

22 Sep 75 (1)

Nixon photo (chewing pencil) - NYT, WXP, SFC carry identical photo of Nixon, "alone in his study," working on the manuscript of his book. He is in suit and tie, seated in large chair, feet on hassock, manuscript on knees, chewing on a pencil.

NYT's caption says the photo "was made recently by Ollie Atkins, former White House photographer, who was invited to dinner by the Nixons (no date) and allowed to take pictures of the former President." AMP-8

NYT, SFC, WXP 22 Sep 75 (WXP filed Nixon, photos)

Nixon (tapes and papers suit) - In Federal Court, WX, three-judge panel (U.S. Circuit Court Judges Carl McGowan and Edward A. Tamm and U.S. District Court Judge Aubrey E. Robinson Jr.) hears oral arguments in Nixon's challenge of statute giving control to the government of the WH tapes and documents produced during his administration.

Nixon's lawyer, Herbert J. Miller, says that during grand jury testimony given at San Clemente 23, 24 Jun 75, Nixon denied under oath "responsibility" for the 18½-minute gap in tape of 20 Jun 72. NYT says that "until today, both Mr. Nixon's lawyers and the prosecutors have refused to disclose any of Mr. Nixon's testimony."

Miller attacks Justice Department brief of 8 Sep, in which (NYT:) "the department argued that Congress had ample reason to conclude that Mr. Nixon would 'not be a trustworthy custodian' of the documents, in view of such facts as the existence of the 18½-minute gap in a tape that was in Mr. Nixon's custody when he was President."

NYT: "'The Government says,' [Miller told the panel] that 'Mr. Nixon is untrustworthy. Mr. Nixon will distort the record. Mr. Nixon created a 18½-minute gap.... I challenge the Justice Department,' to show, ... Mr. Miller said, in loud and somewhat angry tones, ... 'that his responsibility was not in fact denied under oath.'" (WXP: "Other persons familiar with Nixon's grand jury testimony said he was questioned in detail on the possible causes for the gap and was unable to provide any explanation for it.")

NYT: "Irwin Goldbloom, the attorney representing the Justice Department ... responded during his turn to argue to the court: 'Our papers speak for themselves, and no such

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allegation [that Mr. Nixon created the gap himself] is made."

NYT: "Whether a denial of responsibility by Mr. Nixon for the gap is relevant to the issue before the court is in fact open to question.... Legally, one lawyer not a party to the case noted later, what is significant is what happened to the materials while Mr. Nixon was their custodian, and not what he personally did with them."

SFC 23 Sep 75 [AP]

WXP 23 Sep 75, Timothy S. Robinson

NYT 23 Sep 75, Lesley Oelsner

- AP says Nixon's civil suit was filed 7 Sep 74; no record of this in file. Ford did not sign until 19 Dec 74 the legislation giving GSA custody of the material; Nixon's lawyers filed suit the following day asking U.S. District Court to block implementation of this law.

The date of 7 Sep 74 given by AP may refer to the Nixon-Sampson "agreement," signed by Nixon 6 Sep, by Sampson 7 Sep, and released by the White House 8 Sep 74, together with the text of a legal opinion by Attorney General William B. Saxbe.

Halperin suit - United States District Judge Lewis Smith hears arguments in Halperin's civil suit against Nixon and others in his administration. The arguments are made by John H.F. Shattuck, representing Halperin, and William G. Hundley, representing Nixon.

Shattuck says a sworn deposition should be obtained from Nixon because only he can provide answers to inquiries about the reasons for the wiretaps and the decision to continue them; says, "Mr. Nixon was one of the principal - if not the principal - moving forces behind the taps. He has twice publicly taken responsibility for them. He received periodic and sometimes daily reports." X M P - A

Hundley, asking Judge Smith to reject Halperin's request, says forcing a former President to answer such questions runs the risk of "undermining" the office of the presidency, citing the need to protect the confidentiality of presidential discussions.

KPFA News 22 Sep 75

~~SFC 23 Sep 75~~ [AP]

WXP 23 Sep 75, Timothy S. Robinson

NYT 23 Sep 75, [UPI]

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Julie Eisenhower, during taping of a television show before an audience of 1,400 in Charleston, S.C., says Sen. Sam Ervin is "a hypocrite" because he pressed the investigation of Nixon but had not investigated Robert G. Baker.

Ervin, reached at his home in Morganton, N.C., says, "As a matter of fact I voted for the Bobby Baker investigation, as the Congressional Record will disclose. Bobby Baker was the most thoroughly investigated man in the history of this country up to the Watergate hearing. The investigation lasted 16 months and as a result Bobby Baker was prosecuted in Federal Court for income tax evasion."

NYT 23 Sep 75, Notes on People

Sam J. Ervin, Jr. - See entry, Julie Eisenhower.

Haldeman refuses to comment on report that Hunt says he was once ordered \* to assassinate Jack Anderson. (Entry 21 Sep.)

Haldeman, now living in seclusion in Los Angeles, "almost never speaks to reporters, but a friend, Z. Wayne Griffin, relayed a question from UPI and Haldeman's reply. 'Bob never met Hunt and only saw him when he was a government witness in Haldeman's trial,' Griffin said [today]. 'His comment is "no comment."'" See entry, Senate Intelligence Committee.

WXP 24 Sep 75 [UPI]

Hunt - See entry, Haldeman refuses to comment ....

Senate Intelligence Committee - See entry, Haldeman refuses

....  
Committee chairman, Frank Church, says the committee will investigate WXP report that Hunt was ordered to assassinate Anderson.

WXP 23 Sep 75, George Lardner Jr.

Anderson (Hunt) - See entry, Senate Intelligence Committee.

"Jack Anderson ... said the [WXP] article was the first he had heard of such an assassination plot. After the article appeared, Anderson said, he phoned a 'source who had been at the White House at that time. He said he had heard some talk, some conversation about it. But it was pure gossip, pure talk.'"

WXP 23 Sep 75 (with story by George Lardner, Jr.)

(22 Sep 75) AMP

A - See WXP story on court documents filed by Halperin which tabulate and analyze the calls on his home telephone during the 21 months of the wiretap, based on summaries of those calls by the FBI.

WXP 23 Sep 75, Timothy S. Robinson

B) - "Atkins, who has known Mr. Nixon for about 30 years, received a call from from Mr. Nixon's chief aide, Col. Jack Brennan (ret.), shortly before Labor Day, asking him to come to dinner at San Clemente. He flew out at his own expense, spent three days at the estate and shot about 14 rolls of film, which are being distributed worldwide by Time-Life."

SFC 20 Oct 75, [Newsday, Tomas Collins]