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Ervin committee subpoenas - Committee files new brief in Sirica's court in effort to obtain five tapes and documents subpoenaed 23 Jul 73; brief says Nixon has permitted testimony on matters involved in the subpoenas and should not be permitted "to pick and choose among the evidence offered to the committee, withholding the best" WXP says that with one exception - not naming it - the five tapes and documents originally requested are among those subpoenaed and obtained by the special prosecutor for presentation to the grand jury. (See memo, Tapes subpoenaed by Ervin committee 23 Jul 73.)

Sirica assigns case to U.S. District Judge Gerhard A. Gesell. WH has ten days to reply to committee filing.

SFC 8 Jan 74 [WXP]

Ford (suggested compromise) - WH says Ford was speaking for himself when he said 6 Jan there might be room for compromise between Nixon and Ervin committee.

SFC 8 Jan 74 [WXP]

Albert E. Jenner is appointed chief minority counsel for House Judiciary Committee. See entry 26 Jul 74, AMP-A. - Rodino says committee will ask House when it reconvenes 21 Jan to give it subpoena power; that there has been no decision whether public hearings will be held (there has been some discussion of holding public hearings on the question of what constitutes an impeachable offense); that he holds to his prediction that committee should be able to complete its investigation and be ready to report to the House by late April.

SFC 8 Jan 74 [no attribution]

New election - Harris poll released today shows that 53 of those questioned (1496 households) favor a special presidential election this year. Story says that while the Constitution provides for a presidential election only once every four years, it has been suggested that a special vote would be constitutional if a vice president not elected by the entire country were to succeed to the presidency.

SFC 8 Jan 74 [UPI]

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Eagleton - According to "confidential FBI reports" the bureau has found no evidence in its files to support a charge made in 1972 by Ramsey Clark that while serving as deputy attorney general in 1965 he had seen information on Eagleton's mental health in an FBI file. WXP reported in May that Eagleton's "confidential health records" had been in Ehrlichman's possession "several weeks before the information was leaked to the news media." Story is
SFC 7 Jan 74 [NYT] undated.

Polls - Published today: Roper poll on impeachment (see entry Nov 73) and Gallup poll on Nixon popularity (see entry 10 Dec 73).
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Nixon - Warren in San Clemente says Nixon will fly back to WX by commercial plane, that "there are no plans for any government airplanes to come out here."
SFC 8 Jan 74 [UPI]

Sturgis, Martinez, Gonzalez ordered paroled, effective 7 Mar. They will be the first, of the seven who were convicted, to finish serving their prison terms.
SFC 8 Jan 74 [AP]

Vietnam - "Authoritative sources" in Saigon privately inform South Vietnamese government that renewed American air support is a very unlikely possibility even in the event of an all-out offensive by North Vietnam. Story by LATimes, datelined Saigon, is poorly written and unclear.
SFC 8 Jan 74 [LATimes] See entry 6 Jan, Vietnam;
16 Jan, Paracel Is.

Gallup poll on Nixon's standing with the public, taken 4-7 Jan (published 21 Jan 74), shows approval rating down again to 27 per cent; disapproval, 63 per cent.
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- Gallup poll on resignation and/or impeachment, conducted 4-7 Jan "prior to recent testimony concerning erasures of a key White House tape [experts' report, 15 Jan]." Poll shows that on the question, "Should Mr. Nixon be impeached and

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compelled to leave office?", the figures are 53 per cent opposed, 37 per cent in favor. On the question, "Should Mr. Nixon resign?", the figures are 46 per cent opposed and 46 per cent in favor.

It may be that the question on impeachment should have been worded differently, to eliminate any suggestion that impeachment results automatically in removal from office.

SFC 22 Jan 74 (date of publication of poll)

Resignation and/or impeachment - see entry, Gallup poll

Third Watergate grand jury impaneled today. See entry
3 Jul 75, Third Watergate grand jury