

The original documents are located in Box 29, folder “Rockefeller, Nelson - Confirmation Hearings: General (1)” of the John Marsh Files at the Gerald R. Ford Presidential Library.

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ALBANY TIMES UNION - 9/15/66

M

A State trooper dismissed two years ago for insubordination said Wednesday that State Police had used illegal wiretaps "for political advantage" for Governor Rockefeller. He said an investigator in the office of Superintendent Arthur Cornelius had told him the State Police had 126 wiretaps in operation.

The accusation by John H. Donohue of Peekskill came at a press conference in New York City called by Ellenville Democratic Representative Joseph Y. Resnick, who announced he planned to ask for a law making all wiretapping illegal throughout the United States.

"I have information that the State Police of New York have, indeed, been engaged in the illegal tapping of phones," Resnick said. "I am given to understand that even the wires of State Legislators have been tapped."

He said the only way the Federal Government can prevent misuse of wiretapping is to make all taps illegal.

"That way the State Police, or anyone else for that matter, will not be tempted to undertake illicit activities under the guise of legal sanction."

'SLANDER' CHARGED

Superintendent Cornelius characterized the statements as "slander" a "disservice to law enforcement" and charged that the Ellenville Congressman "is more interested in publicity than the truth."



A spokesman for the Governor's Office said that Superintendent Cornelius answered the wiretapping charges more than a month ago by claiming the statements were false. At that time, the wiretap charge concerned Donohue's home telephone.

The spokesman added that any further comments should come from Cornelius.

Resnick also called for an investigation by the House Judiciary Committee into the dismissal and "harrassment" of the trooper and "extensive" illegal wiretapping carried on by the State Police.

EX-TROOPER INTRODUCED

Resnick introduced former state trooper Donohue who he said had been "cashiered, persecuted, and harrassed because he spoke up against an unfair system."

Donohue said an investigator in the State Police Superintendent's office had told him "the State Police had 126 illegal wiretaps to give Governor Rockefeller information for political advantage."

Donohue declined to elaborate on his charges or to name the investigator. He said he would do so only in the Congressional probe called for by Resnick.

Donohue said he was subject to many forms of pressure from the State Police, including having his home phone tapped after he initiated law suits against Superintendent Cornelius charging



an unfair promotion system. He said he was offered deals, threatened, confined to a mental hospital for a day, denied driving privileges and generally harrassed during the four years of litigation on the case.

Following the charges made by Resnick and Donohue at Wednesday's press conference, the superintendent issued a rebuttal characterizing the statements as "slander."

"Congressman Resnick has again charged the New York State Police with the commission of a felony," the superintendent said. "In so doing he has slandered not only myself, but the nearly 2,800 members of the Division who are dedicated to the enforcement of law."

"Mr. Resnick's statement that an illegal wiretap was placed on the home phone of former trooper Donohue by the State Police is a repetition of a false charge he made August 15."

"He was advised at that time by letter that the State Police 'did not tap the telephone of former trooper Donohue either with or without a court order."

"I also urged in the letter, "Superintendent Cornelius continued, "that if he had any evidence in his possession that the New York State Police or any member has violated the law he should promptly turn this over to the appropriate District Attorney and to my office."

"I also pointed out that the effect of his accusation was to undermine public confidence in law enforcement and impede the difficult task of law enforcement."



PUBLICITY NOTED

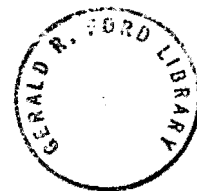
"Mr Resnick at no time has communicated with me or anyone else in authority at State Police Headquarters to ascertain the facts in the matter. I myself conclude that he is more interested in publicity than in the truth. His actions in this matter are a disservice to law enforcement and to the people of the State of New York. I am sure they will offend the sensibilities of all fair-minded people."

Cornelius also pointed out that in his letter to Resnick on 8-19, he said, "To my knowledge and there has not been an illegal telephone tap installed by the New York State police during my tenure as Superintendent, nor will there be."

He noted that Donohue was dismissed from the State Police after a hearing and the entire proceedings were reviewed by the appellate division of the Supreme Court which affirmed his dismissal."

Wiretapping is legal in New York State with a court order but evidence gathered by wiretapping cannot be used in court.

Donohue has a 1.5 million dollar lawsuit against the State Police and Cornelius in the Court of Claims scheduled to be held in Poughkeepsie next month by Judge Dorothy Donaldson.



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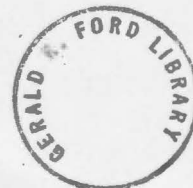
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28 Feb '73

[Transcript of Nixon
95 tape]

20

[Oval 865-14,
RG 460]

P The doctors say that the poor old gent had a tumor. The FBI said he had one.

D He had Abe Fortas and Deke DeLoache backed up by some other people in the Bureau and try to talk this doctor into examining this guy to say the man had a brain tumor. He was very (unintelligible) ill, slightly erratic, but eager. This doctor wouldn't buy it.

P The doctor had never examined him before or anything.

D No.

P They were trying to set it up though, huh? What other kind of activities?

D Well, as I say, I haven't probed Sullivan to the depths on this thing because I want to treat him at arm's length until he is safe, because he has a world of information that may be available.

