

**Gerald R. Ford Oral History Project**  
**John O. Marsh**  
**Interviewed by**  
**Richard Norton Smith**  
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**(Part One and Two)**

Smith: It is hard to know where to begin because there is so much to your story. But let me ask you, first of all, to describe for us, who are accustomed to a very different political climate, what Congress was like in 1963, and for the rest of that decade, when you were a member from Virginia – a Democrat.

Marsh: A Democrat, yeah. Well, of course the overriding event to occur in the early sixties, of course, was the assassination of President Kennedy in November '63. Interestingly, that was my freshman class. Rumsfeld and I were classmates in Congress, and a lot of other players that we know. But the assassination of President Kennedy was a force that impacted very much on that Congressional class. And that class remained very, very close. I think a lot of that related to the assassination because of the very turbulent event. But the Congress probably was beginning to develop into the more stronger divisions, but it had not, at the time. It was more collegial.

True, there were political battles that had to be fought. I think President Ford was a tremendous example of that – what most people don't realize about President Ford were the strong ties he had on the Hill that went across the aisle. I'll give you an example. Ford and I kind of looked at, accessed things the same way. We kind of reacted philosophically. Our views on issues were the same and when he became President, among the tasks I had was oversight of the legislative process. I did the intelligence reform, chaired that for him. The fact that we served together on the Hill, there was a means of communication that was kind of like Sioux Indians who could talk to each other, you know. He never had anywhere near Republican majority. For him to be successful, he had to work across the aisle. It was very natural for him. He said, "Look, in working these issues, why don't you talk to Andy Biemiller." Andy Biemiller was a congressman who had been elected in 1944,

was defeated and came back in Ford's class. Andy Biemiller had served another term and became the chief vice president for Congressional liaison for the AFLCIO. He had been a member of the Socialist party and was as liberal as you could get. But Ford said, "Jack, go talk to Andy Biemiller and tell him I said I wanted you to talk to him about seeing if the AFLCIO can help us on stuff on this Hill." So I did, I went to see Andy and, strangely, we had an agreement, it was an understanding. They would help us on the Hill on issues that related to national security, but they had their own agenda, and we knew what their agenda was – it may relate to minimum wage or right to work, or something. They didn't expect our help then, and they knew we were going to oppose it. What we would do, we would team together – the staff of the AFLCIO, their legislative staff – worked with our people on both the House and the Senate side. If there was an issue, and I saw this happen, where on the Senate side there would be a labor issue that we were opposing, it wouldn't be labor necessarily, but an issue they were supporting and we were opposing. On the House side it would be a national security issue that we were both supporting – we'd be working both doors, but on one side we'd be working against them, and on the other side we'd be working together.

That came out of Ford's association. People also, I don't think, had picked up on the fact that when Ford was debating as what to do with the pardon issue, and I had been involved in that. I was aware of it. There was this tremendous hire and cry that he not testify on the Hill, demand that he testify there, but resist \_\_\_\_\_. Ford said to me one day, we were talking about something they had written to get sent up to the Hill, and I said, "You can't sign that." He said, "I know I can't." Because it stated that there had been no contacts or conversations. He said, "Jack, how well do you know Carl Albert? You know him?" I said, "Of course I know him," because I'd been on the Democratic side. It's strange to me – not strange – but I'd admired him. He said, "Go up there and talk to Carl. Tell Carl anything he wants to know and tell him I need his advice, or what he thinks would be best for me to do."

So I made a summary of this and took it all up there to Carl and sat there and talked with him. Of course, he had recommended to Nixon that Ford be the Vice President. He said, "Jack, tell him, come on up here. It's not going to be

\_\_\_\_\_. The greatest thing for this country is the honesty and the integrity, which is his reputation – that’s what we need.” And he said, “You know, the best thing that can happen to this country is the success of Jerry Ford as President of the United States.” I went by to see Mike Mansfield. Mike was a very taciturn individual. He always smoked a pipe, and he was walking around and we were talking in the Senate corridor. Mike turned around and looked at me, took his pipe out and said, “Jack, tell him not to make a habit of it.” (laugh) He starts puffing on his pipe and away we go. But I saw that time and time again. The arrangements for that hearing which were carefully structured – that is a very dangerous thing for a seated President to do - people would look at that -[Peter W ]Rodino, who was chair of the House Judiciary Committee, he was Ford’s classmate in ’48. They came to Congress together. Rodino pointed that out to me. Of course, I knew it. Rodino, Dick Bolling, Wilbur Mills, these giants on the Democratic side, were admirers and had great respect for Ford.

Smith: Where did that bipartisan consensus come from? Why was it at such variance with some of the LBJ-inspired play-football-without-a-helmet, and all that sort of thing? There seemed to be a dichotomy between what insiders, who really paid attention to the House, in particular, what they thought they knew about Ford, and some of the outsiders, if you will, who even then called into question, among other things, his intellectual capacity.

Marsh: That was terribly wrong because, as you and I both know, he had a good mind, a very, very good mind. Something about Ford’s background I’ve never seen pointed out, and most people are not aware of it - Ford had more congressional service than any person who has ever served as President of the United States. People like Lyndon Johnson didn’t – Johnson had a year less than Ford. Johnson had House experience, that’s certainly true, but Ford – first it was his personality – his very nature. He was just a good-hearted, hail and hardy individual. Also, I think that World War II had an impact. At this time two-thirds of the Congress were still veterans. They had shared mutual experiences. Ford had a magnificent combat record in the Navy in World War II. And I think there was some of that camaraderie that was like you had after the American Civil War, between the Union and the Confederate veterans,

and there was this mutual respect because they were veterans. I think also a factor was the fact that Ford's first office was the Congress, House of Representatives. He had not come up, he was not the child of a political system – hadn't been a councilman, touching the local chairs in order to move into positions of responsibility. So he did not have a real partisan background. You have to remember, he was even for Wendell Willkie back there in the early forties.

Smith: How different was it – people are always trying to figure out why our politics are so polarized and often ugly today. One theory I have that I'd like to bounce off of you is, forty years ago each party had a left wing and a right wing. Now clearly, one party was more liberal than the other. One party was more conservative than the other. But if you were a Republican, you had to at least take into consideration the northeast - the Rockefeller Republicans, some urban Republicans, and a number from the Midwest who were certainly internationalists and some were moderate to liberal. In other words, the party was more diverse. That is true of Democrats as well. Obviously there was a southern wing, which is largely gone today. It seems as if the people who insisted that it would be logical to have a truly liberal party and a truly conservative party, have gotten their wish at considerable cost.

Marsh: I think you're right. And I was surprised that Mike Kirwin from Ohio, who was one of the old barons of the Appropriations Committee, more of a labor type candidate and a real fine man, made exactly the same point you did. I'm dealing with a man then who was close to 70 when I was a member, and he would observe to other Democrats, like in the Democratic caucus, that the southern Democrats are very important. They kept this party going when things didn't look good back in the 1920s, and he felt that was a strength having the southern areas. But you had to put up with them sometimes, which he didn't like, but he felt it strongly. I think you are exactly right because you'd better be careful what you wish for, you might get it.

Smith: Did Ford get along with everyone in the House? There must have been some people that didn't care for him or cotton to his style-

Marsh: I think there is an interesting thing, Ford got more respect as President from Democrats than he did from Republicans. I observed it. The Republicans couldn't bring themselves – they had trouble realizing that Ford was President of the United States. To them, he was Jerry, the Minority Leader that you go and send all kind of terrible tasks like to make a speech at McGakey's field for the campaign, you know. They leaned on him, all the time. His challenging Charley Halleck – there were scars. Les Arends didn't like the Republican whip. Les Arends was not close to Ford. I think there were some who were jealous of, more people in the Republican Party, more jealous or resentful of his achievement as President, than in the Democratic. He had a series of dinners down there at the White House because Ford knew he needed to reach out, and he liked these guys and he did it by party. Had a White House dinner for the Democrats and same thing for Republicans, and some of the Republicans got to throwing rolls around. But you rarely ever heard any of the Democrats call him anything but Mr. President. That was not true of Republicans – there were some Republicans who called him Jerry. It didn't bother President Ford, but it was a difference you could discern. Others commented on it, people like Max Friedersdorf who was doing congressional work. You could notice the difference in attitude between the two parties toward the man.

Smith: What were his strengths as a Minority Leader? His strengths as Republican leader in the House?

Marsh: I'll tell you something that I think that people did not realize. Ford worked hard, but in that hard work, he studied hard. I would tell people in the White House – don't ever give him a sheet of paper if you don't think he's going to read it. Lengthy things. Boy, those things would come back with marks on them when he went through it. He had a mastery of issues. Ford's greatest strength was the one that would make a great president, but which was never realized - his knowledge of the process of governing, which rose largely out of his knowledge of the budget and appropriations process. He was a master of the appropriations process. Ford knew the budget better than any person in the White House, save for a few experts. I've seen him have Paul and me and others really moving fast to keep up with him.

In fact, we used to get concerned. He'd stand there working on the budgets and all, and of course you know the story of the scheduling of time is a big problem in the White House. But he knew the budget process and is the only president since Harry Truman to brief his budget to the press. Now that's a high risk operation, if you don't know it. So he knew the issues that were coming up, he would listen and compensate for conflicting views. And it was that ability to reconcile differences that were a tremendous strength. He was a heck of a good guy - he and Mike Mansfield. People don't realize how close he and Mike Mansfield were.

I'll tell you a story about Mansfield that caused me to really admire him. For example, Wilbur Mills, who took a terrible rap because he became ill. When he had those episodes, they were the result of an illness. The illness was alcoholism. But when he was in his prime, there was no better person. I can remember Ford saying to me, "Jack, go up and get Wilbur to tell you how he thinks this bill is going to come out." And I'd go up there and get Wilbur in the cloak room. Wilbur would say, "On that particular...he'll win this, but he's not going to win this one, and this one is kind of up in the air." So we'd know where to put our time and priorities. Invariably Wilbur was right, but he wanted Ford to succeed. It was an interesting thing. Those guys were all rooting for him. I told you about Mike and the Majority Leader of the Senate. I think his desk set that he had was a gift of Mike Mansfield. Mike gave that to him when he became President.

When Ford went to Helsinki and they called. Would I come up to the Hill and meet with them? Of course, I did. Mike carried the conversation, was in the lead. Hugh Scott was obviously supporting. Mike said, "Jack, I think you ought to call the President and tell him to pull down this Turkish aid bill." He said, "It is very controversial, we may not win it. I don't think that he should have to suffer a legislative defeat while he is engaged in an international conference." That was, say, Wednesday. We had beaten Mike on Monday on the other issue of Diego Garcia, which Mike was very strongly opposed to and we had beaten Mike, and we beat him pretty soundly on that. So I went down to the basement of the Senate Office Building, and I called Helsinki. Ford was actually in the conference and I got hold of Dick. I told Dick what

Mike had said and he went in and talked to him. Ford sent back, “No, I want to go forward with it.” So I went back down to the White House and I got a call in about an hour, and it was from Mike again. On his behalf, it was Hugh Scott, and wanted me to come back up there. I had outlined to Cheney what the problem was, and I when I got back there this time, Mike had now ten or fifteen other Senators, the power of the Senate, they were all sitting in there. He explained again why he felt we ought to pull that bill down. Of course, he was very nice, but he was very firm.

There was a consensus there in that room that was supportive of him so he said, “Well, Jack, what I want you to do this time - I know you got in touch with him - I want you to make a memo and tell the President what my views are, what *our* views are.” So I did, I did that very thing. I went back down to the White House and got Max Friedersdorf, because I knew Ford was going to want a nose count, a vote count. So I got Max in there and we figured out a very good memo, I thought, and I knew that he would want to know what vote count was. It was something like 45-45 with ten undecided, so we were going to be gone, depending on how the five would break. I felt that they would break our way and I put in the thing, I recommended to President Ford, to go forward with it. I thought we would be able to win it.

I went back up and saw Mike personally, told him that President Ford had gone over the memo and all and to go forward. You know what he did? He walked out of that office very businesslike, he walked on the Senate floor and he did the kickoff speech in support of Ford’s bill. And we did win it by a couple of votes, but Mike subordinated anything that was partisan, or what he thought was. He genuinely liked Ford. I think that was one of the greatest things he brought to the Hill, that spirit of outreach. He and Tip O’Neill were close friends – really close. I remember I saw the *Washington Post* one day and Tip had a speech he had made out in Boston, and just lambasted Ford’s policies. It was awful, it was scalding and I walked in there and I said, “You see this *Post* edition?” He had and he was laughing about it. He said, “Get Tip on the phone,” then he said, “*I’ll* get him.”

