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[ca. 1/7/76]

THE WHITE HOUSE  
WASHINGTON

NOTE FOR:

*Dir. Cheney file*

FROM

: RON NESSEN

F Y I

(The yellow lining  
was done by  
my secretaries for  
my attention, not  
yours.)

*RHN*



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# EVANS-NOVAK POLITICAL REPORT

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WHAT'S HAPPENING . . . WHO'S AHEAD . . . IN POLITICS TODAY

---

1750 Pennsylvania Ave., N.W. • Room 1312 • Washington, D.C. 20006 • 202-298-7850

January 7, 1976 - No. 243

TO: Our Subscribers

FROM: Evans-Novak

THE WHITE HOUSE

WASHINGTON

January 8, 1976

MEMORANDUM FOR:

DICK CHENEY

FROM:

RON NESSEN

Jerry Jones suggested I bring this matter to your attention.

Nick Thimmesch has been commissioned to write a cover story for the NEW YORK TIMES MAGAZINE on Mrs. Ford, the children, and Ford family life in general. He has gotten absolutely nowhere persuading Sheila Weidenfeld to make Mrs. Ford available for an interview. Nick Thimmesch enlisted my help and I got absolutely nowhere. I enlisted David Kennerly's help and he also got absolutely nowhere.

Nick says he must write the story whether he has an opportunity to talk to Mrs. Ford or not. My view has always been that stories turn out better when they are based on first-hand interviews rather than second-hand clippings and gossip. In addition, Nick has been generally favorable to the President and I feel is anxious to do a fair story on the family if we could give him a little cooperation.

Jerry and I agree that the matter has reached the point where it probably should be brought to the President's attention.



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THE WHITE HOUSE

WASHINGTON, D.C.

January 9, 1976

MEMORANDUM FOR:

DICK CHENEY

FROM:

RON NESSEN

I received a call from NASA asking where we stand on the announcement of the Bicentennial Space Exposition at Cape Canaveral.

As you may recall, the President expressed an interest in getting involved personally in the announcement of this exposition in Florida.



THE WHITE HOUSE  
WASHINGTON

1/13/76

NOTE FOR:

Deaf Agency

FROM

: RON NESSEN

I thought you  
might want to  
be aware of  
this flap.

RHN





THE WHITE HOUSE  
WASHINGTON

January 6, 1976

MEMORANDUM FOR: Ted Marrs

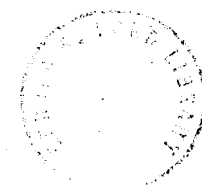
FROM: Dick Parsons

Thought you might be interested in  
seeing how appreciative the people  
at BROADCASTING MAGAZINE were of  
our special message from the  
President.

bcc: Lynn May  
Eliska Hasek ✓

✓ Russ Rourke (fji)

1210 JAN 6 PM 3 00



# The First Amendment and the Fifth Estate

BROADCASTING, the News Magazine of the Fifth Estate, came into being on Oct. 15, 1931. Its first editorial began with this quotation from Carlyle's "Heroes and Hero Worship":

*Edmund Burke said that there were Three Estates in Parliament, but in the Reporters' Gallery there sat a 'Fourth Estate' more important by far than them all."*

The magazine dropped the "Fifth Estate" designation from its cover in 1933. The contents, however, and the editorial persuasion, remained committed to the proposition that broadcasting "occupies a peculiar position of its own in American life. It furnishes all of man's other high Estates voices that reach far beyond their cloistered chambers, their limited social circles, their sectional constituencies and their circulation areas."

Comes now this special report relating the bond between the Fifth Estate the editors first recognized almost a half-century ago, and the First Amendment all our countrymen recognized almost two centuries ago. It is at once a history and a snapshot; a recounting of broadcast journalism's relatively brief past and a status report on the present practice of that profession. As the President of the United States proclaims in the message reproduced here, broadcasting "is at the very heart of the strong and healthy freedom of expression we cherish as Americans." The business of this issue is to describe the distance the Fifth Estate has come in meriting that description, and how far it has yet to go in claiming its full inheritance under the First Amendment.

THE WHITE HOUSE  
WASHINGTON  
December 23, 1975

As we celebrate the Bicentennial of our national independence, it is a special pleasure for me to acknowledge the contribution which the broadcasting industry has made in extending and enhancing the process of free and open expression in our society.

The freedom to exchange viewpoints, the right to challenge the status quo and to redirect a line of thinking or a line of action are at the very foundation of this nation's endurance and success. In colonial times the process of exchanging opinions and disseminating news was often excruciatingly slow and spotty. The advent of the telegraph, and later the telephone, altered that situation, making point-to-point communications faster and more reliable.

However, not until the inception of radio, and then television broadcasting, did we achieve the ability to reach millions of Americans instantaneously with information and entertainment. That ability suddenly made us a nation of eye witnesses to the news, a nation of informed citizens with ready access to the multiplicity of viewpoints which shape the events of the day. Technological advances promise to expand our ability to communicate with each other still further. They promise, and in some cases already do, increase access to, and choices for, information and entertainment services and invite our direct participation in the use of media.

