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Levine said some Administration officials are privately saying their pessimistic forecasts earlier this year may actually have made the recession worse. So, now they are making more optimistic forecasts, "partly because things are improving and partly to revive public confidence," Levine said.

ABC used a special report on egg production to illustrate that while prices for farm products are down, the costs of processing them are up.

Because of the decreased demand for eggs, their wholesale price declined 15 cents in the last year. The cost of producing eggs has risen, however. Feed costs have risen 50 cents per 100 pounds in the last month; labor costs have risen 5 per cent; and packaging costs have risen 40 per cent, ABC said.

Ford sales for March were off 18 per cent, and Chrysler reported declines of 10 per cent, ABC said.

#### Levi Opposes Domestic Passports

Attorney General Edward Levi Thursday reversed an earlier position by the Justice Department and opposed domestic passports as an infringement of individual freedom, CBS reported. Three days before Levi became Attorney General, the Justice Department endorsed the idea of domestic passports, required work cards for job applicants to show proof of U.S. residence, CBS said. It was proposed as a way to deal with the problem of illegal immigrants.

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#### Arafat Says Israel Has Three Nuclear Weapons

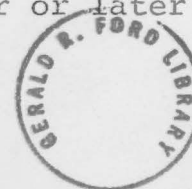
Yassir Arafat, leader of the Palestine Liberation Organization, said late Thursday that he has conclusive information that Israel has at least three nuclear weapons in its armory, CBS reported. Arafat said, "sooner or later Israel will resort to war," CBS reported.

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#### European Praise American Jet Plane

The Defense Ministers of four European countries said Thursday that the General Dynamics YF-16 fighter plane is better than either the French or Swedish fighters competing with it for \$2 billion worth of contracts. The ministers say they will recommend that their governments buy the YF-16.

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Justice Department Compiling Civil  
Disobedience Files

The Justice Department has sent out a new request for information on potential trouble spots, and presumably potential troublemakers, despite assurances to a Senate subcommittee from Attorney General Levi that the Department was no longer compiling files on individuals, NBC's Carl Stern reported.

The request, a teletype sent out to U.S. Attorneys 18 days ago, indicated that the government intended to respond to "civil disorder stimuli," Stern said. The teletype asked that reports and a personnel roster of community leaders be sent to Justice' Civil Disturbance Unit marked, "Do Not Open in Mailroom."

The message was sent out under the signature of Deputy Attorney General Laurance Silberman by his deputy, when Silberman was on vacation, Stern said. The deputy did not tell Silberman about it.

"When it was read to him today, Silberman's first reaction was 'holy jumping catfish,' but later he defended the request saying it was a list of events that was being compiled, not names of people, and that U.S. Attorneys had always understood that. He offered to show the files to anyone who doubted them."

Stern said one Justice official who received the message and furnished the teletype to NBC News, did not have that understanding. A Senate staffer called the teletype "incredible," Stern said.

\* \* \* \*

CAB Approves "No-Frills" Airline Fares

The Civil Aeronautics Board Friday approved a request by National Airlines to start "no-frills" service on many of its flights on April 14, the networks reported.

Four other airlines are expected to start similar services, under which passengers would have to buy all beverages and could bring along their own food. The fare between Miami and New York would drop from \$98 to \$61.

\* \* \* \*



St. Louis Post-Dispatch, "Segregation Ahead." The U.S. Civil Rights Commission has reported that, without positive action, racial segregation is likely to increase in America's urban centers. The commission insists that school desegregation remains the most certain guarantee of equal opportunities and urges that the President issue an executive order to pool federal resources to bring about desegregation, and that he name one official to direct the use of these resources. So massive a problem as national disunity might, indeed, be thought to call for a massive effort. But the problem of leadership remains, and when Presidents are less than enthusiastic, no subordinate official can do much. If America is to return to the attack against its destructive racial division, it will need a leader and it will need one in the White House.