P But he says that what happened on the bugging thing. Who told what to whom again?

D On the '68 thing -- I was trying to track down the leaks. He said that the only place he could figure it coming from would be one of a couple of sources he was aware of that had been somewhat discovered publicly. He said that Hoover had told Patrick Coyne about the fact that this was done. Coyne had told Rockefeller -- now Rockefeller had told Kissinger. I have never run it any step beyond what Mr. Sullivan said there. The other thing is that when the records were unavailable for Mr. Hoover all these logs, etc. Hoover tried to reconstruct them by going to the Washington Field Office and he made a pretty good stir about what he was doing when he was trying to get to



record and reconstruct it. He said that at that time we probably hit the grapevine in the Bureau that this had occurred. But there is no evidence of it. The records show at the Department of Justice and the FBI that no such surveillance was ever conducted

P Shocking to me!

D What the White House had from reporters in LIFE. The other person who knows and is aware of it is Mark Felt, and we have talked about Mark Felt before.

P Let's face it. Suppose Felt comes out now and unwraps. What does it do to him?

D He can't do it.

P How about (unintelligible)? Who is going to hire him? Let's face it -- the guy who goes out -- he couldn't do it unless he had a guarantee from somebody like TIME Magazine who would say look we will give you a job for life. Then what do they do? He would go to a job at LIFE, and everyone would treat him like a pariah. He is in a very dangerous situation. These guys you know -- the informers. Look what it did to Chambers. Chambers informed because he didn't give (expletive deleted). But then one of the most brilliant writers according to Jim Shepley we have ever seen in this country -- and I am not referring to the Communist issue -- greatest writer of his time, - about 30 years ago, probably TIME's best writer of the century -- they finished him. Either way, the informer is not one in our society. Either way, that is the one thing people can't survive. They say no civilized (characterization deleted) informs, Hoover to Coyne to Nelson Rockefeller to Kissinger.



Right?

D That's right.

P ~~Why did Coyne tell it to Nelson Rockefeller?~~ I have known Coyne for years. I haven't known him well, but he was a great friend of one of my Administrative Assistants, Bob King, who used to be a Bureau head.

D ~~Now this is Sullivan's story.~~ I have no reason to know whether it is true, but I don't have any reason to doubt that it is true.

P Hoover told me, and he also told Mitchell personally that this had happened.

D I was talking the '68 incident that occurred. I wasn't referring to that now. When this Coyne, etc., this was the fact that newsmen -- excuse me I thought you were making reference to the fact that three years ago the White House had allegedly --

P Oh, sure, sure. That is not the same one.

D On the '68 incident all I have been able to find out is what you told me that Hoover had told you, what he had told Mitchell.

P Yeah. Mitchell corroborates that, doesn't he?

D ~~Kevin Phillips called Pat Buchanan the other day with a tidbit that Dick Whelan on the NSC staff has seen memoranda between the NSC and the FBI that the FBI had been instructed to put surveillance on Anna Chennault, the South Vietnamese Embassy and the Agnew plane.~~ This note also said that Deke DeLoach was the operative FBI officer on this.

P The Agnew plane? I think DeLoach's memory now is very very hazy. He doesn't remember anything.

D I talked to Mitchell about this and he has talked to DeLoach.



DeLoach has in his possession, and he has let Mitchell review them, some of the files on this.

P But not --

D But they don't go very far; this is DeLoach protecting his own hide.

P ~~It is just as well because we can't do anything with it.~~

~~So Hoover told Coyne, who told Rockefeller, that newsmen were being bugged.~~

D That tickles you. That is right.

P Why do you suppose they did that?

D I haven't the foggiest idea. It is a Sullivan story as to where the leak might have come from about the current Time Magazine story, which we are stonewalling totally here.

P Oh, absolutely.

(Material not related to Presidential action deleted)

P Well, is this the year you are going to try to get out the '68 story?

D Well, I think the threat of the '68 story when Scott and others were arguing that the Committee up on the Hill broadened its mandate to include other elections. They were hinting around



PARTICIPANTS

Executive

The President
The Secretary of the Treasury, William Simon
Chairman of Federal Reserve Board, Arthur Burns
Chairman of Council of Economic Advisers, Herbert Stein
Director of Office of Management and Budget, Roy Ash

Senate

James Eastland <i>(cont. of town)</i>	President Pro Tem
Mike Mansfield	Leader
Hugh Scott	Leader
Robert Byrd	Whip
Robert Griffin	Whip
Frank Moss	Conference Secretary
Norris Cotton	Conference Chairman

House

Carl Albert	Speaker
Thomas O'Neill	Leader
John Rhodes	Leader
John McFall	Whip
Les Arends	Whip
Olin Teague	Caucus Chairman
John Anderson <i>(ill)</i>	Conference Chairman

Staff

Dean Burch
Robert Hartmann
Jack Marsh
Alexander Haig
Bill Seidman
Jerry terHorst
Kenneth Cole
William Timmons
Tom Korologos
Max Friedersdorf
Bill Baroody
Ken Rush





OFFICE OF THE VICE PRESIDENT
WASHINGTON

August 13, 1974

MEMORANDUM FOR THE RECORD

FROM: Howard Kerr

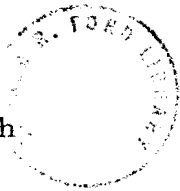
At 3:20 p.m. I took a call from Jo Wilson of the Senate office who stated that she had just received a call from Bob Herrema, Administrative Assistant to Senator Weicker. She then passed on to me the gist of Mr. Herrema's report to her.

