

The original documents are located in Box 35, folder “Nixon Pardon and Papers - Press Conference, 1974/09/16 (Ford) (2)” of the Philip Buchen Files at the Gerald R. Ford Presidential Library.

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1. Equal Treatment for Watergate Defendants
2. Pardoning Watergate Defendants; "The Study"
3. Background: Usual Clemency Procedure
4. Outside Clemency Review
5. Getting the Facts Out
6. Knowing What Was Pardoned; Pardon Scope
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1. EQUAL TREATMENT FOR WATERGATE DEFENDANTS

(See also "Integrity of the Law" at page 8)

QUESTION: Is it an unjust denial of equal treatment to refuse to pardon the Watergate defendants?

ANSWER: The situation of former President Nixon is very different from that of the Watergate defendants, especially those awaiting trial. */ The Nixon situation is unique.

1. Previous Official Determination. Richard Nixon has already been found unanimously by the House Judiciary Committee to have engaged in substantial misbehavior.

2. Punishment Already Suffered. To resign from the Presidency is a disgrace in history and in the eyes of the people. To be raised to this office, especially by a landslide vote, is to be honored extraordinarily. To leave it under the circumstances in which Richard Nixon did, is to be punished more than any other American leader has. To be sure, there is punishment in any fall from grace, but the depth of Richard Nixon's fall is unique.

3. Public Contribution. In dispensing mercy we should look not only to a man's transgressions but also to his contributions to the public welfare. There may not be unanimous acclaim for Richard Nixon's policies, but perhaps even his severest critics admit that some of his policies advanced the public interest and contributed to world peace. Such contributions are a matter of degree, but Richard Nixon's situation is unique.

4. Public Distress or Polarization. Many Americans would be distressed over the indictment and the appearance "in the dock" of a former President. **/ Because, moreover, a substantial number of Americans would feel strongly alienated from any such proceedings, the possibility of political polarization is real.

The cumulative effect is to make Richard Nixon's situation unique. Perhaps some or many will disagree, but perhaps most Americans can understand why I think the Nixon case is different.

ALTERNATIVE QUESTION: Since all the others were involved in the same crime, ostensibly at the behest of their pardoned leader, how can you justify trying them now?

ANSWER: We cannot know whether the facts about the role of these other defendants are as you state them until there is a trial. When the facts become known, they can be taken into account in the usual way after trial in sentencing and in normal clemency procedures. Those who occupy a position of public trust in the service of a President are morally responsible for their own actions.

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2. PARDONING WATERGATE DEFENDANTS: "THE STUDY"

QUESTION: Will you now pardon the Watergate defendants facing trial?

ANSWER: The normal processes of justice will be followed.

FOLLOWUP QUESTION: Does that mean you have decided against any future clemency for (a) those already convicted who have either completed or are now serving their sentences, or (b) those who may be convicted in the future?

ANSWER: The only thing I have decided is that the usual processes should be followed. If I point out that those normal processes include published regulations on Presidential clemency, please do not infer that I am contemplating future clemency.

QUESTION: You said that pardon for Dean and other Watergate defendants is being considered. Did you consider blanket pardoning? If not, what was being studied? Is the study complete? What is the result?

ANSWER:

1. I never contemplated blanket pardons and certainly no general pretrial clemency.
2. The Nixon case is unique. (See elaborated answer on this point.)
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3. BACKGROUND: USUAL CLEMENCY PROCEDURE

Under published regulations, after conviction and sentencing one ordinarily applies for Executive Clemency through the Department of Justice. Upon receipt of the petition, the Attorney General uses the Office of the Pardon Attorney and reviews the request, conducts whatever investigation is necessary, and then forwards recommendations to the White House.

Before petitioning for a pardon, one who has been imprisoned must ordinarily, under existing regulations, wait three years -- or five in certain cases */ -- after his release. (Nothing prevents the Attorney General from making appropriate adjustments in this requirement or from amending his regulations generally.) There is no fixed waiting period for requests for the commutation of a sentence. (Commutation is usually granted only when other relief is not available from a court or parole board, but exceptions are provided for in the regulations.)

