

Saudi Gem Aftermath: GAO

By Maxine Cheshire

The General Accounting Office will ask the White House for a look at all records pertaining to foreign gifts to the First Family.

The action, undertaken at the request of the Senate Foreign Relations Committee, could make public "Gifts Unit" files which the White House has refused to allow reporters to examine on grounds that disclosure could embarrass donors and possibly cause international diplomatic difficulties with the countries concerned.

Earlier this week, The Washington Post disclosed that the Saudi Arabian royal family had presented three gifts of jewelry, including a diamond and emerald

set appraised at \$52,400, to First Lady Pat Nixon and her daughters over the past five years.

The "Gifts Unit" processes some 3,500 gifts a year—an estimated 10 per cent from foreign donors.

While declaring emphatically that such gifts are considered "public property" that will eventually go to a "public repository," the White House has taken the position that files recording them are confidential and part of the private papers that President Nixon will take with him when he leaves office.

Reporters therefore have been unable to determine what other jewels, paintings and objects of substantial value may have been given to members of the First Fam-

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ily by representatives of foreign nations since President Nixon took office five years ago.

A GAO spokesman acknowledged yesterday that the agency is prepared for the possibility that the White House may balk at letting investigators examine the foreign gifts files.

"But we won't worry about that until it happens," he said. "We are going to take things one step at a time. First, we are going to put in a straightforward, routine request."

Neither White House counsel J. Fred Buzhardt nor assistant press secretary Gerald Warren could be reached for comment last night.

The GAO was asked to undertake its investigation by

the Senate Foreign Relations Committee's acting chairman, Sen. John Sparkman (D-Ala.).

Writing to Comptroller General Elmer Staats, Sparkman requested that the GAO "make a report . . . on the administration and operation of the Foreign Gifts and Decorations Act of 1966 and subsequent legislation, executive orders and regulations."

Under that law, anything of value given to any American official or his family by "any King, Prince or foreign State" becomes the legal property of Uncle Sam, and the U.S. Chief of Protocol is designated as Congress' watchdog over such gifts.

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While the Senate Foreign Relations Committee is supposed to oversee the State Department under the Reorganization Act of 1946, the committee did not know until early March that the Protocol Office had been relieved of its traditional recordkeeping duties by the Nixon administration in early 1969.

President Nixon's advisers, after a series of consultations during his first year in office, took the position that the President and his family are probably exempt from the 1966 law, although they acknowledge that position had never been tested in court.

To ensure that the First Family would be in compliance with the law "if any question was ever raised," a decision was made to maintain records of all gifts—foreign and domestic—at the White House. The Gifts Unit at the White House was expanded to record foreign gifts, and the protocol office was stripped of this function. The Chief of Protocol was to be given "access" to the White House files if he needed it.

Former Chief of Protocol Marion Smoak, however, has said he never found a need to exercise such "access" in the two years he held the job.

Alerted by a series of routine inquiries from The Washington Post two months ago as to whether President Nixon and his family were supposed to come under the law pertaining to foreign gifts, Sparkman's committee staff initiated its own inquiry.

The letter Staats, asking for a full review, was written on April 11, before The Washington Post story Tuesday disclosed the existence of the Saudi gifts of jewels.

"We weren't even sure what it was Sparkman wanted us to look for until now," one GAO source said yesterday. "We thought it was routine."

The GAO report could take months unless Sparkman or some other member of the committee asks for an interim report restricted to the State Department's procedures in keeping track of foreign gifts to the First Family.

Otherwise, the GAO plans to review the way the Chief of Protocol has been handling foreign gifts to officials in all three branches of government and the military.

Meanwhile, a former State Department lawyer who helped draft the Foreign Gifts and Decorations Act of 1966, said yesterday that there was no intention to exempt the President and his family from the legislation.

Milton Mitchell, a former assistant Chief of Protocol who later served as a senior attorney in the legal administration section of the State Department, said former President Lyndon B. Johnson called him at home on the night that he signed the 1966 law into effect.

"Do I come under that act?" the President asked Mitchell. Told that he did, Mitchell said the Chief Executive replied: "I thought I did."

Mitchell recalled that he left a memo of the conversation in the legal adviser's files at the State Department when he retired in December, 1969.