The original documents are located in Box 37, folder "Personnel - Conflict of Interest: Crawford, H. R." of the Philip Buchen Files at the Gerald R. Ford Presidential Library.

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THE WHITE HOUSE WASHINGTON

January 24, 1976

Phil,

It is important that we talk about the matter Secretary Hills brought to us before the end of the weekend.

I talked to Doug and told him it was needless for him to come in this afternoon.

I will give you a call later on today or tomorrow morning.

Ed

DICTATED/NOT READ

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION Presidential Libraries Withdrawal Sheet

WITHDRAWAL ID 01472

REASON FOR WITHDRAWAL		Donor restriction
TYPE OF MATERIAL		Report(s)
DESCRIPTION		Report on allegations against H.R. Crawford.
CREATION DATE		01/23/1976
COLLECTION/SERIES/FOLDER ID COLLECTION TITLE	:	Philip W. Buchen Files
DATE WITHDRAWN		08/24/1988 LET

[ca.1/26/76]

ADVICE OF RIGHTS

- 1. You have the right to remain silent.
- 2. Anything you say can be used against you in court of law or other proceedings.
- 3. You have the right to talk to a lawyer for advice before you make any statements. You are not being asked to make any statements.
- 4. If you cannot afford a lawyer, one will be appointed for you before any questioning.
- 5. If you decide to make any statements, answer any questions or otherwise engage in discussion now, you will still have the right to terminate the questioning or making of statements at any time you so desire, or to stop answering questions or making statements until you consult with a lawyer.

Point Paper on Resignation Discussion with H.R. Crawford

- 1. The discussion should take place on Monday and attendance should be limited to Mr. Buchen, Robert Elliott and H.R. Crawford.
- Crawford should be told that reliable information has come to the President's attention that he has been attempting to arrange consulting contracts with public housing authorities while continuing to exercise his responsibilities as Assistant Secretary for Housing Management; that this activity is improper and violates the Department's standards of conduct; that the evidence has been referred to the Department of Justice for further investigation; that under these circumstances the President has no choice but to ask for his resignation immediately and in the event that it is not forthcoming to dismiss him; and that the President's present intention if Crawford resigns is to issue a short statement that he has resigned.
- 3. In order to protect the Justice Department's investigation, and to convey the firmness of the President's decision, there should be no discussion of the number or identity of the public housing authorities presently known to be involved or of any other facts or opinions concerning Crawford's activities or the investigation thereof.
- 4. If Crawford asks to be confronted with the evidence and for the opportunity to respond, he should be told that the President is satisfied that the evidence constitutes a fair basis for demanding the resignation and that any further discussion of it would be improper while the Justice Department's investigation is pending.
- 5. If Crawford asks whether the President or the Department will announce that a criminal investigation is underway, he should be told that the initial announcement will simply state that "H.R. Crawford, Assistant Secretary of HUD for Housing Management has resigned, effective immediately" and that the President will make no further commitment regarding public statements.
- 6. Because of the likelihood that Crawford would attempt to block the resignation demand by generating a campaign in the Congress and among constituent groups, he should be required to decide on the spot whether to submit his resignation or be dismissed.



THE GENERAL COUNSEL OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, D. C. 20410

October 30, 1974

MEMORANDUM

To HUD Employees Leaving -- Or Considering Leaving -- Government Employment

Federal criminal laws, as well as the Department's Standards of Conduct, prohibit (A) your participation while at HUD in certain matters affecting persons or organizations with whom you are seeking employment; and (B) your participation in certain kinds of employment activity after you leave the Department. Violation of these laws can make you subject to a fine of not more than \$10,000, or imprisonment of up to two years, or both.

(A) Acts Affecting a Personal Financial Interest

18 U.S.C. §208 provides as follows:

(a) Except as permitted by subsection (b) hereof, whoever, being an officer or employee of the executive branch of the United States Government, of any independent agency of the United States, or of the District of Columbia, including a special Government employee, participates personally and substantially as a Government officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which, to his knowledge, he, his spouse, minor child, partner, organization in which he is serving as officer, director, trustee, partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest—

Shall be fined not more than \$10,000, or imprisoned not more than two years, or both.

(b) Subsection (a) hereof shall not apply (1) if the officer or employee first advises the Government official responsible for appointment to his position of the nature and circumstances of the judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter and makes full disclosure of the financial interest and receives in advance a written determination made by such official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect from

such officer or employee, or (2) if, by general rule or regulation published in the Federal Register, the financial interest has been exempted from the requirements of clause (1) hereof as being too remote or too inconsequential to affect the integrity of Government officers' or employees' services.

