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Transcript of Nixon's Question and Answer Session With A.P. Managing Editors

Following is a transcript of President Nixon's news conference with the Associated Press Managing Editors Association in Orlando, Fla., last night, as recorded by The New York Times:

President Quinn and ladies and gentlemen, when Jack Horner, who has been a correspondent in Washington and other places around the world retired after 40 years, he once told me that if I thought that the White House press corps asked tough questions, he should hear the kind of questions the managing editors ask him.

Consequently, I welcome this opportunity tonight to meet with the managing editors of the nation's newspapers. I will not have an opening statement because I know with 400 of you it will be hard to get through all the questions you have, and I understand the president has the prerogative of asking the first question. Mr. Quinn:

MR. QUINN: Mr. President, this morning Governor Askew of Florida addressed this group and recalled the words of Benjamin Franklin. When leaving the constitutional convention he was asked: "What have you given us, sir, a monarch or a republic?" Franklin answered: "A republic, sir, if you can keep it." Mr. President, in the prevailing pessimism of the lingering matter we call Watergate, can we keep that Republic, sir, and how?

A. Well, Mr. Quinn, I would certainly not be standing here answering these questions unless I had a firm belief that we could keep the Republic, that we must keep it, not only for ourselves but for the whole world. I recognize that because of mistakes that were made, and I must take responsibility for those mistakes, whether in the campaign or during the course of an Administration, that there are those who wonder whether this Republic can survive.

But I also know that the hopes of the whole world for peace, not only now but in the years to come, rests in the United States of America.

'It's a Big Job'

And I can assure you that as long as I am physically able to handle the position to which I was elected and then re-elected last November I am going to work for the cause of peace in the world, for the cause of prosperity without war and without inflation at home, and also to the best of my ability to restore confidence in the White House and in the President himself. It's a big job but I think it can be done and I intend to do it.

Q. Mr. President, I'm George Gill of The Louisville Courier-Journal. Would you please tell us, sir, when did you personally discover that two of the nine subpoenaed White House tapes did not exist, and why

did you apparently delay for a matter of weeks disclosing this matter to the Federal Court and to the public?

A. Well, the first time that the fact that there were no recordings of the conversations to which you referred, that they did not exist, came to my attention on approximately Sept. 29 or Sept. the 30.

At that time I was informed only that they might not exist, because a search was not made because seven of the nine recordings requested did exist, and my secretary, listening to them for me and making notes for me, proceeded to go through those seven tapes.

I should point out incidentally that the two which did not exist and which there were no tape recordings of the conversations were not ones that were requested by the Senate committee, and consequently we felt that we should go forward with the ones that were requested by both the Senate committee and the others.

When we finally determined that they could not be in existence was on Oct. the 26 of this year. And we learned it then when I directed the White House counsel, Mr. Buzhardt, to question the Secret Service operatives as to what had happened to make sure that there might not be a possibility that due to the fact that the mechanism was not operating properly that we might find them in some other place.

He questioned them for two days and reported on the 27th that he could not find them.

He, then, having had a date made, and he asked for the date sooner, which Judge Sirica he asked for a date on Thursday—you may recall I pointed that out in my press conference on the 26th—Judge Sirica saw him on Tuesday in camera. The White House counsel reported to Judge Sirica that the two tapes did not exist then gave him the reason for it.

Judge's Decision

The judge decided, and I think quite properly, that the reasons for the tapes not existing should be made public and those involved with access to the tapes and those who operated the machines should be questioned so that there would be no question of the White House, somebody around the President or even the President himself having destroyed evidence that was important, even though the Senate committee had not, as I have already pointed out, subpoenaed either of these two tapes.

And since we're on this subject and I do not want to be taking all of the time on it except that I know there is going to be enormous interest in it, not only among this audience here but among our television viewers, let me point this out: I have done

everything that I possibly can to provide the evidence that would have existed had we found the tapes.

First, with regard to the tape of June 20. As you may recall, it was a five-minute telephone conversation with the former Attorney General, John Mitchell, who had just left as campaign manager or was planning to leave as campaign manager at that time.

I have a practice of keeping a personal diary. I can assure you, not every day. Sometimes you're too tired at the end of a day to either make notes or to dictate it into a Dictabelt. On that particular day, I happened to have dictated a Dictabelt. And on the Dictabelt for June 20 which I found, I found that I had referred to the conversation to John Mitchell, and I think it's fair to disclose to this audience what was there, because it will be disclosed to the court, it's already been offered to the court, and eventually I assume would be made public.

It said, first, that I called John Mitchell to cheer him up because I knew he was terribly disheartened by what had happened in the so-called Watergate matter.

Second, he expressed chagrin to me that the organization over which he had control could have gotten out of hand in this way.

That was what was on that tape.

Now turning to the one on April 15. I thought that I might have a Dictabelt of that conversation as well. Let me tell you first why this one—the telephone conversation was not recorded. Not because of any deliberate attempt to keep the recording from the public, but because the only telephones in the residence of the White House which are recorded—the only telephone, there is only one, is the one that is in the office, the little Lincoln sitting room, you know, right off of the Lincoln bedroom. The call I made to John Mitchell was made at the end of the day at about 6:30 just before going into dinner, from the family quarters, and no telephones in the family quarters ever were recorded.

That's why the recording did not exist.