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Richard Ryan, Detroit News, Washington: President Ford has refused to intervene personally in the Ferndale school controversy, thus allowing the Justice Department to file suits in Federal District Court to force desegregation if it chooses to do so. Mr. Ford's refusal was contained in a letter to Rep. James J. Blanchard (D., Mich.), signed by White House Counsel Philip Buchen. Blanchard had written the President this week asking as a "last resort", Mr. Ford's personal intercession to prevent the Justice Department from filing suit to force integration of the Grant Elementary School.

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James Deakin, St. Louis Post-Dispatch, Washington: Something is missing in Washington this year: A domestic program. This has caused a problem for Vice President Rockefeller, who has been put in charge of something that does not exist. With considerable fanfare, the President announced that Rockefeller would be vice chairman of the Domestic Council, "with the responsibility of overseeing its work." The trouble is that Mr. Ford had already announced that, except in energy, the administration would not propose any new domestic programs this year. And Rockefeller is not a member of the Energy Resources Council, nor of an even more important group, the Economic Policy Board. To experienced White House observers, this adds up to a picture in which Rockefeller has some representation but not a great deal of clout. Nevertheless, Mr. Ford, to a greater extent than any other President, has brought his vice president into the top-level decision-making process.

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HARVARD LAW REVIEW

V. 83 1970

p. 1387-1411

THE UNCONSTITUTIONALITY OF  
PLEA BARGAINING

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wa  
file

September 12, 1974

MEMORANDUM FOR THE DEPUTY ATTORNEY GENERAL

SUBJECT: Current Administration Anti-Trust Policy

Confirming our telephone conversation of yesterday, Wednesday, September 11th, the President has requested the Department of Justice to prepare a briefing paper for him which sets forth the current policy in the area of anti-trust.

I would appreciate receiving this analysis by October 1st.

Please call my office if you have any questions.

Geoff Shepard

✓ bcc: Phil Buchen



THE WHITE HOUSE  
WASHINGTON

Date 9/25/73

TO: Jay French

FROM: DUDLEY CHAPMAN

If This had been addressed here we would refer it to Justice to draft a reply. Since we are only a cc, I recommend we follow the Justice Department practice of NOT replying to letters which are copies of letters addressed to someone else, and just file.

Wa file





14  
Copy

T E L E G R A M

September 18, 1974

Honorable William Saxbe  
Attorney General of the United States  
Department of Justice  
Washington, D. C.

It is ironic that the United States Justice Department has become the instrument of obstructing the possibility of minority representation in the city government of Montgomery, Alabama.

Under the provisions of the so-called Voting Rights Act, we submitted for Justice Department approval the bill to change the form of government from commission to mayor-council. This was submitted on November 13, 1973. We requested an expedited hearing in order to get the question before the voters in the May primary. Instead of an expedited hearing the Justice Department bureaucracy took more than 60 days before rendering an answer.

When the answer came forth, they had succeeded in so clouding the issue that it was necessary to take the matter to federal court for clarification. Here the Justice Department caused it to drag on and on for additional months.

When the ruling finally came, it was put upon the city commission to approve district lines. The city commission acted unanimously in less than eight hours.

Now the matter has been returned to the Justice Department and is again being choked to death in red tape.



Even after taking 60 days to shuffle papers from desk to desk, your underlings are demanding "additional information."

There has been ample time for the Justice Department to study this matter and even memorize the bill. A first year law student can tell in a matter of hours if the bill is discriminatory or not.

I wish to inform you that if an affirmative answer on this question is not forthcoming by 12 Noon, CDT, on Tuesday, September 24, 1974, the Justice Department must take the blame for attempting to prevent the matter of changing the Montgomery form of city government from coming to a vote of the people. It is absurd to delay the matter any longer. It is also absurd to waste the taxpayers' money to the tune of fifty thousand dollars for a special election when it could be held in the general election of November 5.

Should the delays continue, I shall press for a congressional investigation of the Justice Department to determine the reason for their gross inefficiency and/or for obstructing the right of the people to vote on this matter.

