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

#584

AT THE WHITE HOUSE

WITH RON NESSEN

AT 11:40 A.M. EDT

SEPTEMBER 21, 1976

TUESDAY

MR. NESSEN: I have a couple of announcements to start off with.

Some have asked whether we could confirm that Jim Thompson, who is the Republican candidate for Governor in Illinois, is at the White House today. He, in fact, is at the White House today and will see the President a little later, about 12:15. The background on this is that Thompson asked the President to come to Chicago to attend a fund-raiser for Thompson tonight, to be the speaker. The President is not able to make it, so Thompson wanted a chance to come in and meet the President and talk to him about the campaign and also, to have some film made of the President and Thompson together for use in Thompson's campaign in Illinois, and also, to have the President make a 2-minute tape to be played at the dinner tonight, explaining why he could not be there. So, that is why Jim Thompson is at the White House.

Q Why could he not be there?

MR. NESSEN: He is tied up.

Q Oh, really?

MR. NESSEN: He has a State dinner for President Tolbert.

Q Could you relay a request, please, to Thompson to come to the press room so a number of us who are interested in this particular visit can talk with him?

MR. NESSEN: I think John has already relayed the interest of the people that he has talked to, to be able to talk to Thompson. I think it will probably be under the portico, Bob, if he wants to talk at all.

Q Can we catch him out there?

Q It is raining out there.

MR. NESSEN: I know it is raining. That is why I say under the portico.

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Another announcement is that the President has invited the President-elect of Mexico, Jose Lopez Portillo, to meet with him in Washington on the 24th of September, which would be Friday, and President-elect Portillo has accepted. The President will have informal talks with the President-elect and also will have a dinner for President-elect Portillo. Mrs. Lopez Portillo also will come with her husband.

Just by way of background, Lopez Portillo was elected President of Mexico on July 4th, and his term begins with his inauguration on December 1st. I understand that it is a long-standing tradition for American Presidents to meet with the Presidents-elect of Mexico shortly before they take office.

Q Would you happen to know -- this is a serious question.

MR. NESSEN: Yes.

Q When you say "long-standing tradition," would you happen to know just how far back, or how near back, it goes?

MR. NESSEN: I know that President Johnson met in Texas in 1964 with Diaz Ordaz when he was President-elect, and in 1970, President Nixon met with President-elect Echeverria here in Washington when he was the President-elect. We could do some more research and see whether it goes back beyond those two.

Q Did you say there would be a dinner?

MR. NESSEN: I said there would be a dinner.

Q State dinner?

MR. NESSEN: A working dinner.

Q Ron, what is the name of this party?

Q It is the Revolutionary Institutional Party or the Partido Revolucionario Institucional, I bet. They always win. (Laughter)

MR. NESSEN: Les will check on the name of Portillo's party.

President Tolbert is in with the President now, and we will have a written report on their meeting when that is over.

Q Ron, on this meeting with President Tolbert, do you know if the President intends to discuss with him the racial segregation in the Liberian constitution with regard to urging that they possibly might change this.

MR. NESSEN: I don't anticipate that that would be one of the subjects.

Q I see.

Q I thought he would. (Laughter)

MR. NESSEN: The Consumer Price Index, as you may know, for the month of August went up five-tenths of one percent. Just by way of background, the Price Index increased in July and June by exactly the same amount, five-tenths of one percent; going back to May, six-tenths of one percent; April, four-tenths of one percent. So, it has been relatively stable now for nearly a half a year and the five-tenths of one percent in August works out to an annual rate of 6 percent, which is just in line with the forecasts of the Administration.

So, we are encouraged. What we are encouraged about is that some concerns have been expressed previously, I think based primarily on activity in the Wholesale Price Index, that perhaps there was an acceleration of inflation beginning. But the rather steady course of the Consumer Price Index encourages us to believe that the previous concern was not well-founded.

Nevertheless, the White House does want to take another opportunity to say that it is essential to continue concentrating on steps to hold down the rate of inflation.

Q Ron, is it stable? Do you mean to say that it is stable each month that inflation goes up? Is that stable?

MR. NESSEN: The rate is stable at about 6 percent a year, which is our forecast for this year.

Q You mean, the rate of increase is stable?

MR. NESSEN: Yes.

Q I see.

Q I was told that in July, the Administration issued revised projections for this year and lowered the anticipated annual rate for 1976 to 5 percent. Is that correct?

MR. NESSEN: We will check. I know what you are talking about. The required budget assumption revision was made, I think, and we will check and see if that aspect of it has changed.

Q If that is the case, then these figures that you are referring to are above the projection.

MR. NESSEN: On an annualized basis, but you have to remember that for a month like February, for instance, it only went up one-tenth of a percent; March, two-tenths of a percent; January and April, four-tenths of a percent, so, when we get to the end of the year and find out what it was, we will -- let me find out if we did change the estimate. I don't think so.

The party of Lopez Portillo is, as Pye so correctly pronounced it -- I cannot probably pronounce it as correctly as Pye did -- Partido Revolucionary Institucional, known to us English speakers as the Revolutionary Institutional Party.

Let's talk about the trip to Philadelphia for a minute here. We are going to take the sign-up list down after this briefing, so this is the time to sign up for the trip, if you want to go. Also, it is time to mark whether you want to sit in the studio audience or whether you want to watch in the press room at the Ben Franklin Hotel on television.

Q Should we put that on the sign-up list?

MR. NESSEN: Yes, there should be a place to mark that.

As I mentioned yesterday, the President will spend the night up there. The White House Press Corps will be staying at the Philadelphia Sheraton. I told some people yesterday I thought we would be staying at the Ben Franklin, but that didn't work out.

Q Is that where they have Legionnaire's disease?

MR. NESSEN: Only a few cases. (Laughter)

Q It was the Bellevue-Stratford.

MR. NESSEN: You can request a room with or without Legionnaire's disease. (Laughter)

Q Ron, where is the President staying?

MR. NESSEN: I am getting to that.

The address of the Philadelphia Sheraton is 1725 John F. Kennedy Boulevard, in Philadelphia. The area code is 212-568-3300.

This hotel is approximately nine blocks from the Ben Franklin Hotel and the Walnut Street Theater, which is the location of the debate and of the press center of the League of Women Voters, about a 10-minute drive.