At 3:35 p.m. Dr. Marrs called Mr. Herrema and informed him that Jo Wilson had contacted this office and asked Mr. Herrema to repeat his story which is as follows:

A Mr. H. A. Long called Senator Weicker's office asking to speak to Senator Weicker or his Administrative Assistant. Mr. Herrema returned his call this afternoon. Mr. Long stated that he was with Heritage Books and had a residence in Philadelphia and Washington. He further stated that over the years he has become close friends with a Mr. Hal O'Brien who is associated with American Services located on Connecticut Avenue. Mr. Herrema states that Mr. O'Brien has advised him that Howard Hunt's original papers are in storage either at Heritage Books or American Services. (On this last point Mr. Herrema is not clear.) According to Mr. O'Brien there is information in these papers concerning Governor Rockefeller which is of a derogatory nature. These particular papers were alleged to have been destroyed by Mr. Roy Shephard but apparently were not.

Mr. Herrema went on to state that it was his understanding that Mr. Jaworski--through Hank Ruth--had signed a seizure order and that the FBI were taking custody of these papers today.

Mr. Herrema stated that Mr. Long appeared to be rational, intelligent, and displayed none of the traits usually associated with a crank call. Mr. Long told Bob Herrema that he called Senator Weicker because he felt Senator Weicker would see that something was done about this matter. Bob Herrema asked that notwithstanding



his impression of Mr. Long that it could be a crank call, that it could be someone "trying to do Nelson Rockefeller in," or that he could be legitimate.

At 3:45 p.m. Dr. Marrs called Mr. George Sanders of the FBI and passed on Mr. Herrema's story in its entirety. Mr. Sanders is checking out this information and will get back to this office.



August 21, 1974

MEMORANDUM OF CONVERSATION

PLACE: Mr. Marsh's Office
White House
DATE: August 21, 1974
TIME: 3:00 p.m.

SUBJECT: Contingency Plan for Support of Nelson Rockefeller

PARTICIPANTS: Mr. Phillip Buchen
Dr. Theodore Marrs
Mr. William Casselman
Mr. Stan Ebner, OMB
Mr. Art Sampson, Administrator, GSA
Mr. Harold S. Trimmer, General Counsel, GSA

In this meeting a contingency plan was developed to provide for support of Nelson Rockefeller. In essence, in this contingency plan he would be serving as an Advisory to the President. This would provide a legal basis for provision of space and personnel. Such a contingency plan is necessary since there is no provision in the 1963 Transition Act for the support of a Vice President designate under the 25th Amendment. The legal people present were of the opinion that this was an appropriate plan in the event that it was necessary to provide such support to Nelson Rockefeller.

The legal background which permits the provision of Secret Service protection is believed to cover the situation of Mr. Rockefeller. It does, however, apparently require coordination with the appropriate congressional representatives. Mr. Bill Casselman will follow through on this point after involving Timmons and Simons.



15

The contingency plan described above will not be implemented without full consideration by Mr. Rockefeller, and there is an assumption that he may want to provide his own office space and staff on a private basis with the detailing of any essential White House staff to provide an informational base.

No action will be taken without coordination with Mr. Hartmann, Mr. Marsh and Mr. Buchen.

Prepared by: Theodore C. Marrs

TCM:sc



THE NEW YORK TIMES, FRIDAY, NOVEMBER 1, 1974

'Connally' Author Doubts Rockefeller Sales Link

By LINDA CHARLTON

Special to The New York Times

Louis, said his only contact with Mr. Rockefeller had come at a Lincoln's Birthday Repub-

seller in Morrow's catalogue, achieving an advance sale of about 25,000 copies for book

November 7, 1974

NJR
file

TO: Jack Marsh
FROM: Jim Cannon *Jm*
SUBJECT: Confirmation of the Designee for Vice President

Pursuant to the conversations which Bob Douglass and I had with you and Don Rumsfeld on Monday, November 4, 1974, on how President Ford could be helpful in moving the confirmation proceedings, we would suggest the following:

1. President Ford has already talked with Senator Mansfield about moving ahead to a vote on confirmation. We would request that President Ford also telephone:

- Senator Byrd
- Senator Scott
- Senator Cannon
- Speaker Albert
- Majority Leader Tip O'Neill
- Minority Leader John Rhodes
- Chairman Rodino

With these points --

- a. The President sent up the nomination on August 20, 1974.
- b. Two and one-half months for the investigations is plenty of time.
- c. The President knows what is in the FBI report, the audits, and other investigations, and strongly supports his confirmation.
- d. Country has serious problems and the Administration wants Rockefeller's help in solving these problems.



- e. President asks that Senate (House) proceed promptly with hearings, get out your Committee report, and bring it to the floor for a vote.

2. We suggest that the President follow up his telephone calls with a November 9, 1974 letter which he could make public for Sunday, November 10, 1974.



