

11 Dec 73 (1)

Nixon (vice presidential papers) - Weicker challenges Nixon's statement that the IRS conducted a "full field audit" of his tax returns for 1971 and 1972, says that since the IRS did not contact two of the three principal parties - the GSA (as recipient for the National Archives) and the appraiser, Ralph Newman - "this clearly raises questions about the thoroughness of the audit."

See WXP for detailed account of Weicker's argument, given in 11-page legal analysis released by him today, with relevant dates, etc. "According to Weicker's analysis, if the President was making his gift by execution of a deed, then several conditions had to be met: Mr. Nixon had to sign the deed himself, the deed had to be delivered before July 25, 1969, GSA had to accept the deed, and the deed has to identify what is being given. 'The March 27, 1969 deed fails on all counts,' the memo asserts."

Weicker says he is sending his analysis to the IRS and not to the Joint Congressional Committee on Internal Revenue Taxation because "There's only one agency responsible for the enforcement of tax laws in this country, and that's the Internal Revenue Service."

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WXP 12 Dec 73, Meyer; SFC 12 Dec 73 [AP]; entry 13/Dec.

Center on Corporate Responsibility - Federal Judge Charles R. Richey orders IRS to grant tax-exempt status to the group, on the ground that the refusal of the White House to give him some documents in the case constituted an admission that the White House had exercised improper pressure on the IRS. Buzhardt did turn over four documents "but did not fully comply with his order, Richey said. For example, there was no search of the impounded files of ~~xxx~~ [Colson, Ehrlichman, ~~xxx~~ Haldeman, Caulfield or Dean]."

CCR had ceased operations in July because it could not raise enough money to continue unless contributions were tax exempt. IRS documents "showed that career officials of the IRS had consistently held that the tax exemption should be granted and that it was not until the application reached the political employees in the chief counsel's office that there was any trouble with it."

SFC 12 Dec 73 [NYT]

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Rebozo/Hughes - Kenneth W. Gemmill ~~confirms~~ says he advised Rebozo last spring (no date) to return the \$100,000 to Hughes. Story does not say where or why Gemmill made this statement, only "it was disclosed [today] that ... "

SFC 12 Dec 73 [NYT]

Impeachment - House Judiciary Committee will probably take no action on the matter until late January at the earliest, "despite demands to speed up its impeachment inquiry."

SFC 12 Dec 73 [UPI]

Special prosecutor - Mike Mansfield, Senate Democratic leader, announces that neither of two resolutions to ~~create~~ provide for an independent prosecutor free of executive branch control will be called up this year; House Democratic leaders agree. Mansfield says action is being deferred because he does not expect further interference with the prosecutor's office by the White House.

SFC 12 Dec 73 [UPI]

Nixon (taxes, California) - The two Republican members of the State Franchise Tax Board, Houston Flournoy and Verne Orr, reject motion by the third member, Democrat William M. Bennett, to immediately send Nixon income tax bills for the past four years. Board members sit by virtue of other offices they hold; the meeting today is Bennett's last as a member.

SFC 12 Dec 73

Richardson (speech to Appeal of Conscience Foundation) says of Watergate and related scandals that the investigation must continue and "the gaps and omissions must be accounted for." Story says he uses "some of the strongest language he has used so far to denounce the scandals," and calls for immediate legislation to plug loopholes in campaign finance laws.

SFC 12 Dec 73 [AP]

Nixon and Republican political leaders hold first formal 1974 campaign strategy session; participants say there was no mention of Watergate.

SFC 12 Dec 73 [AP]

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Kissinger, in London, again denies any involvement with plumbers' group; denial is in response to articles in NYTimes which said he played a major role in setting up the unit. See SFC 10 Dec, NYT 9, 10 Dec 73, Hersh.

SFC 12 Dec 73 [no attribution]

Higby gives deposition in "a Watergate civil suit," today and again 17 Dec, says Haldeman had a cash fund, kept in his [office?] safe; this fund is apparently in addition to the one of \$350,000 left over from the 1968 campaign turned over to him by Kalmbach. Amount of second fund is not given, but is described by Higby as a stack of \$100 and \$20 bills two inches high. Higby says he does not know where the money came from but understood it was given to Haldeman late in 1968 "to be passed on to those members of the staff who needed funds" for moving expenses; Higby himself gave \$2500 to Bill Gavin and Harry Dent when they left the White House; says, "Other people received money from that money that Mr. Haldeman had. To my knowledge other people did receive money from Mr. Haldeman, as I understood it, before we ever were in the White House." See story for other details, on Haldeman, Strachan and Dean.

Higby's deposition ~~was sealed~~ is sealed, but is unsealed by Judge Charles R. Richey 26 Apr 74 after a request from House Judiciary Committee asking judges in Watergate-related cases to supply it with secret testimony for its impeachment inquiry.

SFC 27 Apr 74 [AP]

Haldeman (second cash fund) - See entry, Higby gives