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*Justice
Referrals*

November 7, 1974

MEMORANDUM FOR

**Bob McDermott
Executive Assistant to the
Deputy Attorney General**

I have enclosed correspondence from Congressman Fisher and from former Congressman Gossett. Bob, you will note that former Congressman Gossett has a suggestion or two concerning cutting federal spending. We have been asked to prepare a reply for the President's signature, and I would appreciate Justice's assisting us in that effort.

**Jay T. French
Assistant Counsel**

JFrench



THE WHITE HOUSE OFFICE

REFERRAL

To: Bob McDermott
Executive Assistant to the
Deputy Attorney General
~~Department of Justice~~
Washington, D. C. 20530

Date: Nov. 7, 1974

ACTION REQUESTED

- Draft reply for:
- President's signature.
- Undersigned's signature.
- Memorandum for use as enclosure to reply.
- Direct reply.
- Furnish information copy.
- Suitable acknowledgment or other appropriate handling.
- Furnish copy of reply, if any.
- For your information.
- For comment.

NOTE

Prompt action is essential.

If more than 72 hours' delay is encountered, please telephone the undersigned immediately, Code 1450.

Basic correspondence should be returned when draft reply, memorandum, or comment is requested.

REMARKS:

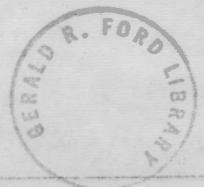
Description:

Letter: _____ Telegram: _____ Other: _____

To: The President
From: Congressman O. C. Fisher (& Judge Gossett)
Date: Oct 16, 1974
Subject: federal spending

By direction of the President:

Jay T. French
Assistant Counsel



October 24, 1974

Dear Clark:

This is just a note to acknowledge receipt of your letter with which you forwarded former Congressman Ed Gossett's letter to the President. I will be pleased to personally give this to the President.

With best regards,

Sincerely,

William E. Timmons
Assistant to the President

The Honorable O. C. Fisher
House of Representatives
Washington, D. C. 20515

✓cc: w/incoming to Phil Buchen for DRAFT REPLY/ the
President's signature.

WET:EF:VO:vo



O. C. FISHER
21st DISTRICT, TEXAS

WASHINGTON OFFICE:
2407 RAYBURN BUILDING 20515
TEL. AC 202, 225-4236

SAN ANGELO OFFICE:
FEDERAL BUILDING 76901
TEL. AC 915, 653-3971

SAN ANTONIO OFFICE:
DAVIS PARK WEST BUILDING 78205
711 NAVARRO, SUITE 717
TEL. AC 512, 225-1111, EXT. 4787

COMMITTEE:
ARMED SERVICES

CHAIRMAN, SUBCOMMITTEE ON
RESERVES, NATIONAL GUARD,
ROTC, PERSONNEL

SPECIAL SUBCOMMITTEE ON
INTELLIGENCE

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

October 16, 1974

OCT 17 1974

Mr. William Timmons
The White House
Washington, D. C.

Dear Bill:

Recently, I received a letter from Judge Ed Gossett of Dallas in which he enclosed a letter addressed to Mr. Ford. I enclose a copy of Ed's letter and also the copy of his message to the President, to which I refer.

You will note that Ed, who served with the President in the House, requested that I "hand deliver" his message to the President, or see that such is done.

I would hope that you will be able to deliver on Ed's request.

With my best regards, I remain

Sincerely,



O. C. Fisher



ED GOSSETT
JUDGE CRIMINAL DISTRICT COURT FIVE
DALLAS, TEXAS 75202

October 9, 1974

AREA CODE (214) 749-8471

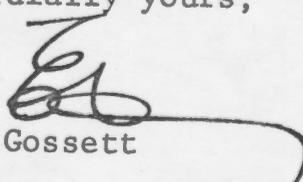
Hon. O.C. Fisher
House of Representatives
Washington, D.C.

My Dear Clark:

I have written a letter to Jerry Ford,
a copy of which is attached hereto. I
want you to please hand deliver this to
him or see that such is done. Otherwise
he will never see it.

Thanks a million

Cordially yours,


Ed Gossett



ED GOSSETT

JUDGE CRIMINAL DISTRICT COURT FIVE

DALLAS, TEXAS 75202

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



ED GOSSETT
JUDGE CRIMINAL DISTRICT COURT FIVE
DALLAS, TEXAS 75202

October 9, 1974

AREA CODE (214) 749-8471

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

My Dear Mr. President:

I am sure you will remember me as one of your friends and colleagues in the late 40's. For the last several years I have been Judge of a criminal district court in Dallas County, Texas. I claim to have tried more felony cases than any other judge in America.

I listened to your address last evening. It was excellent.

Let me strongly recommend by way of federal spending economy, that you cut out all of the federal grants to States for law enforcement. This would save at least two billion dollars a year and would help rather than hurt law enforcement. This money has been thrown around all over the lot and does absolutely no good.

Yours very truly,



Ed Gossett



ED GOSSETT
JUDGE CRIMINAL DISTRICT COURT FIVE
DALLAS, TEXAS 75202

October 9, 1974

AREA CODE (214) 749-8471

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

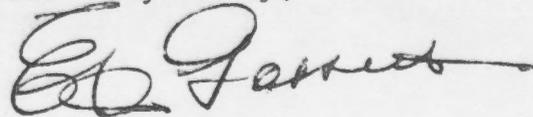
My Dear Mr. President:

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Yours very truly,



Ed Gossett



*Justice Dept.
Referral*

THE WHITE HOUSE
WASHINGTON

November 14, 1974

MEMORANDUM FOR: LARRY SILBERMAN
FROM: PHIL AREEDA *PA*

We have received the enclosed suggestions

Mr. Allen L. Donielson for
Assistant Attorney General, Criminal Division, and

Mr. Theodore R. McKeldin, Jr. for
United States Attorney for Maryland

and pass them along to you.

