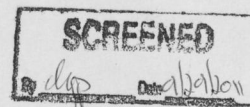


9/16 Grand Jury testimony of Richard M. Nixon June 23, 1975



1 UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

2 - - - - -x

3 UNITED STATES OF AMERICA

4 v.

5 JOHN DOE

6 - - - - -x

(January, 1974)

Grand Jury

(Investigation)

7 San Clemente, California

8 Monday, June 23, 1975

9
10 Deposition of RICHARD M. NIXON, called for
11 examination by the office of the Watergate Special Prosecution
12 Force, pursuant to agreement, at 9:00 o'clock a.m., Pacific
13 Standard Time, June 23, 1975, in the Conference Room, United
14 States Coast Guard Station, San Clemente, California, when
15 the witness was sworn by The Honorable Edward J. Schwartz,
16 Chief Judge, United States District Court for the Southern
17 District of California.

18 APPEARANCES:

19 On behalf of the Government:

20 HENRY S. RUTH, Esq.,
Special Prosecutor

21 THOMAS J. McBRIDE, Esq.,
Associate Special Prosecutor

22 RICHARD J. DAVIS, Esq.,
Assistant Special Prosecutor

23 JUDITH ANN DENNY, Esq.,
24 Assistant Special Prosecutor (Page 71)

WATERGATE SPECIAL PROSECUTION FORCE

DEPARTMENT OF JUSTICE

Memorandum

TO : Files

DATE: July 2, 1975

FROM : Peter M. Kreindler ^{PMK}
Counsel to the Special
Prosecutor

SUBJECT: Transcript of Nixon Deposition -- Classified Portions

Henry S. Ruth and I met with Philip W. Buchen, Counsel to the President, and Brent Scowcroft, Deputy Assistant to the President for National Security Affairs, in Mr. Buchen's office on July 1, 1975, at approximately 3:40 p.m. After Mr. Scowcroft stamped each page of the transcript that was classified, I sealed those pages and the corresponding stenographer's notes in an envelope, noting on the flap of the envelope that the envelope was sealed pursuant to the order of Chief Judge Hart dated June 30, 1975. A copy of the order was stapled to the envelope. Mr. Scowcroft then sealed the envelope and the order in a "White House" envelope. On the envelope he wrote: "do not touch, to be opened only by Brent Scowcroft." In addition, in order to identify the envelope, he wrote in the upper left hand corner: "Sealed in the presence of counsel Philip W. Buchen and others. Brent Scowcroft. July 1, 1975."

100
JUL 2 1975
U.S. DEPT. OF JUSTICE
RECEIVED

1 APPEARANCES (Continued):

2 PAUL MICHEL, Esq.,
3 Assistant Special Prosecutor (Page 117)

4 On behalf of the Witness:

5 HERBERT J. MILLER, Jr., Esq.,
6 R. STAN MORTENSON, Esq.,
7 1320 - 19th Street, N.W.
8 Washington, D. C.

11 Also in Attendance:

12
13 FOIA(b)6

Foreman, January 7, 1974 Grand Jury

Juror, January 7, 1974 Grand Jury

6-23-75

3

1

C O N T E N T S

2

WITNESS:

EXAMINATION

3

Richard M. Nixon

14

4

5

6

E X H I B I T S

7

NUMBER

IDENTIFIED

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P R O C E E D I N G S

JUDGE SCHWARTZ: For the record, this proceeding is taking place in the Southern District of California, a proceedings which is ancillary to the proceedings before the January 7, 1974 Grand Jury of the District of Columbia.

Do you solemnly swear that the testimony you are about to give in this deposition proceedings shall be the truth, the whole truth and nothing but the truth, so help you God?

THE WITNESS: I do.

MR. RUTH: Sir, I just want to make an introductory statement.

My name is Henry Ruth, and with me is Tom McBride and Richard Davis, and we are representatives of the Watergate Special Prosecution Force.

During the course of this deposition, as you know, other attorneys from this office will be present at different times to ask questions on different matters. Before we begin, though, I want to outline the nature of the proceedings and just advise you of your rights and obligations here.

This deposition is part of various investigations being conducted by the January 7, 1974 Grand Jury for the District of Columbia. In order to assist them with various investigations that body authorized us, as their counsel, after a series of meetings with your counsel, to arrange for

1 the taking of your sworn deposition here in California in the
2 presence of two representatives of the Grand Jury. In order
3 to allow the deposition to go forth in this manner, Chief
4 Judge Hart in the District of Columbia signed an order author-
5 izing the presence of these two members of the Grand Jury at
6 a deposition in California conducted ancillary to the Grand
7 Jury investigation. Therefore, present here today are Mr.
8 FOIA(b) 6 both members of the
9 January 7, 1974 Grand Jury.

10 Additionally, the transcript of the proceedings will
11 be read to the Grand Jury back in the District of Columbia.

12 The areas of inquiry to be covered today have been
13 fully discussed with your counsel, as you know, sir, and they
14 include aspects of the following:

15 1. The circumstances surrounding the 18 and a half
16 minute gap in the tape of the meeting between you and Mr.
17 Haldeman on June 20, 1972.

18 2. Aspects of alleged receipt of large amounts of
19 cash by Charles Rebozo or Rose Mary Woods on your behalf, and
20 financial transactions or aspects thereof between Mr. Rebozo
21 and you.

22 3. Attempts to prevent the disclosure of the
23 existence of the National Security Council wire tap program
24 through removal of the records from the FBI, matters dealing with
25 threats to reveal the existence of such records, and the

1 testimony of L. Patrick Gray at his confirmation hearings in
2 the U. S. Senate upon his nomination to be permanent Director
3 of the FBI.

4 4. Any relationship between campaign contributions and
5 the consideration of ambassadorships for five persons: Ruth
6 Farkas, J. Fife Symington, Jr., Vincent deRoulet, Cornelius
7 V. Whitney and Kingdon Gould, Jr., and

8 5. The obtaining and release of information by the
9 White House concerning Lawrence O'Brien through use of the
10 Internal Revenue Service.

11 As we understand it, sir, you are appearing here to
12 respond voluntarily to questions in this area. Your counsel,
13 Herbert J. Miller, Jr. and R. Mortenson are present in the
14 room and, naturally, you may consult with them at any time
15 during the questioning. If you want to interrupt the question-
16 ing for that purpose, please so indicate at any time. However,
17 neither Mr. Miller nor Mr. Mortenson may make any statement
18 or perform any other role during this deposition, although,
19 of course, we are available to consult with your counsel out-
20 side the hearing room if that becomes necessary.

21 Finally, since this deposition is being conducted
22 ancillary to the Grand Jury, fairness requires the advice to
23 you that the making of any false material declaration during
24 this deposition would be a violation of Title 18, U. S. Code,
25 Section 1623, which makes it a crime to make such a false

1 statement.

2 I want to make sure you understand everything I have
3 said, sir.

4 THE WITNESS: Yes, I understand everything you have
5 said, Mr. Ruth. I understand your statement and I particularly
6 understand the last part of your statement which dealt with
7 the fact of any false statement was one that would make whoever
8 was a witness liable to criminal prosecution.

9 Needless to say, I am here, as I indicated in taking
10 the oath, to make true statements and while, of course, I
11 suppose it is your obligation to warn witnesses, I did not feel
12 that it was particularly necessary for you to warn me in this
13 instance, although I accept it and I appreciate the advice.

14 If you don't mind, I have a very brief statement
15 because I know Mr. McBride has a number of questions he wants
16 to ask about the testimony.

17 MR. RUTH: Under our Grand Jury proceedings, it would
18 have been derelict not to read that, sir.

19 THE WITNESS: I understand. I would like to respond
20 briefly to your statement so we will have a meeting of the minds
21 as to what I understand the proceeding is.

22 MR. RUTH: Certainly.

23 THE WITNESS: First, it is important to note that
24 my appearance is voluntary, that I am here on my own volition
25 to answer the questions in the areas that you worked out with

1 our counsel as those that you feel my testimony will be
2 helpful in in concluding your investigation.

3 Second, it should be noted that your investigation
4 has been going on -- I hadn't realized it was quite this
5 long -- for almost two years, and I realize that you, naturally,
6 have a great desire to get everything you possibly can together
7 so that at the end you can say that you have explored every
8 avenue possible. That is the reason I am here, in addition
9 to the fact that you asked me to come, which, of course, was
10 a factor that weighed in my decision.

11 Now in making this appearance, however, I should
12 point out that I am taking into consideration a very profound
13 belief, that I have expressed publicly on many occasions, in
14 the vital necessity for the confidentiality of presidential
15 communications. It seems to me today that when we pick up
16 the papers, and particularly in recent weeks, and read of
17 former presidents, President Kennedy, for example, President
18 Johnson, even President Eisenhower, being accused of approving
19 or participating in discussions in which there was approval
20 of assassination of other people is very much not in the
21 national interest, and probably it is, of course, not true.
22 Nevertheless it makes the point very strongly that I am going
23 to make right now, and that is that in the Office of the
24 Presidency of the United States, the nation which is, not by
25 choice, but by the destiny of history, the most powerful in

1 the free world and the only guarantee of peace and freedom
2 in the world, it is necessary for the president to have no-
3 holds-barred conversations with his advisers. It is necessary
4 for his advisers to believe that they can give him their un-
5 varnished opinions without regard and without fear of the
6 possibility that those opinions are going to be spread in the
7 public print. It is necessary for them to feel, in other
8 words, that they are talking to the President and that they
9 are not going to the press and that is the reason why con-
10 fidentiality, which I know, not perhaps you gentlemen, but
11 some of the members of your staff, and certainly some of the
12 members of the House and Senate, and most of the members of
13 the press think is not important. That is why it is important,
14 and, in my opinion, absolutely vital. That is the reason why
15 I have resisted in the courts, unsuccessfully up to this
16 point, attempts to impinge upon the privileged status of such
17 conversations.

18 And I also must say, and it will probably not occur
19 today in our discussion of ambassadors, but it may occur tm
20 tomorrow in our discussion of wire taps, that only if there
21 is an absolute guarantee that there will not be disclosure
22 of what I say, I will reveal for the first time information
23 with regard to why wire taps were proposed, information which,
24 if it is made public, will be terribly damaging to the United
25 States.

