

**The original documents are located in Box 30, folder “Nixon - Papers General (1)” of the Philip Buchen Files at the Gerald R. Ford Presidential Library.**

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3rd precedent to make copies

Call from Silberman 8/26

THE WHITE HOUSE  
WASHINGTON

Wounded Kinc

Crowth firm (Rifkind)

Judge ~~now~~ def's  
counsel  
consent

- end of week

54770 Consolidation

Nader letter to Samson Aug 14

Meeting 1st.

Bob Berry

Ned Kredo liner

2nd meeting  
tomorrow

[Aug. 1974]

## Segregation

1. Everything other than recordings of conversations in W. H. & E. O. B.
2. Recordings of

- 1 = 3-yr. plan & same rights
- no withdrawal of originals
  - except subpoenas
  - originals with concurrence of Pres. Council
  - make reproductions & withdraw
  - designs
  - at end of 3-yr. full withdrawal
  - interim gifts

- 2 = Sept 1, 1977 he divests ~~of~~ title  
Sept 1, 1979 can ask for piecemeal destruction  
Sept 1, 1984 or death whichever  
occurs first "permanently dispose"  
Window per.  
Access throughout period

Not. Sec. & embarrassment



THE ATTACHED DOCUMENT HAS BEEN TRANSFERRED TO  
THE VALUABLE DOCUMENTS FILE.

*Leisa Tobin  
Ford Library  
8/14/88*



Don R)

see Bill C

[Aug. 1974?]

Conference with Bill Condon

- 1) Get Nixon materials out of W. H. as soon as possible.
- 2) GSA Administrator - he must be loyal. He must know what's coming on Nixon Presidential Papers. Should know of role of Advisory Panel. Goyen process be slowed down.

He will be glad to advise new GSA head on matter.

THE WHITE HOUSE  
WASHINGTON

L. Silberman re  
Amnesty "packet"



[Aug. 1974]

subpoenaed  
Copies of 1 tapes + pers. papers

Herbert (Jock) Miller

Arr. tonight

F.B. to see him first

EO. 11652 on FOIA



[ca. 8/16/74]

Central Files:

Jerry Jones as staff sec. has sent out memo

Nesbitt as archivist has been assisting  
in the packing

Soc. Service & mail room has been notified  
verbally by FBI re not letting boxes go out

Best protection can come after packing & sealing

Personal diaries & dictobelts

Probably in West Wing basement under guard  
of military aides.



Nancy Smilka — Mr. Bozhardt's sec.

AEC Amendments re transfer of nuclear materials  
(Dudley Chapman)

Darrell Rippee's call from Dean Butler's office on Friday

Liaison Exec. Order (delay until end of "transition" suit)

IBM suit

stop after  
1st sentence  
of para. 1

Omit Pat Buchanan from list

(should permit ~~to~~ no access w/o my permission)

leave out para. 2

Military aides — West basement staff sec

Control files — Jerry Jones (memo has gone out from him)

Neshitt — archivist — d

Sec. Service <sup>mail room</sup> & boxes, ver 62

1970 campaign guidelines

Personnel & "responsiveness" program

Campaign contributions in 1972

Wiretap area

Ambassadors' list (those who  
included contributions)

- have had info re 4 cases





8/16/74

list of documents by Sept 17

Sup Ct  
- auto substitution of parties?  
Civil Rules?

irrelevance  
nat. security

Anti-trust suit network

Tray, N.Y.  
Sept 17 - hearing today

Dudley Chapman

Exec. privilege

Monday morning  
11:00 - in chambers

stat query re overturning of claims of exec privilege  
- Rep of Presidency  
- success  
Williams  
~~Stetson~~

Jane Donnerhaver.

Functions Security of file (as result of personnel notification)  
- FBI needs written

Director Kelly

request from me to continue 3-year renewal checks & on all new appointees for White House & all presidential appointees ~~over~~ through Gov't.

Darrell Rippe  
Dena B...  
Butler's office  
- me



Foreign dignitaries' protection other than Heads of State - request from State Dept to WH Legal staff - have consulted with SS Intelligence Office before setting. Pres. has authority under statute.  
EPS protection of missions to UN

Dick Hauser (deaving)

Mike Sterlacci good researcher

- white house

{ George Williams -

{ Dudley Chapman - Ad luv

Jack Chester

---

46,000,000 documents

Stakeholder

Ehrlichman

Ron Ziegler

Gossell's statements in Ehrlichman case.

