

The original documents are located in Box C45, folder “Presidential Handwriting, 7/24/1976” of the Presidential Handwriting File at the Gerald R. Ford Presidential Library.

Copyright Notice

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

THE WHITE HOUSE
WASHINGTON

Jack Marsh

I know this is
a distortion by J.M.
but what is accurate
situation.

THE WHITE HOUSE
WASHINGTON

July 24, 1976

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR: JOHN O. MARSH, JR.
FROM: JAMES E. CONNOR
SUBJECT: Star Article of 7/23/76 Entitled
"Moss Claims U.S. Wiretaps On
Increase"

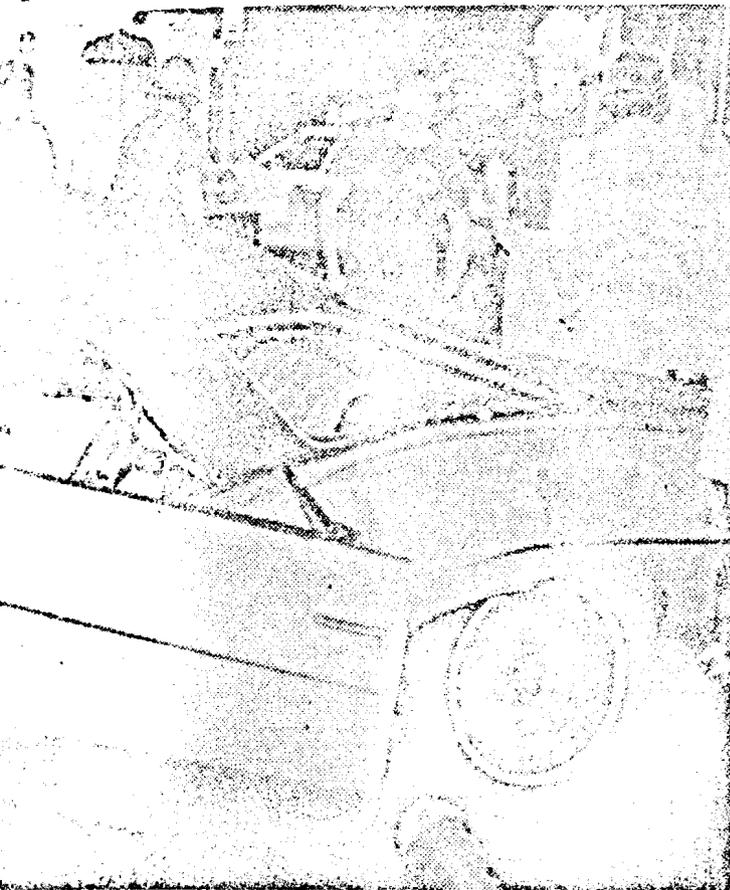
The attached was returned in the President's outbox with the following notation directed to you:

"I know this is a distortion by J.M. but what is accurate situation."

Please follow-up with the appropriate action.

cc: Dick Cheney

Y. CHASE CRASH



—Steve Eisen

claimed four lives shortly before dawn today.

Case

persons in the immediate warehouse said they had enter the building and a new paint job. One of a van that was blue in through into the warehouse weeks ago and was white when out. Two vans, in one and a dark were used to transport schoolchildren and from where they at a point near their to Livermore, 120 where they were locked back trailer 12 hours

the arrest of the named in the police issued soon," according to County Sheriff Fred Nickerson of the quarry in County, where were put in the early last Friday remained there until when they escaped

Tree Car Hit Has Claimed Other Lives

By Charles A. McAleer
Washington Star Staff Writer

Four Metro system bus mechanics were killed when their car slammed into a tree on the Maryland side of Chevy Chase Circle as they traveled south on Connecticut Avenue shortly before dawn today.

Montgomery County police said the driver apparently fell asleep while heading toward the District at a high rate of speed, causing the car to smash head-on into one of the many large trees that rim the circle.

The old trees have been the site of numerous other accidents in the past, some involving fatalities, police and rescue squadsmen recalled.

The latest crash occurred about 5 a.m., less than five hours after the men had gotten off work at Metro garages in the 5200 block of Wisconsin Avenue NW and at 14th and Decatur Streets NW, according to police.

Although the crash occurred on the Maryland side of the circle, District fire rescue units were the first to reach the scene. It had been raining

Moss Claims U.S. Wiretaps On Increase

Ford Tops Nixon in Requests To AT&T, Panel Chief Says

The chairman of the House investigations subcommittee said today the Ford administration has asked American Telephone & Telegraph Co. to install many more wiretaps than the Nixon administration did.

"We've seen a marked, dramatic increase under Ford," declared Rep. John Moss, D-Calif. "Who is he tapping? Why the escalation?"

Moss made the statements as AT&T officials refused to give the subcommittee their records of the government's national security wiretap requests. They acted in accordance with an order issued yesterday by U.S. District Court Judge Oliver Gasch.

The judge's temporary restraining order represented a victory for President Ford, who had asked the Justice Department to "undertake such action in the courts . . . as may be appropriate to prevent the disclosure of this sensitive information."

AT THE WHITE House, Press Secretary Ronald Nessen said he would have no comment about Moss' statement. "It's in litigation, I just can't comment," Nessen said.

Moss said a Justice Department affidavit outlining its wiretap requests to AT&T shows 76 in 1972; 95 in 1973; 141 in 1974, with 115 of them after Ford became president in August; 141 again in 1975 and 58 for the first six months of this year.

There was no indication whether the requests came from Ford himself or from others in his administration.

Moss criticized Gasch's temporary restraining order barring AT&T from giving up its records including more information about the wiretaps. The congressman also criticized Ford's request for the order.

