

This Copy For _____

N E W S C O N F E R E N C E

#464

AT THE WHITE HOUSE

WITH RON NESSEN

AT 11:35 A.M. EST

MARCH 23, 1976

TUESDAY

MR. NESSEN: There is quite a bit of stuff today, so let's move right along.

Some of you who were here saw the Congressional leaders, who came out and talked about the Federal Election Commission -- that is, Republican leaders -- after their meeting with the President this morning.

Right now the President is meeting with a group of bipartisan Senators and House Members, and the subject of this is legislation dealing with electronic surveillance for national security purposes. My plan is to have Attorney General Levi come down and brief you immediately upon the conclusion of this meeting.

If you remember back on February 14, when the President sent his Message to Congress on revisions and reform in the intelligence community, he said at that time that he would be working with Congressional leaders to develop sound legislation establishing a procedure for undertaking electronic surveillance for foreign intelligence purposes.

Attorney General Levi and others have in fact been working with Members of Congress, and specifically with the Senate Judiciary Committee, to work out this legislation. The Attorney General will be down to tell you what has been worked out here right after this meeting.

Q Wouldn't it be more fun to bug the room, Ron?
(Laughter) What time will the briefing be?

MR. NESSEN: It is hard to tell. The meeting started about 11:10. I just left there. It seemed it could have a fair way to go, so maybe 12 o'clock or so.

MORE

#464

Q Would it be possible if we could call some other people? For instance, we have another reporter who is interested in hearing that.

MR. NESSEN: Do you want to leave the room and call the other reporter?

Q Is this the unveiling of the Administration bill? What is this, really? Is this the first presentation to go to Congress?

MR. NESSEN: This is legislation which has been worked out in cooperation and together with some of the members of the Judiciary Committee.

Q Is it going to be submitted today?

Q Ron, have you posted a list of who is there?

MR. NESSEN: We will check.

Q The question is with respect to whether it will be submitted today.

MR. NESSEN: It is not certain yet precisely when it will be introduced.

Q Can I ask you something on that? As a matter of courtesy, can your office tell us when that meeting is over because since the Senate and House Chairmen are in the meeting, some of us would like to get their points of view.

MR. NESSEN: I am told some of these Members will be going back up to the Hill and talking about this in news conferences and things they have announced already.

This afternoon at 2 o'clock there is going to be a signing ceremony in the Rose Garden of two pieces of legislation; namely, the Truth in Leasing Bill and the Equal Credit Opportunity Bill. We will have details of both pieces of legislation for you.

That will be attended by a number of Members who were involved in those two pieces of legislation.

Now about the weekend trip, tentatively the President will be leaving the White House at 8 o'clock on Friday morning, which means that the press probably would be leaving Andrews about 7:00 or 7:30. This is going to be a rough kind of schedule. More details will be filled in as the week goes on.

MORE

At noon, San Francisco time, the President will speak at the Sheraton Palace Hotel in San Francisco. This is a fund raising luncheon for the California President Ford Committee.

Q What is the charge per plate?

MR. NESSEN: I don't have that information yet, but I will pull it together by the end of the week.

Q Did you say the California President Ford Committee or the San Francisco President Ford Committee?

MR. NESSEN: The California President Ford Committee.

Then at 8 o'clock that same night the President will be the speaker at a fund raising dinner, again for the California President Ford Committee, at the Century Plaza Hotel in Los Angeles. The President will stay overnight at the Century Plaza, as will the press.

For Saturday, at noon the President will speak to a luncheon of the State GOP Central Committee associates and guests at the Fresno, California, Convention Center. My understanding is that the State Central Committee has a meeting going on at this time in Fresno, and the President has been invited to come and speak to the lunch.

That night, Saturday night, at 7:30, the President will appear in LaCrosse, Wisconsin, 7:30 LaCrosse time. That is a public forum. In other words, the President will speak briefly and answer questions from the audience. The location of that is in LaCrosse at the Mary E. Sawyer Municipal Auditorium.

