

DOCUMENT WITHDRAWAL RECORD [NIXON PROJECT]

DOCUMENT NUMBER	DOCUMENT TYPE	SUBJECT/TITLE OR CORRESPONDENTS	DATE	RESTRICTION
1	Ltr	Spector for Sarment RE: "Mr. Silberman asked" 5pg. (with attachments)	4/18/74	D
2	Ltr	Sarment for Herron RE: "... response to your letter" 4pg. (with attachments)	4/17/74	D
3	Note	bcc to Mr. Buehardtt (with attachment) 3pg.	4/1/74	D
4	Memo	Memorandum for the Record RE: Meeting with Mr. James M. Moran 2pg.	4/1/74	D
5	Memo	Memorandum for the Record RE: Meeting with Mr. James M. Moran (with annotations) 2pg.	4/1/74	D
6	Ltr	Wilderotter for Herron RE: "... the enclosed memorandum" 7pg. (with attachments)	4/10/74	(B) D

FILE GROUP TITLE WHCF: SMOF: Sarment
Alpha-Subject Files

BOX NUMBER

90

FOLDER TITLE

Hoffa

RESTRICTION CODES

- A. Release would violate a Federal statute or Agency Policy.
- B. National security classified information.
- C. Pending or approved claim that release would violate an individual's rights.
- D. Release would constitute a clearly unwarranted invasion of privacy or a libel of a living person.

- E. Release would disclose trade secrets or confidential commercial or financial information.
- F. Release would disclose investigatory information compiled for law enforcement purposes.
- G. Withdrawn and return private and personal material.
- H. Withdrawn and returned non-historical material.



THE DISCIPLINARY BOARD
OF THE
SUPREME COURT OF PENNSYLVANIA

Chief Disciplinary Counsel
Allen B. Zerfoss

DISTRICT II OFFICE
809 Widener Building
Philadelphia, Pennsylvania 19107
(215) 563-2650

Assistant Disciplinary Counsel
John R. Arney, Jr.
Mary E. Groff
John W. Herron
Charles F. Lieberman
Jeffrey P. Paul
Thomas J. Shannon

June 24, 1974

Leonard A. Garment, Esq.
Assistant to the President
The White House
Washington, D.C. 20530

Re: James M. Moran, Esq.

Dear Mr. Garment:

You previously filed a complaint against the above named attorney alleging a violation of a Disciplinary Rule of the Code of Professional Responsibility.

The investigation of this complaint has been completed. A recommendation of Assistant Disciplinary Counsel as to the disposition to be made in this matter was then forwarded to Chief Disciplinary Counsel for his review and recommendation. The file was in turn referred to a Reviewing Member of a Hearing Committee for his review and final decision as to the disposition to be made. This procedure has now been completed and the final determination is that the complaint be dismissed.

In the memorandum dated April 1, 1974 of Leonard Garment, Esq. we find the following sentences particularly pertinent:

- (a) "He (Moran, Respondent) indicated he was interested in the Hoffa situation . . ."
- (b) "Mr. Moran then went on to state that he could arrange for his client to testify. . .if we would as a 'quid pro quo' lift the restrictions on the Hoffa commutation."

Leonard A. Garment, Esq.

Page 2

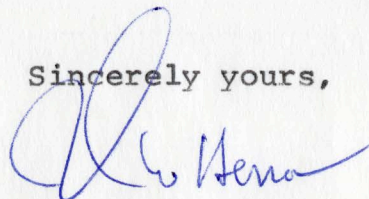
June 24, 1974

There is no indication that the Respondent represented Hoffa as a client or actually used a confidence of his alleged Police Officer client for the advantage of a third person (Disciplinary Rule 4-101(B)(3)). The memorandum states he indicated "he could arrange" use of such confidences of his client. This falls short of providing sufficient grounds for finding any violation of either Disciplinary Rule 4-101(B)(1), (2), or (3).

This office wishes to thank you for bringing this matter to our attention. We also acknowledge and express appreciation for the cooperation received from James M. Moran, Esq. in the investigation of this matter.

With kind regards,

Sincerely yours,



John W. Herron,
Assistant Disciplinary Board

JWH/kmp

cc: James M. Moran, Esq.
James A. Wilderotter, Esq.

THE WHITE HOUSE
WASHINGTON

LG

Are you going to need or ask for any material before you see Mr. Moran on Monday, April 1st, assuming it has to do with the Hoffa pardon matter? At one time a White Paper was going to be prepared, but I never saw anything come out.

E.

3/27

26:
FVI
6
December 11, 1973

MEMORANDUM FOR:

DAVE GERGEN

FROM:

FRED FIELDING
BEN STEIN

SUBJECT:

White Paper - Hoffa Commutation

Per your request, we have reviewed all available data regarding the Hoffa commutation in order to prepare a White Paper on the subject.

