

The original documents are located in Box 30, folder “Nixon - Papers General (2)” of the Philip Buchen Files at the Gerald R. Ford Presidential Library.

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MEMORANDUM

THE WHITE HOUSE
WASHINGTON

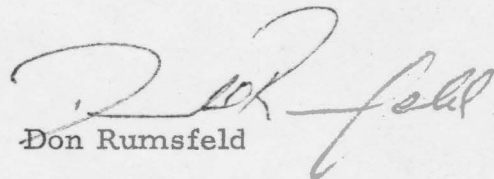
November 1, 1974

MEMORANDUM FOR: PHIL BUCHEN

I just discovered today that the Staff Secretary, Jerry Jones, is still custodian of the tapes.

I've talked to Jerry Jones, and he and I both agree that that is no longer in any way a function for the Staff Secretary. He has mountains of work to do, it is time consuming to have that responsibility and I would like you to designate some alternate custodian and make arrangements for the appropriate inventory and transfer of that responsibility from Jerry Jones to a person you designate by Wednesday November 6, 1974.

Thank you.


Don Rumsfeld

*General Bennett
1 yr + 1/2
10 minutes*



THE WHITE HOUSE
WASHINGTON

November 5, 1974

MEMORANDUM FOR: DON RUMSFELD

FROM: PHILIP W. BUCHEN *P.W.B.*

SUBJECT: Nixon Tapes

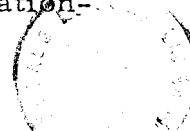
This is in response to your memorandum of November 1st on relieving Jerry Jones of his responsibilities relative to Nixon tapes in Safe Zone 128 of E. O. B.

Jerry's role as guardian of the tapes began on April 9, 1974, when he replaced in that function General Bennett who had in July 1973 taken over from the Secret Service. Jerry has been working from a receipt which he gave to Bennett and has kept a detailed record of every access to each tape and every individual transfer of possession made.

The immediate problem of changing this arrangement is that Jerry had earlier, on orders from Fred Buzhardt when he was the Counsel, deposited all 900 tapes, each separately boxed and labeled, in bulk packing cartons for shipment, where they remain in circumstances that Jerry points out make it difficult to locate particular tapes at any time (which is why his burden has been greater than necessary) and would make it difficult for a successor guardian to check the existence and status of each tape to be covered by the successor's receipt.

Therefore, I recommend that:

- (1) The transfer be made by a jointly conducted removal of tapes from packing cartons to shelves of combination-



lock safes where they were previously located within the Safe Zone, at which time Jerry and his successor would together verify what is there and would agree upon the exact contents of the receipt to be given.

(2) Secret Service, the Special Prosecutor, and Nixon's lawyer be requested to witness the above process so that none can dispute the observable identity and condition of the items as they existed at the time of this transaction and the completeness and accuracy of the inventory on the receipt.

(3) The arrangements be worked out by Bill Casselman, as soon as he recovers sufficiently from the flu that has temporarily disabled him, because he is the only one on the legal staff who thoroughly understands the situation and who has continuing direct responsibility for White House staff compliance with Court orders affecting the tapes.

Whenever any tape is needed to be introduced as evidence in a Court case, Jerry would continue (as is Bennett and as will be Jerry's successor) to be needed to testify on "chain of custody."

cc: Bill Casselman
Jerry Jones
Laurence Silberman



- 11/1/74 - Buchen letter to Jeffrey Axelrad, Trial Atty., Civil Div., Justice, re security and duplication arrangements for Presidential materials.
- 11/1/74 - Buchen letter to Sampson attaching request of Herbert Miller requesting assistance of employees of GSA to make available documents within the W. H. complex in compliance with request.
- 11/4/74 - Buchen ~~memo~~ letter to Richard Ben-Veniste, Watergate Special Prosecution Force, transmitting certain travel records for John Dean in compliance with requests.
- 11/3/74 - Stan Mortenson letter to Casselman and Thomas Wolf requesting indexes, catalogs or other listings which describe by category or otherwise materials of Nixon Administration and/or their locations to assist in designating materials.
- 11/4/74 - Buchen memo to H. S. Knight requesting authority of Barry Rothel to enter Rm. 522 for purpose of removing therefrom an original file labeled "Keys and Combinations."
- 11/4/74 - Buchen letter to Arnold Aikens, Chief, Civil Division, U.S. Atty's Office authorizing him to accept service of process in behalf of the President in Civil Action in McCord v. Ford, et al. (C. A. 74-1386).
- 11/5/74 - Sampson letter to Buchen re continuation of fulfillment of requirements and-- of temporary restraining order issued by Judge Richey on 10/22; all items transferred to the custody of GSA since 1/20/69 continue to be secured under personal supervision; few items of concern which he would like to meet and discuss; would like to include Rumsfeld in meeting.
- 11/5/74 - Buchen letter to Herb Miller re intended use of certain materials retained in control of NSC, Security Office, Burch and Timmons' offices.
- 11/5/74 - Buchen letter to Henry Ruth requesting extension of time until 11/22 to comply with the Grand Jury Subpoenas served which are returnable 11/6, 8/ 11 and 13.
- 11/5/74 - Buchen memo to Rumsfeld re relieving of Jerry Jones of responsibilities relative to Nixon tapes in Safe Zone 128 of EOB

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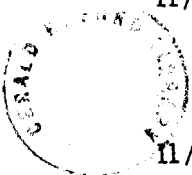


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cl,



- 10/30/74 Buchen memo to W.H. staff - requesting final review of files and materi and requesting certification that all materials have been turned over to the appropriate offices.
- 10/30/74 Memo from Arthur Sampson to Thomas Wolf re delegation of authority (Nixon v. Sampson)
- 10/30/74 Casselman memo for H. S. Knight Director S~~E~~cret Service authorizing Haldeman to review his files
- 10/30/74 Letter from Buchen to Sampson designating Stanley Shaw and Roger Ed- gar as additional persons to serve as agents.
- 10/30/74 - ~~Memo~~ Letter from Carla Hills to Herb Miller enclosing copy of 10/24 memo for W. H. staff.
- 10/30/74 - Memo from Geoff Shepard to Buchen certifying that all materials called for in the 8/9 memo from Jerry Jones has been completed and placed in custody of the supervisory archivist.
- 10/31/74 - Memo from Buchen to Silberman re creation authority of offices in the Executive Office of the President
- 10/31/74 - Buchen letter to Sampson re letter requests of the Watergate Special Prosecution Force and subpoenas duces tecum which relate to materials believed to be under the care, custody and control of GSA; requesting access to materials and assistance of necessary archival personnel in locating specific items
(((?????)))
- 10/31/74 - Buchen letter to Sampson approving Mr. Wolf's request for permission to enter rooms under GSA control containing Presidential materials.
- 10/31/74 - Buchen letter to H. S. Knight re authorization for Casselman/French/ Roth/Shaw and Edgar and Stan Motenson and Raymond Ralph to enter Rooms 84 and 522.
- 11/1/74 - Buchen memo to H. S. Knight authorizing Trudy Brown Fry to enter Rm. 84 to deposit material.
- * 11/1/74 - Rumsfeld memo to W. H. staff re safeguarding classified and sensitive information.
- 11/1/74 Buchen memo to H. S. Knight authorizing Jerry Jones to locate and remove original Presidential tape recordings for 6/15, 6/17 and 6/29, 1971. (in compliance with John Doe subpoena (copy available in Casselman's office)
- 11/1/74 - Miller letter to Casselman setting out files to be copied for transmission to President Nixon for his testimony.