There will be a large filing center run by the League of Women Voters at the Ben Franklin Hotel, including television sets, 200 telephones, typewriters, and so forth. But we are going to set up our own White House press center at the Sheraton Hotel. There will be telexes, phones, and so forth, there.

Q Why didn't it work out for everybody to get the Ben Franklin?

MR. NESSEN: Apparently, there were just not enough rooms to take care of the Carter press corps and the Carter staff and the White House press corps and the White House staff.

Q So, Carter has priority?

MR. NESSEN: I hate to say anything about the Ben Franklin Hotel, but -- John, what happened to the place where the President is going to stay in Philadelphia?

MR. CARLSON: It is a private residence.

MR. NESSEN: A private residence, but do we have any details of it yet?

MR. CARLSON: Yes.

Q Staying with Cardinal Krohl, did you say?

MR. NESSEN: No.

Q The Annenberg residence?

MR. NESSEN: No, I don't think it is a residence that is lived in by anybody that you would recognize.

Q Was personal security a factor in deciding that he should stay in a private home rather than a hotel?

MR. NESSEN: I was not in on all the discussions of it, but the ones I was in on indicated that the decision was made basically to have a comfortable, relaxed atmosphere that was not a hotel room and didn't have the atmosphere of a hotel, and so forth.

Q Are you going to be able to get that information on the residence?

MR. NESSEN: Yes, I will give you the information on the private residence as soon as I get it.

Now, on Friday, I mentioned there would be some activities by the President in Philadelphia. At 10:30 on Friday, in the morning, the President will address the National Quadrennial Convention of the Polish-American Congress at the Ben Franklin Hotel.

Q No wonder there are no rooms.

MR. NESSEN: Yes, that may be the reason there are no rooms at the Ben Franklin, too.

I don't know about a text yet, at this point.

There may be one other event Friday morning after the speech to the Polish-American Congress, and then the President will leave to return to Washington at about noon, leaving Philadelphia about noon.

Let me remind you about the sign-up deadline for the southern trip. Tomorrow, at 5:00 p.m., is the signing up deadline. John tells me that there is going to be a very early departure. We have not got it all nailed down yet, but it could be a 5:30 departure with a 4:45 check-in on Saturday morning. We never promised you a rose garden, Dick.

And that is, I think, probably everything I have today.

Q In other words, they are going to bury us at sea? (Laughter)

Q Ron, did the Special Prosecutor tell Attorney General Levi and did Attorney General Levi tell the President that he was looking into the campaign finances question, campaign records of either Congressman Ford, Vice President Ford or President Ford?

MR. NESSEN: Let me answer that in two ways: The simple way is to say no.

Q No, the Prosecutor did not tell Levi and Levi didn't tell the President?

MR. NESSEN: That is correct. The Wall Street Journal does not say so, either, I might just point that out, but to answer your specific question, no.

Q What is the situation?

Q What is the non-simple way?

MR. NESSEN: Obviously, I don't know, we don't know, what, if anything, the Justice Department or Special Prosecutor is doing. As I told Marilyn, in response to her question, you know, the Wall Street Journal does not say that Congressman, Vice President or President Ford is in any way involved in this.

Q Can I follow that up? Were any records of the President requested or subpoenaed?

MR. NESSEN: No. As I say, there was no contact whatever with the White House in respect to this matter. There is a fairly complete public record, however, and that is contained in a document that some of you may have or certainly could get hold of. It is the report of Chairman Rodino and his House Judiciary Committee, which conducted a very extensive investigation of the President at the time of his nomination for Vice President.

It dealt, it seemed to me, rather forthrightly with the President's background. You probably don't want me to read to you from this document, but I would say you should look at the document, certainly the first 13 pages of it and --

Q Is the President bewildered by all of this?

MR. NESSEN: Helen, since there is no allegation that I know of -- and I read the Wall Street Journal carefully and I talked to Jerry Last night before he ran it -- the way I read it there is no suggestion in any way that has anything to do with the President.

Q What do you think it has something to do with?

MR. NESSEN: You would need to ask the Special Prosecutor that, Helen. It is not something that I can really talk about from here.

Q Ron, did you talk with the President this morning about this story?

MR. NESSEN: The President is aware of the story.

Q Can you tell us what his reaction was when you discussed it with him?

MR. NESSEN: He mentioned the first 13 pages of this report, which I suggest you read if you are interested in this area.

Q Ron, did he indicate he was disturbed by the story or did he ask Phil Buchen to take any specific actions?

MR. NESSEN: Since the story in no way mentions, implies, suggests, or anything else, that --

Q There is an implication.

Q Ron, don't you think the Calhoun quote implies that there is a connection with the President?

MR. NESSEN: The fact that the Seafarers Maritime Union -- I mean, first of all, the facts assembled here by the Wall Street Journal are not particularly new, is my understanding. But again, if you look at the story, there is no suggestion that the President is involved in any way.

Q There is an implication in the story in the Calhoun quote.

MR. NESSEN: Russ, read the 13 pages of this report, or I can dip into it for you. These very matters were considered by, as you will see here --

Q Involving those unions, specifically?

MR. NESSEN: All of the campaign contributions --

Q Ron, we can do that. My question was directed specifically to the President's reaction to the Wall Street Journal story and the implication that is contained in the Calhoun quote.

MR. NESSEN: Russ, as I say, there can really not be any or need not be any reaction since the Wall Street Journal story does not say the President is --

Q Did the President say nothing to you about that story?

MR. NESSEN: He referred me to the report, which I am referring you to.

Q Ron, there is one line in that story which refers to the Marine Engineers Beneficial Association being his largest contributor in 1972 and there could well be an assumption on that that they are subpoenaing those records in connection with the President. Do you have any information of any kind to indicate whether those records are being asked for in connection with the President?

MR. NESSEN: Do you mean from here?

Q No. They have subpoenaed the records of the Marine Engineer's Beneficial Association for the contributions that were made in 1972. What I am asking is simply whether or not you have any knowledge at all whether that is in connection with the President. I mean, are they subpoenaed?