The known facts establish that when the initial Master Clemency Warrant was prepared by the Pardon Attorney's office and forwarded to the White House in December, 1971, there were no conditions delineated as to Hoffa's commutation. Likewise, there is no mention of these conditions in the letter from the Attorney General to the President recommending that clemency be granted to Hoffa.

Thereafter, sometime between December 16 and December 22, 1971, John Dean or one of his assistants (Roy Kinsey) advised the Pardon Attorney of the conditions and provided language to be included in a revised Master Warrant.

On December 22, Dean submitted the revised Master Warrant to the President for signature. His covering memorandum noted that "as you know" Hoffa is one of those on the list. In the next sentence Dean briefly mentions the restrictions on the commutation. The President signed the Master Warrant on December 23.

In order to produce a document fully responsive to the charges raised in the media, we should ascertain the following, if possible:

(1) Who initially proposed the imposition of the conditions on Hoffa's commutation;

(2) What was the extent of any involvement or conversations between members of the White House staff and the Teamsters on the subject, and

(3) The extent of the President's prior knowledge about the commutation and the imposition of the conditions.

The most obvious sources for resolving the first two issues are Dean and Colson, but it is not likely that they will discuss this with the White House. However, their respective files should be searched to see if there are any relevant documents. In addition, the President should be asked about his recollections and whether he had any discussions with anyone about the Hoffa release (these would, presumably, be on tape). To the extent that these matters can be done and data developed, it would be most helpful. Otherwise, we are again in a position of not knowing all the facts and trying to refute a negative -- a very dangerous basis upon which to prepare a "definitive" White Paper.

THE WHITE HOUSE

WASHINGTON

December 3, 1973

MEMORANDUM FOR: FRED BUZHARDT
LEONARD GARMENT

FROM: FRED FIELDING

SUBJECT: Hoffa Pardon

This afternoon Larry Traylor, the Pardon Attorney, called to advise me of a telephone conversation in regard to the Hoffa pardon.

He stated that he met this morning with a Mr. Lawrenceson, who identified himself as Executive Director of the National Association for Justice, and on behalf of Mr. Hoffa he requested a copy of the White House memorandum to the Pardon Attorney directing that a condition be imposed upon Mr. Hoffa's pardon. Mr. Traylor advised him that no such memorandum exists.

Mr. Lawrenceson told Mr. Traylor that they are taking the position that the President did not personally sign the warrant granting Mr. Hoffa's commutation of sentence; rather, Mr. Lawrenceson said his experts had looked at the signature and concluded that it was a forgery. In this regard, it is interesting to note that Mr. Lawrenceson has a copy of the Master Warrant in question, which is signed but undated -- the only such copies that I have ever seen that were undated are in the White House files.

Mr. Lawrenceson said that his organization is seeking to have the condition of Mr. Hoffa's commutation removed by administrative action, rather than going into court. They feel the President is vulnerable on this matter because of the alleged forgery, and also because of their claim that the condition was added by the intervention or maneuvering of Charles Colson as a condition of an agreement between he and the International Brotherhood of Teamsters that Colson would get the IBT as a client once he left the White House.

August 7, 1973

MEMORANDUM TO: J. T. Smith
Executive Assistant to the
Attorney General, Dept. of
Justice

FROM: Leonard Garment
Counsel to the President

The attached is in response to the question that the
Attorney General raised the other day.

Encl.

THE WHITE HOUSE

WASHINGTON

August 6, 1973

MEMORANDUM FOR: LEONARD GARMENT

FROM: FRED FIELDING

SUBJECT: Executive Clemency - James R. Hoffa

Our general pardon file indicates that on December 15, 1971, Sol Lindenbaum, Executive Assistant to the Attorney General, forwarded the Attorney General's recommendations for grants of executive clemency. It is the recollection of the staff member working on pardons at that time, Roy Kinsey, as well as my own recollection, that the Hoffa commutation was not in that group and was added later.

By December 22, 1971, and probably on that date, the Pardon Attorney's office forwarded to the Counsel's office a Master Warrant which included Mr. Hoffa's commutation - without any conditions to it.

I was not working directly on the pardons, and first heard about the proposed condition from Mr. Dean. I do not know whose idea it was to impose a condition, and only know the wording of the condition was worked out in this office in consultation with the Pardon Attorney. I have also talked to Mr. Kinsey about this, and he does not remember the source of the decision to impose a condition on the commutation either. His "guess" would be that it was John Dean's idea but he is not sure and has no recollections other than being told of the decision, helping to fashion appropriate language and relaying it to the Pardon Attorney so that a new Master Warrant could be drafted.

I have also talked to the Pardon Attorney, but he was unable to add any information on the subject.

