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DONALD M. FRASER
5TH DISTRICT, MINNESOTA

NOV 17 1976

1111 HOUSE OFFICE BUILDING
225-4755

Congress of the United States
House of Representatives

Washington, D.C. 20515

November 16, 1976

Mr. Max Friedersdorf
Assistant to the President
for Legislative Affairs
The White House
Washington, D.C.

Dear ~~Mr. Friedersdorf~~ *Max*:

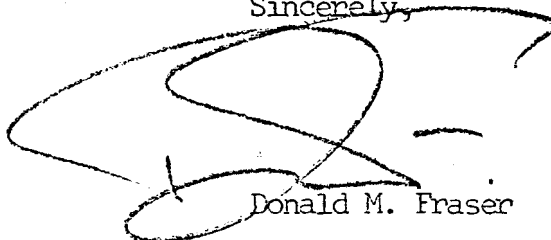
In going over our pending files, we have been unable to locate a final response to an August 25 inquiry concerning questions raised by some of my constituents over a news report that former President Nixon continues to receive briefings from the White House.

An interim letter from the White House was dated September 1, 1976.

I would appreciate having this looked into so I can respond to my constituents.

With best wishes.

Sincerely,



Donald M. Fraser



September 1, 1976

on 10/14
following memo

10/21
Per OK re at
copy to Bucher
Jca

Dear Don:

Thank you for your August 25 letter on behalf of a constituent who wishes to know if the former President receives briefings from the White House.

I will ask for information which will be helpful to you in responding to this inquiry.

With kind regards,

Sincerely,

Max L. Friedersdorf
Assistant to the President

The Honorable Donald M. Fraser
House of Representatives
Washington, D.C. 20515

bcc: w/incoming to Philip Bucher for DRAFT REPLY

MLP:JEB:VO:rg



Congress of the United States
House of Representatives
Washington, D.C. 20515

August 25, 1976

Mr. Max Friedersdorf ^{AUG 27 1976}
Assistant to the President
for Legislative Affairs
The White House
Washington, D. C.

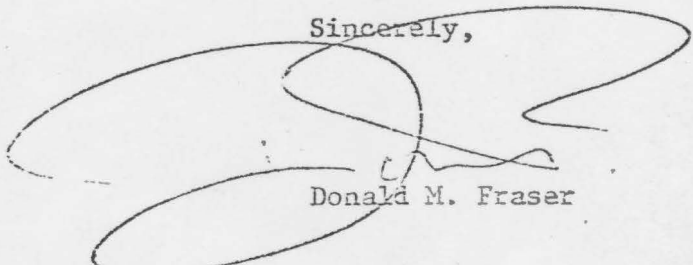
Dear Mr. ^{Max} Friedersdorf:

Some of my constituents have raised questions over a news report that former President Nixon continues to receive briefings from the White House.

We would appreciate having your comments on this.

With best wishes.

Sincerely,


Donald M. Fraser



Nixon

THE WHITE HOUSE
WASHINGTON

November 23, 1976

MEMORANDUM FOR: Max Friedersdorf

THRU: Phil Buchen *P.*

FROM: Barry Roth *BR*

As you requested, attached is
a draft response to Don Fraser
concerning briefing reports
for former President Nixon.



DRAFT

Dear Don:

This is in further response to your inquiry on behalf of a constituent concerning news reports that former President Nixon continues to receive briefings from the White House.

Traditionally, former Presidents have received briefing reports after leaving office. This practice, as it existed between former President Johnson and then President Nixon, was formalized and made applicable to all succeeding Presidents by Executive Order 11456, issued February 14, 1969. Briefing reports are provided on a periodic basis through military communications facilities at no incremental cost to the Government.

I trust this will be of assistance in responding to your constituent's inquiry.

Sincerely,

Max L. Friedersdorf
Assistant to the President

The Honorable Donald M. Fraser
House of Representatives
Washington, D. C. 20515

(Cleared with Gulley, 11/23/76)



THE WHITE HOUSE
WASHINGTON

November 17, 1976

MEMORANDUM FOR: BARRY ROTH
FROM: MAX L. FRIEDERSDORF *WF*
SUBJECT: Inquiry from Congressman Don Fraser
re Nixon briefings.

Several weeks ago, we sent you an inquiry from the Congressman with the request that we be provided with draft language. Subsequently, you advised that you preferred to hold the request for a few weeks.

I have now received another inquiry from the Congressman. Would it be possible for you to give us appropriate language at this time?

Thanks.

Please direct response to Judy Beth Berg-Hansen 107 East Wing



Mr. Buchen

THE WHITE HOUSE
WASHINGTON

August 7, 1976

For filing

Dear Mel:

As I indicated to you over the telephone, I am sending a copy of the Court's memorandum in the case of U. S. v. 3M issued July 27, 1976, by the U. S. District Court in Minnesota.

Sincerely,

Phil

Philip W. Buchen
Counsel to the President

The Honorable Melvin Laird
Reader's Digest Association, Inc.
1730 Rhode Island Avenue, N. W.
Washington, D. C. 20036

Enclosure



1 UNITED STATES DISTRICT COURT
2 DISTRICT OF MINNESOTA
3 THIRD DIVISION

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

3-75 Cr. 21

7
8 MINNESOTA MINING AND
9 MANUFACTURING COMPANY,
BERT S. CROSS, and
IRWIN R. HANSEN,

MEMORANDUM AND ORDER

10 Defendants.

11
12 JOHN J. KILGARRIFF, Esq., and JERROLD L. KLUGER, Esq.,
13 Special Attorneys for the Department of Justice, Washington,
D.C., appeared for the plaintiff.

14 G. ALAN CUNNINGHAM, Esq., Faegre and Benson, Minneapolis,
15 Minnesota, and R. SCOTT DAVIES, Esq., Briggs and Morgan, St.
16 Paul, Minnesota, appeared for defendant Minnesota Mining and
Manufacturing Company.

17 DOUGLAS W. THOMSON, Esq., and JACK S. NORDBY, Esq., Thomson,
18 Wylde & Nordby, St. Paul, Minnesota, appeared for defendant
Bert S. Cross.

19 LAWRENCE J. HAYES, Esq., and GARRETT E. MULROONEY, Esq.,
20 Maun, Hazel, Green, Hayes, Simon and Aretz, St. Paul,
Minnesota, appeared for defendant Irwin R. Hansen.

21
22 This case, arising out of a time period known as the
23 Watergate era, presents the issue of whether the indictment
24 against the defendants should be dismissed based upon an
25 agreement between defendants and the Watergate Special
26 Prosecutor Force (WSPF), a representative of the United
27 States government.

28 Count I of the three count indictment charges Minnesota
29 Mining and Manufacturing Company (3M) and two of its former
30 officers, Bert S. Cross and Irwin R. Hansen, with conspiring
31 to defraud the United States by impeding the functions of
32 the Internal Revenue Service (IRS) in violation of 18 U.S.C.

I certify this to be a true copy of
the original record in my custody.

Harry A. Sieben, Clerk
by *Judith C. Palmer* (18)
Deputy Clerk.

JUL 27 1976
Filed _____ 19_____
Harry A. Sieben, Clerk
By *Ronald L. Brown*
Deputy



1 § 371. Counts II and III charge defendants 3M and Hansen
2 with wilfully making and subscribing a corporate tax return
3 for the years 1968 and 1969 which they did not believe to be
4 true and correct as to every material matter in violation of
5 26 U.S.C. § 7206(1) and 18 U.S.C. § 2.

6 Presently before the court are the motions of 3M to
7 dismiss the indictment based on an agreement not to prosecute
8 or to dismiss the indictment based on discriminatory
9 prosecution. Similar motions are before the court on behalf
10 of defendant Cross as to Count I of the indictment. Defen-
11 dant Hansen presently has before the court a motion to
12 dismiss the indictment based on an agreement not to prosecute
13 or, in the alternative, to suppress evidence. Not before
14 the court at this time are the motions of the defendants to
15 dismiss the indictment based on defects in pleading and the
16 motion of defendant Cross for relief from prejudicial
17 joinder.

