

PRESS CONFERENCE NO. 2
of the
PRESIDENT OF THE UNITED STATES

8:00 P.M. EDT
September 16, 1974
Monday

In the East Room
At the White House
Washington, D.C.

THE PRESIDENT: Please sit down.

Ladies and gentlemen, this press conference is being held at a time when many Americans are observing the Jewish **religious** new year. It begins a period of self-examination and reconciliation. In opening this press conference, I am mindful that the spirit of this **holy day** has a meaning for all Americans.

In examining one's deeds of the last year and in assuming responsibility for past actions and personal decisions, one can reach a point of growth and change. The purpose of looking back is to go forward with a new and enlightened dedication to our highest values.

The record of the past year does not have to be endlessly relived, but can be transformed by commitment to new insights and new actions in the year to come.

Ladies and gentlemen, I am ready for your questions.

Mr. Cormier.

QUESTION: Mr. President, some Congressional Republicans who have talked to you have hinted that you may have had a secret reason for granting President Nixon a pardon sooner than you indicated you would at the last news conference, and I wonder if you could tell us what that reason was.

THE PRESIDENT: At the outset, let me say I had no secret reason, and I don't recall telling any Republican that I had such a reason. Let me review quickly, if I might, the things that transpired following the last news conference.

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As many of you know, I answered two, maybe three questions concerning a pardon at that time. On return to the office, I felt that I had to have my counsel undertake a thorough examination as to what my right of pardon was under the Constitution. I also felt that it was very important that I find out what legal actions, if any, were contemplated by the Special Prosecutor.

That information was found out, and it was indicated to me that the possibility exists, the very real possibility that the President would be charged with obstructing justice and ten other possible criminal actions.

In addition, I asked my general counsel to find out, if he could, how long such criminal proceedings would take, from the indictment, the carrying on of the trial, et cetera, and I was informed that this would take a year, maybe somewhat longer, for the whole process to go through.

I also asked my counsel to find out whether or not under decisions of the judicial system a fair trial would be given to the former President.

After I got that information, which took two or three days, I then began to evaluate, in my own mind, whether or not I should take the action, which I subsequently did.

Miss Thomas.

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QUESTION: Throughout your Vice Presidency, you said that you didn't believe that former President Nixon had ever committed an impeachable offense. Is that still your belief or do you believe that his acceptance of a pardon implies his guilt, or is an admission of guilt?

THE PRESIDENT: The fact that 38 members of the House Committee on the Judiciary, Democrat and Republican, have unanimously agreed in the report that was filed that the former President was guilty of an impeachable offense, I think is very persuasive evidence.

And the second question, I don't recall --

QUESTION: An admission of guilt?

THE PRESIDENT: Was the acceptance of the pardon by the President an admission of guilt? The acceptance of a pardon, I think, can be construed by many, if not all, as an admission of guilt.

Yes, Mr. Nessen.

QUESTION: What reports have you received on Mr. Nixon's health, and what effect, if any, did this have on your decision to pardon him now?

THE PRESIDENT: I have asked Dr. Lukash, who is the head physician in the White House, to keep me posted in proper channels as to the former President's health. I have been informed on a routine day-to-day basis, but I don't think I am at liberty to give any information as to those reports that I have received.

You also asked what impact did the President's health have on my decision. I think it is well known that just before I gave my statement at the time that I gave the pardon I personally wrote in a phrase "the threat to the President's health."

The main concern that I had at the time I made the decision was to heal the wounds throughout the United States. For a period of 18 months or longer, we had had turmoil and divisiveness in the American society. At the same time, the United States had major problems both at home and abroad that needed the maximum personal attention of the President and many others in the Government.

It seemed to me that as long as this divisiveness continued, this turmoil existed, caused by the charges and counter charges, the responsible people in the Government could not give their total attention to the problems that we had to solve at home and abroad.

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And the net result was that I was more anxious to heal the Nation. That was the top priority. I felt then, and I feel now, that the action I took will do that. I couldn't be oblivious, however, to news accounts that I had concerning the President's health, but the major reason for the action I took related to the effort to reconcile divisions in our country and to heal the wounds that had festered far too long.

QUESTION: Mr. President, after you had told us that you were going to allow the legal process to go on before you decided whether to pardon him, why did you decide on Sunday morning, abruptly, to pardon President Nixon?