1 Through counsel I have been informed that in the
2 process of your investigations that you think I do have in-
3 formation that is uniquely in my possession, and I am here to
4 provide that information that you think I may have. So that
5 is why counsel, of course with my approval, after, I under-
6 stand, after long and torturous meetings, have reached an
7 agreement as to the areas to be covered.

8 I would like to point out, though, in reaching
9 that agreement as to the areas to be covered, our primary
10 concern must be to get the areas down to something that I would
11 be able to study and because while you all and those who will
12 be questioning me have had two years to study these things,
13 and that is all, basically, that you have been doing for the
14 past two years, and it is your job, and I respect you for it --
15 I used to do a little of it myself -- I, on the other hand,
16 will be trying to remember things that have occurred not only
17 two years ago, but four years ago, during a period when the
18 matters that you are expert on were very low on the list of
19 priorities as far as I was concerned.

20 So in emphasizing that these presidential privileged
21 communications will be discussed in this instance, I do want
22 to make it clear that I do not consider that to be a waiver
23 of my privilege for the future. Of course a privilege cannot
24 be waived of this sort, as you are well aware, unless expressly
25 waived for the future. It is made solely for the purposes of

1 this Grand Jury's investigation, solely for your purposes,
2 gentlemen, and for no other purpose.

3 Finally, let me say that in pointing out -- I am
4 not pointing this out critically, but just pointing out the
5 fact that you have, of course, had two years, some of you,
6 to study the various areas and you studied it very thoroughly
7 I can see from the documents you have presented to me, most
8 of which, I understand, my counsel have agreed and have fur-
9 nished to you, that I not only had a very relatively brief
10 time to study those documents and to try to refresh my
11 recollection, but due to the fact that an order was issued
12 on the initiative of the Special Prosecutor's office, I have
13 not had available my papers for the presidential years. I have
14 not had available various tapes which you will be quoting from
15 in great amounts, I assume, in your questioning, or other
16 tapes of that sort, and consequently when I testify I will
17 have to, at times, use the phrase, which I abhor -- I abhor
18 using it because I like to say yes, no, if an answer is
19 categorically, but if I say "to the best of my recollection",
20 it will be only because I have not had an opportunity to have
21 access to my own records which would allow me to give an
22 answer which would appear to be more forthright.

23 I would like to say to the two members of the Grand
24 Jury who are present, when you talk to your colleagues you
25 should point out that as far as a witness is concerned, if he

1 does not have the information, if it is denied to him by his
2 government, he would be making not only a great mistake, per-
3 sonally running the risk of, what Mr. Ruth has so graciously
4 pointed out, of possible perjury, but, also, he would be mis-
5 leading the Grand Jury because he did not have the information
6 and was not testifying from his own records and on the basis
7 of his own knowledge. So I will use that phrase "to the best
8 of my recollection" only when I feel it is necessary, but it
9 will be because I am basing my answers in many cases on docu-
10 ments that you will show me which may or may not refresh my
11 recollection and, of course, on whatever memories I may have
12 of events many years ago, and a lot of it, a lot, of course,
13 has intervened between.

14 I fear the statement has been too long, but I think
15 it is at least helpful for us to be quite frank about how I
16 shall answer the questions and I shall attempt to be as
17 cooperative as possible and to remember everything that I
18 possibly can. If I don't remember, I am going to say so. If
19 I do remember, I will tell you what I remember. If I am not
20 sure, I am going to say "to the best of my recollection" and
21 so with that, gentlemen, proceed with any questions you like.

22 MR. RUTH: As to the documents, sir, I realize
23 the problem in the fact that they are frozen by court order
24 in Washington, D. C., and that is why any document we are
25 using here today your counsel has had access to, through

1 court procedures, at your request.

2 THE WITNESS: Do I understand then that the only
3 documents that you will use today are those to which I have
4 had access?

5 MR. RUTH: Which your counsel has had access to,
6 unless we otherwise state.

7 THE WITNESS: Then you are going to use some docu-
8 ment to which our counsel has not had access?

9 MR. RUTH: If we indicate so. We are not sure.
10 We have no intention at the moment, and may not have to, but
11 if we do we will indicate these are documents counsel has not
12 seen before and you will have plenty of opportunity to consider
13 them ahead of time.

14 THE WITNESS: I would consider that to be a highly
15 improper procedure.

16 MR. RUTH: Well, if it comes up, we will discuss it.

17 THE WITNESS: I understand. When I say "an improper
18 procedure," I assume you consider it proper. I am just stating
19 that. I understood the documents on which I would be questioned
20 were those that you have furnished to our counsel.

21 MR. RUTH: That is certainly our intent.

22 THE WITNESS: If there are other documents, it seems
23 to me I should have the opportunity to look them over.

24 MR. RUTH: Absolutely, and we will certainly state
25 so ahead of time.

1 THE WITNESS: Unless the purpose of this proceeding
2 is to flash a document on the witness with the idea of en-
3 trapping him.

4 MR. RUTH: Not at all.

5 THE WITNESS: That is not your purpose?

6 MR. RUTH: That is not our purpose and, as we have
7 explained to counsel, the documents we will use today are
8 documents your counsel has had access to. I just want to say
9 that if by chance somebody comes up with a document you have
10 not seen, we will indicate that ahead of time. We don't in-
11 tend to do that right now.

12 Secondly, on the secrecy, I just want to say since
13 this is ancillary to the Grand Jury investigation, it will be
14 read to the Grand Jury.

15 THE WITNESS: I understand.

16 MR. RUTH: It will be subject to the non-disclosure
17 rule, Rule 6 of the Federal Criminal Procedures, and we will
18 take that position, that it is Grand Jury material and not
19 subject to disclosure.

20 THE WITNESS: Sure. I understand.

21 MR. RUTH: We are going to start first, sir, with
22 the area of ambassadorships, with Mr. McBride.
23 Thereupon,

24 RICHARD M. NIXON,
25 appearing as a witness, having first been duly sworn, was

1 examined and testified as follows:

2 EXAMINATION:

3 BY MR. McBRIDE:

4 Q Sir, the questioning in this area of ambassadors
5 will focus on five individuals: Vincent deRoulet, J. Fife
6 Symington, Jr., Kingdom Gould, Cornelius V. Whitney and Ruth
7 Farkas, and, insofar as possible, I will attempt to have the
8 questioning proceed in that order, that is, we will take
9 deRoulet first and Symington second, and so forth.

10 The questions I have to ask you are largely based
11 on documents which were provided to us by your counsel, records
12 of your administration, and some documents which were produced
13 pursuant to an earlier subpoena served in early 1974 upon Mr.
14 Sinclair. Those documents, also -- they are limited in
15 number -- have been provided to your counsel.

16 As you can see by the papers in front of me, they
17 are quite a voluminous stack of documents. I will attempt to
18 limit the introduction of these documents to those absolutely
19 essential to the purpose of the questioning, and I have copies
20 here in the event you need an extra copy to read as we go
21 along, that can be provided.

22 Now turning, sir, first to Mr. deRoulet, Vincent
23 deRoulet, the first document I would like to mark is Exhibit
24 A-1, which bears file No. C-150, which is a memorandum of
25 May 19, 1969, from Peter Flanigan to you.

1 (The document referred to was
2 marked Exhibit No. A-1 for identi-
3 fication.)

4 BY MR. McBRIDE:

5 Q This exhibit indicates that Vincent deRoulet has been
6 offered the post of ambassador to Jamaica, that he has accepted
7 and that his recommender was Maurice Stans.

8 A Do I have permission to look at the document?

9 Q You do, indeed.

10 A I know it has been submitted before, but is quite a
11 stack, as you know.

12 Q Insofar as it is pertinent, deRoulet is in the middle
13 of the page and is one of many people.

14 A This is 1969?

15 Q This is '69.

16 Now my question is do you recall Mr. deRoulet's
17 appointment in 1969, his nomination and confirmation as
18 ambassador to Jamaica?

19 A Well, I think it would be helpful, Mr. McBride, if
20 I were to tell you how I handled ambassadors and how such a
21 document would come to me so that you can be absolutely certain
22 as to what I do recall and what I don't and why I do not recall.

23 Q Very well.

24 A First, noting this date, it was a rather busy time.
25 That was the time we were in the midst of the, one of the

1 great Tet offensives, as you recall. There had been one in
2 '68 and then despite our peace overtures in early '69--there
3 was one that was just coming to conclusion then and Dr.
4 Kissinger and I were developing strategy for his secret meet-
5 ings which began in August.

6 I laid the groundwork on it because it will in-
7 dicate to you the basis for the statment I am now going to
8 make with regard to papers like this and others that came
9 across my desk.

10 As far as ambassadors were concerned, I had certain
11 guidelines that I laid down when I became President. One,
12 that the number of non-career ambassadors should be no higher,
13 the percentage thereof, than that in previous administrations
14 and, if possible, lower. That was no reflection on non-
15 career ambassadors, but in the past there had been in some
16 administrations a tendency to appoint to highly important
17 posts incompetent non-career people and, in my view, the
18 important thing, if it was an important post, was an individual
19 who was totally and highly qualified. In some instances he
20 might be a very wealthy individual, in other instances he
21 might not, but the most important point to me was that he had
22 to be qualified.

23 The second point is that insofar as the nations are
24 concerned, where a major post was involved, I insisted that
25 that be discussed as a priority item.

1 For example, ambassador to France, ambassador to
2 Great Britain, to any of the major NATO countries, ambassador
3 to Japan, ambassador to the Soviet Union, these were the major
4 posts. I don't mean to reflect, incidentally, on the third
5 world and the others, but they were not at that time major,
6 except, of course, for the ambassador to South Vietnam, which
7 was major because of the fact we were involved in a war, and
8 in those instances, those posts were brought to my attention
9 and they would be discussed by Dr. Kissinger, by the Secretary
10 of State, sometimes by other members of my staff, in terms of
11 is this individual qualified to handle this job.

12 As far as other ambassadorial assignments were con-
13 cerned, ambassador to Luxembourg or El Salvador or Trinidad,
14 et cetera, it was not vitally important, as far as the national
15 interest was concerned, to have in that post an individual
16 whose qualifications were extraordinary. It didn't mean that
17 we wanted to send somebody down who would disgrace the United
18 States or who couldn't do an adequate job, but whether it was
19 a non-career person or a career person -- there were just
20 certain posts that I did not consider important enough and I
21 told my staff as far as these posts that are not major, don't
22 bring them to my attention, bring me recommendations -- check
23 them out and bring me a check list and tell me what everybody
24 says on them and then I will make the final decision because,
25 of course, ambassadors are appointed by the President. Many

1 think they are appointed by the Secretary of State, and,
2 incidentally, most of them believe they serve the Secretary
3 of State and him only. That is particularly true of the non-
4 career ones -- of the career ones, I should say -- but they
5 are appointed by the President.