18 The defendants contend that an agreement was reached
19 with the United States government whereby the guilty pleas
20 of 3M and its Chief Executive Officer to misdemeanor
21 violations of 18 U.S.C. § 610 and continued cooperation by
22 3M in voluntarily disclosing its violations of campaign
23 contribution laws would be fully dispositive of all criminal
24 matters arising from the illegal corporate contributions.
25 It is defendants' contention that the filing of the indict-
26 ment in this action amounts to a unilateral breach of that
27 agreement by the government and that the indictment should
28 therefore be dismissed. The government argues in response
29 that the agreement not to prosecute extended only to other
30 violations of 18 U.S.C. § 610.

31 Without attempting to be exhaustive, the court will
32 highlight some of the facts presented at the evidentiary
hearing held before the court on March 1-4, 1976.

1 On July 6, 1973, Archibald Cox, Watergate Special
2 Prosecutor, issued a press release announcing the voluntary
3 disclosure by American Airlines of illegal corporate
4 campaign contributions. Cox commended the disclosure by
5 American Airlines and encouraged other corporations to
6 similarly disclose such violations.

7 . . . 'We are not adopting any blanket
8 policy towards either corporations or
9 individual officers; but it is fair to
10 say that when corporate officers come
11 forward voluntarily and early to dis-
12 close illegal political contributions
to candidates of either party, their
voluntary acknowledgement will be
considered as a mitigating circumstance
in deciding what charges to bring.'

13 Defendant Ex. 3 (Press Release, July 6, 1973). A similar
14 announcement was made concerning Ashland Oil, Inc., by Cox
15 in a later press release. Defendant Ex. 4 (Press Release,
16 July 20, 1973).

17 On August 16, 1973, 3M disclosed to the Special
18 Prosecutor's Office that it had made a \$30,000 contribution
19 to the Finance Committee to Reelect the President which
20 involved the use of corporate funds. This acknowledgement
21 was followed by a meeting in Washington on August 23, 1973,
22 between Charles Ruff and John Koeltl, attorneys for the WSPF
23 Office, and Robert Tucker, then Vice-President and General
24 Counsel of 3M, Charlton Dietz, then Assistant General Counsel
25 of 3M, and Leonard Keyes, outside counsel retained by 3M. It
26 appears undisputed that this was an exploratory meeting
27 between the parties and that no final agreement was reached
28 as to the disposition of the 3M disclosures. The 3M
29 representatives were advised that six factors would be
30 considered in deciding what charges to bring against 3M: the
31 size of the corporation; the size of the contributions;
32 whether the contributions were taken as tax deductions; the
role of corporate officers in obtaining the funds; whether

1 quid pro quo was involved; and the history of the activity
2 within the corporation.

3 On September 5, 1973, defendants Hansen and Cross, and
4 Harry Heltzer, former Chief Executive Officer of 3M,
5 notified the IRS that corporate funds used for political
6 contributions had been taken as tax deductions on 3M's tax
7 returns.

8 A second meeting was held in Washington on September 6,
9 1973, between Tucker, Dietz, Keyes, Heltzer, and Wilbur
10 Bennett, Director of Civil Affairs for 3M, and Koeltl,
11 Thomas McBride, and James Quarles, attorneys for the WSPF
12 Office. Discussions took place concerning the charges that
13 would likely be brought against 3M and its chiefly
14 responsible corporate official and interviews of Heltzer and
15 Bennett were conducted by the WSPF attorneys.

16 On September 19th and 26th, 1973, two further meetings
17 were held: On the 19th, WSPF attorneys Quarles and Roger
18 Witten interviewed Hansen and Tucker. Attorneys Dietz,
19 Keyes, and Joseph Maun, were present for the interviews.
20 Quarles' file memorandum of the meeting indicates that:
21 "[p]rior to the commencement of the interview Mr. Henson
22 [sic] was advised that we were investigating possible vio-
23 lations of 18 U.S.C. Sec. 610 and 18 U.S.C. Sec. 611, the
24 Federal Corrupt Practices Act, the Federal Election Campaigns
25 Act, and any other possible violations of federal criminal
26 laws." Defendant Ex. 5, at 1. On the 26th, attorneys Dietz
27 and Keyes met with WSPF attorney Koeltl for the purpose of
28 delivering to Koeltl certain corporate documents concerning
29 the political contributions. "Koeltl indicated that the
30 present inclination of the office was to charge a volunteer
31 such as 3M with a corporate violation of Section 610, and to
32 charge the primarily responsible corporate official . .

1 with a misdemeanor violation of Section 610 and to bring to
2 the court's attention the fact of the cooperation by the
3 corporation and the official." Defendant Ex. 6, at 2 (Koeltl
4 memorandum).

5 A government Prosecutive Memorandum was transmitted to
6 Archibald Cox on October 3, 1973. The Memorandum contained
7 the following recommendation:

8 There are no aggravating circumstances
9 to distinguish 3M from other volunteers.
10 While the Company was late in its disclosure,
11 it did disclose its contribution to us before
12 being contacted by this office or any agency
13 acting at our direction. There is no indic-
14 ation that the contribution was given with
15 any intention of influencing government action,
16 and the officials of 3M have been fully cooper-
17 ative and truthful in disclosing the circum-
18 stances of the 1972 contribution to FCRP and
19 the prior contributions by the corporation.

20 Consequently, in accordance with our
21 prosecution policy, and consistent with the
22 manner in which we intend to treat other
23 corporations and officials who voluntarily
24 disclose such illegal contributions, and
25 where there are no aggravating circumstances,
26 we should charge the corporation with a one
27 count misdemeanor violation of 610. Simi-
28 larly, we should charge Harry Heltzer as the
29 primarily responsible corporate official with
30 a non-willful, misdemeanor violation of
31 Section 610. At sentencing, we should bring
32 to the attention of the court Heltzer's
voluntary disclosure and his cooperation with
our investigation and his as mitigating
circumstances.

Defendant Ex. 8, at 9-10. The decision to prosecute 3M and
Heltzer for § 610 misdemeanor violations was communicated by
Koeltl to Dietz during a telephone conversation on October
3, 1973. Dietz testified that a few minutes after this
conversation he called Koeltl to ask him, inter alia,
whether the misdemeanor charges would end the case for 3M
and was told that "this would be fully dispositive of
criminal charges." Transcript p. 103.

1 A follow-up meeting was held on October 8, 1973, between
2 Dietz' and Keyes for 3M and Koeltl and McBride for the WSPF
3 to discuss the decision with respect to the charges to be
4 brought against 3M and Heltzer and to work out details for
5 the entry of guilty pleas by these defendants. Dietz and
6 Keyes testified that they interpreted the comments of the
7 WSPF attorneys to mean that these pleas would be fully
8 dispositive of criminal charges.

9 Guilty pleas were entered by 3M and Heltzer to one-
10 count misdemeanor violations of 18 U.S.C. § 610 on October
11 17, 1973, in the United States District Court for the
12 District of Minnesota.

13 On January 15, 1974, Bennett and Tucker appeared before
14 a grand jury investigating the recipients of corporate
15 contributions. Their appearance was a continuation of the
16 agreement to cooperate with the WSPF Office throughout all
17 Watergate matters.