- 8/9/74 Jones memo for W.H. staff re separation of papers of Nixon and Ford Administrations
- * 10/15/74 Casselman letter to Tony Mondello, CSC, attaching employment and financial interest disclosure forms to all employees of the W. H. office and Domestic Council, paid at a level equivalent to GS-13 and above and all special Govt. employees regardless of grade. (also booklet "Standards of Conduct for the W.H. Staff."
- 10/22/74 Judge Richey order
- 10/24/74 Buchen memo to the W. H. Staff re court order re Presidential materials of the Nixon Administration
- 10/24/74 - Memo for Don Rumsfeld/Jerry Jones, H. Stuart Knight, Robert Snow, David Martin and Earle L. Drescher = as requested by Thomas P. Wolf attaching copy of Wolf 10/24 memo to Buchen advising he has been appointed to be the representative to guarantee the Administrator and GSA's full compliance with the supplemental temporary restraining order issued by U. S. District Court Judge Charles Richey, see copy of Sampson 10/24 memo to Wolf
- 10/24/74 - Memo for Silberman attaching copies of the 10/24 memo to W. H. staff and asking him to furnish Herb Miller with a copy.
- 10/25/74 - Memo for Buchen/Miller from Tom Wolf advising that he has taken formal control of the sole key for access to all Nixon Presidential materials stored in Old EOB.
- * 10/29/74 - Memo for Jerry Jones from Donald Rumsfeld re compliance with filing statements of employment and financial interests by agency heads of separate offices within the EOP, etc.
- * 10/30/74 Rumsfeld letter to Robert Hampton re standards of conduct and statements -- agency heads of _____ to be filed with Chairman Hampton; those of staff members of the W. H. to be filed with the Counsel to the President.
- * 10/28/74 - Memo from Rumsfeld to Directors of _____ attaching materials distributed to W. H. staff members



THE WHITE HOUSE
WASHINGTON

November 5, 1974

MEMORANDUM FOR: DON RUMSFELD

FROM: PHILIP W. BUCHEN *P.W.B.*

SUBJECT: Nixon Tapes

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Jerry's role as guardian of the tapes began on April 9, 1974, when he replaced in that function General Bennett who had in July 1973 taken over from the Secret Service. Jerry has been working from a receipt which he gave to Bennett and has kept a detailed record of every access to each tape and every individual transfer of possession made.

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lock safes where they were previously located within the Safe Zone, at which time Jerry and his successor would together verify what is there and would agree upon the exact contents of the receipt to be given.

(2) Secret Service, the Special Prosecutor, and Nixon's lawyer be requested to witness the above process so that none can dispute the observable identity and condition of the items as they existed at the time of this transaction and the completeness and accuracy of the inventory on the receipt.

(3) The arrangements be worked out by Bill Casselman, as soon as he recovers sufficiently from the flu that has temporarily disabled him, because he is the only one on the legal staff who thoroughly understands the situation and who has continuing direct responsibility for White House staff compliance with Court orders affecting the tapes.

Whenever any tape is needed to be introduced as evidence in a Court case, Jerry would continue (as is Bennett and as will be Jerry's successor) to be needed to testify on "chain of custody."

cc: Bill Casselman
Jerry Jones
Laurence Silberman



Wednesday 11/6/74

Mr. Buchen advises Dobovir is the attorney for the other plaintiffs in the Nixon vs. Sampson cases.



November 7, 1974

MEMORANDUM FOR: William Casselman
FROM: Phil Buchen
SUBJECT: Nixon Tapes

Don Rumsfeld has approved my recommendations to him in the memorandum of November 5, 1974, on the Nixon tapes.

Kindly implement, including re Jones' responsibility for Room 429 and any other storage or staging room.

Attachment

PWBuchen:ed



THE WHITE HOUSE
WASHINGTON

November 5, 1974

MEMORANDUM FOR: DON RUMSFELD

FROM:

PHILIP W. BUCHEN

P.W.B.

SUBJECT:

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cc: Bill Casselman
Jerry Jones
Laurence Silberman



THE WHITE HOUSE

WASHINGTON

November 7, 1974

MEMORANDUM FOR:

H. S. KNIGHT
Director
United States Secret Service

This will confirm the oral request of Mr. Barry Roth of this office that the Conference Room (Room 175 1/2) in the suite of offices in the Executive Office Building previously used by former President Nixon, remain locked and not be opened without my express written authorization. This room contains records and other materials considered to be "Presidential materials of the Nixon Administration" as covered in the Supplemental Order of the United States District Court for the District of Columbia, entered October 22, 1974, in Nixon, et al., v. Sampson, et al., Civil Action Numbers 74-1518 and 74-1533.

As soon as suitable procedures consistent with the above-referenced Order can be developed by the appropriate parties, including the Secret Service, I request your assistance in their implementation.

T.W.B.

PHILIP W. BUCHEN
Counsel to the President



THE WHITE HOUSE
WASHINGTON

11/12/74

~~To: Jay~~

~~From: Eva~~

~~Mr. Buchen asked
that this be sent to you.~~

To Eva -
from
Jan



THE WHITE HOUSE
WASHINGTON

November 9, 1974

NOTE FOR: Phil Buchen

FROM: TOM DECAIR

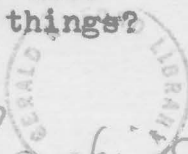
We have had several inquiries from reporters writing books as to how they can get to copies of press briefings during the Nixon Administration. Since they were mimeographed, they are not limited to single copies in the files.

We have also had requests for copies of the news summaries during the last couple of months of the Nixon Administration, for copies of press releases and pool reports and for copies of the President's daily schedules.

