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Not to run for

thunder Bay.

THE WHITE HOUSE
WASHINGTON

11/19/73
JFC

Date 11/19/73

TO: BRUCE WHELINAN

FROM: FRED F. FIELDING)

Diane thought you might
want a copy of this -
we do not know the
date it was sent to
the P at this time -
after Dec 16 or prior to Dec 23

IN THE MATTER OF THE APPLICATION FOR EXECUTIVE CLEMENCY OF

JAMES R. HOFFA
also known as
JAMES RIDDLE HOFFA

The President

Sir:

This petitioner was convicted in the United States District Court for the Eastern District of Tennessee for endeavoring to impede jurors in the discharge of their duties, and on March 12, 1964 was sentenced to eight years' imprisonment and fined \$10,000. He also was convicted in the United States District Court for the Northern District of Illinois for fraud by mail and wire, and on July 14, 1969, was sentenced to serve five years' imprisonment consecutive to the sentence imposed in the Eastern District of Tennessee and to pay a fine of \$10,000. The judgments were affirmed by the United States Courts of Appeals for the Sixth and Seventh Circuits, respectively, and certiorari was denied by the Supreme Court of the United States in each case. Petitioner has paid the fines. He was committed to the United States Penitentiary, Lewisburg, Pennsylvania, on March 7, 1967. His mandatory release date with credit for statutory good time is

November 28, 1975. He has been denied parole, most recently on August 20, 1971, and his case has been continued by the Board of Parole to June 1972.

Petitioner was about 49 years of age at the time the offenses were committed. In the obstruction of justice case ~~he~~ was one of seven defendants who attempted to influence a juror in the trial of United States v. Hoffa and Commercial Carriers, Inc., (Taft-Hartley Act violation, known as "Test Fleet" case). In the mail fraud case he assisted others to obtain by means of fraudulent representations loans from the Teamsters' Union Pension Fund. Some of the loan proceeds were used to help pay debts of a bankrupt company in which petitioner had a secret interest.

Petitioner has a prior criminal record commencing in 1939 which includes a conviction and fine for an antitrust law violation in 1940 and a conspiracy conviction in 1949 (two years' probation). The record indicates acquittal or no disposition of Federal and state charges of bribery (1957, conspiracy to wiretap (1958), mail fraud (1960), conspiracy and mail fraud (1961), simple assault (1962), and conspiracy (1962).

Petitioner was born in 1913 in Brazil, Indiana, of poor parents in a slum neighborhood. He has been married for more than 34 years and has two grown children. During the 35 years preceding his commitment to prison in 1967 he was an officer of the Teamsters Union

and had for 10 years been its president. He resigned this position in 1971 and did not seek re-election as president or election to any other office at the annual convention in July 1971.

Petitioner's most recent institutional progress report (March 15, 1971) indicates that his conduct record has continued to be clear and that his overall adjustment is very good. He is housed in an honor unit, is in minimum custody, and is assigned to the clothing issue detail. He is described as responding well to routines and regulations and as having a good attitude toward supervising officers and a good relationship with the inmate body in general. He has maintained close family ties.

Petitioner's wife is suffering from a severe heart condition with attendant difficulties and in March 1971 was described by her attending physician as being in "danger of a fatal heart attack and also of a permanently crippling cerebral-vascular accident."

In his petition for commutation of sentence petitioner states that he does not have the routine problems usually faced by persons released from prison because he has a home, a devoted family, ties in the community, and adequate assurance of a continuing livelihood. He points out that he would live on a pension to which he is entitled for his previous years of union service and that he intends to enter the educational field on a limited basis as a teacher, lecturer or educator.