The President does not ordinarily review personally each clemency recommendation from the Justice Department. There are too many of them. Under past practice **/ Justice Department recommendations were reviewed by White House counsel who could forward them for personal Presidential attention where necessary.

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4. OUTSIDE CLEMENCY REVIEW

QUESTION: Would it not be better to have the Special Prosecutor's Office or independent advisors outside of the government make recommendations relating to clemency petitions from Watergate defendants?

ANSWER:

1. The Office of the Pardon Attorney was established to process petitions for clemency so that the individuals who prosecute an individual are not the same ones deciding whether he should get clemency. The prosecutorial role of the Special Prosecutor could be inconsistent with the role of evaluating a petition for clemency.
2. Processing petitions for clemency is not a part of the responsibility of the Special Prosecutor as set forth in the regulations for the Department of Justice.
3. Although outside review by persons outside of the government does have certain advantages, there should be a presumption in favor of regular procedures. And I have no reason to believe that this function is not best performed by those persons who do it on a regular basis. They do, incidentally, in the process of preparing their recommendations, solicit the opinion of the prosecutor and make appropriate additional inquiries.
4. Note: As to any fear that the Pardon Attorney (who was appointed during the Nixon administration) might be too lenient with regard to Nixon administration officials involved in Watergate: I have no reason to think so. The Attorney General will, of course, take appropriate steps to insure impartial consideration. Furthermore, Justice Department recommendations will be reviewed in the White House.
5. Note: As to any fear that the usual standards for Justice Department clemency recommendations are too restrictive or too harsh: I am confident that the Justice Department administers its clemency responsibility conscientiously and if any change in its procedures or standards are warranted, I am sure that the Attorney General and the Deputy Attorney General will consider them.



5. GETTING THE FACTS OUT

QUESTION: Does the pardon mean that the people and the history will never know the full facts about Richard Nixon's possible crimes or other misbehavior in office? */ Is the pardon another coverup?

ANSWER:

1. The American people already know a great deal about the Nixon Presidency.
2. The House Judiciary Committee has published its official findings on Richard Nixon's behavior in office.
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6. KNOWING WHAT WAS PARDONED: PARDON SCOPE

QUESTION: Was it wise to pardon Richard Nixon without knowing what, if any, offenses he might have committed?

ANSWER: The Watergate coverup charges are pretty well known and I did have information from the Special Prosecutor's office that not even probable criminal guilt could be established with respect to an additional 10 specified allegations concerning Mr. Nixon.

FOLLOWUP QUESTION: Does that mean that evidence of crime in these or any other now-unspecified matters might not turn up in the future?

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QUESTION: A pardon for Watergate can be understood to serve a national purpose, but why a pardon that covers possible tax fraud as well? Wouldn't the nation be better served by a demonstration that even a President cannot cheat on his taxes?

ANSWER: What really mattered was Watergate and the resulting harassment of the former President. Anything less than a full pardon would have left open the door to continued attacks and would have defeated my purpose which is to put this whole affair behind us.

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QUESTION: Why did you grant the pardon when you did? Wouldn't it have been better to wait (1) until indictment, if any, and trial of Nixon, (2) until wider consultation with Congress and the public, or (3) until the jury in the Watergate trials is sequestered?

ANSWER:

1. Once I had decided that Mr. Nixon should, as an act of mercy, be spared any imprisonment, there seemed to be no reason to open him and the American people to the distress of a trial.*/ Under these circumstances, a trial seemed unnecessarily harassing and vindictive toward him and pardon

NOTE: See separate answers on

- getting the facts out
- getting a judicial determination of standards
- what was pardoned

2. More consultation might have been preferable, **/ but I never doubted the wide diversity of views on this subject. Consensus did not seem possible.

3. Some may think that a pardon for Nixon before the jury is sequestered in the Watergate trials might possibly be thought prejudicial to the defendants, but that is a matter for the courts to decide. Accordingly, further comment on this point by me seems inappropriate.