MR. NESSEN: I thought that is what Marilyn's question was, and the answer was no, and your question is somewhat broader. Do we have any indication that this subpoenaing of records back in Kent County has anything to do with the President; is that the question, basically?

Q I am asking you specifically about the records of this one association, not the Kent County records. I am asking you specifically about that association.

MR. NESSEN: Let me tell you what Peter Rodino's Committee reported back in 1973.

"The Committee reviewed all the reports and statements Congressman Ford and his political committees were required by law to file with the Clerk of the House of Representatives and with Michigan officials. These reports were available for Mr. Ford's campaigns from 1954 to 1972. A more extensive analysis of the 1970 and 1972 campaigns was completed and the results followed."

Then, it goes on to report on the various committees that were analyzed, and so forth. It did this to determine whether there were any improprieties or illegalities connected with his campaign.

Their findings are as follows: "Congressman Ford, and the committee supporting him, submitted data required by Michigan law and nothing unlawful was apparent from a review of such reports. With regard to voting, Congressman Ford's 1970 and 1972 campaigns, questions were raised as a result of statements appearing in newspaper articles and a book published in 1972. These questions were fully investigated and disposed of to the Committee's satisfaction."

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Q Ron, I am sorry, but I don't think that that does answer my question at all. I take it the answer is no, but I would like to have the answer come from you. Do you have any knowledge of whether or not the Special Prosecutor obtaining the records of the Marine Engineers Beneficial Association involves the President of the United States in any way?

MR. NESSEN: I see.

Q Because that association has been under investigation.

MR. NESSEN: The Marine --

Q Yes.

MR. NESSEN: That is what I said earlier, that that was an old aspect of the story.

Q What is the answer to the specific question?

MR. NESSEN: I don't think I can go beyond what I told Marilyn, which is that we have received no indication whatever here that the President is involved in any investigation. Now, you would have to ask the Special Prosecutor what are his aims or the Justice Department if indeed there is such an investigation going on, but we have certainly not heard of any. We have not been told or heard that the President was involved.

Q Has anybody here made any effort to find out if the President is the target of an investigation?

MR. NESSEN: Bob, that seems to me to be a backwards -- I mean, here is an investigation that was conducted by 400 FBI agents, 25 staff investigators, the President's campaign --

Q Could I interrupt for one second?

MR. NESSEN: I don't think so, Helen. Wait a minute.

Q In Watergate they had 500 FBI men, they boasted about it and discovered nothing. (Laughter)

Go on. It is not a question of with how many FBI men it becomes relevant.

MR. NESSEN: I am bleeding from both of those wounds.

-- 400 FBI agents, 25 staff committee investigators. Campaign records dating back to 1952 were reviewed very carefully and the results are in this report.

Q Could I follow that up?

MR. NESSEN: Let me finish my answer.

Q When you finish the answer, I have a follow-up.

MR. NESSEN: It seems to me, Bob, that your question is really can you prove that the President is not under investigation, and it seems to me that that is not the way it is supposed to work. There is no evidence, we have none certainly, and the Wall Street Journal didn't report any, and Jerry on the phone last night didn't have any when I asked him that question.

There was no evidence that I know of, that the White House knows of, that Jerry knows of or that the Special Prosecutor has said anything about that, that the President is under investigation. I think it is a difficult thing to say, and I think in effect what you are saying is, can you prove that the President is not under investigation.

Q No, I am not. I am just saying as a matter of common sense if I got up this morning and was having my breakfast there and opened up the Wall Street Journal and looked down there and saw a story that said all my campaign records had been subpoenaed --

MR. NESSEN: But it didn't.

Q -- wouldn't it be just a matter of common sense to say, "I wonder what this is all about? Shouldn't I try to find out what this is all about?" I mean, are you telling me that nobody around the White House has made any effort to find out? maybe that is improper; I don't know.

MR. NESSEN: Bob, I think that is not a proper analogy and it is not a proper quotation, really, from the story. What the story said was that the Special Prosecutor has subpoenaed the records of the Kent County Republican organization. Now, if you got up this morning and read that the Special Prosecutor had subpoenaed CBS expense account records, for instance -- I am using this as an example --

Q Ziegler used to use that kind of analogy all the time.

MR. NESSEN: You know, you would not automatically think, "Oh, my God, I am under investigation," (Laughter) especially if you had already had 400 FBI agents, 25 Congressional staff people, the House Judiciary Committee, the Senate Rules Committee go into your record and history and life at great depth and come up with this report.

I mean, if the President had not been through that procedure, then perhaps I could see that your suggestion might be the right course of action, but having been through this procedure and having, as I told Marilyn, in no way had any indication that the President is involved in this at all, we did not get in touch and say --

Q And you don't intend to?

MR. NESSEN: And don't intend to.

Q Are there any White House lawyers or anyone around the White House looking into any of this at this time?

MR. NESSEN: Into any of what?

Q Any of these questions raised by the story.

MR. NESSEN: I am not sure what questions are raised by the story, Marilyn.

Q The subpoenaing of records of MEBA, of Kent County, of any record that might in any way perhaps not affect --

MR. NESSEN: As I say again, there is no suggestion in the Wall Street Journal and there is no suggestion that has been delivered directly here by either Justice or the Special Prosecutor that the President is involved, and since he has already been through this -- as I told Bob, if the President's past had never been looked into and this question or the set of questions were raised, okay, but it is not something that has never been thought of or never mentioned in public before.

The House Judiciary Committee and the Senate Rules Committee and the Justice Department have been through the President's past very thoroughly.

Q I am just trying to pin it down. No White House counsel, lawyer, staff man is looking into anything at this point in connection with former Congressman Ford, campaign records?

MR. NESSEN: That is right. I said before that is right.

Q Ron, your presentation makes it seem that the President is not even interested in the story. We don't have a feeling from you what his reaction would be. I mean, these records after all concern his home, where he is from. If it is not him that is being investigated, it is presumably somebody he knows. You would think he would be intensely interested.

MR. NESSEN: I think you are making a couple of great leaps there, Pye. As I said, there is nothing in that story that suggests that the President is under investigation.

Q How about the first line? "Ford's past campaigns appear to be under Federal investigation." What does that mean? It is English.

MR. NESSEN: That is Jerry Landauer's -- I mean, is there nothing to support that?