This petitioner, now almost 59 years old, has served almost five years' imprisonment or about two-fifths of his sentence and has been denied parole. His prison adjustment has been excellent and his attitude has been good. The prospects of his making a satisfactory community adjustment if released appear to be exceptional. It is believed that the service of a substantial portion of his sentence has had a salutary effect upon him. The likelihood of his becoming involved in further criminal activity in connection with the Teamsters Union seems remote in view of his recent resignation from union office. In view of these considerations and the uncertain state of his wife's health, I recommend that his sentence be commuted to six and one-half years, which would permit his immediate release with credit for statutory good time. As a mandatory releasee he would continue under supervision until about March 1973.

Respectfully,

Attorney General

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W. Post 11/19/73 Campaign Financing

Hoffa Says Union Gave Nixon Election More Than Listed

Former Teamsters President James R. Hoffa said the union contributed far more to President Nixon's re-election campaign last year than the \$18,000 it has listed with the government, Newsweek magazine reports.

In an interview published in this week's edition of the magazine, Hoffa said he understood that the Teamsters funneled \$60,000 to \$70,000 into the President's campaign.

The magazine also said that in a desposition in a civil suit last summer, Hoffa testified that the union had organized contributions of about \$175,000 to Mr. Nixon's campaign. Hoffa lowered that figure in the Newsweek interview, but he maintained it still was far above the union's official report.

According to Newsweek, Hoffa said he had been told that Teamsters business agents were assessed \$1,000 each for the contributions, and that "friends" in the gambling capital of La Vegas, who had borrowed from the union pension fund, were also urged to contribute.

Asked about the Las Vegas contributions, Hoffa was quoted as saying, "We do business with them. Friendly relations—let's put it that way."

Newsweek reported that Senate Watergate committee chief counsel Samuel Dash and assistant counsel Terry

Lenzner made a secret trip to Las Vegas to "trace the alleged movement of Teamster related money into the Nixon campaign."

Hoffa had been serving a 13-year prison term for jury tampering and fraud when his sentence as commuted by President Nixon after the former labor leader had served about a third of his jail time.

Hoffa told the magazine that one condition of his release (that he refrain from labor organization work until 1980) had been engineered by Teamsters President Frank Fitzsimmons and former White House aide Charles Colson.

Colson, whose law firm recently got a Teamsters retainer, told Newsweek that "the version that I sprung Hoffa to get Teamster political support is crazy."

Minor Earthquake Hits L. A. Area

INGLEWOOD, Calif., Nov. 18 (UPI) — A minor earthquake, "very short, but sharp," hit areas of West Los Angeles late Saturday night. Police said there were no reports of damage.

A spokesman at the Cal Tech seismological laboratory in Pasadena said the magnitude of the tremor was 3.0 on the Richter scale.

Teammates / 1407/2

checks

from Campaign Finance.

~~5/23/73~~

7/2/73.

7/8/73

Loeb's 'Star' Newsman Jolts Probers

By Jack Anderson

Every few months, the nation's most erratic publisher, William Loeb, jolts the country with some fantastic story in his Manchester, N.H., Union-Leader. As often as not, the revelation is the work of his ram-bunctious star reporter, Arthur Egan.

Last week, Egan's "Mission Impossible" Watergate stories put him behind closed doors at the Senate Watergate committee for one of its most colorful sessions.

Dumbfounded committee sleuths are still trying to weed the fancy from the fact in Egan's astonishing secret statement, all of it given under oath and with a straight face.

What brought him to the committee was his claim that Teamsters vice presidents and other Teamsters bigwigs were ordered to kick in \$1,000 each toward a \$175,000 war chest for President Nixon's 1972 re-election campaign. Las Vegas casinos with Teamsters loans came up with \$400,000, he said.

As it turns out, the alleged custodian of the war chest is suing Egan and his paper, and has already caught Egan in a glaring departure from the truth. However, Newsweek, even as we were writing this story, quoted former Teamsters chief

James Hoffa telling of a \$30,000 to \$175,000 war chest collected from the union's leaders at \$1,000 a clip.