18 The parties are in basic accord that the controlling
19 law in the area of an agreement not to prosecute is
20 contained in United States v. Carter, 454 F.2d 426 (4th Cir.
21 1972). In Carter the court stated:

22 . . . [W]e conclude that if the promise
23 was made to defendant as alleged and
24 defendant relied upon it in incriminating
25 himself and others, the government should
26 be held to abide by its terms. United
27 States v. Paiva, 294 F. Supp. 742 (D.D.C.
28 1969), so holds: 'if, after having utilized
29 its discretion to strike bargains with
30 potential defendants, the Government seeks
31 to avoid those arrangements by using the
32 courts, its decision so to do will come
under scrutiny. If it further appears
that the defendant, to his prejudice,
performed his part of the agreement while the
Government did not, the indictment may be
dismissed.' 294 F. Supp. at 747. . . .

31 Id. at 427-28. Later, the court concluded:

1 If the promise was made, relied upon and
2 breached as alleged, the indictment should
3 be dismissed; otherwise, the judgment may
4 be reinstated.

5 Id. at 428.

6 The court will not attempt, in this memorandum, to
7 reconstruct each meeting and conversation involved in the
8 discussions and negotiations between 3M and the WSPF nor
9 attempt to reconcile and explain the conflicting testimony
10 and documentary exhibits. It is unfortunate for all parties,
11 and indeed for the public, that the parties' representatives
12 did not more clearly and carefully delineate and document
13 the agreement that was in fact reached. Perhaps, in part,
14 this lack of clarity may be explained by the nature of the
15 times and the import of the decisions made in trying cir-
16 cumstances for the principals on both sides. It is undisputed
17 that an agreement and bargain was struck; the dispute lies
18 in the nature and extent thereof. This court's responsi-
19 bility is to resolve that dispute from the conflicting
20 evidence before it.

21 Upon careful analysis of the evidence and arguments
22 presented the court concludes that the totality of the
23 conduct and circumstances, viewed objectively, would lead
24 one in the position of the defendants to reasonably conclude
25 that the guilty pleas and full cooperation would be fully
26 dispositive of all criminal matters arising out of the
27 illegal political contributions. The court finds that the
28 terms of the agreement were that the guilty pleas of 3M and
29 its Chief Executive Officer to misdemeanor violations of 18
30 U.S.C. § 610 and continued cooperation by 3M in voluntarily
31 disclosing its violations of campaign contribution laws were
32 to be fully dispositive of all criminal matters arising

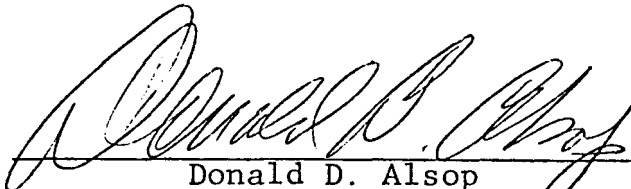
1 from the illegal corporate contributions. The court further
2 finds that the defendants acted in reliance upon the agree-
3 ment to their detriment in performing the conditions required
4 by the government. The government breached the agreement by
5 filing the subject indictment. The indictment will there-
6 fore be dismissed. 1/

7 The court is concerned not only with fairness to
8 individual defendants and the protection of their rights,
9 but also with the integrity of our system of criminal
10 justice. In this court's view, it would be inimical to the
11 integrity of that system for the government to enter into an
12 agreement under which a plea of guilty to a specific charge
13 is to dispose of all criminal matters under scrutiny and
14 thereafter be permitted to pursue a criminal prosecution
15 that the parties intended to be included in their original
16 agreement.

17 Upon the foregoing,

18 IT IS ORDERED That the motions of the defendants to
19 dismiss the indictment based upon the ~~an~~ agreement not to
20 prosecute be and the same hereby is granted and the
21 indictment is dismissed.

22
23 DATED: July 23, 1976.


Donald D. Alsop
United States District Judge

24
25
26
27
28
29
30
31 1/ In light of this ruling, the court finds it unnecessary
32 to address other motions presently before it. Further,
this disposition does not determine the ultimate guilt
or innocence of the defendants to the criminal charges.

*Nixon
papers*

May 9, 1975

Dear Mr. Fender:

By this letter, I acknowledge receipt of your correspondence in which you request a complete statement of the expenses incurred in sending a team of doctors to examine former President Nixon.

During the Watergate cover-up trial, United States v. Mitchell, et. al., Judge John Sirica of the United States District Court for the District of Columbia ordered these doctors to examine the former President to determine whether he could be called as a witness. Because these expenditures were undertaken at the direction of the Court, we do not have the information necessary to respond to your question. I suggest you write to the Clerk of the United States District Court for the District of Columbia or Judge John Sirica.

I am sorry that it is not possible to be of greater assistance to you in this matter.

In accordance with your second request, I am enclosing a copy of the Freedom of Information Act.

Sincerely,

Philip W. Buchen
Counsel to the President

Mr. John L. Fender
Route 1, Box 207-A
Foley, Alabama 36535

Enclosure

PWB:JTF:fcj



April 15, 1975
Rt. 1, Box 207-A
Foley, Ala. 36535

President Ford
Washington, D.C.

Mr. Ford:

I have been trying, since November 18, 1974, to get a simple piece of information from the U. S. Government, but I have found it isn't like telling a story, the more people the story goes through the bigger it gets, quite the contrary. When a person wants information from Uncle Sam, the more people it is referred to, the less it gets. And when it finally gets to the man that has it, he is afraid to let it out without some higher authority, so back through it goes, up and down, up and down, up and down, and when I get my answer, it gives me the feeling that my children could do a better job running this country.

Now, the question I originally asked, back on Nov. 18, 1974, was, "I would like to know the complete cost of sending the doctors out to check Nixon, not just a lump sum one figure, but a complete break down of the total cost." This request has already been passed around the dinner table half a dozen times, so please don't refer it to someone else. All I want is an answer to my question. I am awaiting a satisfactory reply and I remain

Respectfully

M. Fender

P.S. Would you kindly send me a copy of the "New Freedom of Information Act"?



acc 11

THE WHITE HOUSE
WASHINGTON

3/17/75

Rad:

Would appreciate
your views on what
type of response, if any,
should be made to
letter of 2/18.

P.

↑
I suggest no
answer.

R.



JOHN E. MOSS
3RD DISTRICT
SACRAMENTO, CALIFORNIA



ADMINISTRATIVE ASSISTANT
JACK MATTESON

LEGISLATIVE ASSISTANT
TOM GREENE

WASHINGTON OFFICE:
ROOM 2354
RAYBURN HOUSE OFFICE BUILDING
PHONE (202) 225-7163

DISTRICT OFFICE:
DISTRICT REPRESENTATIVE
JERRY WYMORE
8058 FEDERAL BUILDING
650 CAPITOL MALL
SACRAMENTO, CALIFORNIA 95814
PHONE (916) 449-3543

CONGRESS OF THE UNITED STATES

HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

GOVERNMENT OPERATIONS COMMITTEE:
RANKING MAJORITY MEMBER SUBCOMMITTEES ON
FOREIGN OPERATIONS & GOVERNMENT INFORMATION
CONSERVATION & NATURAL RESOURCES

INTERSTATE AND FOREIGN COMMERCE COMMITTEE:
CHAIRMAN,
COMMERCE & FINANCE SUBCOMMITTEE

DEMOCRATIC STEERING AND POLICY COMMITTEE

February 18, 1975

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

Dear Mr. Buchen:

I appreciate your letter of January 29, but I am afraid that it misses my point entirely. I concede the three points made in your letter, but I maintain that the briefing of former President Nixon falls in an entirely different category than the three cited in your letter.

We will stipulate that he has access to classified material accumulated during his Administration, and we will concede that he is a former President of the United States, but the fact is, Mr. Buchen, that he is a unique exception among all of our former Presidents in our history. He accepted a pardon for unspecified offenses; that acceptance was characterized by President Ford as analogous to an admission of guilt. That being the case, Mr. Nixon would not be clearable by any agency, nor under the circumstances does he have a need to know regarding the ongoing policies of our government.