Q Ron, the President must have said something like, "Boy, are these guys off on the wrong track. This is silly. This is ridiculous." I mean, what did he say? He just referred you to the 13 pages of the thing? Is that all he said?

MR. NESSEN: That is correct.

Q Ron, does the President feel that --

MR. NESSEN: Wait a second, Pye. Let's not go off here with more than there is here. The Wall Street Journal does not suggest that the President is involved in this. We have not heard that the President --

Q It suggests exactly that.

MR. NESSEN: I don't think so.

Q Ron, two questions. One, does the President or anybody in the White House suspect any political motivations behind the appearance of this story at this time and, two, does the President or any of his staff see any political implications emerging out of this story?

MR. NESSEN: On the first question, that is not something that I feel I ought to address, and the second part of it is I don't see how there can be any since, as I said, there is no suggestion there that the President is involved and since the 400 FBI agents, the 25 staff members and the two committees of Congress have pretty thoroughly gone into the President's background.

Q Ron, if you have no information about whether or not any of these records involve the President that have been subpoenaed, how can you be sure that the information in the Rodino committee report answers them, if you don't know what it is they are investigating?

MR. NESSEN: But, as I told Bob, I don't think I have an obligation to prove that the President is not under investigation. As far as I know, there is no suggestion or evidence that the President is under investigation.

Q Ron, when did the President find out these records were subpoenaed?

MR. NESSEN: When Jerry called me last night, I told the President that the story would be in the Wall Street Journal today.

Q My question is, when did he find out that the records had been subpoenaed?

MR. NESSEN: I don't know that he knew before that.

Q Could you find out?

Q Did anyone else around here know?

MR. NESSEN: I don't know. I will check.

Q Ron, would you be willing to rephrase this and say there is no evidence of the President's involvement in this story rather than no suggestion because the first line has been just quoted, "Ford's past campaigns appeared to be under investigation." That is a suggestion, isn't it, Ron?

MR. NESSEN: That is Jerry's suggestion.

Q Then there is a suggestion in there. What you are saying actually is that there is no stipulation or no evidence.

MR. NESSEN: I don't know of any evidence that the President is --

Q Then you will rephrase that.

Q You have been a reporter and you know that reporters will not write a thing like that in a responsible newspaper, a responsible reporter, unless somebody has suggested to him that that is the implication.

MR. NESSEN: I talked to Jerry about this and I pointed out to him after he gave me the details of what he had that I didn't see anything there that indicated that this involved the President. He said, "That is right, but he may be," and I said, "Well, I suppose you could say that about almost anything," and that was my contribution.

Q Was the President a little bit annoyed about this story coming on here? He is two days away from the debates. This is something that he obviously considers, from your reply, to have been settled. Doesn't this bother him greatly that such a story appears at this time?

MR. NESSEN: He has a lot of other things that he is doing and he didn't appear particularly --

Q Particularly what? What was the last word?

MR. NESSEN: He didn't appear particularly disturbed, to use your word. As I say, he referred me to this and asked me to refer you to that.

Q Ron, several times you have invited us to get comments from the Special Prosecutor.

MR. NESSEN: No, I haven't. I was asked questions that I could not answer and I said you will have to get that from the Special Prosecutor. I am not suggesting that --

Q My question is, would you welcome a statement by the Special Prosecutor to clear up this matter?

MR. NESSEN: As I told Bob, my concept of the way things work is that it is not required that a man prove himself innocent or prove himself not to be under investigation. It seems to me that the way our system works is that a man has to be proven guilty or has to be shown to be under investigation, as is the issue here. I would not think --

Q Would you welcome a statement by the Special Prosecutor?

MR. NESSEN: I don't know that since the Special Prosecutor or nobody else has ever said that the President is under investigation. I don't know what it is that the President needs to clear himself of.

Q Ron, that does not answer my question. Would you think it is appropriate and welcome to have the Special Prosecutor make a statement?

MR. NESSEN: I do not think it would be needed since there is nothing that I have ever seen to indicate that the President is under investigation for anything.

Q Would this be an appropriate subject for the debates, Ron, do you think?

MR. NESSEN: That is up to the three panelists if they choose to ask the question, Pye.

Q Ron, do I interpret you correctly then as far as the White House is concerned this Wall Street Journal story today is just sort of a third-rate story, that it is not very important? (Laughter)

MR. NESSEN: Let's see. Phil, I cannot answer for Jerry, I cannot answer for the Special Prosecutor, the Justice Department, any Grand Jury. All I can answer for is the President. As I read the story, Jerry does not say that he or the Special Prosecutor or anybody are investigating the President, and that is all it seems to me I have an obligation to say. I cannot speak for the Prosecutor or the Grand Jury.

Q Ron, did you talk to Buchen about this this morning and discuss how to handle the questions that would arise?

MR. NESSEN: I checked with Buchen to get the facts I needed to answer the questions.

Q Ron, could I ask inasmuch as the President is now also the Republican candidate for President--would it be possible for those of us who cover him to ask him questions about this today inasmuch as he has not got anything on his schedule this afternoon except staff meetings.

MR. NESSEN: If you want to ask him, he will say read the report of Peter Rodino's House Judiciary Committee.

Q You have questions you cannot answer here. Now why can't you ask him to come --

MR. NESSEN: What are they? Let me see if I can answer them for you.

Q They are legend and you can read back the record. Why can't we have the Republican candidate come out and answer questions for reporters, as any candidate would in a campaign?

MR. NESSEN: I will make him aware of your interests, but if there are unanswered questions, I would be more than happy to answer them because I feel that --

Q I want to get one in about another point.

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MR. NESSEN: Wait a minute. I want to finish answering Walt.

My intention was, and I told John before I came, was to answer every question on this matter because, as I say, I don't see where there is anything that says the President is under investigation and I want to stand here and I want to answer all your questions so you don't leave here with any questions on this matter.

Q I am still not clear on why he does not seem too enthusiastic about getting a statement from the Special Watergate Prosecutor.

Let's do it in reverse. Does the President object to having the Watergate Prosecutor give him a statement which he could release explaining the status of any investigation that might concern him? What is the President's objections to that?

MR. NESSEN: Do you want a letter from the Special Prosecutor concerning any investigation of you that may be underway?