Tell us yes or no.

Jim Robinson, Mayor  
City of Montgomery

Copies to: President Gerald Ford  
Senator John Sparkman  
Senator James B. Allen  
Congressman William Dickinson  
Mr. Tom Coker



OFFICE OF THE MAYOR  
**CITY OF MONTGOMERY**  
P. O. BOX 1111  
MONTGOMERY, ALABAMA 36102



AIR MAIL

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

*Justice*

THE WHITE HOUSE  
WASHINGTON

October 30, 1974

Dear General Younger:

I appreciate your letter regarding the importance of reaching an agreement on a stipulation concerning present perfected water rights in the case of Arizona v. California.

I understand that the Secretary of the Interior has communicated with you recently on this subject and will be meeting with you after he receives a report from the Colorado River Indian Tribes which have expressed an interest in this matter. We certainly hope that these matters can be expeditiously resolved.

With best wishes.

Sincerely yours,

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

Honorable Evelle J. Younger  
Attorney General  
State of California Department of Justice  
555 Capitol Hill - Suite 550  
Sacramento, California 95814



**TO:** Laurence Silberman, Deputy Attorney General

**FROM:** Phillip W. Buchen, Counsel to the President

**SUBJECT:** 1) Proposed Stipulation Listing the Present  
Perfected Rights to Water of the Colorado  
River Pursuant to the Decree in Arizona  
v. California, 376 U.S. 340 (1964)

2) Withdrawal of LEAA Discretionary Funds

I would appreciate it if you would have someone at the Department of Justice draft a response which I could use in answering these letters.



Phil A:

Is this a matter in  
which you have a concern?  
Was the subject raised  
by Saxbe when you and Don.R.  
met with him?

P.

Justice



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

Mr. Buchen

NOV 12 1974

Honorable Elmer B. Staats  
Comptroller General of the  
United States  
Washington, D. C. 20548

Dear Mr. Staats:

Your letter of October 31, 1974, makes reference to sections 611 and 612 of the recent Treasury Appropriation Act, Public Law 93-381, and to OMB proposals for Mexican border law enforcement.

In the Fall of 1973, OMB was advised that the U.S. Customs Service was reinstituting a uniformed patrol force along the U.S. Mexican border. With the cooperation and participation of the Departments of the Treasury and of Justice, OMB began a study of the extent of duplication and conflict arising between the newly deployed Customs Patrol along the border and the existing Border Patrol, I&NS, with the objective of developing a coordinated border law enforcement strategy.

Upon completion of this study, and after obtaining agreement of the Departments to the recommendations of the study, I formally advised Secretary Simon and Attorney General Saxbe of the conclusions of the Mexican border law enforcement review by identical letters of June 5, 1974. Those letters suggested that operating agreements, necessary for the implementation of the study's recommendations, should be completed by September 30, 1974.

Subsequently, hearings on the study's recommendations were held before the Subcommittee on Legislation and Military Operations, Committee on Government Operations, U.S. House of Representatives, on July 10, 11, 16, and August 14, 1974. During the first day of the hearings, I told the Committee that the study's recommendations would not be implemented until after the



Committee had an opportunity to review the facts underlying those policy recommendations and to conclude its deliberations. This, of course, was agreed to by the Departments of Justice and the Treasury.

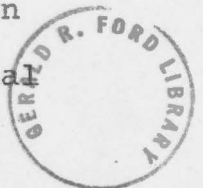
While these hearings were in progress, the National Customs Service Association and one of its member employees brought suit in the U.S. District Court for the District of Columbia. This suit was filed on July 29, 1974; it sought to enjoin the implementation of the study's recommendations. That litigation has not yet been resolved.

Thereafter, on August 21, 1974, the Treasury Appropriation Act, Public Law 93-381, was enacted. It contained the previously referenced sections 611 and 612. OMB continues to be aware of the Congressional understanding of the study's recommendations, as expressed in the legislative history of sections 611 and 612, part of which was cited in your opinion letter of October 11, 1974, B-114898.