THE PRESIDENT: I didn't decide abruptly. I explained a moment ago the process that I went through subsequent to the last press conference. When I had assembled all of that information that came to me through my counsel, I then most carefully analyzed the situation in the country and I decided that we could not afford in America an extended period of continued turmoil and the fact that the trial, and all of the parts thereof, would have lasted a year -- perhaps more -- with the continuation of the divisions in America, I felt that I should take the action that I did, promptly and effectively.

QUESTION: Mr. President, I would like to ask you a question about the decision relating to custody of the Nixon tapes and documents. Considering the enormous interest that the Special Prosecutor's office had in those documents for further investigation, I am wondering why the negotiations with Mr. Nixon's representatives were conducted strictly between the counsel in your office without bringing in discussions with either Mr. Jaworski's representatives or those from the Justice Department.

THE PRESIDENT: In the first place, I did receive a memorandum, or legal opinion, from the Department of Justice which indicated that in the opinion of the Department of Justice, the documents, tapes, the ownership of them were in the hands of the former President. Historically, that has been the case for all Presidents.

Now, the negotiations for the handling of the tapes and documents were undertaken and consummated by my staff and the staff of the former President. I believe that they have been properly preserved and they will be available under subpoena for any criminal proceeding. Now, the Special Prosecutor's staff has indicated some concern. I am saying tonight that my staff is working with the Special Prosecutor's staff to try and alleviate any concerns that they have. I hope a satisfactory arrangement can be worked out.

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QUESTION: Mr. President, during your confirmation hearings as Vice President, you said that you did not think that the country would stand for a President to pardon his predecessor. Has your mind been changed about such public opinion?

THE PRESIDENT: In those hearings before the Senate Committee on Rules and Administration, I was asked a hypothetical question, and in answer to that hypothetical question I responded by saying that I did not think the American people would stand for such an action.

Now that I am in the White House and don't have to answer hypothetical questions but have to deal with reality, it was my judgment, after analyzing all of the facts, that it was in the best interest of the United States for me to take the action that I did.

I think if you will reread what I said in answer to that hypothetical question, I did not say I wouldn't. I simply said that under the way the question was phrased, the American people would object.

But I am absolutely convinced when dealing with reality in this very, very difficult situation, that I made the right decision in an effort, an honest, conscientious effort, to end the divisions and the turmoil in the United States.

Mr. Lisagor.

QUESTION: Mr. President, is there any safeguard in the tapes agreement that was made with Mr. Nixon, first, with their destruction in the event anything happens to him, because under the agreement they will be destroyed, and secondly, should not the tapes be kept in the White House until the Special Prosecutor has finished dealing with them?

THE PRESIDENT: The tapes and the documents are still in our possession and we are, as I said a moment ago, working with the Special Prosecutor's office, to alleviate any concerns they have as to their disposition and their availability.

The agreement as to destruction is quite clear-cut. As long as Mr. Nixon is alive and during the period of time that is set forth, they are available for subpoena by a court involving any criminal proceedings. I think this is a necessary requirement for the protection of evidence for any such action.

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QUESTION: Mr. President, recent Congressional testimony has indicated that the CIA, under the direction of a committee headed by Dr. Kissinger, attempted to destabilize the Government of Chile under former President Allende.

Is it the policy of your Administration to attempt to destabilize the governments of other democracies?

THE PRESIDENT: Let me answer in general. I think this is a very important question.

Our Government, like other governments, does take certain actions in the intelligence field to help implement foreign policy and protect national security. I am informed reliably that Communist nations spend vastly more money than we do for the same kind of purposes.

Now, in this particular case, as I understand it, and there is no doubt in my mind, our Government had no involvement whatsoever in the Allende coup. To my knowledge, nobody has charged that. The facts are we had no involvement in any way whatsoever in the coup itself.

In a period of time, three or four years ago, there was an effort being made by the Allende government to destroy opposition news media, both the writing press as well as the electronic press, and to destroy opposition political parties.

The effort that was made in this case was to help and assist the preservation of opposition newspapers and electronic media and to preserve opposition political parties.

I think this is in the best interest of the people in Chile, and certainly in our best interest.

Now, may I add one further comment.

The 40 committee was established in 1948. It has been in existence under Presidents since that time. That committee reviews every covert operation undertaken by our Government, and that information is relayed to the responsible Congressional committees where it is reviewed by House and Senate committees.