Our understanding is that all of this material is covered by your interpretation of the ruling that all Nixon era papers must be locked up. Is that the case or can we get to some of these things?

Please advise. Thank you

On 11/12 I called Tom and explained that all these papers are originals and belong to Nixon files. To go into these files at this time, with the court order pending, would be very difficult.



THE WHITE HOUSE
WASHINGTON

November 13, 1974

For: THE PRESIDENT

From: PHILIP BUCHEN *P.W.B*

Subject: Q's and A's on Nixon
tapes and documents



Question: An agreement on the Nixon tapes and documents was made November 9, 1974 between the Special Prosecutor and the Federal defendants in the Nixon suit brought to enforce an agreement for deposit of his Presidential materials made with the General Services Administration on September 7, 1974. This agreement stated you had "determined that the due Administration of Justice and the public interest require that the Special Prosecutor have prompt and effective use of those Presidential materials of the Nixon Administration now located in the White House complex that are relevant and important to ongoing criminal investigations and prosecutions within the Special Prosecutor jurisdiction." When and why did you make this determination?

Answer: I told the Subcommittee of the House Judiciary Committee on October 17, 1974 that in my understanding the Supreme Court decision permits the Special Prosecutor to obtain any of the material still held by the Government for his responsibility and that I would make certain the information was made available to the Special Prosecutor's Office.

Also, I stated then that the Nixon tapes will not be delivered to anybody until a satisfactory agreement has been reached with the Special Prosecutor's Office. This was the understanding with the Special Prosecutor from even before the time of the Nixon deposit agreement of September 7, 1974, and the personal rights of Mr. Nixon under that agreement have always been subject to the overriding legal interests of the Federal Government in the tapes and documents of the Nixon Administration.



Question: Does the new agreement with the Special Prosecutor do away with the earlier agreement made with Mr. Nixon on September 7, 1974.

Answer: No. Whatever rights Mr. Nixon has under the earlier agreement are unchanged by the new agreement, although the new agreement has been filed in court and its implementation is subject to court approval.



Question: Does the new agreement allow the Special Prosecutor to go on a "fishing expedition" into all the Nixon materials?

Answer: No, because his search will be limited to materials that are important and relevant to ongoing criminal investigations and prosecutions within the lawful jurisdiction of the Special Prosecutor.



Question: Do you agree with claims made by the Reporters Committee for Freedom of the Press and by various writers and historians that the Nixon agreement on his ownership and exclusive literary rights to the tapes and documents is invalid and that reporters and writers should have access to these materials?

Answer: The agreement with Mr. Nixon was made on the basis of the Attorney General's opinion to me that the former President did own the White House materials of his Administration. There has also been an opinion by the General Accounting Office that the agreement was not invalid under the applicable statute. Claims to the contrary made by the Reporters Committee and others are now before Judge Richey in the Federal District Court for the District of Columbia, and while their suits are pending in court I do not believe it is appropriate for me to express my opinions on this subject.



Question: Do you think Congress ought to pass a law to give reporters and the public wide access to the Nixon materials?

Answer: Legislation for that purpose is now before the Congress, but I think the Congress should not overturn the precedents of almost two centuries, and especially should not do so retroactively as to materials of any former President.



Question: If reporters and historians cannot have early access to the Nixon materials, will not the public be deprived of getting the full story of the Nixon administration?

Answer: I do not believe so, because much information has already been developed and publicized by Committees of the Congress, by investigative reporters, and by Court proceedings. And more will come out as the Special Prosecutor proceeds with his further criminal investigations and prosecutions.



THE WHITE HOUSE
WASHINGTON

11/18/74

Phil Buchen

For your information.

Bill Casselman

*Nixon
papers*



THE CHIEF OF PROTOCOL
DEPARTMENT OF STATE
WASHINGTON

October 25, 1974

Dear Mr. Casselman:

As you know on September 27, my office received from Jerry Jones and Marge Wicklein three boxes of White House Gifts Unit records covering the period of the Nixon Administration. I thought it would be useful to let you know what we have done with them since their delivery.

The various sets of Gifts Unit records covered the complete range of foreign gifts - those from official foreign sources covered by the 1966 Foreign Gifts and Decorations Act and those from private foreign sources. In order to meet requests under the Freedom of Information Act from Maxine Cheshire of the Washington Post for access to these public records of gifts which might be covered by the Act, as well as requests by the GAO to examine these records, my office sorted the master alphabetical list kept in the Gifts Unit into two categories: gifts from official foreign sources and those from private foreign sources. Maxine Cheshire and the General Accounting Office have since examined the records of official foreign source gifts as sorted by my office.

Since the 1966 Act requires that the recipients of gifts from official foreign sources determine the value of the gift and, consequently, whether it becomes Federal property at the time of its acceptance, we still need to know the determinations of President Nixon and his family in this matter. The Gifts Unit records themselves do not provide adequate information for compliance with the provisions of the Act.

Sincerely,


Henry E. Catto, Jr.

The Honorable
William E. Casselman II
Counsel to the President
The White House



11/22/74

Warren Rustand left this
for you.



CHRONOLOGICAL LIST OF AIR FORCE ONE TRIPS
 THE PRESIDENT OF THE UNITED STATES - GERALD R. FORD

(P)-Political

<u>DATE</u>	<u>AIRCRAFT</u>	<u>ITINERARY</u>
<u>1974</u>		
19 Aug 74	#27000 The Spirit of '76	Andrews to Chicago to Andrews
30 Aug 74	#27000 Air Force One	Andrews to Columbus, OH to Andrews
6 Sep 74	#27000 Air Force One	Andrews to Philadelphia, PA to Andrews
9 Sep 74	#27000 Air Force One	Andrews to Pittsburg, PA to Andrews
11 Sep 74	#27000 Air Force One	Andrews to Pope AFB, NC to Andrews
18 Sep 74	#26000 Air Force One	Andrews to JFK, NY to Andrews
23 Sep 74	#27000 Air Force One	Andrews to Detroit to Andrews
7 Oct 74 (P)	#27000 Air Force One	Andrews to Burlington, VT to Andrews
9 Oct 74 (P)	#27000 Air Force One	Andrews to Philadelphia, PA to Andrews
10 Oct 74 (P)	#26000 Air Force One	Andrews to Detroit, MI to Andrews
15 Oct 74 (P)	#27000 Air Force One	Andrews to Kansas City, MO
16 Oct 74 (P)	#27000 Air Force One	Kansas City, MO to Sioux Falls, SD to Lincoln, NE to Indianapolis, IN to Andrews
19 Oct 74 (P)	#27000 Air Force One	Andrews to Greenville, SC to Greensboro, NC to Louisville, KY to Andrews
21 Oct 74 (P)	#27000 Air Force One	Andrews to Tuscon, AZ to Oklahoma City, OK
22 Oct 74 (P)	#27000 Air Force One	Oklahoma City, OK to Cleveland, OH to Andrews
24 Oct 74 (P)	#27000 Air Force One	Andrews to Des Moines, IO to Chicago, IL to Andrews