6 Now I will bring this to a conclusion quite hurriedly
7 so you can go on with the questioning. Where the post, there-
8 fore, was not in the, what I considered the priority classi-
9 fication, all I wanted was a piece of paper indicating to me
10 that there was unanimous agreement on the staff and also in-
11 dicating to me if there was not unanimous agreement, who dis-
12 agreed, so that I could, of course, talk to that individual.
13 Sometimes the Secretary of State wouldn't agree with Kissinger,
14 and so forth.

15 Also, as far as those ambassadors were concerned
16 where certain non-career appointments were to be made, a
17 notation would be made as to not only that it had been approved
18 by all of the people in the Administration -- Secretary of
19 State, Kissinger, et al -- but who was approving it insofar
20 as people who were outside the Administration, in the area,
21 for example, of working in political campaigns or contributing
22 in political campaigns -- in this case, like Mr. Stans -- and
23 then with all of that material before me, I would make a final
24 decision.

25 Now when you ask me questions about individual

1 ambassadors, I will be, primarily, therefore, on the five you
2 have mentioned, primarily testifying not on the basis of a
3 refreshed recollection, but on the basis of what this peice
4 of paper shows me.

5 I stand by what I will say, but I must indicate that
6 I paid so -- I must say, and I think properly so -- so little
7 attention to minor countries that my recollection with regard
8 to who recommended them, et cetera, is quite vague.

9 I should also mention when a congressman, a senator
10 was pushing a particular ambassador, that also appeared on the
11 notation that might come to my attention because I knew we
12 would take heat if he didn't get it. Mr. Symington, who you
13 will question me about later, for example, he was being
14 pushed by Mr. Mathias and Mr. Goldwater. Surely I think
15 that is the only thing that Mr. Mathias and Mr. Goldwater
16 ever agreed upon was as far as the appointment of Fife
17 Symington, but for different reasons. Be that as it may, I
18 think I have talked too long. What I want to say as far as
19 Mr. deRoulet is concerned and this appointment in 1969, I have
20 no independent recollection of it. My recollection is not
21 refreshed by looking at this piece of paper. I did, however,
22 make the appointment and the fact that Mr. Stans' name appeared
23 on there meant to me that Mr. deRoulet had been, obviously, a
24 contributor to the campaign and, as has been the case in every
25 presidency from the time this Republic was founded two hundred

1 years ago, contributors to campaigns are not barred from
2 being ambassadors. They aren't guaranteed, and it should
3 never be, that they will be ambassadors, but in many instances
4 some posts require wealthy people and in every presidency that
5 I know of contributors have been appointed to non-career posts
6 in considerable numbers.

7 I am very proud of the fact that of the appointments
8 that I have made, there have been less non-career appointments,
9 a lower percentage, than in previous administrations, and I don't
10 say that critically of previous administrations. It is only
11 because I traveled a great deal and I have seen some that were
12 simply not qualified for the position, both career and non-
13 career.

14 Then I will add one other point and then I am through.

15 One of the reasons why you see so few on this list
16 and on the list than you generally do, ambassadors that were
17 appointed who had made contributions was that I felt that the
18 previous administrations, and this was particularly true of
19 the State Department in its recommendations, had not adequately
20 represented all of America. I felt that all of America should
21 be represented, and I said, for example, I wanted two black
22 ambassadors appointed, not to black countries, where they had
23 always been before, but to white countries where they would be
24 accepted. I asked for two Latin Americans, Mexicans, for
25 example, or some Latin Americans who were living in the United

1 States and had become citizens of the United States.

2 I asked for at least two Italians. We had some;
3 we should have more. I also asked for representatives, for
4 one or two who might be of Polish background. That, therefore,
5 cut down the number that were available for appointment based
6 on whatever recommendation in the non-career area, a recommen-
7 dation that might be made by Mr. Stans or Mr. Kalmbach or
8 anybody else who had contacted the ambassador -- I mean the
9 applicant for the ambassadorship for a contribution.

10 Q I take it it is fair to state that that document
11 does indicate, in any event, that Mr. deRoulet was appointed
12 to Jamaica, nominated to Jamaica in 1969 and served there-
13 after as ambassador?

14 A Oh, yes, he was appointed and he served as ambassador.

15 Q The next document I would like to show you, sir, is
16 a document dated November 17, 1970, and I will ask it be
17 marked Exhibit A-2.

18 (The document referred to
19 was marked Exhibit No. A-2
20 for identification.)

21 BY MR. McBRIDE:

22 Q This is a letter, not addressed to you; it is a
23 letter from Herbert Kalmbach addressed to Mr. H.R. Haldeman,
24 and it refers to Vincent deRoulet's desire for an appointment
25 to a more important, preferably European, post.

1 A Yes.

2 Q You will note at the bottom of that letter the
3 notation "50 plus 50."

4 A Yes, I see that.

5 Q There is evidence in this investigation indicating
6 that is in the handwriting of Mr. Haldeman and, further, there
7 is evidence disclosed in the course of this investigation that
8 sometime in the spring or summer of 1970 Mr. deRoulet pledged
9 the sum of \$100,000 in political contributions in the period
10 1970 to 1972 with the understanding that he would, in con-
11 sideration of that, be appointed to a European post. I allude
12 to the other evidence in the investigation as a preface to my
13 question.

14 In 1970, did you have any knowledge of any such
15 commitment having been made to Mr. deRoulet by Mr. Kalmbach or
16 anyone else?

17 A I think it is very important, in answering that
18 question, Mr. McBride, for us to understand the rhetoric.
19 The word "commitment", what does a commitment mean?

20 A commitment, as far as an ambassador is concerned,
21 as far as I was concerned, could only be made by me because
22 I was the one that had to make the appointment. As far as a
23 fund raiser was concerned, it had always been, at least my
24 understanding, and you used the word "understanding" the
25 first time, rather than "commitment", if you will recall, it

1 was my understanding that our members of the Finance Committee
2 solicited contributions, as has always been the case in all
3 administrations, and you would be spending the rest of your
4 life if you were investigating all of them, but they, in those
5 instances, would indicate that a substantial financial contri-
6 bution being made that they, the members of the Finance
7 Committee, would make every reasonable effort they could to
8 see that the individual was considered for that post, always
9 recognizing that no one can be appointed ambassador or anything
10 else without an FBI check to begin with, without being quali-
11 fied, as far as I was concerned, and without my personal
12 approval, but as far as my authorizing or directing a member
13 of the Finance Committee, whether it was Mr. Stans or Mr.
14 Kalmbach or anybody else, to go out and make a commitment for
15 a post as ambassador for a certain amount of money, to the
16 best of my recollection I never have given any such authori-
17 zation.

18 If you have anything to indicate that I did, I would
19 like to see it.

20 Q Specifically, in the case of deRoulet, to return
21 to my question, in that period 1970 were you advised by Mr.
22 Haldeman that there had been an understanding reached between
23 Mr. Kalmbach and Mr. deRoulet that in exchange for a pledge of
24 a political contribution Mr. deRoulet would either be nominated
25 or considered for nomination to a European post as ambassador?

1 A There were discussions within the White House staff,
2 and, I assume, with Mr. Haldeman, among others, that individuals
3 who did make contributions in 1970 and who were interested in
4 being ambassador and who were qualified for those positions
5 would be considered.

6 Q Specifically, do you recall any discussions with
7 Mr. Haldeman relating to Mr. deRoulet in this period of time?

8 A No, I don't recall a specific discussion about
9 Mr. deRoulet, but one may have occurred. I don't recall one
10 specifically.

11 Let me say that I have met Mr. deRoulet and have been
12 very impressed with him. However, I am impressed with him,
13 as far as my good friend, Bill Rogers, Secretary of State,
14 was concerned, for the wrong reason, because he was a very
15 vigorous critic of the State Department bureaucracy and that
16 was one of the reasons that State opposed not only his going
17 to a higher post, but even staying in Jamaica, because he
18 didn't get along with the bureaucracy. He felt that it was
19 his obligation to serve the nation, rather than simply to take
20 orders of the bureaucracy.

21 That was a brief conversation. I can't even recall
22 when it took place, but I know I have been impressed by him,
23 but there was no discussion whatever with him, that I had with
24 him, when we had that discussion with regard to whether he
25 would go to a higher post.

1 I must say that clearly apart, as far as he was
2 concerned, from any contribution of fifty or one hundred
3 thousand dollars, I was impressed enough by him that I would
4 have considered him for a higher post because basically, and
5 we have to understand -- this is one of the reasons I am very
6 happy that Mr. Ruth has made it clear and our grand jurors
7 are going to make it clear to their colleagues that some of
8 the things I will say will be with all of the bark off -- we
9 have talked about the non-career ambassadors. As far as
10 career ambassadors, most of them are a bunch of eunuchs, and
11 I don't mean that in a physical sense, but I meant it in an
12 emotional sense, in a mental sense. They aren't for the
13 American free enterprise system.

14 Many times our business people have come back and
15 told me that in order to get an entry into a country, for
16 example, in South America or this or that, they would have to
17 go to the British Consul and talk to him because our own were
18 so inadequate.

19 I point out that, and this is in defense not only
20 of my presidency, but of President Kennedy, President Johnson,
21 President Eisenhower, President Truman, all of the others who
22 are my predecessors, that some of the very best ambassadors
23 we have have been non-career ambassadors who have made sub-
24 stantial contributions. Bill Bullitt, for example, was
25 probably the best ambassador to Russia and the best ambassador

1 to France we have had in a generation. Now he didn't get
2 his job because he happened to shave the top of his head. He
3 got his job because he contributed a half million dollars to
4 Mr. Roosevelt's campaign.

5 I would say, looking at the smaller countries like
6 Luxembourg, that Pearl Mesta wasn't sent to Luxembourg because
7 she had big bosoms. Pearl Mesta went to Luxembourg because
8 she made a good contribution. But may I say she was a very
9 good ambassador in Luxembourg. And when you talk about selling
10 ambassadorships, I don't want the record of this Grand Jury
11 even to indicate that people of wealth, because they do make
12 contributions, therefore should be barred from being
13 ambassadors. The record should clearly indicate that certainly
14 no commitment, no sale of ambassadorships should be made, but,
15 on the other hand, the fact that an individual has proved
16 himself on the American scene, has proved himself by legitimately
17 building a great fortune, rather than being a disqualifier
18 is a factor that can be considered and should be considered in
19 determining whether he should get a position.

