

20 Aug 75 (1)

AMP - 6

Nixon deposition is made public today in WX. See clippings for details. NYT carries excerpts from the 168-page deposition, which was taken 25 Jul 75. "[Nixon's] deposition was taken in connection with a suit filed by [him] challenging the constitutionality of a law passed late last year that gave custody of his Presidential files to the Government.... Excerpts from the deposition were used in a brief filed [today] by Mr. Nixon's lawyers.\* The brief contends that the law he is challenging was passed 'to inflict a very real punishment upon a specific individual whom many in Congress believed was guilty of criminal acts.'" (NYT)

Article in SFC is titled, "A Portrait of Nixon Today - Articulate and Adamant." "Richard M. Nixon is apparently healthy, able to hold his own in heated legal give-and-take and adamant about regaining complete control of the papers and tapes accumulated during 5½ years in the White House."

"Two sources present for the ... deposition ... said they were reminded of the days when he met the White House news corps.... Those who took part said the session was generally typical of an adversary legal proceeding. 'To the extent that he was being questioned by hostile attorneys Nixon was combative,' said one source, 'but that is not unusual. His bearing was sound.'" (SFC) "Persons present at the deposition said Nixon appeared fit and tanned.... His answers were sometimes short and sarcastic and alternatively lengthy and rambling." (WXP) AMP - B

There were ten lawyers present for the deposition, including two of Nixon's, Herbert J. Miller Jr. and R. Stan Mortenson. Nine times, on their advice, Nixon declined to answer questions relating specifically to Watergate, apparently because the deposition was limited to Nixon's claim that the materials from his administration should belong to him. However, Nixon himself, in answering a question on the Pentagon Papers, brings up the allegation that he had called Judge Sirica a "wop." (See note attached to NYT's excerpts from the deposition.)

According to the account of Nixon's deposition carried by SFC. "only he and his family, not Congress or the government," given more specifically by NYT as "only he, his wife and his daughters," can make "the delicate judgments with regard to what is private and what is personal and what is political

\*(U.S. District Court, WX.)

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and what is embarrassing, what is national security." WXP reports that in the deposition "[Nixon] said ... that the time has not yet come for 'full disclosure' on the Watergate cover-up, and that the amount and timing of the final release of his materials bearing on the scandal is his decision alone. ' . . . I shall determine, . . . not the Congress, I shall determine what can appropriately be made public. The President should have a right to make a determination as to whether or not and how and when there should be a disclosure,' Nixon said."

Most of the quotations given by SFC, WXP and NYT are not included in NYT's excerpts from the deposition.

A three-judge court will hold a formal hearing, 22 Sep 75, on Nixon's suit challenging the constitutionality of the law on custody of the WH tapes and documents.

SFC 21 Aug 75 [AP and UPI]

WXP 21 Aug 75, Timothy S. Robinson

NYT 21 Aug 75, Linda Charlton

Excerpts from Nixon deposition

Nixon (foreign gifts) - See entries, 22 Sep 74, Nixon (jewelry ... ), 27 Mar 75, Nixon (foreign gifts).

"In the course of the questioning (see entry, Nixon deposition), Mr. Nixon also made the following remarks and comments: .... None of the gifts received by Mr. Nixon or his wife have been sold or 'appropriated.' He added, 'All stories to the effect of that are to the contrary and totally inaccurate.'" ~~AMP-D~~

NYT 21 Aug 75, Linda Charlton

"Of the millions of dollars worth of foreign gifts received by [Nixon] and his family while he was in office, apparently only one numismatic curiosity worth \$2 has been turned over to the federal government under the Foreign Gifts and Decoration Act of 1966.... Although there are 1,100 packing crates of private and official foreign gifts to the Nixon family in 'courtesy' storage with the GSA, none have been formally turned over to the government as required by the law and must still be treated by the GSA as the Nixons' private property."

WXP 26 Aug 75, Maxine Cheshire - filed Nixon, under date of 14 May 74

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(A) - "Since then, others who feel that their interests are vitally affected have joined the Government as 'intervening defendants.'" (NYT) These are given by SFC as "[Jack] Anderson, the Reporters Committee for Freedom of the Press, some historians and individuals like playwright Lillian Hellman."

(B) - "'It was like the old press conferences,' said one. 'Long answers to simple questions.'" (SFC)

(C) - (WXP)

(D) - "The Nixons [when he left office as Vice President] came under some criticism [over gifts from foreign heads of state]. Although the Vice President was not supposed to keep foreign gifts, Drew Pearson wrote that the Nixons took with them when they left office 'a museum piece rug from the Shah of Iran, a priceless Buddha head from the King of Afghanistan, a teakwood chest inlaid with mother of pearl from Mme. Chiang Kai-shek and three crateloads of gifts (from Latin America) including a silverware set valued at \$15,000."

WXP 14 May 74, Maxine Cheshire, past paragraph - filed Nixon

(E) - Justice Department brief in this suit, entry 8 Sep 75, Nixon, tapes and papers.

(F) - For comment on Nixon's deposition, see entry 8 Sep 75, "The Pardoner's Tale."

~~(G)~~ - For Justice Department brief, see entry 8 Sep 75, Nixon tapes and papers (suit).

(G) - Transcript of deposition filed separately in box. Case is listed, according to transcript, as "Richard M. Nixon, Plaintiff, vs. Administrator of General Services, et al., Defendants." Preliminary statement by notary public says the deposition was taken "by Defendants in Intervention," who are not named.