

The original documents are located in Box 2, folder “Nixon Deed of Gift” of the Benton L. Becker Papers at the Gerald R. Ford Presidential Library.

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BLB Notes:

Case - U. S. v. Morgan

Case Number - 74-669

Date - November 8, 1974

Enter Guilty Plea on one (1)
Count, 18 U. S. C., Section 371.

Re - IRS - Richard Van Dusen, Former
Undersecretary of HUD, before Judge
Hart.



Copyright 5

AUG 12 1971

General Counsel - L

Legislation to provide charitable deductions for NARS donations

Deputy Administrator - AD

Enclosed are two alternative drafts of legislation to provide charitable deductions for donations of various literary, musical and artistic compositions, and government papers. The one proposal would grant a complete charitable deduction for donations of this nature. The other proposal would permit a 50% deduction and require that the taxpayer have a written statement from the donee that the material is of historical or artistic value, and that its use will be related to the charitable function of the donee.

(signed) William E. Casselman II

WILLIAM E. CASSELMAN II
General Counsel

Enclosures

cc:

Official File-LR

General Counsel - L

✓ LR

LR:Mr. Woodside: ams: 8/10/71

LR:WEWoodside:ams: 8/10/71 x4713



A BILL

Relating to the income tax treatment of charitable contributions of copyrights, artistic compositions, or a collection of papers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That

(a) section 170(e) of the Internal Revenue Code of 1954 (relating to certain contributions of ordinary income and capital gain property) is amended by adding at the end thereof the following new paragraph:

"(3) SPECIAL RULE FOR CERTAIN CONTRIBUTIONS OF COPYRIGHTS, PAPERS, ETC.--In the case of a charitable contribution of a copyright, a literary, musical, or artistic composition, a letter of memorandum, or similar property by a taxpayer described in paragraph (3) of section 1221 to an organization described in clause (ii), (v), or (vi) of subsection (b) (1) (A), the reduction under subparagraph (A) of paragraph (1) shall be only one-half of the amount computed under such subparagraph (without regard to this paragraph) but only if the taxpayer received from the donee a written statement that (A) the donated property represents material of historical or artistic significance and (B) the use by the donee will be related to the purpose or function constituting the basis for its exemption under section 501 (or, in the case



of a governmental unit, to any purpose or function described in subsection (c) (2) (B)).

(b) The amendment made by this Act shall be applicable to charitable contributions made after the date of the enactment of this Act.



A BILL

To modify the restrictions contained in section 170(e) of the Internal Revenue Code in the case of certain contributions of a literary, musical, or artistic, composition, a letter or memorandum, or similar property.

As it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 170(e) of the Internal Revenue Code is amended by adding at the end thereof the following new paragraph:

"(3) (A) Notwithstanding the provisions of subdivision (1) (A) and (1) (B) of this section and the provisions of section 1221 (3) as amended, any literary, musical, or artistic composition a letter or memorandum, or similar property, which was created by the personal efforts of the taxpayer or in the case of a letter, memorandum or similar property, a taxpayer for whom such property was prepared or produced, shall not be reduced by the amount of appreciation of such property, and the whole amount of such a charitable contribution shall be taken into account under this section and shall be treated as if the property contributed had been sold at its fair market value."

"(B) This amendment shall apply to contributions made after the date of the enactment of this Act."



Relevant Dates in Caselman Diary

① Oct 2, '73

Rhodes in A.M.

Xenop tracts discussed

Prior to meeting with Garment

Went over chronology of events

② Oct 12, '73

- Saw meet

W.C. sick

③ Nov. 27, '73

Rhodes cancelled

Burt Rhodes meeting

Livingston Memo of Oct 26, brought to
W.C. attention

④ Nov. 28, '73

- Not reflected in diary

- Rhodes (long) + W.C. meet with it

indicated that Livingston memo

was vague but began checking

out. Possible question of

theory +/or necessity of xenop

tracts. Quote of neurography

XX - meeting with Morgan.

W.C. ~~at~~ initiated meeting

went over chronology

Sen. Webster involved

Morgan could not explain tracts

have a drink with him



1. Calendar for June - Sept '71
still looking; may not have

2. Chrono in G.S.A. (June - Sept '71)

- ✓
- custodian
- Mary Adams (Barth's sec)
Reviews of these whereabouts in agency.
- Custodian ^{agency.} ~~Trimmer~~, Barth out Adams
: avoid, if possible, expense of request.

3. Calendar for Sept - Dec 1973;

- contain same problems:

1. 9/1/73

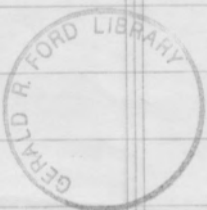
Jamy Roush, subp. by Foreign Committee
CRREP dictating A+E
L.R. Commissioner of Public Build
Service.

L.R. treated well by Dr. Conn
because he (L.R.) played by
a. d. w. of street (i.e. Adams)
Now Hist Ad G.S.A.

2. 9/24/73 - Meeting with Morgan with re
Jaw Chantre

3. 9/26/73 - Gaudreau under investigation by
Beall, what to do about him.
Decided to support him.

4. 10/2/73 - Aluminum stockpiles (was investigated
by S.P.) for surveillance of item providing
for quotas, orderly flow. Aluminum
Co approached various people to
buy back their contracts because price
of Aluminum had gone up. Came to



G.S.A. to discuss & buy back, ~~we~~ we attend meeting and agree to buy back. Profimmise raised hell about. Watergate Committee investigators came in, question re Russell Byers (Nixon money raiser) need more pressure on Sampson. This meeting in presence of Water Com investigators.

5. 10/2/73 - WC meeting with Rooks on per WC testimony, see Garment meeting of 3:00 P.M. - WC assessment given.

xx

6. 11/1/73 - Al Gordon Jr, VP Kitter Peabody Co and his father eh gave 100,000 to RN's campaign. Had many contracts with GSA. GSA had purchase contract agreement under way at the time for private people to build for later gov. use. Jack Glasco had called WC claiming to represent K.P. Co intended to work on purchase contract agreement. Identified within GSA that that if (GSA) needs someone know. WC recommends K.P. to Sampson. WC calls Hangan does not get thru. Gets Kingsley (running the responsiveness program) with. recommends Dupont and two other firms. WC to Sampson recommends meeting with K.P. thereafter they had several



meeting. KP got job; did good work, so
Program with work performed.

Contract in amount of 5 mill. to KP
KP large investment banker.

H. Gordon has appeared before several Galvys
mostly in state proceedings

Note that W.H. recommended someone
else. John Clark of Responsive
Programs called WC after award,
we told you Depent was to get that
contract. "we considered it and
~~did~~ decided them". It pro memo exist

- 7. 11/27/73 - Meeting with Rhodes, check BLD
- 8. 11/28/73 - ^{words.} Depressing meeting with Ed Morgan
- 9. 12/1/73 - Meeting with Rhodes to go over documents
no findings, didn't happen on 7, did
on Dec 8.



4. Title of Clippings ~~89~~ 8
✓

5. Title on Proposed legislation to reverse.
two memos: 8/12/71 & re subject matter
12/27/72
✓
BIB to rev. =

Meeting of Oct 12, 73 -
WC sick, did not occur



NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
Presidential Libraries Withdrawal Sheet

WITHDRAWAL ID 02622

REASON FOR WITHDRAWAL Donor restriction
TYPE OF MATERIAL Note
CREATOR'S NAME Becker
DESCRIPTION Handwritten note
CREATION DATE 1974

COLLECTION/SERIES/FOLDER ID . 023800014
COLLECTION TITLE Benton L. Becker Papers
BOX NUMBER 2
FOLDER TITLE Nixon Deed of Gift

NEW LOCATION Donor Restriction Closed File
DATE WITHDRAWN 05/15/1991
WITHDRAWING ARCHIVIST Kellee Green
KNOWN DUPLICATES No

OFFICE OF THE VICE PRESIDENT
WASHINGTON, D.C.

From appointment calendar of
Mrs. Wilson, which was kept for
William E. Casselman.

Brenda K. Wilson
Secretary to Mr. Casselman



Wednesday

S M T W T F S
 4 5 6 7 8 9 10
 11 12 13 14 15 16 17
 18 19 20 21 22 23 24
 25 26 27 28

S M T W T F S
 4 5 6 7 8 9 10
 11 12 13 14 15 16 17
 18 19 20 21 22 23 24
 25 26 27 28 29 30 31

S M T W T F S
 1 2 3 4 5 6 7
 8 9 10 11 12 13 14
 15 16 17 18 19 20 21
 22 23 24 25 26 27 28
 29 30

8:00
 8:30
 9:00
 9:30
 10:00 Jack Cannon -
 10:30
 11:00
 11:30 Andy Lawrence - bringing all for interview
 12:00 11:45
 12:30

March 21

C - Working Days to Come
 D - Working Days Left This Quarter

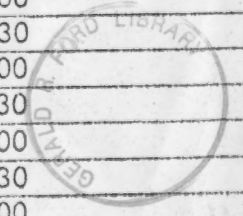
| | |
|-----|-----|
| 80 | 285 |
| 196 | 7 |
| C | D |