Long Conversations

Turning to April 15, the conversation referred to there was at the end of the process in which Mr. Dean came in to tell me what he had told the U. S. Attorneys that day. He saw me at 9 o'clock at night, Sunday night. There should have been a recording. Everybody thought there probably was a recording. The reason there wasn't a recording is that the tape machines over the weekend only can carry six hours of conversation and usually that's more than

enough, because I do not use the E.O.B. office—that's the little, that's the Executive Office Building, rather than the Oval Office over the weekend to that extent.

That weekend I was in the E.O.B. for a long conversation with Dr. Kissinger on foreign policy matters. I was there for two other hours, or two or three other hours, and the tape ran out in the middle of a conversation with Mr. Kleindienst in the middle of the afternoon Sunday afternoon.

And a later conversation I had, the rest of Kleindienst's conversation, a later conversation I had also with Mr. Petersen and the conversation at 9 o'clock at night with Mr. Dean was not there.

So I've tried to find, whatever recordings, whatever record that would help the prosecutor in this instance to reconstruct the evidence. Because it was the evidence that he was after and not just the tapes.

What I found was not a Dictabelt. What I found was my handwritten notes made at the time of the conversation. I have turned those over to, or have authorized, my counsel to turn those notes over to the judge so that he can have them checked for authenticity, and I understand there are ways that he can tell that they were written at that time.

Difficult to Explain

Those handwritten notes are available. And then I did one other thing which I think will also be helpful. The next day I had a conversation with Mr. Dean in the morning at 10 o'clock. That conversation was recorded, and in that conversation there are repeated references to what was said the night before.

And when compared with my handwritten notes it is clear that we are discussing the same subjects.

That entire tape as well as the conversation I had in the afternoon with Mr. Dean for about 20 minutes will be made available to the court even though the court has not subpoenaed it.

And I would just simply say in conclusion, you can be very sure that this kind of a subject is one that is a difficult one to explain. It appears that it's impossible that when we have an Apollo system that we could have two missing tapes when the White House is concerned.

Let me explain for one moment what the system was.

This is no Apollo system. I found that it cost, and I just learned this, \$2,500. I found that instead of having the kind of equipment that was there when President Johnson was there, which was, incidentally, much better equipment, but I found that as far—and I'm not saying that critically—but I found in this instance it was a Sony, a little Sony that they had, and that what they had

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are these little lapel mikes in my desks.

And as a result, the conversations in the oval office, the conversations in the Cabinet room and particularly those in the E.O.B.—those are the three rooms, only those three rooms, were they recorded; for example, the Western White House had no recording equipment and my house in Key Biscayne had none.

But as far as those particular recordings are concerned, the reason that you've heard that there are difficulties in hearing them is that the system itself was not a sophisticated system.

I don't mean to suggest by that that the judge by listening to them will not be able to get the facts, and I would simply conclude by saying this: I think I know what is on these tapes from having listened to some, those before March 21, and also from having seen, from my secretary's notes the highlights of others, and I can assure you that those tapes when they are presented to the judge—and I hope eventually to the grand jury—and I trust in some way we can find a way at least to get the substance to the American people they will prove these things without question: 1, that I had no knowledge whatever of the Watergate break-in before it occurred. 2, that I never authorized the offer of clemency to anybody and as a matter of fact turned it down whenever it was suggested. It was not recommended by any member of my staff, but it was on occasion suggested as a result of news reports that clemency might become a factor.

And third, that as far as any knowledge with regard to the payment of blackmail money, which as you recall was the charge that was made that Mr. Hunt's attorney had asked for \$120,000, in money to be paid to him or he would tell things about members of the White House staff—not about Watergate—that might be embarrassing. Testimony had been given before the Senate committee that I was told that before the 21st of March, actually told it on the 13th of March. I know I heard it for the first time on the 21st of March, and I will reveal this much of the conversation; I'm sure the judge wouldn't mind.

I recall very well Mr. Dean after the conversation began telling me, "Mr. President, there are some things about this I haven't told you. I think you should know them." And then he proceeded then for the first time to tell me about that money.

'Some Will Wonder'

Now I realize that some will wonder about the truth of these particular statements that I've made. I'm going to hand out later—I won't hand them out, but I'll have one of your executives hand out—my May 22 statement, my August 15 statement and one with regard to these two tapes.

You can believe them if you want, I can tell you it is the truth, because I have listened to or have had knowledge of from someone I have confidence in as to what is in the tapes.

Q. Mr. President, Richard Tuttle, Democrat and Chronicle, Rochester, N. Y. Could

you tell us your personal reaction and your political reaction—and within that word I mean your credibility with the American people—your reaction to the discovery that

the Dean and Mitchell tapes did not exist?

A. Well, my personal reaction was one of very great disappointment, because I wanted the evidence out, and I knew that when there was any indication that something didn't exist, immediately there would be the impression that some way either the President or, more likely perhaps, somebody on the President's staff, knew there was something on those tapes that it wouldn't be wise to get out.

But let me point out again, while I was disappointed, let me say I would have been a lot more disappointed if the tapes that had been considered important by both Mr. Cox, the special prosecutor, and the Ervin committee, if any one of those had been missing, because I should point out the tape of Sept. 15 when, as you recall it has been testified that I was first informed that there was a cover-up, that, of course, is there.

The tape of March 13, where it has been testified, as I pointed out in the answer to The Louisville Courier Journal, where it has been testified that I was informed then of the demands for money for purposes of blackmail—that is available. And the tape of March 21, where we discussed this in great detail, as well as three other tapes in which Mr. Dean participated, three other conversations, are all available.