Certainly, Sir, it is not your contention that President Ford is going to seek the advice of this man on any matter of domestic or international policy, or perhaps it is. If so, I would be most interested



Philip W. Buchen

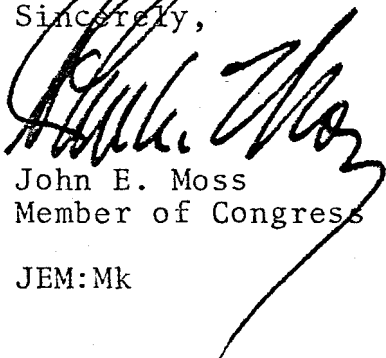
-2-

February 18, 1975

in having that fact confirmed, because to me, it is indeed strange that any case could be made for a need to consult Mr. Nixon on future policies of this government or to make him privy to current, ongoing developments, either in domestic or international policy areas.

I think the whole idea of his having access is repugnant to the overwhelming majority of Americans who feel that he betrayed their trust in him through his misconduct of the Office of the Presidency.

Sincerely,



John E. Moss
Member of Congress

JEM:Mk



THE WHITE HOUSE
WASHINGTON

TO: Mr. Buchen

FROM: Mr. Hartmann

[Handwritten signature]



THE WHITE HOUSE
WASHINGTON

Nixon,

*material
to be sent*

February 4, 1975

MEMORANDUM FOR: DICK CHENEY
FROM: PHIL BUCHEN *P.W.B.*
SUBJECT: Economic Data Requested by
former President Nixon

Am returning the memo to Don from Jerry Jones and am sending you David Hoopes' memo to me.

I did talk to Alan Greenspan who verifies that economic data going to President Ford is only that which has already been released, even though the President is the only one to see memos such as those attached to the Hoopes memo. However, Alan tells me that he will soon be reconsidering the types and form of data which will regularly go to the President and that substantial changes may be made.

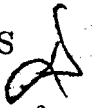
Therefore, I suggest that before we act on any request from Mr. Nixon we await developments. I would not like to see documents prepared for the President's eyes only go also to the former President even though the data reported might be available elsewhere in other for ms.



THE WHITE HOUSE

WASHINGTON

January 29, 1975

MEMORANDUM FOR: PHILIP W. BUCHEN
FROM: DAVID C. HOOPES 
SUBJECT: Economic Briefings for the
Former President

According to Richard Cheney, it has been requested that the Former President receive economic briefings in San Clemente. Attached are examples of memoranda that are sent to the President, and in most cases, involve information that is already released to the public before it is transmitted to the President.

Would you please advise whether the transmission of these memoranda to the Former President would create any problems. Specifically, Mr. Cheney inquired about whether this might create a possible conflict situation. It was not a question of whether anyone would gain from the information, but whether there might be an appearance of a "conflict". (Even this seems doubtful, however, because there is no longer a "pre-release" of this information; the President now gets it after it is released, i. e., "These data were released".)

Thank you.



THE WHITE HOUSE

WASHINGTON

January 27, 1975

MEMORANDUM FOR: PHIL BUCHEN

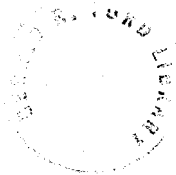
FROM: DICK CHENEY

Phil, attached is a note Jerry Jones sent Don Rumsfeld concerning a request from former President Nixon that he be provided by the CEA with economic data on a regular basis.

The only thing that concerns me on this is that CEA often times has access to information prior to its public release which would be denied a private citizen, especially one who had any investments.

Can you check into it and determine the propriety of the request. If there is no problem, then please get back to me and notify Jack Marsh so that we can arrange to provide the information if necessary.

Attachment




JAN 7 1975

5

THE WHITE HOUSE
WASHINGTON

January 7, 1975

MEMORANDUM FOR: DONALD RUMSFELD

FROM: JERRY JONES 

RN asked Bill Gulley recently that the weekly and monthly economic reports provided to President Ford by CEA be sent to him also. As you know, these reports involve statistics on money supply, the flow of the dollar, unemployment and various economic statistics such as Housing Starts, etc.

Apparently RN feels that without this information he is not really able to keep up with economic developments. I have no view as to whether or not he should have them. However, if you and the President decide that he should, we can arrange for the courier to take these papers out along with the CIA briefings which are presently being sent.



*President
Nixon*

Tuesday 11/5/74

11:10

Larry Groner in Sen. Gaylord Nelson's office said a constituent was inquiring about the President sending classified material to a former President. Wants to talk with someone about that.

225-5323

Barry Roth said there is an Executive Order 11456, dated February 14, '69, which was done by Nixon for the benefit of President Johnson (entitled 'Special Assistant to the President for Liaison with Former Presidents') and gave regular briefings for the former Presidents.

It is in the Code Annotated --- 3 U. S. C. 106n.

Gave the information to Mr. Groner.



THE WHITE HOUSE

WASHINGTON

October 30, 1974

MEMORANDUM FOR PHIL BUCHEN

SUBJECT: Laguna Niguel

Attached is a series of Q & A's on GSA's purchase of the Laguna Niguel facilities, which were furnished to me by GSA as a part of GSA's input for the Los Angeles Presidential briefing. I have also furnished a copy to John Carlson of the Press Secretary's office.

Because of the nature of this matter, it would be best if your office would handle it and I have notified Carlson to henceforth refer all questions to you.


F. Lynn May

Attachment





QUESTIONS AND ANSWERS RELATIVE TO THE GOVERNMENT'S ACQUISITION
OF THE BUILDING AT LAGUNA NIGUEL

Question 1: What is the Laguna Niguel Federal Building?

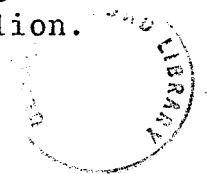
Answer: Laguna Niguel Federal Building is located 40 miles southeast of Los Angeles in Orange County. It consists of 750,000 occupiable or net square feet of space. The building was constructed by Rockwell International for the manufacture of scientific equipment and use as administrative headquarters. The corporation elected not to occupy the structure and, in late summer of 1971, contacted GSA to determine if the Government had a need for the facility.

Question 2: What is the general background of the Laguna Niguel property exchange?

Answer: Federally-owned properties were exchanged for the Laguna Niguel facility in accordance with a long established Government policy. This policy is described in detail in a August 18, 1961, memorandum from the Secretary of Defense. The exchange involved the following Government-owned properties: (1) the El Segundo storage annex; (2) Air Force Plant No. 56 in Canoga Park, California; and (3) related personal property. The appraised value of these properties is approximately \$19.5 million. Property acquired by the Government is the North American Rockwell facility consisting of approximately 94 acres of land improved with a seven-story office building, equipment and garage building, pump house, and energy services plant.

Question 3: When did GSA decide to acquire the building and how did GSA expect to utilize this space?

Answer: The offer to exchange properties was executed on August 1, 1972, because of growing space needs in the Southern California area and the immediate requirement to house a records center facility. It was determined that this exchange would be in the best interest of the Government. It is estimated that the cost to build a similar facility at today's rates would be in the neighborhood of \$50 million.



Question 4: Was it contemplated at the time of the purchase that former President Nixon's papers would be stored in this building?

Answer: No, at the time negotiations began in 1971, it was expected that the President's library would be completed prior to his leaving office in 1977.

Question 5: What is the present status of the building and over how many years does GSA contemplate taking to fully utilize the building?

Answer: We anticipate locating the records center operations in the building beginning in December of this year. We expect the entire building to be fully occupied in 1 1/2 to 2 years.

Question 6: What is the condition of the public transportation system in the Laguna Niguel area?

Answer: We have been continuing discussions with the Orange County Transit District and they have assured us that they will do everything possible to fill the transportation needs of the increased community. Additionally, there are adequate modern roadways for commuter traffic.