*/Does not explain failure to wait for an indictment.

**/ The Attorney General might appropriately have been consulted about both substance or form, but you had advice of counsel and based your judgment on your own fundamental conception of mercy and on broad considerations of the national interest.



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QUESTION: Doesn't the pardon mean that significant personages violate the law with impunity while the more humble suffer the law's full rigors? */

ANSWER: This concern is understandable but

1. All persons -- Presidents included -- are subject to the law. And I believe that the law has triumphed in Watergate. It has routed out and put a stop to the Watergate wrongs.

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- (a) whose conduct has already been found unacceptable but
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- (c) who has surely contributed to the public interest in some respects, and
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5. The whole Watergate situation is unique.

ALTERNATIVE QUESTION: Is this pardon a precedent that no President should ever be tried for his possible crimes?



9. JUDICIAL DETERMINATION OF STANDARDS

QUESTION: Doesn't the pardon mean that the courts will never have the occasion to define appropriate standards of conduct for Richard Nixon and other Presidents?

ANSWER:

1. The courts are not the exclusive institution by which governmental standards of conducted are determined. */
2. The courts may have occasion to consider such standards in other cases.
3. The House Judiciary Committee has already made historically significant determinations of this sort.
4. The proper standards of behavior seem quite clear with respect to most Watergate related matters. **/

*/ Constitutional history and other institutions have a very major role in this process.

**/ Whether this is true with respect to the ten other matters of the Special Prosecution Force, most cannot be fully known at this stage.

10. YOUR CREDIBILITY

QUESTION: What do you plan to do to restore your credibility and regain the trust of the American people?

ANSWER: I hope that my credibility is not lost. The country knows that controversial decisions are not always popular. And I have changed my mind on this question. But I hope that even those who disagree with my decision understand that every statement I have made on this subject represented my genuine thinking at the time. Candor is the basis of trust, as I intend to go on speaking sincerely, even when I change my mind.



11. CHANGE OF MIND: PUBLIC REACTION: AGONY INTENSIFIED

QUESTION: Do you now believe that you were correct at your last press conference when you said a pardon now would be unwise and untimely?

ANSWER: As I have said, I reconsidered my earlier judgment and came to believe that a pardon was a proper act of mercy that best serves the interests of the nation. I fully understand that it would have been better for me politically to have stayed with my earlier position, but that is not my criterion.

QUESTION: Did you consider or suspect the public reaction that actually occurred to your pardon of former President Nixon?

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QUESTION: Hasn't the pardon intensified national agony as much as a trial of the former President would have?

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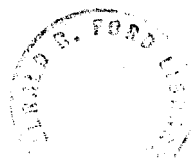
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QUESTION: Was the timing dictated by what you viewed as a health emergency?

ANSWER: As I said in my speech, the former President's health was a factor, but not in the sense of an emergency. My concern is for the very long time needed to start and complete a trial, and once the decision was made, the sooner the better.

FOLLOWUP QUESTION: If not, why did you not do something to prepare the American public for your reversal instead of acting precipitously?

ANSWER: In a matter this controversial there is not much that can be done to "prepare" the public as you put it. All I could do was to explain my reasoning openly and candidly, which I did.



13. "DEAL"

QUESTION: The concern has been expressed here and there that the pardon arose from some "deal."

ANSWER: There was no deal. Had there been any such deal I would not have indicated at my last press conference that indictment and other legal process should probably precede a pardon.

QUESTION: Is it true, as reported in the press, that Haig and Kissinger conveyed Nixon's desire for a pardon to you indirectly before he resigned? Did you indicate to him in any way that you would grant a pardon?

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*Re 9/16 Press Conf.
Clear file*

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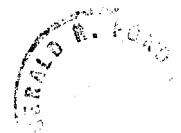
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QUESTION: Do you now believe that you were correct at your last press conference when you said a pardon now would be unwise and untimely?

ANSWER: As I have said, I reconsidered my earlier judgment and came to believe that a pardon was a proper act of mercy that best serves the interests of the nation. I fully understand that it would have been better for me politically to have stayed with my earlier position, but that is not my criterion.