He picked up the phone and he called Tip up and he said, "Tip, I read this speech, I see all these things you said about me up there in Boston. You know what I'm going to do? I'm going to come up to Boston and tell them what a lousy Congressman they got." And then the two of them got the hurrahs. But that was a healthy thing to look at it that way. Ford knew Armed Services, too. If you look at his appropriations experience, took him onto the sub-committee of appropriations for the Department of Defense, and at that time the intelligence program was kind of reviewed by a little handful of people, six or seven members of the House and Senate, and Ford was one of those. A lot of these issues that came up with intelligence, he had already dealt with them.

Smith: I take it is true that in the House there are work horses and show horses and that your reputation precedes you. People take you seriously if you take the work seriously.

Marsh: Members of the Senate who might someday watch this would be very upset, but the appropriations process, which originates in the House, which flows from the original power to raise taxes, comes from the House. The appropriations process, by tradition, begins in the House. The House members on the Appropriations Committee cannot be on another committee. They have to be on the Appropriations Committee. They can be on two sub-committees of the Appropriations. The Appropriations Committee is known for thorough examinations and hard work. Ford had the work ethic. He was very disciplined. He could compartmentalize things. Now we work, now we play. He had mastered that. Appropriation members do the hard work on the bill, and actually the appropriation bills are reviewed by the Senate, but the work has already been done in the House. He knew the budget and he knew the appropriations process - he and Hale Boggs, the Democratic whip. He and Hale were close friends. It was a very, very close friendship.

Smith: I had read, in fact, that on more than one occasion they would debate at the National Press Club, and it was their custom to drive down there together and to decide on the way what topic they would debate that day. They would have their debate, then afterwards they would go together and have lunch.

Marsh: I had not heard that, but I'm sure that is correct. It sounds like Ford

Smith: You were a Democratic congressman from Virginia through 1970 – is that right?

Marsh: I was elected in '62 and I did not seek re-election. There was a revolt in the Democratic Party in Virginia and they required candidates for office to sign an oath that they would support the national ticket, which I refused to do. Harry Byrd refused to sign it also. A number of the members of the state legislature – I was not putting up with that.

Smith: Now you had a pivotal conversation with then-Congressman Ford right about the time of the Watergate break in. Didn't you?

Marsh: Yeah. He was the Minority Leader, of course. What had happened, I had an office there at that building, what was called CREEP, Committee to Re-Elect the President. Terrible acronym for a presidential campaign. It was 1701 Connecticut Avenue, you can see the White House. I was up on the top floor, the Campaign to Re-Elect was down on the fourth floor, and Mrs. Mitchell used to spend a lot of time coming out there to the dismay of their campaign. So an effort was made - let's find a way to take care of Martha - so they came up on my floor and they rented office space there – on my floor. You know, when you just open up a new office, you don't have a phone, you don't have a fax, so you come in and you borrow your neighbor's office to use their phone and all.

So I learned the person who was in charge of this was McCord, who was the head of the security, who was also the head of the break in group. When I picked up the *Washington Post* after it happened and I looked and there's his picture, the fellow who's been coming in my office. So I figured it had to know something about it.

It happened that I already had a meeting with President Ford that morning, that Monday morning, and he asked me about it. I told him what I just told you. I said, I think the White House was bound to be involved, I'm not saying Nixon is, but I think somebody very high up has got to know about this. He went down the street that day to a leaders meeting and Ford challenged

Mitchell about involvement of anybody from the White House. Mitchell didn't shoot straight with him – didn't tell him the truth. But it alerted President Ford.

Smith: He really did expect everyone to be truthful with him, didn't he?

Marsh: Yeah.

Smith: Is that naive? It says a lot about his character. Is it something that a president can afford?

Marsh: Bob Hartmann and I talked – Bob knew President Ford well, and Bob and I talked about this. There was a naiveté there that was very real and very wholesome, but if taken too far, could be very, very difficult. It can cause you problems. At times Ford would use the naiveté – he was very skillful with it at times.

Smith: How so?

Marsh: By acting with a certain naiveté he would disarm people. I found that a lot of times, when we thought he was being naïve, he wasn't being naïve at all. He had learned to use it, but it probably related more to his assessment of other people and who he got around him.

Smith: In all the years I knew him, I only heard him speak really despairingly of two folks. I'm sure there were others, but one was Gordon Liddy and one was John Dean. The worst thing he said was, the worst term he could come up with was, "He's a *bad* man." That was the harshest epitaph that he used.

You joined the vice president's staff in January of 1974. I believe as Assistant for the National Security?

Marsh: National Security advisor. See I was the Assistant Secretary of Defense for Legislative Affairs, and had been named to them not quite a year before. President Ford was very much aware that I had that post. What happened, when he was named a candidate for the vice presidency - every vice president is given an assignment. Well, Cheney has reformed it and put power in the vice presidency, which is a good thing. I'm all for that. Lyndon Johnson was

in charge of space – that’s what Kennedy gave to Lyndon Johnson - the space program. Nixon very wisely assessed that he, Nixon, was going to have a problem and that problem was going to affect his legislation on the Hill. So he gave Ford farm aid and national security legislation, he really kind of just turned his legislative program over to Ford. He knew that Ford knew that stuff. Ford needed somebody on his staff that could do that and whether Bob Hartmann recommended, I don’t think Bob did. Of course he really didn’t know me at the time, but Ford knew who I was, and I was the Assistant Secretary for Defense, and Nixon had specifically asked that I be put in that spot. So Ford got me over to do that and to do national security.

Smith: When you went, at the beginning of 1974, did you think Nixon could survive?

Marsh: I went over there I think in February. I thought there was a strong possibility that he would not, because in a way, I had learned more of this Watergate business and the plumber’s thing because of this other thing that was fed to me and there was somebody on the NATSF staff that told me about the plumbers. I was kind of taken aback that that operation was over there.

Smith: You obviously had some discussions with him during that period before the Nixon resignation. He was walking a tightrope. I assume he was in a terribly awkward position.

Marsh: This is where I think Bob Hartmann has never received his real credit. It was funny, we had an understanding Ford, Hartmann, and myself. We would never discuss the status of the Watergate proceedings because all three of us felt that if we started doing it, invariably it would get out and be leaked and that would be the worst position Ford could be in. By us taking that position, every member of the Vice President’s staff was put on notice, “This is off limits. You’re not to talk about it because Ford doesn’t talk about it.” Now Bob and I would because what Bob did – he could be a pretty crusty guy – Bob handled his public appearances. What Bob tried to do: one, he wrote his speeches, but he tried to keep Ford out of Washington about as much as he could, and it was obvious what he was doing. Bob handled the press – he was always in between Ford and the press. There is a fraternity in the press corps, too.

Smith: Ford had proved he could relate – in his personal relations with the press.

Marsh: Yeah, very good. Bob recognized that you couldn't get Ford too close to Nixon, yet you couldn't get him too far from Nixon. I always felt that Bob was the person that struck the happy balance.

Smith: Why was Bob Hartmann a controversial figure? What was it about Hartmann that made him a bit of a lightning rod?

Marsh: That's a good question. You had to learn to know Bob, and we became very, very close friends, and I admired him a great deal. But he was not as concerned about relationships and personal relationships – he was just a rough guy to deal with at times, if he wanted to be. He was one of these fellows that if you got beneath the surface, it was great. But with the President of the United States, you have so many contacts, you don't get below the surface very much with anybody.

Smith: What was Ford looking for in the people around him – what kind of qualities do you think, both on Capitol Hill and later in the White House – what personal, as well as professional, qualities?

Marsh: I think for people – a lot of people around him, particularly staff people around him – there was what I would call an old shoe quality to Ford. You don't get people that are really flashy, too flashy, I mean stunningly attractive. He was more old shoe, those were the immediate staff. I think Ford had a magnetism about him. I don't think – I *know* he did. A magnetism that, as a man, he just had it. It was a persona. Like Washington – although Washington maintained a very strict dignity. Ford was more relaxed, but it was a magnetism that glowed. Jerry Ford, a superb athlete. That caused a lot of people to move into the Ford orbit. Ford, among those people, would select out those who he had special desire or need. Rumsfeld was an example of that. Don, when he hit Washington, came in with a little bit of fanfare. He was a young Congressman 29 or 30 years old and Mr. Sparky – a lot of personality.

Don was really the person who introduced me to Ford. But Ford drew that type of people. Then out of that array or herd, you might say, he would pick

the cattle or horses that he wanted. Mel Laird was one of those that he was close to. A congressman from California, just a whole array, and those were the people who were with him when he defeated Charlie Halleck.

Smith: There was a rap, particularly during the early presidency, that the staff was still not only too Congressional, but too Grand Rapids. That was thrown around as a euphemism for not quite ready for prime time.

Marsh: Yeah, I think that attitude was – the Ford White House was very Congressionally oriented. The people in it, you had Rogers Morton, Tom Kleppe, Don Rumsfeld - any number of them. I can't even recall them all, and in addition to those, it was just layered with staff members who had been on the Hill, on both the House and the Senate. They were very good, but that was true, and they charged them based on spokes of the wheel.

Smith: Was that congressional? Is that evidence of a congressional mindset?

Marsh: Yes, because here as a member of Congress he could not, nor could I or others, you can't expect your constituents to go through a staff process. If a member of Congress is out there and somebody who has got a veteran's pension claim or something, you can't say to him, "Well, that's handled by Sue McCarthy." You take it. The Congressman takes it. But then gives it to Sue. Everything in a Congressman's district, everything comes to him. He parcels it out inside his office whichever way he wants based on whoever can handle it. But with the White House you've got have some pretty stern staffing rules to do it. You pay a price for everything, but you also have benefits. And having a congressionally-oriented White House, I think is a good thing because you reduce the possibilities of rupture and friction between the Legislative and Executive branches, which today has become extremely difficult.

End of tape one.

Tape two begins

Smith: Let me ask you, and I realize this is somewhat speculative, unless, of course, Ford never discussed it with you. During his vice-presidency a lot has been

written and a lot has been speculated about – about the relationship between Ford and Nixon. Whether Nixon felt that Ford was defending him with as much vigor – and yet Ford was in a clearly awkward position. Tom DeFrank, I don't know if you've read the DeFrank book or not, Tom made a great deal out of a single slip of the tongue that Ford made. In a private conversation with DeFrank, in which, as Tom interprets it at least, Ford acknowledged that this was going to end with Nixon's resignation. At least that's how Tom chose to interpret this particular incident. He then made Tom swear on a stack of bibles never to reveal that conversation.

But it does raise the interesting point – with Ford being somebody who had been around on the Hill as long as he had, being a shrewd vote counter - it's one thing to want to believe that the President is telling you the truth, but he couldn't have been so naïve as to rule out the distinct possibility that Nixon would be forced out of office. Did you get a sense of how that developed over those months what was your relationship with the White House?

Marsh: Mine was pretty good because I had been Assistant Secretary of Defense. Al Haig and I were close, personal friends. Al and I lived in the same neighborhood. I knew him when he was a Lieutenant Colonel. I happened to pull a National Guard tour, and I served my National Guard duty for a month in Vietnam and ended up with Al's unit, in a fox hole. So I had a very good relationship. Al would talk with me frequently about things. I didn't go over there except if I had to, but Al enjoyed a good relationship with Ford – a very good one. Ford was one of Al's strongest proponents to be Secretary of State. And wrote letters on his behalf to Reagan to do it.

But the executive roadway I knew between the White House and the old EOB is just about as wide as the Potomac River instead of a street. It is distant in the best of times and the Watergate period was not the best of times. And it was kind of dangerous. You want to stay out of these things because you didn't know who was involved and what would eventually happen. Ford maintained a good relationship with Nixon. He never talked about Nixon – never heard him indicate anything in terms of moving into the presidency until the last two or three weeks. There was some appointment that Nixon

made which Ford disagreed with and he made a comment to me at the time, "If I was President I would have picked this fella over there."

Ford was very disciplined, very carefully controlled. I think Nixon probably viewed Ford as a second string on the Michigan football team. Nixon viewed himself, I think, as President, significantly superior to Ford based on experience. Nixon came to Congress in '46, Ford came in '48, and Nixon helped him along and stuff. It was more of a seniority relationship between the two men. Ford was scrupulous about observing that etiquette, or respect between the two men, the two offices. The day that Ford learned that he was going to be President, he had been called and told – I think Al called him, Al Haig – that Nixon was probably going to want to talk to him about some of his plans. Nothing definite, clearly indicating that the decision would be discussed about stepping down. Ford had gone over to the Blair House. I had gone with him, made the award of the Medal of Honor posthumously to seven families arising out of Vietnam. When he came back he knew he was going to be getting the call. He was remarkable about maintaining his cool in light of that. The call came and they said, could you come, the President wanted to see him. They were there for about an hour and fifteen minutes, and they came back and he said, "Nixon is going to resign. He wants to resign as of noon tomorrow."