Q The Special Prosecutor sends it to me and I make a determination as to whether I want to use it.

MR. NESSEN: Do you want that letter?

Q If I thought that might shed light on it, sure.

MR. NESSEN: Why would the President go and seek clearance, to use the word that somebody used here, when as far as I know he has been, as he said himself many times, cleared by 400 FBI agents, 25 Congressional staff investigators, two Congressional committees and the Senate and House of the United States. I mean again to come back to my point that my understanding of the way things work is that people don't need to prove themselves innocent.

Q Bob Dole went through the same thing a couple of weeks ago --

MR. NESSEN: I think a very much similar thing.

Q -- when he said the Special Prosecutor could resolve it in his case by making a statement. Does the President object to Dole's comments?

MR. NESSEN: I just don't see the relevance of the question since there is no evidence, that I am aware of, that the President is under investigation.

Q Ron, if you grant that the question still remains. When you give your 400 FBI agents litany, the question remains whether what the Special Prosecutor is looking into was material that was covered by that.

Now, it would seem to me that you are in the middle of a campaign. Don't you have any interest at all in setting any question about that to rest?

MR. NESSEN: I told John I was going to stand here as long as it took to set every question about that at rest, Lou, but you know I can't answer the questions if we all start from the point that -- what can you tell us to prove that the President is innocent? I don't think I can do it from that angle.

Q That was not my question.

Q My question is whether the President is under investigation?

MR. NESSEN: Okay. As far as I know, nobody has said he is, there is no evidence he is, Jerry Landauer does not say he is.

Q Has the White House tried to find out? This is the question that is asked.

MR. NESSEN: We are beginning to go in a circle, Jim, because I have answered the question already. It is not incumbent upon the President to prove that he is not under investigation.

Q Ron, you keep referring to this report.

Q Ron, we are not asking about proof, we are asking whether he has inquired or whether anyone has inquired.

Q Ron, could I ask, can you say that the President feels that he has done no wrong, his record is clear, et cetera, et cetera?

MR. NESSEN: That was attested to by the House of Representatives and the Senate of the United States.

Q Did the President say that? Not what Rodino says.

MR. NESSEN: What do you want me to do? Why don't you word the question this way, Dick. Would you say that the President is no crook? Isn't that the question?

Q Ron, have you given us all the facts that Buchen gave you this morning?

Q You raised that question, I think it deserves an answer.

You raised the question. Now that deserves an answer.

MR. NESSEN: I think if you don't have the sense of humor to notice a facetious remark when you hear one --

Q I thought it was funny when Nixon said it.
(Laughter)

Q Any more jokes, Ron?

MR. NESSEN: Pye, I am glad you are with us, I really am.

Q Can I have the Xerox machine privileges back, Ron?

MR. NESSEN: Pye gets his Xerox privileges back.

Q Ron, is it inconceivable to you or to anyone in the White House that some new information may have been uncovered in the course of an investigation of a particular union that may have caused them to reopen certain questions that you say were answered in 1973?

Now, is no one asking himself that question in the White House, that there may be something new and that the 13 pages don't answer that question?

MR. NESSEN: Again, it is very hard to answer some of these questions because the implication of them is, can you prove to us that there is no new evidence or that the President is innocent.

Q Would you answer the question?

MR. NESSEN: All we know, Marilyn --

Q Ron --

MR. NESSEN: Let me finish answering, Jim, because I know what Marilyn is raising here.

You know, all we know is that this massive investigation was conducted at a time when perhaps people were even more suspicious of public officials even than they are now, and it was done by the House Judiciary Committee and Peter Rodino, its chairman, which have a reputation for --

Q And he voted against the Vice President's confirmation on the House floor.

MR. NESSEN: Well, this report is a report of the committee based on its investigation, and I don't know of anything that has happened in the meanwhile to change the conclusions.

Q They probably do, though, that's the point.

MR. NESSEN: Who does?

Q Apparently the Special Prosecutor in investigating the MEBA or whatever other group he has been investigating has come up with things that has caused him to say, "I would like the Kent County records."

MR. NESSEN: But what is there in your fund of knowledge or in Jerry's piece today that leads you to believe that it has anything to do with the President?

Q What leads you to believe that it is not worth asking the question maybe there is something?

MR. NESSEN: I think it is worth asking the question but again, how do I answer the question, prove to us that the President is not under investigation?

Q No one is interested, no one is asking, no one is looking, no staff member is concerned. That is what you are telling us, and you are speaking for the President.

Q Is the President Ford Committee looking into this?

MR. NESSEN: Not to my knowledge.

Q Ron, did I understand you to say that no one in the White House or the PFC is making any inquiries about this at all?

MR. NESSEN: Not to my knowledge.

Q Has anyone else outside the White House staff, perhaps in Grand Rapids or private counsel here in Washington, been asked on the President's behalf to, you know, make a phone call, make an inquiry?

MR. NESSEN: Not to my knowledge.

Q Ron, would it be improper for the Special Prosecutor to make a statement on this?

MR. NESSEN: I am not going to suggest anything for the Special Prosecutor to do.

Q Would you veto it? Would you say it is not proper?

Q Would you consider this an election year campaign smear?

MR. NESSEN: I just cannot answer a question about what the Special Prosecutor should or should not do.

Q Just so we can round out today's denials, did you give an ultimatum on the Whyte matter?

MR. NESSEN: Okay, that is an easy one.

Q Can you answer my question, please, about the campaign smear?

MR. NESSEN: I am sorry.

Q Does the President consider this a campaign smear tactic?

MR. NESSEN: I am not going to answer that kind of question. I have tried to come here, as I told John I was going to do, and deal factually and in as much detail as anybody cared to go for as long as anybody cared to do it, but I am not going to respond to that question.

Q Could we just get this Whyte thing?

Q Just one question. You came prepared to discuss this issue, so I assume that you felt you were going to get a lot of questions?

MR. NESSEN: I had that nagging suspicion.

Q Realizing the concern that we are expressing, do you think that the President may see this as an indication that perhaps the American people would like this issue cleared up also and then maybe release a statement?

MR. NESSEN: I don't know what you mean by "cleared up" because it has not --

Q We are very confused as to how concerned President Ford is about that first statement that was made in the Wall Street Journal.