The committee also heard a sizzling tale of how then Attorney General John N. Mitchell, irked at Egan's criticism of the Justice Department, was "going to put some agents on me and wattle me silly." "Wattles" are rods of woven wood.

The "wattling," Egan said under oath, was ordered by Mitchell personally "to shut me up" about stories demanding Hoffa's release from prison. Mitchell, said Egan, used misleading old records to try to get Egan indicted on gun charges. "Geez, right away I am John Dillinger," Egan marveled.

In view of the Nixon administration's hassling of the press via wiretaps, arrests and tax audits, Egan's charge sounded plausible. Besides, Egan claimed that both the then U.S. attorney for New Hampshire, David Brock, and the state's attorney general, Warren Rudman, would back him up. We contacted both Brock, who said the yarn was "completely erroneous" and Rudman, who snorted it was "horse - - -."

Egan's credibility dropped even further when he testified that the late J. Edgar Hoover was "murdered." As his questioners gasped, he went on, "Ev-

eryone on hearing that says I am nuts, but somebody in the Watergate thing murdered . . . J. Edgar Hoover."

When his interrogators recovered enough to query him, he admitted his statement was "just my own hunch." All available evidence indicates it is a false hunch.

Yet, as credibility of the Union-Leader's star seemed ready to dim, he told how federal parole officials confided in him that Hoffa's prison commutation papers left their offices with no restrictions on Hoffa's future Teamsters activities.

The final papers banned Hoffa from Teamsters activities until 1980. If Egan is right, the White House quietly skewered Hoffa even as it publicly courted him. Egan's commutation story was backed forcefully by the Union-Leader's lawyer, Ralph Sullivan, who told the committee he heard the pardon and parole official's words. The parole official, however, told us the story was not true.

The committee is still checking these other wild leads from Egan:

- That a famous singer-movie star coughed up 40 tickets to her performance after a union lawyer threatened "either I get (the tickets) or you don't open." The singer and lawyer vehemently deny it.

- That Egan and Hoffa's son were bugged at the Watergate, even as the Democrats were. The accused bugger convincingly denies it.

- Egan denied that he once suggested a reporter on Loeb's paper wrote one of the letters quoting Sen. Edmund Muskie in an alleged racial slur on "Canucks." But Egan, according to other statements to the committee has taken two different positions on his colleague's suspected letter-writing.

At one point, Egan proved he was his credibility's own worst enemy when he described some of his own newspapering "dirty tricks."

"'Dirty Tricks,' " he philosophized under oath, "is a new phrase that has been coined, but it is not new to political campaigns. Hell, we have seen this in the newspaper profession right along.

"If you want to get a candidate defeated, just start a little whispering campaign. Start a rumor. I have done it just to sit back and see reactions . . . Is this a dirty-trick? I don't think so."

Footnote: In our talks with Egan, he stuck to the story he told the committee. His "wattling" by the administration, he said, included questions on his tax returns for five consecutive years.

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✓ LDS
Nov.

THE WHITE HOUSE

WASHINGTON

HOFFA

2. In December, 1971, the President received his list of suggested pardons, commutations of sentence, and remission of fines.

(The exact time it came over is not certain---Buzhardt thinks it was about Dec. 15.)

On this list were :

235 pardons
16 commutations of sentence
2 remission of fines

253 cases

The warrants for these actions were prepared by the pardon attorney, and they are sent with the recommendation of the Attorney General.

The date of order commuting Hoffa's sentence is Dec. 23, 1971. In fact, Hoffa had ALREADY been relased on parole by the Department of Justice-- on Dec. 22, 1971.

1/3 2. This release on parole was signed by the Chief of the Callssification of parole, and the warden of the prison where Hoffa had served 6 1/2 years of his 13 year sentence. The release was made under 18 USC (Sec. 4164) rproviding for mandatory release for good behavior.