20 Now the line you must draw, and I understand that
21 you are drawing it, too, very properly, is that under no
22 circumstances should someone walk in to some individual and
23 say well, if you will give us a hundred thousand dollars, we
24 will move you from this place or that place. If they did so,
25 it was without my authorization, without my knowledge or

1 direction, to the best of my recollection.

2 Q So you had no knowledge of such an understanding
3 with deRoulet in 1970, is that correct?

4 A None that I can recall.

5 Q Moving on --

6 A I point out again, as I say, and I will not make
7 this reference again, when I say none that I can recall, I have
8 not had access to any papers, if he came in, but I can't be-
9 lieve that I would have ever have made any commitment to him or
10 anyone else to be an ambassador for a financial contribution.

11 Q My question more directly relates to whether you
12 were advised either by Haldeman or possibly by Mr. Kalmbach
13 that such an understanding had been reached in 1970.

14 A No. In answering that question, I would have to
15 say that I -- I have a piece of paper here which you say was
16 sent to Mr. Haldeman and it is quite possible Mr. Haldeman,
17 in some kind of memorandum that he sent to me, indicated that
18 Mr. deRoulet had been a contributor. For example, this
19 initial one here, when I saw the word "Stans", that didn't
20 mean to me that Stans was in the line of those whose judgment
21 I considered good as to who should be an ambassador; it meant
22 that somebody made a contribution, and the same would be true
23 in the case of Haldeman.

24 Q Moving on, I would like to mark as Exhibit A-3 a
25 document numbered #-37, of April 29, 1971, a memorandum

1 addressed to you from Peter Flanigan, and it is a list of
2 non-career ambassadors and a summary of their abilities. It
3 is an excised copy, and on page 2 it has the name Vincent
4 deRoulet and some marginal writings which appear to say
5 "check further".

6 Now I will let you read the document and then ask
7 the question.

8 A You go ahead. I will read while you are talking.

9 (The document referred to
10 was marked Exhibit A-3 for
11 identification.)

12 BY MR. McBRIDE:

13 Q My first question is in the upper right-hand corner
14 of that document, on the first page, it has an initial "P"
15 and a line drawn through it. Would that indicate that the
16 original of that document had been seen by you?

17 A I don't know what those doodles mean. I would say
18 that with the line drawn through it, it would mean it had not
19 been seen, but it could be. It could be that I had seen it.

20 If the memorandum was addressed to me, it certainly
21 came across my desk, yes. Whether I spent the time to go over
22 it item by item, I can't say.

23 I know this, that the writing on page 2 is not my
24 writing, "check further, list, et cetera." None of the writing
25 on any of the other pages is my writing. I don't recall -- I

1 suppose Flanigan was in the office. You would have to check
2 to see if it might be his writing.

3 MR. McBRIDE: I would like at this time to intro-
4 duce Exhibit A-4, a memorandum of May 4, 1971, which appears
5 to be the follow-up to that memorandum, a memorandum from Mr.
6 Haldeman to Mr. Flanigan beginning "The President has reviewed
7 your memorandum on this subject and has the following thoughts."
8 On page 2 it indicates some observations regarding Mr.
9 deRoulet.

10 (The document referred to
11 was marked Exhibit No. A-4
12 for identification.)

13 THE WITNESS: Yes, I read the memorandum.

14 BY MR. McBRIDE:

15 Q Do you recall making these observations about Mr.
16 deRoulet's future to Mr. Haldeman or making these decisions
17 reflected in that paragraph?

18 A What I recall is, as I have earlier indicated, was
19 that I, on the one occasion while I was President, the only
20 one I remember, except for possible social occasions on which
21 I met Mr. deRoulet, because he came from a minor country and
22 the President only sees those from major countries, I was
23 impressed by the fact that he was so, it seemed to me, in-
24 cisive and vigorous in his trying to put some guts into the
25 bureaucrats in the State Department that were assigned to him

1 and he was very disappointed in their attitude and that, to
2 me, was the kind of ambassador we needed because we just had
3 too many that took these people who were educated, may I say,
4 and this is no reflection on them, at Harvard, Yale, Columbia,
5 maybe Whittier, et cetera, et cetera, and who took a very
6 dim view --

7 For example, I should have pointed out earlier that
8 another reason for the list that we had available for people
9 who were financial contributors was smaller was because I
10 insisted on a couple labor leaders. You would be interested
11 to know what the reaction of Mr. Rogers was. He said, "You
12 can't send the 'deese' and 'dooose' guys over there to be an
13 ambassador any place," and I say, "Look, I am not interested
14 in their grammar; I am not interested in whether or not their
15 syntax is very good or marginal; I am interested in their
16 character and their ability to handle things," and I have seen
17 labor leaders -- in fact, right in this room, gentlemen, when
18 we have had meetings between business leaders and labor
19 leaders, and the labor leaders, they took the business leaders
20 in about a couple bites, even though the business leaders
21 went to the best schools and knew all of the good languages.

22 I am sorry to talk so long on it, but go on. I
23 thought you ought to get a little history in this, as well.

24 Q Returning again to Mr. deRoulet, do you recall
25 making a decision that he should be checked out further, as

1 as evidenced by the paragraph I have referred to.

2 A I don't recall making a decision, but I would not
3 deny that I made it because Mr. Haldeman would follow my
4 directions, I am sure.

5 Q Now moving on, documents that have been provided to
6 us, and, in turn, marked as documents which we would use as a
7 basis for questioning, indicate that in about June of 1971
8 there was an exchange of memoranda between Mr. Haldeman and
9 Mr. Flanigan and, quoting from the one of June 15, "What can
10 we do to honor Kalmbach's pledge to move deRoulet up to a
11 more important post", and "Obviously Spain is now out, but he
12 had nine others on his list. Kalmbach also has a commitment
13 to move Symington and we are going to have to work that one
14 out, too, I guess."

15 Now I am trying to focus directly on deRoulet at
16 this point, but I mention the Symington phrase because of the
17 use of the word "commitment." This is in the summer of 1971.

18 A I think you better show me the memo.

19 Q Okay, I shall.

20 A These become confused, as you know.

21 MR. McBRIDE: I will mark the June 15 one as --

22 THE WITNESS: I want to be sure whether it is '69,
23 '70 or '72.

24 MR. McBRIDE: I will mark it as A-5.

25 (The document referred to was

1 marked Exhibit A-5 for
2 identification.)

3 THE WITNESS: I don't like to take your time to
4 bring these memos over to me. Maybe my counsel could get the
5 exercise, but whatever you like. You probably need it --
6 you particularly, Jack.

7 Now the date of this is what?

8 MR. McBRIDE: June 17. That is A-5, Document
9 Number F-11.

10 THE WITNESS: And what is your question?

11 BY MR. McBRIDE:

12 Q My question is were you, by that time, or at that
13 time, aware of Kalmbach's pledge to move deRoulet.

14 A I cannot, to the best of my recollection now, re-
15 call whether this matter was brought to my attention. It could
16 well have been because there was a lot of in-fighting within
17 the Administration, particularly within the Administration and
18 the National Security Council staff and the State Department
19 and those who were in the, who had responsibility for fund
20 raising, as to, first, how many posts would be available to
21 financial contributors; second, the qualifications of those
22 contributors for such posts. Sometimes it was brought to my
23 attention, sometimes it was not. I don't know whether this was
24 or not. It could have been.

25 Q As the document indicates, this erupted into an

1 issue that involved a division of opinion between Mr.
2 Kalmbach and Mr. Flanigan, both as to Symington and deRoulet,
3 and I take it you have reviewed enough of the documents to
4 have refreshed your recollection, if you had one, as to that
5 dispute?

6 A Oh, I have a recollection. I don't want to down-
7 grade myself that much.

8 Q What I am asking is in June of '71, which is when
9 this dispute broke out, whether Mr. Haldeman said anything to
10 you about the fact that Kalmbach had made a commitment to
11 deRoulet.

12 A I don't recall any conversation with Mr. Haldeman.
13 One might have occurred. I do recall that on some occasions
14 that, and I think it was later than this, that Mr. Flanigan's
15 to his great credit, I must say, toughness on insisting on
16 qualifications for ambassadors became a sore point with Kalmbach
17 and with Stans and that -- I believe it was Haldeman -- that
18 brought this to my attention. But when I say "toughness", they
19 didn't feel Flanigan was being cooperative enough and the
20 documents you have, Mr. McBride, indicate this, that Flanigan,
21 instance after instance, would not go along with the recommen-
22 dation of Kalmbach or Stans.

23 MR. McBRIDE: I would now like to show you a document,
24 which I will mark Exhibit A-6, of August 9, 1971, addressed to
25 you, from Peter Flanigan. On page 2 of that -- I will read

1 from it and then show it to you. "Vincent deRoulet was
2 assured in 1970 of a European post. I recommended he resign
3 from Jamaica and be appointed ambassador to Finland," and
4 it has "approved" and initials which I would like you to read,
5 and if they are your initials, identify it.

6 (The document referred to
7 was marked Exhibit A-6 for
8 identification.)

9 THE WITNESS: The initials appear to be mine, but
10 I must have done it in a terrible hurry because usually my "N"
11 is legible.

12 BY MR. McBRIDE:

13 Q Well, to recapitulate --

14 A Before you recapitulate, may I simply state again,
15 however, that as far as the use of the word "commitment" -- I
16 mean I don't want you to put words in my mouth, and I am sure
17 you are not intending to.

18 Q No.

19 A But as far as the word "commitment" is concerned,
20 what it meant to Mr. Kalmbach, what it meant to the individual
21 who made the contribution, is one thing. The important thing
22 is what it meant to me, and I have already indicated that as
23 far as I was concerned the only authorization that any in-
24 dividual had in collecting funds was to indicate to an in-
25 dividual who wanted to be an ambassador that he would receive

1 consideration and I did give top consideration to major
2 financial contributors mainly for the reason that big con-
3 tributors in many instances make better ambassadors, par-
4 ticularly where American economic interests are involved.

