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## NIXON PAPERS

Q. Are the trucks at the EOB involved in moving Nixon papers out?

A. Yes. The Justice Department has obtained permission of the U. S. District Court to remove certain papers of the former President. They are being moved from the Old EOB to the Suitland Records Center. They have been and will remain under GSA control. They will have the same security requirements at Suitland as they have had here. All parties in the suit, Sampson v. Nixon, have agreed.

Q. How much is being moved?

A. 84 palets of 24 cubic feet each. They are materials of the lowest sensitivity.

Q. Has the President set a date for a meeting with the Church Subcommittee?

A. No, no date has been set and I wouldn't look for any date to be set until we have had a chance to go through the material turned over to us by the Rockefeller Commission.

Q. Do you foresee the use of Executive Privilege to deny any material to the Church Subcommittee?

A. That issue hasn't arisen. The Church Subcommittee has made no requests that we couldn't fulfill and the cooperation has been good. (FYI ONLY:  
Rod Hills says it would be very counter productive to get into any kind of discussion about possible invocation of Executive Privilege. END FYI)  
(SECOND FYI ONLY: Rod also asks that we stop referring to the 86-page summary of assassination material and talk only in terms of "Background Material" which the Rockefeller Commission will be turning over to us. END FYI).

QUESTIONS OF REQUESTS FOR PARDONS FROM OTHER WATERGATE DEFENDENTS.

Q. Have there been any requests for pardons by any Watergate defendents?

A. Yes, we received a petition from Chuck Colson's attorney as well as letters from his wife and mother. The petition was forwarded to the Pardon Attorney at the Justice Department for processing and the letters were answered by the White House.

Q. Doesn't this conflict with the way Nixon was pardoned?

A. No, it doesn't conflict. In Nixon's case, we were dealing with a pardon before conviction, and the Pardon Attorney doesn't involve himself in such actions. In Colson's case, he stands convicted (actually plead guilty) and was sentenced, and his request would be handled by the Pardon Attorney.



Q: Any questions relating to THE PARDON

A: The President is preparing to testify before a House Subcommittee on questions surrounding the pardon of the former President. We will not ~~comment~~ prior to that.

*have anything to say*



COURT CHALLENGE TO NIXON PARDON

Q: Will the White House oppose the court challenge that has been filed in trying to rescind the Nixon pardon?

A: I am not clear on all the details of that challenge, but I don't think the White House should comment while it is in the Judicial process.

I'm also told the President is not a party in this suit -- that it really involves the Former President and the people challenging his pardon.

DRAFT OF ANSWERS TO POSSIBLE PRESS QUEIRES ON THE PRESIDENT'S APPEARANCE BEFORE THE HUNGATE COMMITTEE

Q: Why did the President decide to appear in person?

*going to tell the truth.*  
I  
A: The Chairman asked for information from him and the President decided the best approach was the direct approach. The pardon of the former President was an extraordinary act. The pardon power is solely the President's under the Constitution. Since he knows best all the circumstances surrounding the exercise of that power he felt he was the best person to supply the information which was requested.

Q: Does this mean he is waiving his executive privilege?

*NOT TO invoke executive privileges*  
A: Obviously for the limited purpose of <sup>making</sup> his own *personal* responses to the questions in the resolutions he has *decided* ~~waived~~. He understands that the hearing is limited in its scope to the questions and points of information as stated in the resolutions, and ~~is also limited to~~ *also limited to* ~~the scope of his knowledge.~~ *matters within the scope of his knowledge.*

Q: How soon will he appear?

A: At a mutually agreeable time within the next 10 days.

~~Q: Isn't he afraid his appearance might prejudice the Watergate coverup trial?~~

~~A: He condiers that none of the information he has will have any bearing on the trial. But he is concerned, as the subcommittee must be, too, that no prejudicial publicity be generated by his appearance.~~  
*nothing that he or the subcommittee members may say or do will in any way affect*

Q: How can he be sure?

A: He knows that the Subcommittee members share his concern.

Q- ~~call?~~

A- ~~No objection.~~ *Can't come up.*

Q- ~~Call?~~

A- This is a request for info, not an inquiry &



Q: Isn't he afraid his appearance might prejudice the Watergate coverup trial?