CHRONOLOGICAL LIST OF AIR FORCE ONE TRIPS
THE PRESIDENT OF THE UNITED STATES - GERALD R. FORD

<u>DATE</u>	<u>AIRCRAFT</u>	<u>ITINERARY</u>
1974 29 Oct. 74 (P)	#27000 Air Force One	Andrews to Grand Rapids to Andrews
31 Oct. 74 (P)	#27000 Air Force One	Andrews AFB, to Sioux City, Iowa to Los Angeles,
1 Nov. 74 (P)	#27000 Air Force One	Los Angeles, to Fresno, CA to Portland, OR
2 Nov. 74 (P)	#27000 Air Force One	Portland, OR to Salt Lake City, UT to Grand Junction, CO to Wichita, KS to Andrews AFB
14 Nov. 74	#27000 Air Force One	Andrews AFB to Las Vegas, to Luke AFB, Sky Harbor Apt. to Andrews AFB



Access

THE WHITE HOUSE
WASHINGTON

November 29, 1974

MEMORANDUM FOR: Ron Nessen
THRU: Phil Buchen
FROM: Bill Casselman *BC*

This is in response to your memorandum to Phil Buchen of November 5 seeking guidance in responding to Mr. Landay's letter to you requesting the so-called Nixon "boards." All of the materials of the Nixon Administration, including the boards, now in the custody of the White House, are subject to the outstanding orders of Judge Richey in the case of Nixon v. Sampson, et al., C.A. Nos. 74-1518, 74-1533, 74-1551, United States District Court for the District of Columbia. Judge Richey's orders enjoin Mr. Sampson and other defendants, including Mr. Buchen, from "disclosing, transferring, disposing or otherwise making known to any person" the materials of former President Nixon currently in their custody. No distinction is made between Press Office materials and other materials. Therefore, it would require a modification of Judge Richey's orders before these materials could be released, and I think it quite unlikely that the Judge would grant such a modification at this time. In any event, the modification would have to be sought by Mr. Landay as an intervenor in Nixon v. Sampson, et al.



23B
11/6

THE WHITE HOUSE
WASHINGTON

11/5

TO: PHIL BUCHEN
FR: RON NESSEN R.H.N.

May I have your guidance
in responding to the
attached.

Thank you.



Jerry M. Landay
Apt. 2
2231 Bancroft Pl., N.W.
Washington, D.C. 20008

30 October, 1974

Dear Ron:

As you probably know, I have resigned from ABC-News.

One of the projects I am contemplating, under the auspices of a leading American publisher, is a book dealing with the Nixon years.

In furtherance of this project, it would be essential to gain access for research purposes to the Nixon "boards". These, as you know, contain transcripts of the daily press briefings by Ron Ziegler and Gerald Warren, pool reports, the former president's daily public schedule, all press releases, all transcripts of news conferences in the press room by presidential aides, transcripts of presidential news conferences, prepared presidential speech texts and "as delivered" transcripts.

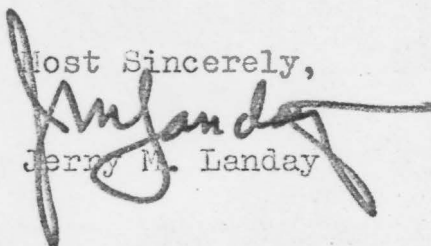
I understand these "boards" have been packed, and are physically located with the rest of the former president's papers.

Quite obviously, however, these "boards" comprise material released by the White House press office, and, as such, are part of the public record. They are thus markedly different in status from those memoranda, tapes, and other documents which may relate to investigations by the special prosecutor, or court proceedings, under the heading of "presidential papers".

Your assistance in gaining access to this so-called "board" material, to the total exclusion of the presidential papers now involved in the litigative process, would be deeply appreciated.

Should you wish to discuss this matter more fully, I would of course be delighted to meet with you. I look forward to hearing from you shortly.

Most Sincerely,



Jerry M. Landay

Ronald Nessen
Press Secretary
The White House
Washington, D.C., 20008

Ccs: Hon. Philip Buchen, Thomas P. Wolfe



23B -

THE WHITE HOUSE

WASHINGTON

November 29, 1974

MEMORANDUM FOR:

Ron Nessen

THRU:

Phil Buchen *T.W.B.*

FROM:

Bill Casselman *BC*

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23B
11/6

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WASHINGTON

11/5

TO: PHIL BUCHEN

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As you probably know, I have resigned from ABC-News.

One of the projects I am contemplating, under the auspices of a leading American publisher, is a book dealing with the Nixon years.

In furtherance of this project, it would be essential to gain access for research purposes to the Nixon "boards". These, as you know, contain transcripts of the daily press briefings by Ron Ziegler and Gerald Warren, pool reports, the former president's daily public schedule, all press releases, all transcripts of news conferences in the press room by presidential aides, transcripts of presidential news conferences, prepared presidential speech texts and "as delivered" transcripts.

I understand these "boards" have been packed, and are physically located with the rest of the former president's papers.

Quite obviously, however, these "boards" comprise material released by the White House press office, and, as such, are part of the public record. They are thus markedly different in status from those memoranda, tapes, and other documents which may relate to investigations by the special prosecutor, or court proceedings, under the heading of "presidential papers".

Your assistance in gaining access to this so-called "board" material, to the total exclusion of the presidential papers now involved in the litigative process, would be deeply appreciated.

Should you wish to discuss this matter more fully, I would of course be delighted to meet with you. I look forward to hearing from you shortly.

Most Sincerely,


Jerry M. Landay

Ronald Nessen
Press Secretary
The White House
Washington, D.C. 20008

Ccs: Hon. Philip Buchen, Thomas P. Wolfe



THE WHITE HOUSE

WASHINGTON

December 3, 1974

Dear Mr. Barrer:

This will respond to your letter to Ron Nessen of November 8 and your letter to me of the same date, requesting various types of published and unpublished materials in the possession of the White House which relate to the Watergate and Impeachment investigations, hearings and prosecutions.

