

# Ford: 'I Want to Assure You

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Following President Ford's statement, subcommittee members addressed their own questions to him:

Mr. Kastenmeier. I, too, would like to join my colleagues in welcoming the President. I do not believe any of us could have anticipated a year ago when the President then appeared as a nominee under the 25th Amendment for Vice President that he would once again appear before this Committee as President of the United States. And I would only comment no matter how well motivated the desire to put Watergate behind us, I can only acknowledge today several key issues in the news this morning. The President's appearance before this Committee, the trial downtown, the Watergate trial itself, and even the nomination of Mr. Rockefeller to be the Vice President, occasioned by a vacancy due to Watergate, all of these still command the attention of the American people and I guess we will just have to be patient.

Mr. President, you indicated that you wanted to spare Mr. Nixon a criminal trial. Did you specifically have any other ends in view in terms of protecting Mr. Nixon, in terms of a pardon? That is to say, whatever a pardon would spare the President, other than a criminal trial, were there any other adversities which a pardon would help Mr. Nixon with as you saw it?

President Ford. As I indicated in the proclamation that I issued and as I indicated in the statement I made at the time, on Sept. 8, my prime reason was for the benefit of the country, not for any benefits that might be for Mr. Nixon.

I exercised my pardon authority under the Constitution which relates only to those criminal matters during the period from Jan. 20, 1969, until Aug. 9, 1974.

Mr. Kastenmeier. I appreciate that Mr. President, but it must have been something you foresaw which could happen to Mr. Nixon which justified a pardon. If in fact you were advised, and perhaps you were not, that there is no proceeding going to be commenced against Mr. Nixon, that nothing would happen to him, really a pardon may have been an empty gesture in that event.

President Ford. Well, as I indicated, Mr. Kastenmeier, after the press conference on Aug. 28, where three questions were raised about the pardon or the possibility of a pardon, I asked my counsel to find out from the special prosecutor what, if any, charges were being considered by the special prosecutor's office, and as I indicated in my prepared by Mr. Ruth, there were ten Mr. Jaworski certain information indicating that there were possible or potential criminal proceedings against Mr. Nixon.

Mr. Kastenmeier. But you did not determine as a matter of fact that there was any intention to proceed to indictment with any of those matters?

President Ford. In the memorandum I believe of Sept. 4, from Mr. Jaworski, prepared by Mr. Ruth, there were ten prepared by Mr. Ruth, there were ten

On the other hand, I think there was I think well known information that there was a distinct possibility of Mr. Nixon being indicted on the grounds of obstructing justice.

Mr. Kastenmeier. The effect of the pardon in terms of ten possible areas of investigation as you saw it at the time was to terminate those investiga-

tions as well as and any possibilities of indictment on those grounds.

President Ford. Well, the power of pardon does cover any criminal actions during the stipulated period and as the pardon itself indicated, it went from the day that Mr. Nixon first took the oath of office until he actually resigned on Aug. 8.

Mr. Kastenmeier. My question is, did you have reason to believe that other than the 10 areas of investigation in the coverup, that the former President might need to be protected in any other area where a possibility of criminal prosecution existed?

The President. I know of no other potential or possible criminal charges, no.

Mr. Kastenmeier. My time has expired, Mr. Chairman.

Mr. Hungate. The gentleman from New York, Mr. Smith.

Mr. Smith. Mr. President, in regard to your answer, on page 8 of your statement, of whether you consulted with certain persons, and in that connection, and in connection with question No. 6 of H.R. 1367, you stated in regard to the Vice Presidential nominee, Nelson Rockefeller, that your only conversation on the subject with him was to report to him on Sept. 6, 1974, that "I was planning to grant the pardon." The question asks whether he gave you any facts or legal authorities, and my question is, did he do so?

