

Humphrey Turns in Gift Jewel

By Maxine Cheshire
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Sen. Hubert H. Humphrey (D-Minn.) returned to the State Department yesterday an eight-carat diamond worth more than \$100,000 which he was given in 1968 by Congo President Joseph Mobutu.

The unset gem was removed from a safety deposit box in Minnesota and flown here by special courier. Humphrey then summoned a State Department messenger to Capitol Hill to return the unset gem to the Office of Protocol.

The delivery late yesterday followed two days of inquiries from The Washington Post on the whereabouts of the jewel and a sack of valuable baby

leopard skins given Humphrey's wife, Muriel, on the same African trip by an official of Somalia.

The 10 leopard skins cannot be returned, a spokesman for the former Vice President's office said, because they were sold in 1970 for \$7,500 and the money donated to a school for the mentally retarded in Minneapolis, Minn.

The diamond and the furs are officially the property of the U.S. Government under the Foreign Gifts and Decorations Act, which was amended in 1966 to bar foreign largesse to the families of U.S. officials, as well as officials themselves.

Under the law, such gifts are to be turned in to the

Chief of Protocol for cataloging and disposition.

Sen. Humphrey, in a prepared statement issued by his office last night said: "I did not realize at the time that the Foreign Gifts and Decorations Act covered members of my family. In the case of both the leopard skins and the diamond, they were gifts made to Mrs. Humphrey. It was assumed that the gifts belonged to her.

"On all foreign trips," the statement continued, "I was accompanied by a protocol officer of the State Department. At no time did any officer of the State Department or any other agency of government inform me that the gifts re-

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ceived by me or members of my family should be placed in the custody of the department."

However, the diamond and furs were turned over by a secretary on Humphrey's staff to the Chief of Protocol's office for processing in January, 1968, the same month they were received by the Humphreys.

They were cataloged and stored in the custody of the Protocol Office for a year.

On Jan. 14, 1969, one week before Humphrey was to end his term as Vice President, his office asked the Johnson administration's outgoing Chief of Protocol to give the gifts back.

Since that time, Humphrey's press secretary Betty South said yesterday, the diamond has been kept by the Humphreys in a safety deposit box located in a bank "somewhere in Minnesota."

The furs were kept in cold storage at the L.A. Rockler Co. in Minneapolis, she said, until January, 1970.

At that time, according to Mrs. South, Sen. and Mrs. Humphrey instructed the furrier, Sheldon Rockler, to sell the skins and give the money to the Louise Whitbeck Fraser

School for the Mentally Retarded in Minneapolis.

In his statement yesterday, Humphrey declared that:

"At no time has the State Department or any agency of government asked for return (of the diamond and furs) nor indicated that they were not Mrs. Humphrey's personal property. On the contrary, the department released these items to us. President Mobutu of the Congo, now Zaire, made very clear when the diamond was presented to Mrs. Humphrey that it was not being made to a public official or for a public purpose.

"Nevertheless, the diamond has not been mounted or worn. It is now in the custody of the State Department. The gifts were never used for personal gain. Instead of leaving the skins to deteriorate at the State Department, they were sold to aid a nonprofit school for the education and training of mentally retarded children.

"Neither Mrs. Humphrey nor I benefited in any way from the gift of the leopard skins. The State Department has not raised with me the question of reimbursement for the skins. Should such a request be made of me, I will

consider the matter at that time."

Sen. Humphrey's records are incomplete on details of the furs transaction and so are those of the school. But Rockler's files show that the 10 pelts were sold in May, 1970, through the firm of D. H. Martonelli, Inc., in New York City for \$750 each.

Neither company involved took a commission on the sale, Rockler said, and the entire amount of \$7,500 was given to the school.

The check was made out directly to the school, Rockler said, thus eliminating any necessity for the Humphreys to declare the \$7,500 on their income. Humphrey's press secretary said yesterday that the Humphreys claimed no tax deduction for the \$7,500 as a charitable contribution.

Under the law, the Chief of Protocol is supposed to designate whether a gift will be sent to storage, be returned to the recipient for "official use" until he leaves office, be dispatched to another government agency or a public repository such as a museum, or be sold as surplus.

The law, State Department officials claimed earlier this week, is "weak, vague" and

without teeth. It puts the responsibility for disclosing and turning in gifts with the recipient and leaves the Chief of Protocol—Congress's designated watchdog—little more than a clerk, powerless to ensure compliance.

Humphrey's office declined to supply any details on the diamond, as to its size or value. But four retired State Department employees who handled the gift when it was registered remembered an appraisal made at that time.

A reputable New York jeweler said yesterday that a 7.9 carat gem of fine quality would currently be worth "between \$20,000 and \$23,000 a carat."

Following inquiries by a reporter, State Department officials tried vainly for two days to locate files on the diamond and the furs. Mitchell Miller, a senior attorney in the legal administration section of the State Department in early 1969 who helped draft the 1966 law, says the file disappeared from his office shortly after the two items were turned back to Humphrey.

"We were going to look into the Chief of Protocol's reasons for giving the gifts back to Mrs. Humphrey," Miller says. "But we discovered we didn't have a file any longer."

The Chief of Protocol in 1968 was Tyler Abell, a long-time Humphrey backer whose wife was Lady Bird Johnson's social secretary.

Abell says his memory is hazy after five years, but he recalls that he was called sometime shortly before the inauguration of Richard M. Nixon in 1969 by "some girl" in then-Vice President Humphrey's office. He thinks it may have been Betty South.

The Humphreys wanted to get custody of their diamond and the leopard skins, he says.

"Frankly," Abell says, "I assume that they were acting before Nixon took over and while there was still someone there that they knew who had the flexibility to give them a fair hearing and interpret regulations their way."

He had a "long talk" with someone in the State Department's legal advisory office about the matter, but he does not remember the name of the lawyer he consulted.

"But from what said," Abell recalls, "I finally concluded that I could go ahead and let the Vice President have his things."

Abell, who is a lawyer himself, said he would "never have violated" the 1966 law "even for an old friend."

He assumed that the Humphreys intended to turn the

items over to "some Minnesota museum."

Abell personally is opposed to having such gifts "get stuck in a vault some place" where "they aren't doing anybody any good."

"Why not have them used?" he asked.

State Department officials are looking into the legality of Abell's decision to relinquish the gifts. A spokesman declined comment last night except to say that "we are studying the matter."

There are no other Humphrey gifts currently on file with the Chief of Protocol's office except the diamond and the furs. Mrs. South said that a list, dating back to 1966, is currently being prepared.

It will be turned over within a few days, she said, to representatives of the General Accounting Office.

Disclosure of the existence of the diamond and furs follows recent stories in The Washington Post on gifts of valuable jewels that have been given over the past three years by other foreign leaders to the wives of President Nixon, former Vice President Spiro T. Agnew, former Secretary of State William P. Rogers and Sen. J. William Fulbright (D-Ark.).

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