Passages in White House staff manual, \*

Prior practices - archivist

- cupboard bare mostly on changes of partner

- when LBJ left over pentagon papers were taken

Going business value vs. residual value.

ownership question  
Finaco, until rep of Pres.

"Holdeman" stopped by them

Personal notes of H. delivered & returned.

Noor

Todd Sirico's law clerk



THE WHITE HOUSE

WASHINGTON

8/16/79

Tom called to remind  
① that you want to leave  
a message for  
Mr. Bughardt to  
talk to either you  
or Tom before he  
goes to San Clemente,  
re formal liaison  
arrangements  
with President Ni.





afternoon to talk  
with you and Tom.

(meeting should be  
in Tom's office)

OK for me to  
schedule something?

Cliff Christianson (and others)  
are calling you from Grand Rapids  
- he is on an intercom.

2632

gail

C C P 363-0121  
Roger J 949-0284



40 USC 751  
34 " 2904 - "agencies" - admr.  
44 USC § 2101 - 2108 3101 - 3301  
3103

1. Deposited under exec order of  
papers with archives as custodian.

2. P

251 Fed ad 486

410 F ad 702 Sit 23

3. pp 28-29 of Inc Tax reports on Nixon

public record even though Presidential-owned papers.

Kennedy X-ray case 460 F ad 671

4. Exec. privilege etc. could be imposed  
on transmission. - retain  
all powers that Burger said  
rested in Pres

5. Order Create G.S.A. take over security  
pending transfer - take detailed employees



THE WHITE HOUSE  
WASHINGTON

John Byrnes  
Sunday

John Chester  
From St. Clair's shop  
Columbus, Ohio  
-leaving in 2 wks



MEMORANDUM  
OF CALL

To:

Mr. Buchan

YOU WERE CALLED BY—

YOU WERE VISITED BY—

Brenda W. Casselman

OF (Organization)

PLEASE CALL →

PHONE NO.  
CODE/EXT. \_\_\_\_\_

WILL CALL AGAIN

IS WAITING TO SEE YOU

RETURNED YOUR CALL

WISHES AN APPOINTMENT

MESSAGE

James Vorenberg

656-4131

Urgent

Special Prosecutor's Office

RECEIVED BY

DATE

TIME

12/16

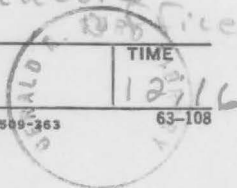
STANDARD FORM 63

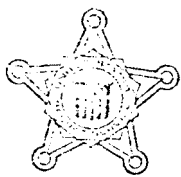
REVISED AUGUST 1967

GSA FPMR (41 CFR) 101-11.6

☆ U. S. GPO: 1973-509-263

63-108



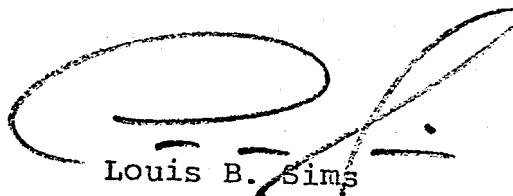


DEPARTMENT OF THE TREASURY  
UNITED STATES SECRET SERVICE

August 16, 1974

MEMORANDUM FOR: Mr. William Casselman  
FROM : Louis B. Sims, Special Agent in Charge  
Technical Security Division  
SUBJECT : Memoranda - Protection of White House Files

Attached are copies of memoranda from White House Staff setting policy and procedures in this matter, per your request.



Louis B. Sims

Attachments



Keep Freedom in Your Future With U.S. Savings Bonds

THE WHITE HOUSE

WASHINGTON

August 20, 1974

MEMORANDUM FOR: PHIL BUCHEN  
FROM: JERRY H. ~~ROES~~  
SUBJECT: Former President  
Nixon's Papers

I now have locked in room 429 of the Old EOB those Presidential materials that were in transit to San Clemente which you requested to be returned to the White House. Included among those papers were certain other materials. Namely:

- a. Two briefcases of Ron Ziegler's containing some of his papers.
- b. Several boxes of Colonel Brennan's (former Presidential Marine Military Aide) which included all of his desk papers.
- c. Mrs. Nixon's rolodex telephone files.
- d. Several envelopes directed to staff members in San Clemente which contain working papers for their use.

I have had several requests from various staff members that the above papers be released and sent to San Clemente. This, of course, must be your decision. What do you feel should be done?

\_\_\_\_\_ Send non-Presidential papers to San Clemente.

\_\_\_\_\_ Keep all material locked until further notice.