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QUESTION: When did you decide to pardon the former President?

ANSWER:

be back 11:30 - 12:00

Phil -

1. Relevance of
talk about Nixon Health - had to
pardon - not final reason -
occasion for thinking about pardon earlier
not decision
2. Characterize Nixon's state of health in
last few days
3. Amnesty & pardon were they linked in
your mind - Haldeman request for pardon
near end - other proposal was amnesty + pardon
together -
4. Various forms of ^{question} ~~discuss~~ ^{did you} discuss w/ anyone
before - did Nixon people mention
it before
5. Did you give any thought to possibility
of pardoning Nixon before you became
Pres? I read newspaper - it was
debated there -
6. Ask authorization to GSA to pay
Nixon family servants -

whose paying Dr. Tkach?

Anything touching Richard Nixon is
Super charge



8. Can impeachment continue after resign.

I won't tell Congress what to do.

9. What did you learn from economic meeting last week?

What is your Action Plan?

10. Why Haig to NATO over Dutch opposition?

11. ter Horst ? article - R.B.

12. CIA in Chile - ?

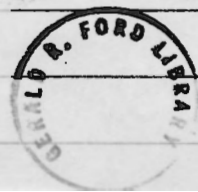
(1) Not my Admin

(2) Past practices have implication

(3) I haven't had time to go into 1970 years?

13. Do you believe Mrs. Gandhi will use atomic energy for

14. Why Vietnam ^{is} amnesty conditional



MEMORANDUM

THE WHITE HOUSE
WASHINGTON

Letter agreement

1. Public interest protected through safeguards
2. Not getting in middle
3. Fairness to RN + third parties

Other questions ^{would be} referred to counsel.

- full disclosure posture
 - a) RN
 - b) mandate of law
 - c) new legislation (?)

Fairness of walking off with materials

- a) Historical precedents
- b) Could be used
- c) Future thoughts



THE WHITE HOUSE
WASHINGTON

September 13, 1974

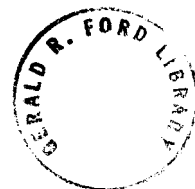
MEMORANDUM TO: Al Haig
Bob Hartmann
Jack Marsh
Phil Buchen
Bill Timmons
Jack Hushen

From calls I have received from a number of candidates, e. g., Paul Laxalt of Nevada (Senate) and Senator Henry Bellmon, R-Okla., the pardon issue is playing tough and two principal questions need to be addressed from here:

1. The reason for the determination by President Ford that the pardon should be granted now rather than later;
2. The effect on President Ford's decision of the former President's state of health.

I trust these will be covered at the next press conference.


Dean Hurch

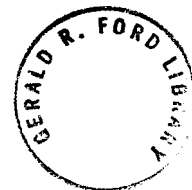


POSSIBLE PRESS CONFERENCE QUESTIONS

- Q. Mr. President, why did you pardon Richard Nixon before he had been charged with any crimes...before the legal process had even started?
- Q. Polls taken since you pardoned former President Nixon indicate the American people were overwhelmingly opposed to such action in advance of prosecution. Do you now regret having issued the pardon?
- Q. Mr. President, why have you asked Congress for \$244,000 more in transition funds for former President Nixon than are required by law?
- Q. Senators Montoya and Hatfield have asked why the tapes and documents could not be stored in some secure federal office building instead of in a special \$100,000 Watergate tapes vault. Would you comment on that, please?
- Q. Mr. President, how do you reconcile asking Congress for \$850,000 for Mr. Nixon while urging the American people to tighten their belts?
- Q. Mr. President, did you personally approve the agreement which gives Mr. Nixon the right to deny requests for access to the Watergate tapes and to wage a court fight against any subpoenas for such material?
- Q. Mr. President, do you believe the remaining Watergate defendants can get a fair trial?