Then the President will return to Washington on Saturday night at about midnight.

I realize there are a lot of blank spaces in that. We will fill it in as the week goes along.

Last night the President spoke by telephone to King Baudoin I of Belgium. The King and his wife, the Queen Fabiola, arrived here yesterday for a private visit. They will be in the United States until March 28. The King was in New Haven, Connecticut, at the time, where he was the guest of a Professor at Yale University. The President spoke to the King from 6:48 p.m. until 6:56 p.m.

Q Are they coming to Washington?

MR. NESSEN: No, the King and Queen are in Connecticut at New Haven, New London, Mystic and Old Lyme and also Manhasset, Long Island. It is a private visit. They are not coming down here and they won't see any Government officials. The President simply welcomed the King and Queen to the United States and expressed appreciation for the hospitality that they extended when the President was in Brussels last year.

It is election night in North Carolina. The polls close, I am told, at 7:30 in most places, although some polls have the option of staying open until 8:30, so it could be that the results will be somewhat late in coming in. I guess they have something like 55 percent paper ballots and 45 percent machine ballots.

The PFC will be open, as it has been on primary nights. Rog Morton will be over there, I understand. I think I will stay here, and probably a minimum number of staff people, if any, here at the White House other than myself.

The President intends to go up to the Residence at the regular time and keep track of the returns on television and by phone.

As we have in the past, I would think some time when the results appear conclusive that we would have something briefly to say. The President, I think, has made clear by now that he believes that he will win in North Carolina. Nobody in the President's campaign is predicting the margin of victory. It is a State where at one time, I understand, the polls indicated Governor Reagan was ahead. It is a State that has some quite strong conservative elements in the Republican Party, so a modest margin would make people here quite happy.

Q Ron, I have a question in connection with that. Does the President plan to see or have there been any tentative communications or anything in the way at all that might be considered communications between him and Governor Reagan for a person-to-person meeting after the North Carolina primary?

MR. NESSEN: No.

Q Is he going to accept any kind of resignation from Callaway today, tomorrow or this week?

MORE

MR. NESSEN: Right now the situation with Callaway has not changed.

Q Ron, has Callaway talked to anybody in the White House about his appearance in Atlanta tomorrow night on television and what he plans to say?

MR. NESSEN: I will have to check that for you because I did not have time to check it before I came out here.

Q Do you expect it to remain unchanged today and tomorrow?

MR. NESSEN: Right now it is unchanged.

Q What do you mean right now?

MR. NESSEN: At this moment.

Q And there are no prospects of it?

MR. NESSEN: I don't want to talk beyond this particular moment.

Q How about later? Should we be around here about 4 o'clock?

MR. NESSEN: I don't know of any reason for you to be.

Q Ron, I am wondering if the President saw yesterday's transcript or discussed it with you this morning and if he is concerned that neither you nor the Vice President were informed of the Nixon report?

MORE

#464

Q What was the question, Ron?

MR. NESSEN: Would you repeat it, Les?

Q I am wondering if the President saw yesterday's transcript or discussed yesterday's briefing with you this morning and if he is concerned that neither you nor the Vice President were informed of the arrival of the Nixon report?

MR. NESSEN: We did not discuss that particular point.

Q Anything relating to it, did you discuss, Ron? I mean, after yesterday's briefing --

MR. NESSEN: I think my discussions with the President I will keep to myself.

Q Ron, can you tell us anything about the contents of that report?

MR. NESSEN: No. The contents of the report, it seems to me, if there is interest in them, that the place to go is San Clemente and ask about the contents.

Q Lots of luck.

Q The answer there is "hell no."

MR. NESSEN: That is not exactly right. The fact of the matter is this is a report written by a private American citizen sent in here and read and returned at his request. So, if he chooses to make all or part of it public, that is his decision.

Q Ron, did you ascertain whether there were any copies made? You had not asked whether Kissinger or any of the other people made copies.

MR. NESSEN: As far as I know, there were no copies made.

Q I will try and get it, and I will write you a report and loan it to you for a couple of days.