But as far as these two tapes are concerned, even though they were not considered by the Ervin committee to be an indispensable part of their investigation, the fact that they were not there was a great disappointment, and I just wish we'd had a better system. I frankly wish we hadn't had a system at all, then I wouldn't have to answer this question.

Q. Mr. President, did you tell Mr. Cox to stay out of the Ellsberg case, and if you did, why? And do you think that the new special prosecutor should be kept from investigating the Ellsberg case?

A. I have never spoken to Mr. Cox at all. As a matter of fact, however, I did talk to Mr. Petersen about it before Mr. Cox took over. And

I told Mr. Petersen that the job that he had—and I would have said the same thing to Mr. Cox—was to investigate the Watergate matter. That national security matters were not matters that should be investigated because there were some highly sensitive matters involved not only in Ellsberg, but also another matter so sensitive that even Senator Ervin and Senator Bacon—Baker—had decided that they should not delve further into them.

I don't mean by that that we're going to throw the cloak of national security over something because we're guilty of something. I'm simply saying that where the national security would be disserved by having an investigation, the President has the responsibility to protect it and I'm going to do so.

Q. Paul Poorman from the Detroit News. Are you per-

sonally satisfied, sir, that the investigation of the Watergate matter is complete to

your satisfaction, and if so, could you tell us what your plans are to tell the American people about the facts of the case in, with regard, to your credibility on this matter?

A. Well first, with regard to whether the investigation is complete. As you know, there is now a new special prosecutor, Mr. Jaworski. He is a Democrat. He has always supported the Democratic ticket. He is a highly respected lawyer, a former president of the A.B.A. in the year 1971. I may have met him. I have never talked to him personally and certainly have never talked to him about this matter. I refuse to because I want him to be completely independent.

He cannot be removed unless there is a consensus of the top leadership of both the House and the Senate, Democrat and Republican. The Speaker and the majority and minority leader of the House and the president pro tem and majority and minority leader in the Senate and the ranking two members of the Judiciary Committees of both the House and the Senate, which incidentally gives you, as you can see, a very substantial majority as far as the Democrats are concerned.

Three Points Made

The second point, the point I'm trying to make is, one, he is qualified; two, he is independent and will have cooperation, and three, he will not be removed unless the Congress, particularly the leaders of the Congress and particularly the Democratic leaders who have a strong majority on this group that I have named, agree that he should remove and I do not expect that that time will come.

As to what I can tell the American people, this is one forum and there may be others. As to what the situation is, as to when it can be done, it is of course necessary to let the grand jury proceed as quickly as possible to a conclusion.

And I should point out to you, as you may recall, Mr. Petersen testified before the Ervin committee that when he was removed from his position—you recall he was removed in April when the special prosecutor was put in—that the case was 90 per cent ready. For six months under the special prosecutor who was then appointed the case has not been brought to a conclusion.

Time for Conclusion

And I think that now, after six months of delay, it's time that the case be brought to a conclusion. If it was 90 per cent finished in April, they ought to be able to finish it now. Those who are guilty or presumed to be guilty should be indicted; those who are not guilty at least should get some evidence of being cleared.

Because in the meantime, the reputations of men—some maybe who are not guilty—have been probably irreparably damaged by what has happened in the hearings that they've appeared before publicly.

They've already been convicted and they may never

recover. And that isn't our system of government. The place to try a man or a woman for a crime is in the courts and not to convict him either in the newspapers or on television before he has a fair trial in the courts.

Q. Mr. President, I'm Bob Heyman from The St. Petersburg Times in St. Petersburg, Fla. Mr. President, when Mr. Ehrlichman and Mr. Halde- man left your Administration you said they were guiltless in the Watergate affair and they were "two of the finest public servants you'd ever known." After what has transpired and been revealed since then, do you still feel the same way about both men and both statements?

A. First, I hold that both men and others who have been charged are guilty until I have evidence that they are not guilty [Mr. Nixon misspoke here—he meant the reverse] and I know that every newspaperman and newspaper woman in this whole audience would agree with that statement. That is our American system. Second, Mr. Halde- man and Mr. Ehrlichman have been and were dedicated, fine public servants, and I believe—it is my belief—based on what

I know now that when these proceedings are completed that they will come out all right. On the other hand, they have appeared before the grand jury before, they will be appearing again, and as I pointed out in answer to an earlier question, it probably doesn't make any difference, unfortunately, whether the grand jury indicts them or not, whether they are tried or not, because unfortunately, they've already been convicted in the minds of millions of Americans by what happened before a Senate committee.

Q. Yes, at the time—this is Ed Hines from The Des Moines Register and Tribune—at the time you gave Egil Krogh approval for the Dr. Ellsberg project, was there any discussion of legality or illegality in that situation?

A. I think, sir, that you have made an assumption that Mr. Krogh and others have not testified to, and I'm not saying that critically, but I think I do remember what the evidence is. I don't think Mr. Krogh has said, or Mr. Ehrlichman, or anybody else, that I specifically approved or ordered the entrance into Dr. Ellsberg's psychiatrist's office.

As a matter of fact, on the other hand, I learned of that for the first time on the 17th of March, which I have stated in my Aug. 15 statement, which will be available to members of the press when this meeting is concluded.

Second, with regard to such activities, I personally thought it was a stupid thing to do, apart from being an illegal thing to do.