\_\_\_\_\_ Discuss with me.



In addition, former President Nixon has asked for his Daily Diaries and telephone logs from 1/20/69 through 8/9/74. While these would most certainly be considered Presidential Papers on which you have a hold, copies could be made of this material and transmitted to the former President with your permission. What is your guidance on this question?

Approve copying and transmittal of copies.

Continue to hold materials until further notice.

Discuss with me.





*Access*

Tuesday 8/20/74

3:20 Rex Scouten (Chief Usher) called to say they are holding all the Nixons' belongings in their warehouse.

2650

There is a plane going out with office supplies this evening --- Mrs. Nixon is needing her clothing and personal things, and wondered if they could release those things that are needed.

According to Mr. Scouten, Fred Buzhardt had ordered all those things put in the warehouse until some kind of a decision is reached.

He is asking if the personal clothing and those items can be released. There are no personal papers in the material.



Pres. Nixon's Personal Files

15 boxes	From Mrs. Wicklien - Gift Unit
13 boxes	Pres. Nixon's Personal Files, Letters A-M
14 boxes	Speeches
12 boxes	Mrs. Nixon's files (from Gwin King)
3 boxes	Photographs
2 ea.	Rolodex (Mrs. Nixon)
1 box	Misc. Items (Ash Trays etc. )
5 boxes	Playing Cards (from Air Force One)
2 ea.	Brief Cases (Ron Ziegler)
7 boxes	Col. Brennan
1 pkg.	" "
4 ea.	Movie Films
1 ea.	Envelope (Ann Grier)
1 ea.	Envelope (Chief Dunn)

Delivered to EOB 429.

Received:

Thomas J. English  
Gerry H. Jones

August 17, 1974

*Access*

Friday 8/23/74

11:40 Called Mr. Wilson to tell him Mr. Casselman would be calling him about arrangements and answers to his questions.

Wanted you to know he had a call from Mr. Barnes of AP saying he understood the White House had given permission for Ehrlichman and Haldeman to come in this afternoon and look at their papers.

Told him I had had calls too and had checked the press office and they had no word and had not given out any; he does not plan to talk with Barnes but wanted to assure you that he didn't release that information.



Tuesday 8/27

You want to call Richard Cooper  
(Williams, Connolly & Califano)

Called him  
8/27 & advised  
that we were  
awaiting A.G.  
opinion & would  
talk to him  
after it is  
rendered



8/27/74

Call

Richard Cooper  
Williams, Connolly & Califano  
839 17th Street, N. W.  
Washington, D. C.

331-5036

~~638-6565~~

331-5000

Mr. Bucher  
talked with her.  
letter not sent



THE WHITE HOUSE

WASHINGTON

*Not used*

August 26, 1974

Richard M. Cooper, Esq.  
Williams, Connolly & Califano  
839 17th Street, N. W.  
Washington, D. C.

Dear Mr. Cooper:

This letter will confirm your telephone conversation of this date with William E. Casselman II, Esquire, regarding a proposed suit by The Washington Post under the Freedom of Information Act (5 U. S. C. 552) for access to certain documents created by the White House Gift Unit with respect to gifts and decorations given to former President Nixon and his family by foreign governments or representatives thereof, which documents are currently within the White House Complex.

Please be advised that pending a timely determination as to ownership of the above-described documents, no disposition of such documents will be made to any entity outside the Federal government. In the event that it is determined that disposition to any entity outside the Federal government is appropriate, prior notice of the intended disposition will be provided to you 24 hours in advance of such action being taken. Until the matter of ownership is resolved in a timely manner, it is understood that no legal action will be initiated by The Washington Post with respect to the above-described documents.

Sincerely,

Philip W. Buchen  
Counsel to the President



*Not card*  
August 26, 1974

Richard M. Cooper, Esq.  
Williams, Connolly & Callano  
839 17th Street, N. W.  
Washington, D. C.

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Counsel to the President





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Philip W. Buchen  
Counsel to the President





147-1000  
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Sincerely,

Phillip W. Buchen  
Counsel to the President



*Met Cooper*

August 26, 1974

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Sincerely,

Phillip W. Buchen  
Counsel to the President



Thursday 8/29/74

5:05 Jerry Jones said to tell you he has removed the material from Room 429. He took Marg Acker with him so she would be comfortable about it. Received the gift unit records (3 boxes) and he will put them in the vault. Will send you the receipts.