Question 7: Is the present plan to store former President Nixon's papers in Laguna Niguel on a temporary or a permanent basis?

Answer: Yes, on a temporary basis pending a determination of the final ownership of the papers.

Question 8: How much housing has been developed in the Laguna Niguel area?

Answer: GSA is currently working with the Office of Equal Opportunity (DHUD) to determine the housing needs of the tenant agencies proposed for the Laguna Niguel area in order to develop an adequate plan to provide low and moderate income housing.

Question 9: When was Laguna Niguel build?

Answer: Construction of Laguna Niguel facility began May 1968 and was completed April 1971.



QUESTIONS AND ANSWERS
RELATIVE TO THE GENERAL SERVICES ADMINISTRATION'S
ACQUISITION OF THE LAGUNA NIGUEL FEDERAL BUILDING

Background Information on Laguna Niguel:

1. WHAT IS THE LAGUNA NIGUEL FEDERAL BUILDING?

The Laguna Niguel Federal Building is located just 40 miles southeast of Los Angeles in Orange County and consists of a seven-tiered building exceeding 1 million gross square feet (750,000 occupiable or net square feet), supporting energy services and maintenance buildings, and approximately 6,200 hard surfaced parking spaces on a 92-acre site.

Rockwell International constructed the complex for manufacturing scientific equipment and as an administrative headquarters facility. However, the corporation elected not to occupy the structure and in late summer of 1971, contacted GSA to find out whether the Government had a need for a facility at this location. In mid-1972, appraisals of the Laguna Niguel Building and the various Federally-owned properties were made by outside contract appraisers and the offer to exchange was executed on August 1, 1972.

2. WHAT IS THE GENERAL BACKGROUND OF THE LAGUNA NIGUEL PROPERTY EXCHANGE?

The properties exchanged for the Laguna Niguel facility were exchanged in accordance with a long established Department of Defense policy dating back to the Kennedy Administration to dispose of Government-owned-contractor-operated (GOCO) facilities even though the productive capacity of a GOCO facility must remain available for defense production. This policy is described in detail in an August 18, 1961 memorandum from the Secretary of Defense. The basic DoD policy covering acquisition and ownership of industrial facilities was stated as "the provision of Government-owned industrial facilities will be authorized only when it can be clearly demonstrated that private enterprise is unable, unwilling, or not organized to perform the service or provide the products



necessary to meet current and mobilization requirements, or that in the execution of military missions the ownership of the facility by the Government is a necessity."

With regard to the Laguna Niguel facility, the Assistant Secretary of the Air Force reiterated this policy specifically on February 12, 1974, encouraging GSA to take action to resolve this matter because of the long delayed action. During our negotiations for exchange of properties, we were aware that some additional cost would have to be assumed by the Air Force. Our contacts with the operating officials of Air Force indicated that although these costs have not yet been established, they will not approach the magnitude of \$18 million.

3. WHEN GSA DECIDED TO ACQUIRE THIS BUILDING, HOW DID GSA EXPECT TO FULLY UTILIZE THIS GREAT AMOUNT OF SPACE?

In requesting Office of Management and Budget (OMB) approval of this exchange, we anticipated that the building would be occupied in part by the GSA Records Center, which was to be relocated from Bell, California (250,000 square feet). We also planned to provide about 266,000 square feet for Department of Defense activities to be relocated from a number of leased locations in the Southern California area. Another 55,000 square feet was identified for other Federal agencies. It is important to note that, although the gross area of this building exceeds 1 million square feet, the area available for assignment to agencies is approximately 750,000 square feet. Accordingly, our initial plans called for better than two-thirds of the assignable area to be occupied within 6 to 12 months after acquisition of the facility. Because of the long delays in obtaining title to the property and assignment of the facility to GSA, leases had to be renewed and agencies could no longer be moved. Many agencies expressed an interest in relocating some activities to the building but were reluctant to commit to our plan for a move until final approval of the exchange was forthcoming.



4. WAS IT CONTEMPLATED AT THE TIME OF THE PURCHASE THAT FORMER PRESIDENT NIXON'S PAPERS WOULD BE STORED IN THIS BUILDING?

When the negotiations began in 1971 for this exchange, it was expected that the requirement for Government storage of President Nixon's papers would not arise as it was understood that the President's library would be completed in California before he left office in 1977. However, with the Presidential crisis leading to Mr. Nixon's resignation on August 9, and the lack of immediate plans for the library, GSA will be required to provide courtesy storage for the records. Our contingency plans from early 1971 contemplated the possibility that President Nixon's papers might temporarily be placed in the Records Center facility at Bell or at Laguna Niguel, but we expected that the need would not arise. To say that a building of over 750,000 square feet was selected for the principal purpose of serving as a repository for relatively small volume of Mr. Nixon's records would not be accurate.

5. WHAT IS THE PRESENT STATUS OF THE BUILDING? OVER HOW MANY YEARS DOES GSA CONTEMPLATE TAKING TO FULLY UTILIZE THE BUILDING?

We are presently installing shelving and constructing necessary firewalls in 250,000 square feet of space to be occupied by Records Center operations beginning in December of this year. Approximately 34,000 square feet of space is also being prepared for elements of the Department of the Interior and the Treasury Department. We should point out that there has been considerable interest expressed by many Federal activities in locating elements at the Laguna Niguel Building and we expect to fully occupy the building as soon as agencies have sufficient time to include the available space in their planning and budgeting process. Consequently, we expect the entire building to be fully occupied in 1-1/2 to 2 years.



6. WHAT ARE THE ANNUAL COSTS OF OPERATING THIS BUILDING AND HOW ARE THEY PAID FOR?

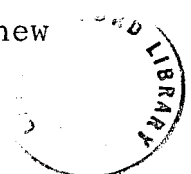
The cost of operating and maintaining the building and its grounds since the Government took possession last March has totaled approximately \$221,500 through the end of August, which would reflect an annual cost of approximately \$450,000. This relatively low cost is attributable to the fact that only protection and minimal maintenance is required while the space modifications are in progress prior to occupancy. The costs are expected to rise to about \$100,000 per month as occupancy commences totalling approximately \$1.2 million on an annual basis. These costs are being financed from GSA's general operating funds.

7. WHAT IS THE CONDITION OF THE PUBLIC TRANSPORTATION SYSTEM IN THE LAGUNA NIGUEL AREA?

The facility is not located in a remote area but in Orange County which is a rapidly growing area with fully developed housing, shopping, and recreational facilities available. In many respects the location of the Laguna Niguel Building in relation to the Los Angeles area is very similar to the new Geological Survey Building in Reston, Virginia. We anticipate that Federal employees will reside within a reasonable commuting distance of the facility. In keeping with the Government's policy for energy conservation, the use of public transportation will be encouraged. We discussed this need with the Orange County Transit District in April 1972 and they are interested in providing bus lines to the facility to the extent required by the demand for such service.

Since 1972, the Orange County Transit District has increased its bus fleet by over 100 percent, and has established several bus lines in southern Orange County, including a freeway bus to Santa Ana, a coastal bus to Santa Ana via Irvine, and Intercommunity service between southern county communities. At present, buses operate on one-hour headways. Bus service is available as close as La Pay Road, within walking distance of the Laguna Niguel Facility.

Plans for the near future involve reduction of headways to half-hour through continued acquisition of new buses.



8. IS IT PRESENTLY PLANNED TO STORE FORMER PRESIDENT NIXON'S PAPER AT LAGUNA NIGUEL ON A TEMPORARY OR A PERMANENT BASIS?

We have delineated an area of approximately 45,000 square feet in this building for the temporary retention of former President Nixon's papers. We plan to house the papers in this building as a part of the GSA Records facility until completion of a presidential library, at which time the papers would be relocated to the library and the space would be available to accommodate the future growth of the Records Center installation. This has been our customary practice. For example, former President Johnson's papers were stored in the Austin Records Center until completion of the Johnson Library in Austin and former President Kennedy's papers are being held at the Waltham Mass, Records Center until they can be relocated to the new library in Boston.