Our society and our system of government thrive on the freedom to inform, to educate and to dissent. And this freedom carries with it many heavy responsibilities and challenges. On this occasion, I join a proud and grateful nation in saluting an industry that is at the very heart of the strong and healthy freedom of expression we cherish as Americans.

*Ronald R. Ford*

# Editorials

## The fifth estate

It has been only 55 years since broadcasting introduced new meaning to the term, "the press," with the airing of the 1920 presidential election returns. At the introduction, anyone predicting global television news coverage in sound and natural color within a human lifetime would have been certified a nut.

Indeed it took a while for radio journalism to mature from a stunt into the craft it had become by the time television came along to borrow from its predecessor. It took television a while longer to discover its own journalistic forms, which are still evolving.

To match the technical virtuosity of a television network's coverage of a contemporary election night with that lone announcer reading telegraphed fragments on Nov. 2, 1920, is one measurement of the remarkable development of broadcast journalism. Yet the basic mission has not changed: to inform the people of current events, swiftly, accurately, meaningfully.

The performance of that mission is painstakingly described in this issue, beginning on page 45.

## The First Amendment

Displayed in this issue is a message from the President that should be read by every broadcaster, not because of what it says but because of what it does not say.

ment questions raised in the course.

The answer to the question of his right mind will be found in the fact that he is not free to abandon the system the court has created. The system of creativity—would be a good one.

The answer to the question of that can be made in the case is more than a case. The comments from the content than for the content of the National Association of Broadcasters.

## Engman vs. M

Now that he's got the vast majority of the votes, so last week, in which the Federal Trade Commission has ruled against him.

We are obliged to the wise we would not be a bureaucratic notice of the cases.

Take the last big mountain beside which significant incidents have occurred.

THE WHITE HOUSE

WASHINGTON

January 14, 1976

MEMORANDUM FOR DICK CHENEY


FROM: RON NESSEN

As you suggested, I discussed at some length with the President this morning the Mike Wallace interview. I presented to him the pros and cons of doing this interview as I collected them from Jerry Jones, Dave Gergen, and the others at the morning scheduling meeting.

The President decided he wants to do the interview, he wants Mrs. Ford to take part with him, and he wants to do it in time for broadcast on Sunday, February 15.

He put off making these decisions final until you can bring him any views, pro or con, from the President Ford Committee.

cc: Jerry Jones



*RN  
saw*

THE WHITE HOUSE  
WASHINGTON

January 14, 1976

MEMORANDUM

FOR: AGNES WALDRON  
FROM: DICK CHENEY *7*  
SUBJECT: Recording Presidential Activity and Popularity

Foster Chanock showed me a notebook containing a day-by-day chart with principal news stories, principal Presidential public activities, popularity polls, and ratings of Presidential radio and television appearances.

Is it possible to compile a similar notebook this year and add to it a column with news concerning the economy, and construct a retrospective book for the last 17 months?

*✓* cc: Ron Nessen



January 20, 1976

MEMORANDUM FOR: DICK CHENEY  
FROM: RON NESSEN

For your information, Muriel Dobbin of the Baltimore Sun is gathering material for an article on former Nixon officials still working in the White House and former CRHEP employees now working for the PFC.



RN/pp

RMV ✓

THE WHITE HOUSE

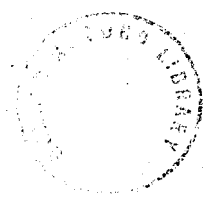
WASHINGTON

January 20, 1976

MEMORANDUM FOR:     RON NESSEN  
FROM:                 DICK CHENEY

7

Ron, Dick Lukstat is an extremely capable guy working at Labor for John Dunlop. You might want to take a look at him for the job we discussed previously.



January 21, 1976

MEMORANDUM FOR: DICK CHENEY

Attached are the transcripts of the three White House stories carried by the networks on Tuesday, January 20 (not a great night for us).

The transcripts speak for themselves and really need no elaboration from me. You see the problems -- what was done to us, how and by whom.

One related matter: Jarriel now signs off his nightly reports from the White House as follows: "This is Tom Jarriel, ABC News, with the Ford campaign in Washington."

Attached also is the item in the latest "Media Report" which indicates that the press intends to keep a closer eye on itself during the coming campaign. Maybe this is an avenue to quietly air some of our gripes about media coverage.

RN/jb





CHANCELLOR COMMENT

January 21, 1976

And finally this evening, an oddity from Washington. Depending on your point of view, you may think that we present oddities from Washington nearly every night. But the one that you are about to see is an unusual oddity. Two-hundred reporters were assembled today in the State Department auditorium. They took notes and pictures of a briefing given by none other than Gerald Ford, whose office is over on Pennsylvania Avenue. He brought along most of his Cabinet members. Rarely does the press see so much power on one stage.

Everyone took down everything that was said. The President spoke at length. Our problem is: we can't tell you what was said. It was a briefing on the President's new budget. But the budget will not be released officially, until tomorrow. Now, the White House said that we could show you silent film of the President talking about the budget, but we are forbidden to say what he said.

Such are the wondrous ways of Washington.



