

Ford Grants Nixon Pardon For 'Any Federal Crimes'

Party-Line Reaction in Congress

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REACTION

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Washington

Congressional reaction to President Ford's pardon of Richard M. Nixon split sharply along party lines yesterday.

Most Republicans praised Mr. Ford for taking a courageous step, while Democrats criticized the pardon as "premature" and "an outrage."

Virtually all agreed it was a controversial act.

At the White House, switchboard operators said "angry calls, heavy and constant," began jamming their boards soon after Mr. Ford's announcement.

Vice President-designate Nelson Rockefeller called the pardon "an act of conscience, compassion and courage, undoubtedly controversial in the short run, but promising in the long run in that it will speed the healing of our nation."

The pardon drew criticism from one Republican, Senator Edward W. Brooke of Massachusetts, who said: "President Ford's blanket pardon without Mr. Nixon's full confession of his involvement in Watergate is, in my judgment, a serious mistake."

Senator Barry Goldwater, (Rep-Ariz.), said Ford's decision "was the only decent and prudent course for him to follow." He noted that special prosecutor Leon Jaworski "has made it clear that he doubted that former President Nixon could get a fair trial and I certainly agree with him on that."

Senator Edmund S. Muskie, (Dem-Me.) said that pardons normally are not granted "until the accused is in jeopardy of punishment."

Muskie, a lawyer, was interviewed on NBC-TV's "Meet the Press" and was asked whether he agreed with Mr. Ford's statement that it would be a long time before Mr. Nixon would be able to get a fair court trial. "No, I don't," he said. "I don't believe it's necessary to reach that judgment at this point."

Representatives of both parties said granting a pardon to Mr. Nixon raised serious questions of fairness in light of the many others who have been charged for Watergate offenses conducted in the former President's name, some of whom have gone to prison.

Many of the major figures

on the Senate Watergate committee and the House Judiciary Committee, which recommended Mr. Nixon's impeachment, were not immediately available for comment, but one Watergate committee member, Senator Howard Baker, (Rep-Tenn.), said the pardon caught him by surprise. He declined further comment.

Representative Robert W. Kastenmeir (Dem-Wis.) a member of the House Judiciary Committee, in an interview on ABC's "Issues and Answer": "I think the President, acting preemptively, in advance of any formal charges made, perhaps raises more questions than he answers."

One of the harshest early comments came from Representative John Moss (Dem-Calif.) who said: "This is an outrageous act, rewarding Nixon for his crimes and proving that our country maintains a double standard of justice."

Senator William R. Brock (Rep-Tenn.) said Mr. Ford had taken "a tough road" in granting the pardon. "That's the kind of guy he is," Brock said. "There are times when you have to make decisions."

Asked about the six defendants in the Watergate coverup trial scheduled to start September 30, Brock replied: "It is going to be difficult for them to have a fair trial. But I do not believe that the same circumstances warrant a pardon, or even consideration of a pardon, in the instance of other individuals."

Brock was interviewed on CBS-TV's "Face the Nation."

Senate majority leader Mike Mansfield said Mr. Ford's decision "was based on the presumption of guilt" and was "his alone to make."

"It would be easy for me to criticize the President's judgment, but I will not," Mansfield said. "I am disturbed, however, that the process of impeachment was not carried all the way through. That was a congressional responsibility."

"What disturbs me even more now is the 30 or 40 who already have been indicted, some of whom have gone to prison. I can't say what should be done about them — that is the judicial branch of government, not the legislative. All I can say is that I believe in the axiom that all men are equal under the law."

Senator George D. Aiken (Rep-Vt.) praised Mr. Ford's decision.

"He had tremendous courage to take this action at this time in order for the country and the Congress to get down to the business that confronts us," Aiken, the Senate's senior Republican, said.

Among other comments:

Senator Thomas F. Eagleton (Dem-Mo.): "I feel this action is premature."

Senator Stuart Symington (Dem-Mo.): "My initial reaction is surprise."

A.P. & U.P.

Former President Accepts It

FORD PARDONS NIXON

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Washington

President Ford yesterday granted former President Nixon a "full, free and absolute pardon" for any federal crimes Mr. Nixon "committed or may have committed" during his terms in the White House.

Mr. Nixon promptly issued a statement from his home in California, accepting the pardon and admitting he had made mistakes but not acknowledging any crimes.

Mr. Nixon had not been formally charged with any federal crime, but Philip W. Buchen, Mr. Ford's counselor, told reporters at the White House it was "very likely" the former President would have been indicted without yesterday's action.

He noted that one federal grand jury named Mr. Nixon an unindicted co-conspirator in the Watergate coverup months ago, when he was still the President and at a time when there was less evidence of his involvement than is available today.

Mr. Ford, in his formal proclamation of pardon, said he took the controversial step because "the tranquility to which this nation has been restored by the events of recent weeks could be irreparably lost by the prospects of bringing to trial a former President of the United States," a process he said would take a year or more and "cause prolonged and divisive debate" all across the country.

And "finally," Mr. Ford added in a statement delivered rather grimly before television cameras and a small pool of reporters in the Oval Office, "I feel that Richard Nixon and his loved ones have suffered enough, and will continue to suffer no matter what I do."