And, third, I should also point out that in this particular matter, the reason that Mr. Krogh and others were engaged in what we call the Plumbers operation, was because of our concern at that time about leaks out of our Government—the Pentagon papers which, as you recall, what Ellsberg was all about—as well as other leaks which were seriously damaging to the national security, including one that I have pointed out that was so serious that even Senator Ervin

and Senator Baker agree that it should not be disclosed, and that's what they were working on.

I guess we go to the right this time.

Q. Phil Engow The Providence Evening Bulletin. The Journal Bulletin on Oct. 3 reported that you paid \$792 in Federal income tax in 1970 and \$878 in 1971. Are these figures accurate and would you tell us your views on whether elected officials should disclose their personal finances?

A. Well the answer to the second question is, I have disclosed my personal finances. And an audit of my personal finances will be made available at the end of this meeting because, obviously, you're all so busy that when these things come across your desk, maybe you don't see them.

I can simply point out that that audit was — I paid for ... I haven't got the bill yet, but I know that it's several thousands of dollars, and I think that that audit is one that is a pretty good one. That audit, however, deals with the acquisition of my property and knocks down some of the ideas that have been around.

But since this question has been raised, let me, sir, try to respond to it as fully as I can.

I paid \$79,000 in income tax in 1969. In the next two years I paid nominal amounts. Whether those amounts are correct or not I do not know because I haven't looked at my returns, and obviously the Providence Journal's got much better sources than I have to find such returns.

And I congratulate you, sir, for having such a lively staff.

Paper Deducted

Now why did I pay this amount? It wasn't because of the deductions for shall we say a cattle ranch or interest or you know all these gimmicks that you've got where you can deduct from—which most of you know about, I'm sure. If you don't, your publishers do! But the reason was this: Lyndon Johnson came in to see me shortly after I became President. He told me that he had given his Presidential papers—or at least most of them—to the Government.

He told me that under the law, up until 1969, Presidential or Vice-Presidential papers given to the Government were a deduction and should be taken and could be taken as a deduction from the tax.

And he said, "You, Mr. President, ought to do the same thing." "I don't have any Presidential papers." He said, "You've got your Vice-Presidential papers." And I thought of that a moment, and I said, "All right, I'll turn them over to the tax people." I turned them over. They found they were—they appraised them at \$500,000.

I suppose some wonder how could the Vice President's papers be worth that? Well, I was, shall we say, a rather active Vice President. All of my personal notes, including matters that have not been covered in my book—which I don't advise other people to write, but in any event I wrote one and I will stand by it—all of my papers on the Hiss case, on the famous fund controversy in

1952, on President Eisenhower's heart attack, on President Eisenhower's stroke, on my visit to Caracas when I had a few problems in 1968, and on my visit with Khrushchev—all of those papers, all of my notes were valued, many believe conservatively, at that amount.

And so the tax people who prepared it, prepared the return and took that as a deduction. Now no question has been raised by the Internal Revenue about it, but if they do, let me tell you this, I'll be glad to have the papers back and I'll pay the tax, because I think they're worth more than that.

I can only say that we did what we were told was the right thing to do and of course what President Johnson had done before and that doesn't prove certainly that it was wrong because he had done exactly what the law required.

Since 1969, of course, I should point out, Presidents can't do that, so I'm stuck with a lot of papers now that I've got to find a way to give away or otherwise my heirs will have a terrible time trying to pay the taxes on things people are going to want to buy.

Mr. President, Mr. President, may I suggest that you may have misspoke yourself when you said that you assumed Haldeman and Ehrlichman are considered guilty until proven not guilty. A. Yes, I certainly did, if I said that. Thank you for correcting me.

Q—Smyser from The Oakridge in Oak Ridge, Tenn. Senator Mark Hatfield said recently that we don't demand so much of a President, we ask him to play so many roles that no man can hold that kind of responsibility without having to share that responsibility with all Americans. To what extent do you think that this explains possibly how something like Watergate can occur?

A. Well, I could stand here before this audience and make all kinds of excuses, and most of you probably would understand, because you're busy also. Seventy-two was a very busy year for me. It was a year when we had the visit to China. It was a year when we had the visit to Moscow. And the first limited test ban—limited nuclear ban on defensive weapons, you recall, as well as some other very significant events. It was a year, too, when we had the very difficult decisions on May 8, the bombing and mining of Haiphong, and then the negotiations. And then, in December, of course, the very, very difficult, perhaps the most difficult decision I made of the December bombing which did lead to the breakthrough and the uneasy peace—but it is peace—with all the Americans' home, all of our P.O.W.'s home, and peace at least for a while, in that period.

Now during that period of time, frankly, I didn't manage to campaign, I didn't run the campaign. People around me didn't bring things to me that they probably should have, because I was, frankly, just too busy trying to do the nation's business to run the politics.

My advice to all new politicians, incidentally, is always run your own campaigns. I used to run mine, and I was always criticized for it because, you know, whenever

you lose you're always criticized for running your own campaign.

Taking the Heat

But my point is, Senator Hatfield is correct. Whether you're a Senator or a Congressman, you're sometimes very busy. You don't watch these things. When you're President you don't watch them as closely as you might.

And on that I say if mistakes are made, however, I'm not blaming the people down below. The man at the top's got to take the heat for all of them.

Let me just respond, if I could, sir, before going to your question—I'll turn left and then come back to the right—I don't want to tilt either way at the moment, as you can be sure.