1:00
 1:30 Rich Spitzer - Personal matter
 2:00
 2:30
 3:00
 3:30
 4:00
 4:30
 5:00 Shuttle to N.Y. w/ Mulligan
 5:30

| 78 Monday, Mar. 19 | 79 Tuesday, Mar. 20 | 80 Wednesday, Mar. 21 |
|-----------------------|------------------------|--------------------------|
| 8:00 | 8:00 | 8:00 |
| 8:30 | 8:30 | 8:30 |
| 9:00 | 9:00 | 9:00 |
| 9:30 | 9:30 | 9:30 |
| 10:00 Annual | 10:00 | 10:00 Jack Cannon |
| 10:30 | 10:30 | 10:30 |
| 11:00 | 11:00 | 11:00 |
| 11:30 | 11:30 | 11:30 11:45 Andy |
| 12:00 Lawrence | 12:00 | 12:00 Lawrence |
| 12:30 | 12:30 | 12:30 Ann. for Kaupinen |
| 1:00 | 1:00 | 1:00 |
| 1:30 | 1:30 | 1:30 Rich Spitzer |
| 2:00 | 2:00 Xen Dubrovnik | 2:00 Mr. P. ... |
| 2:30 | 2:30 | 2:30 |
| 3:00 | 3:00 Bob Rice | 3:00 |
| 3:30 | 3:30 | 3:30 |
| 4:00 | 4:00 4/15 Dental | 4:00 |
| 4:30 | 4:30 9/16 15th | 4:30 |
| 5:00 | 5:00 11:25 | 5:00 5:00 Shuttle |
| 5:30 | 5:30 | 5:30 |
| 6:00 | 6:00 | 6:00 |

| 81 Thursday, Mar. 22 | 82 Friday, Mar. 23 | 83 Saturday, Mar. 24 |
|-------------------------|-------------------------|-------------------------|
| 8:00 | 8:00 | 8:00 |
| 8:30 | 8:30 | 8:30 |
| 9:00 | 9:00 | 9:00 |
| 9:30 N.Y. | 9:30 A's Staff Mtg | 9:30 |
| 10:00 | 10:00 (Barth attending) | 10:00 |
| 10:30 | 10:30 | 10:30 |
| 11:00 | 11:00 | 11:00 |
| 11:30 | 11:30 | 11:30 |
| 12:00 | 12:00 | 12:00 |
| 12:30 | 12:30 | 12:30 |
| 1:00 | 1:00 | 1:00 |
| 1:30 | 1:30 | 1:30 |
| 2:00 | 2:00 | 2:00 |
| 2:30 | 2:30 | 2:30 |
| 3:00 | 3:00 | 3:00 |
| 3:30 | 3:30 | 3:30 |
| 4:00 | 4:00 | 4:00 |
| 4:30 | 4:30 4/10 Dr. Renteria | 4:30 |
| 5:00 | 5:00 7/30 | 5:00 |
| 5:30 | 5:30 | 5:30 |
| 6:00 | 6:00 | 6:00 |

Dringh w/ Dan ... to N.Y. on ...



July 10, 1974 - Meeting with Horowitz and Hecht
Special Prosecutor's Office

Re: Late November, Early December
Meetings with Morgan and Con-
versation with DeMarco.

Meeting began approx. 2:33 P.M.

November 27th Rhodes comes to Casselman's office and shows Casselman Livingston memorandum. Just wanted Casselman to know about it and get his appraisal. Casselman concludes that memo cannot be ignored. (Thought information referred to in memo probably xerox tracks.) Casselman suggests that both he and Rhodes take the matter up with Sampson. On Nov. 28th, Rhodes, Don Young, Casselman and Sampson meet. (Casselmann thinks he may have brought matter to the attention of John Rose at that time also.)

At meeting with Sampson on 28th, Casselman says memo cannot be ignored and it is decided that Don Young should speak to Mrs. Livingston to find out exactly what the memo refers to. Then decided that Casselman would call Morgan. Young notified Casselman that Livingston was referring to xerox tracks. (Also, Rhodes brings Deed of Gift to meeting.) Sampson goes over procedure for Morgan meeting with Casselman. Decided that meeting should be on a friendly basis. The feeling at that time was that memo was a typical bureaucratic act. Casselman calls Morgan ^{Morning} ~~afternoon~~ of 28th to arrange meeting.

Casselmann tells Morgan, we are doing a factual inquiry re Deed of Gift. We would like to know everything you know about 1968 and 1969 gifts. Did not reveal that they thought there may be a problem nor did he say that there may be an investigation. Regarded meeting as being a factual inquiry or study. Meeting arranged for 4:30 P.M. that afternoon.

Meeting set for 4:30 however, Casselman thinks Morgan came in a little late. Casselman had asked Barth's Secretary, Martha Adams, to stay late (she was not present in Casselman's



Page Two

office during meeting). Casselman did take notes during meeting (which have been turned over the Prosecutors). Morgan did not take notes. Casselman worked off Garfinkle's chronology and two Weicker letters. Casselman wanted to know everything Morgan knew about '68 and '69 Deeds of Gift. Morgan says fine and appears to be very candid. Casselman feels he does not know that much about matter at this point. (Casselmann had not had a chance to speak to Morgan for some time, meeting relaxed, both seemed to be at ease.)

What Casselman really wanted to know was when and how Morgan signed '68 and '69 Deeds, when and how they had gotten to GSA, who had access and how they got access to papers. Morgan did not seem to be extremely overjoyed to be there. Morgan looked tired, distraught (not particularly about himself, about others and Watergate in general). Seemed depressed. (Q: Did Morgan mention Kroch? Response: After Casselman goes through Deed matter Morgan speaks of better times and old friends. Speaks of knowing Kroch well, upset about his service in White House with net result being he is being dragged into Watergate, his marriage had broken up, remarks that White House somewhat puritannical, had spoken to Erlichman re divorce.)

Casselmann offered to show Morgan papers he had at meeting. Morgan declined. Began with items in Garfinkle memo.

1. Casselman feels Morgan did not do too much work on '68 gift. Casselman not particularly worried about '68. See Casselman notes from meeting.

2. Did not question as to similarity between '68 and '69 Deeds of gift. Casselman himself never put the two Deeds of gift together for analysis. See Casselman notes from meeting. Casselman seems to recall that Morgan may have said that Secretary brought Deed into DeMarco's office. (Casselmann not really sure on this point as he also recalled



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a meeting with DeMarco which he himself had attended with Bob Yock, Bob Rice, Doug Hines (?), Casselman believes that his whole investigative staff may have been present but not sure. Meeting was in reference to San Clemente property. Morgan's description of those present and the relaxed atmosphere jarred Casselman's memory re S.C. meeting.) Casselman not sure if he actually asked Morgan who was present at time he signed Deed, Morgan may have said Kalmbach, but really not sure. (At time of Casselman/Morgan meeting no one had thought of possibility of re-execution. Thought Deed was either back-dated or xerox tracks were same in '69 and '70, a coincidence.) Casselman thinks Morgan said signing took place on coffee-table in DeMarco's office.

Casselmann proceeds with fine points, believes Morgan to be candid, had not shown him Deed as yet. Morgan says he checked journals and that he is 98%(?) sure that he signed Deed. But explained that he was not 100% sure. Casselman does not recall any exchange on xerox question at that time.

(Q: When you looked at October 26 memo from Mary Livingston, did you understand at that time that there was a schedule showing items which constituted gift which could not have been picked until March of 1970 and that xerox tracks on Deed and schedule were the same and that therefore the Deed had to be signed after March, 1970? Casselman not really sure, does not recall.)] ?

13. Garfinkle chron. reference to April 10. See Casselman notes from meeting. (Casselmann was not aware that RN had signed tax return on April 10 or that Demarco was in town that day.)

Casselmann does not recall if he asked Morgan who he told at GSA that Deed was in California.

Weicker Letter 1 - Casselman believes he just went over letter generally. See notes from meeting.



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Asked Morgan about Greening (Newman's assistant). Morgan did not know her.

Around 6:10 Casselman calls in Martha Adams who witnesses Casselman taking Deed out of safe. Casselman tells Morgan he want to show him Deed of Gift. Spreads out Deed of Gift on coffee table. Notes that xerox tracks are the same all the way across. Asks Morgan, You signed on April 21, have you ever seen this schedule before? Morgan says no. Casselman says his people iform him that schedule could not have been done until Late '69 or early '70. Asked Morgan if he back-dated Deed. Morgan (almost in tears) swears that he was in California and signed Deed when he said he did. (Casselma~~n~~n knew only what his people told him about xerox tracks, he himself at not been to archives or talked to Mary Livingston.) Casselman did not even think of possible re-execution at that time.

For approximately next hour, Morgan speaks of days in Washington. Attributes Watergate to President's political enemies. Seemed to be very depressed and distraught. Discussed possibility of being used and how many others had been used, such as Dean and Kroch. Talks about going back to Arizona although he does not have job there. Morgan says he has had it. He is gong to start all over again. Says he wants to write a book. Suggests Casselman have a drink with him. Casselman declines giving some excuse. That meeting was the last Casselman saw of Morgan.

Casselma~~n~~n feels Morgan unwittingly used. Casselman depressed from conversation; wished to avoid having drink with Morgan that night. In part, depth of Morgan depression was, including Kroch and Dean problems, might have been his (Morgan's) problems. This Casselman surmized rather than Morgan direct comment. Recalls phrases: "high use factor", "Special Prosecutors with blood running from their eyes."



November 29

Casselman goes back to Sampson next morning to report. Says Morgan swears he signed Deed of Gift when he said he did, but could not explain xerox tracks. Casselman says Morgan seemed distraught. Sampson and Casselman discuss next step. To talk to DeMarco. Casselman asks if DeMarco should be flown to Washington or should they fly to DeMarco. Sampson says just give him a call.

Casselman calls DeMarco, focused on '69 Deed only. Asked him to explain xerox tracks and he did. Casselman says he recalls being satisfied with explanation until he speaks to Barth and Roth. Barth and Roth say explanation does not make sense. (Cannot remember exactly what it was but there was something wrong.) Casselman calls DeMarco again, approximately 30 minutes later. (See Casselman notes of telephone conversatinn.) Casselman seems to recall DeMarco mentioning something about Secretary of State and notary laws. In effect, can prove Deed notarized when said it was. Casselman goes back to Barth and Roth after conversation and they agree that explanation makes sense.

see Casselman notes re conversation.
Casselman talks to H.C. Rose, /both think it strange that Morgan does not remembe signing again. Casselman goes back to Sampson to report on conversations with DeMarco. Casselman suggests maybe calling Morgan again. Calls Morgan on 11/30, asks if Morgan has anything to add to his story. Morgan did not volunteer or say anything about re-execution in 1970. Morgan asked if xerox tracks could be explained, Casselman said yes but did not give explanation. Casselman calls John Rose back and tells him that he (Casselman) has some very srious doubts about this matter. Rose says call him back.