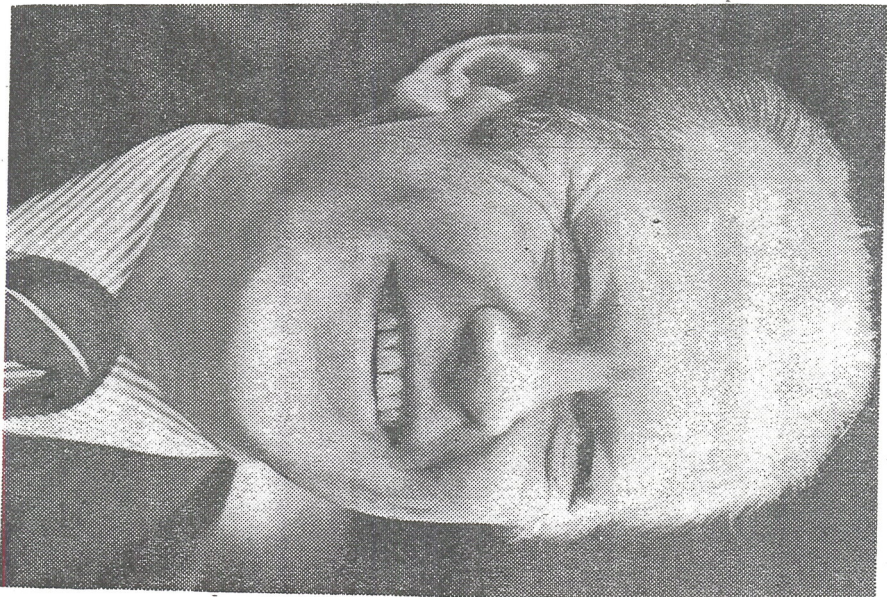
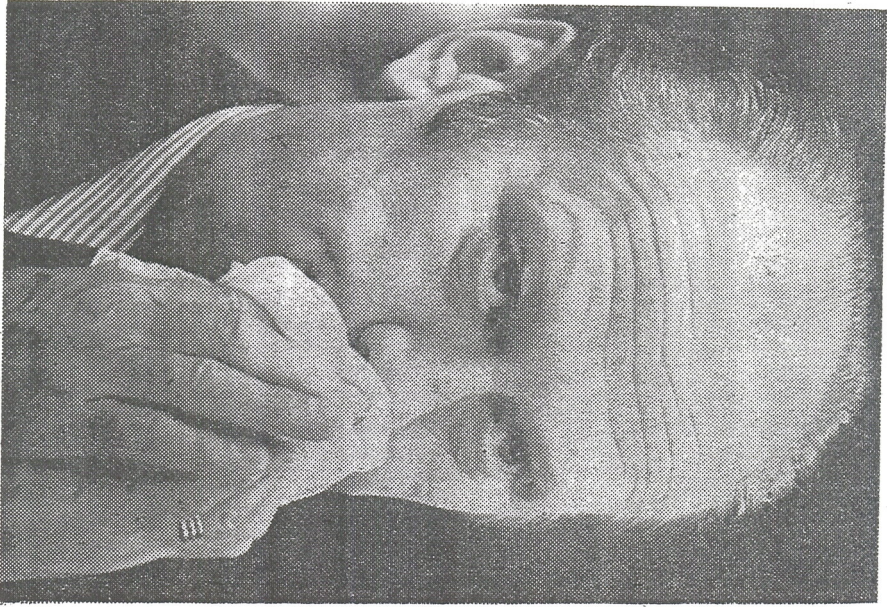
The President. Nelson Rockefeller did not give me any facts or legal authorities. He was in my office to discuss with me the proceedings concerning his nomination, and at the conclusion of the discussion on that matter, I felt that I should inform him of the possible or prospective action that I would be taking. But, he gave me no facts, he gave me no legal advice concerning the pardon.

Mr. Smith. Mr. President, as you were minority leader of the Congress before you became Vice President of the United States, did you at any time discuss the wisdom or advisability of a possible Presidential pardon for President Nixon with President Nixon or any of his representatives, or any member of the White House Staff? This was in the period before you became Vice President.

The President. The answer is categorically no. Before I became Vice President, Mr. Smith, I, on several occasions, and I cannot recall how many, indicated to President Nixon himself that I thought he should not resign. If my memory is accurate, Mr. Smith, before I became Vice President, there were individuals, both in the Congress and otherwise, who were advocating that Mr. Nixon resign. I do recall on one or more occasions telling Mr. Nixon, in my judgment he should not, because I thought that would be an admission of guilt, and on the information I had at that time, I did not believe Mr. Nixon was guilty of any impeachable offense.

... There Was No Deal?





President Ford during his appearance yesterday before a House Judiciary subcommittee on his pardoning of former President Nixon.

Photos by James K. W. Alherion—The Washington Post



Mr. Smith. Thank you, Mr. President.

