

28 Aug 74 (1)

Nixon (\$850,000) - Ford asks Congress to appropriate \$850,000 for Nixon to cover the Presidential transition, his pension and other expenses between now and 30 Jun 75. NYT carries the following breakdown (WXP's figures vary somewhat):

Under Presidential Transition Act of 1963:

\$450,000 - Transition expenses, for a period of six months <sup>AMP - A,</sup> <sub>D</sub> beginning 9 Aug 74. The Act provides for \$900,000 for the transition period, half of it for the incoming and half for the outgoing President. Ford will not receive the \$450,000 allocation because he moved directly into the Presidency without a post-election interval.

Under Former President's Act of 1958:

\$ 55,000 - Pension (\$60,000 prorated for 11 months, Aug 74 through Jun 75.)  
96,000 - Staff salaries. <sup>AMP - A</sup>  
249,000 - This figure "was worked out by the [GSA],  
400,000 reportedly in consultation with Mr. Nixon, as the amount needed to cover the expenses incurred by Mr. Nixon as a former President." See story for itemization, including \$100,000 for "miscellaneous" in addition to various amounts for office supplies, furnishings, travel, etc.

"There is no limit to the amount of money that may be requested to pay the expenses of a former President under the Former President's Act. But [GSA administrator Arthur F.] Sampson said that he did not think Mr. Nixon would seek the funds beyond what was requested today. He said that the amount was arrived at by putting together a composite of the spending of other former Presidents. However, he was unable to provide equivalent figures for [Johnson] or other former Presidents." <sup>AMP - A,</sup> <sub>D</sub> The office complex already in existence outside the gates of the Nixon property will be maintained indefinitely at public expense.

According to NYT story as carried by SFC (but not in available issue of NYT itself), Sampson says Nixon would be within the law if he used some of the \$96,000 allocated for staff salaries to pay his lawyers, but he may not pay additional legal fees out of the \$100,000 miscellaneous fund. The law provides that expenditures from this fund must be approved by the GSA.

NYT 30 Aug 74, Philip Shabecoff; SFC [NYT] 30 Aug 74 (2)

28 Aug 74 (2)

(2:30 p.m.)

Ford is asked, in first question at first press conference/as President, "Do you agree with the bar association that the law applies equally to all men, or do you agree with Governor Rockefeller that former President Nixon should have immunity from prosecution? And specifically, would you use your pardon authority if necessary?" AMP - H

Ford answers, " .... In the last 10 days or two weeks, I've asked for prayers for guidance on this very important point. In this situation I am the final authority. There have been no charges made. There have been no - there has been no action by the court, there's been no action by any jury, and until any legal process has been undertaken I think it's unwise and untimely for me to make any commitment." Repeats this in answers to two other questions, adding to one (Question 5) that a pardon is an option he is not ruling out, and to the other (Question 24, whether he would grant a pardon before a trial took place) that he will not "make any comment during the process of whatever charges are made." AMP - F  
In both answers says he will make no commitment or comment "until the matter reaches me." See entry, Nixon (pardon?).

NYT 29 Aug 74, text - WXP text filed Ford Ad.

- On draft evaders (Question 2, which is on grumbling by conservatives that Ford is moving too far to the left), he says, "I have made a decision concerning amnesty which I think is right and proper - no amnesty, no revenge - and that individuals who have violated either the draft laws or have evaded Selective Service or deserted can earn their way or work their way back."

Ibid.

Nixon (subpoenas) - Two subpoenas are served personally on Nixon this evening; handed to him at 6:10 p.m. (See entry 27 Aug.) Civil subpoena was received by U.S. marshal in Los Angeles 26 Aug. "Mr. Nixon could battle appearing to give the deposition up until the time that the deposition is to be taken. However, in order to block supplying tapes and documents related to the Charlotte incident, Mr. Nixon would have to object by September 9."

SFC 30 Aug 74 [LATimes]

- Service of these subpoenas is done secretly. See story for description of elaborate precautions taken to accomplish this.

WXP 30 Aug 74, William Chapman

(3)

28 Aug 74 (3)

Nixon (pardon?) - See entry, Ford is asked ....

Ford, in his opening statement during testimony 17 Oct 74 before House Subcommittee on Criminal Justice (which was investigating the circumstances leading up to the Nixon pardon) said it was "shortly [after]" his press conference today, when several questions were asked about the possibility of a pardon for Nixon, that he "became greatly concerned that if Mr. Nixon's prosecution and trial was prolonged, the passions generated over a long period of time would seriously disrupt the healing of our country from the wounds of the past." This concern led him to ask his legal counsel what his full right of pardon was, and to ask the special prosecutor what criminal actions were likely to be brought against Nixon, and how long any prosecution and trial would take. See entry 30 Aug 74, Nixon (pardon).

NYT 18 Oct 74, p. 19, col. 2 - transcript

- From story published 12 Feb 76, on plans by the same subcommittee to re-open its inquiry into the pardon:

"Reliable sources in the Nixon and Ford administrations said\*that Haig told at least three of his associates that he had assurances from Mr. Ford that a pardon would be granted. According to the sources these assurances were given on Aug. 28, 1974 - the day of Mr. Ford's first press conference as President and 10 days before the pardon was announced."