Casselman now focuses on november 16 memo from Doug Parker to him. (Memo mentions nothing about re-execution) Casselman believes something wrong, facts don't fit together. Art seemed satisfied at that time (before conversation with Morgan), Monday, Casselman calls Don Young and tells him to tell Sampson to forget about Friday's discussion, that Casselman thinks we better see more documents. Barth and Roth concur that Newman statement had to be false, there

12/1 - SPRANS N Y. ROSE - ASKS BSA WHAT PERSONAL STATEMENTS BARBARA FINARBY HAS PROVIDED TO INQUIRERS ON 1969 GIFT. WILL RETURN ROSA 12/31 IN LA STATEMENT.

ALSO DISCUSSING WITH COMMUNITY COORDINATORS. CALLING WITH NARR. ALSO DISCUSSING WITH NARR. ASKED THAT CALLING WITH NARR. ASKED THAT CALLING WITH NARR. ASKED THAT



TALKS ON MAILING STATEMENTS TO BSA AND BY ROSA TO BSA

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was no way Newman could have made appraisal when he said he did.

On 12/6 Casselman gets memo back from Don Young written on 4th. Casselman ^{was young} at that ^{time} wrote a memo to file.

See Casselman notes re meeting with Jacobs re going over documents at archives. Casselman asked Jacobs at one time if he could see original of '68 Deed of Gift. Jacobs told him it was lost.

Casselmann does not really recall speaking to Mankin in fall of '73, although he did call Mankin once and asked what he remembered. Does not recall ever speaking to Harding, thinks maybe Barth did in relation to memo re signatures.

Q: In December do you remember seeing a draft of a letter to Newman from Mary Livingston re her letter being only Deed? Does not recall exactly when he saw letter, thinks it was when Roth put together black book.

Horowitz instructed Casselman re Grand Jury appearance. Told Casselman to keep answers precise, not to go into a narrative unless a specific question required it. Horowitz said he wants to keep the Grand Jury record rather sparse at this time. Horowitz did not feel that matters discussed on July 9 would be covered, if at all very little. However, matters discussed at July 10 meeting will definitely be covered at Grand Jury.

Meeting concluded approximately 5:03 p.m.



July 9, 1974 - Meeting with Special Prosecutors,
Horowitz and Hecht.

Re: Nixon Deed of Gift.
Allegations of Fraud re President's
gift and tax deduction, 1969.

10:10 A.M. commenced

Casselman - Background:

Came to Washington in 1964. Employed by Congressman
Bob McClory ^{in 1965} as law clerk and later Legislative Assistant.

Employed until 1968 when joined campaign as advance man.

During campaign reported to scheduling officer, John Whitaker,
and Ken Cole. ^{WORKING BOON} ~~Sometimes did work~~ for Vice President and

President. Worked primarily in New York. Worked fulltime
for approximately two months (Sept. Oct. & part of Nov.).

After election went back to work for McClory. Asked by
Whitaker to go back to work, primarily Congressional relations.

Worked for Harry Fleming. In January, 1969, Harry Fleming

asked Mr. Casselman to join personnel office. Met ED MORGAN
during campaign. Did not work with Krogh(?), did not know him.

Summer of 1969 went to work for Bill Timmons, ^{at House with TV D}
Dick Cook, ^{IN WHAT HIS HOUSE CONGRESSIONAL RELATIONS.} stayed there until June, 1971, when went to GSA.

While with Timmons worked with Public Works ~~Committee~~ and
Government Operations ~~Committee~~, had fair amount of work with
GSA.

Had not intended to go with GSA. Was first approached
by General Lincoln (OEP) to come to work as General Counsel.
Just before making final decision was contacted by Ted Trimmer
of GSA to come by and discuss position as General Counsel, GSA.
(Ted Trimmer was informed by David Lisy ~~ET~~, who had previously
worked for Mr. Casselman, that Mr. C. was looking around for
new position.) Mr. Casselman felt GSA a better opportunity,
commenced employment on June 7, 1971. Mr. C's Deputies were
Bill Barth and Jack Berkson, both of whom had been with MANKIN
prior to Casselman's employment at GSA. Stayed with GSA until
December 10, 1973, when joined Vice President Ford's staff
as Legal Counsel.



Secretaries while General Counsel, three (3), Mary Noon, previously worked for Mankin; Beverley Barrack, brought in by Mr. Casselman (went back to Hill to work for Gary Brown); January, 1972, Brenda Wilson, had been in Agency either worked in Administrator's office or Deputy's office. Two calendars maintained of daily activities, ^{BY BRENDA FOR} one by Mr. Casselman ^{AND MRS. WILSON} the other by Brenda. Telephone logs were kept, but Mr. Casselman periodically destroyed them. Calendars are still kept.

Prior to June, 1971, Mr. Casselman did not know about Presidential gift. Seems to recall a Memorandum to staff in 1969 saying give your papers to Nixon Library. Did not know that actual gift had been made. First found out during briefing with Mankin approximately three days before actively taking position at GSA. Focus of briefings was primarily in re appropriations. Mr. Casselman's personal staff consisted of approximately 150 persons located here in Washington and in Regional offices. At that time had six operating divisions in which Archives is included in LR.

^{LR} Archives at that time headed by ^{DAVID FISHER.} Julius Silverstein. ~~Before Silverstein~~ ^{was by} ~~came David Fisher~~, succeeded by Bob Yock, (?) (Admin. and ~~Records Division~~). Yock had been in that division before, had been Executive Assistant to Administrator after Trimmer. When Administrator left, Yock came back.

MANKIN briefing included matters of White House interest. GSA had admnistration of White House East and West Wings, EOB, San Clemente and Key Biscayne. Lead Agency for some legislation on Pennsylvania Avenue Development Corporation, ^{STRONG ACTIVITIES INVOLVED} A-K, reorganization bill, Post Office, reorganization, Kennedy Center, Nixon Library (primarily planning for library, began with Mankin; Archives administers all presidential libraries.) (Also worked on Kennedy Library.)



Focus of discussion on Deed of Gift which Mankin said was in Barth's safe, two problems: (1) Mrs. Nixon did not sign it, therefore there may be a community property problem; (2) ED MORGAN's power of attorney. Barth could have been in on briefing but Mr. Casselman cannot recall. Cannot recall whether or not he took notes at that briefing, but if he did, they would have been on appropriations and he would have thrown them away. Regarding Deed of Gift, Mankin said he tried to take up problems with White House a couple of times, but to no avail. Did not impress upon Mr. Casselman any urgency, said he could attend to it in due course. Memo of June, 1970, from Mankin to Morgan was found by ^{USA} ~~Mr. Casselman~~ in late 1973 or early 1974.

Mr. Casselman recalls Mankin said Deed was in Barth's safe, does not recall seeing Deed at that time, and does not recall talking to Barth at that time. Mr. Casselman assumed if you had gift you should have a Deed. Knew that a Deed was not absolutely necessary, but it was a good idea. Mankin told Mr. Casselman sometime in 1974 something about Deputy Byron Harding working on Deed and having some problems. Byron Harding was the person who focused on the lack of signatures. Mr. Casselman was told by Barth either Nov./Dec. 1973, that Barth ^{or} and Harding had done a Memo on signatures, but it could not be found. Mr. Casselman never heard anything about General Counsel's office wanting to protect President or writing language of Deed which turned out to be a problem.

In early September, 1971, Barth began working with Jacobs who worked with Dapray Muir from Dean's office. Worked primarily on record-keeping and President's Will. (Jacobs worked with Barth rather than Fisher, ~~York~~ or L&R because Fisher was young and inexperienced, and Barth ~~and Casselman~~ had better rapport with Archives.) Jacobs called Barth and set up September, 1971, meeting. Barth asked Casselman to attend. Casselman recalls Barth suggesting taking the original Deed of Gift to meeting to clear up signature problems. (In 1973 there was a copy of the Deed of Gift in GSA file entitled Nixon Library. ~~Mr. Casselman~~



2

~~cannot recall if the 1968 Deed in file or note.~~ Only person who could reconstruct what was in file would be Barry Roth who was Chief Librarian.)

Before meeting in September, 1971, Barth or his secretary took file out of safe. Mr. Casselman cannot say with absolute certainty that he looked through file at that time. Barth and Casselman took Deed (a xerox copy with original signature) to meeting. Fairly formal luncheon meeting. Thrust of conversation about record-keeping and President's Will. During course of discussions, brought up Deed of Gift and showed it to those present. Muir was given Deed of Gift. Mrs. Nixon's signature was discussed. Also discussed a ~~power of attorney being done giving Morgan retroactive power of attorney.~~ ?

Deed was a complete surprise to Muir. At later time, Muir recall some conversation on signatures, on deed itself rather than gift, etc. Casselman did not know enough about the Deed of Gift to discuss it. ^{thoroughly} Does not recall anyone saying anything about looking into whether or not Morgan had power of attorney. To Casselman's knowledge, no one contacted Morgan during Summer of 1971. Does not recall discussing range of alternatives.

Casselmann knew Morgan to be counsel to President. All they really wanted to do was clear up documentation. At one point, Morgan had told Mankin that he had taken care of certain personal activities for President, i.e. registering him to vote, taking care of drivers license.

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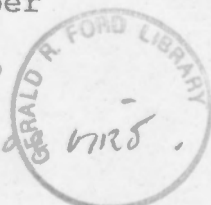
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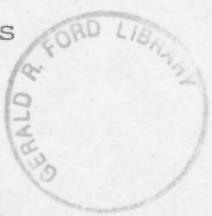
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Day of hearings Casselman ~~gets~~ becomes ill and doctor puts him to bed for two weeks. Goes back to GSA October 23rd. November 1 get first Weiker letter. November 8th goes to Atlanta for convention. Before leaving calls Parker re response to Weiker letter, tells him if he wants to go on record he should answer the Memo Casselman sent him on Sept. 28. Parker asked to see copy of Weiker letter. *ALSO SAYS PLUMS* Assumes Parker, DeMarco and Morgan met sometime in October to discuss problem. November 8th Casselman leaves for Atlanta and does not return until November 19th.