AFFIDAVIT

William Gulley, being duly sworn, deposes and says:

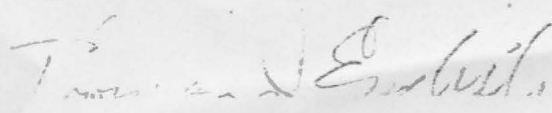
I am familiar with the contents of certain boxes and envelopes stored in Room 429 of the Executive Office Building. The content of the packaged material is as follows:

- 14 boxes - Speeches given by Mr. Nixon between 1965 and January, 1969.
- 12 boxes - Mrs. Nixon's correspondence files and unanswered correspondence.
- 1 box - Miscellaneous items bearing the name of former President Nixon which were removed from Air Force 1.
- 5 boxes - Personalized playing cards (from Air Force 1).
- 2 brief cases of Ronald Ziegler containing Ziegler's personal papers.
- 7 boxes and 1 package containing the clothes and personal property of Colonel Brennan.
- 1 box of movie film and rewind equipment.
- 1 envelope containing a photograph belonging to Ann Grier.
- 1 envelope containing the medical records of Lieutenant Colonel Brennan.

None of the foregoing contain papers of former President Nixon or any official documents.

  
William Gulley

Sworn to and subscribed  
before me this 29th day of  
August, 1974.





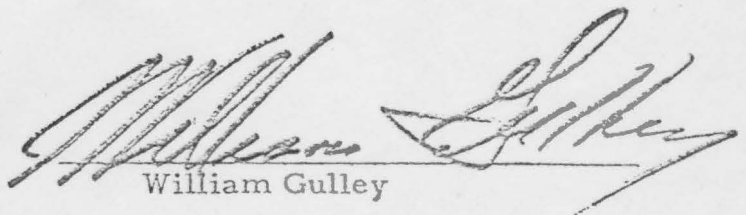
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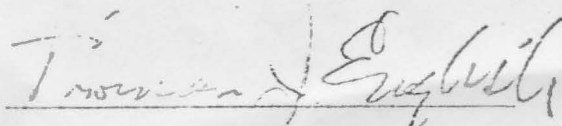
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 William Gulley

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August, 1974.

  
 Thomas J. English



Sparrow v.  
Goodman  
4th Circuit

Friday 8/30/74

4:05 John Wilson called. Said they had gotten notice 638-0465  
that you had been summoned to two depositions --  
Oliver and McCord -- and that you would be called  
upon to produce a lot of tapes between certain dates.

He said that between those dates Mr. Haldeman is on the  
tape and he has an interest in being concerned about this.

The first deposition is not until the 12th but he's  
concerned about the tapes getting kicked around.  
Wonders if he could meet with you one day next week.

Take up  
with  
Jaworski

From J. Ritchie  
Seek protective order <sup>n</sup> until criminal  
proceedings are over w/o any promise  
to produce





12:0

Tues meeting

Jack Mallor  
FB

"Letter of intent"  
-with conditions

L. Silberman  
PLWB

Tod Trimmer? Steve Gartinckol.

Casselman  
-noon on  
Tues or  
later

Discrediting

CBS req of al. request for index of WH  
-what if <sup>any</sup> ~~over~~ indices exist?

Duties re discovery of additional evidence.

Swift v. Nixon in his capacity as Pres  
(or others)

- DOJ must represent unless ~~subject~~ <sup>criminal</sup> transaction  
is subject of investigation

R/R FBI reports

Documents security - see Bolton

*Accus*

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The first deposition is not until the 12th but he's concerned about the tapes getting kicked around. Wonders if he could meet with you one day next week.





*Access*

Thursday 9/5/74

2:30 Mr. Albrecht would like to meet with you regarding a subpoena which was served yesterday on Director Knight requesting certain documents. Dave Macdonald (Assistant Secretary for Enforcement) and Ed Schmults would accompany him.

964-2093

*Taken care  
of without  
mtg.*



*access*

Monday 9/9/74

3:30 Joseph Koonz of Ashcraft & Gerel (lawyer for Spencer Oliver) from whom you received a subpoena...to produce the tapes, etc. by 9/12 at 2 o'clock. 783-6400

After the affairs of yesterday, he wants to know how this leaves that subpoena.



*acc*

Tuesday 9/10/74

2:55 John Wilson asked me to give you these citations:

Ex parte William Wells ---- very old Supreme Court  
18 Howard 307 -- also 15 L. ed. at 421, and particularly  
some language on 423 of 15 L. ed.