Virtually all of the above-described materials currently in the custody of the White House are subject to the orders of Judge Richey entered in Nixon v. Sampson, et al., C. A. Nos. 74-1518, 1533, and 1551, United States District Court for the District of Columbia. Those orders enjoin me as a party defendant, from "disclosing, transferring, disposing, or otherwise making known to any person" any of the Presidential materials of the Nixon Administration. In view of these orders, I regret that it will be impossible for me to comply with your request. However, you may wish to direct further inquiries to attorneys for the former President.

Sincerely,

Philip W. Buchen
Counsel to the President

Mr. Lester A. Barrer
Today Publications & News Service, Inc.
National Press Building
Washington, D. C. 20004

bcc: Ron Nessen ✓



November 8, 1974

Ron Nessen, Press Secretary to the President
White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. Nessen:

We are currently compiling a book, the complete and comprehensive *Documentation Index to the Impeachment Proceedings Against Richard M. Nixon - Including 'Watergate' and Related Investigations, Hearings and Prosecutions* to be published in April, 1975.

This Index will completely identify all contents of the UNCLASSIFIED sources of information used in the Watergate and Impeachment investigations, hearings or prosecutions. These will be obtained from the various government agencies and private organizations involved.

This compilation is being prepared as a scholarly work and will be published in a format which will provide the legal, historical, and journalism professions with a comprehensive reference source of information — indexed in depth.

Today Publications & News Service, Inc. is both an accredited news service and a publishing company. Mrs. Myra E. Barrer and I are co-owners of the firm. Mrs. Barrer is accredited as a Congressional reporter and I am accredited to cover the White House, State Department, etc.

In the publishing area, we recently published a book entitled *Women's Organizations & Leaders - 1973 Directory* (December 1973), a major directory which was selected by the American Library Association as one of the "outstanding reference books of the year (1974)." The book was also recommended by the Wilson Library Bulletin with an "A" rating signifying that it is "Important even for a small basic reference collection ..." The Association of College and Research Libraries gave special recognition to our book and stated that "... This source provides information ... that is otherwise elusive. Recommended." Another review stated that "... this directory fills a gap ... and should be a helpful addition to most libraries." The entire compilation, indexing, data processing, writing, editing, composition, and graphics of the 470-page book were done by us and our own staff. This directory is now an annual publication of our company. Another publication we prepare is *The Law & Women Series*.

We are interested in obtaining from you for the *Documentation Index* the following types of published or unpublished materials:

- 1—Lists of documents used by or submitted by your organization directly in the Watergate or Impeachment investigations, hearings, or prosecutions.
- 2—Lists of documents used by or submitted by your group as reference materials.
- 3—Lists of documents in your possession which are being or have been used by, or submitted by, other government agencies in the Watergate or Impeachment investigations, hearings, or prosecutions.



umber 8, 1974

4—Identification of specific units of government agencies, private organizations, or of individuals who may have documents of the nature just described. This is so that we may better assure a comprehensive coverage of all potential sources of these materials.

5—A copy of the index of materials you may have already submitted to the U.S. Archives or another document storage facility such as a federal records center or a library.

6—If you have not yet sent your materials to such a storage facility, we would like to obtain a list or index of these materials when they are sent.

Once we have obtained these lists, we will then be able to determine which items are in the possession of your organization and which ones we may need a copy of for our work. If a copy is not available for our retention, perhaps we could either borrow a copy for a short period of time or review a copy in your office or library. It would be most useful, however, if we could obtain a copy for our own use.

We would also like to make arrangements to be kept informed about documents that are produced in the future or are obtained by your organization which would pertain to our research. This could be done either by a periodic telephone call to a specific member of your staff or by placing us on your mailing list. It is important to note that we are interested in obtaining the preliminary documents as well as the final ones.

We have already made or are currently making similar arrangements with other government agencies. The Watergate Special Prosecution Force and others have already agreed to assist us in this important work.

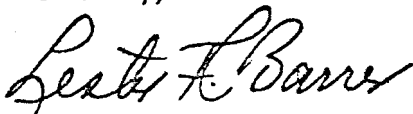
Having disclosed the scholastic and historical need for an index which will lead researchers, historians, students and the public to these important documents, may I make it clear that I am not in any way suggesting that my sole purpose in this undertaking is to obtain, for retention, documents from you or your files. I am asking to be allowed to use the documents which are in your possession. From these I need to copy only the title pages, tables of contents, indexes, and similar information which will explain to any reader what might be found within the context of the entire document. Our goal is indexing in depth.

Although we have not yet made the selection, Mrs. Barrer and I have decided to place the entire collection of those documents which we have obtained—when the *Documentation Index* is completed—in the Law Library of a major university or the Law Library of the U. S. Supreme Court.

On the attached pages you will find a copy of the draft Title Page, Table of Contents and a descriptive abstract prepared for librarian purposes.

We would be pleased to meet with you or a member of your staff to answer any further questions concerning this request and its fulfillment by you in the near future.

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Lester A. Barrer



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WASHINGTON

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Sincerely,

Philip W. Buchen
Counsel to the President

Mr. Lester A. Barrer
Today Publications & News Service, Inc.
National Press Building
Washington, D. C. 20004

bcc: Ron Nessen ✓



November 25, 1974

To: Mr. Casselman

From: Eva

Previous letter addressed to
Mr. Buchen was referred to
you ---- so I'm sure you would
want this.



THE WHITE HOUSE
WASHINGTON

11/25

TO: PHIL BUCHEN

FR: RON NESSEN

I would appreciate your guidance
on the attached.

Thank you.



November 8, 1974

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White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

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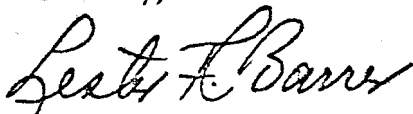
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Lester A. Barrer



DOCUMENTATION INDEX
TO THE
IMPEACHMENT PROCEEDINGS AGAINST
RICHARD M. NIXON
INCLUDING "WATERGATE" AND RELATED
INVESTIGATIONS, HEARINGS & PROSECUTIONS

VOLUME 1 - THROUGH 1974

APRIL 1975

LESTER A. BARRER

&

MYRA E. BARRER



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This work provides an exact identification of and comprehensive index to the documents submitted, obtained or used by the Legislative, Judicial and Executive branches of the U. S. Government in the conduct of the Impeachment Proceedings against Richard M. Nixon. Documents of the "Watergate" and related investigations, hearings and prosecutions; and those documents used by or submitted as supporting material or evidence on behalf of plaintiffs, defendants, witnesses or the courts are included. The first section of each volume contains in chronological order an exact reproduction from each of these documents of the cover, title page, publisher's information page, table of contents, lists of participants, references, appendices, laws and regulations, and cases cited. Each of these documents is indexed in depth in the second section. Every document is indexed by title, names of individuals and organizations involved or mentioned, cases and cases cited, and by subject area. Indexing will be cross-referenced. Volume 1 covers the years through 1974 with its index. Volume 2 will cover 1975 and will contain a cumulative index to Volumes 1 & 2. The books are designed for easy reference and research use by the attorney, historian, politician and the journalist. Archival type of materials and methods are to be utilized in the printing and binding of these books.