5 Q Well, the documents introduced thus far suggest that
6 there was some understanding, whether the term "commitment"
7 would be used or not, between Kalmbach and deRoulet, that in
8 June of '71 Mr. Haldeman requested or asked what can we do
9 to honor Kalmbach's pledge to deRoulet, and then on August 9,
10 1971, you approved deRoulet as nominee as ambassador to Finland.
11 At the time that you approved that nomination, were you aware
12 of any understanding between him and Kalmbach, that is,
13 deRoulet and Kalmbach, that in exchange for his pledge or
14 contribution he would receive an appointment to a European
15 post?

16 A Are you indicating that this document indicates some
17 knowledge on my part?

18 Q No, I am asking you as of the date that you approved
19 that nomination, that is deRoulet to Finland -- that is August
20 9, 1971 -- whether you at that point knew of an understanding
21 between Kalmbach and deRoulet that in exchange for the making
22 of political contributions deRoulet would be appointed to a
23 European ambassadorial post.

24 A No, I would have no recollection that that had been
25 brought to my attention at that point. I was aware of the fact

1 that Mr. deRoulet was wealthy and a very strong supporter of
2 the Administration and probably a substantial contributor, but
3 as far as understanding is concerned, or commitment, which is
4 the stronger word which you have used, I have no recollection
5 of my being aware of that or that being brought into the con-
6 versation at the time that we discussed this.

7 Q If there were such an understanding of White House
8 staff practice, would it be a matter which would likely be
9 brought to your attention by Mr. Haldeman?

10 A Quite often, yes, or Mr. Flanigan, yes. Mr. Flanigan
11 had more responsibility in the area of ambassadors than Haldeman
12 did.

13 MR. McBRIDE: I would like next to show you an ex-
14 hibit which I will mark as A-7, which is Document E-133, dated
15 August 10, 1971. That is the day after the memorandum I just
16 showed you.

17 (The document referred to
18 was marked Exhibit No. A-7
19 for identification.)

20 BY MR. McBRIDE:

21 Q This is a memorandum from Strachan to Haldeman. There
22 is no evidence that you saw this document, but I show it to you
23 in the event it might refresh your recollection. After reading
24 the pertinent part, I will show you the document: "Today the
25 President decided deRoulet should be offered Finland on the

1 basis of a Flanigan action memorandum. Flanigan was aware
2 that Finland was not one of the original ten committed by
3 Kalmbach. Flanigan reports that if deRoulet doesn't want
4 Finland, too bad. That's all he gets."

5 A Sounds like him.

6 Q Then going to the third paragraph, "Kalmbach is
7 willing to act as either salesman for Finland or fall guy for
8 not delivering on the" - quote - and the quotes are in the
9 document "commitment" - close quotes. "He will do whatever
10 you ask."

11 A Your question, it seems to me, has some assumptions
12 that before answering I would like to question, which, of course,
13 is proper. You used the word "salesman" and you used the
14 word --

15 Q I quoted from the document.

16 A Yes, I understand, but it was in your question and
17 you, very properly, quoted from the document. I respond to
18 that question by saying that I have no recollection of ever
19 authorizing the selling of ambassadorships, the making of an
20 absolute commitment for ambassadorships.

21 As I have indicated earlier, my recollection of the
22 entire ambassadorial decision process, which is already in the
23 record, is that those who made contributions would receive
24 consideration, but as far as the specific commitment, et
25 cetera - quote - end quote - is concerned, or the sale of

1 ambassadorships, I have no recollection of using that term or
2 intending that term. If the term was ever used, it certainly
3 was never intended because I had enough sense to know very
4 well that whenever an ambassador recommendation came across
5 my desk, I would have to approve it and, based on my usual
6 practice of what the State Department, the National Security
7 Council, and others whom I trusted -- Mr. Flanigan, in this
8 instance, whose judgment I trusted in making these recommen-
9 dations -- that whether their recommendations were unanimous --

10 MR. RUTH: Could I just say something here?

11 THE WITNESS: Sure. In fact, you are in charge.

12 MR. RUTH: The fact that a question is asked is not
13 meant to be accusatory of wrong-doing on your part. We see
14 this deposition as helping us in the investigation of other
15 people, so, for example, on ambassadorships, if a public
16 official had been going around to Symington or deRoulet, even
17 without your knowledge, and saying, look, I will do what I
18 can, you will get an ambassadorship if you contribute, that
19 public official has committed a bribery crime that would be
20 investigated, even if it were without your knowledge, so in a
21 lot of instances Mr. McBride is asking you, sir, for your
22 assistance in identifying wrong-doing on the part of others.

23 THE WITNESS: I understand. I understand that I am
24 not going to be put in the position of charging that these
25 people that he has mentioned have been selling ambassadorships

1 or making commitments because to them the word "commitment"
2 may have meant exactly what it has meant to me. They knew
3 very well how tough I was, tougher than any president in
4 modern history, because of my interest in foreign policy, with
5 regard to ambassadorial assignments.

6 Let me call your attention, for example -- You
7 know we naturally looked at the list of those that you approved,
8 disapproved, and so forth and so on. This is the August 9
9 memorandum from Mr. Flanigan to me.

10 I am sorry. Yes, here it is. Here is a May 4
11 memorandum from Mr. Flanigan to Mr. Haldeman. Robert Neumann.
12 You see that name at the top of page 3. You know who he is?

13 MR. McBRIDE: I have no idea.

14 THE WITNESS: Well, he is a very capable man - UCLA,
15 very liberal, which I respect. I sometimes don't agree with
16 it. But he was a very good ambassador in a very hard post,
17 Afghanistan, so we left him there, although it would have been,
18 perhaps, a pretty good post for somebody that -- Robert
19 Strausz-Hupe, University of Pennsylvania, policy expert -- you
20 must have heard of him -- however on the conservative side,
21 despised by the State Department; on the other hand, a man
22 who was extremely well-qualified, and it says, and may I read
23 from this, "Because of the commitment to move him up to another
24 post, we should force this move through the State Department."
25 "Commitment to move him to another post." Now, what does

1 that mean? It only meant that Robert Strausz-Hupe had been
2 serving with great distinction in one post -- I think his post
3 was Ceylon, or some God-awful place, but anyway here I think
4 we finally moved him to Europe. He was a man without a
5 sou as far as money was concerned, yet the word "commitment"
6 was used. What does that mean? All it meant, when I see
7 a thing like that, was they had discussed it with him, that
8 the people within the bureaucracy felt that -- our people
9 did -- that he ought to be moved, that he deserved to be moved,
10 so they put down the word "commitment".

11 I just want to be sure -- I don't want to nail, for
12 example, other people with the word "commitment" and get off
13 the hook myself on it. I mean I am quite aware of the fact
14 that as far as anything that I did -- you gentlemen are aware
15 of that, too -- that because of the presidential pardon, which
16 was terribly difficult for me to take, rather than stand there
17 and fight it out, but I took it, that I can admit anything
18 with impunity, but you are not going to use me to try to nail
19 somebody else simply because I am not guilty of something. I
20 am not saying you are trying to do that. What I am trying
21 to say here is that my answers are not given for the purpose
22 of defending myself on my record. I believe I have an obli-
23 gation to do that, but I can assure you that I am not going
24 to be loose with my tongue and try to cooperate with you in
25 a vendetta, if there is a vendetta, against men that I

1 don't think would have made improper advances.

2 Oh, yes, they raised money; they discussed with
3 ambassadors, ambassadors who were in place and ones who made
4 contributions, who wanted to be ambassadors, the possibility
5 that, well, we will see to it that you are considered, and I
6 am sure we can do this for you, and to them they might use
7 the word "commitment", but in my view I don't believe -- I am
8 not going to be in the position of saying to you that I
9 considered that a sale of ambassadorships, even though it
10 involves no danger, no vulnerability as far as I am concerned.

11 MR. McBRIDE: I would like to point out, of course,
12 among the dozens and perhaps hundreds of ambassadorial appoint-
13 ments made by you during this Administration that we are only
14 concerned at this point with these five individuals, the names
15 I mentioned at the outset.

16 Secondly, I would like to point out that and
17 elaborate, really, on what Mr. Ruth said, that some of these
18 documents certainly suggest that perhaps quite without your
19 knowledge Mr. Kalmbach or others were reaching understandings,
20 which may have been illegal, with persons who wanted
21 ambassadorial positions or ambassadorial promotions and that,
22 indeed, in the case of J. Fife Symington Mr. Kalmbach has
23 pleaded guilty to a violation of federal law in that connection,
24 and it is only because of that set of circumstances and the
25 testimony revealed by these documents that we feel obliged

1 to ask you questions on these five individuals.

2 THE WITNESS: Yes.

3 BY MR. McBRIDE:

4 Q Now my last question as to deRoulet is were you aware
5 that it was decided that he be offered his hundred thousand
6 dollars political contribution back, that is, that it be re-
7 turned to him?

8 A I don't remember specifically an awareness of that.
9 It could have been that it was brought to my attention, but
10 I am aware of a policy that I adopted when I understood that
11 some who had made contributions thought, in my view mistakenly,
12 that they had an absolute commitment to be appointed to an
13 ambassadorship, and I said if they felt that, return the con-
14 tribution; we don't want their money, and it happened in his
15 case and it happened in several others, as I understand, but
16 that was the policy, and, of course, having reviewed these
17 documents, I am aware that the offer was made to him and to
18 Symington, too, and I think deRoulet refused to, as I recall,
19 take it back. I don't know what Symington did.

20 Q Did you ever ask Haldeman or did he ever tell you
21 that he had approved this understanding between Kalmbach and
22 deRoulet?

23 A I don't recall any discussion of deRoulet with
24 Haldeman at all.

25 Q I would like to move on to Symington and I hope

1 we can proceed somewhat more swiftly.

2 Many of the documents we have introduced relate to
3 Symington, and if you will permit me, I will briefly summarize
4 the facts preliminary to my first question, that is that Mr.
5 Symington was offered the post of ambassador to Trinidad and
6 Tobago in 1969, that he accepted, that he was posted there as
7 ambassador, that he served there throughout 1970, 1971 and that
8 the documents indicate therein that the circumstances with Mr.
9 Symington are very much similar to those of Mr. deRoulet,
10 that there is some evidence in the document that there was an
11 understanding reached between Mr. Kalmbach and Mr. Symington
12 that in exchange for Mr. Symington's pledge of one hundred
13 thousand dollars contribution he would be appointed to one of
14 a number of European posts.