MR. NESSEN: Okay. See if you can get them to Xerox it. (Laughter)

Q Did you talk with Kissinger's people to make sure he did not make a copy?

MR. NESSEN: As far as I know, there were no copies made.

Q That does not tell me anything more than I asked.

Q Would you know? Did you ask about that? In the past you said "as far as I know," and then we found out you weren't told.

MR. NESSEN: As far as I know, there were no copies made.

Q This report was solicited by the Government--

MR. NESSEN: I don't think so.

Q Didn't Kissinger call the former President and ask for --

MR. NESSEN: To make arrangements for some kind of report or to indicate the means of transmittal of a report that Nixon had indicated he wished to send.

Q Do you mean it was all on Nixon's initiative to do a report, and it was not solicited?

MR. NESSEN: I am trying to think back. I don't believe it was solicited. I am trying to think.

Q Ron, I have a question that goes to a statement made on the NBC Tomorrow Show that was mentioned here last Friday. It involves my professional integrity. Have I ever discussed with you in private, or in private discussion with you, attempted to set, negotiate or determine rules to govern what reporters at these briefings and at the President's press conferences may or may not ask?

MR. NESSEN: No, you have not, John.

Q Would you agree with me that any flat, unqualified statement to that effect -- I am a bit shaken up -- any flat, unqualified statement to that effect could be considered false and professionally damaging to me?

MR. NESSEN: John, I would certainly go so far as to say false. I believe that your reputation over the years is too secure to be damaged by a statement of that kind.

Q Then would you please tell us what did he discuss with you about the time you issued that statement that you had here when he went back behind the scenes and talked to you about some things, and would you also take cognizance of the questions he has asked in open briefings here from time to time about reporters' questions and the comment he has made on the side?

MR. NESSEN: I think this is maybe an area not appropriate for this briefing.

Q It concerns you, Ron, and I think you should answer his question, and my question, too.

Q What is your question, Sarah?

Q My question was, I think, very definite. What did Mr. Osborne discuss with you when he went back behind the scenes and talked to you about the time you brought out your statements -- you had a long statement here one time, I have forgotten the date -- and that statement was very notable and he went back and discussed with you then--and he has discussed with you and members of your staff at other times--the question of what reporters have asked and don't ask.

Also, he has made comments here both to you, and questions, and he has made side comments about reporters' questions, so before you answer anything, I would like for you to just do a little research on this.

MR. NESSEN: Okay.

Q Ron, I asked the question. I remember. There was a meeting of certain selected reporters. You would give us no information about that. You refused to comment on that. How can you say the whole thing is false and so forth, what Sarah brings up, Ron?

MR. NESSEN: I was answering a specific question from John, but I don't think it is probably --

Q In other words, you would rather not say what John was talking to you about behind the scenes?

MR. NESSEN: I would no more reveal John's private conversations with me than I would reveal my private conversations with you, Les, or Sarah, or anyone.

Q Ron, when do you expect the President to have a press conference?

MR. NESSEN: Do you mean other than the ones he has had?

Q I don't mean one on the road.

Q Wednesday or Thursday?

MR. NESSEN: I don't anticipate one this week.

Q How about next week?

MR. NESSEN: I have not looked that far ahead yet.

Q Can we go back to the Nixon letter a moment and as to why you were kept in the dark? Let me draw up a scenario and you tell me if it is wrong or if parts of it were wrong or what.

Is it possible the information was kept from you because there were some people in the White House who were concerned that if you knew about it you would, one, have to come out here and either lie or, two, tell the truth about its presence in the White House and reporters, under the Freedom of Information Act, could try to secure that report? Once it had left the White House and sent back to Nixon, it did not matter if you were able to come out here and tell us.

MR. NESSEN: John, I think I have laid out a fairly detailed scenario of how it got here and when and what happened to it while it was here and then how it was sent back. I just don't think I am the proper person to explore the motives of other people.

Q You don't know why the information was kept from you, is that correct?

MR. NESSEN: I am just not the proper person to ask that, I don't think.

