

How Nixon Pardon Was Negotiated

By Jack Anderson

The dramatic events that led to the pardoning of Richard Nixon can now be told.

The former President didn't participate in the conversations at San Clemente but let his loyal aide, Ronald Ziegler, do the talking for him.

Not until the parleying had been completed did a taut, troubled Nixon put in an appearance to murmur his thanks. He didn't even mention the pardon. Nor did he ask about the fate of his former aides who face trial Sept. 30 for the alleged crimes that he no longer can be prosecuted for.

In an earlier column, we detailed the reasons that President Ford granted his predecessor a blanket pardon. The overriding reason, according to our White House sources, was to save Mr. Nixon from possible emotional collapse.

But Mr. Ford's lawyers, Philip Buchen and Benton Becker, wanted a "contrition statement" from Mr. Nixon as part of the pardon agreement.

The were concerned that he might aggravate the Watergate controversy by proclaiming his innocence once it was no longer possible for the courts to establish his guilt. As one White House source put it bluntly: "We wanted to avoid the Ted Agnew bull—of protesting his innocence all over the country."

The question of contrition was brought up delicately with Mr. Nixon's crack criminal attorney, Herbert (Jack) Miller. They didn't want to make it a condition of the pardon, so they merely suggested that a cleansing statement from Mr. Nixon would be helpful.

On Sept. 5, Becker and Miller flew out to San Clemente for the final negotiations: White House aides say President Ford's parting instructions to Becker were: (1) he should not promise Mr. Nixon a pardon but should inform him only that a pardon was possible; and (2) Becker should stress that the Watergate case was an "albatross," which Mr. Ford wanted to remove so he could concentrate on solving other problems.

The two lawyers arrived at San Clemente at 11 p.m., and immediately went into a three-hour huddle with Ziegler. After the discussions broke up at 2 a.m., Becker and Miller had a couple of beers and then retired to guest rooms in the San Clemente compound.

Becker was up at 5:30 a.m. to telephone a progress report to Buchen at the White House. Later the talks resumed in Ziegler's office. Frequently, Ziegler and Miller would slip out of the room for whispered consultations. At one point, Becker showed Miller an advance draft of the pardon statement that Mr. Ford might issue.

An understanding ultimately was reached that a pardon, if the President agreed to it, would be followed by a statement of contrition from San Clemente. The contents, if not the exact language, of the statement were carefully worked out.

The details were also finalized for giving Mr. Nixon eventual custody of his presidential tapes and documents, with safeguards to assure that they would be available to the courts.

All the agreements were completed before President Ford's weary emissary sat down with Mr. Nixon himself. Before Becker and Miller were ushered into Mr. Nixon's office, they were cautioned to keep the meeting informal.

They found Mr. Nixon mentally alert but terribly tired and distraught. Ziegler stood at the door while the others sat and talked.

"Thank you for being fair," Mr. Nixon murmured to the 36-year-old Becker. "You are a fine young man."

He was pleased with the agreement to give him custody of his presidential papers, but he made no mention of the pardon or the plight of his former aides.

In a few minutes, it was over. History had been made.

Headlines and Footnotes—Whispers have reached us that President Ford, while he was Vice President, spent a weekend at Hawaii's fashionable

Maunakea Beach Hotel last May at the expense of U.S. Steel's top man in Washington, William G. Whyte. It is true that Whyte paid the bill, which ran over \$1,000, because some of his charges had been added to Mr. Ford's bill. But we have established that Mr. Ford subsequently sent Whyte a check for about \$350 once his correct share of the bill had been calculated... The Greeks are deadly serious about closing their bases to NATO. In the past, the United States routinely flew F-5 fighters, purchased by the Shah of Iran, to the airbase outside Athens on the way to Iran. But the Greek government has now secretly notified Washington that such landings no longer will be permitted. Result: the Pentagon is preparing to crate the fighters and fly them in C-5 cargo planes to the Shah... The defense ministers of several European nations will come to the United States this fall to inspect the small YF-16 and YF-17 fighter planes. At stake is several billion dollars worth of business, which could go to the United States or France... Belgian officials have notified the French, according to intelligence reports, that they would look more favorably upon France's Mirage F-1 fighters if Paris would cease its stubborn ways and participate more fully in the NATO logistics system.

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