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LIVINGSTON MEMO - NOV 27/70



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had not discussed matter with Morgan). Asked Morgan to come in and tell him what he could about Deed of Gift for both 1968 and 1969. (THE one meeting Casselman had had with Morgan was a luncheon re San Clemente and Key Biscayne.) Morgan came to Casselman's office in late afternoon or early evening and went over 1968 Deed of Gift. (Casselmann did take notes of that meeting, Horowitz requested copy of same.)

At this point Horowitz suggested meeting again July 10th to discuss conversations with Morgan and DeMarco. BLB and Casselman agreed.



July 9, 1974 - Meeting with Special Prosecutors,
Horowitz and Hecht.

Re: Nixon Deed of Gift.
Allegations of Fraud re President's
gift and tax deduction, 1969.

10:10 A.M. commenced

Casselman - Background:

Came to Washington in 1964. Employed by Congressman Bob McClory as law clerk and later Legislative Assistant. Employed until 1968 when joined campaign as advance man. During campaign reported to scheduling officer, John Whitaker, and Ken Cole. Sometimes did work for Vice President and President. Worked primarily in New York. Worked fulltime for approximately two months (Sept. Oct. & part of Nov.). After election went back to work for McClory. Asked by Whitaker to go back to work, primarily Congressional relations. Worked for Harry Fleming. In January, 1969, Harry Fleming asked Mr. Casselman to join personnel office. Met ED MORGAN during campaign. Did not work with Crogh(?), did not know him. Summer of 1969 went to work for Bill Timmons, at House with ^{of RCP} Dick Cook stayed there until June, 1971, when went to GSA. While with Timmons worked with Public Works Committee and Government Operations Committee, had fair amount of work with GSA.

Had not intended to go with GSA. Was first approached by General Lincoln (OEP) to come to work as General Counsel. Just before making final decision was contacted by Ted Trimmer of GSA to come by and discuss position as General Counsel, GSA. (Ted Trimmer was informed by David Lisy(?), who had previously worked for Mr. Casselman, that Mr. C. was looking around for new position.) Mr. Casselman felt GSA a better opportunity, commenced employment on June 7, 1971. Mr. C's Deputies were Bill Barth and Jack Berkson, both of whom had been with MANKIN prior to Casselman's employment at GSA. Stayed with GSA until December 10, 1973, when jointed Vice President Ford's staff as Legal Counsel.



Secretaries while General Counsel, three (3), Mary Noon, previously worked for Mankin; Beverley Barrick, brought in by Mr. Casselman (went back to Hill to work for Gary Brown); January, 1972, Brenda Wilson, had been in Agency either worked in Administrator's office or Deputy's office. Two calendars maintained of daily activities, one by Mr. Casselman the other by Brenda. Telephone logs were kept, but Mr. Casselman periodically destroyed them. Calendars are still kept.

Prior to June, 1971, Mr. Casselman did not know about Presidential gift. Seems to recall a Memorandum to staff in 1969 saying give your papers to Nixon Library. Did not know that actual gift had been made. First found out during briefing with Mankin approximately three days before actively taking position at GSA. Focus of briefings was primarily in re appropriations. Mr. Casselman's personal staff consisted of approximately 150 persons located here in Washington and in Regional offices. At that time had six operating divisions in which Archives is included in LR.

Archives at that time headed by Julius Silverstein.
~~Before~~ *Before Silverstein*
~~came~~ David Fisher, succeeded by Bob Yock(?) (Admin. and Records Division). Yock had been in that division before, had been Executive Assistant to Administrator after Trimmer. When Administrator left, Yock came back.

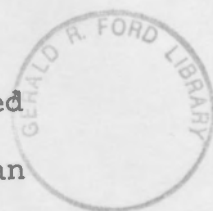
MANKIN briefing included matters of White House interest. GSA had admnistration of White House East and West Wings, EOB, San Clemente and Key Biscayne. Lead Agency for some legislative on Pennsylvania Avenue Development Corporation, reorganization bill, Post Office reorganiation, Kennedy Center, Nixon Library (primarily planning for library, began with Mankin; Archives administers all presidential libraries.) (Also worked on Kennedy Library.)

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Focus of discussion on Deed of Gift which Mankin said was in Barth's safe, two problems: (1) Mrs. Nixon did not sign it, therefore there may be a community property problem; (2) ED MORGAN's power of attorney. Barth could have been in on briefing but Mr. Casselman cannot recall. Cannot recall whether or not he took notes at that briefing, but if he did, they would have been on appropriations and he would have thrown them away. Regarding Deed of Gift, Mankin said he tried to take up problems with White House a couple of times, but to no avail. Did not impress upon Mr. Casselman any urgency, said he could attend to it in due course. Memo of June, 1970, from Mankin to Morgan was found by Mr. Casselman in late 1973 or early 1974.

Mr. Casselman recalls Mankin said Deed was in Barth's safe, does not recall seeing Deed at that time, and does not recall talking to Barth at that time. Mr. Casselman assumed if you had gift you should have a Deed. Knew that a Deed was not absolutely necessary but it was a good idea. Mankin told Mr. Casselman sometime in 1974 something about Deputy Byron Harding working on Deed and having some problems. Byron Harding was the person who focused on the lack of signatures. Mr. Casselman was told by Barth either Nov./Dec. 1973, that Barth and Harding had done a Memo on signatures, but it could not be found. Mr. Casselman never heard anything about General Counsel's office wanting to protect President or writing language of Deed which turned out to be a problem.

In early September, 1971, Barth began working with Jacobs who worked with Dapray Muir from Dean's office. Worked primarily on record-keeping and President's Will. (Jacobs worked with Barth rather than Fisher, Yock or L&R because Fisher was young and inexperienced, and Barth and Casselman had better rapport with Archives.) Jacobs called Barth and set up September, 1971, meeting. Barth asked Casselman to attend. Casselman recalls Barth suggesting taking the original Deed of Gift to meeting to clear up signature problems. (In 1973 there was a copy of the Deed of Gift in GSA file entitled Nixon Library.) Mr. Casselman



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cannot recall if the 1968 Deed in file or note. Only person who could reconstruct what was in file would be Barry Roth who was Chief Librarian.)

Before meeting in September, 1971, Barth or his secretary took file out of safe. Mr. Casselman cannot say with absolute certainty that he looked through file at that time. Barth and Casselman took Deed (a xerox copy with original signature) to meeting. Fairly formal luncheon meeting. Thrust of conversation about record-keeping and President's Will. During course of discussions, brought up Deed of Gift and showed it to those present. Muir was given Deed of Gift. Mrs. Nixon's signature was discussed. Also discussed a power of attorney being done giving Morgan retroactive power of attorney.

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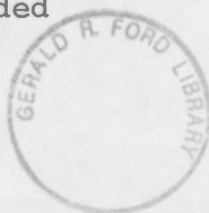
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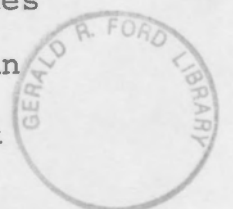


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At this point Horowitz suggested meeting again July 10th to discuss conversations with Morgan and DeMarco. BLB and Casselman agreed.



July 10, 1974 - Meeting with Horowitz and Hecht
Special Prosecutor's Office

Re: Late November, Early December
Meetings with Morgan and Con-
versation with DeMarco.

Meeting began approx. 2:33 P.M.

November 27th Rhodes comes to Casselman's office and shows Casselman Livingston memorandum. Just wanted Casselman to know about it and get his appraisal. Casselman concludes that memo cannot be ignored. (Thought information referred to in ^{Livingston} memo probably xerox tracks.) Casselman suggests that both he and Rhodes take the matter up with Sampson. On Nov. 28th, Rhodes, Don Young, Casselman and Sampson meet. (Casselmann thinks he may have brought matter to the attention of John Rose at that time also.)

At meeting with Sampson on 28th, Casselman says memo cannot be ignored and it is decided that Don Young should speak to Mrs. Livingston to find out exactly what the memo refers to. Then decided that Casselman would call Morgan. Young notified Casselman that Livingston was referring to xerox tracks. (Also, Rhodes brings Deed of Gift to meeting.) Sampson goes over procedure for Morgan meeting with Casselman. Decided that meeting should be on a friendly basis. The feeling at that time was that memo was a typical bureaucratic act. Casselman calls Morgan afternoon of 28th to arrange meeting.

Casselmann tells Morgan, ^{we} we are doing a factual inquiry re Deed of Gift. We would like to know everything you know about 1968 and 1969 gifts. Did not reveal that they thought there may be a problem nor did he say that there may be an investigation. Regarded meeting as being a factual inquiry or study. Meeting arranged for 4:30 P.M. that afternoon.

Meeting set for 4:30 however, Casselman thinks Morgan came in a little late. Casselman had asked Barth's Secretary, Martha Adams, to stay late (she was not present in Casselman's



Page Two

office during meeting). Casselman did take notes during meeting (which have been turned over the Prosecutors). Morgan did not take notes. Casselman worked off Garfinkle's chronology and two Weicker letters. Casselman wanted to know everything Morgan knew about '68 and '69 Deeds of Gift. Morgan says fine and appears to be very candid. Casselman feels he does not know that much about matter at this point. (Casselmann had not had a chance to speak to Morgan for some time, meeting relaxed, both seemed to be at ease.)

What Casselman really wanted to know was when and how Morgan signed '68 and '69 Deeds, when and how they had gotten ^{to with} to GSA, who had access and how they got access to papers. Morgan did not seem to be extremely overjoyed to be there. Morgan looked tired, distraught (not particularly about himself, about others and Watergate in general). Seemed depressed. (Q: Did Morgan mention Kroch? Response: After Casselman goes through Deed matter Morgan speaks of better times and old friends. Speaks of knowing Kroch well, upset about his service in White House with net result being he is being dragged into Watergate, his marriage had broken up, remarks that White House somewhat puritannical, had spoken to Erlichman re divorce.)

Casselmann offered to show Morgan papers he had at meeting. Morgan declined. Began with items in Garfinkle memo.

1. Casselman feels Morgan did not do too much work on '68 gift. Casselman not particularly worried about '68. See Casselman notes from meeting.