- Q. Mr. President, was the question of pardoning the remaining Watergate defendants a trial balloon?
- Q. Mr. President, the latest report is that Democratic congressional leaders are planning a lame duck session of the Congress. How do you feel about such a session? Do you think it would accomplish anything? If so, what?
- Q. Mr. President, do you agree with those observers who say your pardon of Mr. Nixon has damaged Republican prospects for November?
- Q. Mr. President, is continued aid to Turkey legal?
- Q. Mr. President, don't you think your chances for delaying the congressional pay raise have been damaged by your pardon of Mr. Nixon?
- Q. Mr. President, labor leaders and many economists are urging a relaxing of the tight money policy. Do you favor such action?
- Q. Mr. President, does the drive to lift OAS sanctions against Cuba have your approval?
- Q. Mr. President, the public is angry over skyrocketing health care costs. Are you planning to take any action which would bring greater federal controls over the practice of medicine?



- Q. Mr. President, Mrs. Ford has said her views on abortion are closer to those of Mr. Rockefeller than Senator Buckley. Is that also your position?
- Q. Mr. President, violent crime has risen 47 per cent in just five years. Are you planning to do anything about it?
- Q. Mr. President, Senator Jackson has declared that the decision to supply nuclear reactors to Egypt should be reconsidered. Are you reconsidering that decision?
- Q. Mr. President, Benton Becker is looked upon by many people as a person of questionable reputation. Why did you employ Mr. Becker as a liaison person in connection with your pardon of Mr. Nixon?
- Q. Mr. President, White House aides have said that certain of your advisers lied to Jerry terHorst when he asked if you were considering a pardon for Mr. Nixon. Had you instructed them to lie if they were asked that question? And do you believe they were right in lying about it?
- Q. Mr. President, did concern about the physical and mental health of Mr. Nixon play a key role in your decision to pardon Mr. Nixon? And did Julie Eisenhower appeal to you to pardon her father?

- Q. Mr. President, the wholesale price index rose nearly 4 per cent in August -- the second biggest increase in 28 years. Are you still going to wait until January to do something about inflation?
- Q. Mr. President, you have repeatedly said you are opposed to forced busing. Are you in favor of the busing boycott going on in Boston?
- Q. Leon Jaworski has said he "probably will" issue a comprehensive report on the Watergate scandal that will include the role of former President Nixon. Do you favor such action, Mr. President?
- Q. Mr. President, there is said to be a secret Watergate memo which provided you with a major reason for pardoning Richard Nixon. Is that report true? And if so, what was in the memo?
- Q. Mr. President, are you considering a pardon for John Connally?
- Q. Mr. President, some Americans are calling your pardon of Mr. Nixon a coverup of the coverup. Do you have any comment?
- Q. Mr. President, at your August 28 press conference you said you could make no commitment regarding a pardon for Mr. Nixon because the legal process had not even started yet. Two days later, according to reports, you instructed Mr. Buchen to gather information regarding a pardon. What happened in those two days to make you change your mind?



- Q. Mr. President, an Environmental Protection Agency official says catalytic converters will emit a fine mist of sulfuric acid, which could develop into a health hazard in two years. Are you doing anything about this?
- Q. The Palestine Liberation Organization is seeking direct talks with the United States. Do you favor such talks?
- Q. Mr. President, the continued operation of lotteries by 13 states is threatened because of action taken by Attorney General Saxbe. Do you favor action by Congress to legalize State-operated lotteries?
- Q. Mr. President, what is your position on the tax bill the House Ways and Means Committee is working on? Do you favor tax cuts for the poor?
- Q. Mr. President, a congressional investigator has alleged improprieties in the Law Enforcement Assistance Administration and says they may be part of a wholesale subversion of civil service regulations. Are you taking any action to get at the truth of this matter?
- Q. Mr. Ford, is Charlie Goodell one of your closest advisers? And was he influential in your decision to nominate Nelson Rockefeller for Vice President?



Q. Mr. President, is it going to continue to be the United States' policy to intervene in a clandestine way in the operations of a democratically-elected government if that government happens to be Socialist or Communist?