I had a funny feeling - it was a funny feeling to realize that the guy across from you can be President tomorrow. If it's a ballot box you don't know until they count the ballots, but to be told that somebody you're talking with is going to be President. Bob Hartmann said, who do you want swearing you in? I remember that was the first thing that was raised. Al had given him somewhat of a heads up that it was moving towards resignation several days before. Ford was slated to go out to the new vice president's quarters, which is another story. That was his initiative, and that was his cronies on the Hill, Carl Albert and those guys all put that together for him.

Smith: The vice president's residence?

Marsh: Yeah.

Smith: Really? What is the story?

Marsh: Well, I used to accuse Ford of living on Jolly Trolley Lane in Alexandria, and when he saw he was going to be vice president, he thought the vice president ought to have quarters - he and Tip O'Neill and Carl Albert on the Hill and Bob Michael. Bob Michael and those guys all together introduced a bill. Well, it is the only piece of legislation that I ever saw that was written and introduced and got passed that was so bad that it wouldn't work and you had to go do it again. (laugh) So I had to go back up there. We worked the bill back through. Ford apparently had told them that, "If we get that house now, it won't be any expense." You can imagine, I think he really believed it. This is a long story, but you asked for it. Clem Conger was in the White House.

Smith: He was the curator of the White House.

Marsh: Yes, and he knew how to spend money, too. So we get this house all put together really fast, get the bill passed.

Smith: This had been the residence of...

Marsh: The Navy - didn't want it to happen...

Smith: The Naval Commandant?

Marsh: The Chief of Naval Operations. And they were opposed to it. But we got the bill through. Ford said to me that we can't let this cost any money. Well, it happens that once you make it the Office of the Vice President of the United States, you immediately have security concerns that you don't have with the Chief of Naval Operations. So they put together a book for me, a great big Sears and Roebuck catalog, and I sat down with him and I said, "Now, they are suggesting that you go about this in three different stages." He's very conscious of the cost - he said, "What's the first stage?" The first stage are the requirements of the Secret Service. You have to have them.

He said, "How much is that?" I said, "That's going to be \$33,000."

(Demonstrates how Ford frowned) Then I said, "Now I'll go to the second phase - that's painting and drapes and stuff like that." He said, "What's that?" I said, "I think it's \$150-200,000." By now he's really having gas pains. So I

said, "Now there is a third stage." He said, "What's the third stage? How much is that?" I said, "That's \$450,000." He took the book and he closed it up and said, "No, we can't do this. Jack, you go tell Betty." (laugh) So I went up Jolly Trolley Lane with the wish book under my arm and explained to Mrs. Ford that we couldn't do that.

Smith: How did she take the news?

Marsh: Well, I really didn't know her that well. She was a good trooper about it, but she was clearly disappointed. They got back into it and they did agree to increase the expenses on it. But the reason I remember so well – President Ford was supposed to go over to the house the afternoon that Al Haig came over and said, "Look, I think there is a chance that the President is going to resign." Ford never showed that in anyway. He went on over to the house and talked about the drapes and all that kind of business. And to have in the back of your mind that possibility that you are going to be President of the United States by the end of the week – that's pretty-

Smith: Actually, I can top that because that night they had dinner at Betty Beal's and nothing was said. Needless to say, it is a pretty impressive acting job.

Marsh: It was. Ford's schedule – he didn't have anything to do with this – his first schedule that afternoon for that block of time was Rog Morton, who was Secretary of the Interior, but it wasn't Rog Morton, it ended up being Al Haig.

Smith: Vast amounts have been written, but walk us through those days when the possibility of a pardon was first introduced – because you were clearly at the center of all that – and cautioning the vice president. Was that an instance where he initially was perhaps overly trusting?

Marsh: Probably. Yes. I think that's a good observation. Al came over during the Rog Morton block of time, but it was not for Rog Morton – it was for Al. Al discussed – and I was not present in that – nor was Bob Hartmann present – but Al discussed generally and gave strong indications that we would going to have to make some changes. Nixon was going to probably resign and this sort of thing. That *was* the nature of the conversation. It was not firm that he was going to, but it looked like it was definitely moving that way. I think Al may

have used the term “You need to prepare yourself.” I think what Al was doing was, “you shouldn’t be blindsided by this suddenly coming up,” which it made sense.

I saw it when he went in the office. He talked to the President and I had to see the Vice President about just going up to the house. And so when Al came out I went in the office. Ford looked thunderstruck. I had never seen him that way. It was like someone had told him his house had burned down. He recovered from that – he wasn’t un-composed, babbling or anything like that – I think it was the enormity of the developing situation – suddenly the sum of it – it’s here and it’s going to probably happen. He was contemplating that when I went in there, but he was – it was kind of like he was stunned. He went on over to the house and then, before he left he talked to Hartmann, and Bob came down hard over against it. Really quick. Bob said, “I want you to talk to Jack,” and Ford said, “I can’t do it right now because I’m going over here to this house. I’ll do it in the morning.” Bob insisted that he do that and President Ford did talk to me.

Smith: That night or the next day?

Marsh: The next morning. Of course, actually he was running late to go over to the house.

Smith: Now, I assume this is one of those frequent instances where Hartmann more than compensated for Ford’s lack of suspicion – or guile – whatever you want to call it. Where Ford saw the best in everyone, you probably do need to have someone around you who can imagine the worst. Or at least see an agenda where maybe Ford didn’t see it.

Marsh: Actually, the way you described it is very, very accurate. He saw the dangers that Ford didn’t. Bob was very outspoken with his views. Bob did not tell me what it was, but he told me that there was a matter come up that he wanted Ford to talk to me and Ford had promised to. And the next morning Bob prodded him again and he got me in and he laid it out. I’ve thought about it many a time, naturally something like that you don’t forget it. That situation could be portrayed in a way that you will do this country a favor and you will

be doing the right thing for the republic to pardon the President in order to get him out. I think if you ever get Al here, and this is conjecture on my part, Al and Fred Buzhardt. Fred Buzhardt had a key role, he's deceased. I think he did.

Smith: He was Nixon's legal counsel?

Marsh: He was legal counsel and I also had legal counsel. But Buzhardt had come over from Defense. Buzhardt and Haig were at West Point together. I don't know if they were classmates – for some reason I think maybe Buzhardt was maybe a year ahead of Al. He wasn't present, it was just Al. A lawyer could make a very, very strong case either way. Either to pardon or not to pardon – to get him out. I think that Al and Fred and a couple of others were having real problems of trying to – they were concerned for the country and it would be best to get Nixon out, but how do you do that. It would be two ways, either get him out by inducement or get him out by resignation. So when people talk about Ford being too naïve in that presentation - I know – I'm positive that Ford did not give absolute assurances, but he may have been – Al Haig may have assumed that he had made more headway than he really did. Bob knocked it down and Ford presented to me the next day. I knocked it down. I just – very plain that – nice conversation, but my view was that he ought not to do that.

Smith: And then he called Haig? Was that the sequence - to just kind of go on the record?

Marsh: There was a little bit of time, a couple of hours maybe had elapsed. When I got hold of Bob, I told Bob I thought we were going to have to get a third party in. In a way, Hartmann and I were too close to it. Get somebody who might be objective – and that was Bryce Harlow. We talked about it and Ford agreed to that. So we brought Bryce in. And then after the conversation with Bryce he called.

Smith: Bryce Harlow was the quintessential wise man, wasn't he?

Marsh: Yeah. I think he was a person of great integrity and his methods and personality were very good as a moderator.

Smith: The eighth of August, and the ninth of August, the Nixon resignation and the Ford swearing in – what are your memories from those days?

Marsh: Well, I remember I was up almost all night long. I think President Nixon had mentioned that, or suggested, he was very amenable about it – I think he suggested to Ford that it would be a private ceremony, be sworn in in the Oval Office. And Bob said, “No, you’re the President of the United States, you are going to have it where you want to have it, and you ought to have it in the East Room.” And Ford agreed. It was my job, then to get 216 people, the right 216 there, and we worked in the office almost all night long. Of course, we got John McCormick there and I knew John McCormick had an aid named Johnny somebody who lived in this area, and I said, “Go get Johnny,” because Mr. McCormick will want Johnny to be with him. So they found Johnny jogging and they picked him up and got him down. But Ford thought a lot of McCormick and McCormick thought a lot of Ford.

And so what we did, I tried to structure a protocol and the protocol was first his family, and then secondly very, very close friends – like Phil Buchen and others – and there were members of the King family who were invited and attended, who were his half brothers or sisters. We had the Congressional class that was elected in 1948, all those who were fellow Congressmen – they were there, and of course the House leadership. So you couldn’t complain about the protocol – it was fine.

Smith: There is a wonderful scene – it is so Ford – but the first day they actually started moving into the Oval Office – he walks up to the door and there’s a Marine standing there saluting, and holding the door open. He walks over and he said, “Hi, I’m Jerry Ford and I’m going to be living here. What’s your name?” (laugh) Now, can you imagine anyone else reacting in that way? In some ways that is very congressional. Or maybe that’s just west Michigan.

Marsh: Well, that’s Jerry Ford, the Congressman. That is the kind of thing a Congressman might do, but the kind of thing a Jerry Ford Congressman *would* do. He never took himself seriously, in my view.

Smith: If he ever was inclined to do so, Betty was on hand probably to make sure that he didn't.

Marsh: That's true. The other thing that I keep referring to it as Jolly Trolley Lane out there, I kidded him about that, too. But I lived over in Raleigh in the same kind of circumstance. What's interesting about Ford ascending to the presidency is that the Nixons, in effect, had not moved out. They had gone, but all their personal things, furniture and all that, had to be moved. He couldn't live in the White House and they lived out there in Jolly Trolley Lane and so the White House was out there in Alexandria, but what the Secret Service had to do - because Ford was very insistent that none of these people be inconvenienced, and they were delighted to be the neighbor of the President - they cordoned off the whole block. Everybody had passes. These people that lived in there, they were given a pass - they were part of the White House and they could come and go - but the whole area was cordoned off and you'd see this White House Presidential train coming down the parkway and swing on down across the bridge over into - it was a different experience.

Smith: I've been told that his first order was to get all the listening devices out of wherever they were supposedly there were so many, I guess several days later someone found one still in the wall in the Oval Office.

Marsh: I think so. I knew that was happening, but I don't know who was doing it. I assume that Bob Hartmann, I'm sure, was overseeing it.

Smith: I assume that Ford was genuinely mortified at the thought of a president taping people with their knowledge.

Marsh: Yeah, he felt that totally improper. But Johnson had been doing that and there is some indication, I'm not sure of this, but whether or not Kennedy had done it.

Smith: It was a long tradition, if you will, going back to Roosevelt.

Marsh: Yeah.

Smith: Who were his heroes among Presidents? We know he put up Truman's portrait, which surprised some people at the time. I guess Ike was up there and Lincoln. Did he have much sense of history?

Marsh: I think it would have been helpful if he had more sense of history. Of course, I'm from Virginia and you are from Massachusetts, and you're beat over the head all of the time because you're looking at the past and thinking about the past. Ford didn't do that – his thinking was very logical – very compartmental.

If you had a proposal that we will call the letter D, that's what you want, that's your goal. If you got this project, this will be your policy, it's over here at "D," well, you go see him, and you're at "A." He's going to ask you, how do you get from B to C to D. He was a very, very practical thinking man. He was realistic, feet on the ground. But, I think history enables you to perceive - I wish Ford could have had a greater sense of history. He used to kid me about it. I had introduced the bill for the Bicentennial of the American Revolution in 1963 when I went to Congress. So when the Bicentennial came up, it was my task to do Bicentennial efforts for the President, not the general Bicentennial for the country – but the dedication of the Smithsonian Air and Space Museum, for instance. They cut the tape of that through a signal sent from Mars.

The Queen's visit – he was very excited about the Queen's visit. He looked forward to her. The Ambassador asked me to come up and visit with him. The Ambassador said the Queen will come, she wants to come, but we're not just sure when is the best time to come. Can you get some ideas out of the President for when the Queen should come? So I told him I would. I went to see President Ford and I said, "When do you want her to come?" He was elated, he said, "Oh, have her come on the Fourth of July!" I called up the Brits and I said I don't know that you'd want to do it on that date, right on that date or not, but I said, "He wants her to come on the Fourth of July." I think he nearly fainted, but she came around the tenth or so and it was a wonderful visit.