MR. NESSEN: It was not a statement, it was a report about what Jerry found apparently to be the subpoenaing of some records from the Kent County Republican Committee.

Q Do you think that the indication that we have given you as to our concerns will be a further indication that perhaps the American people would like to know?

MR. NESSEN: I would be happy to stay here and attempt to deal with your concerns for as long as it takes to do so.

Q So, your answer is no, you don't think that --

MR. NESSEN: Let me hear some of your concerns and let me deal with them before we leave this.

Q They have been mentioned several times on the floor.

MR. NESSEN: Let me hear what they are.

Q We are wondering if the President is concerned about whether or not his personal campaign records are going to be subpoenaed.

MR. NESSEN: I don't know of anybody who said they were.

Q You said they were. You said the President was not concerned, he is not investigating it.

MR. NESSEN: I think we are probably back pretty close to the starting point. The President's campaign records going back to 1954 were analyzed by the House and the Senate and the committees of the Senate and House and by the FBI and their conclusions are contained here, and I don't know of anything that I have seen published, or otherwise, to indicate that there has been any re-opening or new interest in contradicting that finding.

Q Ron, are you saying that the President did not even say this morning, "Oh, look at this, they are opening this up again," or any comments at all; just when he saw the article he said to you, "Show them the first 13 pages in the report." He didn't say, "Oh, damn, look at this again"? You know, "What a headache"? He didn't say anything? He just said, "Tell them just look at the 13 pages in the report"?

MR. NESSEN: He didn't say, "Look at the first 13 pages." He said that was all gone into, call to their attention the conclusions of the Senate and House after a thorough investigation.

Q What did he say last night when you told him that Jerry had called you?

MR. NESSEN: That was last night.

Q The President must have had some human reaction, maybe a smile or, "Gee whiz," or --

Q Not even a "Gee, I wonder who they are investigating"?

Q "What is going on here"? Nothing?

MR. NESSEN: He didn't.

Q When did the President see William Whyte last? Was it last Friday?

MR. NESSEN: What was last Friday? I don't know. I didn't find out when he last saw him.

Q Has he talked to William Whyte since the stories concerning the mutual golfing?

MR. NESSEN: I don't think so. As I told Helen last night when she asked me about the golfing thing, yes, of course, the President played golf twice at that club -- I forget the name of it -- once in 1964 and once in --

Q Hold it. Twice? Go ahead. Pine Valley.

MR. NESSEN: I guess that is the name of it. Played twice at the Pine Valley course once in 1964 and once about five years ago. Bill White, just by way of background, is a friend of his. The President says 28 years, Bill says 24 years, but somewhere in that area.

Q Ron, who paid the transportation?

MR. NESSEN: I don't know who paid the transportation. It apparently was by car.

Q Ron, can you tell us if the President feels he has done nothing improper, that nothing improper has transpired?

MR. NESSEN: Again, is there a suggestion that there was anything improper? I hate to deny something that he is not, in effect, a charge.

Q Mr. Whyte has refreshed his memory since the three earlier statements in which he said he personally paid for these expenses and now says that the corporation paid for the room and board.

MR. NESSEN: Right.

Q Does that change your reaction at all?

MR. NESSEN: No. My reaction was, as I told Helen last night, the President went to play golf twice at the club of an old friend.

Q Does the President feel he has violated the code of ethics that went into effect in 1968 by doing this in 1971?

MR. NESSEN: Does the code of ethics apply to such a situation?

Q Yes.

Q It applies that you should not take favors from people who were involved in lobbying, and so forth, with the Congress, yes, after 1971. There is a suggestion that something improper has gone on here.

Q Does that not fly in the face of the speech to the Baptists about misdoings and wrongdoings in Congress?

MR. NESSEN: Look, Bill Whyte is a friend of either 24 or 28 years -- over 20 years, let's say -- played golf twice with Bill Whyte at his club. I don't know, I am not familiar with the details of that particular statute that you cite, Phil, so I just don't know what the provisions of it are.

Q Ron, how is this different from a General going to a hunting lodge in Maryland?

MR. NESSEN: I suppose the difference is that Bill Whyte has known -- well, I don't want to make any contrast with any other episode that I am not familiar with.

Q I want to make the point because there has been disciplinary action taken against military officials for spending one or more weekends at the hunting lodge of a defense contractor.

MR. NESSEN: I am not going to make any contrast, as I say, with any situation that I am not familiar with totally. Again, Bill Whyte is a friend of 24 or 28 years standing, who the President went twice with to play golf.

Q Marvin Mandel is a long-time, life-long friend of the people he is on trial with, too; that is his opinion.

Q Does the fact that he is a friend ameliorate the ethical violation of the House Code? Is that what you are trying to tell us?

MR. NESSEN: I told Phil I am not familiar with the provisions of that and I cannot make the judgment as to how this fits into that code.

Q Ron, let me try this: Has the President, in any way --

Q Just a minute.

Q I am sorry. I didn't know there was another question.

MR. NESSEN: Somebody is reading the code.

Q The provision says: "A Member of the House of Representatives shall accept no gift or substance of value directly or indirectly from any person, organization or corporation having a direct interest in legislation before the Congress."

That is paragraph four of the code of ethics passed on April 3, 1968.

Was the President aware that U.S. Steel was paying for the room and board?

MR. NESSEN: I don't know myself what the financial arrangements were for the golf trip.

Q Mr. Whyte says that U.S. Steel picked up the room and board and the travel expenses.

MR. NESSEN: I myself don't know what they are.

Q Ron, we reasonably asked you to find out. We are not talking now about something that is a Special Prosecutor, but something that involves the President and one other person. Can't you find that out for us?

MR. NESSEN: I could, and I will ask.

Q Could I ask a related question on this matter of U.S. Steel paying the President's room and board when he was a Member of the House?

MR. NESSEN: Yes.

Q Mr. Whyte, I believe, has said on a previous occasion that when he and his wife and Representative and Mrs. Ford went on a golfing vacation somewhere in the west, he payed Mr. and Mrs. Ford's room and board, but that the President subsequently sent him a check for his share of that golfing foursome weekend. Why didn't the President send Mr. Whyte a check on these two occasions?