Now, you touched upon your observations of President Nixon's health, and I wonder whether at any time before you became Vice President of the United States did you learn any facts about his physical or mental health which later became relevant to your decision to pardon Mr. Nixon?

The President. Well, before I was Vice President I saw Mr. Nixon periodically coming to the White House for leadership meetings, or for other reasons, and during that period I had the distinct impression that his health was good. And I did not see any discernible change in my own opinion until the last day or two of his Presidency. And I did notice the last time I saw him in the Oval Office on August 9th, I thought he was drawn and possibly a little thinner, but that is the only observation I made.

Mr. Smith. Thank you, Mr. President.

Mr. Hungate. The gentleman from California, Mr. Edwards.

Mr. Edwards. Thank you, Mr. Chairman.

Mr. President, on pages 10 and 11 of your statement, you indicate that there were some general discussions with General Haig and Mr. St. Clair before the resignation about the pardon power in general.

Did they have any reason to carry a message to then President Nixon that this pardon power could possibly be used on his behalf if he resigned?

The President. None whatsoever. Categorical no.

Mr. Edwards. Then why, Mr. President, were there those general discussions about pardon?

The President. Well, as I indicated in my prepared statement, Gen. Haig came to me first to apprise me of the dramatic change in the situation. And as I indicated in the prepared statement, he told me that I should be prepared to assume the presidency very quickly, and wanted to know whether I was ready to do that.

Secondly, he indicated that in the White House, among the President's advisors, there were many options being discussed as to what course of action the President should take, and in the course of my discussions on August 1 with General Haig, he outlined, as I did in the prepared text, the many options that were being discussed. He asked for my recommendations I would make, and as I indicated in the prepared text, I made none.

Mr. Edwards. Thank you, Mr. President.

Mr. Buchen has said several times, and I believe you have mentioned that the pardon did involve a certain aspect of mercy. Would not the same consideration of mercy apply to the Watergate defendants downtown who now are putting forth as their chief defense their allegations that they were merely acting under orders of Mr. Nixon, then President, and their boss?

The President. Mr. Edwards, in light of the fact that these trials are being carried out at the present time, I think it is inadvisable for me to comment on any of the proceedings in those trials.

Mr. Edwards. Mr. President, put yourself in the position of a high school teacher, shall we say, in Watts or the barrios of San Jose, or Harlem. If you were such a teacher, how would you explain to the young people of America the American concept of equal justice under law?

The President. Mr. Edwards, Mr. Nixon was the 37th President of the United States. He had been preceded by 36 others. He is the only President in the history of this country who has resigned under shame and disgrace. I think that that in and of itself can be understood, can be explained to stu-

dents or to others. That was a major, major step and a matter of, I am sure, grave, grave deliberations by the former President, and it certainly, as I have said several times, constituted shame and disgrace.

Mr. Edwards. Thank you, Mr. President.

Mr. President, do you think that it is wise to pardon a man before indictment or trial for offenses that are completely unknown to you and which might possibly be terribly serious?

The President. Well, as I indicated, Mr. Edwards, I did, to the best of my ability, check with probably the best authority in the country on what, if any, charges would be made against Mr. Nixon. Those were, or potentially were serious charges. I think that in taking the action I did concerning those charges, I was exercising in a proper way the pardon authority given the President under the Constitution.

Mr. Edwards. Thank you, Mr. President.

Mr. Hungate. The gentleman from Indiana, Mr. Dennis.

Mr. Dennis. Thank you, Mr. Chairman.

Mr. President, I would like to state that I too share with my colleagues a deep appreciation for your appearance before our Subcommittee this morning.

Mr. President, on page 7 of your statement where you were talking about your first or your second interview with General Haig on the afternoon of August 1st, you stated that "I describe this meeting because at one point it did include references to a possible pardon for Mr. Nixon." I take it that you have spelled out what those references were over on pages 9, where the options are spelled out, and 10, where you state that you inquired as to what was the President's power, is that correct?

The President. Yes. It is spelled out in the itemed instances, one through six, eight various options involving a pardon.

Mr. Dennis. And does that include everything that was said at that time on the subject of pardon, substantially?

The President. Yes, sir.

Mr. Dennis. Mr. President, I note that on page 10 you state that you asked the General as to what the President's pardon power was, and he very properly replied that he had certain information but could not give a legal opinion.

When, where, and from whom did you ultimately obtain the opinion that you were entitled under the Doctrine of Ex Parte Garland and so on to issue a pardon when there had been no charge or no conviction?