Smith: But, we learned later on that a disproportionate number of guests at the dinner were uncommitted Republican delegates and their families.

Marsh: Is that right?

Smith: Yeah. Of course, it was a month before the convention and it was going right down to the wire.

Marsh: Yeah, I know things like that will be done by senior campaign people – they aren't going to ask a soul – they just go ahead and do it.

Smith: I believe you took part in the preparations for that first press conference toward the end of August, 1974 and a lot of people when they write about the pardon, they leave that out. My sense was that, in his own mind, that was, at least, a triggering event. That he may very well, at that point, have been favorably inclined, but that he left that press conference genuinely surprised at what he thought was the continuing preoccupation of the Washington press corps with all things Nixon.

Marsh: He was right about that. I've thought about the pardon thing, and often felt maybe we should have done some things, or things that we could have done that would have made this better or go down differently. It is correct, you had a situation where Ford's got a presidency, just after the oil embargo, the economic crisis was starting, the Vietnam war was going on - and then Mrs. Ford was coming down with this terrible cancer situation. The things that this man had on him, I don't think anybody has ever looked at that. He is very serious about government and you try to bring up some issue of government and the press corps were preoccupied with the pardon –it just enraged him. I was sitting in the Oval Office when he came in after that press conference. I think what we should have done, this is the benefit of hindsight, I think what we should have done is that we should have – he should have begun to lay a predicate. You know, there is an argument, there is a concern about the Nixon pardon – to remove the suddenness of the announcement-

Smith: I once spent three hours with him in a Grand Rapids hotel room. And like most people, I thought, there must have been a more adroit way of doing it. And you know, I went away pretty much dissuaded that, given the poisonous

political atmosphere of that time, the first trial balloon would have been shot down before it ever cleared the trees. I don't know how – you are absolutely right – legally, intellectually, but given the inflamed emotions and the very fact that that press conference was so dominated by questions about Richard Nixon, if he had said, or caused people to believe, that he was giving serious consideration to a pardon, that's all anyone would have discussed, and probably, with a lot of hostility. I'd love to hear a strategy for softening the impact of the pardon.

Marsh: I just think that if he had kept bringing it up in several different press conferences, and get the American Bar involved in it, it would be different. But that was not Ford's way, but, boy, it throws a thunderclap when it came.

Smith: How much of that first month was, in fact, influenced by, if not preoccupied with, Nixon? That first month was defined, maybe as a better way of putting it, by uncertainties over Nixon's fate?

Marsh: Quite a bit. There were things that were incidental to it which are not apparent, which were troublesome. The President, when he left Washington shortly before noon, Air Force One was no longer Air Force One when it flew over Missouri. But when he left Andrews Air Force Base it was Air Force One and Nixon took eighty-five or so staff people with him. Very, very large number. One of the tasks that I had, or my office had, was the transition of Nixon, which there were a lot of difficulties because the animosity was so great on the Hill that senior members of the Congress, over on the Senate side, wanted to stop and deprive him of his pension. I had to talk to the President. You couldn't do that, shouldn't do that. But nevertheless, that was the kind of poisonous problems we were –

Smith: You said that was something you discussed with President Ford?

Marsh: Yeah. I told the Senator, I just listened to him what he wanted to do, but there were all types of punitive things that they wanted to do to him. That passed, but getting that Nixon transition group down was a big task, and I'll tell you who did it. It was a fellow named Russ Rourke, who is since deceased. Russ was my deputy and he deserves credit for that. Dealing with Nixon and trying

to get things for him he needed from Congress and all, was not an easy task. It permeated the White House.

Smith: In retrospect, was it naïve to believe that it would go away overnight simply because Nixon had gone away?

Marsh: No, it would be naïve to think it was it going to go away and it did not because the question came up about removing things from the White House, tapes, and all, and Fred Buzhardt. It was a constant, constant irritation.

Smith: Were you present in the Oval Office or elsewhere when there were discussions of pardon.

Marsh: No, in fact, it's interesting, and nobody knows, all we really know is what happened over on the Ford side – the vice president's side. I told you that when President Ford talked to me about the pardon, he had a sheet of legal paper – it was yellow like this –and he pulled it out of his pocket for me to read. You've probably heard this, on one of these was a very, very accurate summary of the law of pardon, under the Constitution – and the American Constitution does permit a pardon for crimes before prosecution. It is very clear. So it was an indication with that piece of paper that that was being given to Ford to assure him that one, he had the authority. The second piece of paper –

Smith: Was this early in the presidency?

Marsh: This was when Haig came over there.

Smith: When he was still vice president.

Marsh: He was vice president. And the second sheet of paper was a form, all in handwriting, where all you had to do was take the sheet of paper and type it up and you had a pardon. All you had to do was sign it. He showed me the papers. I recognized the handwriting. The handwriting was Fred Buzhardt, because Fred Buzhardt had been a general counsel in the Department of Defense, I was the assistant secretary and we'd been having to work the Hill on a number of issues involving the windup of the Vietnam war. So I immediately recognized it. I don't think Al Haig knew that much about what a

pardon was or anything else. I think Fred Buzhardt – there was his handwriting on these two sheets of paper. It wasn't Al's, I know that. I know it was Fred's.

Smith: And presumably Buzhardt would not have done that entirely on his own, without some inspiration from his client.

Marsh: You would think. It was an instance of a ploy that a lawyer would probably make to a client, maybe we can take this route. I don't know that that's the case, but I do know there were two pieces of paper, and I know that one of them was a form for a pardon.

Smith: Did you know the pardon was coming – we jump ahead to September, the first week of September – how many people were in the loop?

Marsh: When he talked about the pardon that he was going to announce, the pardon, as I recall, was announced on Sunday.

Smith: Yeah, Sunday, September 8<sup>th</sup>.

Marsh: I think we had the meeting either on Friday or Saturday and there was Phil Buchen, myself, Bob Hartmann, and Al Haig were in there.

Smith: Now, did he announce this as a *fete accompli*, or was it a discussion?

Marsh: Yes, he indicated that he was going to pardon him. Bob and I both, separately and independently, went at him to raise it again.

Smith: Following this meeting?

Marsh: Following the meeting. Bob talked to him – see we did not do it in that environment.

Smith: Because of Haig's presence?

Marsh: I just felt I could do more with him if I talked to him one on one. Then President Ford used to eat in a little dinette off the Oval Office. He would eat in there. My concerns were the association of the pardon and the earlier conversations – it would have been far better if the word "pardon" had never been mentioned to Ford, because that would have been the logical course of

action, anyway, and he would have done that. But you don't have to inspire it with him – he knows who thinks like that. I went in, he was eating his lunch, and my concerns there were the charge of a deal linking the two events. I told him, I said, "Look, you'll probably want to throw me right out of here, and you may, and I may make you mad." He said, "Jack, I know right where you're coming from, but there was no deal." I said, "I didn't think there was one, but I wanted to bring it up."

Smith: Over the years there has been talk – he gave, not varying versions, but he gave weight to differing factors. For example, it has appeared in print that Julie Nixon Eisenhower had either directly to him, or through third parties, communicated real concerns about her father's health – physical and mental. That somehow that was *a* factor – for lack of a better word, the humanitarian element. Was that something that was discussed to your knowledge, or was it in the background at all?

Marsh: I know that Ford had concerns about Nixon – you know it was questionable that Nixon was going to survive there for a short time. Ford did express concerns about that, and probably, maybe it was a factor. I don't know.

Smith: The other thing in that first month, that tends to get swept under the rug, but I've always thought it part of a larger strategy of national reconciliation, for lack of a better word. And that, of course, was the VFW appearance and the amnesty program. How did that come about – because on the face of it, it is a curious, defining moment.

Marsh: I think this shows a side of Jerry Ford that he's not quite as conservative as people think. He has a great empathy for people in certain situations and I think he genuinely wanted to try and be helpful, sort of remaking of the country or reconciling of the county to the Vietnam war. And I think that he felt that there were a lot of people out there that should have served and didn't, and avoided the draft. But that didn't bother him. But it happened. Of course, he got into problems with the VFW, I guess you know that, for having done that.

Smith: More remarkable in some ways than the actual program, is the venue in which he chose to announce it. Not many presidents would walk into that buzz saw.

Marsh: I know (laugh). A very interesting thing that happened on that – he came in there, the speech was on a Monday in Chicago or St. Louis, I think. He came in there Friday and the speech had been written and Hartmann knew this. Bob and I were the only two that knew. Ford showed me the speech to read. It was just a regular speech about the VFW and strong national defense and all that. And then he pulled out two separate pages, which nobody in the White House knew were in the speech which Bob had written, and those were the amnesty pages. He inserted them into the speech and gave it. (laugh) The people in the White House didn't know he was going to do that. That really caused him a lot of reaction, but I happen to agree with you. His desire to do that before the VFW was clearly planned and very deliberate, because it was a veterans' organization, he knew the executive director, who was a fellow named Cooper Holt. Cooper Holt really became enraged and we had to work for a whole year to get Cooper back into the net. He really got upset.

Smith: One last thing, and that is those first few weeks, part of it was the spokes of the wheel, but also, let's face it – you had a White House that was still overwhelmingly populated with Nixon holdovers. There were very few Ford people. How much of a problem was that? The cultural shift, if you will?

Marsh: This was something that was recognized and it was discussed. I think part of President Ford's rationale on that, and it is typical Ford, he had a lot of good people on that White House staff that had absolutely nothing to do with Watergate and they were victimized by it. But the Nixon brush at that time was a broad stroked one and everybody got tarred. So I think – and I'm not sure if Ford and I talked about this or not, I think we may have – it was deliberate – he wanted to let these people exit the White House in a gradual attritioned way, without a summary end of their service. Because by serving with President Ford from September to January, if you went out in the Washington environment and market – you had experience in the *Ford* administration. It makes you much more marketable, whereas you don't raise

suspicions. If you stayed there with Jerry Ford, you must be okay. You weren't involved in Watergate. That was a part of his planning on that.

Smith: I assume General Haig presented a particular challenge.

Marsh: Yeah. But his was a little different. We have to go back up to the pardon hearings on the Hill. The pardon hearings which Ford attended, as I said, the full chair of the committee was Peter Rodino, his classmate. The sub-committee, there was a sub-committee hearing – it was not a full committee. The sub-committee chair was Bill Hungate, who was my classmate in Congress. That thing directed that the Ford pardon was broader than Ford. People overlooked this. It involved Buzhardt, it involved Haig as witnesses. When they got ready and the end of the year came, Hungate made a motion to dismiss, to discharge the committee without calling Haig and Buzhardt. And it only carried about one vote and that was Hungate's vote. Hungate shut the hearing down. But Stennis, the United States Senator had sent word that he, in fact, wanted Haig given an assignment out of the country. He did not want him to be Chief of Staff of the Army because he felt he would be a continuing lightning rod. So Stennis, in effect, said NATO. That created a problem with Goodpaster. Goodpaster was a wonderful man and Al went to that assignment and did quite well, but Stennis wanted him in Europe, not in the United States. Not that Stennis was against Al, but recognizing the problem that he would cause, in his view-

Smith: You were one of the people who urged President Ford to go up to the Hill. Obviously there were a number of people who thought it was a bad idea, an unprecedented idea. But I believe you were one of the people who supported him.

Marsh: Bob Hartmann was not opposed to it. When the letter came in from Hungate, I took the letter to him and I showed it to him and of course we had to go through the ritual of having it staffed out – and the poor people writing it didn't know about these meetings and all. Ford knew that I was not opposed to it – he knew that I supported his going to the Hill – and Bob did. Understandably, most of our staff didn't, but I thought it was a good idea. When they put all the staffing papers together and they had prepared an

answer which, if sent to the Hill would not have been correct. He looked at it and he said, "Jack, there ain't but one way to do this. Go up there and lay it out." And that's when he said to me, "Go see Carl," because he wasn't going to go up to the Hill unless Carl blessed it.

Smith: That's a perfect note in which to end this conversation. Obviously, we would want to schedule another one.

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**Gerald R. Ford Oral History Project**  
**Jack Marsh**  
**Second Interview**  
**Interviewed by**  
**Richard Norton Smith**  
**March 17, 2009**

Marsh: And it's my view and I've come to more think of it as, I try not to think of it in terms of the Ford presidency, as it was an interregnum. [Neither Reagan was a significant gap between historical events.] You have the Cromwellian period in English history, then after you have the English Bill of Rights. And I think with the Ford presidency, it was an interregnum. When you look at it as being an interregnum, then you can appreciate the full greatness of his leadership and as a president. If you look at him as a president, you're comparing him to people who have gone through the election process, which he didn't. He came into this through the 25<sup>th</sup> Amendment. He skipped the campaign trail and he really went from the office of vice president into the presidency.