November 7, 1974

TO: Jack Marsh
FROM: Jim Cannon
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File

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*Mc Fall
Amodeo*

*Cook
Hutchinson*



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Rockefeller On the Sidelines

By James Reston

New York Times

November 8, 1974

P. C 39

(11)

FLASH

PRECEDENCE

UNCLAS

CLASSIFICATION

FOR COMMCENTER USE ONLY

FROM: JACK Marsh
TO: Military Aide For
THE PRESIDENT
(CAMP DAVID)
INFO:

DEX _____

DAC _____

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TTY _____

GPS _____

PAGES 4

CITE _____

DTG: 091616Z

TOR: 091621Z

RELEASED BY:

EO

SPECIAL INSTRUCTIONS:

THE PRESIDENT IS WAITING FOR
THIS MEMORANDUM!

74 NOV 22 AM 11:31

WHITE HOUSE
SITUATION ROOM



THE WHITE HOUSE

WASHINGTON

November 9, 1974

MEMORANDUM FOR: THE PRESIDENT

FROM: JACK MARSH

This is the Hartmann draft of the Rockefeller letter. I would appreciate your changes or your approval so that we can begin final preparation for delivery.

Dear _____:

I am writing to request your assistance and cooperation in carrying out the clear intention of the 25th Amendment to the Constitution which we in the Congress proposed in 1965 and which became effective upon ratification by the Legislatures of 47 States in 1967.

The essence of the 25th Amendment, insofar as it pertains to a vacancy in the Office of the Vice President (Section 2), is that a prolonged vacancy in the second office of the Federal Government and the normal successor to the Presidency is undesirable as a matter of public policy. While the language of this Constitutional amendment fixes no specific time limit on the process of nomination and confirmation, I view it as implicit in the adoption of this section that vacancies be as brief as the careful consideration of a nominee by the President and the Congress will permit.

I therefore considered it my Constitutional duty, immediately upon assuming the Office of the President, to place the highest priority on submitting a nomination for the vacancy in the Vice Presidency to the Congress. Within eleven days I submitted to the Senate and the House of Representatives the name of Nelson A. Rockefeller of New York.

In contrast to this Congress' careful but expeditious consideration over a period of eight weeks of my own nomination to be the Vice President, the only precedent in the use of the 25th Amendment for this purpose, neither body has yet completed

consideration of the qualifications of my nominee. There is public speculation that no final action will be taken by this 93rd Congress before it adjourns sine die.

The Committee on Rules and Administration of the Senate commenced its hearings promptly on September 23 and I understand will resume them on November 13th, prior to the return of the Congress from its current recess. However, the hearings of the Committee on the Judiciary of the House have not yet even begun.

In nominating Nelson Rockefeller for the vacancy in the Office of the Vice President on August 20, 1974, almost 12 weeks ago, after personal consultation with the leadership of the majority and minority parties in both bodies of the Congress, I reached the considered conclusion that he was the best qualified person to fill this important office and the one who could best assist me in working with the Congress to find practical solutions to the many problems facing our country at home and abroad.

In accordance with the urgency implicit in the 25th Amendment to the Constitution, I immediately authorized the Federal Bureau of Investigation and all other Executive Agencies of the Federal Government to cooperate with the respective Committees of the House and Senate in their investigation of Governor Rockefeller's qualifications and fitness to fill this office. The nominee has stated his willingness to cooperate fully with the cognizant committees in their preliminary studies, audits,

investigations and inquiries.

The public information resulting from these investigations has mainly been concerned with Governor Rockefeller's personal wealth and how he uses it. I have noted that over the past decade he has paid nearly half of his income in Federal, State and local taxes and some 30 percent of his total taxable income has been donated to charitable institutions.

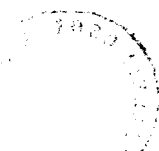
But I feel the primary issue is not Governor Rockefeller's personal wealth so much as his wealth of experience. He has served with five Presidents in Federal positions and has administered the affairs of one of our most complex State Governments with demonstrated efficiency and capacity for solving economic and social problems and with concern for the rights and well-being of all its people.

In my judgment it is essential that this Congress give the highest priority to completing the confirmation process mandated by the Constitution when it returns from recess on November 18. The national interest is not well served by a continued vacancy in the Vice Presidency and I remain firmly convinced that Governor Rockefeller is eminently qualified for this office.

Therefore, I respectfully request your assistance in expediting those procedures for which the Congress is constitutionally responsible in order to ensure a final determination by both the Senate and the House of Representatives in the remaining days of the 93rd Congress.

With warm personal regards.

Sincerely,



November 11, 1974

Dear Jim:

**Attached is the list of addressees and
letter which President Ford delivered
this morning.**

Sincerely,

**John O. Marsh, Jr.
Counsellor to the President**

**Mr. James Cannon
Assistant to the Chairman
Commission on Critical Choices
for Americans
22 West 55th Street
New York, New York 10019**

HJK:cmp



Senator Mike Mansfield

Dear Mike:

Senator James O. Eastland

Dear Jim:

Senator Robert C. Byrd

Dear Bob:

Senator Hugh Scott

Dear Hugh:

Senator Howard W. Cannon

Dear Mr. Chairman:

(type two letters)

Dear Howard:

Senator Marlow W. Cook

Dear Marlow:

Representative Carl Albert

Dear Carl:

Representative Thomas O'Neill, Jr.