15 Now my initial question is were you advised of that
16 understanding by either Mr. Haldeman or Mr. Flanigan at any
17 time?

18 A I have no recollection of being advised specifically
19 of that, of any understanding that he would be appointed.

20 Q Now, further, as the documents indicate, the per-
21 formance evaluations of Mr. Symington by State Department, by
22 General Haig and by others were almost universally that he
23 was of very marginal effectiveness and that he was not, in
24 fact, ever approved for a European post.

25 A Let me say that in many instances the State

1 Department's recommendation, that would not be actually from
2 Secretary Rogers, but from the Career Foreign Service, and
3 whenever I saw those recommendations, I usually took a double
4 take and many times that would be a factor in their favor
5 rather than their disfavor.

6 Q In the case of Symington, I think, in addition,
7 Peter Flanigan and other respective members of the White House
8 staff agreed with the state Department's assessment of Mr.
9 Symington's ability.

10 A That is true. That is very true. You understand
11 what I mean, that a President has to make assessments, not
12 simply on the basis of what the bureaucracy wants or then you
13 would simply have the bureaucracy in every area becoming
14 infestuous and feeding upon itself. You have to have an in-
15 fusion of some new blood in it from time to time and that is
16 the reason why, while I have great respect for some career
17 State Department people, I found many of them, as I said, who
18 were simply intellectual and emotional eunuchs and not worthy
19 of representing the United States. They are better to be
20 over in Foggy Bottom where they can't do any harm.

21 Q With regard to Mr. Symington, did Mr. Haldeman or
22 Mr. Flanigan tell you of this internal White House staff
23 argument, about whether or not there was a - quote - commitment
24 by Kalmbach to Symington?

25 A I don't recall any discussion. Anything that I

1 recall here is on the basis of what documents you have fur-
2 nished.

3 Q Do you recall either deciding or being advised that
4 a decision had been made to return to Mr. Symington his
5 hundred thousand dollar contribution?

6 A I have already testified on that point, that when
7 the question began to be raised by some with regard to what,
8 and it wasn't just your term, but I see it in the documents,
9 the term "commitment", what commitments had been made, it
10 was my policy that in every instance if an individual felt that
11 he had been promised something that I had not promised and
12 would not deliver on, that his contribution could be returned.
13 The Symington one falls in that classification.

14 Q Were you aware at any time that Mr. Symington was
15 obstreperous, that is, he was threatening to go public, if
16 you will, and complain about the non-delivery on what he
17 viewed as a commitment?

18 A I read the paper on that one. It was one of the more
19 interesting ones in a rather long, and dull, file -- I mean
20 this one -- but also I believe there was something in the
21 newspapers at that time that I saw that Mr. Symington was
22 running around the Hill and particularly talking to Senator
23 Goldwater, a good friend of his, and others, saying that he
24 would go public.

25 Q Did you discuss these stories with Mr. Haldeman or

1 Mr. Flanigan?

2 A I have no independent recollection as to whether
3 I discussed those stories, but in retrospect, and here I do
4 something which, of course, my lawyers advised me not to, but
5 I know you will understand it in this proceeding; the grand
6 jurors will appreciate it, but I must have had reasons for
7 making the policy decision overall affecting all financial
8 contributors, that if they felt they had a commitment and
9 we couldn't keep it, to return their money.

10 We had a four million dollar surplus after the
11 campaign, for example. There was no problem. And, of course, --
12 and even before that -- some of these were before 1972, as
13 you know -- I did not feel that any individual, I didn't want
14 him to be in a position where some over-zealous person may have
15 used even the word "commitment", may have even used the words,
16 "we've got the deal made" -- I saw that in one of these pieces
17 of paper you furnished us -- that if that ever came to my
18 attention, and we were unable to make an appointment or I did
19 not consider that individual the best qualified, taking every-
20 thing into consideration, I felt the only honorable thing to
21 do was to return the contribution, and, incidentally, to return
22 the contribution is not only, for what you gentlemen would
23 naturally feel, because of the fact that it is illegal to
24 make a commitment or make a sale of an ambassadorship, to
25 return it as a matter of honor, even though the individual

1 would not have gone this far as to cross the line between
2 legality, because let's well understand that through the years,
3 as I have pointed out, fund raisers have gone around the
4 world and over the United States and gotten money from people
5 with the understanding they can use that term, maybe, or with
6 commitments that they would be considered or maybe even
7 appointed ambassador. None of us are naive enough and
8 certainly we are all aware of the stories that have appeared
9 with regard to an appointment, for example, of Mr. Joseph
10 Kennedy as ambassador to Britain. They didn't appoint him
11 there because, certainly, he was pro-British. I think he was
12 a pretty good appointment, as a matter of fact, up to a
13 point. After all, at least he increased the Scotch supply
14 here.

15 Q Mr. Kalmbach last testified that on September 16, 1970,
16 he met with Mr. Symington --

17 A This is 1970 now?

18 Q September 16, 1970.

19 A Okay, 1970.

20 Q He met with Mr. Symington -- in fact, near here --
21 at the California Club. Mr. Symington made this proposal:
22 I will contribute a hundred if I can get appointed to X
23 country by X date.

24 Mr. Kalmbach then called Mr. Haldeman and reached
25 his aide, Mr. Higby, in Chicago, where the presidential party,

1 including yourself, Mr. Higby, Mr. Haldeman, were on travel,
2 and that Mr. Higby then called him back and told him that he
3 could go ahead with, to use Mr. Kalmbach's words, "the
4 commitment". Did Mr. Haldeman, on that occasion, ask you
5 for your approval or disapproval of this approval?

6 A I have no recollection of any such conversation.
7 Incidentally, I answered that question after having read the
8 file. What you just read to me is in the papers you presented.
9 I have no recollection of any such conversation in -- What
10 was your date again?

11 Q September 16, 1970.

12 A That was very early. You know after the election
13 campaign I was in Chicago for a political speech and I think I
14 was concentrating on my speech. I don't think Mr. Haldeman
15 would have bothered me with such a speech.

16 Q The next individual I would like to ask about is
17 Mr. Kingdom Gould. There are relatively few documents re-
18 garding Kingdom Gould and I think, if you will permit me, I
19 will lay out some preliminary facts which may speed us along.

20 Mr. Gould was appointed ambassador to Luxembourg in
21 1969. One of his recommenders or sponsors was Mr. Stans, and
22 that is indicated on an earlier exhibit, A-1. Then in March of
23 '72, Document No. F-39 of March 21, 1972, from Mr. Haldeman
24 to Mr. Flanigan, suggests moving Gould to The Netherlands in
25 order to open Luxembourg, and, finally, referring to document

1 J-54 of December 5, 1972, and that one I think I ought to
2 show you, since it was addressed to you. It states, and I
3 will show you the document in a moment, and I will also mark
4 it as Exhibit A-8.

5 (The document referred to
6 was marked Exhibit No. A-8
7 for identification.)

8 BY MR. McBRIDE:

9 Q It indicates Netherlands, Bittendorf, 3 years, 6
10 months. Bittendorf should be removed. We originally
11 recommended that Kingdom Gould be appointed because Gould
12 made a very sizeable contribution on the understanding that
13 he would be selected.

14 Now my question is, based on that paragraph from that
15 document, whether you had any knowledge from any other source
16 that there was such an understanding with Mr. Gould.

17 A I don't recall any other source. Kingdom Gould
18 is one of those many ambassadors to small countries that I
19 never saw because my travels did not bring me to that country.

20 Q Did you ever have a conversation either with Mr.
21 Haldeman, Mr. Flanigan or Mr. Stans about any understanding
22 reached with Mr. Gould in 1972 that in exchange for political
23 contributions he would be appointed to a larger post?

24 A I don't recall that he -- You used the word "under-
25 standing." Let me say that you have mentioned the names of

1 Mr. Flanigan and Mr. Haldeman, correct, and Mr. Stans?

2 Q Yes; correct.

3 A Let's leave out Flanigan and Stans for the moment
4 and let's go -- I am sorry, leave out Haldeman and Stans for
5 a moment and go to Flanigan. Flanigan, as you will note,
6 Mr. McBride, from reading this file, didn't consider that
7 any commitments were made, and he is right; that was our
8 policy. That is what I mean. Flanigan, who was on top of
9 this, did not consider taht raising money guaranteed any kind
10 of a job.

11 You know different men's minds work in different
12 ways, and that is the way -- Incidentally, Flanigan's views,
13 for the most part, represented mine in that respect. As far
14 as fund raisers were concerned, Mr. Stans, I can't believe that
15 he wouldn't have had the same understanding because he knew
16 from having sat in cabinet meetings how careful I was with
17 regard to making appointments and how I insisted on the best
18 people we could find.

19 As far as Mr. Kalmbach was concerned, the files would
20 indicate that at times he may have been over-zealous. He may
21 have felt that he had made a commitment, and then passed it on
22 up the line, as often happens, with the hope that whatever he
23 had done would be approved at the highest level.

24 In this indication, in this case, I can only
25 respond to your question by saying I have no independent

1 recollection of any conversation of this sort.

2 This document, you say, was sent to me, to the
3 President?

4 Q Yes.

5 A With a hundred recommendations?

6 Q I don't have the entire document; I have only an
7 excised copy, so it is difficult for me to tell how many
8 names were included.

9 A Let me read to you because I think it will make
10 sense. This is a memo to the President from Flanigan
11 and Malek re ambassadors, saying:

12 "The attached approximately one hundred recommen-
13 dations are tentative and need interviews and more analysis."

14 You are reading to me from one of a hundred of
15 these, so the thing was about that thick.

16 Let me tell you what was going on December 5. We
17 have all forgotten now because, thank God, the POWs are home
18 and the war is over, even though there is some sadness. Only
19 five miles away from here, as you know, is where the refugees
20 are. But on December 5, after the election, the Paris peace
21 talks had broken down and I just received, at or about that
22 time I was receiving some rather frantic messages from Dr.
23 Kissinger, who had gone on to Moscow, to see if he could do
24 something there to keep the North Vietnamese from launching
25 another offensive.

1 On December 18, you recall, is when I made per-
2 haps the most controversial decision of my Administration and
3 ordered the B-52 bombing of the north, which broke the
4 impasse, led to the agreement, got the POWs back.

