron, it just suggests that there is all kinds of undercover stuff, Ron. I mean, could you not even tell us who he talked to?

MR. NESSEN: No.

Q Ron, the President indicated in New Hampshire, if I am not mistaken, that he would be getting more information on the radiation bombing of our Embassy in Moscow. Has he received such a report?

MR. NESSEN: I will have to check, John. I don't know.

Q What is the latest word on New Hampshire primary campaigning?

Q I am sorry -- could I finish in that area?

Q I am sorry, yes.

Q There was a report in at least one, I believe two, of the London papers on Friday and Saturday that our Ambassador to Russia came back with symptoms of leukemia last year and that there are indications of what really happened was that he was suffering from radiation illness. Has the President been told that?

MR. NESSEN: I cannot talk about that area, John.

Q You mean the other side may be using a ray gun, too?

Q Do you think the American people are going to be apprized of what is going on in the Embassy in Moscow?

MR. NESSEN: I am just not able to talk about that subject, Helen.

Q Why?

MR. NESSEN: I can't.

Q Will you ever be able to or do you think it is something that is too sensitive that we will never --

MR. NESSEN: I don't know, John.

Q Is this subject jeopardizing detente, Ron?

MR. NESSEN: I just can't talk any further about it.

Q Now may I ask about New Hampshire?

MR. NESSEN: Go ahead.

Q What about campaigning there this weekend?

MR. NESSEN: I don't have the details to give you at this point.

Q Does the Boston trip look likely?

MR. NESSEN: I have heard lots of rumors about what the trip is going to be like and I don't think the rumors are very informed since the plans are not made yet.

Q Over the weekend you indicated guidance that it would probably be on Thursday and Friday.

MR. NESSEN: That is probably the correct guidance for background, yes, but the exact cities and States are not set yet.

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Q Is Massachusetts a probability?

MR. NESSEN: You know, I can't answer the question because it is not determined yet.

Q Was Secretary Kissinger here today?

MR. NESSEN: Yes, he was.

Q Who did he see?

MR. NESSEN: He saw the President.

Q When you finish, can I say that there is a pool report from that thing and after the briefing can I do an oral report?

MR. NESSEN: Yes.

Q Was Dr. Kissinger here at the same time of Dobrynin?

MR. NESSEN: I don't believe so. I will have to check. I am not sure.

Q What does the President think of Congressman Stratton's call for a contempt citation of Daniel Schorr?

MR. NESSEN: That is purely a Congressional matter and there is no view on it here at all.

Q Ron, is the trip Thursday and Friday?

MR. NESSEN: I indicated for guidance and background the other day that it looked like it would probably be late Thursday and half the day Friday or something like that.

Q Ron, have the reports on what is in the President's upcoming program on intelligence been leaked from the White House?

MR. NESSEN: Well, since there are a good number of errors in them, as I told John, if they are leaked out of the White House, they are being leaked by people who don't know what the President has decided.

Q Ron, I was wondering if you could give us some information to implement the President's statement on the death penalty, specifically. Presumably you talked to him about it. I just would like to know what type of capital punishment does he believe would be the most effective deterrent; in other words, would he, in the event of a mistake --
(Laughter)

Q What is so funny about that?

Q Ron, this is --

MR. NESSEN: Serious, an important note --

Q Yes. Did you talk to him?

MR. NESSEN:-- especially to the people involved.

Q Parking tickets, by the way?

MR. NESSEN: No, he feels that that would be extreme for parking tickets.

Q Now on the death penalty.

MR. NESSEN: I don't think the President has a view on -- what are you asking, the type of execution?

Q Yes, there are several methods and I just wondered, because Michigan abolished it over a hundred years ago, and I just wondered what are his feelings here?

MR. NESSEN: I have not talked to him about the method that he prefers.

Q Does he really feel it is a deterrent or what?
(Laughter)

Q What is so funny about the death penalty?

MR. NESSEN: I was laughing at Mr. Kohler's remark.

Q What is the answer on this thing?

MR. NESSEN: I just said, Sarah, I have not heard him express a preference for a method of execution.

Q Can you find out?

MR. NESSEN: I will attempt to.

Q Can you give us some more information on it, Ron? In other words, why is it that he waited so long before coming out on this?

MR. NESSEN: I think you will find that this is a view the President has held over the years.

Q How many years? Do you know?

MR. NESSEN: Well, I have thought that some time over the months I would be asked about it and I have carried a little piece of paper around with me for quite a long time in which I was prepared to tell you what his views on capital punishment were.

Q You didn't?

MR. NESSEN: No, but I have it right here and it is dated September 30, so it goes back at least that far.

Q How long has he been for the death penalty?

MR. NESSEN: As far back as I know, through Congress and so forth.

Q Would that require a Federal statute specifying the crimes?

MR. NESSEN: I am not a great lawyer, but I think -- (Laughter) I am not any lawyer for that matter. As you know, the Supreme Court decision, or the courts, I think, their point has been that, if I understand it, that the imposition of the death penalty has been unevenly applied and that in order to have the death penalty constitutional, it would need to be applied according to stricter standards and that is what he was attempting to lay out the other night, was the standards that he favors for death penalty crimes.

Q That is like yes, isn't it? I mean he wants a Federal statute defining the crimes for which --

MR. NESSEN: It would only apply to cases that came before Federal courts because murder is mostly a State matter.

Q In his speech he said murders without qualification

MR. NESSEN: I can elaborate on that a little, which is that he is talking about murder that involves Federal officials like the assassination of a Federal official, for instance, House Members, Senators, Presidents, Vice Presidents, and so forth.

Q U.S. Marshalls?