The President. When I came back to the Oval Office, Mr. Dennis, following the press conference on August 28th, where three questions were raised by the news media involving a pardon, I instructed my counsel, Mr. Buchen, to check in an authoritative way what pardon power a President had, and he, several days later, I do not recall precisely, came back and briefed me on my pardon power as President of the United States.

Mr. Dennis. Mr. President, the exercise of executive clemency is, of course, a well recognized part of the legal system in this country, exercised by you and all of your predecessors, is that not the fact?

The President. That is correct, sir.

Mr. Dennis. And you have given this Committee, as I understand your testimony this morning, your complete statement as to your reasons for exercising that power in this particular case?

The President. I have, sir.

Mr. Dennis. And in answer to my

friend, Mr. Edwards, you have stated the fact that you felt that for an ex-President of the United States to resign under these circumstances was sufficient, strong punishment, and that that should answer the problem of those who have raised the question of equal justice under law?

The President. That is correct, sir.

Mr. Dennis. And you would consider those possible pardons on the facts of those particular cases when and if they were presented to you?

The President. That is correct.

Mr. Dennis. And that there was no condition attached to this pardon, and no sort of agreement made in respect thereto before it was granted?

The President. None whatsoever, sir. Mr. Dennis. Thank you, Mr. President. I have no further questions, Mr. Chairman.

Mr. Hungate. The gentleman from South Carolina, Mr. Mann.

Mr. Mann. Thank you, Mr. Chairman.

Mr. President. Mr. Kastenmeier asked you about the termination of the investigation by the Special Prosecutor's Office.

Was it your intention by the pardon to terminate the investigation by the Special Prosecutor's office in the ten areas that you received a report from that office upon?

The President. I think the net result of the pardon was, in effect, just that. Yes, sir.

Mr. Mann. And is that part of the reason that you did not consult with Mr. Jaworski with reference to the tape agreements as to how that might affect his further investigations?

The President. Well, as I pointed out, the tape agreement was initiated between my legal counsel and Mr. Nixon sometime before the question of a pardon ever arose. The reason for that, Mr. Mann, is that I came into office and almost immediately there were demands and requests, not only from the Special Prosecutor, as I recall, but from other sources as to those

tapes and other documents. And one of the first things I did when these problems came to my desk was to ask the Attorney General for his opinion as to the ownership of those tapes or any other documents. And once we got that information, then we felt that there ought to be some discussion as to where the tapes and other documents would be held, and under what circumstances.

Mr. Mann. Now of course, the mandate of the Special Prosecutor's Office was not directed solely at President Nixon, but is it not so that the pardon, in effect, terminated that investigation insofar as other parties, other possible defendants and getting to the true facts of the matters that have disturbed our national political life during these past two years?

The President. I do not believe that the action I took in pardoning President Nixon had any impact on any other mandate that the Special Prosecutor's Office had.

Mr. Mann. What response would you have if the Special Prosecutor's Office now requested access to certain of the tapes now in the custody of the Government?

President Ford. The material that is still held by the government in my understanding of the Supreme Court decision permits the Special Prosecutor to obtain any of that material for its responsibility, and I, of course, not in a personal way, would make certain that the information was made available to the Special Prosecutor's Office.

Mr. Mann. According to press reports, Mr. Clement Stone visited President Nixon on September 22nd and thereafter met with you in Washing-



ton. Are you at liberty to tell us the gist of the communication involving President Nixon from Mr. Stone to you?

President Ford. Mr. Stone came to see me about a program that he has used very successfully in his business, a program which he is very proud of and he was urging me to institute it in the various bureaus and departments of the Federal Government. There was no other message conveyed by him from Mr. Nixon to me.

Mr. Mann. Did you ever discuss the pardon with former President Nixon after his resignation and prior to the granting of the pardon?

President Ford. Would you repeat the question again, please?

Mr. Mann. Did you have any personal conversation with former President Nixon concerning the pardon between his resignation and September 8th?

President Ford. Absolutely not.

Mr. Mann. Now, in response to Mr. Edwards' question about equal justice under the law, I know that you make a distinction that here we are talking about the Office of President of the United States, but let us assume that we are talking about the president of a bank or Governor of a State or Chief Justice of the United States Supreme Court, in whose minds those are very high political offices. Do you think any of those persons who are allegedly criminally culpable through resignation should be entitled to any treatment different from any other citizens?