cc: Bill Walker



BALTIMORE OFFICE

MILTON R. BISHOP
ROBERT L. BISHOP
WILLIAM A. SHILLER
MARK D. COBBIN
RONALD E. FREEMAN
JOHN H. JOHNSON
WILBUR C. JOHNSON
JACOB S. DAVIS
HOWARD B. MILLER
WILLIAM H. HOLDEN, JR.
SHELDON S. SATISKY
THEODORE S. KAPLAN
T. CONWAY MATTHEWS
HERBERT BETTER
JOHN J. SHINGHER, III
JAMES J. HANKS, JR.
ALFRED H. KRECKMAN, JR.
HOWARD LEVINTON
EDWARD J. SMITH, JR.
MAX STUL OPPENHEIMER
JAMES E. CARBINE
LEE I. MILLER
RONALD J. KWOKA
STANFORD D. HESS

THOMAS F. SAUNDERS
WILSON F. BRUNO, JR.
JOHN J. SHINGHER, JR.
JAMES H. LANZetta
DAVID M. GILM
ROGER K. GARDNER
SAMUEL J. MILLER, JR.
EARL E. LEITESS
BARRY D. BERMAN
RICHARD J. KIMMELT
STANLEY J. NEWMAN
FRANK A. DECOFF
LESLIE J. POIT
WILLIAM E. SCHULTZ
THEODORE R. WHELAN, JR.
VERA R. HANSEN
W. TAYLOR BRONK
FRANK S. ASTROTH
JOHN J. WOLFESEN
PERRY PARBE
DENNIS J. DUBOIS
MARTIN B. ELLIS
NORMAN PERRY DEUTSCH
MICHAEL L. FROELICH

TOWSON OFFICE

W. LEO HARRISON
ROBERT H. HERRARD
J. EDWARD DAVIS
ROBERT W. GANNON
JACK N. ZEMEL
JOSEPH M. PARBANKS
CHAMPE C. MCCULLOCH
COOPER C. GRAHAM

LEONARD WEINBERG
1893-1974
HARRY J. GREEN
1903-1964

COUNSEL
GEORGE COCHRAN DOUB
ZANVYL KRIEGER
JACK C. MERRIMAN
J. PAUL SCHMIDT
CHARLES J. STINCHCOMB

LAW OFFICES
WEINBERG AND GREEN

NINETEENTH FLOOR
10 LIGHT STREET
BALTIMORE, MD. 21202
(301) 539-2125

SUITE 601
401 WASHINGTON AVENUE
TOWSON, MD. 21204
(301) 823-1200

November 4, 1974

Hon. Philip W. Buchen
Counsel to the President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D. C. 20500

Dear Mr. Buchen:

As you know, George Beall, United States Attorney for the District of Maryland, has indicated his intention to return to the private practice of law in the near future after completion of certain matters now pending. I write to urge your consideration of Theodore R. McKeldin, Jr. as our next United States Attorney for the District of Maryland.

Ted is an associate of ours here at Weinberg and Green, and I have known Ted since his clerkship in 1963 to Judge Reuben Oppenheimer, who was one of Maryland's most distinguished judges of the Court of Appeals of Maryland. Ted and I also were colleagues as prosecutors in the State's Attorney's Office for Baltimore City in 1965. In addition to this prior experience, Ted served as Assistant City Solicitor for Baltimore City in 1964, and he served as an Assistant United States Attorney for the District of Maryland from 1966-1969. He has been associated with our firm since 1969 in the Litigation Department. Ted is a graduate of the Gilman School, Washington and Lee University, and the University of Maryland School of Law.

All of us in Maryland, and particularly the Maryland Bar, are interested in assuring that the next United States Attorney will not politicize the Office but continue to perform with the



WEINBERG AND GREEN

Hon. Philip W. Buchen
November 4, 1974
Page Two

integrity and the high professional competence of his predecessor. Ted has these qualities and has expressed an interest in the position.

I have no hesitancy in highly recommending Ted for your consideration.

Warm personal regards.

Sincerely,

Frank A. DeCosta

Frank A. DeCosta

107/kb



SUMMARY RESUME
OF
THEODORE R. MCKELDIN, JR.

Address:

Office: Weinberg and Green
10 Light Street, 19th Floor
Baltimore, Maryland 21202
Telephone: 539-2125

Home: 706 St. Georges Road
Baltimore, Maryland 21210
Telephone: 435-4085

Marital Status: Married and father of two children

Education:

Gilman School, Baltimore, Maryland - Graduated 1955

Washington & Lee University, Lexington, Virginia -
Graduated 1959

University of Maryland School of Law, Baltimore, Maryland -
Graduated 1963

Employment:

Law Clerk to Judge Reuben Oppenheimer, Supreme Bench of
Baltimore City - 1963-64

Assistant City Solicitor, Baltimore City - 1964

Assistant State's Attorney, Baltimore City - 1965-66

Assistant United States Attorney, District of Maryland -
1966-69

Associate, Weinberg and Green - 1969 to present

Boards and Organizations:

Member, Charter Revision Commission of Baltimore City

Associate Counsel, Maryland Classified Employees Association,
Inc. - 1970 to present

Member, Board of the Maryland Committee for the Day Care
of Children



WHITFIELD, MUSGRAVE, SELVY, KELLY & EDDY

1400 CENTRAL NATIONAL BANK BUILDING

DES MOINES, IOWA 50309

November 7, 1974

TELEPHONE
283-6041
AREA CODE 515

REFER OUR FILE NUMBER:

ALLEN WHITFIELD
EDGAR MUSGRAVE
WALTER W SELVY
EDWARD J KELLY
JOHN C. EDDY
HARLEY A. WHITFIELD
ROY W. MEADOWS
A. ROGER WITKE
DEAN SUTTON
GARY CATELY
TIMOTHY J. WALKER
DAVID L. PHIPPS
STEN AMIN S. ULLEM
ROBERT M. KREAMER
MERRICK SCOTT RAYLE
JAMES O. BLOMGREN
SHERMAN W. PHIPPS
THOMAS S. REAVELY
E. J. KELLY
FRANK C. GATEWOOD
ROBERT L. FANTER
KERMIT S. SUTTONVIA AIR MAILPhilip W. Buchen, Esquire
Counsel to the President
The White House
Washington, D.C. 20506

Dear Mr. Buchen:

News of Mr. Petersen's resignation as Assistant Attorney General (Criminal Division) reached Iowa Tuesday, November 5. Knowing of the desire of the Administration to attract skilled personnel to high-level, sensitive positions, I wish briefly to highlight for you the background and qualifications of Mr. Allen L. Donielson for consideration as the successor to Mr. Petersen.