A: He considers that none of the information he has will have any bearing on the trial. But he is concerned, as the subcommittee must be, too, that nothing either he or the subcommittee members may say or do will in any way affect the trial.

~~Q - when?~~  
~~A - ~~coverup~~ O'Keefe~~

BERNARD W. FORD LIBRARY



Q: Is he going to set any ground rules as to what he can talk about?

A: The President is prepared to respond to each question and point of information in the resolution.

Q: Will this hearing be open to the public?

A: Yes, he expects it to be open.

Q: Will television coverage be allowed?

A: That is up to the subcommittee.

Q: Has this ever happened before in American history?

A: The history is not entirely clear on this but it appears that George Washington did appear in person to consult with a select committee of the First Congress. Teddy Roosevelt, after he left office as President, testified before 2 congressional committees and there is a report <sup>by</sup> ~~but it is not documented,~~ that <sup>LINCOLN</sup> ~~he~~ appeared before a congressional committee which was looking into alleged confederate connections of his wife.

*Some historians  
had contempor-  
ary newspapers.*



Will the President's presentation be written as well as oral?

There is no manner prescribed for presentation, but I expect he will present his responses orally.



A privileged resolution occurs under Rule 22 of the House. It is one of the oldest procedures of the House to obtain information from the President or heads of departments.

The rule reads as follows: (see photostat)

There are several options available to the President under this rule:

- (1) Ignore the request.
- (2) File written response
- (3) Send a witness.
- (4) Refer to a department for a response (not applicable).

The 7 days means 7 "legislative days."

After 7 days the resolution can be called up by any member on the floor. There is some duplication in the questions in the two resolutions.

Res. 1367 was introduced by Mrs. Abzug and 12 other members.

What are the next steps after the hearing on the Resolution? -- This question should be directed to the subcommittee.



JUDY PETTY

(Burch/GRF Guidance still holds -- as far as Burch is concerned)

Additional:

Q. Did the President do anything for Mrs. Petty -- a photo, a radio tape or a letter?

A. Mrs. Petty was invited to the photo session, as were all Republican candidates. However, she did not come. There have been no tapes cut for Mrs. Petty by the President or any letters of endorsement.

Judy Petty

FOR RON NESSEN:

Judy Petty is ~~in the~~ <sup>vegan and</sup> waging a determined  
and ~~the~~ campaign for Congress. I wish her  
well.

~~Ask Beach - letter sent?~~  
~~No?~~

~~Request TV time~~  
~~for KC?~~



Briefing	Total Questions	Pardon	Nixon Health	Tapes & Documents	Nixon Hold-Overs	Courier Flites-Bfgs	P - FPN Talks	FPN-Staff Talks	Nixon Transition
Ron - #35 Sept. 25	60% 88	(Hungate) 6	7	1		38			(53)
(Jack-#36 foreign mtg. read-out)									
Ron - #37 Sept. 26	7.4% 108	(Hungate) 2	2	3	1				(8)
Bfg. BF to Hospital #39									
Ron #40 Sept. 30	33% 111	(FPN-P 9/17 call) 24 (Hungate) 5			4		4		(37)
Ron #41 Oct. 1	39% 121	(Hungate) 26 (Pardon) 1		18					3 (48)
Ron #42 Oct. 2	87% 138				113				7 (120)
TOTAL	1074	105	19	45	157	100	28	9	14 (477)

44% of the questions asked in briefings from & including PC#2 have dealt with FPN - 477 questions of 1074

Briefing	Total Questions	Pardon	Nixon Health	Tapes & Documents	Nixon Hold-Overs	Courier Flights & Briefings	P - FPN Talks	FPN-Staff Talks	Nixon Transition
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Jack - #29 Sept. 17	54% 126	28	7	12	8			9	4 (68)
Jack - #30 Sept. 17	7% 43	1	1		1				(3)
Jack - #31 Sept. 19	22% 95	1		9	8		3		(21)
Jack - #32 Sept. 20	41% 79				6	27			(33)
Jack - #33 Sept. 20	55% 48		1			25			(26)
Ron - #34 Sept. 24	49% 96		1		15	10	21		(47)
<b>TOTAL</b>	<u>508</u>	<u>41</u>	<u>10</u>	<u>23</u>	<u>39</u>	<u>62</u>	<u>24</u>	<u>9</u>	<u>4</u>