Dear Tip:

Representative John J. Rhodes

Dear John:

Representative John J. McFall

Dear Jack:

Representative Leslie C. Arends

Dear Les:

Representative Edward Hutchinson

Dear Ed:

Senator Robert P. Griffin

Dear Bob:

Representative Peter Rodino, Jr.

Dear Pete:



THE WHITE HOUSE

WASHINGTON

November 11, 1974

Dear Mr. Chairman:

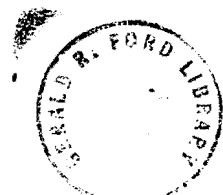
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In accordance with the urgency implicit in the 25th Amendment to the Constitution, I immediately authorized the Federal Bureau of Investigation and all other Executive Agencies of the Federal Government to cooperate with the respective Committees of the House and Senate in their investigation of Governor Rockefeller's qualifications and fitness to fill this office. The nominee has stated his willingness to cooperate fully with the cognizant committees in their preliminary studies, audits, investigations and inquiries.

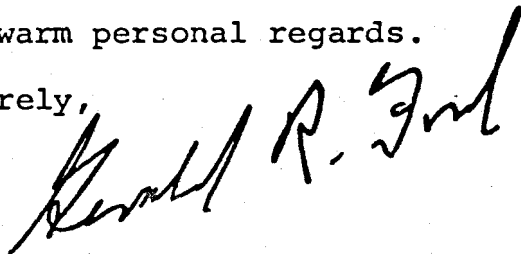
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Therefore, I respectfully request your assistance in expediting those procedures for which the Congress is constitutionally responsible in order to ensure a final determination by both the Senate and the House of Representatives in the remaining days of the 93rd Congress.

With warm personal regards.

Sincerely,



The Honorable Howard W. Cannon
United States Senate
Washington, D.C. 20510



Senator Mike Mansfield

Dear Mike:

Senator James O. Eastland

Dear Jim:

Senator Robert C. Byrd

Dear Bob:

Senator Hugh Scott

Dear Hugh:

Senator Howard W. Cannon

Dear Mr. Chairman:

(type two letters)

Dear Howard:

Senator Marlow W. Cook

Dear Marlow:

Representative Carl Albert

Dear Carl:

Representative Thomas O'Neill, Jr.

Dear Tip:

Representative John J. Rhodes

Dear John:

Representative John J. McFall

Dear Jack:

Representative Leslie C. Arends

Dear Les:

Representative Edward Hutchinson

Dear Ed:

Senator Robert P. Griffin

Dear Bob:

Representative Peter Rodino, Jr.

Dear Pete:



Dear _____:

I am writing to request your assistance and cooperation in carrying out the clear intention of the 25th Amendment to the Constitution which we in the Congress proposed in 1965 and which became effective upon ratification by the Legislatures of 47 States in 1967.

The essence of the 25th Amendment, insofar as it pertains to a vacancy in the Office of the Vice President (Section 2), is that a prolonged vacancy in the second office of the Federal Government and the normal successor to the Presidency is undesirable as a matter of public policy. While the language of this Constitutional amendment fixes no specific time limit on the process of nomination and confirmation, I view it as implicit in the adoption of this section that vacancies be as brief as the careful consideration of a nominee by the President and the Congress will permit.

I therefore considered it my Constitutional duty, immediately upon assuming the Office of the President, to place the highest priority on submitting a nomination for the vacancy in the Vice Presidency to the Congress. Within eleven days I submitted to the Senate and the House of Representatives the name of Nelson A. Rockefeller of New York.

In contrast to this Congress' careful but expeditious consideration over a period of eight weeks of my own nomination to be the Vice President, the only precedent in the use of the 25th Amendment for this purpose, neither body has yet completed



consideration of the qualifications of my nominee. There is public speculation that no final action will be taken by this 93rd Congress before it adjourns sine die.

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In nominating Nelson Rockefeller for the vacancy in the Office of the Vice President on August 20, 1974, almost 12 weeks ago, after personal consultation with the leadership of the majority and minority parties in both bodies of the Congress, I reached the considered conclusion that he was the best qualified person to fill this important office and the one who could best assist me in working with the Congress to find practical solutions to the many problems facing our country at home and abroad.

In accordance with the urgency implicit in the 25th Amendment to the Constitution, I immediately authorized the Federal Bureau of Investigation and all other Executive Agencies of the Federal Government to cooperate with the respective Committees of the House and Senate in their investigation of Governor Rockefeller's qualifications and fitness to fill this office. The nominee has stated his willingness to cooperate fully with the cognizant committees in their preliminary studies, audits,



investigations and inquiries.

The public information resulting from these investigations has mainly been concerned with Governor Rockefeller's personal wealth and how he uses it. I have noted that over the past decade he has paid nearly half of his income in Federal, State and local taxes and some 30 percent of his total taxable income has been donated to charitable institutions.

But I feel the primary issue is not Governor Rockefeller's personal wealth so much as his wealth of experience. He has served with five Presidents in Federal positions and has administered the affairs of one of our most complex State Governments with demonstrated efficiency and capacity for solving economic and social problems and with concern for the rights and well-being of all its people.