Mr. Donielson presently is United States Attorney for the Southern District of Iowa, a post in which he has served since January 20, 1969. During his five-year tenure as United States Attorney, Mr. Donielson has earned the reputation as a skilled trial lawyer and brought distinction to his office. He personally has tried in excess of sixty cases, winning all but five. His office has been before the United States Court of Appeals for the Eighth Judicial Circuit on some sixty occasions, prevailing in all but three cases. Mr. Donielson prepared first-hand nearly all of those appellate cases, and he argued forty. You should know, too, that Mr. Donielson's staff successfully pioneered use of the Omnibus hearing device, an accomplishment not shared by many of his colleagues.



Philip W. Buchen
Page Two

Quite apart from his trial and appellate skills, Mr. Donielson has earned the reputation as an able administrator. As an example, Mr. Donielson's office has developed an effective method of monitoring caseload responsibilities so as to assure prompt and speedy criminal trials. Inasmuch as our district is possessed of the third highest days-in-court ratio, that accomplishment has earned the respect and praise of the federal bench and bar. Furthermore, Mr. Donielson twice has received special commendation and achievement awards presented by the Department of Justice.

Mr. Donielson strikes me as the very type of lawyer who could serve the Administration well.

Sincerely yours,

Merrick Scott Rayle

MSR/bz



*Sieg, Anna
William*

November 18, 1974

MEMORANDUM FOR

**Lawrence M. Traylor
Pardon Attorney
Department of Justice**

**I would appreciate it if you would follow up on this telegram,
from Mrs. Anna William Sieg, and determine whether Mrs. Sieg
would like to file an application for Pardon.**

**Jay T. French
Assistant Counsel**

JFrench



THE WHITE HOUSE

WASHINGTON

: 466

Eva -

The letter was
sent out before
Mr. Bucher ~~went~~
on leave for Christmas.

OK.

Frank -

Daten



THE WHITE HOUSE
WASHINGTON

Jay:

Inasmuch as
Immigration &
Naturalization is
under Justice, I
believe the referral
should be to Silberman.

T.



Justice Dept

December 27, 1974

MEMORANDUM FOR

**Honorable Laurence Silberman
Deputy Attorney General**

I have acknowledged receipt of the enclosed petition. It is referred to your office for any further action which you deem appropriate.

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

Enclosure



December 16, 1974

Gentlemen:

On behalf of the President, I would like to acknowledge receipt of your petition expressing concern about the manner in which Immigration and Naturalization Service enforces the immigration laws along the Mexican border.

I am taking the liberty of forwarding your petition to the appropriate authorities in order that your views may be thoroughly reviewed and considered.

Sincerely,

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

**Merchants of El Paso
Post Office Box 18759
El Paso, Texas 79997**



Justice

THE WHITE HOUSE

WASHINGTON

February 6, 1975

MEMORANDUM FOR

The Honorable Laurence H. Silberman
Acting Attorney General

The attached is referred to you for appropriate handling.

Thank you.

P.W.B.

Philip W. Buchen
Counsel to the President

Enclosure

JF:pk for PWB
referral:

copy of case filed - U.S. D.C. for the Dist. of Mass.
Re several plaintiffs v. several defendants -- re seeking a preliminary
and permanent ~~ix~~ injunction restraining defendants from carrying on
military and paramilitary activities in, over, off the shores of and
respecting Cambodia and from furnishing advice, support, training and
intelligence to the military forces of the Lon Nol regime, on the grounds
that such activities are in violation of the mandate of Congress, the
Constitution of the U.S., the Paris Peace Treaty and other provisions
~~of~~ of domestic and international law. Plaintiffs also seek appropriate
declaratory relief.



Justice

THE WHITE HOUSE
WASHINGTON

February 11, 1975

Dear John:

Thank you very much for your letter of February 5 concerning Mr. Allen Donielson.

I have passed on a copy of your letter to Attorney General Levi so that he may have the full benefit of your recommendation.

With best wishes.

Sincerely,

Philip W. Buchen
Counsel to the President

Mr. John C. McDonald
Republican State Chairman
Republican State Central
Committee of Iowa
1540 High Street
Des Moines, Iowa 50309

THE WHITE HOUSE

WASHINGTON

February 11, 1975

MEMORANDUM FOR:

EDWARD LEVI
ATTORNEY GENERAL

FROM:

PHILIP BUCHEN *P.W.B.*
COUNSEL TO THE PRESIDENT

SUBJECT:

Allen L. Donielson

Attached is a copy of a letter recommending Allen L. Donielson for the position of Assistant Attorney General of the Criminal Division. Although the writer appears to know me, I cannot evaluate how reliable he might be in his recommendation.

Attachment





REPUBLICAN STATE CENTRAL COMMITTEE OF IOWA

1540 High Street / Des Moines, Iowa 50309 / (515) 282-8105

JOHN C. McDONALD, Chairman

February 5, 1975

Mr. Philip Buchen
General Counsel
The White House
Washington, D.C. 20500

Dear Phil:

I am writing in support of Allen L. Donielson of West Des Moines, Iowa, for the position of Assistant Attorney General for the Criminal Division of the U. S. Justice Department. This is the position being vacated by Henry Peterson.

Mr. Donielson has served as United States Attorney for the Southern District of Iowa since January 20, 1969. He has compiled an outstanding record these past six years, as would be reflected in the files of the Justice Department.

Mr. Donielson has been an active U. S. Attorney; he spends many of his working days in court. His office was designated "Special Prosecutor of non-leadership Wounded Knee" and handled 86 cases.

He has received several awards and citations from the Attorney General and the Justice Department. In 1974 he served as Vice President of the National Federal Bar Association.

I would appreciate anything you could do to assist Mr. Donielson in securing this important position. As a lawyer, I recommend him very highly, as I know he would be a tremendous asset to his country.

