

Pardons Position Softened

Ford to Handle Clemency Bids

Case by Case

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By Carroll Kilpatrick
Washington Post Staff Writer

President Ford yesterday drew back from his spokesman's statement Tuesday that pardons were "under study" for Watergate figures and said that any requests for pardon will be considered on an individual basis.

After a stormy protest against his pardon Sunday of former President Nixon and his spokesman's suggestion Tuesday that other Nixon administration Watergate figures might be pardoned, Mr. Ford issued a formal statement that substantially altered the comment made in his name Tuesday.

The President said in effect that those charged or convicted of Watergate crimes would be treated the same as any other individual if they make requests for pardon.

The statement yesterday said:

"The announcement (Tuesday) by (acting press secretary John W. Hushen) concerning study of the entire matter of presidential clemency and pardons was prompted by inquiries to the White House press office concerning Mrs. John Dean's reported statement in reference to pardoning of her husband and similar public statements on behalf of others.

"Such a study is, of course, made for any request concerning pardon of an individual.

"However, no inference should be drawn as to the outcome of such study in any case. Nor is my pardon of the former President, under the unique circumstances stated by me in granting it, related to any other case which is or

may be under study."

Senate Minority Leader Hugh Scott (R-Pa.) read the President's statement to newsmen after a nearly two-hour meeting Mr. Ford held with GOP congressional leaders.

Scott and House Minority Leader John J. Rhodes (R-Ariz.) both said that there is "no study now" of pardon requests for Watergate defendants.

If, as and when the President receives a request for ac-

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tion . . . he will consider it most carefully," Scott said.

"Applications for pardon have not reached the President. When they do that is when a study will be necessary."

Rhodes said that the intent of the Hushen statement Tuesday was to say that if the President received applications for pardon from any Watergate figures the requests "will not be thrown into the wastebasket" but will receive serious attention.

Scott said that Mr. Ford alone made his decision to pardon the former President but informed Scott of it prior to Sunday's announcement. Scott said he told the President it would be controversial but that if it were to be done it should be done quickly.

"My mail is heavily critical," the Pennsylvania senator said, but he added: "I believe that if the President had delayed a decision the country would have divided into two camps and the effect would have been highly divisive."

Scott and Rhodes said they supported Mr. Ford's decision on the former President, but neither suggested pardons for those charged or convicted of Watergate crimes.

Rhodes said he supported the presidential decision because "continuing the Watergate matter is not in the best interest of the country." He said he doubted that Mr. Nixon could get a fair trial anywhere in the United States because of publicity.

Reporters sought without success to determine why the President's clarifying statement on Watergate figures, issued early yesterday, had not been put out soon after the Hushen statement was made shortly after noon Tuesday.

Hushen was repeatedly questioned about his comment at the time. He said that the

President had authorized it. Reporters asked if he recognized the effect it would have on public and congressional opinion, and he said that had been taken into consideration.

Nevertheless, despite repeated inquiries to the press office Tuesday afternoon for clarification, none was forthcoming. Meanwhile, denunciations from members of Congress deluged the White House.

Assistant Senate Minority Leader Robert P. Griffin (R-Mich.), who attended yesterday's congressional leadership meeting at the White House, that the President instructed Hushen to make the original statement because he did not want to indicate the issue of pardons for other was being rejected out of hand.