Since the question was raised a moment ago about my tax payments, I noted in some editorials, and perhaps

in some commentaries on television, a very reasonable question. They said, you know, how is it that President Nixon could have a very heavy investment in a fine piece of property in San Clemente and a big investment in a piece of property in Florida—in which I have two houses, one which I primarily use as an office and the other as a residence—and also an investment in what was my mother's home—not a very much of a place, but I do own it—those three pieces of property.

I want to state first, that's all I have. I am the first President since Harry Truman who hasn't owned any stocks since ever I've been President; I'm the first one who has not had a blind trust since Harry Truman.

NOW that doesn't prove that those who owned stocks or had blind trusts did anything wrong. But I felt that in the Presidency it was important to have no question about the President's personal finances.

And I thought real estate was the best place to put it.

Questioned By Writers

But then the question was raised by good editorial writers, and I want to respond to it, because some of you might be too polite to ask such an embarrassing question. You said, now Mr. President you earned \$800,000 when you were President. Obviously you paid at least half that much or could have paid half that much in taxes, or a great deal of it, how could you possibly have had the money, where did you get it? And then of course over-riding all of that, or the story to the effect that I have a million dollars in campaign funds which was broadly printed throughout this country with retractions not quite getting quite as much play as the printing of the first and particularly not on television. The newspapers did much better than television in that respect, I should point out.

And second, they said, how was it that as far as this money is concerned, how is it possible for you to have this kind of investment when all you earned was \$800,000 as President.

Well, I should point out, I wasn't a pauper when I became President. I wasn't very rich, as Presidents go. But you see, when the eight years that I was out of office—that I just to put it all out and I'll give you a paper on this—we'll send it around,

to you, these figures I'd like, you to have—not today—but I'll have it in a few days—when I left office after four years as a Congressman, two years as a Senator and eight years at \$45,000 a year as Vice President, and after stories had been written, particularly in The Washington Post, to the effect that the President had purchased a mansion in Wesley Heights, and people wondered where the money came, you know, what my net worth was? \$47,000 total.

1958 Car

After 14 years of Government service and a 1958 Oldsmobile that needed an overhaul.

Now, I have no complaints. In the next eight years I made a lot of money. I made \$250,000 from a book, and the serial rights, which many of you were good enough to purchase also.

In the practice of law, and I'm not claiming I was worth it, but apparently former Vice Presidents or Presidents are worth a great deal to law firms, and I did work pretty hard, but also in that period I earned between \$100,000 and \$250,000 every year, so that when I, in 1968, decided to become a candidate for President, I decided to clean the deck and to put everything in real estate.

I sold all my stock for \$300,000. That's all I owned. I sold my apartment in New York for \$300,000. I'm using rough figures here. And I had \$100,000 coming to me from the law firm. And so that's where the money came from.

Let me just say this. And I want to say this to the television audience. I made my mistakes, but in all of my years of public life I have never profited, never profited from public service. I've earned every cent.

And in all of my years in public life I have never obstructed justice. And I think, too, that I can say that in my years of public life that I welcome this kind of examination because people have got to know whether or not their President is a crook. Well I'm not a crook. I've earned everything I've got.

Q. Mr. President, Harry Rosenthal of The Washington Post. Sir, there have been reports that the Secret Service was asked at your direction or authorization to tap the telephone of your brother, Donald Nixon. Is this true, sir, and if so,

A. That, of course, is a question that has been commented upon before; it will not take long to respond to it. The Secret Service did maintain a surveillance. They did so for security reasons, and I will not go beyond that. They were very good reasons, and my brother was aware of it.

And may I say, too, to my friend from The Washington Post, I like your sport page.

Q. Thank you, Mr. President. A. Be sure Povich isn't paid too much for what I just said then. Go ahead.

Q. Sir, Edward Miller, Allentown, Pa. Was your brother aware before or after the fact of the surveillance? A. Before or after the fact?

Q. Yes. A. He was aware during the fact, because he asked about it and he was told about it, and he approved of it. He knew why it was done.

CONT'D

Q. Sir, excuse me. Does it make any sense to conduct surveillance when somebody knows about it?

A. Does it make any sense? Certainly. The surveillance involved what others who were trying to get him perhaps to use improper influence and so forth might be doing. And particularly anybody who might be in a foreign country.

Q. Is some of this full story that you say you can't say now because of national security—have you told that to Congressmen or anyone else? Will this story come out in the next few weeks as you present more of the facts?

A. Yes. As a matter of fact, I should tell all of the editors that—and I don't want to leave any implication that you have not tried to publish as much as you could; you've just got so much room in your newspapers. But I do want you to know that—well, since you haven't raised some of these subjects, I'll raise them myself.

I.T.T., how do we raise the price of milk—I wish somebody's ask me that one. And who else wanted it raised. What about the situation with regard to the \$1-million secret stock portfolios that you have. A few of those things. I think all of those things need to be answered, and answered effectively. And I think the best way to answer them—two-fold: one, obviously through the medium of a televised conference like this.

I Want the Facts Out

But, two, through sending to the editors of the nation's newspapers—all 10,000 of them—the facts, and I trust that you will use them.

And if you believe them, but I don't mean—what I mean, I'm not suggesting that you wouldn't believe them. But if you feel you need more information, write to me and I'll give it to you. I want the facts out, because the facts will prove that the President is telling the truth.

Now we go to the—I think we go to the back this time.

