

# **BENTON L. BECKER PAPERS, (1967) 1973-76 (1980)**

## **Collection Type**

Personal Papers

## **Extent**

0.8 linear feet (ca. 1600 pages)

## **Record Type**

Textual

## **Access**

Open. Some items are temporarily restricted under terms of the donor's deed of gift, a copy of which is available on request, or under National Archives and Records Administration general restrictions (36 CFR 1256).

## **Copyright**

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## **Processed by**

Kellee Green, May 1991

## **Biography**

### **Benton L. Becker**

1938 - Born, Washington, D.C.

1960 - B.A., University of Maryland

1966 - J.D., American University

1966-68 - Trial Attorney, U.S. Department of Justice Criminal Division, Fraud Section

1968-70 - Assistant U.S. Attorney

1970-77 - Partner, law firm of Cramer, Haber, & Becker, Washington, D.C.

1973 - Counsel to Ford at vice presidential confirmation hearings

1974 - Counsel to Ford throughout 1974 presidential transition

1976 - Counsel to the Republican National Committee

1977-82 - Professor, University of Miami School of Law

1982-83 - Senior Trial Attorney, Office of Dade County's State Attorney

1983-91 - Law Offices of Benton Becker

1988-91 - Adjunct Professor, constitutional law, University of Miami

### **Scope and Content Note**

Although not a member of Ford's congressional or White House staff, Benton L. Becker played an integral role in some of the most important events of Gerald Ford's career, including the investigation of Associate Supreme Court Justice William O. Douglas, Ford's confirmation as Vice President, the Nixon pardon, and the disposition of Nixon's papers.

The Benton Becker Papers provide unique and valuable documentation of these events. The majority of folders contain especially worthwhile primary sources, often including handwritten notes and memos to the file. Becker's papers reveal his concern for the historical record.

Becker and Ford first met in 1967 when Becker was Special Assistant U.S. Attorney in the Criminal Division of the Department of Justice investigating a matter involving possible congressional corruption. In 1970, Becker assisted Ford in preparing the unsuccessful impeachment case against Associate Supreme Court Justice William O. Douglas. Pursuant to Mr. Becker's deed of gift, materials related to the Douglas investigation are currently closed.

When nominated for the vice presidency in October 1973, Ford called on Becker and others for assistance in preparing for the confirmation hearings. Becker assumed a key role on the "Confirmation Team," headed by Robert Hartmann, and is credited with developing the "Answer Book." While at the witness table, nominee Ford regularly referred to this indexed series of questions and answers regarding his political record.

Becker's papers include some of the questions and answers, "talking points" on various subjects, and miscellaneous background material used in the compilation of the "Answer Book." The confirmation materials also include a Ford/Becker annotated copy of Robert Winter-Berger's affidavit, accusing Ford of improper activities. Especially noteworthy are the handwritten notes of Ford and Becker at the House Judiciary Committee Hearings.

As Vice President, Ford frequently sought Becker's advice, but Becker's papers provide little evidence of this. In August 1974, Becker took a leave of absence from his active law practice to assist Ford during the presidential transition. Becker made several recommendations for the disposition of President Nixon's papers, and was integral in stopping their destruction or shipment to San Clemente.

In September 1974, President Ford and Philip Buchen, counsel to the President, selected Becker to negotiate a pardon agreement with ex-President Nixon. Becker performed the legal research to determine Ford's authority to pardon Nixon. Ford and Buchen also instructed Becker to obtain an agreement regarding the possession and control of Nixon's papers and tapes, and they asked Becker to

assess Nixon's mental and physical condition. Becker's papers document these assignments. Perhaps the most valuable item in the Becker collection is his eighteen-page memo to the record in which he describes the history of the Nixon pardon and his role therein. Most secondary sources describing the pardon cite Becker's account of the occasion in some way.

Becker also brought back to the White House the Nixon-Sampson agreement on the disposition of the Nixon papers. The Becker Papers contain substantive materials reflecting the post-pardon history of Nixon v. Sampson, including considerable information regarding the alleged backdating of Nixon's deed of gift.

Becker continued to aid and advise Ford during the presidency, when he served as deputy counsel to the Republican National Committee, under Bill Cramer. Of special note in the few Becker Papers relating to the 1976 campaign are Becker's handwritten notes on the Ford-Carter debates. Becker's papers also contain brief memos on 1976 campaign issues, including a proposal for avoiding a 1976 presidential primary battle with Governor Reagan. Some items pertain to legal services Becker provided the 1980 Republican Convention Rules Committee.