So, I think if you look at it as being an interregnum, then you see him having to deal with these forces that were very evident at that period in time. One, the Vietnam War had not ended. But, Richard, people also forget that the Cold War was still an intensive struggle. One where the Soviets were making a big push. So, we had the Vietnam situation, I guess we had the Arab oil embargo, we had the economy situation. We had the problems involving the anti-war protestors, which were raising Cain. You then had also the things that relate to changes in the Congress. But even before that, and I was in the Congress in the 60s, there was already beginning to develop in the Congress a push back as far as the Executive Branch was concerned. That was evidenced in the Freedom of Information Act and the Privacy Act and many, many others.

Smith: War Powers.

Marsh: Yes, and the War Powers. And, you know, I handled the War Powers for Ford with Congress. And so did Vern Newsom(?). But he did not feel it was constitutional. I think he's right, it is not constitutional. We know that now.

Smith: Was a decision made not to test that theory because your political capital was so depleted?

Marsh: I think the decision on that, and I can recall the discussion on that, there was so much on his platter. Why take on something else? So develop a system that you realize the statute was out there, but you are not bound by it, which was the position that he took. We tracked the statute. That was our admitting that we had to track it, and we took a position that we don't have to do this, but we're going to do it anyway. And a decision was made not to test it in the courts at the time.

Smith: Where did you apply it - for example, the Mayaguez incident?

Marsh: No, the first application of it came with the evacuation of Vietnam after the fall of Saigon. When the president, and I remember it well, he dispatched, as I recall, the 7<sup>th</sup> Fleet to the Vietnam borders to help and assist in the evacuation and other things. But it could be considered a very war-like act, because there was a question as to what would be the Chinese's reaction to that.

The first instance pointed to the flaws in the statute that would play in from then on. The first question was, if you look at the War Powers Act as written, it says "the Congress." Is that 435 or 535? Is it the armed services only? Is it the appropriations? Is it the leadership? You couldn't identify them. So we came up with our own definition of what "the Congress" would be. They'd be some 20, 22 people, equally divided, House and Senate, jurisdictional committees. Highly classified, that was highly classified. Not because we didn't want *our* people to know about it, but because if we identified them publicly, then those individuals could be tapped for surveillance and to find out what was being discussed by the president.

So the efforts involved in the 7<sup>th</sup> Fleet were the first instance where we used it. We used it about six times as I recall, maybe seven; the Mayaguez, the Phnom Penh, the Cambodian situation. We had two evacuations, as I recall, or three, of Lebanon of U.S. citizens. And every one of those situations, except the last one, and that was done deliberately. The last thing on

Lebanon, they did not file a report on that because we wanted to show that we did not accept the statute.

Smith: What was the reaction?

Marsh: They didn't notice it. They didn't catch it. Incidentally, George Bush, the first President George Bush, was our ambassador or representative in China. And it happened that, when the evacuation [took place], the Speaker of the House, Carl Albert, and the Minority Leader were both in China with George Bush. He had designated an ad-hoc Speaker, John \_\_\_\_\_ in California, but we had members in Europe, we had members in Spain, we had some in different parts of the country here. It was a nightmare to try and reach those people even though there was a diligent effort made to do that.

What happens, Richard, with the War Powers Act, the media gets inside your decision cycle. What I mean by that is, before we would advise these 20 or 21 people, Brent Scowcroft and the General Counsel's office and representatives of state and others would draft up a very short summary of what the incident was. That was then read verbatim by one of our legislative people and then they would record our member's response and those summaries were then filed. And they were given to the president, too, but he was in California, so it ended up with all these members thrown around the globe and President Ford's in California. It showed how the Act simply did not work. But he tracked the statute. I remember it well.

Smith: You mentioned Vietnam. Let's kind of focus on April of '75, because as we said earlier, we heard from Mel Laird recently who obviously loved the president, but was and is quite critical in his comments about what he perceives as a failure of leadership across the board. And I don't think I'm putting words in his mouth when he suggests that a President of the United States, even under those circumstances, could go to Congress and get whatever the sum was to sustain the South Vietnamese government and prevent what happened. What's your response to that?

Marsh: The Vietnamese collapse - efforts were made to try and get some financial assistance to the Vietnamese. That failed. You could not get a bill through.

You could not get support for a regime that people were complaining about back then in support of the war. There was so much resistance to that. The Vietnam thing poisoned the Nixon administration, it poisoned the Johnson administration, would've poisoned the Kennedy administration for a lot of different reasons. One of those was the draft and the terrible unfairness of the draft. But you could not sell if you tried to do things to the effect that it was a futile thing.

Smith: But a full court press was made, a serious effort was made to—

Marsh: I think what occurred is that, before you do it, you try to find out where your support or where your help is. There was none. Vietnam was that goat. The administration was, and I know Henry felt bad about that because of the Paris Peace Accords.

Smith: See, that raises a key issue here, because one senses within the administration, at the end, a tension between those who, for lack of a better word, I use Bob Hartmann and the people who produced, for example, the Tulane speech - where the president in effect publicly proclaims the war is over. And Secretary Kissinger, who it has been widely written, would not have delivered that speech, would have taken a different approach. I may be grossly over simplifying, but were there those tensions at that point within the administration. How would you describe the breakdown?

Marsh: There weren't those kinds of tensions. I never saw any strains or stresses between Ford-Kissinger, even on those issues. My suspicion of Henry is when President Ford made a decision, Henry would acquiesce on it. Now, he may not have necessarily agreed that that was the right approach, but on Vietnam, Ford fully sensed where the public was. He also, in support of the war, would've continued to support it, but he was a political realist. Richard, you had going all these things that started involving the CIA, the Church Committee, the Pike Committee. You had the fallout of the things that involved the war in Dey Brinkin(?). We have to keep in mind, this was the first instance in American history that I can recall where the integrity of the President and the Oval Office was attacked and undermined.

And so you had a weakened presidency. And then you had the intelligence community which came under attack both in the House and the Senate, in the House by the Pike Committee and in the Senate by the Church Committee. And those things went on for months and months and months and it really changed dramatically the dimensions of the intelligence community. It also would lead ultimately to the establishment of an intelligence community in the House and the Senate. Not in Ford's administration, that happened under President Carter, but all this undermining and all, and this unrest.

Smith: Let me ask you about that because you raise a fascinating point. I've read that, I think it was early in '75, that Seymour Hersh ran this lengthy piece spilling a lot of beans, the family jewels, whatever you want to call it.

Marsh: *New York Times* article.

Smith: And the President read the piece. Was that, in fact, news to him at that point, what was in that article? Because out of that grew this multi-front investigatory effort.

Marsh: It would spawn, in effect, several different efforts. The first and most immediate was the Rockefeller Commission, which was an examination of wrong-doing and improper actions by the intelligence community and assassinations.

Smith: Which was widely and cynically perceived as an attempt by the White House at damage control at, in effect, having an investigation, but *our* investigation.

Marsh: I think that's probably a fair statement because it put you in a burden. You can't be President of the United States and have these kinds of revelations that had certain kinds of substance of truth in them and ignore them. You've got to do something about it. What happened then, you would then have the Ninze(?) Committee in the House which then collapsed of its own weight through dissent and strife inside the committee, which led to the Pike Committee. But in the meantime, the Church Committee had gotten up and had started to run on the Senate side.

Another thing that aided and abetted this attack on the Ford administration were the elections of 1974. In the '74 elections, the Republicans lost 40-some seats. It was really almost a veto-proof House. I think it was one fourth or 288 to 141 or something like that, to 144. On the Senate side, you lost 5 Senate seats. But, the House group that came in, the House freshmen, were loaded for bear.

Smith: The Watergate Babies, so-called.

Marsh: Right, and they were going to correct the Watergate situation, they were going to reform Congress. They did change the selection of committee members in the House from the Ways and Means Committee over to another \_\_\_\_\_. They changed the seniority system. That was a very, very rebellious sort of casualty. And I think, I've always been of the view, well, I know for sure, they had gotten together before they were sworn in to discuss what they were going to do. And they found that they had a balance of power and they imposed their efforts on it. But now, with those \_\_\_\_\_ majorities in the House and Senate, it was extremely hard to defend an administration position on the intelligence increase. You couldn't do it in some instances and they were just killing us with these subpoenas for materials from the Department of State and the CIA.

Smith: A couple things: One, was Ford in fact shocked by what he read in the Seymour Hersh story?

Marsh: One must remember, and we overlook the fact that, Ford as a House member had jurisdictional committee assignments that took him into the areas of intelligence. He had a far better grasp on the American intelligence program than people realize. That probably kind of hardened him. I'm confident that he was really taken aback by what was revealed and that's evidence, I think, Richard, by the efforts that he took in his administration. President Ford reformed the American intelligence community.

Smith: How?

Marsh: Well, he had a group in the White House and the group was called the ICG, Intelligence Coordinating Group. That was Phil Buchen, Brent Scowcroft,

who represented Henry who was representative for the Defense. Bill Colby of the CIA and Levi, who played a role for which he has never received the credit he should have received. He was a great anchor to that. It was a coordinating group, I chaired the coordinating group.

Smith: That's fascinating - that the Attorney General would be part of that effort.

Marsh: And he was a voice of, Levi was one of these people who could listen to these things and summarize it in two or three sentences and he's right at the heart of it. He was very quiet, but he was very thorough. And, out of that, came an effort for which he's never been recognized. He adapted the Attorney General's guidelines that related to the FBI and it would flow out of that particular thing.

An interesting thing, and I was uncertain how to deal with but I finally dealt with it by accepting it, was Bill Colby brought his own lawyer to those hearings. Rogovin, Mitch Rogovin. And Mitch sat in and eventually Mitch became a very valuable ally, he was very helpful. At first, you wondered whether or not he was going to be adversarial from the standpoint of trying to protect Bill Colby. But I would say that he became a more attractive member because he got so upset at the Pike Committee that he was driven to our side.

Smith: And how did the Executive Order on assassinations come about?

Marsh: It came out of the Rockefeller Commission. \_\_\_\_\_ the first of its kind. People think its law, it is not law. The Assassinations Prohibition is an Executive Order of the United States. It's from Ford, Ford put that together. I suspect that Rockefeller probably recommended he do that.

Smith: I gather from what you say, you dismiss those who dismiss the Rockefeller Commission as in any way a white wash. Whatever the original political motivation was, it produced change.

Marsh: Well, the efforts of the Rockefeller group were subsumed in these other White House groups, the Intelligence Coordinating Group. It did provide a number of factions. It raised a lot of things, some of which could be clarified, some

probably which could not. But the elements of the Rockefeller Commission were pursued by the Church Committee.

Smith: Was the president at all in an awkward position, in effect, defending Colby and the CIA while simultaneously undertaking an independent investigation of the Agency? What was the dynamic? There would seem to be something of a conflict.

Marsh: This is a view. I knew Colby. I knew Colby well. A magnificent World War II record in the resistance. A great record in Vietnam. I am of the view that he was so enmeshed in, and part of, the Vietnam strategies and policies and programs, that he should never have been the Director of the CIA because he was being called to witness on the Hill and he was put in a terrible situation. I mean, after all, if you've got a Director who's coming to your meetings and he's bringing his own lawyer, you feel you're putting the person in potential jeopardy there. And people forget that when Ford and Colby parted ways, Ford offered him the ambassadorship to NATO. I've discussed that with Bill Colby. I was with President Ford when Colby was released and also Jim Schlesinger. I sat in on that.

Smith: How long had that been in the works?

Marsh: President Ford got there Friday and told me what he had decided to do. It was very apparent that he had made a decision on what he was going to do.

Smith: And this is jumping ahead, but over the years, this has also been enmeshed, the whole dumping of Rockefeller. There were those who see the long arm of Don Rumsfeld in this shuffle. And the President said, in effect, even then, "No, this was my doing."

Marsh: That's true. He told me on Friday what he had decided to do with those shifts. To my knowledge, Vice President Rockefeller was never mentioned in that. Ford was not comfortable with Jim Schlesinger. I had to work for Jim, I'd been his Assistant Secretary of Defense. But President Ford was not comfortable with him. When that shift came about, he told me on Friday, and I could tell that he was telling me in a way, "Jack, this is what I've decided to do. I'm informing you. I'm not asking you for your advice."