Sincerely,

JOHN C. McDONALD
Republican State Chairman



JCM/bh

THE WHITE HOUSE
WASHINGTON

2/13/75

Refer this to Leon Ulman
at Justice - by phone call to him,
giving him Ulman's number.
D.C.

202-739-2051

Eva,

2/13

I referred M Bennett
to Justice.

Nancy



Refer to Dudley Chapman

Justice Dept.

Tuesday 2/11/75

11:20 John Bennett called from Charlotte, N. C.

(704) 377-1086

He indicates that on the record of the Supreme Court right now there is a question about Article 3 of the Constitution and the 10th amendment.

He said he expects they will put it on the official hearing docket whether or not regulation of law practice belongs under Article 3 or the 10th amendment. On that subject he has written a January 4 letter probably in Correspondence somewhere outling the details of this.

It is a broad subject and very important. In order to get permission to bring this before the Supreme Court officially, he said he has had to take a lot of punishment.

He said that for the last 200 years all lawyers in practice are regulated at ~~the~~ state level. According to his position, he has arrived at after a long punishment which has been very debilitating -- question arises which will be presented to the Supreme Court in the regular course of business whether or not the Supreme Court should take jurisdiction over law practice under article 3. Law practice has been regulated by the American Bar Association, which is a private concern -- not official. W/ Question whether any court in the United States can tell the bar association that you're practicing law illegally. That question has not been brought up -- they assume that the Constitutional Convention intended the law practice to be at the state level. According to the Articles of Confederation was to centralize control over law. Otherwise the union wouldn't have any power. You're getting into position that I can present this position to the Supreme Court. Said he has had to undergo 25 years of a criminal trial, which you might say is the longest on record. Whole generation of lawyers has gone by and the bar association at the national level and state level consider him their mortal enemy because they want to keep it at the state level.



He said the Chief Justice has expressed himself that it ought to be at the national level and should be on the order of the English standard. Mr. Bennett indicates he has the case that will give the Chief Justice what will be needed. He said in taking the punishment, he's had a "hell of a licking."

Would like to talk with someone about this.



THE WHITE HOUSE
WASHINGTON

Justice

February 12, 1975

MEMORANDUM FOR: LAURENCE H. SILBERMAN

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

SUBJECT: James R. Hoffa

On December 3 you sent the attached document to me. Inasmuch as there has been no further development in this matter after that date, I am returning the entire file to you.

Attachment



OFFICE OF THE
DEPUTY ATTORNEY GENERAL



December 3, 1974

TO: Philip Buchen

FROM: Laurence H. Silberman

This is the matter I discussed with you and I believe you should look at the attached documents. You can send them back to me, if you wish, when you are through with them.



UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : The Deputy Attorney General

DATE:

29 NOV 1974

HEP
FROM : Henry E. Petersen
Assistant Attorney General
Criminal Division

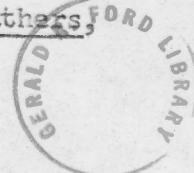
HEP:PW:DJS:emc
156-71-50

SUBJECT: JAMES R. HOFFA

On December 23, 1971, President Nixon signed a master warrant for an "Executive Grant of Clemency" which included the following grant of clemency for Mr. Hoffa:

. . . and the sentence of James R. Hoffa, also known as James Riddle Hoffa, is hereby commuted to six and one-half years' imprisonment upon the condition that the said James R. Hoffa not engage in the direct or indirect management of any labor organization until March sixth, 1980, and if the aforesaid condition is not fulfilled this commutation will be null and void in its entirety and the said James R. Hoffa shall be recommitted under the original judgments of conviction to a penal institution designated by the Attorney General and remain until the consecutive sentences of eight years' imprisonment imposed in the Eastern District of Tennessee on March twelfth, 1964 and the five years' imprisonment imposed in the Northern District of Illinois on July fourteenth, 1969, which consecutive sentences total thirteen years' imprisonment, shall have been served by him in accordance with law or until he is otherwise released in accordance with law.

Cases involving the exercise of the power to pardon by the President have almost uniformly upheld the executive's power to commute as part of the power to pardon. See, Ex parte Wells, 59 U.S. 316 (1856); United States v. Wilson, 32 U.S. 150 (1833); Burdick v. United States, 236 U.S. 79 (1914); Biddle v. Perovich, 274 U.S. 480 (1927). In all these cases the Supreme Court ruled that commutation is a necessary adjunct of the pardoning power. The federal courts have also held that the power to grant a commutation includes the power to grant a conditional commutation. See, Ex parte Weathers,



33 F.2d 294 (S.D.Fla. 1929); Lupo v. Zerbst, 92 F.2d 362 (5th Cir. 1937); Stroud v. Johnston, 139 F.2d 171 (9th Cir. 1943), cert. denied, 321 U.S. 796 (1943).

While numerous conditional commutations have been granted by Presidents, none has been found which prohibited an individual from holding union office during the period of his sentence. However, in 1953, the legislature of the State of New York enacted legislation which, in effect, disqualified any convicted felon from holding office in a waterfront labor organization. The legislation was challenged in the Supreme Court of the United States in DeVeau v. Braisted, 363 U.S. 144 (1960). This litigation raised most of the same constitutional issues put forth by Mr. Hoffa in his current lawsuit challenging his commutation, Hoffa v. Saxbe, D.C.D.C., Civ. No. 74-424, decided July 19, 1974. The Supreme Court upheld the constitutionality of the New York regulation and the District Court relied heavily on this decision in denying Mr. Hoffa's attempt to have the conditions of his commutation set aside. Hoffa v. Saxbe, supra at 29-33. (The District Court's exhaustive opinion is attached). Thus, the imposition of conditions which are not illegal, immoral or unconstitutional have uniformly been upheld by the courts, and Mr. Hoffa's commutation has been found to be legal and binding by the United States District Court for the District of Columbia.

Methods for Retaking

In the event Mr. Hoffa takes any action which is construed to be within the term "engage in direct or indirect management of any labor organization," it will be necessary to retake and recommit him.

There have been very few cases involving the retaking of persons who have violated Presidential commutations. In those few cases involving the retaking of an individual, the original commutation has contained a provision explicitly reserving a power in the President to direct the arrest of the commuttee. Lupo v. Zerbst, supra; Ex parte Weathers, supra. In only one case has a commuttee been retaken where the commutation did not provide explicit directions for his apprehension. Vitale v. Hunter, 206 F.2d 826 (10th Cir. 1953).