"The President is charged with seeing that the laws are faithfully executed," Moss said. "Rather than carrying out his responsibility, he is interfering with the legislative powers of the Congress enumerated in . . . the Constitution."

IN REFUSING to turn over company records, John Fox, vice president of AT&T, told the investigations and oversight subcommittee

See WIRETAP, A-6

Timonium Results

2nd-1320; 2 YD; Md. had 2nd; 4 hr

Alameda County district attorney, said last night that search warrants would be served in two other unspecified cities in the Bay Area, where he said "the same kind of evidence" that officers looked for at the Woods home would be sought.

Among the junk vehicles found where Woods lives were old police cars, taxicabs, fire trucks, trailers and campers, McDonald said. The sheriff said he did not know if any vans matching the description of the 1971 Dodge vans used to transport the hostages.

"I haven't seen anything to indicate there was more than the original three"

THE YOUNGER WOODS and the Schoenfeld brothers have apparently known one another for many years. Woods and James Schoenfeld were born three days apart in October 1951, and all three of the young men graduated from Woodside High School near their homes and attended Canada College, a two-year school in neighboring Redwood City. Each of the Schoenfeld brothers received a degree from the junior college, but Woods dropped out after one semester, according to school records.

A year and a half ago,

"I've always been interested in restoring one of these things," said Woods at the time he and James Schoenfeld sought to purchase the 103-year-old Henry Rengstorff House in Mountain View. The project fell through after the two young men were unable to post a \$60,000 bond that city officials had demanded.

PORTOLA VALLEY, with a population of 4,800, and Atherton, with 7,600 residents, are similar in size to Chowchilla, population 4,500, but the two areas have little else in common. Most residents of the Chowchilla area, in Madera

San Francisco, work in the area's booming electronics industry, teach at Stanford University or earn their living as doctors or lawyers.

The Woods property and the 15 buildings on it are worth an estimated \$3.5 million, while the Schoenfeld's home is a large ranch dwelling on one acre with a swimming pool in a neighborhood of houses that sell for \$150,000 and up. More than a dozen motorcycles in various stages of disrepair were observed at the Schoenfeld home Wednesday.

The father of the Schoenfeld brothers, John B. Schoenfeld, is a podiatrist.

WIRETAP

Continued From A-1

that the firm would not risk being held in contempt of court by complying with the panel's subpoenas.

Moss temporarily excused the company from complying with the subpoena but added that this "in no way absolves AT&T from its ultimate responsibility."

The congressman said the President's request for the judge's order "flies firmly in the face of every historical precedent." He said Congress will resist any attempt to make Gasch's order permanent.

Ford's claim of executive privilege was only the second time a president has made such a formal assertion in an attempt to keep information from a congressional investigating committee, the Justice Department said.

In the first instance, an appeals court in 1974 upheld then-President Richard M. Nixon's refusal to turn over White House tapes to the Senate Watergate committee.

JUDGE GASCH has set a hearing July 28 to consider issuing a permanent injunction barring AT&T

from turning over its wiretap records.

The 11th-hour restraining order was requested by Rex E. Lee, an assistant attorney general in charge of the Justice Department's Civil Division, at Ford's request.

Lee told Gasch that this was a "rare case, only the second time in history where the president has asserted executive privilege in the subpoena of documents by the Congress."

The court action followed weeks of unsuccessful negotiation between the White House and Moss in an effort to resolve the issue. The purpose of the House investigation is to determine the extent of illegal wiretapping done by telephone companies at the request of law enforcement and intelligence agencies.

The subcommittee wants to find out how wiretapping may be violating provisions of a federal law designed to guarantee privacy in all communications, whether by wire or radio.

FORD, IN HIS letter to Moss, said, "I fully understand your desire for some procedure by which you can obtain information relevant to your inquiry," but that the subpoena presented "unacceptable risks" to national security.

He presented as an alternative a plan under which the FBI would separate

documents held by AT&T relating to domestic telephone surveillance from those dealing with foreign intelligence surveillance and provide the former to the subcommittee.

Under Ford's offer, foreign intelligence documents from any two years also could be obtained by the subcommittee, but they would be "edited" to delete "names, addresses, line or telephone numbers and other information which would disclose targets of the surveillances, sources of information about the targets, and methods of surveillance." The documents would disclose, however, whether the targets were U.S. citizens.

LEE ARGUED before Gasch that if the unedited letters were sent to the subcommittee, the surveillance targets would become known.

Lee contended in papers filed with the court that such disclosures "would terminate various intelligence and counterintelligence programs, would identify and endanger informants and double agents currently supplying intelligence and counterintelligence information to the United States, would reveal the technical capabilities of the United States in obtaining such intelligence information, would elimi-

nate valuable sources of information important to the national defense and national security and would severely hamper the conduct of our relations with foreign powers."

The Justice Department official argued that the Supreme Court in the Nixon tapes case noted the special need to defer to executive privilege in national security matters, especially where alternative methods of obtaining the information were available.

HE ADDED that this case was unique because the documents sought were in the possession of a private company and not the government.

"The government must rely on private industry for many needs, such as defense equipment, since it does not have the capability to provide the material itself. The situation here is the same: AT&T performs a function that only they can perform," Lee said.

He contended that the letters were sent to AT&T under a requirement that they be kept confidential and that AT&T must keep them secret. Lee noted that such letters only have been sent since 1969 and that before then the surveillance requests were made verbally.

TAXES

Continued From A-3
former Treasury officials

boost employment and investment.

- Another company or industry is getting a break, so we deserve one, too.
- Even if legislation to cur-

the amendments with Long before they were introduced.

Woodworth said he had not known that the amendments would apply to Long's family. He said he

A 1969 LAW limits deductions basically to the cost of the paint and canvas when the creator is the donor. Collectors, however, can deduct the appraised value which often is higher than