~~across~~

*Hall, Andrew*

Tuesday 9/10/74

Meeting

11:55 Andrew Hall called to ask if you could see him for  
3 to 5 minutes as soon as possible.

We can reach him in David Bress' office

223-3800



*aduro*

Tuesday 9/10/74

1:30 Mr. Ziegler would like a call ---- very upset  
about the story in the New York Times.



## JAWORSKI CONCERN RELAYED

Washington Star-News 9/17/74

# Tapes Plan Revision Suggested

By Barry Kalb

Star-News Staff Writer

The discussions between the White House and the Watergate special prosecu-

ing the discussions with Jaworski's aides.

"We're waiting on his (Miller's) response, and then we'll get back to Jaworski's people," he said.

poena by grand jury investigations still being conducted by Jaworski's office, and for use at trial by either the prosecutors or defendants.

The sources also said that so far, no new subpoenas have been issued by the prosecutors. "It's all still in limbo," this source said.



*Access*

*Mo. 9/23/74*

8:30 I was Mr. Buchen's secretary and that  
 Called Carl Bernstein told him that with respect Casselman and  
 to their inquiry as we under I understood it, Buchen had  
 the White House declines comment. k talked.  
 223-7213

I asked if he might tell me what their inquiry was exactly  
 again to be sure it had been given to Mr. Buchen properly.

He said they have written ---- responding to objections from  
 the Watergate Special Prosecutor's office, the W. H. has agreed to  
 halt at least temporarily giving President Nixon's control over the  
 tapes and documents during his administration. Mr. Buchen  
 assured representatives this agreement will not take effect pending  
 further discussion regarding further implementation of the disposition  
 of the tapes and documents.

????



*Allen*

Wednesday 9/25/74

9:50 John Wilson is probably going to write you a letter requesting more elaborate access; he thinks you'll turn it down. He doesn't want you to think he's pushing but he wants to show the limits of access they have. . . if you want to talk with him about it, he'll be in the office most of the day.





*Acce*

Wednesday 9/25/74

5:45 Mr. Areeda:

Your secretary called to say that Jack Miller called;  
he and James Neal have solved the problem of February 17  
tape.



September 25, 1974

Dear Mr. Miller:

We would like to be in a position to provide Congress, should it desire it, with any reference to Nelson Rockefeller made in a meeting which took place between former President Nixon and Richard Moore from 3:45 - 5:00 pm on April 19, 1973. The original tape is held by Judge Sirica. But there is apparently a copy among Mr. Nixon's tapes.

We understand that you are authorized by Mr. Nixon to listen to this tape and to provide the relevant material.

We further understand that the Special Prosecutor's office has no objection to this procedure in view of your undertaking to them to obtain a waiver from Richard Moore, to disclose the content of the conversation to Mr. Neal and, if desired by Mr. Neal, to authorize a copy of that conversation for the Special Prosecutor's office.

I would appreciate it if you would confirm this understanding. I am asking Mr. Neal of the Special Prosecutor's office to do the same.

Sincerely,

Phillip E. Areeda

Mr. Herbert J. Miller  
Miller, Cassidy, Larroca & Lewin  
1320 19th Street, N. W.  
Washington, D. C. 20036

cc: Mr. James Neal  
bcc: Messrs. Buchen and Buzhardt



10/1/74

To: Bill Timmons

From: Phil Buchen

Here is correspondence which  
Bill Whyte referred to me.

Is there any chance for an  
idea like this to "fly" in  
Congress?

cc: Phil Areeda



Wadsworth  
18737 Considine Drive  
Brookeville, Maryland  
20729

3 September 1974

Mr William G Whyte  
5124 Rockwood Parkway  
Washington, DC

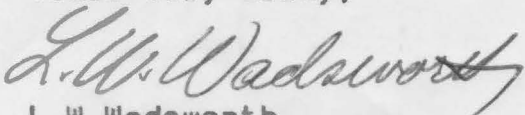
Dear Sir:

I enclose a copy of a letter which I have sent to Mr Jack Miller, who is representing former President Nixon in such cases as may be necessary in his future dealings with the government. The letter proposes that an independent Presidential Commission should be established to formulate a policy with respect to the handling of presidential documents.

This is a problem with which President Ford's administration is necessarily seized. It seems to me to be important that the matter be handled in an orderly fashion so that : 1.) There will be general public satisfaction as to the fairness of the procedures; 2.) There will be no possible opportunity for anyone to say that there has been a further cover-up; 3.) The public interest in the preservation of the confidentiality of the documents will be protected; 4.) Mr Nixon's rights in the papers will be protected; and 5.) Mr Nixon will not be subject to gross unfairness in that his papers are treated differently than the papers of other Presidents.