The HUD Standards of Conduct contain a similar provision at 24 CFR \$0.735 - 205(b):

- (b) (1) No employee, including a special Government employee, may participate as such in any matter in which to his knowledge he, his spouse, minor child, organization in which he is serving as an officer, director, trustee, partner, or employee, or a partner has a financial interest. He must also not participate in any matter in which to his knowledge a person, business, or nonprofit organization with whom he is seeking, or has an arrangement for, employment has a financial interest.
- (2) Subparagraph (1) of this paragraph does not apply:
 - (i) If the officer or employee first advises the Department counselor in writing of the nature and circumstances of the matter, makes full disclosure of the financial interest, and receives in advance a written determination by such official or his designee that such interest is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect from such officer or employee; or
 - (ii) If the financial interest is within one of the following categories which are hereby exempted from the requirements of section 208(a) of title 18, United States Code as being too remote or too inconsequential to affect the integrity of a Government officer's or employee's services;

- (a) Any holding in a widely held mutual fund, or regulated investment company, which does not specialize in any particular industry.
- (b) Ownership of shares of stock and of corporate bonds or other corporate securities, if the current aggregate value of the stocks and other securities so owned in any single corporation is less than \$7,500 and is less than 1 percent of the outstanding stock of the organization concerned, and if the employee, his spouse, or minor children are not active in the management of the organization and have no other connection with or interest in it.
- (c) Continued participation in a bona fide pension, retirement, group life, health, or accident insurance plan or other employee welfare or benefit plan that is maintained by a business or nonprofit organization by which the employee was formerly employed, to the extent that the employee's rights in the plan are vested and require no additional services by him or further payments to the plan by the organization with respect to the services of the employee. To the extent that such plans are profit sharing or stock bonus plans, this exemption shall not apply.
- (d) The interest of a spouse, minor child, or other member of an employee's immediate household is considered to be an interest of the employee. For the purpose of this section, "member of an employee's immediate household" means those blood relations who are residents of the employee's household.
- (e) This section does not preclude an employee from having a financial interest or engaging in financial transactions to the same extent as a private citizen not employed by the Government so long as it is not prohibited by law, Executive Order 11222, Civil Service Commission regulations, or this part.

(B) Prohibited Activities by Former Employees

18 U.S.C. §207(a) and (b) provide as follows:

- (a) Whoever, having been an officer or employee of the executive branch of the United States Government, of any independent agency of the United States, or of the District of Columbia, including a special Government employee, after his employment has ceased, knowingly acts as agent or attorney for anyone other than the United States in connection with any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter involving a specific party or parties in which the United States is a party or has a direct and substantial interest and in which he participated personally and substantially as an officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, while so employed, or
- (b) Whoever, having been so employed, within one year after his employment has ceased, appears personally before any court or department or agency of the Government as agent, or attorney for, anyone other than the United States in connection with any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter involving a specific party or parties in which the United States is a party or directly and substantially interested, and which was under his official responsibility as an officer or employee of the Government at any time within a period of one year prior to the termination of such responsibility—

Shall be fined not more than \$10,000 or imprisoned for not more than two years, or both: Provided, That nothing in subsection (a) or (b) prevents a former officer or employee, including a former special Government employee, with outstanding scientific or technological qualifications from acting as attorney or agent or appearing

personally in connection with a particular matter in a scientific or technological field if the head of the department or agency concerned with the matter shall make a certification in writing, published in the Federal Register, that the national interest would be served by such action or appearance by the former officer or employee.

The HUD Standards of Conduct contain similar prohibitions at 24 CFR §0.735 - 213:

A former officer or employee or former special Government employee of the Department shall not:

- (a) At any time after his Government employment has ended, knowingly act as an agent or attorney for anyone other than the United States in connection with any matter involving a specific party or parties in which the United States is a party or has a direct or substantial interest and in which he participated personally and substantially as an officer or employee for the Government through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise while so employed.
- (b) Within 1 year after his Government employment has ended, appear personally before any court or department or agency of the Government as agent, or attorney for, anyone other than the United States in connection with any matter involving a specific party or parties in which the United States is a party or directly or substantially interested, and which was under his official responsibility as an officer or employee of the Government at any time within a period of one year prior to the termination of such responsibility.

("Official responsibility" is defined by statute as direct administrative or operating authority, whether intermediate or final, and either exercisable alone or with others, and either personally or through subordinates, to approve, disapprove, or otherwise direct Government action. (18 U.S.C. 202(b)).