5 Now on December 5, when this peice of paper came
6 across my desk, I can't imagine that I looked it over, that
7 I spent any time on it, and this explains why the recollection
8 is not there, and that I was thinking about now here is
9 Netherlands, Bittendorf, and who is going to go to Jamaica
10 or Luxembourg or Norway. It didn't make the slightest bit
11 of difference to me then. I was concerned about thousands
12 of American men -- thank God, not so many at that time in
13 December because all of the combat fighting had stopped, but
14 hundreds who were prisoners of war, and also the potential
15 of having to go in again.

16 So I am not trying to duck your question, you
17 understand, but I did have other things to do at the point
18 and that is why I wouldn't have, perhaps, read this document.

19 Q I quite understand the volume and gravity of the
20 decisions in that period of time and other periods, but I
21 feel obliged to pursue my questioning nonetheless.

22 A You go on with your questioning and be absolutely
23 as tough as you want to be. It is your job.

24 Q My question is, again, were you aware of Mr. Haldeman,
25 Mr. Flanigan or Mr. Stans had an understanding with Mr. Gould

1 in exchange for his contribution would be moved to another
2 post?

3 A The only awareness that I have had with regard to
4 Mr. Gould or any of the five that you mentioned or any
5 ambassadors at all is the understanding that if a contribution
6 be made that they would be given consideration for a post, but
7 that no absolute commitment could be made.

8 For example, the most disappointed man of all of
9 our contributors is not on your list. He probably should be,
10 but our biggest contributor is a rather erratic, but enormously
11 successful Chicago businessman by the name of W. Clement
12 Stone. I think he contributed a million dollars and he,
13 confidently, expected to be appointed ambassador to Great
14 Britain. It is very possible that that was discussed with
15 him. Not by me -- I never recall it -- but my others because
16 he gave enormous contributions. He didn't get it. He didn't
17 get it because after consideration, despite the fact he was
18 the biggest contributor and, of course, raised a great deal
19 more, I just felt he couldn't do that job.

20 Q I will move on next to Mr. Whitney, Cornelius V.
21 Whitney. Mr. Whitney was not in fact appointed to any
22 ambassadorial position, but in June of 1971 contributed
23 \$250,000 to various committees for the re-election of the
24 President---

25 A He probably would be loaning money to

FOIA (b) 6

1 right now from these resources.

2 Q (Continuing) -- which sometime later was returned
3 to him. My question is, first, were you aware at any time
4 during your presidency of a commitment or an understanding
5 with Mr. Whitney that in exchange for his contribution of
6 \$250,000 he would be appointed ambassador to Spain?

7 A First, I made no commitment or understanding with
8 Mr. Whitney. Second, I have no recollection of ever authori-
9 zing or approving any commitment or understanding to Mr.
10 Whitney that he would be appointed ambassador to Spain.

11 Third, I did, as far as my being aware thereof
12 from reading the documents that you have presented to me, the
13 ambassadorship to Spain had apparently been discussed with
14 Mr. Whitney. As a matter of fact, it seems to me that another
15 name comes in here, Mr. Mitchell's name --

16 Q That is correct.

17 A You don't need to show me the piece of paper because
18 I remember the Whitney case a little more clearly because it was
19 more recent, and an important post, Spain, and so consequently
20 the fact that you ask about awareness of an understanding with
21 Whitney, I would say that in this case, clearly apart from the
22 papers that you have furnished me, that I was aware that he
23 was a major financial contributor, that he had been given
24 to believe by somebody that he would be appointed to Spain,
25 that he even had gone over and rented a house in Spain, and

1 another reason that I remember the Whitney case more clearly
2 than the other is that he had a very, very strong advocate
3 in Governor Nunn, whose pipeline to me was through Mr. Mitchell,
4 and so consequently I know a little bit more about this case
5 than others.

6 Q Was it your information that the understanding
7 with Mr. Whitney was between Mr. Whitney and Mr. Mitchell?

8 A I don't know to whom Mr. Whitney talked. I think
9 he talked to several people. I don't know to whom Mr. Nunn
10 may have talked. I think he talked to several people. But
11 what it was, whether it was an understanding, whether Mr.
12 Whitney thought it was or whether the individual he talked to
13 thought it was, I am not in a position to answer.

14 Q Who told you about these dealings?

15 A Sir?

16 Q Who told you about these dealings with regard to
17 Whitney's contributions and proposed appointment?

18 A Well, first I should point out that my memory has
19 been refreshed by the documents that you have laid before me.
20 The second point is that I note in these documents that --
21 this is one of those rare instances where I corresponded with
22 Mr. Whitney. There was no discussion, of course, in the
23 correspondence about the ambassadorship.

24 In the first instance he wrote to me and said he
25 understood why he was not going to be appointed and asked that

1 his name be withdrawn, and then within a week later he --
2 and I responded and said I appreciated everything he had
3 done, et cetera, et cetera, et cetera, you know, in working
4 for us in the campaign, without discussion of financial con-
5 tributions at all, and then he asked that his name be re-
6 instated. I recall that correspondence. I do not recall
7 specifically who discussed the Whitney matter with me. I
8 do recall -- well, I think I should amend that. I think Mr.
9 Flanigan was still, despite the inter-agency warfare at that
10 time about ambassadors that was going on, was still the man
11 I relied on primarily for checking around the bureaucracy
12 as to who should be recommended, and Flanigan came in, and
13 right out of the blue, with a name that never occurred to me
14 and it was a brilliant suggestion, and that was to appoint
15 Admiral Rivero. Admiral Rivero doesn't happen to be,
16 incidentally, Spanish, but was Portugal and speaks Spanish.
17 He was head of the Mediterranean Fleet. I met him when I
18 was there. I considered him to be a top-flight man and,
19 in fact, let me say this for some future committee that may
20 be interrogating a president or former president about such
21 appointments in this field: You say why appoint a military man
22 to be ambassador. I want to tell you who the best ambassador
23 that I have ever seen in my travels in the world, considering
24 the difficulty of the post at the time. The best ambassador
25 was Admiral Spruance in the Philippines. At the time it was

1 necessary to make that transition, you know, from the old,
2 rather corrupt government that they had had, to Nayaguez.

3 I am sorry -- sorry -- go ahead.

4 So what happened is Flanigan put the name Rivero down
5 and I note I mark on here "an excellent man" and he is the man,
6 of course, we appointed.

7 Q Did you talk to Mr. Mitchell about any understandings
8 that were reached with Mr. Whitney?

9 A I don't recall a conversation with Mr. Mitchell.
10 I noticed his name in this, but I don't recall my talking to
11 him about it. It is very possible that I did. It is very
12 possible that he may have said we ought to give Sonny Whitney
13 this, although the record here seems to be rather mixed.

14 In one instance he indicates he doesn't think he
15 is up to it and in another instance he says we ought to make
16 the deal, or words to that effect.

17 Q I think the memorandum indicates that in March of
18 1971 he was ch-cked with and did not think he would be suit-
19 able and later in June of '71 it appeared he changed his
20 mind.

21 A That is right, which was often the case.

22 Q Did Mr. Mitchell or Mr. Haldeman ask your approval
23 in reaching an understanding with Mr. Whitney regarding his
24 appointment to Spain and the making of political contributions
25 by Mr. Whitney?

1 by Mr. Whitney?

2 A My approval to appoint him to Spain, if he made a
3 political contribution?

4 Q Yes.

5 A I don't recall any such conversation. That would
6 have been totally inconsistent with my policy, which they were
7 quite aware of.

8 Q I will next turn to the last of the individuals we
9 are going to question you about this morning, and that is
10 Ruth Farkas.

11 A What about Symington?

12 Q I think we have -- If you have something to add to
13 Symington, I would be glad to hear you.

14 A No. Oh, have we finished with him?

15 Q Yes.

16 A One thing I should point out so that the record
17 is clear, you should be sure the Grand Jury is aware of every-
18 thing, and although my attorneys say I should never volunteer
19 anything, the reason that the Symington one was a rather sur-
20 prising one to me and the reason Goldwater and Mathias finally
21 agreed on it is that he happened to be a candidate for the
22 Senate in Maryland some year and I went over and campaigned
23 for him.

24 Another reason, and I didn't know this at the time,
25 was that Mr. Symington is married to a niece of one of my

1 dearest friends and longtime supporters, Miss Helen Frick,
2 who lives in New York -- the famous Frick family -- and Miss
3 Frick wrote me a very gracious letter saying because of the
4 heat in Trinidad and the rest she hoped that I would consider
5 having Mr. Symington moved.

6 Incidentally, I think the Frick letter is perhaps
7 one of the best indications of what the people who knew me best
8 thought it was proper to bring up. In other words, she pointed
9 out some personal factors and said how much I will understand
10 your decision, but I don't want to leave the impression that
11 I didn't know Mr. Symington. I did.

12 Q Now with regard to Mrs. Farkas, the documents, to
13 the extent you may have reviewed them, indicate a long history
14 going back to 1969 in which she was first almost nominated
15 for Costa Rica, then her husband failed the FBI clearance and
16 it was not until 1971 or 1972 that her name was again seriously
17 considered and ultimately in the summer of 1972 she was approved
18 by you for nomination as ambassador to Luxembourg, although
19 in fact the formal nomination papers were not signed until
20 February of 1973.

21 Now I will only ask one or two questions about
22 the earlier period, both because it is not too relevant and
23 because it is so distant in time.

24 First, were you aware that Lewis Wyman was support-
25 ing Mrs. Farkas for an ambassadorial appointment, and if you

1 were, tell us the circumstances?

2 A When I read this file, that was the first time
3 I became aware of the fact that the Farkas name had come up in
4 1969. Also when I read the file and saw the name Lewis
5 Wyman, knowing Lewis Wyman, I am sure that while he did not,
6 to my recollection, ever talk to me about Mrs. Farkas, whom
7 I don't ever remember meeting -- I might have, but I don't
8 remember -- but he certainly talked to members of the
9 congressional liaison staff because he, like Mr. Nunn, is a
10 very tenacious politician and he was apparently very interested
11 in Mrs. Farkas' appointment.

12 Q Moving on to 1972, were you advised by anyone that
13 she was willing to make a contribution or had contributed
14 on an understanding that she would be appointed as ambassador
15 to Luxembourg?

16 A I had no awareness of the charge that you have just
17 outlined until I again read the papers that you have presented
18 to me. And let me also point out that I don't want the members
19 of the Grand Jury to think I am naive. Mrs. Farkas' name
20 and Mr. Symington's have appeared in the newspapers despite,
21 of course, that it was supposed to be, as I understand, a
22 total security of the Grand Jury proceedings.