2. Did not question as to similarity between '68 and '69 Deeds of gift. Casselman himself never put the two Deeds of gift together for analysis. See Casselman notes from meeting. Casselman seems to recall that Morgan may have said that Secretary brought Deed into DeMarco's office. (Casselmann not really sure on this point as he also recalled



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a meeting with DeMarco which he himself had attended with Bob Yock, Bob Rice, Doug Hines (?), Casselman believes that his whole investigative staff may have been present but not sure. Meeting was in reference to San Clemente property, Morgan's description of those present and the relaxed atmosphere jarred Casselman's memory re S.C. meeting.) Casselman not sure if he actually asked Morgan who was present at time he signed Deed, Morgan may have said Kalmbach, but really not sure. (At time of Casselman/Morgan meeting no one had thought of possibility of re-execution. Thought Deed was either back-dated or xerox tracks were same in '69 and '70, a coincidence.) Casselman thinks Morgan said signing took place on coffee-table in DeMarco's office.

Casselmann proceeds with fine points, believes Morgan to be candid, had not shown him Deed as yet. Morgan says he checked journals and that he is 98% (9) sure that he signed Deed. But explained that he was not 100% sure. Casselman does not recall any exchange on xerox question at that time.

(Q: When you looked at October 2 memo from Mary Livingston, did you understand at that time that there was a schedule showing items which constituted gift which could not have been picked until March of 1970 and that xerox tracks on Deed and schedule were the same and that therefore the Deed had to be signed after March, 1970? Casselman not really sure, does not recall.)

13. Garfinkle chron. reference to April 10. See Casselman notes from meeting. (Casselmann was not aware that RN had signed tax return on April 10 or that Demarco was in town that day.)

Casselmann does not recall if he asked Morgan who he told at GSA that Deed was in California.

Weicker Letter 1 - Casselman believes he just ~~wrote~~ over letter generally. See notes from meeting.



Page Four

Asked Morgan about Greening (Newman's assistant). Morgan did not know her.

Around 6:10 Casselman calls in Martha Adams who witnesses Casselman taking Deed out of safe. Casselman tells Morgan he want to show him Deed of Gift. Spreads out Deed of Gift on coffee table. Notes that xerox tracks are the same all the way across. Asks Morgan, You signed on April 21, have you ever seen this schedule before? Morgan says no. Casselman says his people ~~inform~~ inform him that schedule could not have been done until Late '69 or early '70. Asked Morgan if he back-dated Deed. Morgan (almost in tears) swears that he was in California and signed Deed when he said he did. (Cassel~~man~~~~man~~ ~~new~~ only what his people told him about xerox tracks, he himself at not been to archives or talked to Mary Livingston.) Casselman did not even think of possible re-execution at that time.

For approximately next hour, Morgan speaks of days in Washington. Attributes Watergate to President's political enemies. Seemed to be very depressed and distraught. Discussed possibility of being used and how many others had been used, such as Dean and Kroch. Talks about going back to Arizona although he does not have job there. Morgan says he has had it. He is gong to start all over again. Says he wants to write a book. Suggests Casselman have a drink with him. Casselman declines giving some excuse. That meeting was the last Casselman saw of Morgan.

Cassel~~man~~~~man~~ feels Morgan unwittingly used ^{PIIF used at all.} Casselman depressed from conversation; wished to avoid having drink with Morgan that night. In part, depth of Morgan depression was, including Kroch and Dean problems, might have been his (Morgan's) problems. This Casselman surmized rather than Morgan direct comment. Recalls phrases: "high use factor", "Special Prosecutors with blood running from their eyes."



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Casselmann goes back to Sampson next morning to report. Says Morgan swears he signed Deed of Gift when he said he did, but could not explain xerox tracks. Casselman says Morgan seemed distraught. Sampson and Casselman discuss next step. To talk to DeMarco. Casselman asks if DeMarco should be flown to Washington or should they fly to DeMarco. Sampson says just give him a call.

Casselmann calls DeMarco, focused on '69 Deed only. Asked him to explain xerox tracks and he did. Casselman says he recalls being satisfied with explanation until he speaks to Barth and Roth. Barth and Roth say explanation does not make sense. (Cannot remember exactly what it was but there was something wrong.) Casselman calls DeMarco again, approximately 30 minutes later. (See Casselman notes of telephone conversatinn.) Casselman seems to recall DeMarco mentioning something about Secretary of State and notary laws. In effect, can prove Deed notarized when said it was. Casselman goes back to Barth and Roth after conversation and they agree that explanation makes sense.

see Casselman notes re conversation.
Casselmann talks to H.C. Rose, /both think it strange that Morgan does not remembe signing again. Casselman goes back to Sampson to report on conversations with DeMarco. Casselman suggests maybe calling Morgan again. Calls Morgan on 11/30, asks if Morgan has anything to add to his story. Morgan did not volunteer or say anything about re execution in 1970. Morgan asked if xerox tracks could be explained, Casselman said yes but did not give explanation. Casselman calls John Rose back and tells him that he (Casselmann) has some very srious doubts about this matter. Rose says call him back.

Casselmann now focuses on november 16 memo from Doug Parker to him. (Memo mentions nothing about re-execution.) Casselman believes something wrong, facts don't fit together. Art seemed satisfied at that time (before coversation with Morgan). Monday, Casselman calls Don Young and tells him to tell Sampson to forget about Friday's discussion, that Casselman thinks we better see more documents. Barth and Roth concur that Newman statement had to be false, there



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was no way Newman could have made appraisal when he said he did.

On 12/6 Casselman gets memo back from Don Young written on 4th. Casselman at that time wrote a memo to file.

See Casselman notes re meeting with Jacobs re going over documents at archives. Casselman asked Jacobs at one time if he could see original of '68 Deed of Gift. Jacobs told him it was lost.

Casselmann does not really recall speaking to Mankin in fall of '73, although he did call Mankin once and asked what he remembered. Does not recall ever speaking to Harding, thinks maybe Barth did in relation to memo re signatures.

Q: In December do you remember seeing a draft of a letter to Newman from Mary Livingston re her letter being only Deed? Does not recall exactly when he saw letter, thinks it was when Roth put together black book.

Horowitz instructed Casselman re Grand Jury appearance. Told Casselman to keep answers precise, not to go into a narrative unless a specific question required it. Horowitz said he wants to keep the Grand Jury record rather sparse at this time. Horowitz did not feel that matters discussed on July 9 would be covered, if at all very little. However, matters discussed at July 10 meeting will definitely be covered at Grand Jury.

Meeting concluded approximately 5:03 p.m.



On May 16, 1974, at approximately 10:00 p.m., I received a telephone call from Art Sampson in response to my previous call to him this afternoon.

I described to him Trimmer's concern about the pattern of questioning that had developed recently by the Special Prosecutor's Office regarding the 1969 deed of gift.

I went over the chronology of events with Sampson that I had previously covered with Trimmer and Young. Sampson's recollection differs from mine in a few basic respects.

First, Sampson believes that he received the Livingston memo in early November from Rhoads. This is not consonant with the recollection of Roth. However, I cannot dispute it one way or the other because I have no independent recollection of when or how it was received.

We are generally in agreement on the sequence of events. Sampson reminded me of some concern which I expressed regarding differences between the Morgan and DeMarco versions as to the place of execution (Calif.) and reexecution (D.C.) of the 1969 deed of gift. He recalls that this was not



particularly significant and that it was resolved to his satisfaction.

The only other major difference was with respect to my knowledge of the December 4 memo. Sampson indicated that he thought that I had written the memo or concurred in it. I told him that this was not the case, that I had no knowledge of the memo prior to my receiving it on December 6, and that I had sharply explained to Young that I thought further inquiry was required.

} if not written by Bill, then who would have?

My subsequent second thoughts about the explanation was the result of

re-reading Parker's November 16 memo. As it turned out, however,

this concern ~~was unfounded.~~ *about the existence of the original and duplicate originals was not of any major significance.*

I explained to Sampson my telephone call on or about December 3 to

Young expressing this concern and my subsequent anger with Young

about the memo when I learned of it. Young's explanation was that

this memo was not intended in any way to cut off my inquiry, but was

only a determination that it should not be pursued outside of GSA at this

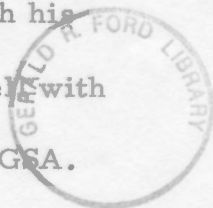
time.

The above memorandum of telephone conversations was written by Roth

and me from memory and notes immediately following the conversation.



On May 16, 1974, at about 6:00 p.m., I received a telephone call from Ted Trimmer. As a result of interviews by the Watergate Special Prosecutor's Office with Messrs. Roth, Garfinkel, and Barth of the GSA Office of General Counsel and Messrs. O'Neill, Jacobs and Ms. Livingston of NARS, certain information had come to his attention from these parties which he wished to discuss with me in the context of my work at GSA on the 1969 Nixon deed of gift. Trimmer said that the pattern of questions by the Special Prosecutor's office suggested that GSA and the White House were running a cover up of the alleged inadequacy of the 1969 deed of gift for income tax purposes. Trimmer stated that he was very surprised by this, since he felt that the questions should *logically* ~~legally~~ focus on the adequacy of the 1969 notarization. He indicated that as far as my involvement was concerned, the Special Prosecutor's Office seemed to be focusing on my November/December 1973 inquiry ~~into~~ into the "xerox tracks" on the deed of gift, Don Young's discussion with Mrs. Livingston as part of the above inquiry, and Sampson's memorandum of December 4 to Rhoads concluding that there was "no issue regarding the circumstances of the gift which GSA should consider referring to any investigatory body." Trimmer indicated that the questions focused on the meetings held with the White House and within GSA, the issues discussed, the participants, etc. He further indicated that he was concerned that Sampson had said that he was "unaware" of any disagreement with his memorandum to Rhoads. His discussion with Sampson did not gel with my comments to Trimmer regarding the memo at the time I left GSA.