NIXON PRESIDENTIAL MATERIALS PROJECT
DOCUMENT CONTROL RECORD

ITEM REMOVED FROM THIS FILE FOLDER

A RESTRICTED DOCUMENT OR CASE FILE HAS BEEN REMOVED FROM THIS FILE FOLDER. FOR A DESCRIPTION OF THE ITEM REMOVED AND THE REASON FOR ITS REMOVAL, CONSULT DOCUMENT ENTRY NUMBER / ON EITHER THE DOCUMENT WITHDRAWAL RECORD (GSA FORM 7279 OR NA FORM 1421) OR NARA WITHDRAWAL SHEET (GSA FORM 7122) LOCATED IN THE FRONT OF THIS FILE FOLDER.

NIXON PRESIDENTIAL MATERIALS PROJECT
DOCUMENT CONTROL RECORD

ITEM REMOVED FROM THIS FILE FOLDER

A RESTRICTED DOCUMENT OR CASE FILE HAS BEEN REMOVED FROM THIS FILE FOLDER. FOR A DESCRIPTION OF THE ITEM REMOVED AND THE REASON FOR ITS REMOVAL, CONSULT DOCUMENT ENTRY NUMBER 2 ON EITHER THE DOCUMENT WITHDRAWAL RECORD (GSA FORM 7279 OR NA FORM 1421) OR NARA WITHDRAWAL SHEET (GSA FORM 7122) LOCATED IN THE FRONT OF THIS FILE FOLDER.

~~PERSONAL AND~~
~~CONFIDENTIAL~~

April 1, 1974

Dear Larry:

Attached is the memo I discussed
with you on the phone this afternoon.

Best,

Leonard Garment

encl.

Honorable Lawrence Silberman
Deputy Attorney General
Department of Justice
Washington, D. C.

NIXON PRESIDENTIAL MATERIALS PROJECT
DOCUMENT CONTROL RECORD

ITEM REMOVED FROM THIS FILE FOLDER

A RESTRICTED DOCUMENT OR CASE FILE HAS BEEN REMOVED FROM THIS FILE FOLDER. FOR A DESCRIPTION OF THE ITEM REMOVED AND THE REASON FOR ITS REMOVAL, CONSULT DOCUMENT ENTRY NUMBER 3 ON EITHER THE DOCUMENT WITHDRAWAL RECORD (GSA FORM 7279 OR NA FORM 1421) OR NARA WITHDRAWAL SHEET (GSA FORM 7122) LOCATED IN THE FRONT OF THIS FILE FOLDER.

NIXON PRESIDENTIAL MATERIALS PROJECT
DOCUMENT CONTROL RECORD

ITEM REMOVED FROM THIS FILE FOLDER

A RESTRICTED DOCUMENT OR CASE FILE HAS BEEN REMOVED FROM
THIS FILE FOLDER. FOR A DESCRIPTION OF THE ITEM REMOVED
AND THE REASON FOR ITS REMOVAL, CONSULT DOCUMENT ENTRY
NUMBER 4 ON EITHER THE DOCUMENT WITHDRAWAL RECORD
(GSA FORM 7279 OR NA FORM 1421) OR NARA WITHDRAWAL SHEET
(GSA FORM 7122) LOCATED IN THE FRONT OF THIS FILE FOLDER.

James M. Leach

THE WHITE HOUSE
WASHINGTON

Berkowitz & Leahman

Suite 800 1420 Walnut St.

Philadelphia

Edward Barrett
Washington

NIXON PRESIDENTIAL MATERIALS PROJECT
DOCUMENT CONTROL RECORD

ITEM REMOVED FROM THIS FILE FOLDER

A RESTRICTED DOCUMENT OR CASE FILE HAS BEEN REMOVED FROM THIS FILE FOLDER. FOR A DESCRIPTION OF THE ITEM REMOVED AND THE REASON FOR ITS REMOVAL, CONSULT DOCUMENT ENTRY NUMBER 5 ON EITHER THE DOCUMENT WITHDRAWAL RECORD (GSA FORM 7279 OR NA FORM 1421) OR NARA WITHDRAWAL SHEET (GSA FORM 7122) LOCATED IN THE FRONT OF THIS FILE FOLDER.

NIXON PRESIDENTIAL MATERIALS PROJECT
DOCUMENT CONTROL RECORD

ITEM REMOVED FROM THIS FILE FOLDER

A RESTRICTED DOCUMENT OR CASE FILE HAS BEEN REMOVED FROM THIS FILE FOLDER. FOR A DESCRIPTION OF THE ITEM REMOVED AND THE REASON FOR ITS REMOVAL, CONSULT DOCUMENT ENTRY NUMBER 6 ON EITHER THE DOCUMENT WITHDRAWAL RECORD (GSA FORM 7279 OR NA FORM 1421) OR NARA WITHDRAWAL SHEET (GSA FORM 7122) LOCATED IN THE FRONT OF THIS FILE FOLDER.