TOM JARRIEL REPORTED:

"President Ford's candidacy is threatened by internal strife among the workhorses that make a campaign go. The erosion is widespread already among the upper level professionals and it is not checked. Jobs paying 20 to 40 thousand dollars a year are being vacated and left open as qualified applicants, including some unemployed, refuse to touch them. In some cases, top talent from government or the private sector work for a few weeks, then move on. Some veteran staffers say they're leaving now because they don't think the President is going to be elected. But most contacted by ABC News are less disillusioned by political prospects than by a disintegration of morale. Some consider their superiors to be incompetent. Most feel, as one put it, that the President has not taken charge of this place. Others complain that the President has reversed himself too often on issues they've worked for. The unhappiness is reflected in many ways. Robert Hartmann, a counsellor with Cabinet rank, has threatened to fire his staff if they discuss with the press personnel changes which would put a joke writer in charge of the President's speechwriting team. About half a dozen speechwriters, unhappy about the prospect of working under a gag writer, have decided to resign. As the pace of the political campaign/<sup>builds</sup> the President may find himself not only short of speechwriters, but advance men and image-shapers who can be the difference between the making and the breaking of a candidate.





# The Media Report

CO-PUBLISHERS: KEVIN P. PHILLIPS / ALBERT E. SINDLINGER ■ EDITOR: BRIAN P. LAMB

Volume II, Number 23  
January 16, 1976

## INSIDE THE MEDIA

Is the role of the media already becoming a big issue in the 1976 presidential campaign? One network official suggests "there is going to be more scrutiny of the press during this campaign than any other campaign in history". Liberal columnist Joe Kraft calls presidential aspirant Jimmy Carter "the media candidate," warns that the "press and radio and television deflate rapidly what they first inflate" and suggests members of his profession are "minor poets eager to make a name by fragging the majors." Republican challenger Ronald Reagan this past Tuesday accused the press of "deliberate distortion" in covering his \$90 billion tax cut proposal and warned that "public opinion is being molded into an anti-capitalistic mentality." We're finding that the larger news organizations are beginning to recognize the increased importance of the media issue in the current campaign. The New York Times has assigned reporter Joe Lelyveld full time to covering "how the media's coverage or concentration helps define the campaign," according to Times Washington editor Bill Kovach. "It's more than reporting on spending by the candidates on the media--it's our own impact," says Kovach. "We have an early indication that television is not quite as important as we thought. We may have to take a closer look at newspapers," he suggested. Wall Street Journal Washington bureau chief Norman Miller confirmed to MR that reporter Ron Shafer has been assigned to "keep tract of the media coverage in general" during the campaign but it will not be "a full time job." "We're going at it in a more considered way than in the past," says Miller, adding his hope "that between now and the end of the campaign we'll do a half dozen to ten major features on the press and its impact on the election process." Cox newspapers have already focused on what "the networks are going to do" with the election, but according to Capital City bureau chief Dave Kraslow, "we haven't zeroed in on the print press yet." "Most of us are very sensitive to the power we may have in either helping or hurting a candidate," he acknowledged. "We're going to watch television very closely to see if it's exercising any undue influence on the election," says Kraslow. "At the Los Angeles Times, we're told, covering the media during the campaign 'might be a good idea', but no firm plans have been made. John Foley, assistant managing editor responsible for political coverage, says that the L. A. Times media critic David Shaw will be doing such reporting as a normal routine.



January 21, 1976

MEMORANDUM FOR:       DICK CHENEY  
FROM:                 RON NESSEN

The New Hampshire editors coming to interview the President tomorrow will bring with them a petition signed by several thousands of their readers urging the President to ski in New Hampshire.

Obviously, they would like to present this directly to the President, but they don't want to cause any embarrassment and they would be agreeable to presenting it to me or anyone else instead.

A decision needs to be made tonight or first thing in the morning whether the President should accept this petition in person.

If the editors presented it to the President at the end of the interview and he accepted it with a light response, it might be a pleasant, relaxed way to end the interview.

If we arrange for the editors to present the petition to someone other than the President, they might call attention to this critically in their newspapers.

On the other hand, if the President did accept the petition in person, then the editors might call undue attention to this in their stories, concentrating on the skiing controversy instead of the President's views on issues and politics. Also, for the President to accept the petition in person and then not ski in New Hampshire probably would make matters even worse.

I guess this needs to be called to the President's attention and a decision made some time before the interview begins at 9:30 tomorrow.



January 21, 1976

MEMORANDUM FOR:       DICK CHENEY  
FROM:                   RON NESSEN

Saturday is the President's annual physical examination. I've just talked to Bill Lukash and he is still not ready to commit himself to publishing the results in keeping with the President's public promise to put out his health records as some other candidates in this election year have done.

Obviously, a decision needs to be made between now and Saturday on whether to publish the results of this physical examination and, if so, when, how and in what form.

In case you haven't seen it, I am attaching a copy of the schedule for the examination.

RN/jb



THE WHITE HOUSE  
WASHINGTON

1/27/75

NOTE FOR: *Qenny*

FROM : RON NESSEN

*I give up  
on this one.  
Any ideas?*

*R HN*



JAN 27 1976

January 21, 1976.

President Gerald Ford  
c/o Press Secretary Ron Nessen  
The White House  
Washington, D. C. #20500

Dear Mr. President:

Your viewpoint on gay rights, as expressed to our Washington correspondent, Mr. Cade Ware, is included in our article starting on page sixty-six of the attached copy of BLUEBOY.