Roughly 41% of the questions have dealt with the Former President - 212 questions out of a total of 508

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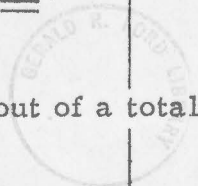


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## NIXON BUDGET REQUESTS

The GSA has asked for a total of \$328,000 in the 1976 budget for Allowances and Office Staff for Former Presidents. This covers the period beginning July 1, 1975 through June 30, 1976. Of this amount, \$203,000 will go to former President Nixon for salaries and authorized expenses, \$60,000 will be utilized for his pension, and \$65,000 will go to the widows of three former Presidents (\$20,000 each and \$5,000 together for postage.)

The detailed breakdown is:

Personnel compensation: Other	
personnel compensation	96
Personnel benefits: Civilian	8
Benefits for former personnel*	120
Travel and transportation of persons	15
Rent, communications, and utilities #	55
Other services	20
Supplies and materials	14
 Total obligations	 328

\*This is Nixon's \$60,000 pension and \$20,000 each for widows of former Presidents. # The widows also get \$5,000 together for postal expenses

NIXON TAPES

Q. The Washington Post says this morning that GSA has a plan for releasing the Nixon tapes. Is that true?

A. I would suggest you ask GSA about that. If you read the story, however, you will find it is a plan required by the by the Presidential Records and Materials Preservation Act which was signed by the President last December.

What is not said in the story is that the constitutionality of this Act has been questioned in the Courts. <sup>By Nixon.</sup> The matter is now before the U. S. District Court here in Washington. The White House is prohibited from moving the tapes of documents by court order, which specifically states that we may not "disclose, transfer, dispose of or otherwise make known to any person..." the contents of those tapes and documents. The White House is in compliance with this court order.

To sum up: The White House will not move the tapes or documents until permitted by the courts.

Q. When might you have this permission?

A. As I have said, this matter is in the courts. It is a very complex legal procedure. For the details, I would suggest the Justice Department could explain it to you.

Let me point out, though, that it could be some time before the legal action is completed and the matter resolved.

Meanwhile, the tapes and documents involved remain at the White House and will do so until the courts have ruled.

Q Describe again the quantity and physical characteristics of the tapes and the manner in which they are stored.

A. There are approximately 900 original tapes, excluding those already turned over to the Court. The tapes are on five inch reels. The brand name is not readily apparent from either the tapes or the containers. The tapes are stored in three safes within a secured area in the White House complex and are protected with appropriate safeguards.

F Y I O N L Y

Q. Is it true that Michael Licata, a Secret Service agent, and the husband of Mr. Mardian's former secretary, has custody of the tapes for the Secret Service?

A. The Secret Service advises that they have no agent by the name of Licata. A Judith Licata is employed as a secretary on the White House staff; however, we are advised that she has never worked for Mr. Mardian in any capacity. To the best of our knowledge, neither Mrs. Licata nor her husband, who is believed to be in employ of GSA, have ever had access to or possession of any tapes.

NIXON TAPES

Q: How many are there?

A: Approximately 888 original tapes.

Q: What kind and brand?

A: Five-inch reels. Brand names are not evident from the tapes or their containers.

Q: Volume of space required for storage?

A: Two five-drawer safes and one four-drawer safe.

Q: The papers--how many cartons or volume or space required for storage?

A: Approximately 42 million papers are in Government control at the White House, the National Archives and the Federal Records Center in Suitland, Maryland. All but a very few storage areas are under GSA jurisdiction. GSA has in the past refused to disclose such information.

Q: How are they guarded? How many people? Around the clock?

A: We have consistently refused to comment regarding the security covering the papers and tapes. However, the Special Prosecutor has personally inspected various storage areas and is satisfied with the security arrangements. In addition, the court has satisfied itself that the level of security is appropriate.