"Four members [of the subcommittee] also want additional information on a three-page memo urging a pardon drafted Aug. 28, 1974 by former Nixon counsel Leonard Garment, and a 2½-page statement drafted by Raymond K. Price Jr., Nixon's chief speechwriter, announcing the pardon 10 days before it was granted." The statement by Price would also have been drafted the same day, Aug 28, as that by Garment; see last sentence of paragraph above, in which the author uses the term "10 days" to refer to Aug. 28. (Incorrect - see ~~MEMO~~)

(The committee held an open session 19 Feb 76 and voted four [two Democrats, two Republicans] to three [Democrats] against reopening the pardon issue.)

WXP 12 Feb 76, Bob Woodward

Much more detailed account, WXP 18 Dec 75,  
Woodward and Bernstein.

\*[no date] \*\* (Garment [?], Price [?], Buchanan -  
WXP 18 Dec 75.)

28 Aug 74 (4)

Haig

Leonard Garment

Raymond K. Price Jr.

} See entry, Nixon (pardon?)

Watergate trial - Chief Justice Burger refuses Ehrlichman's request to postpone his trial until 1975, on the grounds of prejudicial publicity, thus "apparently removing the last threat to the scheduled Sept. 30 trial."

WXP 29 Aug 74, John P. MacKenzie

- See also entry 5 Sep 74, Ehrlichman, Justice ... Douglas ...

Ehrlichman - See entry, Watergate trial.

(28 Aug 74) AMP ①

① - See entry 16 Sep 74, Nixon (transition funds, \$1 million).  
See entry 7 Oct 74, Nixon (~~federal employees~~).  
(transition staff).

② - "One of Mr. Nixon's former associates says it was an aide impersonating the former President who drove out of the compound on Aug. 28 in a successful effort to divert waiting photographers from a U.S. marshal who had come to serve two subpoenas upon Mr. Nixon."

WXP 6 Sep 74, Lou Cannon

③ - "President Ford <sup>[at his press conference today]</sup> relieved Mr. Jaworski of the sole burden of deciding whether and how much the former President should be punished for the crimes of Watergate - assuming he is found guilty of them.

"Mr. Ford accepted that responsibility for himself, and said he would exercise it, but not before any charges were made or any action taken by a court or jury."

See entry 9 Sep 74, Pardon.

NYT 29 Aug 74, Clifton Daniel

④ - "If Gerald Ford thought Richard Nixon so liable to criminal prosecution that he needed advance pardon, and if Mr. Nixon felt himself so liable to indictment that he accepted that pardon, why should the American people pay one penny more than the minimum required by law to this discredited man who tarnished their most cherished institution?"

NYT 10 Sep 74, Tom Wicker

⑤ - Ten days would be 18 Aug; two weeks would be 14 Aug.

⑥ - Question 24:

Q. Mr. President, you've emphasized <sup>here</sup> your option of granting a pardon to the former President.

A. I intend to.

Q. You intend to? If an indictment is brought, would you grant a pardon before any trial took place?

A. I said at the outset that until the matter reaches me, I am not going to make any comment during the process of whatever charges are made.

(Cont'd

AMP(2)

(28 Aug 74) AMP (2)

[from previous page]

(The above is from the NYT transcript. WXP transcribes the second question as, "You intend to have that option. If an indictment .... " WXP clipping is filed Ford Ad.)

(G) - One of the subpoenas is for testimony at cover-up trial. This one was received in Los Angeles "11 days ago." AMP H, I  
See also entry, Watergate trial  
SFC 30 Aug 74 [LATimes]

(H) - "Garment drafted his memo ... the evening <sup>of</sup> [27 Aug] at home.... There was a need for immediate action, Garment wrote, because granting ~~the~~ a pardon would become politically more difficult as Nixon increasingly became the target of federal investigators [see entry, Nixon (subpoenas)].... AMP - J

"About 10 a.m. [28 Aug] Haig told Garment that he personally agreed with the pardon recommendation, the source said. Haig also said that Mr. Ford had agreed and was planning to go ahead and make the pardon announcement at his 2:30 p.m. press conference.... Later, according to the same source, Haig called Garment back to say the pardon was going to be delayed because of legal questions.

"Other sources place this Ford-Haig meeting after the 2:30 p.m. press conference and maintain that Mr. Ford had no intention of announcing the pardon that day. However, they do not dispute that Mr. Ford made a commitment to Haig that a pardon would be forthcoming."

WXP 18 Dec 75, Woodward and Bernstein

(I) - "Garment drafted his memo ... the evening [of 27 Aug] at home.... Copies of the Garment memo were placed in two separate brown envelopes. Garment gave one to Haig and the other to Buchen immediately after a meeting of the White House senior staff on Aug. 28."

WXP 18 Dec 75, Woodward and Bernstein

(J) - See entry 15 Aug 74, Ehrlichman subpoenas Nixon .... (This is "the first legal paper involving Watergate aimed at Mr. Nixon since he became a private citizen and unable to claim the privilege of the presidency to avoid testifying in court.") See also entry today, Nixon (subpoenas).

(28 Aug 74) AMP (3)

(R) - " ... the singlehanded decision of the unelected  
Gerald Ford to pardon the unprosecuted Mr. Nixon ... "  
NYT 24 Aug 76, Tom Wicker