Under these statutes and regulations, each employee should keep in mind four important "Don'ts":

- 1. Don't solicit, negotiate, or arrange for private employment during a period when you are acting on behalf of HUD in a matter in which your prospective employer has a financial interest in the form of a contract, loan, or grant, or otherwise. (With the authorization of your supervisor you may be relieved of any assignment which, in the absence of such relief, might preclude such solicitation, negotiation, or arrangements.)
- 2. Don't act on behalf of HUD in any capacity in a matter that to your knowledge affects even indirectly a party outside of the Government with whom you are soliciting, negotiating, or arranging for future employment unless you have cleared the matter with your HUD Deputy Counselor after full disclosure.
- 3. Don't accept a position which will require your acting as agent or attorney for your employer with respect to a matter in which you participated personally or substantially while a Government employee. This is a permanent prohibition.
- 4. Don't accept a position which will require your appearing in court or before any governmental department or agency on behalf of your employer within one year after leaving HUD, in connection with a matter which was under your official responsibility during the last year of your HUD employment.

THE CONFLICT OF INTEREST STATUTES ARE "PUBLIC WELFARE" STATUTES. THEREFORE, ALL THAT MUST BE SHOWN TO PROVE THAT A VIOLATION HAS OCCURRED IS THAT YOU PERFORMED AN ACT PROHIBITED BY ONE OF THE RELEVANT STATUTES; INTENT TO VIOLATE THE PROVISIONS OF THE STATUTE NEED NOT BE SHOWN. IF YOU HAVE QUESTIONS ON FUTURE NON-FEDERAL EMPLOYMENT OR ANY CONFLICT OF INTEREST OR CONDUCT MATTER, ADDRESS THEM TO OR CONSULT WITH YOUR DEPUTY COUNSELOR:

- 1. The Department Counselor is the General Counsel.
- 2. The Deputy Counselors in Washington are the Deputy General Counsel and the Assistant General Counsel for Finance and Administrative Law.
- 3. The Deputy Counselor in each region is the Regional Counsel.

Robert R. Elliott

THE WHITE HOUSE

WASHINGTON

January 26, 1976

Dear Mr. Crawford:

At the direction of the President, I hereby notify you with regret that your services as Assistant Secretary for Housing Management of the Department of Housing and Urban Development are terminated at the close of business today.

The reasons for this termination were discussed with you today in your meeting with Secretary Hills, General Counsel Elliott and me.

Sincerely,

Philip W. Buchen Counsel to the President

Mr. H. R. Crawford
Department of Housing
and Urban Development
Washington, D. C.

January 26, 1976

Dear Mr. President:

I hereby resign my position as Assistant Secretary for Housing Management at the Department of Housing and Urban Development to be effective this date. It has been a pleasure serving in your Administration; however, I have decided for personal reasons to return to the private sector for the pursuit of other challenging goals that I have set for myself.

Respectfully yours,

H. R. CRAWFORD



January 26, 1976

Dear Mr. President:

I hereby resign my position as Assistant Secretary for Housing Management at the Department of Housing and Urban Development. It has been my pleasure to serve in this position, and I have decided to move on to personal pursuits within the private sector, effective this date.

Respectfully yours,

H. R. CRAWFORD



I have given the signed original of letter from Crawford to the President (1/26/76) and a copy of the President's letter to Crawford (1/27/76), to Linder's office.

Eva



I hereby resign my position as Assistant Secretary for Housing Management at the Department of Housing and Urban Development, effective upon acceptance of this resignation.

It has been my pleasure to serve in this position, and I have decided to move on to personal pursuits within the private sector.

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It has been my pleasure to serve in this position, and I have decided to move on to personal pursuits within the private sector.

Respectfully yours

H. R. CRAWFORD

H.R. Crawford has resigned his office as Assistant
Secretary for Housing Management of the Department of
Housing and Urban Development. Mr. Crawford's resignation
was accepted in light of evidence of impermissible conduct
with respect to communications with persons outside the
Department concerning employment after government service.
The matter has been referred to the Department of Justice
and further comment would not be appropriate at this time.

H. R. Crawford has resigned his office as
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Mr. Crawford's resignation was accepted in light of
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1/26/76 (125+ version

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within his jurisdiction at the Department to make contracts with
him to employ his services in a private capacity.

Tuesday 1/27/76

5:50 Secretary Hills' office sent their driver over to pick up copies of the exchange of letters with the President.

We xeroxed them and put them in a sealed envelope for her.

We have given the original of Crawford's letter to the President and a copy of the President's letter to him ----- to Bob Linder for the records.



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Cranford, HR

1/27/76

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THE WHITE HOUSE WASHINGTON

January 27, 1976

Dear Mr. Crawford:

In accordance with your letter of January 26, 1976, I hereby accept your resignation as Assistant Secretary for Housing Management at the Department of Housing and Urban Development effective this date.