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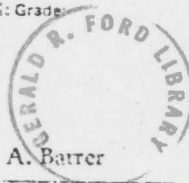
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Completed by: Lester A. Barrer



AUTHOR/EDITOR/ILLUS. BIOGRAPHICAL INFORMATION:

Lester A. Barrer & Myra E. Barrer are co-owners and directors of Today Publications & News Service, Inc. Both are long-term accredited reporters in the Nation's Capitol. Mr. Barrer covers the White House and the Supreme Court generally while Ms. Barrer covers Congress.

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THE WHITE HOUSE

WASHINGTON

December 4, 1974

MEMORANDUM FOR: Jack Hushen

FROM: Bill Casselman *BJC*

SUBJECT: Rabbi Korff's Allegations re Nixon mail

The Supplemental Order of Judge Richey of the United States District Court for the District of Columbia, entered on October 22, 1974, in Nixon v. Sampson, et al., enjoins the defendants in that case, including Phil Buchen, from "disclosing, transferring, disposing, or otherwise making known to any person . . . the materials . . . known as the Presidential materials of the Nixon Administration" which were in the custody and control of the defendants as of the date of the Order. Thus, any materials of the Nixon Administration received or generated prior to the former President's resignation on August 9, 1974, and in the possession of the White House or GSA on October 22, are subject to the Court's Order. These materials constitute approximately 42 million papers and other items, including several sealed boxes containing letters addressed to the former President in response to Rabbi Korff's anti-impeachment campaign. Most of these boxes are located in GSA-controlled areas within the EOB. Access to these areas is strictly limited in accordance with the above Order.

To the extent that letters received after August 9 can be separated from letters received before that date, the post August 9 materials are the property of the former President and presumably may be turned over to him. However, a random sampling of the boxes by GSA indicates that pre and post August 9 mail is intermingled, thus making segregation a detailed and time-consuming process. Moreover, the October 22 Order limits access to pre-August 9 materials to Mr. Nixon or his attorney solely for the purposes of preparing to testify in the Watergate Trial or determining whether to raise any privileges or the defenses Mr. Nixon might have in opposition to the use of such materials for ongoing government business or to the production of such materials pursuant to requests of the Special Prosecutor, validly issued subpoenas, discovery demands, or court orders. Thus, literally read, the Order does not



authorize Mr. Nixon or his attorneys, or anyone else, to have access to the boxes for purposes of segregating pre-August 9 mail from post-August 9 mail. However, it is hoped that procedures which would be mutually agreeable to all parties can be arranged to permit segregation of the mail in a timely manner. To this end, appropriate discussions have been underway with the affected parties. Nevertheless, a modification of the Court's Order may be required in order to permit any segregation of the letters in question.

At the present time, any mail addressed to the former President and received at the White House is forwarded to San Clemente.

cc: Phil Buchen
Phil Areeda
Ken Lazarus



Thursday 12/5/74

12:00 Jack Hushen stopped by to leave the attached material dealing with Rabbi Korff's accusation that the White House has impounded Mr. Nixon's mail.

Mr. Rumsfeld wants you to handle all calls. The Press Office will refer the calls they get to you. Attached are the questions and answers they have put together.



AP16

R

NIXON MAIL

WASHINGTON (AP) -- RICHARD M. NIXON HAS BEEN UNABLE TO OBTAIN THOUSANDS OF LETTERS SENT TO HIM AT THE WHITE HOUSE IN RESPONSE TO A PUBLIC APPEAL FROM A COMMITTEE SUPPORTING HIM, THE COMMITTEE'S CHAIRMAN, RABBI BARUCH KORFF, SAID TODAY.

THE LETTERS ARRIVED AFTER NIXON'S AUG. 9 RESIGNATION AS PRESIDENT, RABBI KORFF SAID. HE TOLD A REPORTER HE WAS NOT SURE WHO WAS RESPONSIBLE FOR IMPOUNDING THE LETTERS.

THERE WAS NO IMMEDIATE COMMENT FROM WHITE HOUSE SPOKESMEN.

KORFF FORMED THE NATIONAL CITIZENS COMMITTEE FOR FAIRNESS TO THE PRESIDENCY IN THE WANING DAYS OF THE NIXON PRESIDENCY. THAT GROUP NOW IS TRUSTEE OF THE PRESIDENT NIXON JUSTICE FUND, SET UP WITH THE AIM OF PAYING NIXON'S LEGAL AND MEDICAL EXPENSES.

"WE URGED OUR FOLLOWERS TO WRITE NIXON AND OBVIOUSLY THOUSANDS AND THOUSANDS OF LETTERS OF SUPPORT ARRIVED AFTER THE 9TH OF AUGUST," KORFF SAID.

THE RABBI SAID HE ASSUMED SOME OF THE LETTERS CONTAIN FINANCIAL CONTRIBUTIONS TO NIXON'S LEGAL FUND. HE SAID SUCH FUNDS WOULD BE TURNED OVER TO THE FUND ONCE THE LETTERS IN QUESTIONS ARE RELEASED.

"TWO-THIRDS OF THE LEGAL EXPENSES WE HAVE INCURRED STEM FROM LEGAL WORK TO UPHOLD THE AGREEMENT THE GOVERNMENT REACHED WITH PRESIDENT NIXON AND SUBSEQUENTLY ALTERED, CURBED AND MUTILATED IN VIOLATION OF THE CONSTITUTION TO SEARCH WITHOUT CAUSE AND DENY PRESIDENT NIXON HIS PAPERS AND DOCUMENTS," KORFF SAID.

THE HOUSE APPROVED LEGISLATION TUESDAY BANNING DESTRUCTION OF NIXON'S TAPES AND OVERRIDING A GENERAL SERVICES ADMINISTRATION AGREEMENT ON THEIR DISPOSITION. THE HOUSE MEASURE WENT TO THE SENATE, WHICH HAS PASSED SIMILAR BUT NOT IDENTICAL LEGISLATION. THE HOUSE BILL WOULD REQUIRE CONGRESSIONAL AUTHORIZATION FOR DESTRUCTION OF THE TAPES OR DOCUMENTS. IT TAKES NO STAND ON OWNERSHIP OF THE MATERIAL.