In my judgment it is essential that this Congress give the highest priority to completing the confirmation process mandated by the Constitution when it returns from recess on November 18. The national interest is not well served by a continued vacancy in the Vice Presidency and I remain firmly convinced that Governor Rockefeller is eminently qualified for this office.

Therefore, I respectfully request your assistance in expediting those procedures for which the Congress is constitutionally responsible in order to ensure a final determination by both the Senate and the House of Representatives in the remaining days of the 93rd Congress.

With warm personal regards.

Sincerely,



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Sincerely,



THE WHITE HOUSE
WASHINGTON

11/9/74

Mr. Buchen:

Messrs. Hartmann and Marsh
have cleared the attached.
The President also has a copy.
Mr. Marsh would like to have
your comments today -- they
want the letter to go out this
weekend.

Jane



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November 12, 1974

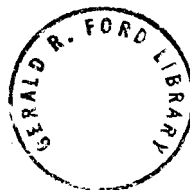
The President
The White House
Washington, D.C.

Dear Mr. President:

I have your letter of yesterday urging my assistance in expediting the nomination procedures associated with the selection of a new Vice President.

Congress has failed to implement and expedite the 25th Amendment to the Constitution, and I regret this very much. Certainly, all relevant evidence should be made available but there is also substantial evidence that Congress has fallen short of its responsibility in expediting these hearings and other actions.

In reviewing the legislative history of the 25th Amendment, I have found ample references to the necessity for filling presidential and vice presidential vacancies as quickly as possible. While the Floor manager of the Amendment, Senator Baugh, said he "could foresee the attempt to delay and stall the confirmation." Senator Ervin responded that patriotic and intelligent members of Congress who love their country "will not jeopardize their country by holding up the consideration of new leaders."



M
Bob H
This is rough
not of Scott's
to reply

It is my hope that the spirit of the 25th Amendment displayed in 1965 will be adhered to now as the Congress continues its consideration of a new Vice President.

Sincerely,

Hugh Scott



m

THE WHITE HOUSE
WASHINGTON

November 12, 1974

MEMORANDUM FOR: WILLIAM E. TIMMONS
THROUGH: TOM KOROLOGOS *TK*
FROM: PATRICK E. O'DONNELL *POD*
SUBJECT: Rockefeller Hearings

Senate Rules Committee will conduct hearings on the Rockefeller nomination commencing at 10:00 A.M. November 13. Present plans are for Governor Rockefeller to testify all day Wednesday and for the following witnesses to testify on Thursday and Friday in the general area of the Laskey book and Rockefeller gifts:

John Wells -- Attorney-Rogers and Wells

Robert B. Orr -- Attorney-Upper Blackeddy, Pennsylvania

Donald C. O'Brien, Jr. -- Attorney-Rockefeller Plaza, New York

John E. Rockwood -- Attorney-New York City

Laurence Rockefeller

J. Richardson Dilworth -- 30 Rockefeller Plaza-New York City

Neil McCaffrey -- Publisher-Arlington House, New York City

Victor Laskey

Arthur Goldberg

William J. Ronan -- Chairman-Port Authority of New York

Robert B. Anderson -- Former Secretary of Treasury

Emmett John Hughes -- Writer-Rutgers University



James W. Gaynor -- Engineer-New Rochelle, New York

Edmund J. Logue -- New York Urban Development Corporation

Unknown spokesman -- Americans for Democratic Action

I understand from Spoff Canfield a large demonstration is planned on the hill. I have detailed memo coming in that regard.

Hearings could continue after Friday but this decision has not yet been reached.



M

THE WHITE HOUSE
WASHINGTON

November 13, 1974

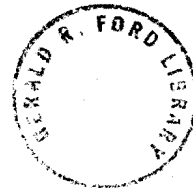
MEMORANDUM FOR BILL TIMMONS

FROM: TOM KOROLOGOS *TK*

SUBJECT: Senator Pell

You asked about how Pell might go on the Rockefeller nomination. He said in a press conference last week in Rhode Island "I don't see any reason as yet why I won't vote for him."

cc: Jack Rauch



November 13, 1974

Send to Mr. Marsh
A

Dear Mr. Chairman:

I would like to thank you for your November 12 letter acknowledging the President's letter to you about Nelson Rockefeller's confirmation hearings. I will be pleased to see that the President receives it right away and I know that he will be most grateful for your spirit of cooperation.

File

With kind regards,

Sincerely,

Max L. Friedersdorf
Deputy Assistant
to the President

The Honorable Peter W. Rodino, Jr.
Chairman
Committee on the Judiciary
House of Representatives
Washington, D.C. 20515

✓ hrc w/daxoming to Bill Timmons - FYI

MLF:EF:jk



PETER W. RODINO, JR. (N.J.) CHAIRMAN

HAROLD D. DONOHUE, MASS.
JACK BROOKS, TEX.
ROBERT W. KASTENMEIER, WIS.
DON EDWARDS, CALIF.
WILLIAM L. HUNGATE, MO.
JOHN CONYERS, JR., MICH.
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BARBARA JORDAN, TEX.
RAY THORNTON, ARK.
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WAYNE OWENS, UTAH
EDWARD MEZVINSKY, IOWA