I hope I am not too presumptuous in bringing this to your attention on the basis of such a brief and casual acquaintance, but it seems to me to be a matter of some importance. I would be grateful for any attention you might give the suggestion, and any comments you might wish to make. If the idea seems meritorious to you, you may wish to bring it to the attention of the President.

Yours very truly,



L W Wadsworth  
Grazier Memorial Professor  
of International Law  
School of International Service  
The American University

LWW:rw

Enclosure



Wadsworth  
18737 Considine Drive  
Brookeville, Maryland  
20729

3 September 1974

Herbert J Miller, Jr, Esquire  
1320 19th Street, Nw  
Washington, DC

Dear Jack:

I refuse to give up on my idea that something reasonable and useful should be done with the Presidential papers of your new client, Mr Nixon. Conversations with several people since I last talked to you about the situation have somewhat expanded and re-ordered my thoughts, however.

First. The present system of handling Presidential documents makes no sense at all, from the public viewpoint. As Marshall Wright put it to me in discussing this matter, "When the Nixon administration entered the White House, the only paper in the house was the toilet paper." How is an orderly transition of power possible, especially in the realm of foreign affairs, if the new incumbent has no clue as to what his predecessor may have done? or what commitments he might have made?

Second. Although the papers of Mr Nixon's administration provide a sharply focused immediate problem, this is a continuing issue affecting past and future Presidents. It was particularly marked in the case of the accession of President Truman, who did not know, and was not immediately told of the developments toward the atomic bomb, and who went to the Potsdam Conference in large part because no one knew what the full extent of the agreements was at the Yalta Conference.

Third. There is increasing public pressure for some orderly solution to this problem. (See this morning's Washington Post.) Senator Bayh has introduced a bill to simply dump the whole mass of stuff into the National Archives. Although the bill may never be passed in its present form, this solution would not serve the public interest in the best way.

Suggestion. A Presidential Commission should be appointed to evolve a policy as to what to do with Presidential documents so as to preserve the privacy of past Presidents and yet properly inform present and future incumbents. This policy should apply to past as well as future Presidents. Thus, the status of the Kennedy and Johnson papers should be considered as well as Mr Nixon's papers and the papers of Mr Ford.





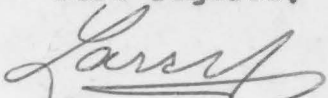
HJMiller  
3 Sept 74  
Page Two

It seems to me that support for such a procedure, or even the initial proposal of it, would be in the best interest of Mr Nixon, as well as serving the best public interest. An independent Presidential Commission could command the trust and respect of the populace, and at the same time protect such elements of the papers as truly affect national security; papers which should not be simply dumped into a public repository, and thus affect the personal reputations or private affairs of public men, would be identified and preserved; and, finally, it would protect the literary property rights of past Presidents. It would be much better for this to be done in an orderly way, prior to some blanket hasty action by either the Congress or, for that matter, some jurist. Of course, such documents as might be withheld under such a policy would still be within reach of the courts in proper cases, but only as they affect immediate cases and not on a blanket basis.

Finally, the most recent Gallup poll shows a surprisingly strong sentiment for the prosecution of Mr Nixon. He could use all the positive public opinion support he can get. Keep in mind that what I am proposing is the formulation of a general policy for the handling of the papers of all Presidents. Although the present administration is seized of the problem of the Nixon papers, it would seem more just to me if all past Presidents were treated alike.

Please think it over again, and let me know whether you think the idea has merit. I am going to bring it to the attention of a gentleman who may, if he wishes, be able to bring it to the attention of President Ford.

Best regards,

  
Larry Wadsworth

LW:rw



**October 3, 1974**

**MEMORANDUM FOR: William Timmons**  
**FROM: Phil Bushen**  
**SUBJECT: Requests from the Hill for  
meeting with the President  
on Executive Privilege bill**

**Please see attached memorandum of Dudley Chapman  
and his summaries of H. R. 12462 and S. 2432. Also  
copy of memorandum to me from Doug Metz.**

**Attachments**



Skip was  
asking if  
you had  
an answer  
on this

(I hadn't seen  
it, so he  
sent a copy)





**THE WHITE HOUSE**  
**WASHINGTON**

10/31

To: Eva

From: Skip Williams

Per Mr. Buchen's request.