This issue will be read by approximately 400,000 gay American voters, and I want to extend to you the opportunity to amplify your statements, should you so desire.

The American homosexual is, we feel, the only minority group in this country whose needs and aspirations have never been seriously considered by previous Presidential Candidates.

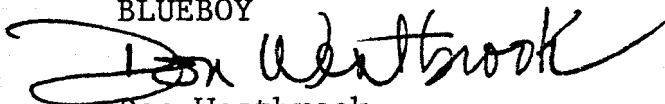
As a step toward altering this unreasonable situation, we plan to determine a Candidate who will consider our goals important - and then support him nationally.

Our first step in supporting this Candidate will be a position paper outlining the reasons for our selection, which will be mailed to approximately 850,000 gay American voters.

We would welcome any additional or new information you can supply, that would help us in making our selection.

Sincerely,

BLUEBOY



Don Westbrook  
Editor

DW:rkg  
Enc. (1)



THE WHITE HOUSE  
WASHINGTON

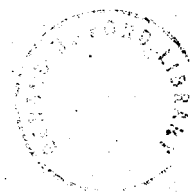
1/22/76

NOTE FOR: Dick Cheney

FROM : RON NESSEN

Did you see this?  
He is right one  
thing: the importance  
of the July 4, 1976  
speed.  
RHN

Attachment - David Bellin strategy  
paper No. 3 -- see campaign file





THE WHITE HOUSE

WASHINGTON

January 28, 1976

MEMORANDUM FOR: DICK CHENEY ✓  
JERRY JONES  
RED CAVANEY  
ERIC ROSENBERGER  
PETER KAYE

FROM: RON NESSEN *RHN*

The Press Office is undertaking a series of steps to assure that local press is given better treatment in order to help them do better stories on Presidential visits and to meet a number of gripes we have received over the months.

I'd appreciate it if you could help out in those areas which involve decisions or actions by your office so that we can implement this plan as soon as possible, preferably with the February 7-8 trip to New Hampshire:

1. The President Ford Committee should pay for a local press bus and/or a local press pool car in all out-of-town Presidential motorcades.
2. The President Ford Committee and the White House need to reach a decision quickly on who pays for the lighting and sound systems for Presidential appearances on political trips.
3. At airport arrivals, the arrival ceremony and any local presentation ceremonies should take place close to and directly in front of the local press area. This may mean that the President should be greeted at the bottom of the ramp by only one or two local officials and then brought over to the local press area to meet other local dignitaries.
4. The President should stop for a brief interview at the airport, at arrival or departure, with the local press.



5. The President should be announced and any local band at the airport should play "Ruffles and Flourishes" and "Hail to the Chief" as the President walks off Air Force One. The President should be the first one down the ramp (not Dave Kennerly).

6. Whenever possible, colorful local stories should be staged where they are clearly visible to the local press. (For instance, in Minneapolis when the President was introduced to Liberty's father, the local press was completely shut out.)

7. A press kit should be prepared, including biographies of the President and his family, data on Air Force One, the limousine and the helicopters, and brief statements of the President's position on major issues. The printing of the kit, printing of the necessary photographs to go in it, and the purchase of appropriate folders should be paid for by the President Ford Committee. This needs to get into the works quickly so that the press kits will be ready to hand out to local reporters a day or so before the New Hampshire trip.

8. The PFC Press Office needs to check in a more timely manner with the White House Press Office before making announcements locally of Presidential schedules, etc.

CC *Speakes*  
*Carlson*

*RN/10*



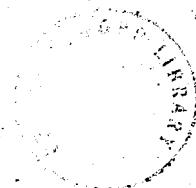
THE WHITE HOUSE  
WASHINGTON

1-29-76

NOTE FOR: *Cleary*  
FROM : RON NESSEN

FYI

RHN



THE WHITE HOUSE  
WASHINGTON

January 28, 1976

MEMORANDUM FOR:

RON NESSEN

FROM:

JIM SHUMAN

SUBJECT:

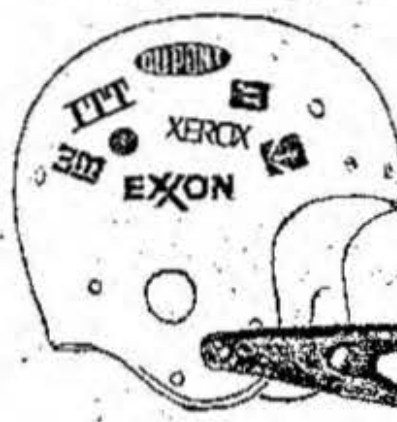
POTENTIAL PROBLEM AREA IN  
NEW HAMPSHIRE

I assume we are aware that Jeremy Rifkin and friends are planning to greet the President when he arrives in Nashua February 7th, as the attached ad, which appeared in New Hampshire Times, indicates?

Attachment

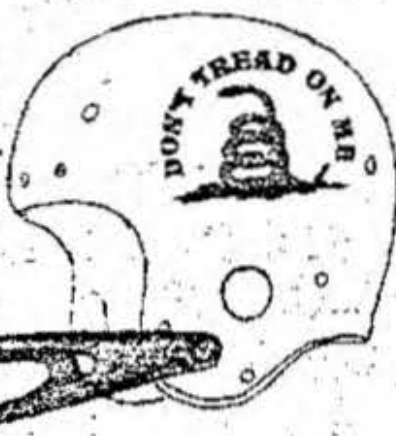
cc: Jerry Jones  
Dave Gergen





# The Peoples Bicentennial Commission

Presents



VS.