### **Related Materials** (May 1991)

Although there are extensive materials related to the Nixon pardon and Nixon papers in the Files of Philip Buchen, there is little evidence of Becker's specific role in these matters. The sizable White House Central Files Subject Files FG 2-36: Richard Nixon and JL 1/Nixon: Amnesties - Clemencies - Pardons include scattered documentation regarding the pardon and papers.

The Files of John O. Marsh, counsellor to the President, contain noteworthy material on the Nixon pardon, papers, and presidential transition. The Papers of Edward Hutchinson, ranking Republican member, House Judiciary Committee, and the vice presidential files of Robert Hartmann (Vice President Ford's chief of staff) are among the most useful for assessments of Ford's vice presidential confirmation.

Copies of the original court case, United States v. Burdick, precedent for the Nixon pardon, are available in the vertical file under "Nixon Pardon."

Collections containing material on the 1976 presidential campaign are described in "The 1976 Presidential Election: A Guide to Manuscript Collections Available for Research," available upon request.

## Last Modified Date

2024-05-31

## General Subject File, 1973-1976.

(Boxes 1-2, 0.8 linear feet)

Memoranda, correspondence, reports, news clippings, handwritten notes, and printed matter related to Ford's vice presidential confirmation, the Nixon pardon, Nixon's papers, and the 1976 presidential campaign. Especially notable materials include Becker-Ford handwritten notes during the vice presidential confirmation and Becker's memo to the record regarding the Nixon pardon. Arranged alphabetically by subject.

### Box 1 - General Subject File

Status	Title
OPEN / DIGITIZED	<a href="#">Campaign Records - 1970 - Congressional Campaign</a>
OPEN / DIGITIZED	<a href="#">Carter, Jimmy - Playboy Magazine Interview</a>
OPEN / DIGITIZED	<a href="#">Cuban Refugees</a>
OPEN / DIGITIZED	<a href="#">Douglas, William O. - Investigation (Entire File Closed to Research)</a>
OPEN / DIGITIZED	<a href="#">Ford/Carter Debates</a>
OPEN / DIGITIZED	<a href="#">Ford, Gerald R. - News Clippings</a>
OPEN / DIGITIZED	<a href="#">Ford, Gerald R. - Vice Presidential Confirmation - General (1)</a>
OPEN / DIGITIZED	<a href="#">Ford, Gerald R. - Vice Presidential Confirmation - General (2)</a>
OPEN / DIGITIZED	<a href="#">Ford, Gerald R. - Vice Presidential Confirmation - General (3)</a>
OPEN / DIGITIZED	<a href="#">Ford, Gerald R. - Vice Presidential Confirmation - House Judiciary Committee Correspondence</a>
OPEN / DIGITIZED	<a href="#">Ford, Gerald R. - Vice Presidential Confirmation - News Clippings</a>
OPEN / DIGITIZED	<a href="#">Ford, Gerald R. - Vice Presidential Confirmation - Questions</a>
OPEN / DIGITIZED	<a href="#">Ford, Gerald R. - Vice Presidential Confirmation - Robert Winter-Berger</a>

## Box 2 - General Subject File

Status	Title
OPEN / DIGITIZED	<a href="#">National Republican Party - Rules Changes</a>
OPEN / DIGITIZED	<a href="#">Nixon Deed of Gift</a>
OPEN / DIGITIZED	<a href="#">Nixon Deed of Trust to GSA</a>
OPEN / DIGITIZED	<a href="#">Nixon Pardon - Acceptance Statement</a>
OPEN / DIGITIZED	<a href="#">Nixon Pardon - Becker's Memorandum</a>
OPEN / DIGITIZED	<a href="#">Nixon Pardon - Correspondence</a>
OPEN / DIGITIZED	<a href="#">Nixon Pardon - Legal Precedents</a>
OPEN / DIGITIZED	<a href="#">Nixon-Sampson Agreement - History</a>
OPEN / DIGITIZED	<a href="#">Nixon v. Sampson (1)</a>
OPEN / DIGITIZED	<a href="#">Nixon v. Sampson (2)</a>
OPEN / DIGITIZED	<a href="#">Presidential Campaign - 1976</a>
OPEN / DIGITIZED	<a href="#">Republican National Committee - White House Accounts (1)</a>
OPEN / DIGITIZED	<a href="#">Republican National Committee - White House Accounts (2)</a>
OPEN / DIGITIZED	<a href="#">Southern Florida Sugar Growers Association</a>

### Photographs, 1973-1976.

Photographs of Gerald R. Ford testifying at his Vice Presidential confirmation hearings and of Becker with Ford. Arranged in parallel to the textual materials.

### Photographs, 1973-1976.

**Status**

**Title**

[View container list for this series](#)