Before the President received the list of cases for action, the custom was to have the Counsel to the President look over them--and, presumably, receive any additional input from any staff member he thought should be consulted---(i.e. a legitimate reason for ta'king to Colson)

BUZHARDT says that Colson told him he did discuss the matter on one occasion, but Colson did not remember when that was. Buzhardt did not know what Colson told the President. Colson says he is quite sure that Fitzsimmons never discussed the matter with the President.

This petitioner , now almost 59 years old, has served almost 5 years imprisonment, or abou t 2/5 of his sentence, and has ben denied parole. His prison adjustments has been excllent and his attitude has been good. The propscts of his making a satisfactory community adjustment, if released, appear to be exceptional. It is believed that the service of a substantial protion of his sentence has had a salutary effect upon him. The liklihood of his becoming involved in further criminal actibity in connection with the Teamsters union seems remote in view of his recent reisgnation from Union office. In vew of thewe circumstances, and the uncertain state of his wife's healt, I recommond that his sentence be commuted to 6 1/2 years, which would pèrmit his immeidate release with credit for statutory good time. As amandatory ðelease, he would continue under supervison unitl abou March , 1973.

Signedby Mitchell.

No date.

(Without this, mandatory release, Nov. 28, 1975. Denied parole Aug 20, 1971... case was continued by Board of Parole to June, 1972.

Went in March 7, 1967.

Many Implicated In Teamster Tape

by Chip Berlet

A tape recording of a conversation between a reporter and a former Teamsters Union official which implicates high government officials in possible misconduct was in the hands of the Democratic campaign staff at least three weeks before the 1972 Presidential election, yet was never released to the public. Several news agencies which were given the tape before the election never carried the story either.

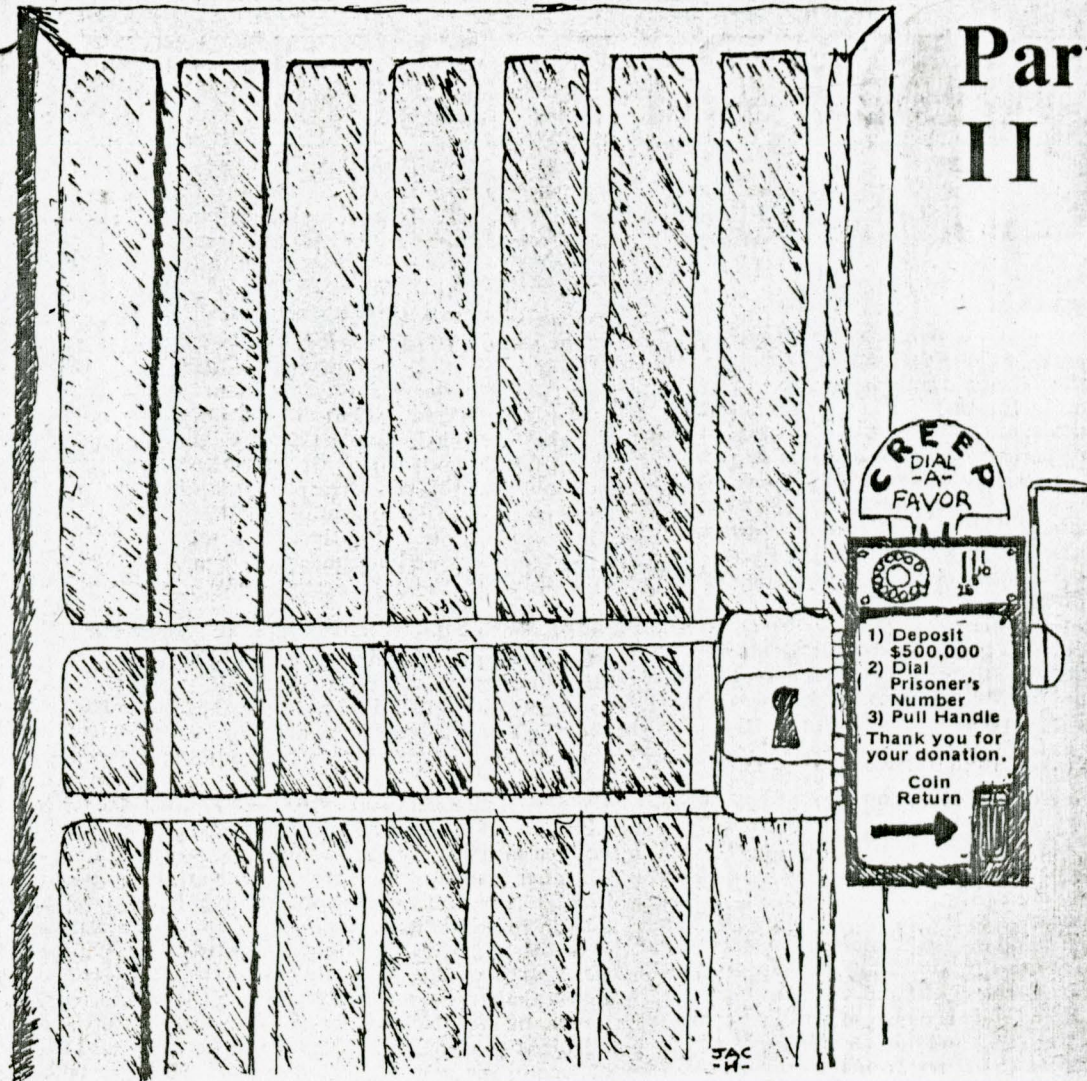
The tape is of a conversation purportedly between Arthur Egan, a reporter for the Manchester Union Leader, and Edward Grady Partin, a former Louisiana teamster boss whose testimony sent Jimmy Hoffa to jail on charges of jury tampering. The conversation links Egan and his publisher, William Loeb, in attempts to pressure President Nixon, former Attorney John Mitchell and others into undermining a federal indictment against Partin.