Sincerely,

The Honorable H. R. Crawford Assistant Secretary of Housing and Urban Development Washington, D. C. 20410

Herald R. Ford

Conflict Crawford H.R.

January 26, 1976

Dear Mr. President:

I hereby resign my position as Assistant Secretary for Housing Management at the Department of Housing and Urban Development, effective upon acceptance of this resignation.

It has been my pleasure to serve in this position, and I have decided to move on to personal pursuits within the private sector.

Respectfully yours

H. R. CRAWFORD

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

R. FOROUGHRAPE

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



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The White House
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The reasons for this termination were discussed with you today in your meeting with Secretary Hills, General Counsel Elliott and me.

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Mr. H. R. Crawford
Department of Housing
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PWBuchen: ed



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R. FORD WERNAN

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833-8900 AREA CODE 202

MICHAEL NUSSBAUM

ATTORNEY AT LAW

NUSSBAUM & OWEN

1800 M STREET, N. W. WASHINGTON, D. C. 20036

501 Mosher

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THE WHITE HOUSE WASHINGTON

January 27, 1976

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Sincerely,

The Honorable H. R. Crawford Assistant Secretary of Housing and Urban Development Washington, D.C. 20410

Herald R. Find

Crawford //R

Wednesday 1/28/76

12:55 Larry Bryant (Channel 5 WTTG -- Metromedia) wanted to talk with you ---- subject the 'firing' of H. R. Crawford. 244-3086

I advised that Ron Nessen's office could help them -- as there had been information given out at the Press Briefing this morning.

He wants to come over this afternoon and do a filmed interview -- said you could surely spare 15 minutes.

1:45 advised him to call

Brace Bossett (HUD) 755-6980-he said he had already talket ther.



HUDNEWS U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON D.C. 20410

HUD No. 76-34 Phone (202) 755-6980

FOR RELEASE Wednesday January 28, 1976

H.R. Crawford has resigned his office as Assistant
Secretary for Housing Management of the Department of
Housing and Urban Development. Mr. Crawford's resignation
was requested and accepted in advance of his planned
retirement because of questions raised with respect to
possible conflicts of interest arising from communications
with persons outside the Department concerning employment
after government service. The matter has been referred
to the Department of Justice and further comment would
not be appropriate at this time.

Mr. Crawford has served as Assistant Secretary for Housing Management since March 1973. He has made substantial contributions toward improving housing for low and moderate income families.



THE WHITE HOUSE WASHINGTON

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It has been my pleasure to serve in this position, and I have decided to move on to personal pursuits within the private sector.

Respectfully yours

H. R. CRAWFORD

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

JANUARY 28, 1976

Office of the White House Press Secretary

THE WHITE HOUSE

EXCHANGE OF LETTERS BETWEEN THE PRESIDENT
AND H.R. CRAWFORD,
ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT

January 27, 1976

Dear Mr. Crawford:

In accordance with your letter of January 26, 1976, I hereby accept your resignation as Assistant Secretary for Housing Management at the Department of Housing and Urban Development effective this date.

Sincerely,

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January 26, 1976

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Respectfully yours,

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HUDNEWS U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON D.C. 20410

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Respectfully yours,

H. R. CRAWFORD

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

Office of the White House Press Secretary

THE WHITE HOUSE

EXCHANGE OF LETTERS BETWEEN THE PRESIDENT
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ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT

January 27, 1976

Dear Mr. Crawford:

In accordance with your letter of January 26, 1976, I hereby accept your resignation as Assistant Secretary for Housing Management at the Department of Housing and Urban Development effective this date.

Sincerely,

GERALD R. FORD

January 26, 1976

Dear Mr. President:

I hereby resign my position as Assistant Secretary for Housing Management at the Department of Housing and Urban Development, effective upon acceptance of this resignation.

It has been my pleasure to serve in this position, and I have decided to move on to personal pursuits within the private sector.

Respectfully yours,

H. R. Crawford

THE WHITE HOUSE

WASHINGTON

January 28, 1976

MEMORANDUM FOR:

RON NESSEN

FROM:

EDWARD SCHMULTS

The attached letters should be embargoed until after 10:00 a.m. this morning. 100 copies of the Press Release will be coming over from HUD.

Attachments

No no I was

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION Presidential Libraries Withdrawal Sheet

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REASON FOR WITHDRAWAL Donor restriction
TYPE OF MATERIAL Notes
CREATOR'S NAME Daughtrey, Eva RECEIVER'S NAME Buchen, Philip
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