EDWARD HUTCHINSON, MICH.
ROBERT MC CLORY, ILL.
HENRY P. SMITH III, N.Y.
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M. CALDWELL BUTLER, VA.
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TRENT LOTT, MISS.
HAROLD V. FROELICH, WIS.
CARLOS J. MOORHEAD, CALIF.
JOSEPH J. MARAZITI, N.J.
DELBERT L. LATTA, OHIO

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

GENERAL COUNSEL:
JEROME M. ZEIFMAN
ASSOCIATE GENERAL COUNSEL:
GARNER J. CLINE
COUNSEL:
HERBERT FUCHS
HERBERT E. HOFFMAN
WILLIAM P. SHATTUCK
H. CHRISTOPHER NOLDE
ALAN A. PARKER
JAMES F. FALCO
MAURICE A. BARBOZA
FRANKLIN G. POLK
THOMAS E. MOONEY
MICHAEL W. BLOMMER
ALEXANDER B. COOK
CONSTANTINE J. GEKAS

November 12, 1974

The President
The White House

Dear Mr. President:

I very much appreciate your letter of November 11, 1974, concerning the nomination of Nelson A. Rockefeller to be Vice President.

Let me assure you of my deep personal commitment to handling this matter with both thoroughness and dispatch. Unfortunately, the results of the Internal Revenue Service audit of the nominee's income tax returns were not completed and made available to the Committee until October 18th. As a result we were not able to commence our hearings prior to the recess of the Congress for the election period.

Immediately after the election I advised Governor Rockefeller of my desire to commence the hearings on his nomination in the week that the House of Representatives returned from the recess. Yesterday, I informed Governor Rockefeller that the Committee hearings on his nomination would commence on November 21st.

I am certain that the Committee on the Judiciary will act both expeditiously and responsibly with respect to this matter.

Sincerely,

Peter

PETER W. RODINO, JR.,
Chairman

warm personal regard



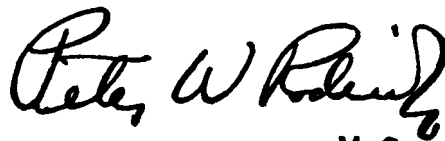
PWR:zss

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON THE JUDICIARY

WASHINGTON, D.C. 20515

OFFICIAL BUSINESS

A handwritten signature in black ink, appearing to read "Peter W. Rodino". The signature is written in a cursive style with a large initial "P" and a long, sweeping underline.

M. C.

The President
The White House

THE WHITE HOUSE
WASHINGTON

TO JACK MARSH -
FYI
- BT

November 13, 1974

Tom M

MEMORANDUM FOR ~~BILL TIMMONS~~

FROM: TOM KOROLOGOS **TK**

SUBJECT: Senator Pell

You asked about how Pell might go on the Rockefeller nomination. He said in a press conference last week in Rhode Island "I don't see any reason as yet why I won't vote for him."



THE WHITE HOUSE
WASHINGTON

Date _____

TO: JACK Marsh

THRU: Bill Timmons *BT*

FROM: Tom C. Korologos *TK*

For your information *J*

NEWS

from U.S. Senator HUGH SCOTT, Pennsylvania

Washington, D.C. 20510
(202) 225-6324



FOR IMMEDIATE RELEASE

11/13/74

Senator Hugh Scott (R-Pa.), Senate Republican Leader, sent the following letter to the President today:



Dear Mr. President:

I have your letter of yesterday urging my assistance in expediting the nomination procedures associated with the selection of a new Vice President.

Congress has failed to implement and expedite the 25th Amendment to the Constitution, and I regret this very much. Certainly, all relevant evidence should be made available, but there is also substantial evidence that Congress has fallen short of its responsibility in expediting these hearings and other actions.

In reviewing the legislative history of the 25th Amendment, I have found ample references to the necessity for filling presidential and vice presidential vacancies as quickly as possible. While the Senate Floor manager of the Amendment, Senator Birch Bayh, said he "could foresee the attempt to delay and stall the confirmation," Senator Sam Ervin responded that patriotic and intelligent members of Congress who love their country "will not jeopardize their country by holding up the consideration" of new leaders.

In the House of Representatives, then Chairman of the Judiciary Committee, Representative Emanuel Celler (who also served as Floor manager of the Amendment), said, "We dare not longer trifle with this situation by neglect. If there is a vacancy, the vacancy must and should be filled." Congressman John Lindsay noted that a delay in the Senate would put "the monkey on the back of the Congress to do its job. The President does his job in the selection of a proper person to fill the office of the Vice-Presidency, and then Congress must answer to the country if it does not speedily perform its job."

It is my hope that the spirit of the 25th Amendment displayed in 1965 will be adhered to now as the Congress continues its consideration of a new Vice President.

Sincerely,

/s/ Hugh Scott
Republican Leader

November 14, 1974

TO JACK MARSH -
FYI
BT

Dear Mr. Chairman:

I would like to thank you for your November 13 letter acknowledging the President's letter to you about Nelson Rockefeller's confirmation hearings. I will be pleased to see that the President receives it right away, and I know that he will be most grateful for your spirit of cooperation.