AS FOR THE MAIL, KORFF SAID: "FIRST OF ALL, IT'S ILLEGAL TO TAKE SOMEONE'S MAIL. THERE IS INHUMANITY, ILLEGALITY AND WIFEFEULNESS FROM WHO MIGHT BE RESPONSIBLE -- LET THE ONUS FALL WHERE IT MAY."

12-22-71 12:10:55



- Q. Is it true, as Rabbi Korff charges, that thousands of letters addressed to the former President are being held by the White House?
- A. Yes, approximately 70 cartons of mail addressed to the former President were impounded as a result of a court order growing out of the former President's suit which he filed to try to enforce an agreement he signed with GSA Administrator Arthur Sampson.
- Q. Do these letters contain money?
- A. There is no way to tell because they have not been opened. The impounded mail consists of letters sent to the former President prior to August 9 which were unanswered at the time of his resignation. In addition, mail addressed to the former President which arrived after August 9 but was intermingled with the pre-August 9 mail also is held. As far as the Legal Counsel's office is concerned, the post-August 9 mail should be turned over to the former President, ^{AND} ~~the~~ methods by which this might be accomplished under the court order are under discussion by lawyers for the former President and the legal counsel's office.
- Q. Estimate on the amount of mail impounded?
- A. Mail room estimates that it totals more than 70,000 pieces of mail.
- Q. What happens now to mail addressed to the former President and sent to the White House?
- A. It is routinely forwarded to San Clemente.



Q. Isn't it illegal to hold up the delivery of the mail?

A. Our lawyers view the mail sent to the White House before August 9 to be material of the Nixon Administration and therefore covered by the court order. We are trying to work out a way of separating the post-August 9 mail which is mixed in with the other and still comply with the court order.

Q. Why weren't the letters which arrived after August 9 just sent to the former President prior to October 22?

A. Mail room stored it after conversations with Rose Mary Woods. Some of it was actually shipped out to San Clemente and then returned because there wasn't adequate space to hold it there. After August 9, the mail room could no longer process Nixon mail so it was left in mail bags or boxes. All the mail room could do was forward it, but San Clemente didn't want it. While the Archivists were looking for a place to store it, the court order was entered.



THE WHITE HOUSE
WASHINGTON

December 4, 1974

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FROM: Bill Casselman *BJL*
SUBJECT: Rabbi Korff's Allegations re Nixon mail

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Ken Lazarus



Nixon

Thursday 12/5/74

12:00 Jack Husben stopped by to leave the attached material dealing with Rabbi Korff's accusation that the White House has impounded Mr. Nixon's mail.

Mr. Rumsfeld wants you to handle all calls. The Press Office will refer the calls they get to you. Attached are the questions and answers they have put together.



December 11, 1974

*Custody
of
the
Library*

Dear Senator McGovern:

Your letter to the Administrator of General Services Administration requesting the transcript of a press briefing conducted by Gerald Warren on July 18, 1974, was forwarded to my office just recently.

I am sorry that it is not possible for me to comply with your request. In checking into this matter, I learned that at one time the White House did have copies of the transcript of this press briefing held in Laguna Beach, California, which were available for distribution. However, since the resignation of the former President, all documents and files from the former President's Administration have been collected and prepared for storage, and access is restricted by outstanding Court orders which have been in effect since October 22, 1974. Access for the purposes of your request is not allowed by these orders.

Most sincerely yours,

Philip W. Buchen
Counsel to the President

The Honorable George McGovern
United States Senate
Washington, D. C. 20510
Attention: Miss Patricia Donovan



11/29

TO: PHIL BUCHEN

FR: RON NESSEN

For appropriate action.

11/29

TO: PHIL BUCHEN

FR: RON NESSEN

For appropriate action.

nothing on
tape for this

except

"write a letter to

Sen. McGovern

(if then goes on to next
letter)

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION
WASHINGTON, D.C. 20405



November 26, 1974

Honorable Ron Nessen
Press Secretary to the
President
The White House
Washington, D.C. 20500

Dear Mr. Nessen:

Please find attached correspondence from Senator George McGovern requesting the transcript of a press briefing conducted by Gerald Warren in Laguna Beach, California, on July 18, 1974.

Since this matter falls within your purview, we are forwarding this to your office for direct reply.

A copy of this letter has been sent to Senator McGovern informing him of our action.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Fanske".

Richard L. Fanske
Special Assistant to the
Administrator

Enclosure



GEORGE MCGOVERN
SOUTH DAKOTA

United States Senate
WASHINGTON, D.C. 20510

October 21, 1974

Reply to be prepared by:	
Coordinate	
Reply with:	
For Action	For Information
Prepare Reply for Signature of:	
Furnish Copy of Reply to:	
Copy also sent to:	
REPLY DUE:	

Dear Sirs:

I would like to request the transcript of a press briefing conducted by Gerald Warren in Laguna Beach, California, on July 18, 1974.

Many thanks for your cooperation.

Sincerely yours,

George McGovern
George McGovern

RECEIVED
GSA
OCT 22 2 17 PM '74
OFFICE OF
THE ADMINISTRATOR

Office of the Administrator
General Services Administration
Washington, D. C. 20405

P. S. Please mark it to the attention of my secretary,
Miss Patricia Donovan.



THE WHITE HOUSE

WASHINGTON

December 11, 1974

RE: James W. McCord, Jr. v.
Gerald Ford, et al., USDC
DC, Civil No. 74-1386.

Dear Mrs. Hills:

I have reviewed the revised draft of the "Defendant's
Objections to Plaintiff's Interrogatories" in the above
captioned case, and I concur in your handling of this
matter.

Sincerely,



Philip W. Buchen
Counsel to the President

The Honorable Carla A. Hills
Assistant Attorney General
United States Department of Justice
Washington, D. C. 20530



THE WHITE HOUSE

WASHINGTON

December 11, 1974

RE: James W. McCord, Jr. v.
Gerald Ford, et al., USDC
DC, Civil No. 74-1386.