Throughout this period, the OMB staff has sporadically been involved with this problem in response to the staff of the Subcommittee on Legislation and Military Operations, and in direct connection with the ongoing case in the District Court of the District of Columbia. Additionally, from time to time, our staff has continued to confer on the Mexican border law enforcement situation. These discussions have taken into account the Subcommittee hearings, the litigation, and sections 611 and 612 of Public Law 93-381.

We are aware that Congress may impose conditions on the use of appropriations, even where an activity is otherwise lawful. I have been advised that none of the staff discussions has even considered undertaking any activity that would conflict with sections 611 and 612; on the contrary, these discussions have been addressing alternative solutions to the continuing law enforcement problems which occasioned the original recommendations, taking into account the objections perceived by Congress.

As I pointed out above, I represented to the Subcommittee on Legislation and Military Operations that the

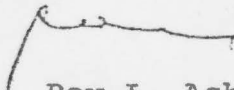




study's recommendations would not be implemented until after the Committee had an opportunity to review the matter. I have not altered that representation; and I have been advised that OMB staff has not attempted to abrogate it. You will recall that my June 5, 1974, letters asked for the conclusion of operating agreements by September 30, 1974. That date has come and gone without those operating agreements, which were basic to any implementation of the study's recommendations.

I believe that the Secretary of the Treasury will also be able to advise you that no action has been taken to implement the study's recommendations, nor have any funds been obligated or expended in violation of sections 611 and 612 of Public Law 93-381.

Sincerely,

  
Roy L. Ash  
- Director



*J. R. Hills*

THE WHITE HOUSE  
WASHINGTON

November 13, 1974

Dear Carla:

Finally I have had a chance to study the legal memoranda filed this week with Judge Richey for the Federal defendants in the Nixon-Sampson litigation.

You and your colleagues have done superb work in preparing these memoranda, and I am most grateful to all of you. It is hard for me to believe that any group of lawyers could produce such complete and well-reasoned, well-documented and well-written arguments even if they were given a much longer time than you had. I consider your accomplishments a true legal miracle, and my esteem for your skills and alacrity is boundless.

Again, many thanks and warmest regards.

Sincerely yours,



Philip W. Buchen  
Counsel to the President

The Honorable Carla A. Hills  
Assistant Attorney General  
Room 3143  
Department of Justice  
Washington, D. C. 20530

cc: Attorney General Saxbe  
Larry Silberman



File re:  
Title 18 amend-  
ments.  
T.

Thursday 11/14/74

Justice  
Title 18  
amendments

2:40 Had a call from Mr. Krause, who said his daughter was (412) 256-3892 one of the ones killed at Kent State. Said he has now proven that there is no law to protect from killing.

Said the Justice Dept, has handled the thing so far and he thinks the law has to be changed. Knows from contact with people at the Justice Dept. that this law is impossible to prosecute under -- that was well proven when the judge said very plainly that he can't do anything under this specific law. Can't do anything unless the state wants to do something. State has been fighting him for 4 1/2 years, he said.

He's contacted Sen. Hart, Schweiker and others. Said "what Congressmen and Senators do is what they want to do. " "Eastland doesn't pay any attention -- nor Rodino. "

"We have laws that don't protect us. Right to life, liberty and pursuit of happiness. Law isn't worth a d----. Now is the time to do something to make the Constitution more than a piece of paper. If you have the guts, you can do something. It still requires people like the President and the Congress. We've had enough. If we don't show people we can do something, it won't do any good. I'm 50 and we haven't done a good job. It's about time we show we believe in the Constitution. .... they got shot down with impugntiy -- shot down from 343 feet and the Justice Dept. couldn't prove wilful intent. I've pushed every phase of the government. I'm proud of the ystem. You understand don't you? "

I had tried to reach Jon Rose to see if he could talk with him, but he was in a meeting.