Q: Where physically are they stored?

A: The tapes are stored within the White House complex.

Q: Will they disintegrate over a period of time?

A: We have no way of making this determination--such inquiries should be referred to technical experts. Reasonable steps satisfactory to the Special Prosecutor and the court have been taken to prevent the inadvertent or willful destruction of any of the tapes.



Q: Who has access and by what method?

A: Access to the tapes is granted only to Philip W. Buchen or his designated agents upon memorandum directed to the Director of the United States Secret Service.

Q: What are the safeguards to keep someone from removing a tape?

A: As noted above, we have consistently refused to discuss the details of the method of access or the security safeguards utilized.

JULIE & DAVID/COURIER FLIGHTS

CQ. David and Julie may visit their father in the hospital. Will they use a courier flight or other military transportation?

A. There are no courier flights presently scheduled for the San Clemente area and there are no plans for Julie and David to fly on any other type of military flight.

NIXON HOSPITALIZATION

Q. What about Nixon using transition money for his hospital bill?

A. We have looked into the expenditures and determined that no transition money has been spent for the former President's hospital bills. It is my understanding that there is no provision under the law for such expenditure.

FYI: Since there was no appropriation from Congress, \$50,000 was advanced for the White House unanticipated personnel expense fund through GSA to provide a "cash flow" for the former President. ~~██████████~~ Less than \$10,000 of this has been expended with that amount going for printing costs and office supplies.

Q. How will Nixon pay his hospital bill.

A. That question should go to the former President's staff.

Q. How did Tricia and Julie fly out to California?

A. I would assume they flew by commercial airline. ~~██████████~~  
They did not go on a military flight.



NEW TAPES AGREEMENT

Q: Does this new agreement supercede or replace the previous agreement between Nixon and Sampson.

A: That is something that will be argued in court and it is not something I can comment on here.

1974

COMPARISON OF TRANSITION SPENDING BETWEEN NIXON AND JOHNSON

Q: Do you have an answer to the question I asked last week regarding President Ford saying the expenses for Nixon were comparable to Johnson?

A: GSA has said in the past that the funds requested by former President Nixon are comparable to the amounts requested by former President Johnson.

This is a complicated comparison and you should really direct your question to GSA. You may recall that former President Johnson announced his intention not to seek another term of office in March of 1968, thereby allowing about ten months for the transition to occur before LBJ left office in January of 1969. Whereas former President Nixon resigned abruptly and there was no time to anticipate transitional needs until after the fact.

Other factors to consider are increases in the appropriations voted by Congress for pension and staff allowances. Inflation also has to be considered.

But GSA has the specific answers to specific questions and I suggest you take your queries there. This is too detailed and too complicated to address from the podium.

FORMER PRESIDENT JOHNSON'S TRANSITION FUNDS

Q. Didn't President Johnson spend a lot more money during his transition period than President Nixon will be able to spend in his?

A. Under the Transition Act of 1963 Congress appropriated \$375,000 to assist President Johnson as he returned to private life. Because he left office in 1969, the 6-month transition period extended into the next fiscal year and Congress authorized the former President to continue to spend the transition funds during the next fiscal year, which in effect, gave LBJ an 18 month transition period. The \$375,000 figure does not include LBJ's pension nor staff salaries which are appropriated under different legislation. *+ Former Pres Act + pension, staff*

Q. How much was asked for former President Nixon's transition funds?

A. \$450,000 which has been cut by Congress to \$100,000. GSA also requested \$400,000 under the former President's Act to provide for the President's pension, staff salaries and office expenses. This figure also has been cut to \$100,000 including \$45,000 to pay the staff from February 9 when the transition expires until June 30, and \$55,000 to pay the former President's pension from August 9, 1974 through June 30, 1975.



1974

JUDGE RICHEY'S ORDER RE NIXON TAPES

Q: Does the White House have any comment about Judge Richey's order preventing Nixon's tapes and documents from being transferred to California?

A: The former President has filed a suit seeking to enforce an agreement between himself and the General Services Administration. That matter is now in litigation and it would be improper for me to say anything about it.