## JERRY FORD

## THE PATRIOTS

New Nashua  
High School



Saturday  
6:30 p.m., Feb. 7

*68% reduction  
works here.  
Do you want  
it in January*

## The Super Bowl of New Hampshire

Jerry Ford, Commander-in-Chief and First String Quarterback for the Fortune 500, is bringing his team to New Hampshire on February 7. Jerry's come a long way from his days at Michigan State. He was just a center in college, but now he's the leading blocker and apologist for his Big Business team-mates.

Ford's game plan for the Saturday Super Bowl is simple. He's making a major campaign appearance before the Chamber of Commerce. Fat Cats from all over the state will be rooting him on as he runs interference for ITT, GM and Exxon. They'll be on their feet as he makes his goal line dash toward more tax breaks and subsidies for the giant corporations. And the confetti is sure to fly when he scores one more for the nation's handful of wealthy stockholders.

But Ford's Big Business team won't go unchallenged. The Peoples Bicentennial Commission and patriots throughout the Granite State plan to gather at the same time for the Big Game. Frankly, we think the President's economic game plan stinks. We're fed up with do-nothing politicians like Ford. And we've had it with his corporate cronies telling us that what's good for GM is good for the country.

It's about time that we stood up to the muscle-bound monopolies that dominate the nation from the Halls of Congress to the aisles of the Supermarket. It's time we sent a loud and clear message to Wall Street, c/o their waterboys in the Ford Administration.

For 200 years now, Americans have been choosing up sides in the contest over who would rule this nation. In 1776, it was the Tories vs. the Patriots. The wealthy aristocracy vs.

the working men and women of America. In those days, Tory politicians and Monday-morning quarterbacks argued that our ancestors were too incompetent to democratically control their own political destiny. The Tories were defeated. Today, a new breed of Tory politician is telling us that we're all too dumb to democratically control our own economic system and our places of work. We aim to defeat them, too.

Don't let Jerry Ford and the Fortune 500 team steamroll to victory in New Hampshire. Make your goal line stand with the Peoples Bicentennial Commission. Don't spend Saturday night watching reruns of television situation comedies. Come on out and give the Fat Cats a piece of your mind. Let's send Jerry Ford back to the locker-room where he belongs.

Come to the New Hampshire Super Bowl. The Game of the year.

And don't forget: Hold that line!

( ) Yes, I'm on the Peoples Bicentennial Team. You can count on me for the Big Game.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_

The Peoples Bicentennial Commission / Common Sense Campaign, 83 Hanover St., Manchester, New Hampshire, (603) 658-7506.

THE WHITE HOUSE  
WASHINGTON

January 29, 1976

MEMORANDUM FOR:

DICK CHENEY ✓  
JERRY JONES  
JIM CAVANAUGH  
DAVE GERGEN  
TERRY O'DONNELL

FROM:

RON NESSEN *RHN*

The attached may be useful to you over the next few weeks.



THE WHITE HOUSE

WASHINGTON

January 28, 1976

MEMORANDUM FOR:

RON NESSEN

FROM:

JIM SHUMAN

SUBJECT:

Questions raised by critics of  
the State of the Union and Budget  
Messages.

Following are questions, which we should be prepared to answer, raised by critics of the State of the Union and Budget Messages:

- . How can the President justify increasing the defense budget when he is cutting back on social programs?
- . The President's State of the Union Message did not offer meaningful solutions to the problem of unemployment -- at least in the short-run. Why does he not believe the problem should be attacked on two fronts: the long-term front of creating strong, private sector jobs, and also the short-term of creating immediate relief either through extended unemployment benefits or public service jobs -- to get unemployment figures down to reasonable numbers.
- . Why is the President willing to accept an unemployment rate averaging more than seven percent during the coming year?
- . The State of the Union Message made no mention of the worsening conditions of American cities, of the environment, of race relations, of diminishing natural resources.



- . Many critics said the budget ceiling is unrealistic, that even if no new programs are added, the budget will grow by \$20 billion next year and that even if strenuous economies are achieved and costly programs, such as Medicare and Medicaid are overhauled, the budget cannot be reduced to anything like the President's figure.
- . Why has the President proposed a hike in social security taxes, which most economists feel hurts the low income wage earner the most, rather than meet part of the Social Security System's unfunded liabilities out of general revenues?
- . Figures on growth of government are erroneous. They fail to take into account the parallel growth of the private sector. Similarly, projections that government will, in 30 years, consume half the GNP are based on faulty projections.
- . How can the President say he is asking Congress for a \$10 billion tax cut, when he also is asking for a hike in Social Security tax rates and when this hike will leave a cut of only \$4.9 billion, even if the general tax cut is approved?
- . The President has urged creation of investment capital in an effort to produce permanent, meaningful jobs. What assurance does he have that money invested now in plants and equipment will produce long-term jobs rather than merely replace workers with more machines?
- . Some of those who have looked at the President's plan to protect 25 million Medicare patients against catastrophic illness have estimated it could cost twice the \$538 million stated in your budget. Why did he come in with a lower estimate?