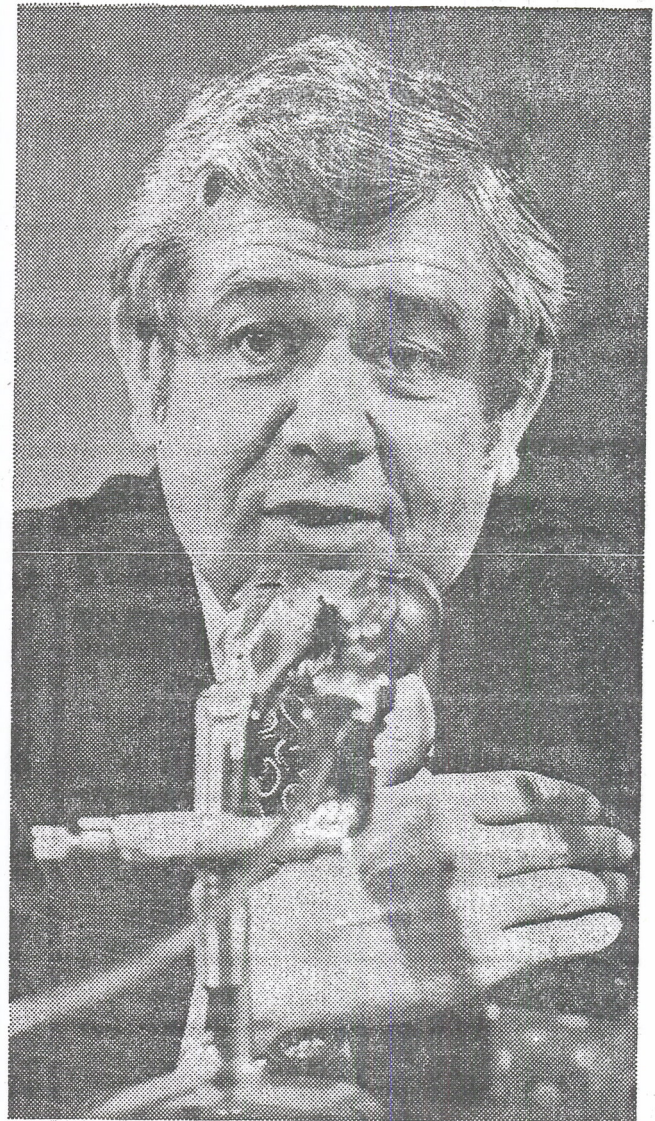
House Speaker Carl Albert (D-Okla.), who was critical of the Tuesday statement, said yesterday when informed of the clarifying statement: "That's what I think they should do."

President Ford is believed to have made a tentative decision to go ahead with Nixon pardon shortly after he told an Aug. 28 news conference that he believed Watergate Special Prosecutor Leon Jaworski "has an obligation to take whatever action he sees fit in conformity with his oath of office, and that should include any and all individuals."

The President felt after the news conference that he was throwing the burden on Jaworski and in effect was ducking a responsibility that was his, informed sources said.

Two days later, on Aug. 30, the President convened a small meeting in his office and discussed his tentative decision on pardon and gave instructions to aides to prepare studies on the matter for him.

Mr. Ford felt that this was decision for him to make, it was said. Scott told reporters



By James K. W. Atherton—The Washington Post

Sen. Joseph M. Montoya, left, and GSA Administrator Arthur F. Sampson at hearing on appropriation for Mr. Nixon.

that if he had been President "it was a decision I would have made alone."

The President's associates said he normally makes decisions after varied consultations, but that he wrestled with the pardon issue alone and made it as a matter of conscience. They have emphatically denied that any deal had been made with Mr. Nixon.

Persons who have talked to the President believe that if he had to make the decision over again he would do the same thing. If he had granted the pardon at a different time he would have encountered the same objections, Mr. Ford believes.

He expected greater support than he received, and was surprised that even some supporters of what he did objected to the timing.

Even persons who attended the Aug. 30 meeting at which Mr. Ford made known his tentative decision to grant a pardon to the former President are not sure whether he consulted anyone after the news conference.

Mr. Ford was aware of the possible charges that could be made against his predecessor and he knew that an indictment and trial would take months if not years.

The President's supporters insist that Mr. Nixon's case was "unique" and that the

same considerations do not apply to Watergate defendants or those convicted of Watergate crimes.

Mr. Ford seemed to make the same point in his formal statement yesterday in which he referred to the "unique circumstances stated by me" in granting Mr. Nixon a pardon. He emphasized that the pardon is not "related to any other case which is or may be under study."

There is no doubt that the public reaction to the pardon of Mr. Nixon stunned the President and his advisers.

They say that he hoped his decision would mark the end of a chapter. Despite the heavy criticism, Mr. Ford's

hope now is that by getting on with the business before him he can regain the confidence he sacrificed Sunday and rebuild some of the "domestic tranquility" he has sought since he assumed office Aug. 9.

There is an acknowledgment that some staff work at the White House has been faulty and that changes are in order. Just how these will be made has not been disclosed, but it is known that the President has been in touch repeatedly with former Pennsylvania Gov. William W. Scranton, whose work on the transition team and as a talent scout was supposed to have been ended some days ago.