

FORD DELAYS HIS AMNESTY OFFER; NIXON'S OBJECTION TO 'CONFESSION' REPORTEDLY STALLED THE PARDON

CLASH ON WORDING

—SEP 10 1974

Conflict on Coast Said
to Have Been Settled
in Calls to Capital

NYTimes

By EVERETT R. HOLLES
Special to The New York Times

SAN CLEMENTE, Calif., Sept. 9—Former President Nixon successfully beat back White House efforts to have him make a full and revealing statement of his role in the Watergate affair in conjunction with his pardon, a reliable source disclosed today.

According to the source, Mr. Nixon was asked by President Ford's lawyers to make what the former President regarded as "a public confession of criminal guilt." He angrily refused, and subsequent negotiations between the two camps caused a delay in reaching an agreement on the eventual pardon.

After Lawyer Left

Not until late Saturday night, after President Ford's representative, Benton L. Becker, a lawyer, had returned to Washington from two days of meetings here, was the conflict resolved in a series of telephone calls, according to a long-time associate of Mr. Nixon.

The former President's statement of gratitude for Mr. Ford's "compassionate act," although more forthright than any he had made previously concerning his involvement in the Watergate scandal, was described as a compromise considerably less contrite than Mr. Ford's lawyers had originally sought. Mr. Nixon, although acknowledging that "I was wrong," did not admit to any criminal acts.

Brought Rough Draft

The negotiations at the Casa Pacifica over the Presidential pardon, Mr. Nixon's White House documents and tapes

and the statement to be issued by him, following a week of preliminary soundings in Washington, began Thursday night when Mr. Becker arrived at the nearby El Toro Marine Air Base aboard an Air Force plane and checked in at the San Clemente Inn, a short distance from the Nixon residence. Waiting for him was Mr. Nixon's new Washington

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lawyer, Herebrt J. Miller Jr.

According to the Nixon friend who described what he called "the sticky situation" over how the former President would respond to the "free, full and absolute pardon," Mr. Becker brought with him a rough draft of what the White House would like to have Mr. Nixon say.

Philip W. Buchen, chief White House counsel for President Ford, had instructed Mr. Becker to explain that a revealing statement of Mr. Nixon's Watergate role was essential, including an acknowledgment of responsibility for the scandal.

Only in this manner, Mr. Nixon and his assistants were told, could the President's action be justified. Nothing less, it was added, would satisfy and protect members of Congress, particularly Republicans up for re-election, who had voted for Mr. Nixon's impeachment on the House Judiciary Committee or had been prepared to support the committee's impeachment bill on the House floor.

The informant, who has visited Mr. Nixon at the Casa Pacifica several times since the latter's arrival a month ago today, said the White House Representative's proposal for "a frank statement of involvement and contrition" resulted from consultations that Mr. Buchen initiated at the President's direction on Aug. 30. These included advice from the

special Watergate prosecutor, Leon Jaworski, and Justice Department officials.

Not Asked About Pardon

In Washington, Mr. Jaworski said he had not been consulted about the pardon, only about how much time might elapse before Mr. Nixon might be assured of a fair trial, if indicted.

However, Mr. Becker informed Mr. Nixon and Mr. Miller that the former President "very

likely would be indicted" if no immediate pardon were forthcoming.

The question over Mr. Nixon's statement arose almost at the outset when the lawyers began their conference at the Casa Pacifica at 9:30 o'clock Thursday morning, with Ronald L. Ziegler, adviser and former White House press chief for Mr. Nixon, participating.

Mr. Ziegler's concern over the depth and detail of what Mr. Buchen wanted Mr. Nixon to say about the criminal aspects of Watergate brought Mr. Nixon into the conference for more than an hour.

The former President was reported to have reacted with a display of anger embarrassing to some of the others in the room when he was given the proposed outline brought by Mr. Becker.

It was then, according to the informed source, that he termed it a "public confession of criminal guilt" and stated that he would not issue it in that form.

The debate over the statement was broken off tempo-

rarily and the less thorny question of custodianship of the Nixon White House documents and tapes was worked out, while Mr. Becker made a series of telephone calls to Mr. Buchen in Washington. Mr. Nixon signed the general pardon agreement late Friday.

The telephone calls continued through Friday and Saturday. A report that they included one conversation between Mr. Nixon and Mr. Ford could not be confirmed.

Mr. Ziegler, in opposing the statement as originally proposed, argued that it would place Mr. Nixon in legal jeopardy, even though he had been granted Presidential immunity from Federal prosecution for Watergate and other offenses.

He said it might, for example, lay Mr. Nixon open to difficulties in the forthcoming trial of his former domestic affairs counselor, John D. Ehrlichman, scheduled to begin Sept. 30. Also, he argued that it might be used as a basis for prosecutions in California or Florida where some of the Watergate transactions occurred.

'General Substance'

The conference broke up at 4 P.M. Saturday and Mr. Becker returned to Washington with a firm agreement on the Nixon White House files and tapes but only "the general substance" of what Mr. Nixon proposed to

say.

Before leaving, Mr. Becker was understood to have advised Mr. Nixon, Mr. Miller and Mr. Ziegler that Mr. Buchen,

still hoped for a "stronger" statement.

After his return to Washington and his report to Mr. Buchen and the President, discussion of the Nixon statement continued in a series of telephone calls between Mr. Ziegler and Mr. Becker.

"Mr. Ziegler until quite late Saturday evening, was calling Washington seeking approval of further changes," the informant said.

Mr. Buchen and Mr. Becker objected to many of the requested changes, but the final result was a compromise, less strong than the President's advisors had hoped for but going beyond what Mr. Ziegler had asked. Earlier, the White House lawyers had objected to the fact that Mr. Ziegler's drafts, while seeming to make a frank admission in one paragraph, would withdraw or soften it in a later paragraph.