October 4, 1974

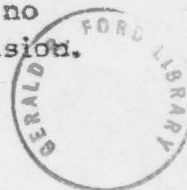
MEMORANDUM FOR: PHILIP W. BUCHEN  
FROM: SKIP WILLIAMS  
SUBJECT: Service of Process

I received a call on Thursday from Mr. Aikens, who is Chief of the Civil Division in the U.S. Attorney's Office for D.C. He advised me that a Marshal was in his office with a summons and complaint to be served upon yourself and the President in a civil case filed by James McCord in which he seeks: (1) to invalidate the agreement between Nixon and Sampson on the tapes and documents, and (2) to nullify the Nixon pardon. He also has a subpoena duces tecum for yourself which was issued at the request of one of Ehrlichman's attorneys in connection with the "coverup" trial. This is returnable October 1, 1974.

Ordinarily, when a summons is directed to the President, Justice will file a "suggestion of dismissal" prior to service, which requests the court to dismiss sua sponte as to the President. This device is effective if it can be shown that the plaintiff could enforce his rights by substituting another defendant for the President. In those few recent cases holding a President subject to legal process, the courts have found that he was indispensable to the proceeding.

Justice feels that the President is indispensable in this case because only he can grant pardons. I believe that they are correct in this conclusion. Therefore, I recommend that one of the attorneys should be designated as authorized to accept service in his behalf for the limited purpose of this one proceeding.

All who have reviewed this at Justice believe that there will be no problem winning the suit on the merits. I concur in this conclusion.



You should also designate someone to accept service in your behalf. I am unaware of any defenses you would have against the process itself. Of course, you should have no problem prevailing on the merits.

Regarding your subpoena for the coverup trial, any defenses to be presented to the court will probably be made by the Special Prosecutor in your behalf. It should be reviewed in consultation with his office as soon as possible.

Whoever you designate to receive the summons and complaint for you can also receive your subpoena.

Because the subpoena was returnable October 1 and because the McCord suit was filed about September 20, we should arrange for service as soon as possible. I have the name and phone number of the Marshal to call when we have made the necessary arrangements.\* Justice urges that this be done by close of business on Friday.

I should also advise you that Justice is planning to urge that the President accept service of all suits against him in the future. We can explore this problem in greater depth later in consultation with Justice.

\* Harry Cottman 426-7023



October 8, 1974

*Special  
Prosecutor*

Dear Mr. Crans:

I have received your letter of September sixteenth, requesting confirmation or denial of the existence of a memorandum from Mr. Henry Ruth to the Special Prosecutor detailing certain information.

A copy of the letter you requested is enclosed for your information. This letter memorandum was released to the press on September 10, 1974, at a press briefing held by me.

Sincerely yours,

Philip W. Buchen  
Counsel to the President

Mr. Robert E. Crans  
9004 Blue Quail Drive  
Austin, Texas 78758

PWB:em

Enclosure



Press Secretary  
The White House  
Washington, DC 20500

16 Sep. 74

REPLY REQUESTED

Dear Sir:

During the Sunday evening and Monday morning (8 & 9 Sep.) TV news coverage of the President's pardon for Mr. Nixon references were made to a letter from the Office of the Special Prosecutor summarizing the status of their investigations into the former President's culpability in Watergate related matters. As I recall, the letter was in response to a request for such information by President Ford. My recollection of the news reports is that the letter advised of ten specific areas being investigated, including tax fraud and wire-tapping, but that insufficient evidence had been found to support indictments in any area except obstruction of justice. The news reports I refer to were on one or two of the major networks, but I cannot recall which. I have neither seen nor heard other reference to such a letter in any of the media.

I would greatly appreciate confirmation or denial of the existence of such a letter. I hate to admit it, but my confidence in the credibility of the Press has been shaken in recent years, and their treatment of the "blanket pardon" story did nothing to restore my confidence.