I then went over the chronology of events with Trimmer as best I could recall it, beginning with September 1973, but concentrating on the time period after I received the Livingston memorandum. Trimmer indicated that based on my recollection of the facts there might have been a failure of communication between Sampson and me and he suggested that I take the matter up with Sampson so that he would understand by view. I indicated that I would. Because of Sampson's reputation for shoot from the hip type decisions, Trimmer stated that he could understand why Sampson might write the December 4 memo without checking further with counsel. I was unable to reach Sampson by phone. Realizing that much of my communication during that period had been with Don Young, I called Young at home to verify my understanding of the facts. At best we can reconstruct them, they are as follows:

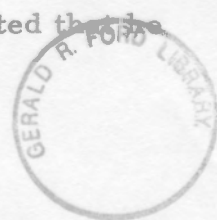
Roth recalled having received the October 26 Livingston memo from Young in mid or late November. Young indicated that he thought that he had received a carbon copy from me, but could not say for sure how he received it. I have no independent recollection of how delivery was made.

A meeting was held in late November between Rhoads, Sampson, Young and me to discuss the memorandum. The general feeling was that the

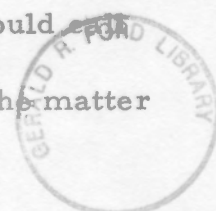


memorandum was the typical cover your ass type bureaucratic memo, alerting the Archivist to a matter that had been called to my attention by Garfinkel (not the Archives) fully one month before. We thought the memo was referring to the 'xerox tracks' matter and for that reason Rhoads brought along a copy of the deed of gift which we examined. Since the xerox track markings were apparently not toner and the markings did not carry over from page to page, we concluded that they could be caused by almost anything. Based on stray xerox marks it was Sampson's view, agreed to by everyone present, that the matter did not warrant going out of the agency at that time, ^{but} ~~and~~ that we should look into the matter further. It was decided that Don Young would interview Mrs. Livingston and that I would discuss the matter with the principals involved, namely Morgan and DeMarco. (It should be noted that I had previously brought this xerox track issue to the attention of White House Counsel in early October, and Parker had ~~been~~ ^{we at that time thought} informed ~~that~~ they did not put much stock in the xerox tracks theory based on their discussions with Morgan and DeMarco).

In the course of his discussions with Mrs. Livingston, Young ascertained that her information related to the "xerox tracks". He asked if she realized that she was accusing the President of a felony. She asked Young whether or not he was asking her to withdraw the memorandum. Young indicated ~~that he~~ was not, but wanted to test the depth of her commitment.



On or about November 28, I met with Morgan. I checked him out on the facts of the chronology developed by Garfinkel in September and also checked him out on the questions and answers on the first Weicker letter and the proposed reply to the second Weicker letter. I then took the deed of gift, which had been given to me by Sampson that morning, out of my safe and, in a somewhat melodramatic fashion, asked Morgan whether he could explain the xerox tracks. He indicated that he could not. I asked him to think about it and ~~would talk to him later~~. *call me if he had additional information.* I believe that I then reported to Sampson that Morgan was alright on his facts, but could not explain the xerox tracks. It was agreed that I should go ahead and talk to DeMarco. Sampson and I discussed generally the types of questions that I should ask DeMarco. Did he own a xerox? How long had he had the xerox? How often had the roll on the xerox been changed? Could he explain the xerox tracks problem?, etc. Prior to calling DeMarco, I met briefly with Bill Barth and Barry Roth to determine what additional information I should seek from DeMarco. DeMarco explained the xerox tracks to my initial satisfaction in a reasonable manner, although there were one or two aspects of his explanation that left me puzzled. I met briefly again with Barth and Roth, and went over the DeMarco explanation and asked whether or not it was procedurally possible for the xerox tracks to be explained in the way in which he indicated. They stated that there appeared to be one or two issues that didn't seem clear and I decided that I would call DeMarco back for a further explanation. DeMarco explained the matter



to me once again and I checked his version out with Barth and Roth. It appeared to be consistent with the facts as we understood them. However, because of the two slightly different versions of the story, I decided to check with Jon Rose, who had been working on the matter for the White House, to see what explanation DeMarco had given them. John put his father on the telephone and H. Chapman Rose explained the xerox tracks the same way that DeMarco had. This satisfied me and I reported to Sampson that DeMarco checked out on the facts and on the xerox tracks, but that I thought we should continue our inquiry, especially looking at documents in the Archives. Sampson agreed.

A short while later, I believe it was the morning of December 3, I called Don Young and informed him that after re-reading some of the memoranda in my files, particularly, the Doug Parker memo of November 16, that I could not fit all of the facts together exactly right and that he should notify Sampson of this. I stated that Parker's explanation of DeMarco having initially executed an original and a duplicate original did not gell with my understanding of the facts. (In a subsequent discussion with Parker, he informed me that his memorandum was not to be taken literally, but was intended to be a confirmation of ^{the} fact pattern I had described to Len Garment in my memo of September 27, 1973.)



Young stated that he would advise Sampson of my "second thoughts," which he did. Young confirmed that Sampson made the decision to send the memo without contacting me and "against your better judgment." On December 6, I received a copy of Sampson's memo of December 4. Prior to that time I had not know of its existence, nor had I had a hand in writing it. When I saw the memo I immediately called Young and expressed my strong objections to it saying that I thought that we had to seek more information from the Archives in order to be able to make the conclusion that Sampson did, and that I understood that I was to pursue this course of action. Young indicated that the decision to write the memo had been a "judgment call" by the Administrator and that I was to continue the inquiry, but that Sampson felt that the information did not warrant referral outside of the agency at this time.

I did continue my inquiry, urging also that the White House look at the documents in the Archives before releasing any statement by the President. Jon Rose did visit the Archives with me on December 8 to go over documents, but we didn't find anything of significance other than the fact that the 1968 deed of gift was missing.

The above memorandum of telephone conversations was written by Roth and me from memory and notes immediately following the conversation.



On January 19, 1974, at about 2:00 p. m. , Barry Roth and I met with Dr. Woodworth and Messrs. Shapiro, Weitzel, and Easterhaus of the Joint Committee on Internal Revenue Taxation regarding President Nixon's deeds of gift for 1968 and 1969 and, to a lesser extent, the work done by GSA at San Clemente and Key Biscayne. The meeting was informal and off-the-record. The following is an account of the questions and answers reconstructed immediately after the meeting from notes and memory.

(Woodworth opened the meeting by saying that they were primarily interested in discussing the handling of the 1969 deed of gift. I told Woodworth that I would be pleased to help them in anyway I could. However, I might have some trouble separating subsequently acquired knowledge from first-hand knowledge. I also said that I didn't have much time to prepare and that I appreciated him permitting Roth to be present, since Roth knew as much, if not more, than I regarding the issues involved. Woodworth indicated he understood my position).

Question: When were you General Counsel of GSA?

Answer: I became General Counsel on the day after D-day, June 7, 1971. I was General Counsel until December 10, 1973, when my appointment as Legal Counsel to the Vice President was announced. I officially went off the GSA payroll on December 12, 1973.



Question: When and what did you first hear about the deed?

Answer: Upon becoming General Counsel of GSA I was briefed by my predecessor, Hart Mankin, regarding the deed. I believe I was also briefed on the matter by Bill Barth, Deputy General Counsel to Mr. Mankin during part of his tenure and Deputy to me during my two and one-half years at GSA.

Mr. Mankin advised me of two problems with respect to the deed of gift. First, there was the question as to whether Mrs. Nixon had to sign the deed under California community property law in order to convey personal property. Second, there was the question of whether President Nixon had to sign the deed or, put otherwise, was Ed Morgan empowered to sign for the President? Mr. Mankin did not stress the significance of the deed and regarded it, as I did at the time, as a technical matter that needed clearing up as a matter of good legal practice. Both Mr. Mankin and I knew Mr. Morgan to be Counsel to the President, but we felt that the deed should make such authority clear. Apparently, Mr. Mankin had attempted to bring the subject up with the White House to no avail. His lack of success probably can be accounted for on the basis that no one likes to tell the boss that paperwork is not in order.



Question: Where was the deed when you became General Counsel?

Answer: I believe it was in the safe of my Deputy, Bill Barth.

Question: When and how did it get back to the White House?

Answer: In late August or early September of 1971, Dick Jacobs, Deputy Director of the Office of Presidential Libraries, had been working with Dapray Muir, an attorney in John Dean's office, on the President's will and on record keeping procedures for Presidential boards and commissions. At some point, they began addressing what Jacobs believed to be legal issues and Jacobs suggested that the GSA Office of General Counsel be advised. Barth then began working with Jacobs. A luncheon meeting was subsequently set up between Muir, Jacobs, Barth and myself on or about September 13, 1971.

The purpose of the meeting was to discuss Presidential wills generally and to discuss the various ways in which the President could pass his remaining papers to the Archives. In addition, there was concern for the need for better record keeping for Presidential boards and commissions. As an after thought--I don't recall whether it was Barth's idea or my own-- we decided to bring along the deed of gift in the hope that Muir could help us clear up the matter of Mrs. Nixon's signature and Morgan's power of attorney.



The meeting was a relaxed luncheon meeting. I recall the deed of gift being given to Mr. Muir, although I don't remember whether I gave it to him or Bill Barth did. We gave the deed back not only to clear up the matter of the signature and power of attorney, but also to give Mr. Muir another reference to use in focusing on the problem of the matter of the Presidential will. To some extent, too, the deed was given back as a matter of bureaucratic unburdening. However, the meeting would have been held regardless of whether or not there were any questions concerning the 1969 deed.

Question: Did you hand back the deed in an envelope?

Answer: I don't recall and I don't recall whether I, in fact, handed back the deed.

Question: Other participants present said you turned over an envelope, and they had not seen its contents.

Answer: I don't recall that, perhaps they have better recollections than I. There is no question in my mind, or Mr. Barth's, as to what we were returning. I'm certain that Mr. Jacobs realized that it was the deed of gift since it was discussed at the meeting.

Question: Did you return the original or a duplicate original?

Answer: Although I didn't examine the deed carefully prior to returning it, I am certain now that I gave back a xerox copy with original signatures.

Question: Did Muir know in advance that you were going to discuss the questions about the deed?

Answer: Not to the best of my knowledge.

Question: Was the discussion of the deed separate from the other two matters which were discussed at the meeting?

Answer: I believe it was discussed separately, but the meeting was a relaxed luncheon meeting and issues were discussed quite generally and not in any particular order.