It seems to me that the 40 committee should continue in existence, and I am going to meet with the responsible Congressional committees to see whether or not they want any changes in the review process so that the Congress, as well as the President, are fully informed and are fully included in the operations for any such action.

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QUESTION: In view of public reaction, do you think the Nixon pardon really served to bind up the Nation's wounds? I wonder if you would assess public reaction to that move.

THE PRESIDENT: I must say that the decision has created more antagonism than I anticipated. But as I look over the long haul with a trial or several trials of a former President, criminal trials, the possibility of a former President being in the dock so to speak, and the divisions that would have existed not just for a limited period of time, but for a long period of time, it seems to me that when I had the choice between that possibility and the possibility of taking direct action hoping to conclude it, I am still convinced, despite the public reaction so far, that the decision I made was the right one.

QUESTION: Mr. President, in regard to the pardon, you talk about the realities of the situation. Now those realities rightly or wrongly included a good many people who speculate about whether or not there is some sort of arrangement -- even some of them call a deal -- between you and the former President or between your staff and his staff, resignation in exchange for a full pardon.

The question is: Is there or was there, to your knowledge, any kind of understanding about this?

THE PRESIDENT: There was no understanding, no deal between me and the former President, nor between my staff and the staff of the former President, none whatsoever.

QUESTION: Mr. President, there is a bill that the Treasury Department has put forward, I think it is about 38 pages. Under this bill, which deals with getting hold of the returns, Internal Revenue returns of the citizens of the country, you could take action to get those returns whenever you wanted to.

I wonder if you are aware of this, and if you feel that you need to get those returns of citizens.

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THE PRESIDENT: It is my understanding that a President has, by tradition and practice, and by law, the right to have access to income tax returns. I personally think that is something that should be kept very closely held. A person's income tax return is a very precious thing to that individual and, therefore, I am about to issue an Executive Order that makes it even more restrictive as to how those returns can be handled and I do think that a proposed piece of legislation that is coming to me and subsequently will be submitted, as I recollect, to the Congress would also greatly tighten up the availability or accessibility of income tax returns. I think they should be closely held and I can assure you that they will be most judiciously handled as far as I am concerned.

Yes.

QUESTION: Mr. President, looking beyond the Nixon papers and in view of some criticism in Congress, do you believe we may have now reached the point where Presidential White House papers should remain in the Government's hands as the property of the Government?

THE PRESIDENT: As far as I am personally concerned, I can see a legitimate reason for Presidential papers remaining the property of the Government. In my own case, I made a decision some years ago to turn over all of my Congressional papers, all of my Vice Presidential papers to the University of Michigan archives.

As far as I am concerned, whether they go to the archives for use or whether they stay the possession of the Government, I don't think it makes too much difference.

I have no desire, personally, to retain whatever papers come out of my Administration.

Mr. Mollenhoff.

QUESTION: Mr. President, at the last press conference you said, "The code of ethics that will be followed will be the example that I set." Do you find any conflicts of interest in the decision to grant a sweeping pardon to your life-long friend and your financial benefactor with no consultation for advice and judgment for the legal fallout?

THE PRESIDENT: The decision to grant a pardon to Mr. Nixon was made primarily, as I have expressed, for the purpose of trying to heal the wounds throughout the country between Americans on one side of the issue or the other. Mr. Nixon nominated me for the office of Vice President. I was confirmed overwhelmingly in the House as well as in the Senate. Every action I have taken, Mr. Mollenhoff, is predicated on my conscience without any concern or consideration as to favor as far as I am concerned.

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Yes.

QUESTION: If your intention was to heal the wounds of the Nation, sir, why did you grant only a conditional amnesty to the Vietnam war veterans while granting a full pardon to President Nixon?

THE PRESIDENT: The only connection between those two cases is the effort that I made in the one to heal the wounds involving the charges against Mr. Nixon and my honest and conscientious effort to heal the wounds for those who had deserted military service or dodged the draft. That is the only connection between the two.

In one case, you have a President who was forced to resign because of circumstances involving his Administration and he has been shamed and disgraced by that resignation. In the case of the draft dodgers and Army and military deserters, we are trying to heal the wounds by the action that I took with the signing of the proclamation this morning.

QUESTION: Mr. President, another concern that has been voiced around the country since the pardon is that the judicial process as it finally unwinds may not write the definitive chapter on Watergate and perhaps with particular regard to Mr. Nixon's particular involvement, however total, however it may have been in truth. My question is, would you consider appointing a special commission with extraordinary powers to look into all of the evidentiary material and to write that chapter and not leave it to later history?