23 Q I should point out, of course, that the circum-
24 stances of Mrs. Farkas' contribution and nomination were
25 investigated by the Senate Foreign Relations Committee at the

1 time of her confirmation and the election issue in New
2 Hampshire at the time of Wyman's Senate race.

3 A I take it back. A very good point.

4 The Grand Jury is not guilty; the Prosecutor's
5 staff isn't.

6 Q I will ask you about an issue relating to policy
7 in 1972 with regard to the sending of the names of non-career
8 ambassadors, particularly contributors to the Senate Foreign
9 Relations Committee. The documents seem to indicate that
10 a policy decision was made sometime in the Spring of 1972,
11 that such names would not be sent up prior to the election.

12 Do you recall making such a decision or par-
13 ticipating in the making of the decision?

14 A Yes, I do.

15 Q Thereafter --

16 A The reason the decision was made, incidentally --
17 you will be interested in knowing this --

18 (Continued on page 62-- repeating, also,
19 commencement of answer)

20 * * * *

1 A The reason the decision was made,
2 incidentally, -- you will be interested in knowing this --
3 that in the year 1972 we were trying desperately to get the
4 cooperation of the Congress of the United States and its
5 support of our agreements with the Soviet Union on the limitation
6 of nuclear arms. You remember that in June, and we went to
7 Moscow in May, we were trying to ward off massive attempts,
8 and we only won in the Senate by 45 to 43, to cut back on our
9 air power in Vietnam, which we knew would destroy any ability
10 or any chance we had to have a negotiated settlement which
11 would bring our prisoners of war back, and also we had the
12 problem, apart from this terrible tragedy of Watergate which
13 occurred during that same period, we had the problem looming
14 in that period of what the, what influence we could have
15 with the Senate, particularly on one of Senator Mansfield's
16 usual amendments -- we have often talked about it -- to cut
17 back our NATO forces which, incidentally, just for the sake
18 of history, you will be interested to note, we considered
19 NATO important then, but one of the reasons that it was
20 important was if we cut them back before we went to the
21 Soviet Union, we would lose our bargaining position to get
22 them to make use of the Warsaw Pact force, and here is one
23 of the parts, Mr. Ruth, that has to be told off the record,
24 I trust:

25 (Classified material deleted)

(CLASSIFIED MATERIAL DELETED)

1
2
3
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10
11
12 It has been a very good Grand Jury, I understand, in
13 terms of keeping their mouth shut.

14 Q They are well aware of their obligation.

15 A I know.

16 Well, it is a hard thing, and I appreciate their
17 service, frankly, If everybody comes and asks about it, I
18 know it is a hard thing to say well, I can't say anything.

19 Q We were discussing the reasons for your policy
20 decision about sending names of candidates.

21 A I didn't want to have anything more on the plate,
22 frankly, then. That was the reason for it. I felt to send
23 names up then that would raise a storm of controversy,
24 was the last thing we needed, and also we had the election
25 campaign coming up and I didn't want to have any controversy

1 over ambassadors coming up at that point. So I always put
2 first things first. I felt at that point, particularly
3 where the Senate is concerned, and, as you know, the Senate
4 is the one that has to approve the ambassadors, we had the
5 Mansfield amendment; we needed the Senate's cooperation with
6 regard to what we were doing on our talks with the South
7 Vietnamese. We had a number of other items on the agenda
8 with the Senate. I didn't want to have any other fights
9 than the fight on that front. I said, on the ambassadors,
10 just delay them until later.

11 Q I have a document here I have marked Exhibit A-9,
12 a memorandum from Peter Flanigan to you, dated January 26, 1972,
13 in which that policy decision appears to have been at least
14 temporarily reversed in the case of Ruth Farkas.

15 (The document referred to
16 was marked Exhibit No. A-9
17 for identification.)

18 BY MR. McBRIDE:

19 Q Do you recall the circumstances under which you
20 decided to approve Mrs. Farkas and send her name up in the
21 summer of 1972 in reversal of the prior policy decision?

22 A All you have to do is to read the memorandum and
23 you will find it says that Mr. Clark MacGregor, who then, as
24 you know, before he became Chairman of the Committee to
25 Re-elect the President, was in charge of the congressional

1 liaison, apparently had discussed the matter and I hadn't
2 realized that it was this early, but had discussed the
3 possibility of sending up ambassador appointments with
4 Fulbright and Fulbright said, "Send them up and we can get
5 them through."

6 Q Did anyone -- Excuse me.

7 A But in May the situation looked very bleak in that
8 respect. After all, this June 28, a month later, the
9 situation changed considerably. I had already been to the
10 Soviet Union; we had almost unanimous approval by, at least
11 in their public statements, by both Democrats and Republicans
12 of what we had done there with regard to initiating the
13 limitation of nuclear arms and under the circumstances it
14 seemed to be that there was a period of good feeling, where
15 MacGregor felt that there was a chance we could get them
16 through.

17 I should also point out, as you look at this piece
18 of paper, and I trust when you present these to the Grand
19 Jury, and I am sure you will, that you will give them the
20 whole piece of paper --

21 Q I requested those from your counsel.

22 A You see the problem we have here.

23 Oh, is that right? You wouldn't give it to them?
24 Give it to them.

25 The point that I make is I send to you a package of

1 ambassadors. Now, can you imagine June 26?

2 Q Were you advised, in substance, by anyone that
3 Mrs. Farkas was withholding her contribution until she was
4 actually approved by the White House and State Department?

5 A No, I have no recollection of being so advised.

6 Let me point out, too, that this June 26 memorandum,
7 and I must say, and I apologize to the members of the Special
8 Prosecutor's staff when I said that we can present the whole
9 item. I guess it is because you only asked for what we had
10 on each individual that they blanked the others out.

11 Q That is correct.

12 A But what I am trying to point out is the situation
13 I was faced with was not, as it might otherwise appear, looking
14 at this one piece of paper, that on June 26 somebody came in and
15 said now there is a Mrs. Ruth Farkas, if you just give her an
16 ambassadorship to Costa Rica or Luxembourg, neither of which
17 means -- no profanity -- means anything to us in terms of
18 our foreign policy.

19 Costa Rica means something to you because Mr.
20 Vesco is there, but otherwise it means nothing to me except
21 San Jose is a lovely city and Luxembourg is important because
22 it is a good place to put a woman who is attractive and likes
23 to be in the social stage in Europe, but what I am getting
24 at is that this was, again, a package of ambassadorial appoint-
25 ments and not simply a decision alone on Mrs. Farkas. I don't

1 recall any discussion with regard to Mrs. Farkas' contribution
2 and is that the reason we are going to change our policy now
3 and send her name up.

4 Apparently a great number of names it had been
5 decided was going to be sent up and her's is on the list and
6 the list doesn't indicate anything else.

7 Q I have only one or two questions. One is did you
8 ever become aware during your presidency of Wyman's strong
9 support for Mr. Farkas?

10 A As a matter of fact I probably should have become
11 aware of it because I have a fairly good memory, but with so
12 much happening, not only in the five and a half years I was
13 in the presidency and in almost all of the years since I have
14 been out, including my first long stay in the hospital, which
15 I don't recommend for any of you, but my point is so much has
16 happened that I, frankly, must say, admit, that until I read
17 this file I hadn't realized where Mrs. Farkas was from. I
18 thought she was from New York, and I hadn't realized she was
19 from New Hampshire.

20 Q She is from New York, but she was nevertheless --

21 A I can't understand then -- you see my point is
22 I didn't understand why the Wyman name didn't ring a bell to
23 me at all.

24 Q That leads directly to my next question, which is
25 were you aware at any time during your presidency that Mr. Wyman

1 was seeking a portion of her contribution in support of his
2 Senate candidacy?

3 A No, not at all. He didn't discuss his Senate
4 candidacy with me, because the Senate -- You are talking
5 about his Senate candidacy which was to occur in 1974, you
6 understand?

7 Q That is correct.

8 A Not in '72?

9 Q Correct.

10 A He didn't discuss his candidacy in '74 with me.

11 Q And Mr. Haldeman didn't indicate to you Louie
12 Wyman wanted a portion of this contribution for himself?

13 A No. At that point we were only concerned with
14 candidates in '72 and there were plenty of them that were hurt
15 that we didn't discuss it enough. We didn't worry or concern
16 ourselves with Wyman until 1974. We started to think about
17 that after 1972.

18 Incidentally, if he had asked to see me, I would
19 have done it because, of course, I have great respect for
20 him.

21 MR. MC BRIDE: I have no further questions.

22 Do you want to ascertain whether the Grand Jurors
23 have questions?

24 Would you step outside with me, Mr. Rogers?

25 (Counsel and jurors withdraw from conference room.)

1 MR. RUTH: Could I clarify one matter?

2 You referred, sir, earlier to the fact that you would not
3 cooperate in a vendetta against people whom you know.

4 THE WITNESS: Correct.

5 MR. RUTH: I have no idea of knowing what your
6 perception of our mission is, but I want to assure you that
7 vendetta is not a word within our investigatory technique,
8 and I want to make sure you realize that; that all we seek is
9 truthful testimony. If it makes someone innocent, that
10 makes the prosecutors just as happy as information that in-
11 dicates otherwise.

12 THE WITNESS: I will take that on face value, and when
13 you say that, I trust, and I know you have a much smaller staff
14 than you used to have, that you are pursuing with the same
15 tanacity, and I must say propriety, the over 150 charges of
16 campaign violations that are in your files with regard to
17 Democratic candidates and with regard to the McGovern cam-
18 paign, and that you will not use the statute of limitations,
19 as you did with Mr. Strauss, to -- I understand that was
20 done by the Department of Justice, perhaps over your objection --
21 unless the statute of limitations is, in your view, clearly
22 a bar to any proceeding.

23 What I am just simply saying is this: I mean you
24 gentlemen are making history, too. I have made mine; now
25 you are making yours, and the question in the future will be

1 do you have a single standard or did you have a double
2 standard, and at the present time -- you want me to be
3 candid -- at the present time there are many who believe
4 that you do have a double standard.

5 Of course I am not -- my counsel assures me that
6 that is not the case, and I would have to say that as far as
7 I am concerned, I trust that it is not, but I just wanted
8 to state that.

9 MR. McBRIDE: We have no further questions on this
10 topic.

11 (Whereupon, at 11:00 a.m., a short recess was
12 taken.)
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