Very truly



Robert E. Crans  
9004 Blue Quail Dr.  
Austin, Tx. 78758



Thursday, October 10, 1974

- |   |             |           |
|---|-------------|-----------|
| 1. Room 429 (Jones)                         | 2:00 - 2:15 |           |
| 2. Safe Zone 128 (Jones<br>& USSS)          | 2:15 - 2:30 |           |
| 3. Rooms 84 & 522<br>(Fry, USSS)            | 2:30 - 2:45 |           |
| 4. Personal Security Files<br>(Dannenhauer) | 2:45 - 3:00 |           |
| 5. Archives controlled areas<br>(Nesbitt)   | 3:00 - 3:45 | 487 OEOB  |
| 6. Gift Unit (Wicklein)                     | 3:45 - 4:00 | 484 OEOB  |
| 7. NSC Vault (Davis)                        | 4:00 - 4:15 | West Wing |

Friday, October 10, 1974

National Archives

NARS Suitland Records Center



10/16/74

To: Jerry Jones

From: Phil Buchen



THE WHITE HOUSE

WASHINGTON

If we have Xerox  
copy, send  
original to Jerry Jones





THE WHITE HOUSE

WASHINGTON

October 11, 1974

MEMORANDUM FOR: ~~Bill Simmons~~

FROM:

Phil Buchen

P.W.B.

SUBJECT:

S. Res. 399

Phil:  
None → What, if any, followup response is necessary or desirable to attached S. Res. 399? Where should this sealed copy be retained in the White House?

↑  
Presidential papers file -  
send to Jerry Jones for  
safe-keeping

Bill T

MEMORANDUM

THE WHITE HOUSE  
WASHINGTON

October 9, 1974

MEMORANDUM FOR: PHILIP BUCHEN

FROM: ROBERT D. LINDER *RDL*

Attached is a copy of S. Res. 399 for your information. You may want to see if Bill Timmons considers any follow-up action with the Congress necessary or desirable.

Thank you.

Attachment



FRANCIS R. VALEO  
SECRETARY

# United States Senate

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20510

October 7, 1974.

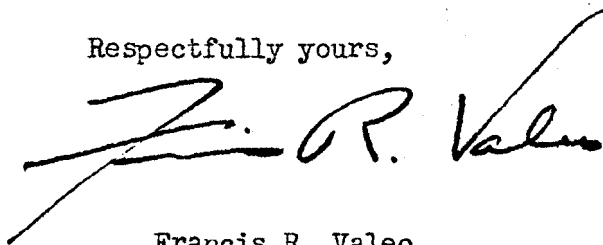
*encl*  
*BT*

The President,  
The White House,  
Washington, D. C.

Dear Mr. President:

I am forwarding S. Res. 399,  
passed by the Senate on October 3, 1974,  
for your interest.

Respectfully yours,



Francis R. Valeo,  
Secretary of the Senate.

Enclosure,  
S. Res. 399.



*In the Senate of the United States,*

*October 3, 1974.*

Whereas it is paramount to the national interest that the American public be made fully aware of all facts connected with and relating to Watergate matters and the fruits of all investigations conducted pursuant thereto; and

Whereas it is uncertain that there is now assured public access to all such facts as they are contained in papers, documents, memoranda, tapes, and transcripts; be it therefore

*Resolved*, That President Ford is urged to take all steps necessary to assure full public access to all facts connected with and relating to Watergate matters and the fruits of all investigations conducted pursuant thereto; and be it further

*Resolved*, That except in cases clearly vital to the national security interests of the United States, President Ford is urged to afford the American public full access to all such papers, documents, memoranda, tapes, and transcripts originating at anytime during the period January 20, 1969, through August 9, 1974, at the earliest practicable time and in an adequate and effective manner.

Attest:



*F. O. Valero*

*Secretary.*



# United States Senate

OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20510

PUBLIC DOCUMENT—OFFICIAL BUSINESS

*Francis R. Va*



WHITE HOUSE MAIL  
RECEPTION & SECURITY  
OCT 8 1974  
Processed by:

The President,  
The White House,  
Washington, D. C.



*Assess*

Thursday 10/24/74

Meeting  
10/24/74  
11:25 a. m.

11:25 Mr. Casselman brought Paul Kriendler (Counsel to the Special Prosecutor) and Richard Davis (Associate Special Prosecutor) to serve subpoenas on Mr. Buchen.

(Copies have been placed in the Special Prosecutor's file; Mr. Casselman has the original and several copies:

*(Package in Jaworski's file)*



THE WHITE HOUSE  
WASHINGTON

10/31

Told Skip to get  
someone at Justice  
to accept service  
on Pres. in McCord  
case & to accept  
service for me on  
any cases where it  
has still not been  
accomplished.

P.





*Acc...*

Thursday 10/31/74

10:35 Skip said that Mr. Nixon has filed a suit and you are one of the defendants. Although they're already in court, they feel service should be properly made of a subpoena.

He checked with Mr. Casselman, who was going to check whether you want Barry Roth to accept service for you, but Mr. Casselman hadn't had the chance ---- so suggested Skip call and ask whether you want Barry to accept.