Dear Mrs. Hills:

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Objections to Plaintiff's Interrogatories" in the above
captioned case, and I concur in your handling of this
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Philip W. Buchen
Counsel to the President

The Honorable Carla A. Hills
Assistant Attorney General
United States Department of Justice
Washington, D. C. 20530



THE WHITE HOUSE

WASHINGTON

Classified documents attached

December 13, 1974

MEMORANDUM FOR: Don Rumsfeld

FROM: Bill Casselman *B/*

Attached at Tab A is an undated memorandum from Tom Charles Huston to H. R. Haldeman, subject: "Domestic Intelligence Review," which is classified Top Secret. Attached at Tab B is a memorandum from Mr. Haldeman to Mr. Huston dated June 19, 1970, which is classified Confidential. We have been requested by the Department of Justice to determine whether these documents can now be properly declassified for the purpose of production in connection with Mr. Huston's deposition in the case of Jane Fonda v. L. Patrick Gray, et al., C.A. No. 73-2442-MML, (C.D. Cal.). (See letter from Assistant Attorney General Henry E. Petersen, attached at Tab C).

The documents in question were obtained by the Department of Justice from Mr. Huston's attorney. It is the view of the Department and this office that these documents are not "Presidential materials of the Nixon Administration" which would be protected from disclosure by Judge Richey's Order of October 23, 1974, in the case of Nixon v. Sampson, et al., C.A. Nos. 1518, 1533, and 1551 (D.D. C.). However, since these materials are not in the custody of the Archivist of the United States, they may not be declassified in the usual manner under the authority contained in Section 11 of Executive Order 11652 (May 8, 1972). (Section 11 authorizes the Archivist to declassify materials which have been classified by a President or his White House staff when such materials have been deposited in a Presidential Library or other archival depository). Therefore, in order to permit declassification of the documents, Section 3 of the Executive Order must be relied on. This Section provides, inter alia, that National Security material may be declassified by "the official authorizing the original classification, by a successor in capacity or by a supervisory official of either." As a successor in capacity to Mr. Haldeman and a

Classified documents attached



Classified documents attached

2

successor supervisor of Mr. Huston, it is requested that you review the attached material to determine whether it may be declassified.

Should you determine that the documents continue to merit classification, it will be necessary to enter a formal claim of Executive privilege with the Court in order to prevent disclosure of the documents to the Plaintiff.

Brent Scowcroft has reviewed the attached documents and advises that he has no objection to their declassification.

Enclosures

Declassify _____

Continue Classification, enter claim of privilege _____

See me _____

cc: Phil Buchen

Classified documents attached



Department of Justice

Washington 20530

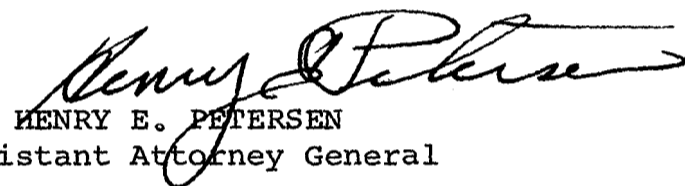
December 20, 1974

Philip W. Buchen
Counsel to the President
The White House
Washington, D. C. 20500

Dear Mr. Buchen:

This is to thank you for the cooperative and timely assistance you and Mr. Casselman provided this office in obtaining the declassification of certain White House documents. As you are aware, it was extremely important that these documents be declassified prior to the deposition of former White House Assistant Tom Charles Huston, scheduled for Saturday, December 14, 1974, and your efforts in assisting us in meeting this deadline were invaluable. I apologize for any inconvenience our request may have caused you, and again want to express my great appreciation to you and Mr. Casselman for your assistance.

Sincerely,


HENRY E. PETERSEN
Assistant Attorney General



THE WHITE HOUSE
WASHINGTON

December 27, 1974

Dear Mrs. Baldwin:

Thank you for your recent letter to the President regarding the Court decision to publicly release the tape recordings played at the Watergate trial. As you may know, attorneys for former President Nixon have indicated their intention to appeal this decision to the United States Court of Appeals for the District of Columbia Circuit. I am sure that you understand that comments by this office on pending litigation would, therefore, be improper.

It is most helpful to the President to have the benefit of your opinion, and you may be assured that the President does appreciate your taking the time to write to him on this matter.

Sincerely,

Philip W. Buchen
Philip W. Buchen
Counsel to the President

Mrs. Phil C. Baldwin
933 Loma Vista Street
El Segundo, California 90245



5 December 1974

The President
The White House
Washington, D. C.

CS. 2A
Dear Mr. President:

Concerning Judge Gessell's decision about airing the 30 hours of White House tapes, is there anything that you can do to see that this does not happen? Airing these tapes would only serve to further humiliate President Nixon.

This Watergate episode leads me to believe that our entire judicial system needs revamping. None of the judges have shown themselves to be unbiased; they obviously just want to crucify one man.

Would you please tell me who Judge Gessell is responsible to, as I want to write to his boss.

Thank you.

Sincerely yours,

Jean Baldwin

Mrs. Phil C. Baldwin
933 Loma Vista Street
El Segundo, California 90245

THE WHITE HOUSE

WASHINGTON

January 13, 1975

MEMORANDUM FOR

H. S. Knight
Director, United States Secret Service

Referencing my memorandum to you of January 9, 1975, and the duties and responsibilities of the United States Secret Service with respect to the protection of the papers and other materials contained in Rooms 175 1/2 (Conference Room) and 175 of the Old Executive Office Building, this role is limited to the following:

1. No person will be allowed to enter Room 175 1/2 except in accordance with my express written instructions to you.
2. Any person entering Room 175 1/2 will be logged in and out by an EPS officer located at the doorway to the Conference Room.
3. No papers or other materials may be brought into or removed from Room 175 1/2 unless they fall into one of the following categories:
 - a. In accordance with my express written instructions.
 - b. Furniture, empty boxes, GSA supplies and similar items identified by Thomas Wolf, GSA, as government property. A notation should be made on EPS records of such items that are so removed.
 - c. Materials used by GSA employees or the photographer in carrying out their duties as outlined in my January 9, 1975, memorandum, i. e., inventories, packing materials, dictation equipment, cameras, etc.
4. No role is contemplated for the Secret Service in examining these papers, or in determining whether or not they are Presidential materials



of the Nixon Administration in accordance with Judge Richey's Order of October 21, 1974, as amended, in Nixon v. Sampson, et al., or with P.L. 93-526. Inspection of persons entering or leaving Room 175 1/2 shall be limited to a visual examination of papers and other materials being carried by them.

5. No boxes or crates are to otherwise leave this suite except in accordance with my express written instructions.

6. Items of memorabilia may be removed from Room 175 1/2 into Room 175 for the purpose of inventorying, photographing and packing, however, no such boxes are to be removed from this suite.

Your cooperation is appreciated.

P.W.B.

Philip W. Buchen
Counsel to the President

cc: Thomas P. Wolf