In all cases the commuttee has been arrested under the authority of a warrant issued by the President directed to the United



States Marshal and the warden of the penitentiary at which the committee had served his prison term, commanding the arrest of the committee and his return to the penitentiary to serve the remainder of his sentence. Based upon the above case precedent, attached are two draft warrants for the retaking of Mr. Hoffa. You will note that one draft consists of only one document issued by the President and signed by him and attested to by the Attorney General. The second draft consists of a letter from the President to the Attorney General reciting that Mr. Hoffa has broken the conditions of his commutation and directing the Attorney General to retake Mr. Hoffa. The Attorney General then issues the warrant for Hoffa's arrest reciting that it is done at the direction of the President.

Of the two methods suggested for the retaking of Mr. Hoffa, only the direct Presidential warrant has case precedent. However, we believe the second method, the letter from the President to the Attorney General, to be the more appropriate in Mr. Hoffa's case. In Mr. Hoffa's civil suit, the President was originally named as a party defendant, but was dismissed on the Government's representation that he was not an essential party because any order of the court directed to the Attorney General concerning Mr. Hoffa's status would be binding on the Government. It is submitted the Attorney General should appear as a moving party in the retaking of Mr. Hoffa in order that we maintain a consistent position.

Attachments



Justice

THE WHITE HOUSE
WASHINGTON

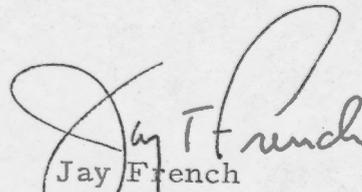
February 19, 1975

MEMORANDUM FOR

Office of the Attorney General of the United States
Department of Justice

Would you please provide this office with a draft reply to
Mr. Matheny's inquiry concerning the referenced litigation.

Thank you.


Jay French
Assistant Counsel

Enclosure



February 21, 1975

To: Patsy

From: Eva

I have sorted out the papers concerning Richard C. Collins and am returning the copies you sent.

I think the only thing you do not have in your set is the September 4 letter from Collins. You may want to xerox a copy before returning the file to Central Files.

As you will see, I have sent a complete set to Carla Hills' office at Justice.



Justice

February 21, 1975

To: Beverly Posey
Secretary to Carla Hills
Department of Justice

From: Eva Daughtrey

As you requested, we are enclosing a
xerox set of the papers on Richard C. Collins.



THE WHITE HOUSE
WASHINGTON

March 18, 1975

MEMORANDUM TO: ATTORNEY GENERAL
FROM: PHILIP W. BUCHEN *P.W.B.*
SUBJECT: ATTACHED CORRESPONDENCE
CONCERNING RUN AWAY
CHILDREN

The attached letter from Mrs. Marthers has been acknowledged by me. It is referred to you for your information and review. If there is any guidance which you can give to this correspondent I am certain it would be appreciated.

Thank you.

Justice Dept.
10



THE WHITE HOUSE

WASHINGTON

March 18, 1975

Dear Mrs. Marthers:

Thank you for your letter of March 14, 1975, to the President concerning your son Wendell, who has been missing since December, 1973.

In order that you may be properly advised of all Federal resources that are available to assist you in locating your son, I am referring your letter to the Department of Justice for further consideration. Please be assured that the President shares your concern for this problem.

With appreciation,

Sincerely,

Philip W. Buchen
Counsel to the President

Mrs. Charles Marthers
R.D. 1, Box 151
Orrtanna, Pennsylvania 17353



ITEM WITHDRAWAL SHEET
WITHDRAWAL ID 01272

Collection/Series/Folder ID : 001900275
Reason for Withdrawal : DR, Donor restriction
Type of Material : MEM, Memo(s)
Creator's Name : Buchen, Philip
Receiver's Name : Levi, Edward
Description : Recommendations for denial of executive clemency.
Creation Date : 03/19/1975
Date Withdrawn : 06/24/1988

THE WHITE HOUSE
WASHINGTON

April 2, 1975

Dear Mrs. Wells:

On behalf of the President, I would like to acknowledge receipt of your letter of March 21, concerning your sister, Elizabeth Anne Norton.

Mr. Nessen indicated, as you have correctly recalled in your letter, that an administrative inquiry is being made into this incident by the Department of Justice. Further, any wrongdoing revealed by that investigation will be reported to the President.

I am taking the liberty of forwarding your letter to the Department of Justice in order to alert the appropriate officials of your interest in this case.

Thank you very much for your kind expressions of support and encouragement for President Ford.

Sincerely,

Philip W. Buchen

Philip W. Buchen
Counsel to the President

Mrs. Kenneth R. Wells
Route 3, Irongate
Fayetteville, North Carolina 28306



Justice

ITEM WITHDRAWAL SHEET
WITHDRAWAL ID 01273

Collection/Series/Folder ID : 001900275
Reason for Withdrawal : DR, Donor restriction
Type of Material : MEM, Memo(s)
Creator's Name : Buchen, Philip
Receiver's Name : Levi, Edward
Description : Personal matter concerning Donald
Austin.
Creation Date : 04/02/1975
Date Withdrawn : 06/24/1988

THE WHITE HOUSE

WASHINGTON
April 22, 1975

Justice

MEMORANDUM FOR:

THE HONORABLE EDWARD H. LEVI
ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

The attached correspondence has been acknowledged
and is referred to your office for appropriate handling.

P.W.B.

PHILIP W. BUCHEN
COUNSEL TO THE PRESIDENT



THE WHITE HOUSE

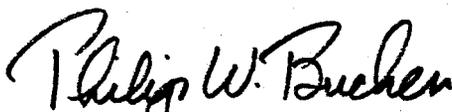
WASHINGTON
April 22, 1975

Dear Mr. Peed:

On behalf of the President I would like to acknowledge your letter of April 15, and the accompanying resolution of the Orange County Bar Association concerning the workload of Federal judges in the Middle District of Florida.