- . The President said in his State of the Union Message that welfare programs "cannot be reformed overnight." But most people agree reform is urgently needed. Would he propose reform if he was elected in November? And will it be along the lines of the Nixon Administration floor under family income, as former HEW Secretary Weinberger suggested shortly before he left office?
- . At least one critic of the State of the Union Message noted that it failed to touch on some of the broader questions facing Americans. For example, it did not raise questions on the significance of human life in a modern society and the relationship of each individual to the nation, to the family and to the community.
- . The proposals for future federal spending in the budget seem to benefit the rich and the poor but to hurt the near-poor, those who are working but earning incomes just above the poverty line. Doesn't the President feel that withdrawing this group's eligibility for federal programs might not only pose a hardship on them but also lessen their incentive to work because they might be better off on welfare?
- . The President's vision of American's future still seems vague and slightly negative. He is against Big Government and bigness in general, but he hasn't chosen to define new relationships of the people to these big institutions to spell out specifically how he would attack the bigness. What is his program in this area?
- . And, finally, it was a political speech, aimed at heading off Ronald Reagan.



THE WHITE HOUSE

WASHINGTON

January 30, 1976

MEMORANDUM FOR: DICK CHENEY ✓  
JACK MARSH

FROM: RON NESSEN

Bob Woodward and Carl Bernstein are completing their book on the last days of Nixon. They are holding open the last chapter concerning the pardon, for about another week in hopes that we can clear up what they call "inconsistencies" in the versions told publically by the President and privately to them by many of the individuals involved. (Woodward says he is convinced that there was no "deal" or any other major problem for the President.)

In addition to providing the last chapter for the book, any information from the White House would be used, Woodward says, for a news story in the Washington Post following up on a short series of stories on the pardon which he wrote a month or so ago.

Here is the information Woodward says he has from interviews with various participants:

On August 27, 1974, Len Garment wrote an "impassioned" three-page memo pleading for a pardon for Nixon. Garment says one copy was delivered to Haig, and another to Buchen in plain envelopes at the 8 am senior staff meeting on August 28.

Earlier that morning, beginning at 6 am, Ray Price had drafted an opening statement for the President's news conference later that day, announcing a pardon for Nixon. Buchen says he never saw such an opening statement. Price says Haig and Garment told him to write the statement.

Haig told Garment at 10 am on August 28, in a phone conversation, "Stand by for a meeting." It (a pardon announcement) is going to happen. There are some legal questions. You may have to get with the Ford people." Within an hour, Haig called Garment back and said, "Never mind. It (the pardon) is going to happen, but not today. There are some legal questions to straighten out."



Haig, Garment, and Price were convinced that the President would announce the pardon at his August 28 news conference. To a lesser extent, Buchen and Buzhardt were convinced he was going to announce it then.

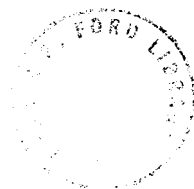
The President held the news conference at 2:30 pm on August 28, and did not announce a pardon.

That is the information Woodward says he has received from the participants.

Woodward would like the following questions answered:

1. Did anything President Ford say lead Haig, Garment, and Price to believe a pardon would be announced August 28, and to prepare an opening statement for the news conference announcing the pardon?
2. Did Haig, Garment, and Price actively urge the President to grant a pardon?
3. When did the President make up his mind to grant the pardon, and when did he tell members of the White House staff?
4. What discussion of the pardon took place on August 27 and August 28 during preparation sessions for the news conference, and post-mortem after the news conference?

Find attached the pertinent sections of the August 28 news conference, the President's testimony before the Hungate Committee, and the Woodward stories from the Post on the pardon.





Now, the expression made by Governor Rockefeller, I think, coincides with the general view and the point of view of the American people. I subscribe to that point of view. But let me add, in the last ten days or two weeks I have asked for prayers for guidance on this very important point.

In this situation, I am the final authority. There have been no charges made, there has been no action by the courts, there has been no action by any jury and, until any legal process has been undertaken, I think it is unwise and untimely for me to make any commitment.

Yes, sir.

QUESTION: Mr. President, you have been in office 19 days now, and already some of your natural conservative allies are grumbling that you are moving too far to the left. Does this trouble you?

THE PRESIDENT: I don't think I have deviated from my basic philosophy nor have I deviated from what I think is the right action. I have selected an outstanding person to be the Vice President. I have made a decision concerning amnesty, which I think is right and proper -- no amnesty, no revenge -- and that individuals who have violated either the draft laws or have evaded Selective Service or deserted can earn their way, or work their way, back. I don't think these are views that fall in the political spectrum right or left.

I intend to make the same kind of judgments in other matters because I think they are right and I think they are for the good of the country.

QUESTION: Mr. President, may I follow that with one more example, possibly, that is there is a report that the Administration is considering a \$4 billion public works program in case the inflation rate gets higher than it is, say six percent. Is that under consideration?

THE PRESIDENT: I think most of you know that we do have a public service employment program on the statute books which is funded right today, not for any major program, but to take care of those areas in our country where there are limited areas of unemployment caused by the energy crisis or any other reason.