Q. Mr. President, John Finnegan, St. Paul Dispatch, Pioneer Press. I know the Watergate situation has raised questions of executive privilege, and a recent Gallup Poll indicated that 62 per cent of the American people will favor a confidential news source law if adopted by Congress. There is a two-tiered law now before the Judiciary Committee which would provide an absolute privilege in case of investigative or grand jury hearings and a qualified shield in case of a civil or criminal case. If such a law were passed, would you sign it or veto it?

A. Well, you're talking about shield laws in general, are you not?

Q. Yes.

A. Well, my attitude toward the shield laws, briefly, is this: First, I share the objective. I believe that reporters, if you're going to have a free press, ought to have some kind of a shield. Second, except of course if they're involved in criminal activities, and then I don't think the shield law that even you, that any of you suggested would cover those. As I understand, if there are criminal activities involved in by a reporter,

obviously a shield law can't protect him.

The second point, however, has to do with the particular legislation and how it reaches my desk. And I'll have to take a look at it when it gets there to see if it's proper. If it's proper, I'll sign it.

But I think that a shield law which would have the effect of providing to reporters what the general public felt, after they had a chance to consider it all, provided for them privileges that went beyond what the general public felt was in the national interest, then I would have to take a second look.

Now, incidentally, I should point out, too, that I followed your editorials, not yours in just the St. Paul paper, but others around the country, and the newspapers in this country are not united on this.

So, on the shield law, I'm not trying to duck the question. It's an open question. But I will answer one thing I think is important. The new Attorney General, Mr. Saxby, under my directions, will follow this practice.

Any Federal case involving a reporter will not be brought unless it comes expressly to the Attorney General and he approves it. Because that way that's a pretty good shield, I think.

Q. May I ask one other question sir? A. Sure.

Q. Do you feel that the executive privilege is absolute.

A. I of course don't. I have waived executive privilege with regard to all of the members of my staff who have any knowledge of or who have any charges against have been made against in the Watergate matter. I have of course voluntarily waived privilege with regard to turning over the tapes and so forth. Let me point out, it was voluntary on my part and deliberately so to avoid a precedent that might destroy the principle of confidentiality for future Presidents, which is terribly important.

Jefferson Rule

If it had gone to Supreme Court—and I know many of my friends argued, why not carry it to the Supreme Court and let them decide it—that would first have had a confrontation with the Supreme Court between the Supreme Court and the President, and second, it would have established very possibly a precedent, a precedent breaking down constitutionality that would plague future Presidents, not just Presidents. I could just say in that respect, too, that I referred to what I call the Jefferson rule. It is the rule, I think, that we should generally follow, a President should follow, with the courts when they want information and a President should also follow with committees of Congress when they want information in his personal files.

Jefferson, as you know, in that very, very famous case had correspondence which, it was felt, might bear upon the guilt or innocence of Aaron Burr. Chief Justice Marshall, sitting as a trial judge, said that—held that Jefferson as President had to turn over the correspondence. Jefferson refused.

What he did was to turn

over a summary of the correspondence—all that he considered was proper to be turned over for the purposes of the trial—and then Marshall sitting as Chief Justice ruled for the President. Now why did Jefferson do that?

Jefferson didn't do that to protect Jefferson. He did that to protect the Presidency. And that's exactly what I will do in these cases. It isn't for the purpose of protecting the President. It is for the purpose of seeing that the Presidency, where great decisions have to be made and great decisions can't be made unless there is very free flow of conversation and that means confidentiality—I have a responsibility to protect the Presidency.

At the same time I will do everything I can to cooperate where there is a need for Presidential participation.

I'll come to you next, sorry.

Q. Mr. President, Murray Light of the Miami News. The American people, sir, are very interested in one subject other than Watergate. Is gas rationing imminent? A. I didn't hear the last, I'm sorry.

Q. Is gas rationing imminent?

A. I'll tell you a little about my career that I didn't put in my campaign folders when I ran for Congress in 1946. I was once in O.P.A., and I was in tire rationing. I suppose they put me in tire rationing—this is just before I went into the service, I was waiting for my service call, because I had worked in a service station. But I didn't anything about tire rationing, and neither did the man above me who I don't think had ever been in a service station, but we put out the rationing regulations on tires, and we were spare as we could be.

But also I found that if you get a bunch of government bureaucrats and in order to have rationing you'd have to have thousands of them, making decisions with regard to who is going to get this much, this much, this much, and rationing—if you're going to try to do that in peacetime when you do not have what we had in war time—you know support for you know—don't use a C ration card when you're only entitled to an A.

Then you were sort of disloyal or something, or unpatriotic. If you do not have that behind it, I can assure you that a rationing system in peacetime run by a group of well-intentioned—but being bureaucrats as they are, gaining and feeling their power—would be something that the American people would resent very, very much.

Now what we have asked the Congress for is a contingency plan in the event that rationing becomes necessary. But in the meantime, let me tell you, our goal is to make it not necessary. I'm not going to pledge to this audience, and I'm not going to pledge to the television audience that rationing may never

come. If you have another war in the Mideast, if you have a complete cutoff and not a resumption of the flow of oil from the Mideast, or some other disaster occurs, rationing may come.

But if, on the other hand, the things that I recommend-

ed in my message of a week ago for immediate action—if the voluntary cooperation of keeping the speed down to 50 miles an hour—and I'm going to talk to the Governors about that on Tuesday in Memphis, urging that every state do exactly the same thing.