President Ford. Mr. Mann, I do not think I should answer a hypothetical question of that kind. I was dealing with reality, and I have given in my best judgment the reasons for the action that I took, and to pass judgment on any other person or individual holding any other office in public or private I think it would be inappropriate for me.

Mr. Mann. You have heard the maxim that the law is no respecter of persons. Do you agree with that?

President Ford. Certainly it should be.

Mr. Mann. Thank you, Mr. President.

Mr. Hungate. The gentleman from Iowa, Mr. Mayne.

Mr. Mayne. Thank you, Mr. Chairman.

Mr. Mayne. Now, Mr. President, I think there was perhaps

Mr. Mayne. Now Mr. President, I think there was perhaps one part of Mr. Kastner's questioning of you that was left unanswered and I am going to try to go into that again.

Did you by granting this pardon have any intention of stopping the investigations of any other defendants or potential defendants?

President Ford. None whatsoever.

Mr. Mayne. Mr. President, ever since I first heard of the Watergate break-in I have felt that this was a matter which should be fully investigated and prosecuted and that anyone found to be criminally involved should be punished as provided by the law, and I re-

peatedly stated I thought our American system of justice as administered in the courts was fully capable of handling the situation if permitted to proceed without interference.

I have been apprehensive that the activities of some of the legislative committees and the large amount of publicity attending upon those activities might make it impossible for our court system to function as it should, and I have also been fearful that the Executive Branch would intervene to limit or handicap the normal functioning of the courts.

Now, Mr. President, I must say to

you that I am deeply concerned that both the Legislative and Executive Branches have indeed interfered with our courts, making it extremely difficult for the traditional American system of justice to proceed in the regular manner in his case. And I was very disturbed by the granting of this pardon, particularly at such an early stage, even though certainly there is no question that under the law you had the right to act as you did.

Now, I realize that hindsight is al-

Mann gave Sept 2 as date of Nixon-Stone meeting, as shown by tape of Ford appearance before the committee, and by transcript in NYTimes 18 Oct 74, p. 19, col. 6.

ways better than foresight, but I am wondering if after all that has happened and with further opportunity for reflection, if you do not now feel that you perhaps acted too hastily in this case.

President Ford. Mr. Mayne, I have thought about that a great deal because there has been criticism of the timing, but as I reviewed by thoughts prior to the granting of the pardon, I had to look at this factual situation. If I granted the pardon when I did, it would as quickly as possible achieve the results that I wanted, which was to permit our government, both the Congress and the President, to proceed to the solution of the problems.

Now, some people say in their criticism, and I understand it and I am not critical of the point they raise, I should have waited until Mr. Nixon was indicted, inferring that I should have then pardoned him if I was going to do so.

Well, other people say that I should have waited until he was convicted, if he was convicted, and at that time I should have pardoned.

Others have indicated that I should have waited for a conviction and a jail sentence, if that were the result.

Now, all of that process, whether it is the indictment, the possible conviction, a conviction plus a jail sentence, would have taken, as I have tried to explain, at least a year and probably much longer, and during that whole period of time, Mr. Mayne, all of the things that I wanted to avoid, namely, the opportunity for our Government, the President and the Congress and others, to get to the problems we have would have been I think deeply upset and roadblocked.

So I am convinced after reflection, as I was previously, that the timing of the pardon was done at the right time.

Mr. Mayne. Thank you, Mr. President.

President Ford. Thank you, sir.

Mr. Hungate. The Representative from New York, Mr. Hertzman.

Ms. Holtzman. Thank you, Mr. Chairman, and Mr. Ford, I too wish to applaud our historical appearance here today.

At the same time, however, I wish to express my dismay that the format of this hearing will not be able to provide to the American public the full truth and all the facts respecting your issuance of a pardon to Richard Nixon. Unfortunately, each Member of this Committee will have only five minutes in which to ask questions about this most serious matter. And unfortunately, despite my urging, the Committee declined to provide sufficient time for each Committee Member to ask the questions that were appropriate. The Committee declined to prepare fully for your coming by calling other witnesses, such as Alexander Haig, Mr.

Buchen, Mr. Becker, and has failed to insist also on full production of documents by you respecting the issuance of this pardon. And I must confess my own lack of easiness at participating in a proceeding that has raised such high expectations and unfortunately will not be able to respond to them.

