

19 May 75 ①

Butterfield - The Senate is scheduled to take up tomorrow a bill which would reinstate Butterfield as a retired Air Force colonel. Sen. John C. Culver (D-Iowa), in a dissenting report accompanying the bill (presumably made public today) objects to the practice of allowing retired military men to serve as civilians in a government post and then restoring military retirement benefits when they leave that position. Joining Culver in his opposition to the bill are Sens. Gary Hart (D-Colo.), Henry M. Jackson (D-Wash.), and Sam Nunn (D-Ga.). These four, by inference, are all members of Senate Armed Services Committee. ^{AMP-4}

WXP: "By a vote of 8 to 4, the Senate Armed Services Committee decided that the letter of the law had been met by Butterfield's resignation with no assurance that his commission would be restored after he left office. Culver said Butterfield was encouraged at his confirmation hearings to hope that his commission might be restored [when his] service ended. Culver said there would be little difference in Butterfield's pension whether he took it as a 20-year Air Force officer or as a six-year civil servant plus 20 years of military service. But as a retired officer, Butterfield would have medical, commissary and some other benefits not available to civilians."

WXP 20 May 75, Richard L. Lyons

Nixon materials (GSA) - The GSA, in a motion filed in U.S. District Court, asks Judge Aubrey E. Robinson Jr. for permission to move 6,288 boxes of Nixon's papers from two locations in WX to the National Records Center in Suitland, Md., because the areas they now occupy are "urgently needed" for other government business. ^{AMP-4} WXP: "Court orders state that the papers must be kept in the government's possession within the District of Columbia. It was these orders that prompted the GSA request that some of them be moved to ... Suitland." The material is said to consist mostly of bulk mail or books, publications or stationery supplies, and the GSA motion says they are "believed to be of the lowest possible sensitivity, and it is not anticipated that any of these materials will be required for any criminal investigations or for the ongoing business of the government."

WXP 21 May 75, J.Y. Smith

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Nixon deposition (Halperin suit) - In U.S. District Court, WX, attorneys for Halperin file a notice saying they intend to take Nixon's "deposition upon oral examination . . . on Friday, June 27, 1975, or such other date as may be agreed upon between parties, at a place subsequently to be determined in or near San Clemente, Calif." (Remainder of sentence is so poorly printed in WXP it cannot be read clearly, but it appears to be "before an officer who is qualified to administer an oath." A.M.P. - C)

WXP: "William G. Hundley, Nixon's attorney, said in an interview he would oppose the notice on the ground that the former President is immune from prosecution in civil proceedings. The government has already submitted a brief in which it argues that Nixon should be dismissed as a defendant in the case.

"It was understood that the notice of deposition was a device to test whether the courts would compel Nixon to testify even if he is dismissed as a defendant."

Halperin's suit names as defendants, in addition to Nixon, Kissinger and "five former top officials of the Nixon administration;" also Chesapeake & Potomac Telephone Co. and four "John Doe" defendants employed by the FBI and other government agencies. See entry 28 Apr 75, Nixon (Halperin suit)
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Halperin suit - See entry, Nixon deposition.

Liddy, in papers filed in U.S. ~~Dist~~ District Court, asks Judge Sirica for immediate release from prison. His attorney, Peter L. Maroulis, says the sentence imposed by Sirica (six years and eight months to 20 years, and fine of \$40,000) "is vastly greater than that imposed upon any other defendant involved in the Watergate tragedy." Says he has already served two years, longer than any other Watergate defendant; that Ford's pardon of Nixon and the failure of the Justice Department to recommend imprisonment for Agnew raise "serious questions of even-handed justice;" that death of Liddy's father in February leaves his 67-year-old mother largely dependent on her son. Liddy's mother says in affidavit that his wife and five children also need him for support.

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Ⓐ - Culver and Hart are freshman senators.

Ⓑ - The material in question is now stored in an office in the EOB, and (WXP:) "the loading dock of the National Archives, rendering the dock unusable."

Ⓒ - See entry 12 Jul 75, "Nixon Still Too Ill "