DATING YOUR DECISION

QUESTION: When did you decide to pardon the former President?

ANSWER:



UNFAIR DISTINCTIONS WITHIN A SINGLE "CONSPIRACY"

QUESTION: It has been said that the situation of the other Watergate defendants is different because none of them was President, and because none has suffered as much. This may be true, and might explain pardoning Nixon and not them if their crimes were different; but since they were all involved in the same crime and ostensibly at the behest of their pardoned leader, how can you justify trying them now? Is it only a concession to the public uproar?

ANSWER: We cannot know whether the facts about the role of these other defendants are as you state them until there is a trial. When the facts become known, they can be taken into account in the usual way after trial.* Those who occupy a position of public trust in the service of a President cannot avoid the moral responsibility for their own actions.

* In sentencing and in normal clemency procedures.



AGONY PROLONGED

Question: Will not this long trial, in the context of a pardoned, alleged co-conspirator, keep Watergate in the national attention and cause just as much division as a trial of the former President?

Answer: There will be some prolonging of the agony, but in my judgment not of the same magnitude as a trial of the former President.

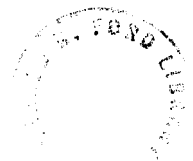
NIXON HEALTH: PREPARE THE PUBLIC

Question: Was the timing dictated by what you viewed as a health emergency?

Answer: As I said in my speech, the former President's health was a factor, but not in the sense of an emergency. My concern is for the very long time needed to complete a trial, and once the decision was made, the sooner the better.

Follow-up Question: If not, why did you not do something to prepare the American public for your reversal instead of acting precipitously?

Answer: In a matter this controversial there is not much that can be done to "prepare" the public as you put it. All I could do was to explain my reasoning openly and candidly, which I did.



CONSULTATION WITH JUSTICE

Question: Why didn't you consult with the Attorney General?

Answer: I did have legal advice from my counsel. My decision was based on considerations of the national interest that go beyond the special competence of the Attorney General.

Follow-up Question: Even if you had already made up your mind to grant the pardon, might he not have been able to give helpful advice on how to go about it?

Answer: I am sure there are many people who could have given such advice. I have been hearing from them all week. I consulted with as many people as I thought appropriate in this case. As I said in my speech, I viewed this decision as one which I alone had to make.



PUBLIC REACTION

QUESTION: Did you consider or suspect the public reaction that actually occurred to your pardon of former President Nixon?

ANSWER: I knew there would be great concern. I did not try to predict its extent, because I believed and still believe that the grant of mercy was the right thing for me to do.

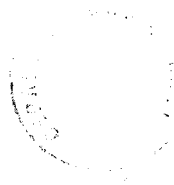
YOUR CREDIBILITY

Question: What do you plan to do to restore your credibility and regain the trust of the American people?

[Very important. Nixon was caught completely unprepared for this one.]

Answer: I do not believe that my credibility is lost.

Presidents sometimes have to make controversial decisions and when they do they lose popularity. And I have changed my mind on this question, as I freely admitted. But I think even those who disagree with my decision understand that every statement I have made on this subject represented my genuine thinking at the time. Candor is the basis of trust, as I intend to go on speaking sincerely, even when I change my mind.



CHANGE OF MIND

Question: Do you now believe that you were correct at your last press conference when you said a pardon now would be unwise and untimely?

Answer: As I made clear in my speech, I reconsidered that judgment after I stated it and I no longer believe that was the best course. I fully understand that it would have been better for me politically to have stayed with my earlier position, but that is not my criterion.



DEAL

Question: The concern has been expressed here and there that the pardon arose from some "deal."

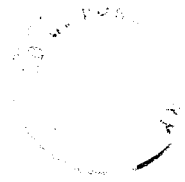
Answer: There was no deal. Had there been any such deal I certainly would not have indicated at my last press conference that the legal process should precede a pardon.



DEAL II

Question: Is it true, as reported in the press, that Haig and Kissinger conveyed Nixon's desire for a pardon to you indirectly before he resigned? Did you indicate to him in any way that you would grant a pardon?

