

27 Jun 75 (1)

"Nixon Testifies 11 Hours on Watergate." This took place 23, 24 Jun 75, and was made public today.

Nixon, at San Clemente, gave sworn testimony before "Watergate prosecutors" and two members of the Watergate grand jury; there is no indication of the number of lawyers from the prosecutor's office, and no names given for them or for the jurors. Nixon testified for about five hours 23 Jun, and six hours 24 Jun.

A statement by Nixon's lawyer, Herbert Miller, says, "Mr. Nixon was not under subpoena. His sworn testimony in California for the District of Columbia grand jury was voluntary and responsive to the expressed desires of the office of the special prosecutor for his testimony relative to the grand jury's ongoing investigations." (NYT)

"According to [a joint stipulation between Nixon's attorney and special prosecutor Henry Ruth, the testimony] was made 'ancillary to and with the consent of' the grand jury because of Mr. Nixon's health and 'other legal considerations.' It was taken 'for presentation' to the grand jury, the stipulation said, and was 'to be made part of the minutes' of the grand jury.... The stipulation said only that the examination was conducted 'on matters subject to pending grand jury investigations.'" (NYT) See NYT for listing of subjects thought to be still under investigation by the grand jury, including "certain conduct of Charles G. Rebozo." ACP-3

As part of the grand jury's minutes, Nixon's testimony will remain secret. "The only way it can be released is by court order," a spokesman for the prosecutor's office said yesterday.... Lawyers for at least two of the Watergate cover-up defendants, however, vowed to fight for access to [Nixon's] secret testimony, which they sought in vain last fall and winter during the ... trial that led to their conviction.... The counsel for [Ehrlichman and Haldeman] both said they intended to seek access to Nixon's account in appealing the convictions Jan. 1 of the two men." (WXP, Lardner.)

Excerpts from clippings:

- The term of this grand jury, the last of three Watergate grand juries, ends 3 Jul 75, seven working days following Nixon's testimony.

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- "Discussions have been in progress for the past several months between the prosecutor's office and Nixon's attorneys concerning his possible grand jury appearance, according to informed sources....Then, a little more than two weeks ago [this would presumably be during the week beginning 8 Jun], the prosecutors came to Judge Hart and said the arrangement had been made for two grand jurors to accompany members of the prosecution staff to California for the sworn Nixon testimony." (WXP, Robinson.)

- In the stipulation, Nixon asked specifically that it be made public that he testified. (NYT)

- "Nixon's decision to testify 'followed consultation with his medical advisers,' [Nixon's] attorneys said." (WXP, Robinson.)

- "[Ford's] pardon would appear to cover any crimes Mr. Nixon may have committed in connection with the matters that the grand jury is investigating. It would not, however, cover any actions subsequent to his resignation, including his testimony before the grand jury." (NYT)

- The only other time Nixon has given sworn testimony in "a Watergate-related issue" was when he answered in written form six brief questions submitted to him by Judge Gesell during the trial of the Fielding break-in case. (WXP, Robinson.) (July 74 - WXP, Lardner.) Since resigning, Nixon has been asked to give testimony "in some of the approximately 20 civil suits filed against him for various acts while in office." (WXP, Robinson.)

NYT 28 Jun 75, Lesley Oelsner

WXP 28 Jun 75, Timothy S. Robinson

WXP 28 Jun 75, George Lardner, Jr.

Ehrlichman, Haldeman - See entry, "Nixon Testifies ... "

Ford, 30 Jun 75, tells three interviewers (the interview dealing with many subjects) that he had "no prior knowledge" of Nixon's plans to appear before Watergate prosecutors and grand jurors, and that it is strictly the province of the special prosecutor's office. David Broder is one of the interviewers; others not named.

WXP 1 Jul 75, David S. Broder - filed Ford Ad

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Rebozo - See entry, Nixon testifies

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Ⓐ - "Papers signed by Judge [George L.] Hart, Miller and Ruth indicated that the 'other [legal] considerations' involved the Nixon pardon." (Unclear.)
SFC 28 Jun 75 [LATimes]

Ⓑ - "Persons familiar with the questioning [of Nixon] said Nixon was asked specifically about his relationship with ... Rebozo and Rebozo's possible handling of campaign contributions ... "
WXP 28 Jun 75, Timothy S. Robinson

Ⓒ - Nixon's testimony was given to the special prosecutor, Henry Ruth and "several" members of his staff, in addition to the two grand jurors.