

31 Jan 75 ①

WH tapes and documents - Judge Richey rules that the Government owns almost all of the 42 million tapes, documents and other items assembled during Nixon's tenure (the only exceptions being purely personal items), and that former Presidents cannot claim executive privilege after they leave office.

A few hours after Richey's order is issued it is temporarily suspended by the U.S. Court of Appeals, (LATimes:) acting at the request of Mr. Nixon's attorneys. The order, signed by Circuit Judges Spottswood Robinson and Malcolm Wilkey, sets an unusual Saturday hearing for tomorrow afternoon, stays Richey's order, and temporarily orders him to make no further rulings in the case.

(See LATimes, in SFC, on time sequence which ~~apparently~~ involves an earlier opinion today by the Appeals Court, suggesting that Richey, before making his ruling, should decide whether a three-judge court should consider the matter. When the Appeals Court released its opinion, it was unaware that Richey's ruling was ready, and when he issued his ruling he did not know of the Appeals Court's intervention. Appeals Court then suspended his decision.) ^{AMP-} 8

See clippings for many details, excerpts from Richey's ruling, and details of consolidated suits. The motions on which Richey ruled are by:

Jack Anderson

Reporters Committee for Freedom of the Press, et al.

Lillian Hellman, et al.

Special prosecutor (to protect the interests of his office in the materials and tapes)

Committee for Public Justice *

Sam Ervin, Elizabeth Holtzman and others (unnamed) as friends of the court * ~~AMP-A~~

Nixon (who asked for dismissal of Anderson and Hellman suits, for lack of standing) AMP-A

"Government defendant's motion to dismiss all the actions, except that by the special prosecutor, on the ground that they are moot"

NYT (Ripley), WXP (Robinson), SFC (LATimes), 1 Feb 75

*Not ~~listed~~ in Richey's ruling.
included

31 Jan 75 (2)

Presidential libraries - Article on documents of other Presidents, presidential libraries, who operates them, etc.
NYT 1 Feb 75, David E. Rosenbaum

Colson is released from jail by Judge Gesell, who reduces his sentence to time served (about seven months of 1-to-3 year sentence). Gesell says in his order that "This action is taken by reason of defendant's serious family difficulties which have greatly aggravated the severity of the sentence imposed."

AP says that "earlier in the day Colson's lawyers had written the judge, pleading for early release because of family problems. The lawyer members of Colson's former law firm, asked that the letter not be made part of the public record." See WXP for reasons given in their motion.

NYT says that Colson, sentenced 21 Jun 74, has twice applied to the Ford Administration for some form of executive clemency, asking in Sep for a Presidential pardon or a commutation of sentence, and asking in Dec for a pardon.

NYT, WXP, SFC [AP], 1 Feb 75

Cover-up trial - Special prosecutor files motions with Sirica, urging flat rejection of defense motions for a new trial for Ehrlichman, Haldeman and Mitchell, saying the evidence produced against them is simply too overwhelming to be ignored. Sirica must rule on defense requests before imposing sentence.

WXP 1 Feb 75

- In Mardian's case the prosecutors agree that the proof against him is not as strong, but they say it is still "more than sufficient" to establish his guilt in the conspiracy.

Arabian contributions to Nixon re-election campaign - Ralph Ginzburg calls for a Congressional investigation into a 1972 report in Egyptian newspaper, Al Ahram, which said that Arab interests had funnelled \$10-million to \$12-million into Nixon's re-election campaign in 1972.

Special prosecutor's office says this was investigated about a year ago, but the charges could not be substantiated one way or the other.

NYT 1 Feb 75 [no attribution]

31 Jan 75 (3)

Dean (speaking tour) - Undated story on unfavorable reaction on several campuses where Dean is scheduled to speak, based mainly on the size of his fee. First speech is to be at the University of Virginia 2 Feb. Other campuses mentioned are Georgetown University, University of Maryland, Old Dominion University, (Norfolk), College of William and Mary, Marshall University.

Dean is scheduled for a six-week college lecture tour, averaging between six and eight appearances a week; he is expected to gross more than \$100,000.

WXP 31 Jan 75, Bart Barnes and Ronald Taylor

(31 Jan 75) AMP

Ⓐ- Richey rules that Anderson, Hellman et al, and the Reporters Committee for Freedom of the Press et al, have standing to sue under the Freedom of Information Act and to challenge the Nixon-Sampson agreement.

NYT 1 Feb 75, Richey's summary of ruling
= See entry 28 Jan 75, Reporters Committee

Ⓑ- See another explanation of this in WXP 15 Feb 75, Timothy S. Robinson.