At Mr. Nixon's office at Casa Pacifica, on a bluff overlooking the Pacific Ocean, his aides refused to accept newsmen's telephone inquiries today about events leading up to the pardon or Mr. Nixon's 250-word response.

Mr. and Mrs. Nixon, accompanied by Secret Service agents and his military aide, Lieut. Col. Jack Brennan, remained in seclusion at the 200-acre Palm Desert estate of Walter H. Annenberg, Ambassador to Britain who was a heavy contributor to the Nixon campaigns.

W/G

PRESIDENT BOOED

Pittsburgh Protesters Criticize Him for Action on Nixon

By PHILIP SHABECOFF

Special to The New York Times

WASHINGTON, Sept. 9 —

President Ford postponed today his announcement of a plan to deal with draft evaders and deserters.

The White House staff had been saying for more than a week that the President would probably announce his program on Sept. 10—tomorrow.

The deputy White House press secretary, John W. T. Hushen, told reporters returning from Pittsburgh with Mr. Ford aboard Air Force One today that the President would not announce his decision tomorrow and added that he did not know when the program would be announced.

Delay Linked to Pardon

"The events of the past week, especially of the last 72 hours, have not allowed the President to focus on the questions of the conditional amnesty program," Mr. Hushen said, alluding to Mr. Ford's decision to grant an unconditional pardon to former President Richard M. Nixon.

Protesters against the pardon met the President today in Pittsburgh, where he went to address an urban transportation conference, and for the first time since he assumed office he encountered considerable booing. In Washington, some Democrats in Congress urged that in view of the pardon, the impeachment proceedings against Mr. Nixon be reopened. And an aide to Leon Jaworski, the special Watergate prosecutor, resigned in apparent protest against Mr. Ford's action. [Page 28.]

Mr. Hushen said aboard the plane that the amnesty announcement had been put off indefinitely. But later he explained that he had not meant to imply that the issue had been "put on the back burner."

'No Announcement' on Amnesty

He said that President Ford "has not finished his considerations of just what he plans to do.

Mr. Hushen went on: "It is more complex than he thought initially and he wants to be

personally involved in the entire matter. So there will be no announcement tomorrow."

Several White House staff officials said today they could not rule out the possibility that President Ford had concluded that he had better let the dust settle on his announcement of a pardon for Mr. Nixon before disclosing his amnesty plans.

There were indications of some public anger over the fact that the President is extending a full pardon to Mr. Nixon but a plan with strings attached for the young draft fugitives.

Until today's booing in Pittsburgh, Mr. Ford had been meeting uniformly friendly and enthusiastic receptions in his public appearances. However, a large crowd gathered outside the Hilton Hotel in downtown

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area, where the President was speaking to the transportation conference, greeted him with about an equal volume of boos and cheers when he emerged.

Pickets, a familiar sight at Mr. Nixon's public appearances but fairly scarce on President Ford's trips, were out in force today. They carried messages such as "Justice Died 9/8/74"; "The Country Won't Stand for It"; "Equal Justice for All. Who Is All?"; "Equal Justice, Complete Pardons for All" and "terHorst in '76." This last was a reference to J. F. terHorst, who resigned as President Ford's press secretary yesterday in protest against the unconditional grant of pardon to Mr. Nixon.

On the parkway from the airport to the city, standing near the Ziegler Meat Company, a group of construction workers gave the thumbs-down sign as Mr. Ford's motorcade drove by.

A Second Delay

This was the second time the President has put off making his announcement on the draft evaders and deserters. Early last week the White House press office said that the President was delaying his decision because he wanted to confer again with the Departments of Justice and Defense.

Asked today if the pardon for former President Nixon was regarded by the President as more urgent than the other question, Mr. Hushen replied, "That's a conclusion you can draw because one [event] followed the other."

The President has made no change in his previously disclosed plans to approach the issue of the draft evaders and deserters on a case-by-case, category-by-category basis.

When asked if there were any chance, now that Mr. Nixon has been granted an unconditional pardon, that President Ford

would grant an unconditional amnesty to Vietnam deserters and draft evaders, Mr. Hushen replied, "No."

Deputy Press Secretary

Mr. Hushen suggested that he continue to be referred to as "deputy press secretary" although he is now acting in place of Mr. terHorst. He explained that he had not been informed of any change in his status.

He said that President Ford had been conscious of the booing in Pittsburgh and was also aware of other unfavorable



Associated Press

John W. Hushen before leaving the White House for Pittsburgh yesterday.

public reaction to yesterday's pardon announcement in phone calls to The White House.

Before reboarding Air Force One, Mr. Ford made an unannounced stop in Moon Township, near the airport, where he shook hands with and made brief speeches to about 3,500 children from three local schools.

The President received a rousing welcome from the excited boys and girls. He told them that they were "the biggest and finest asset not just of Moon Township but of these whole 50 United States."

Praises G.O.P. Senators

Mr. Ford looked very much like a politician on the cam-

paign trail, especially when he lauded Republican Senators Hugh Scott and Richard S. Schweiker. But he also had words of praise for Representative Thomas E. Morgan, who he said was "A Democrat, a good friend of mine and I think he is a very good Congressman."

But, in general, Mr. Ford seemed less ebullient today than he has seemed in public since taking office and many members of the press corps agreed that he appeared rather grim.

The White House announced

today the date of President Ford's visit to Japan—Nov. 19. The three-day trip would be Mr. Ford's first foreign visit since becoming President. Secretary of State Kissinger will accompany the President.