MR. NESSEN: I am not familiar with that other occasion, Jim, and I would have to look into it.

Q Ron, can you give us a statement, at this point, that the President sees nothing wrong with what he did on this visit?

MR. NESSEN: In playing golf with Bill Whyte?

Q No, not in playing golf. Picking up the tab.

MR. NESSEN: I think I will just leave it with the explanation I have given Dick.

Q You have not given any explanation.

MR. NESSEN: The President went twice to play golf at the club of a friend of his of long standing.

Q Is that your full statement?

MR. NESSEN: I told Helen that last night.

Q Yes, but now the question is not whether he went or not, it is a question of who paid. Nobody is disputing that he went.

MR. NESSEN: Bill Whyte, I hear, quoted back here, but I don't know of my own knowledge who paid.

Q Ron, before you check on who paid, I assume you cannot tell us, the President cannot affirm that he didn't pay for it. Someone, whether it was a corporation or Mr. Whyte or who knows?

MR. NESSEN: I will have to check that. I do not know who paid for what.

Q Ron, is the White House investigating or concerned about the fact that there have been charges that terrorists of another nation have come in and caused a terrible explosion at 23rd and Massachusetts today and the charge is being made on radio publicly that the junta of Chile's government did this and that they are being backed by and helped by the U.S. CIA. There were two deaths in the accident. Are you investigating this?

MR. NESSEN: I knew that there had been an explosion in a car and basically that is all I know. It happened, I think, only shortly before this briefing.

Q Could you look into it and give us a report on it later today, please?

MR. NESSEN: I think it is being investigated by the authorities and I am not sure that the White House would be involved in that kind of thing.

Q The White House should be because it involves another nation and it involves the former Ambassador.

MR. NESSEN: I didn't know any of the details of it except that there was an explosion.

Q There will be details and you can find out in an hour, I am sure. Will you give us a report?

MR. NESSEN: I will see whether there is any White House aspect to this.

Q I would certainly think that the White House should be interested in whether or not another country could come in here and have terrorist activity right in the heart of our city.

MR. NESSEN: I don't know any of the details, who it was or what, but if there is any White House aspect --

Q The charge is being made by the Chilean Solidarity organization that this was a direct act of terrorism by the Chilean government.

MR. NESSEN: If there is any White House aspect of it, I will let you know.

Q Has the President been informed?

MR. NESSEN: Of the explosion? I don't know. I will have to check.

Q Ron, about how many times since he has become President has Mr. Ford played golf at Burning Tree with Mr. Whyte? How frequently do they play together?

MR. NESSEN: I don't know. The President does not play golf much any more. I would have to see if there is a record that has been kept of that. I don't know.

Q Do you know, by any chance, how many times overall the President has gone out of town when he was a Congressman or Vice President or conceivably as President, but anyway, as Congressman and Vice President, how many times he has gone out of town with Mr. White or other corporate representatives to play golf or on other types of vacations?

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

Q And of those times, how many times they
or their companies have paid the expenses?

MR. NESSEN: I don't know that.

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Q Could I ask again for you to elaborate on your explanation of the Whyte thing, saying that he is a long-time friend of the President? In view of the President's statement on June 15 to the Baptists, "We cannot stand very long on the shifting sands of situation ethics," and the President goes on to say, "Forgiving hearts and tolerant attitudes are among the greatest lessons of Christian teaching, but at some point we must take a stand and say 'this is right and this is wrong and there is a difference.'"

Now, I would like to know how you can justify the violation of the House ethics code by virtue of the fact that this man just happens to be a long-time friend of the President.

MR. NESSEN: I am not myself prepared to make -- first of all, I don't know the full wording of the House ethics code and I certainly would not make a judicial ruling from here that a trip up to play golf was a violation. I mean, I don't think it is proper for the Press Secretary to make a ruling in what is basically a judicial matter.

Q Would it be proper for the House Ethics Committee?

MR. NESSEN: I have told you how the President views that trip, which was a visit to play golf with an old friend.

Q Ron, has the President ever reciprocated with his old friend Bill Whyte in being host, had him out to his club and paid the bill or whatever? I mean, something similar?

MR. NESSEN: I assume so, but I can't state that as a fact.

Q Has he said something to that effect?

MR. NESSEN: No, but I mean if you have had a friend for 28 years I assume you take your friend to lunch once in a while and he takes you to lunch.

Q That is the relationship, yes.

Q Can I ask a question on another matter?

MR. NESSEN: Yes.

Q Excuse me. Before we move on, are you unable to give us a firm statement that the President sees nothing wrong in what he did?

MR. NESSEN: No. I think what I would prefer to do is to tell you how the President views the two trips to play golf and that they are trips with an old friend.

Q Would it be wrong to go out of this briefing today to sum it up this way: Nessen suggested there had been no wrongdoing on the President's part in either case, the one we talked about earlier or this one, but he flatly refused to rule out such a possibility?

MR. NESSEN: No, Bob, I would say that if I had to sum up the briefing, my own view is that the reason I have hesitated to do what Dick is asking or that others have asked to do, which is I think to deliver a kind of ringing defense of the President in both of these cases, is that I don't know what I am defending against.

In one case, the Wall Street Journal story, there is nothing there that says that the President is under investigation or suspected of anything or the target of anything, so I don't see how I can deny something when there is no charge to deny.

The other case I think is similar in that how can I issue what Dick is requesting or that Bob says he would like, which is a statement saying the President is innocent of any wrongdoing when nobody has said there was any wrongdoing?

You know that this has been my long-time feeling here on other occasions about the President and others, which is that I hesitate to deny what has never been charged in the first place.

Q Aside from his feelings, though, you will find out from us whether he knew that corporate funds were spent.

MR. NESSEN: First of all, I think it is important to find out whether corporate funds were spent.

Q Well, Whyte said they were.

MR. NESSEN: Okay.

Q And I think President Ford would agree.

MR. NESSEN: I think so. He is a friend of the President for 28 years.

Q Has the President talked to his good friend of 24 or 28 years Bill Whyte since this story broke?

MR. NESSEN: Not to my knowledge, although I don't keep up with every single phone call the President makes.

Q Has anybody at the White House talked to him?

MR. NESSEN: I ran into him at a party last night.