THE PRESIDENT: Well, it seems to me as I look at what has been done, I think you find a mass of evidence that has been accumulated. In the first instance, you have the very intensive investigation conducted by the House Committee on the Judiciary. It was a very well-conducted investigation. It came up with volumes of information.

In addition, the Special Prosecutor's office under Mr. Jaworski has conducted an intensive investigation and the Special Prosecutor's office will issue a report at the conclusion of their responsibilities that I think will probably make additional information available to the American people.

And thirdly, as the various criminal trials proceed in the months ahead, there obviously will be additional information made available to the American people. So, when you see what has been done and what undoubtedly will be done, I think the full story will be made available to the American people.

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QUESTION: Mr. President, could you give us an idea who would succeed General Haig, and how are you coming on your search for a Press Secretary?

THE PRESIDENT: Do I have a lot of candidates here? (Laughter) No shows. (Laughter)

I have several people in mind to replace General Haig, but I have made no decision on that. It was just announced today that the NATO countries have accepted him as the officer handling those responsibilities.

I think he is to take office succeeding General Goodpaster on December 15. He assumes his responsibilities as the head of U.S. military forces November 1. In the next few days undoubtedly I will make the decision as to the individual to succeed him.

So far as the Press Secretary is concerned, we are actively working on that and we hope to have an announcement in a relatively short period of time.

QUESTION: Mr. President, prior to your deciding to pardon Mr. Nixon, did you have, apart from those reports, any information either from associations of the President or from his family or from any other source about his health, about his medical condition?

THE PRESIDENT: Prior to the decision that I made granting a pardon to Mr. Nixon, I had no other specific information concerning his health other than what I had read in the news media or heard in the news media. I had not gotten any information from any of the Nixon family. The sole source was what I had read in the news media plus one other fact.

On Saturday before the Sunday a member of my staff was working with me on the several decisions I had to make. He was, from my staff, the one who had been in negotiations on Friday with the President and his staff.

At the conclusion of decisions that were made, I asked him, how did the President look, and he reported to me his observations.

But other than what I had read or heard and this particular incident, I had no precise information concerning the President's health.

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QUESTION: Mr. President, your own economic advisers are suggesting that to save the economy which is very bad and very pessimistic, we are hearing the word "depression" used now. I wonder how you feel about whether we are heading for a depression?

THE PRESIDENT: Let me say very strongly that the United States is not going to have a depression. The overall economy of the United States is strong. Employment is still high. We do have the problem of inflation. We do have related problems, and we are going to come up with some answers that I hope will solve those problems.

We are not going to have a depression. We are going to work to make sure that our economy improves in the months ahead.

QUESTION: Mr. President, in the face of massive food shortages and the prospects of significant starvation, will the United States be able to significantly increase its food aid to foreign countries, and what is our position going to be at the Rome conference on participation in the world grain reserves?

THE PRESIDENT: Within the next few days a very major decision in this area will be made. I am not at liberty to tell you what the answer will be because it has not been decided.

But it is my hope that the United States for humanitarian purposes will be able to increase its contribution to those nations that have suffered because of drought or any of the other problems related to human needs.

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QUESTION: Back to the CIA, under what international law do we have a right to attempt to destabilize the constitutionally-elected government of another country, and does the Soviet Union have a similar right to try to destabilize the Government of Canada, for example, or the United States?

THE PRESIDENT: I am not going to pass judgment on whether it is permitted or authorized under international law. It is a recognized fact that historically, as well as presently, such actions are taken in the best interest of the countries involved.

QUESTION: Mr. President, last month when you assumed the Presidency, you pledged openness and candor. Last week you decided on the ex-President's pardon in virtually total secrecy. Despite all you have said tonight, there would still seem to be some confusion, some contradiction.

My question is this: Are the watchwords of your Administration still openness and candor?

THE PRESIDENT: Without any question, without any reservation. And I think in the one instance that you cite, it was a sole decision, and believe me, it wasn't easy, and since I was the only one who could make that decision, I thought I had to search my own soul after consulting with a limited number of people, and I did it, and I think in the longrun it was the right decision.

THE PRESS: Thank you, Mr. President.

END (AT 8:30 P.M. EDT)