9. THE HOUSE OF REPRESENTATIVES AND THE COMMITTEE ON APPROPRIATIONS OF THE SENATE HAVE APPROVED A PROHIBITION ON THE MOVEMENT OF FORMER PRESIDENT NIXON'S PAPERS UNTIL THEIR OWNERSHIP IS DECIDED BY CONGRESS. IF CONGRESS DECIDES THAT THOSE PAPERS BELONG TO THE GOVERNMENT, WOULD THERE BE A PRACTICAL USE FOR THE LAGUNA NIGUEL BUILDING?

Assignment of space for former President Nixon's papers is, of course, dependent on final Congressional action regarding this matter. The Laguna Niguel facility is not the permanent home for the papers. The retention of the Laguna Niguel facility by the Government does not depend upon the requirement for housing of former President Nixon's papers. If the papers are determined to belong to the Government, it will still be necessary to store the papers in California. The present storage space in Washington for the papers is expensive and will be required for other Government records of new Presidents. It will also be necessary for the Government archivists to work with the former President and his staff on these papers and the cost of travel would be prohibitive if the papers were stored elsewhere.



10. WHAT IMPROVEMENTS HAS GSA MADE TO LAGUNA NIGUEL SINCE ACQUIRING IT?

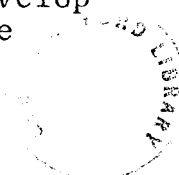
Since the Government took possession of this facility, expenditures are being made for the occupants of the building including firewalls, shelving, and carpeting. The costs are \$422,000 for space modifications, \$375,000 for personal property including shelving, carpeting, and special equipment, and \$168,000 for moving of records and documents from the Bell facility. Also, in August of this year, prior to the question of ownership of former President Nixon's documents became an issue, 225 linear feet of partitioning was installed to create a secure area of about 45,000 square feet for retention and examination of unclassified Presidential records. This work cost about \$11,000 of GSA's funds; however, there is every likelihood that normal growth of our Records Center operations would result in utilization of this area as constructed. The income to provide for these alterations will be obtained from the Standard Level User Charges (SLUC) to be assessed occupant agencies.

11. WHAT CONSIDERATION HAS GSA GIVEN TO DISPOSING OF THE LAGUNA NIGUEL BUILDING?

We are confident that our plans for full utilization of this facility will be realized. Therefore, we have not considered its disposition and replacement by a facility to be constructed by the Government. We feel that it would not be economically sound to abandon a facility which was acquired at a cost of approximately \$19 per gross square foot and construct a new facility at today's approximate cost of \$40/\$50 per gross square foot. The facility will in the long range be economical for the Government to satisfy the wide-spread needs of the agencies in the Los Angeles metropolitan area.

12. HOW MUCH HOUSING HAS BEEN DEVELOPED IN THE LAGUNA NIGUEL AREA?

GSA is currently working with the office of Equal Opportunity (DHUD) to determine the needs of the tenant agencies proposed for Laguna Niguel in order to develop an adequate plan to provide low and moderate income housing.



Expanded information on the existing housing situation is contained on pages 27 through 34 of the Final Environmental Impact Statement submitted April 1, 1974. .

13. WHEN WAS LAGUNA NIGUEL BUILT?

Construction of the Laguna Niguel facility began May 1968, and was completed April 1971.

14. LIST OF AGENCIES THAT HAVE EXPRESSED AN INTEREST IN LOCATING AT LAGUNA NIGUEL:

Federal agencies programmed for the building:

GSA
NARS
FSS - Self-Service Store

Interior
Fish and Wildlife Service
Geological Survey

Treasury
IRS

GSA/PBS/October 30, 1974



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

*File
In Overtime*

Honorable Jack Brooks
House of Representatives
Washington, D.C. 20515

Dear Congressman Brooks:

This refers to your October 11, 1974, letter to the President concerning public expenditures in connection with former President Nixon's transition from public to private life. I am sure you can appreciate that the suddenness of this unprecedented transition has resulted in many of the requirements for the transition period remaining highly uncertain.

The following information indicates the estimated costs incurred by Federal agencies for the 90-day period between August 9, 1974, and November 9, 1974. In addition to the categories outlined in your letter, we have added another classification for communications expenses. Where possible, we have indicated present plans concerning continuation or termination of these activities.

Costs Between 8/9/74 and
11/9/74 (in thousands)

A. Personnel details (all nonreimbursable) \$154

These costs cover the personnel compensation and benefits and per diem for 29 details made to former President Nixon. Of the total amount, salary costs are \$107,000.

The number of personnel detailed for Presidential transition has now been reduced to 17 details all of which will be terminated no later than February 9, 1975.



Costs Between 8/9/74 and
11/9/74 (in thousands)

B. Office facilities, supplies and equipment \$14

This amount includes \$9,172 for stationery, supplies, wire service and magazine subscriptions, and miscellaneous transition expenses; \$3,725 estimated value of Government office space used by the former President's personal secretary; and \$605 for lease of a room at Long Beach Memorial Hospital for press and staff.

Operating costs for facilities at Key Biscayne and San Clemente are included under categories G and H for Presidential protection and for maintenance services for real property. No equipment was purchased subsequent to August 9.

C. Travel and moving \$16

Includes \$8,440 for a portion of former President Nixon's flight to California on August 9 (after 12:00 noon); \$2,419 for commercial transportation for personnel details; an estimated \$2,000 for gasoline of DOD vehicle transportation at San Clemente; \$3,147 for packing and movement to Andrews Air Force base of personal Nixon belongings. Cost for air transport of these items to California is not included since they were loaded on flights already scheduled for movement to the west coast. Movement from El Toro Marine base to San Clemente was provided by military drivers detailed to the former President (Category A).



Costs Between 8/9/74 and
11/9/74 (in thousands)

D. Medical services and facilities

- 0 -

Former President Nixon has not used any military or other Government medical facilities since August 9. The costs for the one medical corpsman detailed to the former President are included in Category A. The room obtained by GSA for staff and press during Nixon's first hospitalization is included in Category B. No Government costs were incurred for the second hospitalization.

E. Legal assistance

- 0 -

No expenses have been incurred for legal assistance to former President Nixon.

F. Recreational facilities

- 0 -

Other than a few visits to a beach on Camp Pendleton, there has been no use of military recreation or other Government recreation facilities by former President Nixon or his family.

G. Protection

\$126

This account includes \$69,000 of personnel compensation, lease costs and other expenses incurred by the Coast Guard for Presidential protection requirements at Key Biscayne and San Clemente. It also includes \$56,756 for personnel and transmission costs relating to communications supporting Secret Service protection.

The direct U.S. Secret Service expenses related to protection of former President Nixon and his family are not included in these figures. Because of security considerations these figures should be obtained directly from the Secret Service.



Costs Between 8/9/74 and
11/9/74 (in thousands)

Coast Guard activities at Key Biscayne have been terminated and staffing at the Loran Station at San Mateo, California, has now been reduced to 1 officer and 4 enlisted men compared to 1 officer and 11 enlisted men prior to August 9. Most of the Secret Service personnel have been reassigned from Key Biscayne and all operations there will be terminated by December 22. Protection at San Clemente will be continued so long as former President Nixon or his wife are in residence there.

H. Maintenance Service for real property

\$76

This covers GSA costs of \$52,160 for maintaining and operating Federal facilities at San Clemente (excluding depreciation) and \$23,540 for Federal facilities at Key Biscayne exclusive of expenses paid by the Secret Service (see Category G). GSA plans to terminate Key Biscayne activities by December 31.