Mr. Krause said no one needed to call him back, he just wants someone to do something!!!

Talked to Ken Lazarus on this 11/18/74.  
He said some moderate changes in law on Civil Rights prosecutions are contained in proposed overhaul of Title 18 code provisions and the overhaul is up for Administration consideration as a 1975 legislative issue. T.



*Justice  
Dept.*

Thursday 11/14/74

2:50 David Williams, Reporter from Electronic News,  
wanted to ask about a rumor that the President of IBM  
has met with you on the IBM suit.

Six years ago an antitrust suit was filed by the Justice  
Dept. against IBM and there is a certain amount of noise  
going around now that the President of IBM has been  
meeting with Mr. Buchen.

Advised him that he had not met with the President of IBM.



ITEM WITHDRAWAL SHEET  
WITHDRAWAL ID 01240

Collection/Series/Folder ID ..... : 001900267  
Reason for Withdrawal ..... : DR,Donor restriction  
Type of Material ..... : MEM,Memo(s)  
Creator's Name ..... : Buchen, Philip  
Receiver's Name ..... : Silberman, Laurence H.  
Description ..... : Personal matter concerning John H  
. Hallowell, Jr.  
Creation Date ..... : 12/16/1974  
Date Withdrawn ..... : 06/23/1988

December 17, 1974

ch-ARBA

Dear Larry:

It has been brought to my attention that the American Revolution Bicentennial Administration (ARBA) recently transmitted to the Criminal Division of the Department of Justice certain information and allegations relating to possible violations of Title 18, U.S.C., involving government officials and employees, including members of the White House staff.

This is to request that, to the extent you deem appropriate, my office be advised of any developments in this matter to the extent they reflect on the suitability for office of any member of the White House staff or other Presidential appointee.

Sincerely,

Philip W. Buchen  
Counsel to the President

The Honorable Laurence Silberman  
Deputy Attorney General  
Department of Justice  
Washington, D. C.

PWBuchen:ed



*Justice*

December 19, 1974

**MEMORANDUM FOR:           LAURENCE SILBERMAN  
                                  DEPUTY ATTORNEY GENERAL**

**FROM:                         PHILIP BUCHEN  
                                  COUNSEL TO THE PRESIDENT**

**See attached memo from G. Shepard to me and copy of letter  
to President from Senator Bellmon.**

**I would appreciate your handling this as you deem appropriate.**

**cc: Warren Rustand (w/enc.)  
      Geoff Shepard**



*Justice*

Department of Justice

Washington 20530

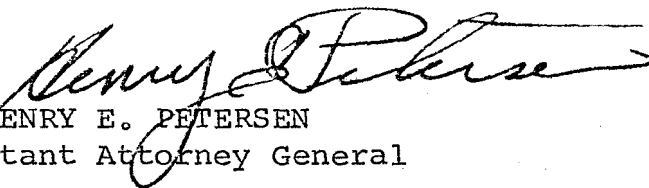
December 20, 1974

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

Dear Mr. Buchen:

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

Sincerely,

  
HENRY E. PETERSEN  
Assistant Attorney General







OFFICE OF THE DEPUTY ATTORNEY GENERAL  
WASHINGTON, D.C. 20530


December 21, 1974

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

Dear Phil:

I received your note of December 17 regarding the American Revolution Bicentennial Administration and will keep you advised of developments in this matter.

Sincerely,

  
Laurence H. Silberman  
Acting Attorney General





OFFICE OF THE DEPUTY ATTORNEY GENERAL

WASHINGTON, D.C. 20530

December 23, 1974

*Justice*

Philip W. Buchen, Esq.  
Legal Counsel to the President  
The White House  
Washington, D.C. 20015

Dear Phil:

I am writing with regard to the letter to President Ford from Wallace G. Roney, Chairman of the National Black Deputy U.S. Marshals Organization which you forwarded to me. As you recall, Mr. Roney alleged that there is presently racial discrimination against blacks in the Marshals Service and that named and unnamed officials of the Marshals Service have engaged in various illegal activities. These allegations are part of a continuing campaign, dating back several years, by Mr. Roney and his organization against the leadership of the Marshals Service.