No Backup Plane

If we cut back on the aircrafts flights—and we've done that. And for example, I came down here in a plane here today—Air Force One—I asked them if I couldn't take the Jetstar. They said, no, it doesn't have communications. So I've had to take the big plane. But we did one thing that save half the cost. We didn't have the backup plane. The Secret Service didn't like it, communications didn't like it, but I don't need a backup plane. If this one goes down, it goes down—and then they don't have to impeach.

Q. Mr. President, Larry Allison from the Long Beach, Calif., Independent Press Telegram. Back to Watergate: former Attorney General John Mitchell has testified that the reason he did not give you details on the Watergate problems was that you did not ask him.

Now I realize that you were very busy at that time, as you said, but there were reports in newspapers that linked people very high on your staff with the Watergate problems. Could you tell us, sir, why you did not ask Mr. Mitchell what he knew?

A. For the very simple reason that when I talked to Mr. Mitchell and I saw him often in that period that I had every reason to believe, that if he were involved, if he had any information to convey, he would tell me.

I thought that he would. As a matter of fact, when I called him on the telephone, what did he say? He expressed chagrin that anything like that could have happened in his organization.

Looking back, maybe I should have asked him. But the reason I didn't is that I expected him to tell me. And he had every opportunity to and decided that he wouldn't, apparently.

At least, now that doesn't mean to tell me that he was involved, because, you understand that's still a matter that's open. The question is whether he could have told me about other people that might be involved or he had information where members of my staff did not have information. Yes, sir.

Q. I'm Joe Shoquist of The Milwaukee Journal. Why didn't the Administration anticipate the energy crisis several years ago, formulate a positive action plan to do something about it?

A. You walked into one there. And that's a great paper, incidentally, as is The Milwaukee Sentinel. But, anyway, seriously, you see, what happened was that I sent the first energy message ever sent to the Congress. I sent it to the Congress over two years ago. I saw this thing coming any you know why I saw it coming?

Cont'd

Not because of the Mid-East or the Alaska pipeline and the rest, but because this world will all of its problems is getting richer. Oh, I don't mean there aren't a lot of hungry people in, not only in America, too many here, but if you want to see hungry people, go to India or go to some of the countries in Latin America or upper Brazil, etc. ect. But generally, as the world gets richer, there is more air-conditioning, there is more need for power and there's more need for energy. And that's why I sent the message two years ago. And asked at that time that the Congress consider a program so that the United States should become self-sufficient in energy.

All right, I followed that up this year in April before we even knew there might be, or had any idea of, a Mideast crisis, which made a serious problem a serious crisis. I asked them for seven pieces of legislation to deal with energy. One has reached my desk—the Alaska pipeline. I signed it. The other six I hope they act on before they go home for Christmas.

Now, I'm not saying here the Congress is to blame, the President should have done something. What I do warned about it and the Congress did not act, even though we warned two years ago. The President warned in April. The Congress did not act.

And now it's time for the Congress to get away from some of these other diversions, if they have time, and get on to this energy crisis.

Interest in Rationing

Let me just—since that question has come up, I would like to point out, though, how we should react, because the question about rationing is one that your average reader is going to be interested in.

I mean, I'm interested in it; too, because I remember how we all went through it. The car pools, and all that sort of thing. A few of you appear old enough to remember a car pool, I'm sure. Taxicabs in Washington—you couldn't get one unless five of you rode in one, remember? We don't want that.

But if we look at this energy crisis as simply the crisis of this year, we could not make a greater mistake. If there'd never been a Mideast war, there would have been an energy crisis eventually.

That is why I have set as a goal for the American people and I trust all of you will subscribe to it, what I call Project Independence 1980.

Why 1980? Why not 1976? Because in checking with the experts, I find that it will not be possible doing everything that we can do to become self-sufficient in energy until 1980.

But, if the Congress cooperates, if the nation cooperates, this nation in 1980 can have all the energy we need.

Let me just briefly tell you what areas of cooperation are needed.

One, coal. We have half the coal in the world. And yet we have conversions to coal to oil. Why? Because coal is not a clean fuel.

Coal can be made a clean fuel. Coal can be mined in a way that does not despoil the landscape. Oh, it will be argumentative. I'm sure that the some of the environmen-

talists—I am an environmentalist along with anybody who cares about the goods for our children—will object. But we've got to get that coal out of the ground and we have to develop the shale oil, for example, that exists in Colorado and some of the Western states.

That will solve part of the problem. And second, you have to deregulate natural gas. Some protection for the consumer, yes. But you've got wells in Louisiana and other places that are shut down and many that are not being explored because the price is held at a price too low to make the explorer have a profit. And therefore he isn't going to do it.

And natural gas, as you know, is one of the cleanest fuels we can possibly have. And then third, the most exciting of all—nuclear power.

Now, don't write an edifying to catch it from your torial on this. You're really readers if you do, because it scares people. Nuclear power. They think of the bomb. They think of of the possibility that one of them is going to blow up.

My house in San Clemente is just 12 miles from the Southern California Edison Company's nuclear power plant. It's safe. It produces good power. It's clean power. And the United States which first found the secret of the atom is behind where it ought to be in the development of nuclear power. If we go out in developing our coal resources, our natural gas resources, as well as of course our oil from Alaska which will provide one-third—I said incorrectly the other day in talking to a group not one-third of all of our oil needs, but one-third of all of our oil imports—and if we add to that nuclear power, the United States in 1980 can be self-sufficient.