You may be assured that the President appreciates learning of this resolution and of the Association's interest in finding solutions to this problem. I am taking the liberty of forwarding your letter and the resolution to the Department of Justice for its further consideration.

Sincerely,



Philip W. Buchen
Counsel to the President

Fred M. Peed, President
Orange County Bar Association
55 East Washington
Orlando, Florida 32801



THE WHITE HOUSE

WASHINGTON

April 23, 1975

Justice

Dear Doctor Mooring:

By this letter, I acknowledge receipt of your telegram to the President concerning the cases of Doctor E. J. Nossner and Doctor B. D. Mooring.

Your inquiry indicates that this is a State matter and that it does not involve a Federal question. However, I will refer your inquiry to the Department of Justice for its review and for its determination of whether any Federal law was violated.

Sincerely,

Philip W. Buchen

Philip W. Buchen

Counsel to the President

Dr. Frank Mooring
P. O. Box 654
Luling, Louisiana 70070



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23
JUSTICE
J.F. 1

White House
Washington

1975 APR 9 PM 3 42

WHITE HOUSE
MAIL ROOM

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975 APR 9 AM 11 3A

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5847846626 TDBN LULING LA 65 04-09 1024A EST

PMS PRESIDENT GERALD FORD

WHITE HOUSE DC

DEAR SIR THIS IS TO ADVISE YOU THAT DRS B D MOORING AND E J NOSSER,
TWO LICENSED DOCTORS OF CHIROPRACTIC ARE IN JAIL IN SHREVEPORT
LOUSIANA. THIS IS AN OUTRAGEDOUS EXAMPLE OF THE VENGEANCE OF
POLITICAL MEDICINE THE ISSUE IS MOOT. WONT YOU PLEASE USE THE POWERS
OF YOUR OFFICE TO GRANT THEM IMMEDIATE RELEASE.

DR FRANK MOORING WENDELL SMITH ELLEN SAMAHA DON SAMAHA ALINE
GASSEN NANCY SMITH
NNNN



Justice

THE WHITE HOUSE
WASHINGTON
April 23, 1975

Dear Mrs. Mooring:

By this letter, I acknowledge receipt of your telegram to the President concerning the cases of Doctor E. J. Nossor and Doctor B. D. Mooring.

Your inquiry indicates that this is a State matter and that it does not involve a Federal question. However, I will refer your inquiry to the Department of Justice for its review and for its determination of whether any Federal law was violated.

Sincerely,

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

Mrs. B. D. Mooring Jr.
1348 Kings Highway
Shreveport, Louisiana 71103



ICS IPMBNGZ CSP
SUSPECTED DUPLICATE

Western Union **WORLDWIDE** U.S. MAIL

3184246671 MGM TDBN SHREVEPORT LA 112 04-09 0016A EST
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THIS MESSAGE WAS TRANSMITTED ELECTRICALLY BY WESTERN UNION POST OFFICE SAULT MONTELEONE LA

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J.F. 1

PRESIDENT GERALD FORD
WHITE HOUSE
WASHINGTON DC 20510

I RESPECTFULLY BEG YOU TO PARDON MY HUSBAND, DR. B. D. MOORING, WHO WAS SENTENCED TODAY TO 30 DAYS IN JAIL BY JUDGE JOHN FANT. THE SENTENCE WAS FOR CONTEMPT OF COURT FROM AN OLD CHARGE BEGUN IN 1955 OF PRACTICING MEDICINE WITHOUT A LICENSE. MY HUSBAND IS A CHIROPRACTOR AND HOLDS A LICENSE IN OKLAHOMA AND WAS LICENSED IN LOUISIANA AUGUST 1974. TODAY HE IS IN JAIL FOR PRACTICING HIS PROFESSION. IT IS UNBELIEVABLE THAT JUDGE FANT COULD IMPOSE SUCH A SENTENCE NOW THAT WE ARE LICENSED. PLEASE INTERVENE FOR ME, RESPECTFULLY

MRS. B. D. MOORING JR.
1348 KINGSHIGHWAY
SHREVEPORT LA 71103

00:18 EST
MGMWSHT HSB



why?

why?

THE WHITE HOUSE

WASHINGTON

April 23, 1975

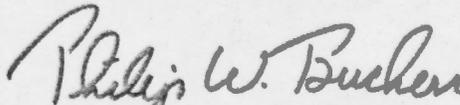
Justice

Dear Mr. and Mrs. Nossier:

By this letter, I acknowledge receipt of your telegram to the President concerning the cases of Doctor E. J. Nossier and Doctor B. D. Mooring.

Your inquiry indicates that this is a State matter and that it does not involve a Federal question. However, I will refer your inquiry to the Department of Justice for its review and for its determination of whether any Federal law was violated.

Sincerely,



Philip W. Buchen

Counsel to the President

Mr. and Mrs. J. M. Nossier
1008 Markham
Vicksburg, Mississippi 39180



MGMWSHT HSB

2-000934E099 04/09/75

ICS IPMNCZ CSP

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ZIP

western union Mailgram



THIS MAILGRAM WAS TRANSMITTED ELECTRONICALLY. ASSISTANCE TO A POST OFFICE NEAR YOU FOR DELIVERY

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PRESIDENT GERALD FORD
WHITE HOUSE
WASHINGTON DC 20500

gf1

I STRONGLY OBJECT TO THE SENTENCING OF CHIROPRACTIC DOCTORS E J NOSSEF AND D J MORRING BY JUDGE JOHN FANT IN SHREVEPORT LOUISIANA FOR ALLEGED OFFENSES AGAINST THE AMERICAN MEDICAL ASSOCIATION. CHIROPRACTIC HAS BEEN LEGALIZED BY LOUISIANA PARTLY BECAUSE IT'S CITIZENS DEMANDED THE PRIVILEGE OF CHOOSING CHIROPRACTIC CARE AND PARTLY BECAUSE MEDICARE NOW PAYS FOR CHIROPRACTIC TREATMENT. THESE TWO GENTLEMEN ARE BEING HELD IN THE CADDO PARISH JAIL FOR SOMETHING THAT IS NO LONGER A CRIME. THIS IN ITSELF IS A CRIME AGAINST OUR INTELLIGENCE. WHATEVER YOU CAN DO TO SECURE THEIR PARDON OR RELEASE WILL BE GREATLY APPRECIATED.