I would like to point out, Mr. President, that the Resolutions of Inquiry which have prompted your appearance here today have resulted from very dark suspicions that have been created in the public's mind. Perhaps these suspicions are totally unfounded and I sincerely hope that they are. But nonetheless, we must all confront the reality of these suspicions, and the suspicions that were created by the circumstances of the pardon which you issued, the secrecy with which it was issued, and the reasons for which it was issued, which

made people question whether or not in fact there was a deal.

President Ford. May I comment there? I want to assure you, the Members of this Subcommittee, the Members of the Congress, and the American people there was no deal, period, under no circumstances.

Ms. Holtzman. Well, Mr. President, I appreciate that statement and I am sure many of the American people do as well, but they also are asking questions about the pardon and I would like to specify a few of them for you so that perhaps we can have some of these answered.

I think from the mail I have received from all over the country as well as my own District, I know that the people want to understand how you can explain having pardoned Richard Nixon without specifying any of the crimes for which he was pardoned, and how can you explain pardoning Richard Nixon without obtaining any acknowledgement of guilt from him.

How do you explain the failure to consult the Attorney General of the United States with respect to the issuance of the pardon even though in your confirmation hearings you had indicated that the Attorney General's opinion would be critical in any decision to pardon the former President.

How can this extraordinary haste in which the pardon was decided on and the secrecy with which it was carried out be explained and how can you explain the fact that the pardon of Richard Nixon was accompanied by an agreement with respect to the tapes which in essence, in the public mind, hampered the Special Prosecutor's access to these materials and was done also in the public's mind in disregard of the public's right to know the full story about Richard Nixon's misconduct in office.

And in addition, the public I think wants an explanation of how Banton Becker was used to represent the interests of the United States in negotiating a tapes agreement when at that very time he was under investigation by the United States for possible criminal charges.

And how also can you explain not having consulted Leon Jaworski, the Special Prosecutor, before approving the tapes agreement? And I think, Mr. President, that these are only a few of the questions that have existed in the public's mind before and unfortunately still remain not resolved.

And since I have very brief time, I would like to ask you in addition to these questions one further one, and that is that suspicions have been raised that the reason for the pardon and the simultaneous tapes agreement was to insure that the tape recordings between yourself and Richard Nixon never came out in public. To alleviate this suspicion once and for all would you be willing to turn over to this Subcommittee all tape recordings of con-



## TESTIMONY, From A12

versations between yourself and Richard Nixon.

President Ford. Those tapes under an opinion of the Attorney General which I sought, according to the Attorney General, and I might add according to past precedent, belong to President Nixon. Those tapes are in our control. They are under an agreement which protects them totally, fully, for the special prosecutor's office or for any other criminal proceedings. Those tapes will not be delivered to anybody until a satisfactory agreement is reached with the special prosecutor's office. We have held them because his office did request that, and as long as we have them, held in our possession for the special prosecutor's benefit, I see no way whatsoever that they can be destroyed, that they can be kept from proper utilization in criminal proceedings.

Now, those tapes belong to Mr. Nixon according to the Attorney General, but they are being held for the benefit of the Special Prosecutor, and I think that is the proper place for them to be kept.

Mr. Hungate. The gentleman from Maryland, Mr. Hogan.

Mr. Hogan. Thank you, Mr. Chairman.

I am frankly amazed at my good friend, the gentlelady from New York, and her accusatory opening statement, because certainly the gentlelady knows that it is the usual and ordinary and routine procedure of this Subcommittee, and this Committee, to operate under the five minute rule. There is nothing extraordinary about us today allocating five minutes of time to each member of the Committee. We always operate that way.

Her other observation about not doing any preparatory work by calling other witnesses was rejected, as far as I recall, by all of the members of the Subcommittee on the basis that this resolution of inquiry is directed to the President of the United States, and properly so. So, it would be totally inappropriate for the resolution of inquiry to address itself to individuals other than the subject of this resolution of inquiry.

Mr. President, I would like to join too in commending you for your statement and your openness and candor in coming in this very historic event. And frankly, I am concerned that some of the questioning by my colleagues asking question if all men are not equal under the law, because certainly being the outstanding lawyers that they are, they know that the pardoning power itself is inherently inequitable.