Question: Did Mr. Muir know there were any problems with the deed prior to you raising them with him?

Answer: To the best of my knowledge he did not.

Question: Do you know when the deed came back to GSA?



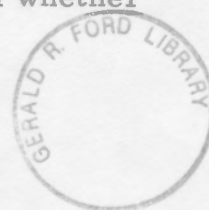
Answer: In the somewhat mad scramble following the Kotz article in June of 1973, I discovered that the deed had come back to GSA sometime in January of that year and had been inadvertently filed away in the Archives as a copy. (While I was uncertain as to exactly when the Archives discovered that they had the duplicate original, I thought it was after the Kotz article. Woodworth and Shapiro pointed out that it was sometime in May).

Question: Did you have any meetings or conversations with Muir or the White House regarding the deed following the September 13 meeting?

Answer: None that I recall specifically, although I think it at least would have come up in passing. I did not, however, regard the deed as a priority problem. I had a lot more important issues that required my attention. GSA had the papers, we had a copy of the deed of gift and, indeed, we felt we had a gift. We considered the matter of the signature and the power of attorney to be one which the White House should resolve. The matter was already over a year old when I inherited it and it simply did not receive a lot of attention from my office.

Question: You were not aware of the tax question?

Answer: I did not know that the President had taken a deduction based on the deed. (At this point Woodworth interrupted and asked whether



I meant to say based on the deed or based on the gift. I indicated I most assuredly meant based on the gift as opposed to the instrument of the deed. I also hastened to add that I was not a tax lawyer, had no knowledge of tax law, and, in fact, didn't even fill-out my own returns. Therefore, my views regarding the tax implications of the gift are not particularly informed). I did not know at that time that the President had taken a deduction. I did not learn for certain that he had taken a deduction until it was announced by the White House sometime in 1973. Archives, was,

of course, quite concerned about the loss of the write-off since it would

drastically decrease
 stop the flow of donated papers to the Archives generally.

From the

Archives point of view, there also was some concern that this provision was needed in order to assure that the President would donate his papers.

Question: When the Kotz article broke in June did you have any discussions with the White House?

Answer: In June of 1973, Mr. Sampson met with Garment, Morgan, Wright and Buzhardt. (Barry Roth pointed out that Wright and Buzhardt came in during the course of the meeting). After that meeting Mr. Sampson seemed assured that there were no serious problems. At that point, I began contact with Doug Parker's office, primarily for the purpose of coordination--staying informed and keeping Garment and Parker informed



on developments. At that time too, I believe I was told by Garment, who had spoken to DeMarco, that the community property problem was "a wash." Thus there was no question that we had a valid deed of gift for GSA purposes when we found out that the President had taken a tax deduction. This had the effect of ratifying Morgan's ^{action as agent of the President} ~~power as attorney~~.

Question: When did you first learn of the delivery of the deed?

Answer: I was not General Counsel at the time the deed was delivered. I first learned of it when I became General Counsel. The indications are that it was delivered to Mr. Mankin.

Question: How did the deed of gift get to GSA? Will you help us account for it?

Answer: It's a rather long explanation. It wasn't until September of 1973 that my attention really began to focus on the deed of gift. For a period of months prior to and during that time I had been quite busy preparing for hearings on San Clemente and Key Biscayne. As a result of the Tanenbaum allegations and continued press speculation, I sent Steven Garfinkel, Chief Counsel of NARS, into the Archives on or about September 24 to look at relevant documents and interview anyone he cared to in an effort to put together a factual accounting of events. Garfinkel returned and told me of the "xerox tracks" problem. I felt



we had to know more regarding the circumstances surrounding the delivery of the deed to GSA and we put together a memorandum for Len Garment on the subject, thinking that past or present White House personnel might be able to help us on the question of delivery. At a meeting I had subsequently with Garment and Parker, which Mr. Buzhardt also briefly attended, I raised the delivery question and the xerox tracks problem and gave to them a photograph of the deed which I had the Archives take. Ken Gemmill was already on board by that time and I understood the matter to have been turned over to him. I later had a response to my memo from Doug Parker, on behalf of Len Garment, which confirmed GSA had received a duplicate original on or about April 10, 1970.

Based on the Parker letter,

(Barry Roth explained that the original had been kept in DeMarco's office until October 1973, when it was sent to the White House Counsel's office, where it is still believed to repose).

Question: Explain how the deed got to GSA.

Answer: I have no independent recollection of how the deed got to GSA. In the course of a subsequent inquiry which I made in late November on behalf of GSA, in a telephone conversation with Mr. DeMarco, I was told that an original deed was prepared with a blank Schedule A, indicating that papers amounting to X thousands of dollars were to be covered. The original was xeroxed, unsigned, then the original was



executed on April 21, 1969, by Morgan and DeMarco. The whole kit and caboodle was kept in DeMarco's desk until about March of 1970. At that time, DeMarco typed up a new Schedule A, made a xerox of the xerox copy and the new Schedule A and took them east with him to Washington where a duplicate original was re-executed by Morgan and dated to conform to the original. Presumably, DeMarco brought his notary stamp with him. The explanation was also confirmed in greater detail in a subsequent telephone conversation with H. Chapman Rose.

As to precisely how GSA got the deed, perhaps Mr. Roth can answer better than I. (Roth noted that we have scrawled note of a conversation between Byron Harding and Ed Morgan on April 10, 1970, at 5:25 p. m. in which Morgan indicated that there was a deed in California and that he would send. We assume it was delivered to the Office of General Counsel on or about April 10. I noted that in the course of a meeting with Morgan in late November, he said he thought the deed was picked up by GSA at the White House. Roth also pointed out that Archives was not aware of the delivery of the deed to the Office of General Counsel and did not know of the existence of a deed until receipt of a memorandum from Morgan on April 27, 1970, which enclosed a right of access for Ralph Newman).



Question: What happened to the 1968 deed?

Answer: That's the same question I asked during my inquiry at the Archives on December 8. The 1968 deed of gift is lost, which probably gives you some indication of the importance that GSA attached to such documents. I understand that procedures have since been tightened-up considerably. (Roth explained that a search of the Johnson library had not turned up the deed and that there is a possibility that it may still be in the undonated papers of former Administrator Knott. A chuckle was had by all).

(Woodworth at this point asked us whether we would check with the GSA messenger service to determine whether they could verify delivery of the 1969 deed to GSA. Roth agreed. I pointed out that the GSA messenger records probably are not as good as those at the White House. Woodworth said that he thought it more likely that a GSA messenger would remember delivering something to the White House than vice versa. Woodworth asked whether Harding was still alive and if we'd provide Woodworth with an address and phone number. He indicated they would interview Harding by phone. Roth said that he would try to provide such information).



(Woodworth then raised the question of my involvement with the San Clemente-Key Biscayne inquiry and the extent of the documentation.

I told him of the volume of materials and the time and money GSA spent ~~recovering~~ ^{reviewing} them. He said that he did not intend to discuss the issue with me, but wanted to know whether GSA had prepared a report for the hearings. I indicated that a report was prepared but that it was in draft form only and that it did not deal with the tax issues. I suggested that the memorandum from the Justice Department, Lands and Natural Resources Division, would be more informative on the subject, as would the GSA and GAO ~~comments~~ ^{audits}. Roth indicated that he thought GSA had already turned some of these materials over to the IRS. Woodworth then said he thought the hearings preparation materials would nonetheless be useful to him and could we please provide it. I said that I was no longer at GSA, and that he would have to address that to the Administrator. He then asked how to describe the report. I told him it was the "Hearing Preparation Report" on San Clemente and Key Biscayne. I also indicated that the report would not be truly reflective of GSA's position, since we did it as a trial brief-- that is we made out the best case and the worst case and that reality generally lies somewhere in between. Woodworth said that would be just fine with him and that he would write a letter to Sampson on the subject).



(At about 2:40 p. m. the meeting broke up. I asked Woodworth whether it would be necessary for me to be interviewed by the IRS. Woodworth said that it would not and that he was going to pass the information on to the IRS and that he appreciated my assistance. Shapiro also indicated that completed my interview and discharged me from any further responsibilities, although he would like to meet with Roth to review other documents).

This summary was dictated by Roth and myself on 1/19/74 immediately following our meeting with the joint committee staff and was completed at approximately 4:30 p. m.



BIB copy

Draft Memo - Meeting with Morgan 11/28

- 1. 1968 Dec. - Morgan asked to inventory RN papers in law office--Tax lawyer Ritzel; Tanien; & Loie Gaunt. May have given inventory to JDE. Papers in warehouse in N.Y.

Race to make gift in 1968. ~~Clerk brought over. Had papers removed~~
 Had several boxes removed to Nixon law firm. Ralph Newman arrived
 (don't know who hired).

(Did not work on the tax returns. Never seen; does not recall having seen deed of gift).

Saw critical aspect of delivery and got ^(corpus) paper, to best of knowledge, before end of 1968.

- 2. Recalls Kalmbach' DeMarco firm taking over legal work. In Europe in Feb. In March went to Calif. in re Nixon Foundation & S.C. property.

(Never went w/papers to Archives.)

April 21, 1969, meeting on Foundation w/ w/Kalmbach, DeMarco in law firm. Discussed Foundation, San Clemente. DeMarco brought in deed of gift.

Morgan signed on April 21. Does not remember schedule.

Why no year?

sec not DeMarco?

- 13. ~~No May have called DeMarco.~~

- 14. ~~No oral right of access.~~

- 13. Calls DeMarco for deed. Did not come over w/deed. Believe someone picked-up.

- 14. ~~Does not rea~~

~~Mankin never~~

Doesn't recall Mankin ever raising question of Mrs. Nixon joining in conveyance or Morgan not having power to sign for R.N. Thought of self as R.N. agent.

Left Counsels office, August 1969, but continued ministerial functions. Never discussed w/ WEC II.

Handwritten signature

Weicker Letter 1

(Believes papers to have been given to government, if asked to return would have thought no way.) (Ote Agrees w/ letter.)



to GSA

(Ashavo of we earlier session in Ae's office)

Weicker letter #2

Express communication - H or E would know, if any.

Access

Newman's Rest

Never heard of Greening. Never heard of oral right of access.