- Smith: Was it just about chemistry with Schlesinger?
- Marsh: I think that's all it was and I think probably if Schlesinger had more frequent access to the Oval Office that might not have happened. But if you look, there's a great disparity between his access to the President.
- Smith: Over the years it's been portrayed as the President feeling somewhat resentful of what he took to be a condescending attitude on Schlesinger's part and that the chemistry just never worked.
- Marsh: I think your description is probably accurate. Jim to some degree in my view misjudged Ford, particularly as to his abilities and latent abilities. We both know Ford had these enormous abilities and many of them, he didn't care if we could see them, we didn't know that they were there. Ford told me what was going to happen on Friday. On Saturday night, I'm home and Don Rumsfeld calls me and said, "Jack, maybe you ought to come down here. Nobody's sitting in on the meeting with either Schlesinger or Colby and I think probably somebody ought to sit in."
- Smith: Now, that raises a question. Why not Rumsfeld himself?
- Marsh: Well, I guess, he was Chief of Staff, he didn't want to be involved in it.
- Smith: Of course, to be fair to Rumsfeld, he in some ways was a party of interest.
- Marsh: At first, he wanted me to do it. He wanted me to call Jim Schlesinger to get him to come to the meeting, which I told him I would do. Then he called and said, "I think you ought to sit in." And then the next instruction was, "I think you ought to go with Cheney and go down and sit in the meeting with Sadat," because Cheney was going to be new and Don was sort of an old hand with him and I said I'd do it. I went down there and I sat in on those meetings that they had and it was real polite. Ford offered Jim the Chairman of the Board of Economic Advisors, as I recall. I don't think he ever mentioned that Ford had offered him something, but he did. And I was there for Colby and he did the same thing with Colby on NATO.
- Smith: How did Ford broach this unpleasant subject? It's never easy to fire someone.

Marsh: No, it's not easy. He was rather direct. It was a very courteous conversation. It was not an extensive one. And Jim, I think, was probably pretty surprised by it and, of course, wanted to put forth his own views about his service, but Ford was adamant. It was very apparent he was adamant that he was not going to change his mind and, "I made it. You can have the Economic Advisors, but this is my decision. We're going to have another Secretary of Defense." I don't know whether he told him who it was going to be or not.

Smith: And, of course, it turned out to be Rumsfeld.

Marsh: Yeah.

Smith: Now, obviously this is a supposition, again, over the years, there's something about Don Rumsfeld, I guess, generally it's this view on the part of some people that he's sort of behind the scenes pulling all these wires. And this was a great Machiavellian. Look, he got rid of Klutsky(?), he got a cabinet slot, he got this guy to replace him as Chief of Staff, he got Rockefeller out of the picture therefore opening the way in theory in '76.

Marsh: Another factor is George Bush.

Smith: Bush is deep-sixed over in the CIA.

Marsh: As I recall, I believe he sent Elliott Richardson to the Court of St. James or to Commerce. There were several cabinet vacancies and George's appeal, the appeal to George Bush was, "Look, the President wants you to come back to assume the post at CIA." So, what happens? Stennis and others representing the Hill view, they take the position, "We don't want to do anything that might be politicizing that and George Bush is a natural candidate to be vice president." I don't know whether he said that directly. So then, George had to write out a letter. He was kind of putting himself in political purgatory. I had to give the letter to Bush to get it signed and he was not happy about signing that letter, and I don't blame him. But that condition was placed on him by the Senate and I don't know if Senator Stennis was the spokesman, but he was representative of the people - they just didn't want to start political trends in the CIA.

- Smith: What would you say to those who think that Rumsfeld played an instrumental role in orchestrating this?
- Marsh: Richard, I have to say I honestly don't know because, one, I was very close to Rumsfeld, I was close to Cheney, and I was close to President Ford, and I hadn't picked anything up about that. When I got down to Florida at the house there, I got on the phone and called. See, Don and I were congressional classmates. We were both elected to the 88<sup>th</sup> Congress and our offices were one or two doors from each other. It was a long, old relationship and I could talk to him very frankly. And I called him up about taking the job of Secretary of Defense and he was reluctant. We got Cheney on the phone and Dick and I both really leaned on him to take that job. He had never indicated to me - he certainly, it appeared, was concerned about the very dimension you mentioned being somewhat later becoming apparent or about a question being raised about. He had never indicated it to me, and when I was in Florida, I called him and I was surprised by how stern or adamant he was that he would not take the post.
- Smith: But you finally convinced him.
- Marsh: I know I said to him, "The President really needs you. This is something you've got to do."
- Smith: But you must have been aware of the friction between Rumsfeld and Rockefeller.
- Marsh: Yeah, and I've never understood that because it seemed to me that that was a natural political ally.
- Smith: Let me spin this, because Rockefeller, who I think exaggerated - almost with a little bit of paranoia - that said, he comes to the administration having been told, and I'd be interested in your opinion as to whether this was true or not. But having been led to believe he would be the domestic equivalent to Henry Kissinger. That, you know, the Domestic Council was his. This was a policy-making branch of the administration and all this. And I think he convinced himself that it was going to be different from other vice presidents.

Paradoxically, I talked to someone who was close to it who tried to talk him out of it at that point and went through all these reasons. And Rockefeller, after about 15 minutes, said, "Bill, everything you say is true, but you have to realize this is my last chance." And I think when you strip everything away, you come to the fact that Rockefeller saw this as, in fact, his last shot at the presidency, which seems a little bizarre in retrospect and which may help to explain, in some measure, the extreme sensitivity that he had toward a potential rival [Don Rumsfeld]. Remember, Rumsfeld's name had been on the short list of people considered for the vice presidency. There was no shortage of people in town who were talking about Rumsfeld as a potential running mate, et cetera.

And then you have this structural problem where Rockefeller comes into the White House believing he's almost a deputy President for domestic policy. And Rumsfeld comes into the White House to perform the function of the Chief of Staff. And it's an administration that decides pretty early on there aren't going to be new domestic programs. We're not going to launch a lot of new initiatives until we get a handle on the economy, until we bring spending under control. So, in other words, at the personal level, the relationship between the President and the vice president was a warm one, but ideologically, philosophically, Rockefeller had to have known that he was coming into a climate less conducive to the kind of government than he was used to in New York state. In many ways, Don Rumsfeld became the face of that. Does that make sense?

Marsh: I think that is the argument that is frequently made. To me, of significance, and I'm sure you probably interviewed, is the Jim Cannon presence. Jim Cannon was the front guy for Rockefeller during the whole pre-confirmation process. And Rockefeller had a very bright and able guy, Bob Douglas, a lawyer who'd been a general counsel I think for the state of New York. Douglas and Cannon came in here. I dealt with them because I had certain responsibilities to President Ford in reference to the Rockefeller confirmation. I had developed such a close relationship with Cannon and Douglas, and particularly Cannon, that when Rockefeller's confirmed and Cannon came in for the Domestic Council, I figured that was the ambassador or emissary of

Nelson Rockefeller and would be his window. And I guess you've talked to Jim many times. Has he ever discussed that?

Smith: Well, it became very awkward for him because the vice president's man had exactly that role, but over time the head of the Domestic Council worked for the president and Jim was put in a terribly awkward position.

Marsh: Yeah, he had a deputy that worked in there with him, able guy, Jim Cavanaugh. I learned to know the vice president much better than I had and we became pretty good friends.

Smith: As you got to know him better, was there anything that surprised you?

Marsh: Richard, the first thing that surprised me about Nelson Rockefeller was how an individual of his stature and family reputation could adapt himself to the subordinate position that he had. I was impressed by that.

Smith: How did that evidence itself?

Marsh: He made it very, very clear that Ford was boss. He would, in effect, say that. And in decisions that were made it was a case where he saluted and you knew sometimes he didn't go with the decision, but anything that Ford wanted him to do, he did. And he did it in a way where it was obvious that Ford was the leader and he wasn't. And that impressed me with him as an individual of his qualities. He clearly saw a role that he had been placed in and he was going to perform that role and perform it well. The only little, slight alteration, and maybe you know this, he made it plain he was not going to stay in the vice president's house and he lived in his home in Foxhall Road. I think he refurbished the vice president's house, but I don't ever think he spent a night in there. That was sort of a little evidence of independence. But he was a very, very able man. And he met and talked with people. He brought with him down here Dick Parsons and you know Dick.

Smith: We were talking about the filibuster rule in the Senate which had been two-thirds to invoke cloture, 67. And it changed.

Marsh: Right, it changed to 60 votes and the author of that was the vice president, who, of course, is the president of the Senate. Vice President Rockefeller

made that recommendation before he did it to President Ford. President Ford was aware of it. I don't know if President Ford was necessarily enthused about it, but he went along with it. Assisting the vice president was a fellow named Dick Parsons, young attorney. Dick had a bush cut.

Smith: An afro.

Marsh: What's it called?

Smith: An afro.

Marsh: Yeah, he had an afro. A heck of a nice guy. The story that I heard, Senator Thurmond had some question about this and he went to the vice president and the vice president said, "Well, my lawyer says this," and "My lawyer says that," and that came up again and Strom Thurmond wanted to see him and said, "Well, let me see your lawyer." And when Strom Thurmond saw Dick Parsons there with the great big afro and all I think it really gave him pause. But that was a product of Nelson Rockefeller, the change in those filibuster rules. I've never seen anybody refer to it.

Smith: And my understanding of the background of that was the renewal of the Voting Rights Act. That this is what precipitated the debate. That was the background and the discussion that Rockefeller had with Parsons, Rockefeller had Parsons sitting in the gallery signaling him what to do. I mean, he made a chart. Of course, Nelson loved charts because he was dyslexic. He made this great big chart showing all of his options as the Senate's presiding officer. If this happens, you do this. It's almost like they were giving hand signals. Nelson had prepped, but he had Parsons up in the balcony in effect as a back-up. It was in the context of the civil rights movement, and legislation to which the Rockefellers had always been dedicated. And it came back to haunt him because it wasn't just Thurmond, but I believe Senator Tower and a number of other who made their unhappiness with the vice president known to the White House.

Marsh: They may have, but President Ford stood by him on that and it went through. I think it went through because there wasn't much build up before to do it, there wasn't much press discussion. Suddenly, it happened. And that was

Vice President Rockefeller that did that. It's not generally known that he did, but he did.

Smith: When you stop to think, imagine in today's political climate, when you need 60 votes to get anything done, imagine if you needed 67 votes to get anything done.

Marsh: Yeah, you couldn't get it. The current environment, you wouldn't be able to do that.

Smith: I'd like to hear your take on whether Rockefeller was jumped or was pushed, or was there something in between?

Marsh: That I don't know. I know that Ford has since lamented at the Rockefeller dinner in New York, that it was one of the worst decisions he made. I think he used the term "cowardly", I'm not certain. Ford regretted that decision later on. I think there were forces that were at work in the campaign that caused Rockefeller to say, "I just don't want to be involved in this." I think he reached a level of what he was willing to put up with.

Smith: It's interesting you say that because the President also said, and in some ways, it was a very shrewd observation on his part, if you step back from the actual decision, who said what to whom, the President concluded that Nelson wasn't happy as a vice president and that a second term would only be worse. That he would lack a certain fulfillment - which suggested he [Ford] was more observant than people give him credit.

Marsh: That was a point I wanted to make. What you said is true. It indicates a quality of President Ford that others didn't know, his great skills in reading people but not indicating that he's read them. I've seen it many, many times.

Smith: And, for a while, that would include people like Bill Colby and Jim Schlesinger.

Marsh: Yeah. Yeah, because what happens inevitably, Richard, is that what you have with that capability is the risk of being underestimated. And Ford's career as President was underestimated as to what he did. I point out to people and I had mentioned this to you before, President Ford had more service as a

member of the United States Congress than any person who had ever been President of the United States and that shaped his attitudes about things. Ford's great strength never came out, never came out. One, he understood the workings of the federal government. The other president who did was Lyndon Johnson. Both of them had different methods of evidence of that, but what Ford had that Johnson didn't have, Ford knew and understood the budget and the appropriations process of the United States Congress. That is a wonderful, wonderful ability, but it is a tough quality to sell on the campaign trail.

Smith: Yes. Let me ask you. Was the administration, and the President in particular, including those around him, pretty slow to perceive how serious the Reagan challenge could be? Talking about, not in '76, but in '75, was there a temptation to believe that at the end Reagan wouldn't run, after all? There was the 11<sup>th</sup> Commandment with which he was associated. Or a tendency to underestimate how formidable an opponent he might be?