Mr. Ford had said himself, during his vice presidential confirmation hearings last November, that "I don't think the public would stand for it" if one President resigned and his successor then took steps to quash his possible prosecution. Yesterday he said simply that many decisions in the White House "do not look at all the same as the hypothetical questions that I have answered freely and perhaps too fast on previous occasions."

Mr. Nixon, in the statement issued in San Clem-

ente, said "here in California, my perspective on Watergate is quite different . . . looking back on what is still in my mind a complex and confusing maze of events, decisions, pressures and personalities, one thing I can see clearly now is that I was wrong in not acting more decisively and more forthrightly in dealing with Watergate, particularly when it reached the stage of judicial proceedings and grew from a political scandal into a national tragedy."

Buchen, at the White House, described Mr. Nixon's statement as "a statement of contrition." But he said the statement was not a precondition for the pardon. Nor, he said, was the agreement worked out last week and announced yesterday on the disposition of Mr. Nixon's presidential papers, including tapes of conversations, some of which are being sought as evidence in forthcoming trials, particularly one set to start September 30 in which six former Nixon aides will be tried on conspiracy charges in the Watergate coverup.

Essentially, the agreement puts the documents and tapes under the former President's control. Its purpose, Buchen frankly said, was "so that this administration would not be caught in the middle" on the issue of access to the papers.

Buchen said the President had asked him about a week ago to look into the question of pardoning Mr. Nixon.

The President wanted to know two things, Buchen said: Whether he could grant a pardon in advance of indictment, trial and possible conviction, and how long it would take to bring Mr. Nixon to trial if he were indicted. The problem there, said Buchen, was how to select a jury, impartial and unaffected by the massive publicity given the coverup and various other acts by Mr. Nixon in the last few months.

When the Nixon statement was released by his adviser and former White House press secretary, Ronald Ziegler, he and Mrs. Nixon already were en route to a new haven of seclusion away from their heavily guarded estate of San Clemente.

^{10 EDT}
They left at 7 a.m. in a large black limousine accompanied by Secret Service agents and Mr. Nixon's military aide, Lieutenant Colonel Jack Brennan, reportedly for the Palm Desert estate of Walter Annenberg, ambassador to Britain.

Buchen said he spoke to special Watergate prosecutor Leon Jaworski and was told it would take nine months to a year or more before a jury could be selected, given the decisions of the federal courts on the question of judicial pre-trial publicity.

The prospect of that year was one factor in Mr. Ford's decision, a "long period of delay and potential litigation," as he put it yesterday, during which "ugly passions would again be aroused, our people would again be polarized in their opinions, and the credibility of our free institutions of government would again be challenged at home and abroad."

The President also apparently felt it was a decision he was going to have to make sooner or later, and might as well make sooner, in part perhaps for Mr. Nixon's sake. "It is common knowledge," he noted yesterday, "that serious allegations and accusations hang like a sword over our former President's head, threatening his health, as he tried to reshape his fe."

The phrase "threatening his health" was not included in the President's formal statement and was added as Mr. Ford read it to newsmen.

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TerHorst Resigns In Protest

Washington

Jerald F. terHorst, close friend and adviser to President Ford, resigned as White House press secretary yesterday to protest the pardon Mr. Ford granted to former President Richard M. Nixon.

"The President acted in good conscience and I also found it necessary to resign in good conscience," terHorst said.

A few hours later, Mr. Ford issued a statement through a press aide saying "I deeply regret" the resignation but "I understand his position."

"I appreciated the fact that good people will differ with me on this difficult decision," Ford added. "However, it is my judgment that it is in the best interest of

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AP Wirephoto
JERALD TERHORST
'In good conscience'

TERHORST

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the country. I think Jerry did an outstanding job in a controversial period of transition. I thank him for his service."

Sources said terHorst told Mr. Ford of his plans to resign a half-hour before the President announced that he had decided to grant a full pardon to the man he succeeded in the nation's highest office one day short of one month ago.

The agreement includes a provision that the former President's materials will be placed under an elaborate double lock system and will be preserved for three years for possible use in court cases arising out of the Watergate scandal.

Ultimately, however, the tapes and other documents will be put in Mr. Nixon's hands for his disposal, thus ending a controversy over ownership of the materials, a controversy that started the day Mr. Nixon left the White House.

terHorst, 52, is a longtime Ford friend. In 1948, as a young reporter on the Grand Rapids, Mich., Press, he met Mr. Ford and joined his staff briefly as press secretary in Ford's first race for Congress.

He then returned to newspapers, moving to Washington in 1957 and being named bureau chief of the Detroit News in 1961.

Sources reported that John W. Hushen, hired by terHorst two weeks ago as deputy press secretary, would assume terHorst's post on an acting basis.

TerHorst was told Saturday to secretly prepare his White House press operation for an announcement that President Ford was granting a pardon to former President Nixon.

As the mechanics of arranging for the announcement were nearing completion yesterday, terHorst met privately with Mr. Ford.

According to sources, in that session a half-hour before Mr. Ford's announcement from the Oval Office, terHorst told the President he was resigning.

TerHorst said later that he did not use his resignation to dissuade Mr. Ford from taking the action. "I do not doubt his motives at all," he said, but "I still have my conscience to live with."

Associated Press