There is a recommendation from some of my advisers saying that, if the economy gets any more serious, that this ought to be a program, a broader, more-expensive public service program. We will approach this problem with compassion and action if there is a need for it.

QUESTION: Mr. President?

THE PRESIDENT: Yes.

QUESTION: Sir, two political questions: Do you definitely plan to run for President in 1976, and if so, would you choose Governor Rockefeller as your running mate, or would you leave that choice up to the Convention's free choice?

THE PRESIDENT: I will repeat what has been said on my behalf, that I will probably be a candidate in 1976. I think Governor Rockefeller and myself are a good team but, of course, the final judgment in this matter will be that of the delegates to the national Convention.

QUESTION: Mr. President, may I just follow up on Helen's question: Are you saying, sir, that the option of a pardon for former President Nixon is still an option that you will consider, depending on what the courts will do?

THE PRESIDENT: Of course, I make the final decision. And until it gets to me, I make no commitment one way or another. But I do have the right as President of the United States to make that decision.

QUESTION: And you are not ruling it out?

THE PRESIDENT: I am not ruling it out. It is an option and a proper option for any President.

QUESTION: Mr. President, do you feel the Special Prosecutor can in good conscience pursue cases against former top Nixon aides as long as there is the possibility that the former President may not also be pursued in the courts?



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I have supplied the subcommittee with a copy of this memorandum. The memorandum lists matters still under investigation which -- and quote -- "may prove to have some direct connection to activities in which Mr. Nixon is personally involved."

The Watergate cover-up is not included in this list and the alleged cover-up is mentioned only as being the subject of a separate memorandum not furnished to me. Of those matters listed in the memorandum, it is stated that none of them at the moment rises to the level of our ability to prove even a probable criminal violation by Mr. Nixon.

This is all the information I had which related even to the possibility of formal criminal charges involving the former President while he had been in office.

The second question in the resolution asks whether Alexander Haig referred to or discussed a pardon with Richard Nixon or his representatives at any time during the week of August 4, 1974, or any subsequent time. My answer to that question is: not to my knowledge. If any such discussions did occur, they could not have been a factor in my decision to grant the pardon when I did because I was not aware of them.

Questions three and four of House Resolution 1367 deal with the first and all subsequent references to or discussions of a pardon for Richard M. Nixon, with him or any of his representatives or aides.

I have already described at length what discussions took place on August 1 and 2, 1974, and how these discussions brought no recommendations or commitments whatsoever on my part.

These were the only discussions related to questions three and four before I became President, but question four relates also to subsequent discussions.

At no time after I became President on August 9, 1974, was the subject of a pardon for Richard M. Nixon raised by the former President or by anyone representing him. Also, no one on my staff brought up the subject until the day before my first press conference on August 28, 1974.

At that time I was advised that questions on the subject might be raised by media reporters at the press conference.

MORE





As the press conference proceeded, the first question asked involved the subject, as did other later questions. In my answers to those questions, I took a position that while I was the final authority on this matter, I expected to make no commitment one way or the other, depending on what the Special Prosecutor and courts would do. However, I also stated that I believed the general view of the American people was to spare the former President from a criminal trial.

Shortly afterwards, I became greatly concerned that if Mr. Nixon's prosecution and trial were prolonged, the passions generated over a long period of time would seriously disrupt the healing of our country from the wounds of the past. I could see that the new Administration could not be effective if it had to operate in the atmosphere of having a former President under prosecution and criminal trial.

Each step along the way I was deeply concerned would become a public spectacle and the topic of wide public debate and controversy.

As I have before stated publicly, these concerns led me to ask from my own legal counsel what my full right of pardon was under the Constitution in this situation and from the Special Prosecutor what criminal actions, if any, were likely to be brought against the former President, how long his prosecution and trial would take.

As soon as I had been given this information, Mr. Chairman, I authorized my counsel, Philip Buchen, to tell Herbert J. Miller as attorney for Richard M. Nixon of my pending decision to grant a pardon for the former President. I was advised that the disclosure was made on September 4, 1974, when Mr. Buchen, accompanied by Benton Becker, met with Mr. Miller.

Mr. Becker had been asked, with my concurrence, to take on a temporary special assignment to assist Mr. Buchen at the time when no one else of my selection had yet been appointed to the legal staff of the White House.

The fourth question, Mr. Chairman, in the resolution, asks about "negotiations" with Mr. Nixon or his representatives on the subject of a pardon for the former President. The pardon under consideration was not so far as I was concerned a matter of negotiation. I realized that unless Mr. Nixon actually accepted the pardon I was preparing to grant, it probably would not be effective.

MORE



Questions eight and nine of House Resolution 1367 deal with the circumstances of any statement requested or received from Mr. Nixon. I asked for no confession or statement of guilt, only a statement in acceptance of the pardon when it was granted.

No language was suggested or requested by anyone acting for me, to my knowledge. My counsel advised me that he had told the attorney for Mr. Nixon that he believed the statement should be one expressing contrition and in this respect, I was told Mr. Miller concurred.

Before I announced the pardon, I saw a preliminary draft of a proposed statement from Mr. Nixon, but I did not regard the language of the statement as subsequently issued to be subject to approval by me or my representatives.