Q Have you been told it was kept from you deliberately?

MR. NESSEN: You know, I really think we have laid out in great detail what happened to that particular report, and these are the kinds of inside little workings of the White House and I don't know it is of any interest to anybody but ourselves.

Q It is not inside.

Q Were you planning to make the announcement you did yesterday about all the details of the report's arrival and departure before Time Magazine came out with a story that the report had come or did the Time Magazine thing prompt your announcement?

MR. NESSEN: No, what prompted my announcement was getting all the information together.

Q Did you only get it together after you knew of the Time Magazine report?

MR. NESSEN: The Time Magazine report was not really related to the thing. It was just acquiring all the information.

Q Ron, can you tell us whether the failure of the White House and the rest of the Administration to make copies of this report is not a case of collusion between the White House and former President Nixon to withhold this information from the public?

MR. NESSEN: I think that is an awfully strong word, Phil. It is a report written by a private American citizen who did have a unique experience, as I said yesterday, and wanted to make people here aware of it, which he did, and at his request the two copies were sent back to him.

Q Is it a copyrighted report?

MR. NESSEN: Not to my knowledge.

Q Then why shouldn't a report made to a public servant be made public?

MR. NESSEN: I don't know how to answer that question.

Q Especially when the money was spent to get a courier at Mr. Nixon's request all the way out to the West Coast. Federal funds have been spent to get a courier all the way out there. Now, why is it the American people, who provide this money, are not allowed to read this thing from this private citizen, Ron?

MR. NESSEN: The report is no longer here, Les. It is in the hands of that private citizen, and if he wishes to make it public, it is his responsibility to do so.

Q Could somebody tell us what is in the substance of this report, then, that was given to the White House?

MR. NESSEN: That is up to Nixon, if he desires.

Q Ron, you said maybe the official who took notes on it would brief us. Did you ask Brent Scowcroft if he would brief us?

MR. NESSEN: I don't think every day you ought to ask me who did I ask what of. I can give you the information, but I am not going to discuss now, or prior, or in the future who I talk to and what I talk to them about. Now, if the question is will Brent Scowcroft come out and give a briefing, the answer is he will not. The report is Nixon's report, and it is up to Nixon to make it public, if he wishes.

Q Was one of the conditions under which the report was submitted, along with the condition somebody pick it up and it be returned to him, that the report not be copied? Do you know if such a condition was attached by the former President?

MR. NESSEN: It was not a condition, no.

Q Ron, is any part of the report considered classified material as far as the White House or the State Department was concerned?

MR. NESSEN: Fran, I indicated yesterday that because it is a report from a private citizen who has no authority to classify, obviously he can't classify it, so it is not. On the other hand, that is not to say there is not material in this report which is sensitive.

Q Are you saying that the former President did not want the Government to have this report as a permanent addition to its own archives or files?

MR. NESSEN: He asked to have it sent back to him, Helen.

Q Was that the only disclaimer on the report, that it be sent back to him? Did he attach to the report any other instructions for the President or the Secretary of State?

MR. NESSEN: As far as I know, the only request he made was to have it picked up and to have it sent back.

Q Were there discussions in the White House during the time you had the report here -- were there discussions in the White House, perhaps in the Counsel's Office or elsewhere in the White House -- as to the potential availability of this report under the Freedom of Information Act if it, or copies of it, were retained by the Government?

MR. NESSEN: Would you say that again, Jim?

Q Did you discuss or were there discussions in the White House as to whether or not, if this report was retained or copies of it were retained, that reporters or other members of the public might then be able to gain access to it under the Freedom of Information Act?

In other words, was this possibility discussed and was it a factor in the decision to send the report back and not to make copies, the possibility that if you kept it or the copies somebody could file under the Freedom of Information Act and gain access to it?

MR. NESSEN: I can't answer that question because obviously I wasn't --

Q Would you undertake to find out whether the Freedom of Information Act was a factor in the decision to send it back and not make copies?