File

With warm regard,

Sincerely,

Tom

Tom C. Korologos
Deputy Assistant
to the President

The Honorable Howard W. Cannon
Chairman
Committee on Rules and Administration
United States Senate
Washington, D.C. 20510

✓ cc w/incoming to Bill Timmons - FYI

TCK:EF:jk



11-14

4

HOWARD W. CANNON, NEV., CHAIRMAN
 CLAIBORNE PELL, R.I. MARLOW W. COOK, KY.
 ROBERT C. BYRD, W. VA. HUGH SCOTT, PA.
 JAMES B. ALLEN, ALA. ROBERT F. GRIFFIN, MICH.
 HARRISON A. WILLIAMS, JR., N.J. MARK O. HATFIELD, OREG.

WILLIAM MCWHORTER COCHRANE, STAFF DIRECTOR
 HUGH G. ALEXANDER, CHIEF COUNSEL
 JOSEPH E. O'LEARY, PROFESSIONAL STAFF
 MEMBER (MINORITY)

United States Senate

COMMITTEE ON
 RULES AND ADMINISTRATION
 WASHINGTON, D.C. 20510

November 13, 1974

The President
 The White House
 Washington, D. C. 20500

Dear Mr. President:

This will respond to your letter of November 11 wherein you respectfully urge that this Committee and the Congress expedite the confirmation proceedings incident to the Vice Presidential nomination of Nelson A. Rockefeller, to ensure a final determination during the 93rd Congress.

BT

Let me assure you most respectfully that it is my purpose, as I will say in my opening statement at Governor Rockefeller's hearings later this morning, that "this nomination should have the highest Congressional priority." Likewise, we know you will agree that full and appropriate consideration must be accorded to this procedure, as your letter sets out.

I feel most sincerely that our Committee on Rules and Administration is meeting that test. Twenty-three business days after this nomination was received in the Senate from you, our Committee began its hearings, although the final reports of the Federal Bureau of Investigation were not received by me until November 4.

Additionally, our Committee's request for a complete accounting of Governor Rockefeller's campaign contributions was not met until last Monday evening, November 11, at 9 p.m., when this information was received. Likewise, the voluminous report of the Joint Committee on Internal Revenue Taxation on the nominee's tax returns was not completed until October 23.



The President
November 13, 1974
Page Two

Therefore, I felt it desirable to recite briefly the above facts incident to our Committee's work. As I will reiterate at our hearings this morning, "Our country deserves at the earliest possible time a sitting Vice President."

I am hopeful that goal can be accomplished as expeditiously as our Constitutional responsibilities will permit. You will have my wholehearted cooperation.

Respectfully yours,


HOWARD W. CANNON
Chairman



THE PRESIDENT

1974 NOV 13 PM 3 44

HAND DELIVERED

RECEP. AND SECURITY UNIT
THE WHITE HOUSE
WASHINGTON

United States Senate

COMMITTEE ON
RULES AND ADMINISTRATION

WASHINGTON, D.C. 20510

OFFICIAL BUSINESS

Howard W. Cannon

U. S. S.

The President
The White House
Washington, D. C., 20500

VIA RIDING PAGE

November 15, 1974

To Jack Marsh -
FBI
BT

Dear John:

I would like to thank you for your November 13 letter acknowledging the President's letter to you about Nelson Rockefeller's confirmation hearings. I will be pleased to see that the President receives it right away, and I know that he will be most grateful for your spirit of cooperation.

DK

With kind regards,

Sincerely,

Max L. Friedlander
Deputy Assistant
to the President

The Honorable John J. Rhodes
Minority Leader
House of Representatives
Washington, D.C. 20515

[Handwritten mark] w/incoming to Bill Timmons - FYI

MLF:EF:jk



4
JOHN J. RHODES
1ST DISTRICT, ARIZONA

COMMITTEE:
APPROPRIATIONS

SUBCOMMITTEES:
DEFENSE
PUBLIC WORKS
LEGISLATIVE

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

November 13, 1974

11-15
ADMINISTRATIVE ASSISTANT
ALMA A. ALKIRE
LEGISLATIVE ASSISTANT
RICHARD ROBERTS

SECRETARIES:
RITA M. DECENZO
CLARA POSEY
OLIVE RAY
FERRIE LEE PROUTY
CAROLYN J. JOHNSTON

DISTRICT OFFICE:
6040 FEDERAL BUILDING
PHOENIX, ARIZONA 85025
ROBERT J. SCANLAN
LUCYLE VON DORN
CECELIA STEWART

BT
The President
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

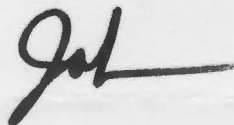
Dear Mr. President:

I agree wholeheartedly with your comments in your letter of November 11, concerning the confirmation of Nelson Rockefeller as Vice President of the United States.

Please be assured that I will do all I can to expedite action on the Vice President designate.

I feel very strongly that this action must be taken by the 93rd Congress and will do all in my power to see that this is given top priority.

Sincerely,



rjs



November 15, 1974

2:25 p. m.

Mr. Marsh:

Walter Mote just called and Commander Kerr spoke to him.

On 3 and 4 December the House Republicans and Democrats will caucus and they would like to know if on either of those days if Nelson Rockefeller could have lunch with them.

Bonnie

