

Kalmbach Gets 6-18 Months

By Timothy S. Robinson
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Herbert W. Kalmbach, who was President Nixon's personal lawyer until three months ago, was sentenced yesterday to a jail term of six to 18 months and fined \$10,000 for operating an illegal 1970 White House campaign fund for congressional candidates.

Kalmbach, who stood stolidly as U.S. District Judge John J. Sirica pronounced the term, must serve a minimum of six months in a federal prison. He was given two weeks to set his affairs in order before he reports to jail.

Kalmbach, who has become a major witness in several forums against Nixon administration officials since entering a guilty plea before Sirica in February, would not speak to reporters after his sentencing. He said in court that he was "deeply embarrassed" in standing before the judge for sentencing.

Kalmbach, a tall and tan 53-year-old man with a gentle manner, served as one of Nixon's top two fund-raisers during the last two presidential campaigns.

In addition to his accomplishments as a fund-raiser for those multimillion dollar campaigns, he acted as the President's own lawyer in performing such personal nongovernmental transactions as the purchase of Mr. Nixon's San Clemente estate and the preparation of his income tax returns.

Kalmbach, well dressed in a tailored

See KALMBACH, A6, Col. 1



By Douglas Chevalier—The Washington Post

Kalmbach leaves courthouse.



By Douglas Chevalier—The Washington Post

Kalmbach faces microphones and newsmen after receiving prison sentence.

KALMBACH, From A1

blue suit tightly closed his eyes occasionally as his attorney told Sirica of Kalmbach's past reputation and career.

In pleading guilty on Feb. 25, Kalmbach admitted raising \$3.9 million that the White House surreptitiously funneled into 1970 congressional races through a political committee that had neither a chairman nor a treasurer. That was a felony and carries a maximum penalty of two years in prison and a \$10,000 fine.

At the same time, he also pleaded guilty to a misdemeanor in promising a European ambassadorship in return for \$100,000 in campaign contributions from Maryland Republican J. Fife Symington Jr. A promise of a federal job in return for political financial support carries with it a maximum penalty of one year in jail and a \$1,000 fine.

Kalmbach's sentencing was brief, lasting less than 15 minutes from the time Sirica called the Newport Beach, Calif., attorney forward to the lectern until the judge imposed the sentence.

Most of the time was used by Kalmbach's attorney, James O'Connor, to plead for a light sentence for his friend of 25 years.

O'Connor described what he called Kalmbach's distinguished career in recent years as personal attorney to the President, but also pointed out that Kalmbach became fatherless at the age of 12.

Kalmbach, said O'Connor, had come from a middle-class background and had been a Navy pilot for six years.

The reason for Kalmbach's criminal involvement, as described by O'Connor in quoting another person's description of the Nixon campaign aide, probably was because Kalmbach is "a man who accepts without hesitation the truth of statements by those he accepted as his friends."

Kalmbach's White House superiors were aware of his trusting nature, said the attorney, and used it in a "deplorable, shameful" way. His client, said O'Connor, was "not on the White House team—he would be summoned as an intermediary" for his fund raising tasks.

This trusting attitude—"He had a blind spot for his friends, he would not examine their impropriety"—should distinguish Kalmbach from others who might knowingly commit crimes out of a sense of loyalty, said his attorney.

Even in his fund-raising activities, Kalmbach was not a planner or a schemer, O'Connor said.

Although Kalmbach was trusting, said his attorney, he began earlier this year to realize his trust "was misplaced and turned off his conduct." The media, said O'Connor, "began to raise the level" of Kalmbach's thoughts and he "began to say 'No'" to his White House friends in February of this year.

O'Connor pointed out that Kalmbach had cooperated fully with the original prosecutors, the special prosecutor's office, and the Senate Water-

gate committee in their various investigations.

Although the special prosecutor's office made no comment at the time of sentencing, it is known that Kalmbach has appeared frequently before federal grand juries probing various aspects of the Watergate affair. A major probe into allegations of job-buying in the Nixon administration being conducted by one grand jury has used Kalmbach's testimony to justify its partially successful attempts to gain access to fund-raising documents kept by former Commerce Secretary Maurice Stans.

Kalmbach also testified as a prosecution witness in the perjury trial of former presidential appointments secretary Dwight L. Chapin and at the New York conspiracy trial of Stans and former Attorney General John N. Mitchell.

Kalmbach also has reportedly told the Senate Watergate committee that the President's closest friend, C. G. (Bebe) Rebozo, told him portions of a \$100,000 loan from billionaire Howard Hughes had been either lent or given Rose Mary Woods, and Mr. Nixon's brother, F. Donald Nixon.

The President, Rebozo and Miss Woods all have insisted the money was a campaign contribution that was returned intact to Hughes, contradicting Kalmbach's Senate testimony.

The 1970 fund-raising effort,

still under investigation, has been dubbed "Operation Townhouse" because it was run out of the basement of a downtown Washington town house by former White House aide Jack A. Gleason.

According to Watergate prosecutors, it funneled money to Republican candi-

dates for the Senate and House that year in at least 19 states.

The prosecutors said three members of the White House staff decided to organize the secret committee in March, 1970. The prosecutors added that Kalmbach was asked to solicit contributions and he

eventually secured \$2.8 million in pledges.

Kalmbach has testified elsewhere that he was enlisted for the fund-raising drive by former White House chief of staff H. R. (Bob) Haldeman.

Gleason was detached from then-White House political adviser Harry Dent's staff to implement the program and designate the congressional campaign committees that were to get the money.

Evidently alluding to Haldeman, Dent and Gleason, prosecutors at the time of Kalmbach's plea said "the three gentlemen" from the White House and Kalmbach constituted a political committee under federal law, but failed to designate a treasurer or chairman or to make the periodic reports to the clerk of the House that were then required under the Corrupt Practices Act.

An active campaign worker for Mr. Nixon since 1960, Kalmbach told the Senate Watergate committee last summer that he raised \$220,000 that was channeled to the original seven Watergate defendants. He said he undertook that assignment on instructions from then-White House counsel John W. Dean III without any knowledge that the payments were intended as hush money.

Kalmbach quit his Newport Beach, Calif., law firm the day after his guilty plea and said he intended to pursue "personal business interests and investments." Proceedings are under way by the California Bar Association to determine whether Kalmbach should be disbarred, since a disbarment is not automatic in California when a person is convicted or pleads guilty to a felony.

Kalmbach's sentence of six to 18 months and \$10,000 fine on the felony count and a concurrent six months on the misdemeanor count will be served in a federal minimum security facility such as Danbury, Conn., Allenwood, Pa., or Lompoc, Calif., at Sirica's recommendation.