Marsh: The two men were very, maybe they were too much alike, but Ford reached out to Reagan when he appointed the Assassination Committee and he asked Reagan to serve on that committee and he declined. He didn't do it. And that, to me, was a first signal.

Smith: That was the Rockefeller Commission?

Marsh: Yeah. And if you go back and look at the records, I think you'll find that Reagan turned it down which indicated to me he wanted to be his own man. He didn't want a relationship with Ford.

Smith: Did you have discussions leading up to the campaign about Reagan?

Marsh: No, I was not involved in the political campaign process. That was handled by different people in the White House, the chief's office and Cheney. But I didn't get into the political campaign and maybe it was because I'd served in the House as a Democrat. I wasn't that involved in the political process.

Smith: The whole controversy over New York City and

Marsh: Drop Dead?

Smith: Exactly. What are your memories of that? Clearly there was an intense debate going on. I've talked to Bill Seidman at length about this and he was someone aligned with Rockefeller. One senses that Bill Simon and Alan Greenspan took a very different viewpoint and that there was a bit of a tug of war going - almost for the soul of the President. What do you recall?

Marsh: I don't recall but I was aware of it or some of the discussions in the Oval Office in reference to it. But as you pointed out, Bill Seidman was carrying that. I think it was one of those things that your liaison, meaning your liaison with the community and community leaders, probably broke down. I think that probably could have been avoided by better communication between \_\_\_\_\_. As I recall, Hugh Carey, I think. Was he mayor at the time?

Smith: Carey was governor at that point and Abe Beame was mayor.

Marsh: Carey had been a member of the House and I think as they seemed to reach a resolution, they didn't really communicate. There was not enough communication between the people. Let me mention something to you, Richard, that was pure Ford and was his idea. But after the '74 elections we saw that the Democratic majorities, the House was going to be almost veto-proof, better than two-to-one against us. That was very, very high numbers in the 60s, members in the Senate. So we had this program, you may recall, we had this program, No New Spending except for defense and energy were the two areas that were exempt from it. Ford discussed with me his plan for handling legislation and what he called a veto strategy. It was his strategy and it was a very well conceived strategy.

So what President Ford did was, one, abandon the traditional southern Democrat-Republican alliances except for where it's helpful to use them. And then go with an interest where allied with the interest are constituencies that are Democrat that \_\_\_\_\_, for example, agriculture, that he vetoed and sustained that veto with New York Democrats. What happened was he used his Republicans as a base and then he used what he called Floating Coalitions, those were his words, Floating Coalitions. If, after the '74 elections, the Democrats were fully in control, they became very assertive. The issue was energy, the big issue was energy. You can't build energy

alliances along political lines, they're geographical. People want low prices for heat, you know, Republicans and Democrats in the Northeast and they want half prices in the Sunbelt and the oil regions. So what Ford would do, and I would know what the coalitions were, we would \_\_\_\_\_ those coalitions. If you were to look at the vetoes, he vetoed probably more than any other president had vetoed. And this is an area today where presidents are not following his example. It was very carefully constructed.

At the sub-committee level, you introduce a bill and remember the liaison team would tell the subcommittee chairman, "I don't know where the administration's going to be, but that's not something they'd want." If that goes on and goes to the next stage, there's a clear warning. If you bring that bill out of committee, you're going to be in trouble. You vote on it in committee and then the whole barrage comes on to defeat the bill and Ford had clearly told them that will be vetoed, at every stage that it would be vetoed. They would pass it and he vetoed it. And you know, he sustained those vetoes, I think, all but five.

But it was with this Floating Coalition, we got more Democrats than we did Republicans to sustain his veto. I called him up and reminded him what had happened and of course he laughed, but that Floating Coalition and the veto strategy, when I hear these presidents today talk about it, they're not developing the veto strategy sufficiently. You've got to communicate it before you do it, what would happen. He was saying his differences with the bill, send it back, and the Congress would amend it and take out the adjunctive provisions and then he would sign it. The housing bill, as I recall, was exactly what happened.

Smith: It's interesting because Hugh Carey told me years earlier, he said, "You know, Jerry Ford's never gotten the credit that he deserved for helping to save New York because," he said, "it was his tough love approach that actually forced the city to make some very difficult politically unpalatable decisions and budget cuts that would not have taken place otherwise."

Marsh: I think you had made reference to this sometime before about Hugh Carey. I'm going back a couple of years ago on the New York thing.

Smith: Were you at the convention in Kansas City?

Marsh: Yeah, I was in the suite there with the president and I remember he would want somebody to listen to his speech, but he had a habit where he was in the other room so he wouldn't have this situation where he was trying to make this speech to one person. And I listened to it and I rode with him to the convention that night.

Smith: All the people still debate what signals were given, whether they were misunderstood about asking Reagan to be on the ticket. My understanding is that they were both explicit that the condition for the Ford-Reagan meeting, set by the Reagan camp, was, "Don't ask him to be on the ticket."

Marsh: Yeah, I think that's right.

Smith: And there were those later on who said, "Well, only if he'd asked Reagan to be on the ticket with him, who knows." But also, I gathered at that point that there was no love lost between the two camps.

Marsh: I think that's correct and that would be evidenced four years later in Detroit where Ford was there. Reagan came in and President Reagan brought a peace pipe, an Indian peace pipe up.

Smith: Now, were you there?

Marsh: Uh-huh. I was involved in the negotiations through it.

Smith: We heard Bob Barrett tell a fascinating sort of theory. I think I'm putting this accurately, he's not asserting this, but he's raising this as a possibility - that all of this was in some ways a head fake on the part of the Reagan campaign to send an unmistakable signal to the country that, "Hey, I'm more moderate than you think I am. I'm willing to make this very significant gesture toward the middle of my party" but that it was never seriously pursued.

Marsh: It was seriously pursued and the negotiations were two major meetings. I was involved in those, Bob Barrett, Alan Greenspan, and Henry Kissinger.

Smith: How did this come about? You presumably went to Detroit without any expectations that this would go on.

Marsh: Oh, I had no idea that that would come up. I think, Richard, the presidential candidates in assessing the campaign in the front end are so concerned of assuring victory that they would reach further than they would normally to another party. This is true of Nixon. He was awfully concerned in '72 that he was going to be defeated in an election that he won handily. But these concerns that he wanted to get Connally and everyone in there with him, but I think that the Reagan camp on the eve of this nomination felt that there's one way to sew this up. If we had Jerry Ford on the ticket, Reagan's going to be elected. I mean, it was a hard-nosed political decision.

Smith: Now, remember, four years earlier, they'd picked Dick Schweiker for his running mate. So, I mean, it wasn't the first time that they'd thrown the long ball when it came to a running mate.

Marsh: When we went in there, Ford raised the ante by indicating if he was going to be vice president, he wanted Henry to be there, Alan Greenspan, I think.

Smith: How did this all unfold? Who, first of all told you about this? Was it President Ford who said, "I've heard from the Reagan people"? Or how did that come about?

Marsh: No, he didn't communicate it at all to my knowledge with the Reagan people. He kept the visit earlier in the afternoon with the peace pipe. But we went over there - it was simply to talk about it. Ed Meese was there on the other side. Ed came in to the second iteration, but then when we went back with these suggestions that President Ford had, I think it just shocked the whole Reagan camp. I think they wanted to \_\_\_\_\_ advanced rigor mortis. Then Walter Cronkite got it on the news and they came back. There was still a measure of real interest there.

One of the things that hurt was the convention got out of control and it was run ahead of us. I had said that night, "I think this has reached a stage where the principles have got to get together by themselves and work it out," because it was that close. It was very close. I think Ford would've fallen off some of his points and I'm pretty sure President Reagan would've acquiesced to something if Ford would. My thought was if we could adjourn and then

sleep on this one night and then get the two men in the next morning by themselves, we probably would get it worked out. But what happened, the convention, Helms got up and nominated somebody and it got out of control. We couldn't control the convention. It was going too fast for us.

Smith: And of course the media were feeding the fire.

Marsh: Yeah. And I went back there later that evening and talked with Ford. The room was very, very dark and he was sitting there in the semi-darkness and he said, "What do you think?" And I said, "I think you'd better pull the plug on it." And he said, "I do, too." He said, "That's what I felt all along, so I'm going to do it." So, that was it. That was just the two of us. His heart wasn't in it, I don't think.

Smith: What about Mrs. Ford?

Marsh: Oh, I don't think she wanted anything to do with it. I can certainly understand. Although, she would've gone along with it if that's what he wanted to do, I'm sure she would've gone along with it. But, it was one of those things as it began to unfold and be developed, and of course that's the beauty I guess of the means of conversation. He was able to see it in a perspective that what was best to do that politically it was not best to do it. Two, personally, it was best not to do it. Now, I'm putting words in there as well, but that was my assessment.

Smith: And he never looked back after that.

Marsh: No. And he campaigned for President Reagan. I was with him on the campaign trail. He campaigned for President Reagan for a week, almost a week.

Smith: Let me ask you. Of course, you played a distinguished role in the Reagan presidency. There is a sense that there weren't a lot of folks in the Reagan White House who would return Gerald Ford's phone calls. And I'm not talking about the top; I'm talking about below the top.

Marsh: I never heard that.

Smith: You never did.

Marsh: I never heard that. I don't know what the relationship was after he left the presidency. You know, Richard, Ford also has never gotten credit for the Helsinki Accords and there's a strong view by a lot of foreign affairs experts in political science that it was the Helsinki Accords that would lead to the fall of the Berlin Wall.

Smith: It is interesting. If you go back and look at the clips, there were critics at the time, not only on the right, they were criticized by Jimmy Carter who subsequently hailed him as, in fact, a milestone on the road to the end of the Cold War.

Marsh: But Ford, in my view, has never got the credit for a lot of things. That's the reason I refer to him as the interregnum.

Smith: The interregnum. It's an interesting concept. I've often thought, sort of counter intuitively, that it's a mistake to see the Ford presidency as a coda, just sort of the end of the Nixon presidency, but that it is in many ways a period that breaks with that past and is more about foreshadowing things to come, the classic example being economic deregulation or energy policy. You're right, you have this odd dynamic. In the one hand, you're pursuing détente, at least in terms of arms control, but at the same time, you're fighting proxy wars in Africa and elsewhere with the Soviet Union. It's a point where the word 'détente' became a political embarrassment.

Marsh: That's true.

Smith: I mean, how did he handle the transition, if you will, from Nixonian détente to this kind of hybrid policy toward the Soviets?

Marsh: He was very frank with the Soviets as you know in the situation of the raising of the Russian submarine which occurred just as he was about to be President. We had to stop it from being raised. You see, that exercise had gone on for quite some time. There was no Soviet surveillance of it. Two or three days before he became president or a week before he became president, a Soviet

surveillance trawler ended up on the scene. They were bringing it up and we had to stop it. That was a highly sensitive operation.

Smith: That was the Howard Hughes ship, the Glomar Explorer.

Marsh: Yeah. But you're talking about the bridge about how Ford would move into other things. He began a program of amnesty which was very, very controversial.

Smith: You told us and we want to get it on the camera if you don't mind because you had that funny story, funny now, but probably not funny at the time, of going in to the President the day before he was to go in to the VFW.

Marsh: Well, and he'd put the amnesty references which were one and half or two pages. The speech had been prepared and there was nothing about amnesty in it. \_\_\_\_\_ to the VFW, of all places to go, it was probably the only good one. But then what he did, he had Bob Hartmann write a page and a half that would outline the amnesty program - he sandwiched that into his speech. That part never got staffed up. Nobody knew that he was going to say that. And he did. That really, really caused us a furor.

Smith: And there's a story involving Steve. You told a story about going into town the day before he went to Chicago that Steve had not registered for the draft.

Marsh: No, that was not unusual because when the draft was abandoned, a lot of the young men said, "The draft's abandoned. You're okay." What happened, we had this stand-by statute that a youngster, 18-years old, didn't know was there and that said he had to go register. And the oversight or neglect to that was not unusual to have done.

Smith: But it didn't come as welcome news to the president.

Marsh: No, because it was the day before he was going to make this speech in Chicago.

Smith: Did you have much contact with the family?

Marsh: No, not too much. I saw Susan more because she was more there at home. So, I saw Susan. And I knew the other boys. Steve was the same age as my

oldest son and both of them were seniors in high schools in the area. My son was a senior in Arlington.

Smith: You must have been around them the time that Mrs. Ford had her cancer.

Marsh: I was. I went with him.

Smith: Went with him to the hospital?

Marsh: Yeah.

Smith: What was that like?

Marsh: Well, the first thing, we flew in the helicopter when we should've gone by car. Fog had set in, completely obliterating everything.