The tenth question, Mr. Chairman, covers any report to me on Mr. Nixon's health by a physician or psychiatrist which led to my pardon decision. I received no such report. Whatever information was generally known to me at the time of my pardon decision was based on my own observations of his condition at the time he resigned as President and observations reported to me after that from others who had later seen or talked with him.

No such reports were by people qualified to evaluate medically the condition of Mr. Nixon's health, and so they were not a controlling factor in my decision. However, I believed, and still believe, that prosecution and trial of the former President would have proved a serious threat to his health, as I stated in my message on September 8, 1974.

House Resolution 1370 is the other resolution of inquiry before this subcommittee. It presents no questions, but asks for the full and complete facts upon which was based my decision to grant a pardon to Richard M. Nixon. I know of no such facts that are not covered by my answers to the questions in House Resolution 1367.

Also, subparagraphs one and four, there were no representations made by me or for me and none by Mr. Nixon or for him on which my pardon decision was based.

Subparagraph two, the health issue is dealt with by me in answer to questions ten of the previous resolution.

MORE



Mr. President, I would like to state that I, to share with my colleagues, deep appreciation for your appearance here before our subcommittee this morning.

Mr. President, on page 7 of your statement where you were talking about your first or your second interview with General Haig in the afternoon of August 1, you state that, "I describe this meeting because at one point it did include references to a possible pardon to Mr. Nixon."

I take it that you have spelled out what those references were over on pages 9, where the options are spelled out and on page 10 where you state that you inquired as to what was the President's power pardon.

THE PRESIDENT: Yes, it is spelled out in the item instances 1 through 6, various options involving a pardon.

CONGRESSMAN DENNIS: And does that include everything that was said at that time on the subject of pardon, substantially?

THE PRESIDENT: Yes, sir.

CONGRESSMAN DENNIS: Mr. President, I note that on page 10 you state that you asked the General as to what the President's pardon power was and he very properly replied that he had certain information but couldn't give legal opinion.

When, where, and from whom did you ultimately obtain the opinion that you were entitled under the Doctrine of Ex Parte Garland and so on, to issue a pardon when there has been no charge or no conviction?

THE PRESIDENT: When I came back to the Oval Office, Mr. Dennis, following the press conference on August 28, where three questions were raised by the news media involving a pardon, I instructed my counsel, Mr. Buchen, to check in an authoritative way what pardon power a President had. And he, several days later -- I don't recall precisely -- came back and briefed me on my pardon power as President of the United States.

MORE



CONGRESSMAN HUNGATE: Yes, Sir.

THE PRESIDENT: Somebody asked about when I last saw the President. I said that I had seen him on the 9th. I did as he departed, but I had also seen the President the morning of the 8th at the time I was asked to come and see him, and at that time we spent an hour and 20 minutes together, or thereabouts, when he told me that he was going to resign.

So, I saw him both the 8th and the 9th, just to make the record accurate.

CONGRESSMAN HUNGATE: All of us are aware of our time constraints. I yield to the gentleman from Wisconsin for a question.

CONGRESSMAN KASTENMEIER: Thank you, Mr. Chairman.

I would like for the record to indicate that the statement of the gentleman from Maryland, Mr. Hogan, the effect that the proposal that this subcommittee tried to contact certain staff members, such as General Haig and others, was supported by me.

I think it would have been excellent. We have in the past done very well in terms of staff work preliminary to hearings that might have helped put some of the questions Mrs. Holtzman had to rest.

Mr. President, you indicated that as far as Mr. Haig was concerned, that he had suggested certain options to you, but did not in fact make a recommendation to you with respect to the pardon, is that correct?

THE PRESIDENT: That is correct. I answered that, I think, as fully as I could in my prepared statement. He discussed the options. He made no recommendation.

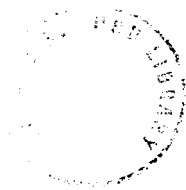
CONGRESSMAN KASTENMEIER: Which other persons to you personally made recommendations that the former President be pardoned from that time in early August to the day of September 6 when you made your decision?

THE PRESIDENT: No other person, to my knowledge, made any recommendation to me from that time until the time that I made a decision about September 6; nobody made any recommendation to me for the pardon of the former President.

MORE



Washington Post piece  
on pardon





## The Weather

**TODAY**—Partly cloudy, high near 40, low near 20. The chance of precipitation is 10 per cent, near zero tonight. **Friday**—Partly cloudy, high near 40. **Yesterday**—3 p.m. air index: 19; temp. range: 53-32. Details on B16.

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# Ford Disputed on Events Preceding Nixon Pardon

By Bob Woodward  
and Carl Bernstein

One, according to the sources, is a private assurance that President Ford continued threat of criminal prosecution. It implied that, unless he was pardoned,

tradict President Ford's public statements, including his testimony to a

with Haig about the pardon from time to time" — possibly on the day of his first

began seriously on Wednesday, Aug. 28. Garment drafted his memo in January

# **Ford Denies Post Story On Pardon**

By Bob Woodward  
and Carl Bernstein

Washington Post Staff Writers

President Ford stands by  
his public statements and

# **President Denies Story on Pardon**

PRESIDENT From At