MR J M NOSSEF VICKSBURG MS

01:04 EST

MGMWSHT HSB



THE WHITE HOUSE

WASHINGTON
April 23, 1975

Justice

Dear Mrs. Nossier:

By this letter, I acknowledge receipt of your telegram to the President concerning the cases of Doctor E. J. Nossier and Doctor B. D. Mooring.

Your inquiry indicates that this is a State matter and that it does not involve a Federal question. However, I will refer your inquiry to the Department of Justice for its review and for its determination of whether any Federal law was violated.

Sincerely,

Philip W. Buchen

Philip W. Buchen
Counsel to the President

Mrs. E. J. Nossier
102 East Herndon
Shreveport, Louisiana 71101



MGMWSHT HSB
2-000888E099 04/09/75
ICS IPMBNGZ CSP
3184255782 MGM TDBN SHREVEPORT LA 100 04-09 0101A EST
ZIP

western union Mailgram



THIS MAILGRAM WAS TRANSMITTED ELECTRONICALLY BY WESTERN UNION TO A POST OFFICE NEAR YOUR DESTINATION

27

JFI
PRESIDENT GERALD R FORD
WHITE HOUSE
WASHINGTON DC 20500

DEAR PRESIDENT FORD:

I URGENTLY REQUEST YOUR ATTENTION TO THE MOST UNJUSTIFIED JUDICIAL TREATMENT OF MY HUSBAND DR E J NOSSER CHIROPRACTOR. TODAY HE WAS ORDERED TO SERVE A 15 DAY JAIL SENTENCE PLUS PAY A \$500 FINE BY JUDGE JOHN FANT IN THE CADDO PARISH DISTRICT COURT FOR CONTEMPT OF COURT STEMING FROM A PREVIOUS CHARGE OF PRACTICING MEDICINE WITHOUT A LICENSE. IN THE FIRST PLACE THE INITIAL CHARGE WAS LUDICRUS. A PRODUCT OF OUR OUTDATED LAWS IN LOUISIANA. SECONDLY LAST SUMMER OUR LEGISLATURE PASSED INTO LAW A BILL FINALLY LICENSING CHIROPRACTORS LIKE THE OTHER FORTY NINE STATES BUT TODAY JUDGE FANT FOUND IT NECESSARY FOR WHAT EVER REASON TO JAIL MY HUSBAND AND DR B D MOORING. THIS IS TRULY TRAVESTY AGAINST TWO DECENT AND HONORABLE MEN WHO ARE ONLY GUILTY OF PRACTICING THEIR LEGAL AND HUMANE PROFESSION MY THREE CHILDREN AND I RESPECTFULLY BEG YOUR CONSIDERATION IN THIS MATTER AND WOULD SO APPRECIATE YOUR HELP IN ANY WAY POSSIBLE SINCERELY.

GLORIA M NOSSER (MRS E J) 102 EAST HERNDON SHREVEPORT LOUISIANA 71101

01:02 EST

MGMWSHT HSB



unfiled

THE WHITE HOUSE

WASHINGTON

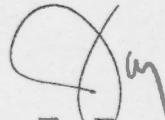
April 25, 1975

Justice

MEMORANDUM FOR:

Mr. Lawrence M. Traylor
Pardon Attorney
Department of Justice

Attached is a letter concerning the case of E. Howard Hunt which is referred for your appropriate handling. Mrs. North's letter has been acknowledged by Mr. Buchen.



Jay T. French
Assistant Counsel



THE WHITE HOUSE

WASHINGTON

April 25, 1975

Justice

Dear Mrs. North:

By this letter, I acknowledge receipt of your correspondence of April 11, 1975, concerning the case of E. Howard Hunt.

Executive clemency is only considered upon formal application by one who has been convicted of violating a Federal law. The U. S. Pardon Attorney informs me that Mr. Hunt has not filed an application for clemency. I am taking the liberty of forwarding your letter to the Pardon Attorney's office so that it may be placed with Mr. Hunt's file in the event an application is received.

Sincerely,

Philip W. Buchen

Philip W. Buchen
Counsel to the President

Mrs. Robert Guilford North
G.P.O. Box 869
Bangkok, Thailand



Justice

John C. Bennett

April 26, 1975

To: Dudley Chapman

From: Eva

Attached are copies of previous exchanges of telephone calls from John C. Bennett.

His most recent call suggested this new route by which to accomplish his purpose -- so I suggested he write a letter and we could see to whom we should refer his information.



JOHN C. BENNETT
CERTIFIED PUBLIC ACCOUNTANT

TELEPHONE: 377-1086

Justice Dept
John Bennett
2245 CHAMWOOD DRIVE
P. O. BOX 9082
CHARLOTTE, NORTH CAROLINA 28205
acked

April 24, 1975 *Jellman*

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

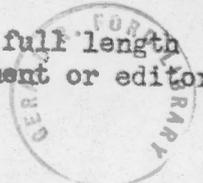
Dear Sir: Referring to our recent exchange of calls and correspondence:

The decision of the Justice Department that they have a conflict in their duties in trying to do justice in this case, confirms my belief that relief lies in the Executive Department exclusively.

I believe it would be in the government's interest and the public interest to make a grant through the National Science Foundation or some other similar agency to finance an independent report on this case. By independent report, I mean a report along the standards required of corporation financial report by the S. E. C. , ~~withing out~~ outlining without prejudice the position of the profession of law practice in this country's operation. In 1933 Congress realized that in order to get the public to support business by mass investment in private enterprise, it would be necessary to rely on the accounting profession to simply tell the truth about the financial positions of big companies, and let the public weigh this information and invest according to their judgment. The result was a sensational success--the economic history of the United States since 1933 has been a portrayal of what can be achieved by mass public support of legitimate business--from ~~widows~~ widows and orphans to amateur speculators to organized big business in making investments. The key to this success has been independent reports by C.P.A.'s laying the cards on the table.