At the time of the taped conversation, Partin was apparently under pressure to either recant his testimony against Hoffa or state that he knew of illegal wiretapping by the Justice Department in the original Hoffa case. The implication of the conversation is that if Partin would help Hoffa get out of jail, efforts would be made to prevent Partin from being convicted on federal charges.

Egan, who admits to numerous conversations with Partin during this time period, says he was merely trying to convince Partin to "tell the truth about Hoffa."

Egan claims the taped conversation never took place. He says he told Watergate investigators, during six hours of testimony last month, that he at first could not remember the conversation at all. But later he asserted that the tape might be a compilation of several conversations between Partin and himself.

John Blackburn, a reporter for the Anaheim, California Bulletin, says however, that Egan told him several months ago that the conversation was real and that he hadn't realized he was be-



Part II

Freeway Opponent Outlines Issues

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...fort to those who claim that the need for I-66 is overwhel...
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Therefore I-66 is not

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Smith

(WESTGATE)

SAN DIEGO (UPI) -- A FEDERAL JUDGE, ACCUSING THE INTERNAL REVENUE SERVICE OF SABOTAGING HIS EFFORTS TO SALVAGE WESTGATE-CALIFORNIA CORP., ORDERED THE IRS DISTRICT DIRECTOR TO APPEAR BEFORE HIM TODAY.

THE IRS IS SETTING ITSELF UP AS A FOURTH BRANCH OF GOVERNMENT, SAID U.S. DISTRICT JUDGE LELAND NIELSEN.

THE JUDGE SAID THAT BY PRESSING A \$4.2 MILLION TAX CLAIM AGAINST WESTGATE-CALIFORNIA, FORMERLY THE CORNERSTONE OF FINANCIER C. ARNHOLT SMITH'S FINANCIAL EMPIRE, THE IRS IS "DESTROYING THE CORPORATION WITHOUT REGARD FOR THE INTERESTS OF THE CREDITORS OR STOCKHOLDERS OR THE IRS ITSELF."

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