But, for a larger purpose, it grants to the chief executive of the federal government of the state, in the case of state crimes, to pardon individuals who may or have been indicted or convicted of crimes. So, we should not expect this to apply as if there were a trial of these criminal offenses. And furthermore, we also know that in our system of criminal justice, even the prosecutors themselves exercise prosecutive discretion. There is no question whatsoever that the Constitution gives to the President of the United States broad and absolute power to pardon individuals of criminal offenses.

We also know from the debates of the framers of the Constitution that they specifically rejected including in the Constitution the words "after conviction." They also, in the debate at that time, indicated situations where it might be necessary or desirable to

grant a pardon even before indictment, as was the case in this instance.

Now, Mr. President, I know that you followed very carefully the deliberations of this Committee during the impeachment inquiry, and I know you are also aware that this Committee unanimously concluded that the President was guilty of an impeachable offense growing out of obstruction of justice. So in a sense, could we not say that this was, at least the basis for a possible criminal charge, which was already spread on the record, with ample evidence to justify it, so those who say you should have waited until there were formalized charges really are overlooking the fact that there was a very formalized charge, an indictment, if you will, by this committee.

The President. Well, the unanimous vote of the House Committee on the Judiciary, all 38 members, certainly is very, very substantial evidence the former President was guilty of an impeachable offense. There is no doubt in my mind that recommendation of this full committee would have carried in the House which would have been even more formidable as an indication of criminal activity, or certainly, to be more specific, an impeachable offense. Of course, the prospects in the Senate with such a formidable vote in the Committee and in the House would have been even more persuasive.

Mr. Hogan. Mr. President, referring to the memorandum from Mr. Ruth to Mr. Jaworski enumerating the ten possible criminal offenses, it is true that this Committee addressed itself, if I am not mistaken, to every single one of these charges, and assessed evidence as to each one of them, and we found them wanting, that they were

not sufficient justification for a criminal offense.

And the last paragraph of that memorandum says, and I quote: "None of these matters of the moment rises to the level of our ability to prove even a probable criminal violation by Mr. Nixon."

Now, this memorandum does not include the obstruction of justice which I addressed myself to earlier, so I think we can logically assume that there would not have been any indictments resulting from Mr. Jaworski's activities, other than in the area of obstruction of justice. And with further corroboration of that point, I allude to a story in the Wall Street Journal yesterday where Mr. Jaworski who, incidentally, not only agrees with your pardon, but also the legality and the timeliness of it, and he says very specifically that there was going to be no additional disclosures resulting from his activities that the public was not already aware of relating to Mr. Nixon, so those who are saying we should wait until there is a formal charge I think are missing the point that there already has been a formal charge approved by this Committee.

Mr. President, do you not feel that the very acceptance of the pardon by the former President is tantamount to an admission of guilt on his part?

The President. I do, sir.

Mr. Hogan. So those who say again that they would have preferred that the President admit his culpability before a pardon being issued again are overlooking that fact?

The President. The acceptance of a pardon, according to the legal authorities, and we have checked them out very carefully, does indicate that by the acceptance, the person who has accepted it does, in effect, admit guilt.

Mr. Hogan. Thank you Mr. President, and again, I would like to ex-

press my personal appreciation for your candor and your openness and your cooperation with the co-equal branch.

The President. Thank you very much, Mr. Hogan.

Mr. Hungate. All of us are aware of our time constraint. I will yield to the gentleman from Wisconsin for a question.

Mr. Kastenmeier. Thank you, Mr. Chairman. I would like to, for the record, indicate that the statement of the gentleman from Maryland, Mr. Hogan, to the effect that the proposal that this Subcommittee will try to contact certain staff members, such as General Haig and others, was supported by me. I think it would have been excellent. We have in the past done very well in terms of staff work preliminary to hearings. That might have helped put some of the questions Ms. Holtzman had to rest.

Mr. President, you indicated that as far as Mr. Haig was concerned that he had suggested certain options to you, but did not, in fact, make a recommendation to you with respect to the pardon?

The President. That is correct. I answered that I think as fully as I can in my prepared statement. He discussed the options. He made no recommendations.

Mr. Kastenmeier. Which other persons, to you personally made recommendations that the former President be pardoned from that time in early August to the day of September 6th when you made your decision?

The President. No other person, to my knowledge, made any recommendation to me from that time until the time that I made the decision about September 6th. Nobody made any recommendation to me for the pardon of the former President.

(INCOMPLETE - SEE NYT)