I. Storage costs

\$83

This amount includes the estimated 90-day rental value of Government-owned space used to store Presidential records and gifts in the Executive Office Building, National Archives Building, and the Suitland Federal Records Center. It involves principally personnel costs for screening and crating of materials.



Costs Between 8/9/74 and
11/9/74 (in thousands)

Future costs under this category will depend on resolution of pending court orders and determinations made concerning compliance with the Foreign Gifts and Decorations Act of 1966.

J. Courier Flights

\$20

Covers three Air Force courier flights from Washington, D.C., to San Clemente.

As of this date all further flights have been deferred.

K. Communications

\$4-

This amount covers personnel and operating costs for DOD/White House Communications Agency operations at Key Biscayne and San Clemente as well as costs for commercial teletype services.

It does not include communications costs in support of Secret Service activities which are included under category G.

Operations and personnel (except for commercial telephone service) have been terminated at Key Biscayne.

The Department of State is presently consulting with counsel to Mr. Nixon regarding full compliance with the Foreign Gifts and Decorations Act of 1966. No determination has been made to request return of the office furniture authorized to be used by former President Nixon. I understand the Administrator of the General Services Administration has written to you on July 3, 1974, and indicated that the agency sees no basis for seeking restitution or taking other similar actions concerning any expenditure of Federal funds at San Clemente or Key Biscayne.



I hope the above information will be helpful to you and the Subcommittee on Government Activities. If any further detail is required, we will be happy to supply it.

Sincerely,

Roy L. Ash
Director

cc:

Courtesy

DO Records

Director's Chron

Director

Deputy Director

Mr. Marsh (WH) ✓

Mr. Ebner

Mr. Hagerty

Mr. Scott

Mr. Bray (2)

Return, Mr. Armbrust

EGGD:EAArmbrust: lkt: 11/17/74

rewritten: WDS: mkd 11/18/74



NINETY-THIRD CONGRESS

Congress of the United States

House of Representatives

GOVERNMENT ACTIVITIES SUBCOMMITTEE
OF THE
COMMITTEE ON GOVERNMENT OPERATIONS
RAYBURN HOUSE OFFICE BUILDING, ROOM B-350-B
WASHINGTON, D.C. 20515

225-3252

October 11, 1974

The Honorable Gerald R. Ford
President of the United States
The White House
Washington, D. C.

Dear Mr. President:

There has been much controversy over the nature and amount of public funds that are being spent to support former President Nixon's transition to private life.

The Subcommittee on Government Activities, of which I am Chairman, has jurisdiction over expenditures by the General Services Administration and over the Presidential transition legislation. A number of inquiries on this matter, including a couple of resolutions of inquiry, have been directed to the Subcommittee. It would be appreciated by the Subcommittee if you would furnish to us the following information:

The nature and cost of each service, facility, and payment provided by or at the expense of the United States for the benefit of Mr. Nixon or any of his family since August 9, 1974, including:

- A. Personnel (both reimbursable and nonreimbursable);
- B. Office facilities, supplies, and equipment;
- C. Travel and moving;
- D. Medical services and facilities;
- E. Legal assistance;
- F. Recreational facilities;
- G. Protection;
- H. Maintenance services for real property;
- I. Storage costs of any property in government custody to which Mr. Nixon is asserting a claim of ownership;
- J. Cost of courier flights to transport correspondence and other materials to and from Mr. Nixon and family.



2 - The Honorable Gerald R. Ford

October 11, 1974

It would also be appreciated if you could indicate how long these services, facilities, or payments are expected to be continued; whether any determination has been made about returning to the United States government furniture located within Mr. Nixon's private home and gifts from foreign powers not now in the custody of the United States Government; and whether any effort is being made to recover for the public those expenditures which the House Government Operations Committee, the Joint Committee on Internal Revenue Taxation, and the General Accounting Office found to have been improperly made for the personal benefit of Mr. Nixon on his private properties.

With best wishes, I am

Sincerely,

Jack Brooks
Chairman



93D CONGRESS
2D SESSION

H. RES. 1398

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 1974

Ms. HOLTZMAN submitted the following resolution; which was referred to the
Committee on Government Operations

RESOLUTION

1 *Resolved*, That the President of the United States is
2 directed to furnish the House of Representatives the following
3 information:

4 (1) The nature, source by agency within the executive
5 branch, and cost of each service, facility, and payment pro-
6 vided by, or at any expense to, the United States to, or for
7 the benefit of, Richard M. Nixon, his wife, or any of his
8 daughters or sons-in-law, from August 9, 1974, to the date
9 of the adoption of this resolution, including any—

10 (A) personnel, whether part- or full-time;

11 (B) office or recreational facilities;

12 (C) travel and moving;



1 (D) medical services and facilities;

2 (E) office supplies, equipment, and other personal

3 property; and

4 (F) maintenance services for real property.

5 (2) Any decision that has been made by the White
6 House, or any agency within the executive branch, with
7 respect to continuing any such service, facility, or payment.

8 (3) Any decision that has been made by the General
9 Services Administration, or any other agency within the
10 executive branch, to bring about the return to the United
11 States of any thing of value (including any office furniture,
12 any property improvements, and any gifts from foreign
13 powers) given to or utilized by Richard M. Nixon, his wife,
14 or any of his daughters or sons-in-law, at the expense of the
15 United States, while Richard M. Nixon was President of the
16 United States.



Nixon

10:12 Had a call from Saul Kohler of Newhouse Newspapers; said that one of their 24 companies (one in Staten Island) was wanting to know the status of Mike Sterlacci (who is from Staten Island). Had seen the report in Jack Anderson's column on Wed. 9/25 that Sterlacci is in San Clemente. Sterlacci is from Staten Island -- and he's the only thing they've got since Magruder.

298-7080

Referred to the Press Office



Tuesday 10/15/74

3:25 Jay:

Neta Brown in Max Friedersdorfer's office has a question about whether or not the government is paying for Nixon's defense.

2140

(I think that is her question; I had a similar question from someone else today (reporter) and I referred it to the Press Office.)

Please let me know what you tell her.

Eva



*Nixon
Info General*

Tuesday 10/8/74

11:10 Nancy Brazleton in Max Friedersdorfer's office called to ask how long the people will be allowed to be detailed to former President Nixon.

I suggested she call the Press Office as I was sure they had had the question and received answers.

She called me back to say that the law says it is for the transitional period (legally for 6 months -- to February 9).



WHITE HOUSE

DATE September 30, 1974

TO: Phil Buchen

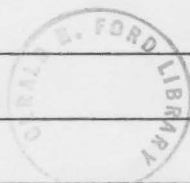
FROM: Bill Casselman

INFORMATION xxx

ACTION _____

APPROPRIATE HANDLING _____

COMMENTS: _____



OFFICE OF MANAGEMENT AND BUDGET
ROUTE SLIP

TO	Dave Bray	Take necessary action	<input type="checkbox"/>
	Jim Purcell	Approval or signature	<input type="checkbox"/>
	Stan Ebner	Comment	<input type="checkbox"/>
	Barry Roth ✓	Prepare reply	<input type="checkbox"/>
	Wilf Rommel	Discuss with me	<input type="checkbox"/>
		For your information	<input type="checkbox"/>
		See remarks below	<input type="checkbox"/>

FROM William V. Skidmore DATE 9/30/74

REMARKS

Subj: H.R. 16641

This bill would amend the section as follows:

"(f) As used in this section, the term 'former President' means a person -- (1) who shall have held the office of President of the Unites; (2) whose service in such office shall have terminated other than by removal pursuant to section 4, article II, of the Constitution of the United States of America [and] or by resignation while impeachment proceedings are pending against such person in either the House of Representatives or the Senate; and (3) who does not then currently hold such office."