I have investigated this matter and have found no evidence to support Mr. Roney's allegations. Although the Marshals Service has been found to operate discriminatorily in the past, standards to solve the problems found to exist were established last year. A recent review indicates that these standards are now being met. Thus, to the extent Mr. Roney's allegations are continuing complaints of discrimination, they no longer have merit. Although many of the allegations of misconduct are rather vague, I have attempted to investigate all of them and have found no basis in fact for any of them.

With regard to the numbered charges contained in the attachment to Mr. Roney's letter I have found the following:

- 1) The office of Director of the U.S. Marshals Service was not created for Wayne Colburn. The office was created in 1969 and Mr. Colburn is the second person to serve as Director, having been appointed by Attorney General Mitchell in 1970 and reappointed by Attorneys General Kleindienst, Richardson and Saxbe.



Contrary to Mr. Roney's allegation, every indication is that Attorney General Richardson thought highly of Mr. Colburn. We found no basis for the charge that Mr. Colburn "orders and threatens the U.S. Marshal to violate human rights."

- 2) The Marshals Service was converted into a bureau pursuant to the authority to reorganize the Department vested in the Attorney General by 5 U.S.C. 509 et seq. and 5 U.S.C. 301.
- 3,4&5) In 1973 the BDUSMO and Mr. Roney filed complaints alleging racial discrimination by the Marshals Service, pursuant to the Department's Equal Employment Opportunity procedures. While the complaints were pending, the parties agreed on changes in the Marshals Service policies to remedy the problems. The Department Complaint Adjudication Officer found that discrimination did exist in some areas and substantially incorporated the agreed upon measures in his orders. As indicated earlier, a recent review has shown that the Marshals Service has implemented the standards established by the orders.
- 6) We have found no evidence that Mr. Colburn and members of his staff have traveled with their wives and friends on the pretext of escorting female prisoners. The Marshals Service does, however, have a program to utilize trained wives of Marshals to accompany female prisoners where a matron is required. Mrs. Roney has traveled in this capacity.
- 7) The specific allegations in paragraph 7 are simply not true.

My office will continue to monitor this matter and, if you wish, I will keep you informed of any further developments.

Sincerely,



Laurence H. Silberman  
Deputy Attorney General



*Justice*

**September 4, 1974**

**MEMORANDUM FOR**

**The Honorable Laurence H. Silberman  
Deputy Attorney General  
Department of Justice**

Attached are copies of materials received on behalf of the National Black Deputy U. S. Marshals Organization; also copy of a Mailgram concerning the investigation of Miss Rita Jansson of 32 Gramercy Park South, New York City 10003 and her sister, Linda. We discussed both of these matters over the telephone.

I also attach copies of my letters of acknowledgement.

6-27-74

*HW*

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

**Attachments**

**PWBuchen:ed**



**September 4, 1974**

**Dear Mr. Janssen:**

**Your mailgram has been received relative to Miss Rita Janssen and her sister Linda.**

**I have referred this communication to the proper authorities for their consideration.**

**Sincerely,**

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

**Mr. R. Janssen  
Apt. 16H  
32 Gramercy Park South  
New York, New York 10003**

**PWBuchen:ed**



**September 4, 1974**

**Dear Mr. Roney:**

**The President has asked me to write you  
in his behalf and thank you very much for  
your congratulations.**

**He has also asked me to consider the material  
submitted with your letter, and I am having  
it reviewed with a view to my being able to  
write you further.**

**Sincerely yours,**

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

**PWB:ed Roney  
Chairman  
National Black Deputy U. S. Marshals  
Organization  
United States Courthouse  
Third and Constitution Avenue, N. W.  
Washington, D. C. 20001**

**PWBuchen:ed**