Questions for DeMarco

Explain Livingston allegation.

Xerox in office/deed & attachment (received from Newman?).

What kind of machine/use same machine on both.

Roll changed in machine/other docs w/machine.

3rd sheet-damaged serially.

Call to DeMarco 11/29

Signed one | April 1969

October 1969

April 1970

Would have signed duplicate in April, 1970.

Conformed copies as acceptable procedure. No effect on validity of gift.

Appeared April 1969 made delivery March 1969.

Call from H. Chapman Rose 11/29

Executed ribbon copy April 21, 1969 in Calif. (Documents to be identified in attachment). Before document signed made blank xeroxs that did not reflect signatures.

March 1970 got data from Newman for Attach Exhibit. Came to Washington w/ xerox of xerox & Attach Exhibit A. Morgan resigned, and DeMarco conformed with original. Acceptable procedure.

Call to Morgan 11/30.

Still no explanation! (cf discussion w/Rose!!) Refused to offer explanation.

Spoke to J. Rose 11/30. Advised of above. Agreed to call at 8 p.

T. J. Conroy

T. J. Conroy



Spoke to Rose 12/1. Asked that we await Presidential statement before finally responding to any inquiries on 1969 gift. WEC call Monday in re RN statement.

Spoke to ~~Weicker~~ Rose 12/5.

Asked to review Weicker letter-
Asked that I review white paper to be released. Also, discussed procedure of having Joint Committee review returns

Called Dr. O'Neill 12/5.

Asked to review Weicker letter as rewritten. Also, in subsequent call, asked that right of access to papers be granted only in accordance with deed of gift, as OGC examination showed that procedures to the contrary were being followed.

Called Rose 12/6--N.A.
" "

Called Rose 12/7 - N.A.,

Left message that we were to release Weicker letter today.

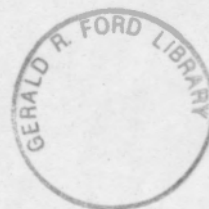
Called Fielding 12/7 - suggested strongly that President's attorneys examine records in Archives

Fielding called 12/7 - asked to review Archives materials.

Called O'Neill 12/7 to make arrangements to review in Archives--
Informed Fielding.

12/7 reviewed materials w/Rose & Gemmil at Metro. Club following release of letter. Agreed to meet at Archives 7:30 am 12/8 to examine files.

12/8 met w/Jacobs/O'Neill/Rose in Archives. Revising chronology for 1968 & 1969 gifts.



I. BRIEFINGS AS GENERAL COUNSEL

June 7, 1971, commence employment as General Counsel for GSA. Predecessor in title, HART MANKIN, succeeded to General Counsel for USN, DOD. H. W. (BILL) BARTH, Assistant for Mankin and me. Undergo series of briefings, including debriefings from as many as five assistants, of pending matters within GSA General Counsel's Office.

I recall specific reference by Mankin to me during these briefings with respect to Presidential Deed of Gift. My recollection is that Mankin advised of two (2) "problems" regarding gift. They were: (1) Legal necessity for Mrs. Nixon's signature on Deed of Gift under California community property law, and (2) Whether President Nixon was required to execute the Deed of Gift or conversely, whether ED MORGAN had been empowered to execute the Deed for the President.

ITEMS OF NOTE RELATIVE TO ABOVE CONVERSATION:

- A. Estimated total time, five (5) minutes.
- B. Place, Mankin's office.
- C. Tone and reference to gift by Mankin all related to satisfaction of GSA internal gift requirements, as opposed to the taxable implications relative to a gift.
- D. Deed of Gift not inspected at that time.
- E. Deed of Gift identified as being in Barth's safe.
- F. Best recollection, Mankin said, "I think I tried to call Ed Morgan once or twice about this matter."
- G. Item in safe described by Mankin merely as "the Deed." (i.e., no distinction between original Deed to xerox copy of original.)



II. WHITE HOUSE MEETING OF SEPTEMBER 10, 1971

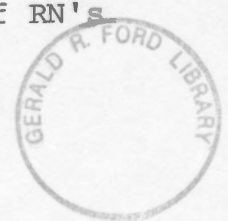
Deputy Director of the Office of the Presidential Libraries, RICHARD JACOBS, apparently suggests a meeting with DAPRAY MUIR, an attorney in John Dean's office, regarding the President's Will and record bequests through same. Additional subject matter of proposed meeting involves record-keeping procedures for Presidential Board and Commissions.

Jacobs suggests meeting with Muir and Barth from GSA to discuss these matters. (See September 3, 1971, GSA Memo to File from Jacobs.) On the morning of the meeting, Barth discusses meeting with me and invites me to attend, I concur. Barth recalls Presidential Deed in his safe and suggests bringing Deed to meeting to "clean up any problems" connected therewith. (Note that statement to Joint Committee, indicated I did not recall whether it was Barth's suggestion or my own to bring Deed of Gift.)

Luncheon meeting at the Jr. Mess at the White House. Present at table - Barth, Muir, Jacobs, myself. Majority thrust of the conversation over lunch consists of estate questions and record-keeping functions of Presidential Commissions, etc. As best recalled, as luncheon neared conclusion, Barth or or I handed the duplicate original copy of the Deed removed from Barth's office safe to Muir. Barth and/or myself outlined the two Mankin "problems", i.e. community property and power of attorney. No reference to tax and/or taxable implications recalled. Without equivocation, I had no knowledge of RN's 1969 deduction at that time.

*why not
Fisher or
YRK brought
in.*

→ "I think it was Barth idea"



ITEMS OF NOTE:

A. Jacobs' 9/13/71 Memo to GSA file refers on page 2 to the transfer of chattel Deed at the luncheon. Jacobs' Memo notes that:

1. "Casselman and Barth (they) explained that the transaction (gift or deed) was never really completed."
2. That "They (Casselman and Barth) explained that NARS did not have a copy of this chattel Deed." (Presumably Jacobs' Memo infers that the Deed transfer at luncheon was only Deed available.)
3. That "They (Casselman and Barth) preferred to hand the problem back to the White House ala Muir." ("Problem" interpreted to mean the community property question and the validity and/or need of a Deed to consummate the gift.)

Jacobs concludes Memo by stating that the "puzzle" is now Muir's. The "puzzle" is defined in the Jacobs Memo as being, "how to make the chattel Deed of Gift effective at a date earlier enough to meet the Tax Reform Act."

B. I recall no statement by anyone present at the luncheon that the transaction had not been completed, that NARS did not have a copy of the chattel Deed, that it was a White House as opposed to GSA problem or that the White House was not charged with the responsibility of determining how to make the deed effective at a date earlier.

C. In conversations on or about January, 1974,



between myself, Barth and Muir, relative to the inquiry then conducted by the Joint Committee on this subject matter, I had an occasion to discuss their recollections of the luncheon meeting. Muir's recollections of the luncheon meeting as recalled in January, 1974, were:

1. That the meeting was not about the Deed.
2. Meeting primarily about Presidential Wills and record-keeping, etc.
3. Muir felt the Deed was not effective without a power of attorney, but this issue went to the validity of the Deed rather than the gift itself.
4. Muir recalls that the Deed of Gift was treated casually, "something we could take care of this year or next."
5. Did not consider tax issue, "tangential issue" not discussed at meeting.

D. Barth recalls that the primary thrust of the meeting concerned Mrs. Nixon's signature and Morgan's power of attorney. Barth cannot say whether the tax issue was discussed at the meeting (he does not recall), but in any event, none of the GSA representative present had any knowledge of whether the President had claimed a tax deduction for donation of the papers.

E. On June 19, 1973, Jacobs prepared a second Memo to file clarifying his September 13, 1971, Memo to file. No clarification to the September 13, 1971, Memo was made other

GERALD R. F.

than to that portion of the September 13th Memo relating to the Deed of Gift. In the June, 1973, Memo, Jacobs states that he had little "first hand" knowledge of the March 27, 1969 Deed at the time of the luncheon, that the deed had not at that time come into possession of his office. That he had no knowledge "of any question" about the dating of the Deed and that his reference to the Tax Reform Act was a mere recognition that without a Deed there would be no documentation on which a tax deduction could be claimed. The June, 1973, Memo is silent as to whether he or anyone present at the luncheon had any knowledge of a past Presidential tax deduction, whether there was discussion of that subject matter at the luncheon and/or whether anyone was charged with the responsibility to explore those questions. I recall discussing the September 13, 1971, Memo with Jacobs and others following the Kotz Post story, but in no way suggested, ordered or coerced the drafting of the June 19, 1973, Memo to file.



Henry Ruth

✓ Cooperation with Gov.
ultimately may

March 69, Δ, Dep Com
arranged for physical transfer of
papers of RN, under control
of GSA,

3/26 3/27/69

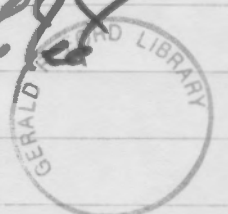
~~②~~ Δ knew that title and all
interest in remained in RN

③ Dec 30, 69 Tax Reform Act
(Morgan at all time aware of it)

④ Maintained liaison with RN's tax
~~people~~ people

⑤ April 10, 70 - RN tax returned filed

⑥ Mar 1, 70 to Jun 1, 70 in F.B.C.



and elsewhere, & and other people
unnamed herein, responsible for
preparing + assisting in 69 depositions

Part of Conspiracy, A + others:

- ① concealed true facts of
3/26 + 3/27 delivery
- ② → Mar + Apr. '70, prepare +
caused the preparation of
various documents including
Chattel, i.e. back-dating
of deed, Right of access
prepared by Newman...
all false reflected delivery
date.

③ Apr '70 - A - signed in 70 and
said '69...

④ May June '70 - A transmitted
to GSA ~~deed~~ Chattel
deed. (conceal true facts)

Over Acts

- ① EOB of 4/9/70 - telephonic conver-
sation. (A had)

2. Apr 24, 70 - signed '69
Deed + Aff.

3 Apr. 24, 70 - transmitted right
of access to GSA

4 May 30, 70 in JC - transmitted
to GSA '69 Deed + Aff.