Q About this matter?

MR. NESSEN: We chatted about this matter.

Q What did he say?

Q Did you coordinate statements?

MR. NESSEN: No, we did not.

Q Where was this party?

MR. NESSEN: At the Iranian Embassy.

Q What all happened at the party? Just idle talk?

MR. NESSEN: I got there a little late and shook hands with the Ambassador and then I went in and ordered a drink and said hi to some friends.

Q What transpired?

MR. NESSEN: Nothing. I guess I had called him earlier when Helen talked to me about the story and said, "What is the story?" He basically said, "The President came up and played golf with me twice, once in 1964 and once about five years ago," and I said okay.

Q Is that the source for your saying twice or is the President the source for your saying only twice?

MR. NESSEN: The President is my source for saying twice.

Q You did not ask Whyte whether he paid for it or the President paid?

MR. NESSEN: I did not, no.

Q Did you ask the President?

MR. NESSEN: I didn't raise the question of who paid because the context of two visits were two old friends playing golf.

Q Ron, you are saying that these two things you have been asked about are the same and in one case --

MR. NESSEN: No, I don't mean to say that they are the same. Lou, are they the same in the context of my hesitating to do what Bob and Dick suggest, which is to issue a ringing denial, and I just as a general policy, which I think I have followed here in the past of not denying what has never been charged in the first place.

Q Well, there is a question here and there was an ethics code provision read to you. I presume accurately out of that a Congressman is not supposed to have a corporation that is lobbying and doing business with the Congress pick up his tab.

Now, that is an entirely different kind of question than was asked about the other. Why can't you tell us?

MR. NESSEN: You know, I recognize that there is this code that was passed, but having a portion of it read to me and standing in the Briefing Room at a podium and trying to make a legal judgment as to whether this applies I don't think is proper for me to do.

Q How many days was each trip? Did you ask, or were you told?

MR. NESSEN: One was a long weekend and the other was briefer.

Q What does that mean? What is a long weekend, like three days, four days?

MR. NESSEN: No. I don't know. I don't know, actually.

Q The brief one, how brief was it?

MR. NESSEN: I don't know.

Q Was it more than two days?

MR. NESSEN: I don't know the exact length of the second one, either.

Q When was this?

MR. NESSEN: 1964 was the long weekend.

Q Ron, all I was asking you to say was that the President sees nothing wrong with what has been reported, that there was nothing wrong in what he did. I am not asking about --

MR. NESSEN: But who said there was?

Q Well, there is a report. There are questions being raised. Can you simply say that the President is aware of the story? You are aware of the circumstances, so can you not say that he finds nothing wrong with what occurred?

MR. NESSEN: Dick, it has always been my policy not to deny things that are never charged.

Q Obviously there is some question about a Member of Congress accepting --

MR. NESSEN: Questions are not charges. You will agree to that.

MORE

Q The ethics code has been violated if, indeed, as Whyte says, the U.S. Steel Company paid for something.

MR. NESSEN: Again, Marilyn, I cannot stand here, have a portion read to me and make a judgment as to whether that is right.

Q I am not asking you about the House ethics code. I am just asking you, in general, can the President not say that he feels there was nothing wrong in what he did?

MR. NESSEN: Going to play golf in New Jersey with an old friend?

Q At the corporation's expense.

MR. NESSEN: See, then you load it up with things that I don't know from my personal knowledge.

Q You mean to say nobody here has ever thought to inquire as to --

MR. NESSEN: Dick, it is obvious that if the President thought there was anything wrong, he would not have done it.

Q That was then. We are talking about now.

Q Did he know that it was at the corporation's expense?

MR. NESSEN: I don't know and I will find out if I can.

Q Ron, if you are going to find out, I would like to ask, on another subject, since both the President and Mrs. Ford have been perfectly forthright in discussing various carnal problems, why did you, yesterday, decline all comment on Governor Carter's published views on lust which are the subject of page one stories in both Washington papers? Could we get a little bit more? I mean, you just dismissed the suggestion the President is not human, or something. What about this?

Q Is he human?

MR. NESSEN: I can confirm that the President is human.

Q And he has looked on women with lust?

MR. NESSEN: I mean, I want to be forthright and open about the human question.

Q That is right. Now, the question about looking on a woman with lust, what about this, Ron?

MR. NESSEN: I am not, as I said yesterday, going to have anything to say about the interview in Playboy Magazine.

Q How does he compare with --

Q Those are charges we have seen, are they not?

MR. NESSEN: I have said I would never deny a charge which has not been made.

Q May I ask a question? On September 7th, the President signed H.R. 12261 forbidding the District of Columbia City Council from changing its city code, criminal code.

MR. NESSEN: I think that is right.

Q It is right. The House of Representatives and the Senate rushed that measure to passage, presumably assuming that they were going to stop implementation of a sort of a backlog of gun control legislation that was sort of backed into by the city government -- in other words, they offered the police regulations.

Now, according to interpretations that are being given around the District Building, H.R. 12261 does not, in fact, block implementation of gun control and the city government plans to go ahead with it after the waiting period has expired, I believe 60 days from the day after tomorrow. Was it the President's intent to block gun control from being introduced in the city and in the District of Columbia when he signed H.R. 12261?

MR. NESSEN: I carried that note around for weeks and weeks and nobody ever asked about it and I took it out, but I think Jim Shuman can maybe tell you about that since he has done a lot of research on it.

Can you, Jim?

MR. SHUMAN: That bill was to --

Q Ron, can we have people be quiet so we can hear?

MR. SHUMAN: The purpose of that bill was to allow more time for the revision of the D.C. Criminal Code. There was some question here when we looked at it as to whether it did have the statutory power to change a revision in the gun control law. There also was a question of that in Congress and there was a concurrent resolution introduced to take care of that.

I think that answers the question, does it not?

Q I don't quite get it.

MR. NESSEN: You confused the hell out of me.

Q Did the President sign it because he thought there was some question as to whether they had the right to --

MR. NESSEN: No. It was to give more time.

MR. SHUMAN: The answer was, it was to give more time to revise the D.C. Criminal Code, which is a long process that is being done.

THE PRESS: Thank you.

END (AT 12:43 P.M. EDT)