OMC FORM 4
-EV AUG 71



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

September 27, 1974

LEGISLATIVE REFERRAL MEMORANDUM

To: Legislative Liaison Officer
Department of Justice

Subject: H.R. 16641, a bill "To amend the definition of
"former President" under the Act of August 25,
1958 (P.L. 85-745), and for other purposes."

The Office of Management and Budget would appreciate receiving the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

- () To permit expeditious handling, it is requested that your reply be made within 30 days.
- (XX) Special circumstances require priority treatment and accordingly your views are requested by

Monday, October 7

Questions should be referred to Jim Purcell (395-4516) or to William V. Skidmore (395-4870), the legislative analyst in this office.



William V. Skidmore for
Assistant Director for
Legislative Reference

Enclosures
bc

cc: D. Bray/S. Ebner/B. Roth/J. Purcell/W. Rommel

H. R. 16641

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 1974

Mr. DANIELSON introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To amend the definition of "former President" under the Act of August 25, 1958 (Public Law 85-745), and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (2) of section (f) of Public Law 85-745
4 (72 Stat. 838), as amended, is amended by striking "; and"
5 and inserting in lieu thereof the following: ", or by resigna-
6 tion while impeachment proceedings are pending against such
7 person in either the House of Representatives or the Senate;
8 and".

I



93^D CONGRESS
2^D SESSION

H. R. 16641

A BILL

To amend the definition of "former President"
under the Act of August 25, 1958 (Public
Law 85-745), and for other purposes.

By Mr. DANIELSON

SEPTEMBER 12, 1974

Referred to the Committee on Post Office and Civil
Service



J. Rudin / Mark

9/19

- At another pre-summit conference in Detroit, a Dow Chemical official proposed holding the line on prices at about 5 per cent and suggested that labor leaders hold wage increases to about 10 per cent. Commerce Secretary Frederick B. Dent answered this "would cause some prices to stay up" when otherwise they might decline.

- President Ford and Secretary Kissinger on CIA and Detente.

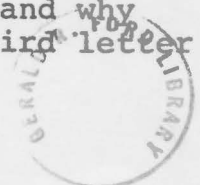
- ABC and CBS showed squabble in Foreign Relations Committee between Sen. Frank Church (D., Idaho) and Chairman J. William Fulbright, as they got into a spat over whether or not Church could ask Kissinger to justify covert CIA operations in Chile. Fulbright objected to this line of questioning.

- Death of Consumer Protection Bill in Senate When Filibuster Could Not Be Broken.
Two networks (ABC and CBS) blamed the death on "President Ford's noncommittal stance," or lack of support. NBC added that the bill was opposed by big business.

CBS EVENING NEWS

Fred Graham, reporting on Mr. Jaworski's subpoena of former President Nixon, said the subpoena is "expected to bring the question of Mr. Nixon's health quickly out of the rumor mills and into open court." Defense attorneys insisted that Nixon testify personally that White House tapes were not altered because "they want to remind the jurors that the alleged ring-leader in the plot got off with a pardon", Graham said if Nixon cannot appear, the tapes might be held inadmissible as evidence. Under usual court procedure, said Graham, Judge Sirica would send his own court-appointed doctors to examine Nixon.

Roger Mudd said Rep. William Hungate (D-Mo) said he has written three letters to President Ford with questions about the Nixon pardon. Phil Jones said the White House acknowledged receipt of one of the three letters. A press spokesman said they will be answered, but Jones said it could not be learned whether the President intended to answer the specific questions about the pardon. Hungate's questions deal with the involvement of General Alexander Haig in the pardon decision and why the pardon was issued at this time. Jones said the third letter



asked that nothing be done to dispose of the White House tapes and documents until Congress completed its inquiry. House Judiciary subcommittee hearings are scheduled to begin next Tuesday, Jones said.

Mudd said the economic conference held at HEW Thursday produced "a sharp difference of opinion" over which segment of society is hardest hit by inflation. Daniel Schorr reported the conference focused on what Senator Kennedy called "the forgotten victims of inflation, the poor and minorities".

Chairman Alan Greenspan of the Council of Economic Advisers was accused by civil rights and trades union spokesmen of penalizing the poor. Greenspan (on film) said all have a stake in this economy -- "everybody is hurt by inflation." He said percentage-wise, Wall Street brokers are hurt worst, which brought a shout, "That's the whole trouble with this Administration."

Schorr said that line about Wall Street brokers "may take its place with 'what is good for General Motors is good for the country,' but even without it, private groups were left with the feeling little will be done for the low-income victims."

Sharon Lovejoy reported from Detroit's pre-economic summit conference. Lovejoy said "it was a star-studded cast of industrial leaders," with GM's Gerstenberg, Henry Ford II, Chrysler's Riccardo, Edgar Kaiser, and Arthur Wood of Sears Roebuck attending.

"Over and over the same suggestions were made", said Lovejoy "increased productivity, cut back on federal spending, keep government meddling to a minimum, and avoid wage and price controls."

Dow Chemical's Carl Gerstacker (on film) recommended the government request a pledge from business not to raise its prices "by more than a reasonable level, such as 5 per cent," and from labor to limit its wage demands "to a reasonable level such as 10 percent." Commerce Secretary Frederick Dent said Gerstacker's plan could encourage prices to stay up. There are prices that are expected to decline because supply is catching up with demand, Dent said.

Lovejoy said the outlook "from the top of the industrial pile" is: "inflation can be licked, and without mandatory controls."



Thursday 8/29/74

9:05 Mr. Silberman called to advise that at

6:10 p. m. Former President Nixon was
Wed. 8/28 served the subpoenas in California

Wayne
Director of Marshals



Subpoena Not Served On Nixon U.S. Marshal Will Not Say Why

LOS ANGELES, Aug. 24 (AP) —The United States marshal has refused to say why a subpoena seeking former President Richard M. Nixon's testimony in a Watergate cover-up trial has not been served, even as a second subpoena is reported on the way.

Marshal Gaylord Campbell of Los Angeles has held the Watergate subpoena since he received it by mail last Monday from Washington. It was obtained by attorneys for John D. Ehrlichman, Mr. Nixon's former chief adviser on domestic affairs, who is charged with conspiracy to cover up the Watergate break-in.

The marshal, who was asked yesterday about the status of the subpoena, said, "I have no comment until service is completed."

Earlier in the week, Marshall Campbell said he was negotiating with Mr. Nixon's representatives on a "mutual

agreement on time and place for service" of the subpoena, which must be served to Mr. Nixon personally.

Meanwhile, in Charlotte, N. C., George S. Daly, a lawyer, filed notice in United States District Court that he wanted to take a deposition from the former President on Sept. 24 in Santa Ana, Calif.

A copy of the notice was sent to the clerk of the United States District Court in Santa Ana, where arrangements are to be made to deliver the subpoena to Mr. Nixon.

Mr. Daly represents about 25 antiwar protesters who contend that they were illegally excluded from a Billy Graham Day rally at the Charlotte Coliseum on Oct. 15, 1971. The protesters are seeking \$840,000 in damages from White House aides.



Access

Wednesday 9/11/74

10:45 Frank Strickler (John Wilson's associate) received 638-0465
a call from the press saying there has been an
announcement at the White House that the President
would consider pardons of anybody convicted or awaiting
trial if application was made to him. Wanted to know
if this is true.

Called back in a few minutes to ask if it would be
possible to get a copy of the agreement between
Mr. Nixon and Mr. Sampson. (I will send him a copy
of the release on this.)



Access

Thursday 9/12/74

4:10 John Wilson called. Says if you're interested in this rhubarb that's in the paper about Haldeman's effort to get a pardon by Mr. Nixon.

Feels he can help you. Would like the chance to explain what they know about it, which is entirely proper. Impression is that Haldeman blackmailed the President. That did not occur.



Wednesday 8/28/74

12:50 Herbert Miller, who represents the former
President, would like to talk with you when you
have a chance.

293-6400