MR. NESSEN: Well, I have not gotten into that much detail, but on the one hand the assassination of Federal officials would be a form of murder that would come under Federal law and also murders on Federal installations or Federal property.

Q What about kidnapping? I mean, someone who is kidnapped and then they cross State lines, it then becomes a Federal crime?

MR. NESSEN: Yes, kidnapping is a Federal crime when the victim is taken across State lines.

Q Does kidnapping fall in the area --

MR. NESSEN: Did he mention that in his speech?

Q No.

MR. NESSEN: Let me check on kidnapping.

Q The way the President phrased it in his speech was, "I have had it." He acted like he had suddenly decided to --

MR. NESSEN: No, I think he was talking in a broader context. When he said "I have had it," I think he meant I have had it with --

Q Orders?

MR. NESSEN: -- with not paying enough attention to punishing the criminals and protecting the victims.

Q Ron, we, obviously, have fallen down in our job by not asking you about this much earlier. I am wondering if you are carrying around any other Presidential positions right now on issues that we should know about?

MR. NESSEN: That is a broad question, Phil.

Q Pertinent to this campaign, particularly.

MR. NESSEN: Pertinent to the campaign?

Q Pertinent to anything.

MR. NESSEN: Well, you know his position on busing, he has mentioned that.

Right to work law, nobody ever asked about that.

Q What is his position?

MR. NESSEN: I thought you would never ask, Helen. He is opposed to the repeal of 14(b) of the Taft-Hartley Act. He believes that the right to work is a State issue and the President's position is that he clearly believes that the States should keep that right. If you repealed 14(b) it would take that right away from the States to determine right to work issues.

14(b) authorizes the States to have the right to determine their own right to work laws and so he is opposed to repealing that.

You know marijuana, all too well. (Laughter)
You know abortion.

I guess that probably does it for the moment.

Q Ron, since he seems to be adopting most of Wallace's policies, do you think he is picking Wallace on the ticket?

MR. NESSEN: As I said the other day in relation to abortion, Howard, the fact that these things have come out and candidates have been asked for their opinions of these issues in the context of a campaign does not mean that he formed these opinions because it is a campaign year. I mean, I think the people who have known him over the years know his opinion on abortion, busing, death penalty, right to work, and so forth.

Q How about legalized prostitution? (Laughter)

MR. NESSEN: I didn't ask him that question.

Q Ask it. (Laughter)

Q Ron, did the President ask Mr. Richardson to leave the Commerce Department so early after his taking over to go to New Hampshire to campaign?

MR. NESSEN: Well, he asked him to campaign, yes.

Q Does this mean anything like that he is going to be favored for Vice President or something?

MR. NESSEN: Well, Pete McCloskey has been up there and Frank Zarb and --

Q Elliott Richardson.

MR. NESSEN: There have been a number of people up there and it does not mean that they are necessarily his choice for Vice President.

Q Ron, a Congressional committee has investigated and reported that on the MAYAGUEZ incident there had been advance problems which were not properly reported to channels on shipping incidents. Has the President done anything about that and is he going to, to insure that it does not happen again?

MR. NESSEN: I remember at the time there were some instructions given to that office that takes care of those warnings. I have to check back and find out what those instructions were. I know it was done at the time.

Q Now another issue: Yesterday in the Prayer Breakfast reporters here were barred from covering while there were sports writers inside and we complained about that, and I wish to formally complain again about not being able to cover the news here.

MR. NESSEN: May I give you the answer to that? The judgment was made on Saturday that it was a religious service, and it was, and that the President didn't feel it was proper to have news coverage of a religious service. The two or three sports writers who were there were there as guests.

Q Did he tell them that? You have in the past told those people they should not write.

MR. NESSEN: I am not sure it was made clear to them. Obviously, it was not made clear to Dick Schapp.

Q And Red Smith.

MR. NESSEN: I didn't know Red had written anything.

Q What is the reasoning behind that, Ron? Every Sunday when he goes to church or at St. John's writers go in with him.

MR. NESSEN: Well, it was just felt that this was a religious service and not the proper --

Q Well, that is a religious service at St. John's.

MR. NESSEN: Well, that is a public church.

Q So are all other prayer breakfasts, too, when we cover them.

MR. NESSEN: I don't know. It does not seem very consistent to me either, but that was the decision that was made.

Q Who made the decision on that, Ron?

MR. NESSEN: The President.

Q The President, himself?

MR. NESSEN: Yes.

Q You ought to point out these inconsistencies and especially the discrimination against a segment of the press.

MR. NESSEN: I will.

Q Are you any closer to a decision on reinstating transcripts for all interviews?

MR. NESSEN: I think we will make transcripts available on all interviews.

Q Thank you.

MR. NESSEN: We don't have any today.

Q I don't want to close this off until we get --

MR. NESSEN: I know. I don't want to stand out here all day.

Do you have the material on the legislation?

MR. CARLSON: Yes.

Q Have you reached a new formula on Rogers Morton and his salary and is it going to be picked up, to your knowledge, by the Ford Committee?

MR. NESSEN: No. His salary will be paid by the White House since he works for the White House.

Q The plan is that any --

MR. NESSEN: Unless the FEC rules otherwise.

Q The resolution from the White House viewpoint is he is putting in a 40-hour week on Government business.

MR. NESSEN: At least.

Q Anything else he does is his own time?

MR. NESSEN: I am not sure that was the formulation. The formulation was that he is Counsellor to the President with a broad range of responsibilities, including some political activities, but that his --

Q Ron, if the FEC has been declared unconstitutional, do you have to abide by the rules as they lay them down?

MR. NESSEN: What has happened to the matter before the FEC, Jim, the Morton matter?

It depends on reconstitution of the Commission.

THE PRESS: Thank you, Ron.

END (AT 12:02 P.M. EST)