MR. NESSEN: The decision to send it back was in response to Nixon's request that it be sent back.

Q And not to make copies?

MR. NESSEN: I will check out why that was decided on.

Q Ron, your characterization that there was nothing startling in the report came from Scowcroft, right?

MR. NESSEN: And the President.

Q But you did not read it yourself, so it was based on the resume of Scowcroft's notes and the verbal indication from the President? You did not read it yourself?

MR. NESSEN: Correct.

Q What would they have called startling?

MR. NESSEN: I don't know, Helen, but believe me, there is nothing new on this story today and we are just pulling and pushing here.

Q Ron, since the President has read the report, and Scowcroft and Kissinger, is not in fact the President invoking Executive privilege with regard to this report, copies or no copies?

MR. NESSEN: Oh, no.

Q He is not?

MR. NESSEN: I don't even know how that concept gets into it.

Q If not Executive privilege, then on what ground -- just give us a ground -- is the White House saying at least it did not make copies and this report, as far as the White House is concerned, is not available?

MR. NESSEN: It was sent back, Jim, so it is not here anymore. That is the main ground.

Q On what ground did you not make copies that could then have been made public?

MR. NESSEN: I said I would check on that.

Q Ron, if I understand it, when the report came in there were no conditions that would have prevented copying. In other words, the White House could have made a copy if it had chosen to. Is that correct? Nixon did not place that condition?

MR. NESSEN: My understanding is he did not place that as a condition.

Q Did he request it?

MR. NESSEN: I just don't know. I have to check on that.

Q Could you find out, and while you are finding out why the decision was made, could you find out who made it? I assume the President.

MR. NESSEN: What decision?

Q Not to copy the report. If I understand, it is 60 pages long.

MR. NESSEN: About that.

Q That is an awful lot of material to commit to memory, even if only portions of it are of interest. Obviously, if you did not copy it, no one here seems to think it is very important at all.

MR. NESSEN: I gave you the President's characterization of it yesterday.

Q It is of no value at all, apparently.

MR. NESSEN: No. What he said was, "I think it was very interesting and useful," which was what I reported yesterday.

Q Not interesting enough to keep a copy around for future reference?

Q Ron, are Brent Scowcroft's notes classified?

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

Q Ron, would you say this report concerned the American people? You would admit that, wouldn't you?

MR. NESSEN: It is hard for me to tell, Sarah, since I have not read it.

Q Would you say from what you know here at the White House that this report did concern the American people?

MR. NESSEN: All I know is what the characterization was given by one or two of the people who read it.

Q Did they indicate that it affected the American people?

MR. NESSEN: Attorney General Levi is now ready to come and brief you.

Q Just answer my question, please, Ron.

MR. NESSEN: Let me answer Sarah's question, which is what?

Q Did the people who saw this indicate in any way it affected the American people?

MR. NESSEN: I have told you virtually word for word everything that the people who have read it said.

Q Just answer that one question.

MR. NESSEN: I am not able to answer that question, Sarah, since I have given you word for word --

Q You can say yes or no.

MR. NESSEN: I am unable to. I have not read the report myself, and I have quoted to you virtually all the reaction of the people who have read it.

Q Ron, has the Chinese Government supplied the U.S. Government a report or record or any material on the conversations between the former President and the Chinese officials?

MR. NESSEN: Have they sent a report in concerning the meeting that they had with Nixon?

Q Or supplied any information about it.

MR. NESSEN: Not that I am aware of, no.

Q Ron, were you so disturbed about the handling of this that you left abruptly yesterday afternoon about four hours ahead of time, whether or not you came back?

MR. NESSEN: I did not leave abruptly. I had a long scheduled lunch at the Sans Souci.

Q I mean after you came back from lunch.

MR. NESSEN: I came back and did some more work. I am still trying to shake off a cold. I went home for a while and came back.

Q When you went home for a while, was it because you were disturbed about the handling of this?

MR. NESSEN: You know, among the other questions we have not reached today are such things as the Federal Election Commission, the Hatch Act, the meeting about the flu shots, the Secretary of State's speech concerning Cuba, the detente resolution, Chairman Burns' remarks, and wage and price controls.