Smith: This was Bethesda Naval Hospital?

Marsh: Yeah. So we had some trouble getting out there just because the weather was bad, but we got there. Of course, he was with Mrs. Ford himself.

Smith: Now, was this after the surgery, before the surgery?

Marsh: After. We came back by car and the thing I associate with the trip is that he had the Economic Summit they were having at the Hilton Hotel, and he went to that event. It was one of those situations where your heart goes out to somebody who's having that kind of a problem and also Mrs. Ford who's having a terrible problem. And here he is confronted with an Economic Summit of all these people to discuss the economic situation. Richard, it was at the Hilton. I've always been somewhat defensive on his policy called WIN, Whip Inflation Now. It's my recollection that that summit recommended those types of actions, but what happened, as we later realized we were going into a recession, what you needed was an opposite thing where you need a tax reduction.

Smith: You knew you were whipsawed in terms of economic policy.

Marsh: Yeah, but I felt that the policies he was trying to produce all along were consistent with what was recommended.

- Smith: That trip out and coming back from Bethesda, was he emotional?
- Marsh: Oh, no. No, he was not. He was somber, very somber. And I think he was very relieved, one, that the operation was over and, two, that the operation was a success, but regretful that Mrs. Ford had to suffer like that. But he was very, very much in command of his faculties, but somber. And we just rode along. I didn't have to say much and he didn't want me to say much. It was one of those situations.
- Smith: It's hard for people today to realize what a groundbreaking thing that was for them to go public with that news. We take it for granted today, but 35 years ago it was not a subject that people discussed.
- Marsh: That's right, they didn't. That was back in '74 and people were reticent to discuss something that really was a national problem, the cancer and having that operation, and I think Mrs. Ford made a landmark decision to do that.
- Smith: Let me ask you because there was the famous *60 Minutes* interview and some of the other things she did that defined her as a model of candor, openness in many ways. At the time, clearly there were people that thought that you were paying a political price for her frank opinions. What was your sense of this?
- Marsh: I think what you've said - in the White House that view did prevail. As I mentioned, I didn't get into the political things, but I think you accurately describe what was the view in the White House. After all, you're coming up on an election and your base, your solid Republican base, those were the ones you were concerned with. I think some of that rectified itself in the way that she handled it and all. She said something on *60 Minutes*, I think, if that had happened shortly before the election, [but] it happened with about 14 months to go.
- Smith: But I think people in the White House were surprised that the country had changed, in reaction to Vietnam and Watergate - people found candor refreshing. Clearly some of the Republican base did not, but a lot of other people did. And she became in some ways a heroine to a lot of folks in the way Harry Truman is admired today for his frankness.

- Marsh: Incidentally, next month would mark the end, not next month, in May, we mark the end of the Berlin air lift anniversary. People forget as to the day 60 years ago that air lift was going on. And I tell you, those kinds of things impact a president and his decision making and people who look on the Ford thing, they don't think about the Cold War going on. The Cold War was going on. It was a tough, tough war.
- Smith: I want to clean up that part because after talking to Mel Laird, you know, Mel has this idea of how, if only Ford had waited until he came back to town...because he had this plan to bring a bipartisan delegation with both Houses down to the White House to appeal to the President to issue a pardon. And I don't want to prejudice your answer, but to me that seems something that might work in theory 35 years later, but it's hard to imagine given the incredibly charged political climate of the time, that any advance telegraphing of this thing would have touched off a political uproar. It's hard to imagine how you could do it in a way that wouldn't be shot down as a trial balloon.
- Marsh: Richard, you're right. I have naturally over the years thought many, many times about the pardon and how we could have done it differently that would have brought a different answer. I'm not sure you could've gotten that many congressmen together to come down because the anger that existed in the Congress toward President Nixon - probably a lot of it was unwarranted, but it was there and they were angry. I recall there was a significant effort, it didn't go because calmer heads would prevail, to revoke his pensions. I know that happened because a member of the United States Senate of his party told me that they ought to do that. He told me personally. And that was a very widespread view. It was the view that Nixon should be penalized and punished.
- Smith: That resigning wasn't enough.
- Marsh: Right. In fact, they felt that he should not have been pardoned. Of course, people don't realize that the pardon power that the President of the United States has gives you the authority to pardon pre-indictment and so the authorities where there for him.

Smith: But then the other criticism was made, “Okay, I can buy into the pardon if you had got more out of Nixon.” The fact is we never got. I don’t know if you’ve seen *Frost/Nixon*, but the whole thing is based upon this notion that David Frost was going to get Nixon to trial and he never got him to court. And the worst thing about the pardon was that it absolved Nixon from confessing, from coming clean, from providing some sort of emotional catharsis to the public.

Marsh: One of the tasks that my office had in the White House was to run the transition for Nixon after he got out in San Clemente. And when he left Andrews Air Force Base, he had Air Force One and I think there were 50, 60, maybe 80 people who were to be staff members and all. The Congress went after him and they used the pocketbook. And what they did was they, in effect, reduced his transition authorization by agreeing to fund only 7 or 8 people. So there was all kinds of animus.

What I think might have helped, the pardon decision I don’t think would ever have been popular, but as a question of law, I think if President Ford could have had at least two or three preceding press conferences where each time he could have said, “I do have a task force in the American bar and there is a view that...” where he creates with the press an attitude that he is giving it some theory. And then after the third or fourth public venting of that in the press group, go ahead and do it. What caught him I think was the suddenness of the event.

Smith: And that press conference was typical. That August 27<sup>th</sup> or 28<sup>th</sup> press conference where Nixon predominated, that was a turning point.

Marsh: And that was Ford’s reason for doing it and he’s correct, you could not, at the time up until the pardon, you couldn’t get anything done in the White House on domestic and foreign relations. Everything was consumed by the pardon. Everything.

Smith: Do you think it might have been different - of course, Nixon almost died that fall.

Marsh: I think Ford went out to see him.

Smith: Politically, it was right before the '74 election, worst possible time. But that's Jerry Ford. Do you think a pardon would've been any more palatable at that point if it had been in effect linked overtly to Nixon's health? Would there have been any more sympathy at that point?

Marsh: The elements you're describing really did occur after he'd gotten out and gotten settled and after the pardon, too. I think you're probably right. Yes, I think it has merit. I think that's probably right.

Smith: My understanding is that there were at least informal discussions with the special prosecutor's office. One factor that's been cited over the years was Jaworski, or the people around Jaworski, were indicating that it might be a very long time indeed before Nixon could get a fair trial in D.C. That no one really knew how long. I mean it's one thing to say we should let the legal process run its course. That's fine if you know when that's going to be, but if its two years, to pick a number out of thin air—

Marsh: Or even six months.

Smith: That changes the equation.

Marsh: I think the problem that the legal people had, Buchen's office and others, is that you didn't want to see a criminal trial start with Nixon in the dock. And you had to get ahead, see, what would have happened is you had to get a grand jury indictment before it had been referred for any action. So there was some discussion, and I know that Ford wanted to get ahead of that, he didn't know how he would handle it.

Smith: Haig told us that far from pushing the pardon idea, at least as he constructs events now, he was simply putting Fred Buzhardt, it was Fred Buzhardt on his own that sort of put together this option list. And Haig—

Marsh: And Haig was the messenger. Yeah, I don't know what Al has said about it in your interviews, but.

Smith: He indicated that it was a neutral role, that he wasn't there as Nixon's agent, he wasn't there advocating a particular course, that he was in fact the messenger of Fred Buzhardt's.

- Marsh: There for Fred Buzhardt, who was probably the one who discussed this with Nixon.
- Smith: You know, he told us Buzhardt told him because Buzhardt had been his counsel over at the Pentagon when he was secretary.
- Marsh: Who was this? Laird?
- Smith: Yeah. He said Buzhardt came to Laird a month after. Remember, Laird came back in to the White House for a while during Watergate. And Fred Buzhardt came to him within a month of his appointment and said, "I want you to be careful. I've been listening to these tapes and the President is involved." And that was the first confirmation that Laird had. He was in this impossible position there, in fact, defending the President while being confided in by the President's own lawyer. I asked Haig if he'd listened to the tapes, particularly the smoking gun tape. He said, "It all goes back to Buzhardt. Fred Buzhardt gave me some very wise counsel. He said, 'Whatever you do, don't be alone in a room with a tape.'"
- Marsh: You know, your series of interviews developing indicate that there's a role that Fred Buzhardt played in all this that is not generally known, because you've heard it from me, you've heard it from Laird, and you've heard it from Haig. The three of us aren't the ones putting all this together.
- Smith: Were you surprised when you heard about the existence of the White House taping system?
- Marsh: No, not too. Of course, Lyndon Johnson put it in there. I wouldn't necessarily approve of it, but I would not be surprised if there were some because in the nature of the presidency, your conversations might be taped.
- Smith: One last thing on or off the record, because obviously it's delicate. Haig also claimed that he was perfectly willing to stay on. That apparently the president, he thought, wanted him to stay on. And that he went to the president and denounced members of his staff for personal misconduct in the White House that allegedly had been passed on to him by Secret Service. And the President's response was, "Well, Al, you'll have to let me handle this."

And then Haig said, "Well, you've given me an answer as to whether you want me to stay on." Now, there clearly was friction between Haig and some of the people who came in.

Marsh: Hartmann.

Smith: Yeah.

Marsh: That was very, very heated. Al would get very strong in his views about that. The thing about Al leaving was, of course, you knew he went to NATO and Rumsfeld came in behind Haig. And I think I told you before, his assignment to NATO was not President Ford's doing. It was the request of the Senate Armed Services Committee and namely, Stennis, conveyed it. They liked Al, had a great respect for him, but they did not want him to be in the Pentagon as chief of staff there or other four star, not that he couldn't do it. And I think I mentioned this to you before, Richard. The congressional action, the subcommittee headed by Hungate of Judiciary was directed to, not just President Ford, there were several other people, Buzhardt and Haig. And they were to be the next witnesses in line on the Hill and I'm sure it's the Senate view that that was kind of evidence of their own point that he would be better in Europe. So Hungate who was subcommittee chairman at the end of the year in December, he closed the hearing and the vote was three to three, but Hungate had the committee chairmanship, he had the vote and he voted with the Republicans to close the hearings now, which was a very, very healthy development because otherwise they had Buzhardt and Haig and who else up there on the Hill to testify.

Smith: Is there one last thing either that we haven't asked or something that sums up the Ford presidency, something about the Ford presidency that people need to know beyond what we've discussed?

Marsh: I think we pretty well covered it. I think Ford, people were misled. He's a far more intelligent man and he used that, at times, to indicate not what he knew, but what he wanted you to think he didn't know. But to me it's a remarkable thing of the strength of the system he came into the vice presidency and the presidency. And I think that he got so much help from people that people today don't realize he got from, the Speaker of the House, Mike Mansfield, to Tip O'Neill, who

were very, very interested in his success. That shows, I think, the best part of our system.

Smith: One thing before I forget, on the election of '76, where you at the White House?

Marsh: Mhmm.

Smith: Do you remember the mood of that night? I mean, when you were going into that you basically had closed the gap. When you were going to into that, did you have a feeling as to how it would go, the Carter-Ford race, election night, '76?

Marsh: I wasn't down there with him that night. I was down there with him the next morning. And you may recall Mrs. Ford spoke for him because Ford completely lost his voice.

Smith: What was the mood like at that point?

Marsh: It was pretty grim. It was sad, certainly there was a sadness there, but it was a grim time.

Smith: Did it take him awhile to bounce back from that?

Marsh: Yeah, it took, I'd say, a week. You know, Richard, people don't give Ford credit for a lot of things. For instance, on the transition, I was asked to run the transition to the Carter people. Ford has his own views on that, too. I remember it very well. He got the senior staff in, and this is only a day or two after the election, and he tells the senior staff that the continuity of our government was a very, very important thing and the success of the Carter transition was very important, and that he expected everyone to contribute to that successful transition. He didn't want anyone to put in any tricks, roadblocks, which, very much like Ford, we wanted to do every bit of good to make it a success because it was necessary for the country. He made that statement and then he said, "Please understand, though, the policy until the day of the inauguration will be made by the Ford administration and I'll make the decisions and our government, in effect, will be run by the Ford administration up until that day."

He was wanting to lay the ground rules of behavior in saying they apply the rules of whose responsibility it was to run the government. I can't tell you, to have the

president make that kind of a statement, particularly if you're trying to run the transition, is so important. And I would say, in fairness to Mr. Bush, he issued a very good transition plan, which was good. But Ford personally got the staff together and told them that. Of course, that goes to the decency of the man.

Smith: Perfect.

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