

# Awakening Congressional Watchdogs

The Watergate scandals were not just the result of the wrongdoings of one President, his top aides and a handful of appointed executive branch officials. Abuses proliferated in part because of the failure of Congress to exercise the aggressive oversight function intended to keep in balance these two naturally conflicting governmental branches. Thus, the departure of Richard Nixon and his top aides does not guarantee that congressional committees will now reassert their watchdog roles. Nor is there yet any real sign that committees, which have been misled in the past, will enforce a new demand for truthful testimony.

One test of whether Congress wants new standards of honesty from those called before it may be found in the case of the Senate Foreign Relations Committee and Dr. Ruth Farkas, presently the U.S. ambassador to Luxembourg. On March 13, 1973—before the Watergate cover-up collapsed—Dr. Farkas, during her confirmation hearing before the committee, testified that a \$300,000 contribution to the Nixon re-election committee, made in the winter of 1972-73, "had substantially nothing to do with whether I was getting an ambassadorship or not..." Rather, Mrs. Farkas told the senators, the donation by her and her husband "was promised a good bit before the (1973) inauguration. In fact when President Nixon said that he was going to China and Moscow... we felt that being we were very pleased with this action we wanted to help keep President Nixon in the White House as leader of our country..."

Rep. Louis Wyman (R-N.H.) sent a letter supporting Dr. Farkas' story and adding that "in June (1972), the White House asked me if Dr. Farkas would be interested to serve as ambassador to Luxembourg." Rep. Wyman went on to say that Dr. Farkas told him in September 1972 that she and her husband wanted to make a substantial contribution and asked that an appointment with Nixon Finance Chairman Maurice

Stans be arranged. By the time that meeting took place, Rep. Wyman wrote, Mrs. Farkas had already been cleared for the Luxembourg post, a fact that he said "will help clarify... that there was at no time any commitment or pledge that money was to be paid or required to secure a nomination."

The senators accepted the Farkas-Wyman story and approved her nomination.

When Herbert Kalmbach, Mr. Nixon's former personal lawyer and fundraiser, appeared under oath before the House Judiciary Committee's impeachment inquiry this past July, he told a substantially expanded and thus different story. Kalmbach testified that he was called in July or August 1971 by White House aide Peter Flani-

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gan, who at the time handled Mr. Nixon's ambassadorial patronage. According to Kalmbach, "Peter said, 'Herb, we would like to have you contact a Dr. Ruth Farkas in New York. She is interested in giving \$250,000 for Costa Rica.'" Kalmbach said he was told to call Rep. Wyman, who would arrange a meeting. Kalmbach said he called Wyman, talked about the meeting, the contribution and the ambassadorship. A luncheon thereafter was arranged, Kalmbach testified, and took place in August 1971 at the Regency Hotel in New York.

At that time, again according to Kalmbach, Mrs. Farkas said words to the effect that "you know well, I am interested in Europe, I think, and isn't \$250,000 an awful lot of money for Costa Rica?" That lunch was the last Kalmbach saw of Mrs. Farkas, though he listed her as a prospective donor of \$250,000 in the campaign fund records

he turned over to Stans and the Nixon finance committee in February 1972.

Shortly after Kalmbach's testimony was made public, Rep. Wyman amended his earlier Foreign Relations Committee position in a letter to the Concord (N.H.) Monitor, which had published a story on the situation. He confirmed that he had talked to Flanagan and had arranged the August 1971 Farkas luncheon with Kalmbach. He also acknowledged he knew an ambassadorship and a contribution were being considered—in fact, he wrote that he was first introduced to Dr. Farkas by a wealthy New Hampshire friend who from the beginning suggested she might make a good ambassador and had a good deal of money to contribute. The congressman steadfastly maintained in his new letter, however, that no ambassadorial post was being sold, noting that Dr. Farkas did not receive the Costa Rican post.

What does the Foreign Relations Committee do now, faced with Kalmbach's testimony and Rep. Wyman's confirmation of most of it? The committee appears to have been misled by Dr. Farkas, at the very least. The Special Watergate Prosecutor has subpoenaed and obtained Stans' contribution records as well as material from the White House relative to the Farkas ambassadorial nomination. There may be a prosecution, but that is far from certain. Does the committee reopen the matter? It cannot "de-confirm" an ambassador.

It may seem like a small thing, but it involves the integrity of the committee and perhaps of the confirmation process which relies on witnesses being open in responding to questions. Bringing Ambassador Farkas back from Luxembourg to be questioned about her earlier testimony may seem harsh, perhaps even petty. But if Kalmbach's version of things stands up, the committee could recommend at the least that Mrs. Farkas' resignation, which should have been offered pro forma to the new President along with other ambassadors', be accepted.