What I propose to do is roughly the same thing in law and justice that was achieved in business and financial ~~circles~~ circles. ~~after the fact~~
I will mention one specific example which is typical of the case: The Supreme Court has leaned over backward to guarantee due process of law to a bootlegger (Lipke vs. Lederer 259-US-557), ~~yet~~ while leaning the other way to rule that the need for public revenue justifies suspension of due process in numerous cases concerning ~~the~~ Sect. 7421(a). Actually 7421(a) is unconstitutional prima facie. This country has a tradition for maintaining due process come hell or high water (see Milligan and Merryman during Civil War). A very important point to make in this respect, that suspension of due process to make revenue collection more efficient has exactly the opposite effect, because it gives the legal profession a foothold to obstruct revenue collection which would otherwise be made through simple due process of law. That is the main lesson from my case. On this one point, there are literally billions of dollars in public revenue at stake every year. Courthouses all over the country ~~are~~ are loaded with tax liens that have never been collected, but which could be collected, if the Internal Revenue would proceed with due process of law.

I propose simply that I be awarded a grant of \$50,000 to prepare a full length independent auditor's type report along S.E.C. lines without sentiment or editorial comments about law practice and the effect on government.



JOHN C. BENNETT
CERTIFIED PUBLIC ACCOUNTANT

2245 CHAMBWOOD DRIVE
P. O. BOX 9082
CHARLOTTE, NORTH CAROLINA 28205

Page 2

It would be more or less a continuation of the The Federalist, which as you know was the combined work of John Jay, James Madison, and Alexander Hamilton.

Those gentlemen did a good job of selling the constitution to the public in 1787, but they stopped short when they had gotten what they ~~want~~ wanted--ratification of the constitution. What has long been needed is a report of how it worked after it was put into operation.

This report would be addressed to whatever agency is determined to have jurisdiction, and would be ~~privileged~~ privileged, subject to judgment of the executive officer.

The subject is so broad and comprehensive ~~that~~ ^{WITHOUT} going into details. I will take up some space at this point to say that it would grossly unfair to single out any one prospective ~~attorney~~ attorney for me. The other lawyers would hound him to death so he could not practice law at all. I have to be careful not to be seen visiting any lawyer's office to spare the lawyer this ordeal; no matter what the nature of my visit is, other lawyers conclude that the lawyer I visit or talk to in public is taking my case, and the lawyer is hounded with questions for days afterward.

The key issue now before the Supreme Court, I believe, is that ~~throughout~~ the case generates questions of propriety in bar and court communications, about which lawyers and judges have a mutual interest and should be ~~discouraged~~ encouraged to communicate, they should also communicate with the principal--me, and that is what the courts have neglected to do.

The Supreme Court will act on ~~it~~ this issue one way ~~or~~ the other on what is now before them, and the result cannot be predicted at this time--they may ~~wait~~ ^{wait} until they get a better case.

All I did was to make recommendations to my ~~own~~ clients to observe the letter of the law, which ~~principles~~ clashed with bar principles which lawyers honestly and sincerely believe in, and therein lies the present state of affairs.

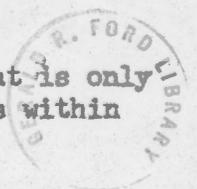
I believe it will be in the public interest ~~is~~ for the government to support a factual ~~and~~ report on the principles involved--there is never any excuse to suspend due process, and it is more profitable for the taxpayers to maintain due process come hell or high water.

It would not be incorrect to say that I am prejudiced. However, I am still a C.P.A. dedicated to reporting the facts. You might say that I am like the Irish in World War II--(and the U.S.Navy in 1940)--I am neutral on the side of due process.

I mention a grant under the National ~~Science~~ Science Foundation--that is only one possibility. There are undoubtedly other ~~possibilities~~ possibilities within your jurisdiction.

I appreciate your consideration.

Sincerely,
John C. Bennett
John C. Bennett



Thursday 3/13/75

4:20 John Bennett called.

I suggested he talk with Dudley Chapman; checked with Chapman and he said it was a matter for the Justice Dept.

Mr. Bennett said he had talked at length with Mark Grunwald in Justice.

He said he could sum up on a page what he felt should be done. I suggested he do that and send it to Leon Ulman at Justice, and send a copy to Mr. Buchen.

He plans to do that.



Bennett,
John

THE WHITE HOUSE
WASHINGTON

2/13/75

Refer this to Leon Ulman
at Justice - by phone call to him,
giving him Ulman's number.
D.C.

202-739-2051

Eva,

2/13

I referred Mr Bennett
to Justice.

Nancy



sent to Dudley Chapman at suggestion of Mr. Bucher
Bennett
John
Tuesday 2/11/75

11:20 John Bennett called from Charlotte, N. C.

(704) 377-1086

He indicates that on the record of the Supreme Court right now there is a question about Article 3 of the Constitution and the 10th amendment.

He said he expects they will put it on the official hearing docket whether or not regulation of law practice belongs under Article 3 or the 10th amendment. On that subject he has written a January 4 letter probably in Correspondence somewhere outlining the details of this.

It is a broad subject and very important. In order to get permission to bring this before the Supreme Court officially, he said he has had to take a lot of punishment.

He said that for the last 200 years all lawyers in practice are regulated at the state level. According to his position, he has arrived at after a long punishment which has been very debilitating -- question arises which will be presented to the Supreme Court in the regular course of business whether or not the Supreme Court should take jurisdiction over law practice under article 3. Law practice has been regulated by the American Bar Association, which is a private concern -- not official. W/ Question whether any court in the United States can tell the bar association that you're practicing law illegally. That question has not been brought up -- they assume that the Constitutional Convention intended the law practice to be at the state level. According to the Articles of Confederation was to centralize control over law. Otherwise the union wouldn't have any power. You're getting into position that I can present this position to the Supreme Court. Said he has had to undergo 25 years of a criminal trial, which you might say is the longest on record. Whole generation of lawyers has gone by and the bar association at the national level and state level consider him their mortal enemy because they want to keep it at the state level.



He said the Chief Justice has expressed himself that it ought to be at the national level and should be on the order of the English standard. Mr. Bennett indicates he has the case that will give the Chief Justice what will be needed. He said in taking the punishment, he's had a "hell of a licking."

Would like to talk with someone about this.