Just closing that off, let me tell you why that's so terribly important. Arabs? They say well the Arabs may be very irrational and we shouldn't depend on them anyway. Let me tell you, when you're in trouble, don't depend on anybody but yourself.

Venezuela? What's going to happen in Venezuela. They send us a lot of oil, but they could change their minds under a radical government, and they could get one one day. I don't think so, but they could.

What about Canada, our great friends to the north? A lot of Canadians are listening here. But I can tell you your present Minister of the Interior or whoever is in charge of oil, he's a tough guy, and they drive hard bargains, and I guess we would too if we were Canadians.

My point is, the United States of America, as the greatest industry power of the world with 7 per cent of the world's people and using 30 per cent of the world's energy, shouldn't have to depend on any other country for energy that provides our jobs and our transportations and our light and our heat. We can become self-sufficient.

This is a great project and I'm going to push it.

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Q. Mr. President, I'm John Chanley of the Kansas City Times. Not being a member of the Washington press corps, I'm not going to ask tire, but I'm going to ask you when you're going to re-you when you do leave the White House, what do you plan to do?

A. I think it depends on when I leave! No, seriously, I know that this group has asked very good questions and very appropriate ones. I was hoping you'd ask me about the milk. Would you mind asking me about the milk?

You will? Fine. I'll answer this, and then I'll go to the milk in the back.

As far as retirement, at that time I understand I will be 63 years of age. And I'm relatively healthy at the present time—I don't know how healthy I'll be then. Among the things I will not do: I will not practice law; I won't go on any board of directors.

I'll tell you, after being President you never want to sit at any other end of the table. And being a board of directors—being on the board of directors, it pays well, but it's rather boring. That's at least what I found when I was Vice President. Not out of any conceit or anything, it's just the fact board of directors are fine, but I don't think for former Presidents.

Writing, Not Speaking

What I probably will do is to do a little writing. I will not do any speaking. I've made enough speeches in a year to last most people for a lifetime, particularly my audiences.

And so under the circumstances, what I probably will do will be do some writing and perhaps contribute to bettering the political process. Just let me say this: Neither party is without fault in the campaign of 1972. Quite a bit of violence on the other side. I never spoke any place without getting a pretty good working over.

Neither party was without fault with regard to the financing. They raised \$36-million, and some of that, like some of ours, came from corporate sources and was illegal because the law had been changed and apparently people didn't know it, and as far as Congressmen and Senators are concerned, they'll all tell you that with the new laws and so forth there ought to be some changes.

I think that if we can't get the Congress to act on the proposal I gave to them six months ago, to provide a commission to set up new rules for campaign contributions limiting them, new rules for campaign procedures, then after I leave office I'm going to work for that, because I don't want to be remembered as the man who maybe brought peace for the first time in 12 years, who opened to China, who opened to Russia, maybe avoided a war in the Mideast, maybe if we can continue it, got unemployment down for the first time in 18 years, for the first time in peace time, it's down at 4.5 per cent.

It was never at that level, never below 5 per cent in

the sixties, any time in the sixties—neither the Kennedy nor the Johnson Administration, except during the war years.

I want to be remembered, I would trust, as a President that did his best to bring peace, and also did his best to bring a degree of prosperity, perhaps a contribution in the energy field, in the environmental field, but also one who did his best, when his own campaign got out of hand, to do everything possible to see that other campaigns didn't get out of hand in the future.

Now we'll got to the milk case.

Q. Mr. President, A.P.M.E. would like to ask you about the milk case, but our 60-minute commitment of time has run out. A.P.M.E. appreciates your appearance before us this evening and we thank you. A. I'll tell you the time. Television's keeping me on just a minute yet.

Q. Thank you. Thank you.

A. It's a lousy movie anyway tonight. The reason the milk case question—and this will be the one that I'll take—ought to be answered is that just some awful nice people are getting a bad rap about it. Now I'm not referring about myself, I'm referring about people in Administration. They've had John Connally down. They've run him around the track. And they've had—I guess they're going to have Cliff Hardin down, and Pete Peterson, and all the rest, and the whole charge is, basically, this.

That this Administration in 1971 raised the support price for milk as a quid pro quo for a promise by the milk producers that they would contribute substantial amounts, anywhere from \$100,000 to \$2-million to \$10-million to our campaign. Now that is just not true.

I'll tell you how it happened, I was there. Cliff Hardin in the spring of that year came in and said, "The milk support prices are high enough." I said, "All right, Cliff, that's your recommendation to the Department of Agriculture?" He said, "yes."

Within three weeks after he made that announcement, Congress put a gun to our head. Let me tell you what it was. Republicans? Uh-huh. A hundred and two members of Congress signed a petition demanding not 85 per cent of parity, but a 90 per cent support price. And 28 members of the Senate—most of them Democrats, including Senator McGovern—signed the petition demanding—a petition or signed the bill—which would have made the milk support price between 85 and 90 per cent.

So I talked to my legis—"Look here, what I'm concerned about, what I'm concerned about is what people pay for that milk, and I don't want to have that price jiggered up here if we can keep it and get the supply with the present support price."

You know what I was told? They said, with the kind of heat that we're getting from the Congress there is no way that you're not going to get on your desk a bill—and they'll be able to override your veto—that will raise the support price probably to 90 per cent.

So we said 85 per cent, and that's why it was done. And that's the truth.

Well, thank you very much, gentlemen; I guess that's the end.