THE PRESS: Thank you, Ron.

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

AT THE WHITE HOUSE

WITH RON NESSEN

AT 10:48 P.M. EST

MARCH 23, 1976

TUESDAY

MR. NESSEN: The President had expected a close race in North Carolina, but he had expected to win, so naturally he is disappointed. His plan now is to go on to Wisconsin and the other primaries, where he remains confident of ultimate victory.

The President wants to congratulate Ronald Reagan tonight for his victory. He also wants to thank the people in North Carolina who worked so hard on his behalf, and he looks forward to working with them again in November.

Q Is he going to withdraw?

Q He looks forward to working with them in November, did you say?

MR. NESSEN: Yes, working with them again in November.

Q Does he feel this slows the momentum of his campaign?

MR. NESSEN: I don't know, Helen. It is really a little too early to analyze all the elements of it.

Q What does he think was the deciding issue in North Carolina?

MR. NESSEN: Pat, I think to really judge why people voted the way they did is going to take a little time to analyze the vote, and it is just too soon to analyze it.

Q What did he see as the big issue in North Carolina when he campaigned down there?

MR. NESSEN: I think some of the things he talked about last weekend.

Q For example?

MR. NESSEN: He talked about the improvement in the economy and his stand on foreign policy and defense issues.

Q Does that indicate the people were not buying that or they went more for what Reagan was telling them?

MR. NESSEN: Peter, it is not possible to tell so quickly what the reasons were, but the point is we lost. There are no excuses and there are no alibis.

Q Ron, do you foresee any changes in strategy or tactics in the immediate future?

MR. NESSEN: Right now, Bob, there are no plans to change. The plan has always been to go into each primary, go into all the primaries and go on and win the nomination in Kansas City, so essentially there is no change in that strategy.

Q Ron, did the President watch the returns and, if so, what was his reaction when it started to look like he was losing?

MR. NESSEN: He actually spent the evening in the Residence with Mrs. Ford, and they had dinner. Just as they were finishing dinner -- and they were not watching during dinner -- Dick Cheney called the President, and based on television and wire service reports and direct reports from the PFC, Dick told the President the outcome, or the anticipated outcome.

Then, later, Dick and I went up and spent about, I guess, an hour over there, and the President's reaction is as I have tried to summarize it in the statement there.

Just by way of some color, if you had any interest in that, the President was wearing a white short-sleeve sport shirt, tan slacks, and loafers. As I say, he was alone with Mrs. Ford. Susan Ford, who is in New York tonight, phoned the President and talked to both the President and Mrs. Ford.

The President also received a phone call from Congressman James Broyhill of North Carolina. The President told him, "We will go on. We will continue our efforts. I am just as confident tonight," and then he thanked Broyhill for his help and said it was beneficial.

I left because I thought some of you would want to hear this before 11:00, but when I did leave, the President was waiting for a call -- he placed a call to Governor Holshouser and was waiting for it to come.

Q Ron, you were with him for an hour. What was his mood?

MR. NESSEN: Well, disappointed, Bob, no question about that.

Q Was he stunned, shocked, upset visibly?

Q Puzzled?

Q Perplexed?

MR. NESSEN: I think he expected to win, and he is disappointed that he did not.

Q Does he plan to put in a call to Governor Reagan?

MR. NESSEN: As far as I know, he does not.

Q Did you say you think the foreign affairs is the crux of the loss?

MR. NESSEN: No, I said it is impossible in such a short period of time to know what particularly motivated the voters there. I think Pat asked me -- somebody asked me -- what were the issues, and I said the issues the President discussed last weekend were the ones that he felt were important, but as for why people voted the way they did, it is simply too soon to say, but I want you to know that there will be an analysis made of the voting

But, the simple fact is that the President lost and there are no excuses for that or any alibis for that.

THE PRESS: Thank you, Ron.

END (AT 10:53 P.M. EST)