Answer:



OUTSIDE REVIEW

Question: Would it not be better to have some prestigious advisors outside of the Justice Department make recommendations relating to clemency petitions from Watergate defendants?

Answer: Although outside review does have certain advantages, there should be a presumption in favor of regular procedures.

And I have no reason to believe that this function is not best performed by those persons who do it on a regular basis. They do, incidentally, in the process of preparing their recommendations, solicit the opinion of the prosecutor and make appropriate additional inquiries.



RELY ON SPECIAL PROSECUTOR

QUESTION: Would it not be better to have the Special Prosecutor's Office process any Watergate-related petitions for clemency rather than the Pardon Attorney at the Department of Justice?

ANSWER: I do not believe so for two reasons: (1) The Office of the Pardon Attorney was established to process petitions for clemency so that the individuals who prosecute an individual are not the same ones deciding whether he should get clemency. The prosecutorial role of the Special Prosecutor would be inconsistent with the role of evaluating a petition for clemency.

(2) Processing petitions for clemency is not a part of the responsibility of the Special Prosecutor as set forth in the regulations for the Department of Justice.



NORMAL PROCEDURE TOO LENIENT

QUESTION: Might the Pardon Attorney (who was appointed during the Nixon Administration) be too lenient with regard to Nixon Administration officials involved in Watergate?

ANSWER: I have no reason to think so. He knows that his recommendation will be reviewed both in the Justice Department and in the White House.



NORMAL PROCEDURE TOO HARSH

QUESTION: Are not the procedures for processing petitions for clemency unduly restrictive?

ANSWER: I have no reason for believing that they are. (A petition for commutation of sentence has no restrictive waiting period. If the waiting period for pardons is considered to be too long, the Attorney General could amend his regulations to shorten or eliminate the period.)

NORMAL PARDON PROCEDURE

QUESTION: When can a petition for a pardon be filed?

ANSWER: One who has been imprisoned must, under existing regulations, wait three years -- or five in certain cases */ -- after his release. But this waiting period does not apply to requests for the commutation of a sentence.

*/

Such as perjury or the violation of a public trust involving personal dishonesty.



USUAL COMMUTATION PROCEDURE

QUESTION: When can a person apply for a commutation of sentence?

ANSWER: A petition for commutation of sentence may be filed after the imposition of the sentence when other relief is not available from the court or a Board of Parole. Exceptions are made for unusual circumstances.

USUAL WAITING PERIOD

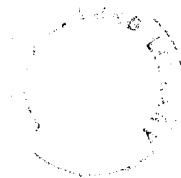
QUESTION: Is not three or five years after release from prison a long time to wait for filing a petition for a pardon?

ANSWER: Perhaps, but nothing prevents the Attorney General from amending his regulations generally ~~for any appropriate category of persons (other than Watergate-related defendants as such).~~

PERSONAL REVIEW

QUESTION: Do you personally review each recommendation of the Attorney General?

ANSWER: I am told that because of the volume of petitions for clemency, time would not permit me personally to review each recommendation. Each one is reviewed, however, by White House counsel, who will then forward to me those cases which they believe warrant my personal attention. Since becoming President, I have not reviewed any recommendations of the Attorney General.



USUAL CLEMENCY PROCEDURE

QUESTION: How does one ordinarily apply for Executive Clemency?

ANSWER: One ordinarily applies for Executive Clemency in the manner set forth in the regulations of the Department of Justice.


This requires the filing of a petition on forms provided upon request by the Pardon Attorney. Upon receipt of the petition, the Attorney General reviews the request, conducts whatever investigation he believes necessary, and then forwards his recommendations to the White House.



PARDON FOR ONE IS PARDON FOR ALL

QUESTION: Does a pardon for Richard Nixon automatically serve as a pardon for the Watergate defendants? Some of their lawyers have noted an 1856 Supreme Court case suggesting that it does.

ANSWER: It is not for me to comment on a defendant's legal arguments pending before the courts.

Note: (Comment on 1856 case  for our information)

