

THOUGHT YOU MIGHT FIND
THE ENCLOSED OF INTEREST

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ANOTHER GOOD DEFICIT REPORT FOR FEBRUARY

For the first five months of fiscal-1984, the Federal Deficit has run at \$155 billion annual rate. The strong recovery has lifted Revenues while Outlays have been restrained. A Federal Deficit considerably below the Administration's official forecast of \$184 billion for fiscal-1984 now appears certain.

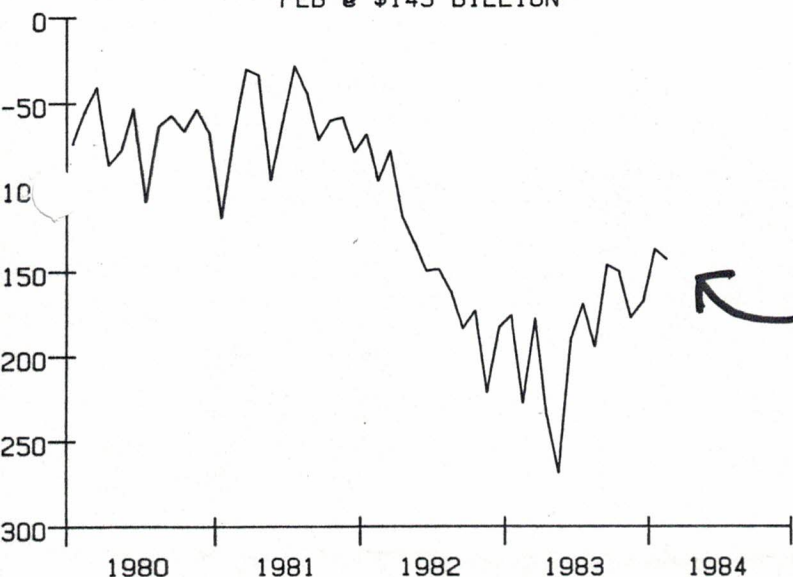
FEDERAL DEFICIT FY-1984

Seasonally Adjusted
Annual Rate

Oct	\$150
Nov	\$177
Dec	\$168
Jan	\$137
Feb	\$143

**AVERAGE
\$155 BIL.**

FEDERAL DEFICIT
SEASONALLY ADJUSTED ANNUAL RATE
FEB @ \$143 BILLION



**DEFICIT HAS
AVERAGED \$140 BIL.
FOR PAST TWO MONTHS.**

VERY LOW FEDERAL DEFICIT FIGURES COULD BE REPORTED FOR MARCH AND/OR APRIL. March and April Federal Receipts, reflecting 1983's strong personal income growth and good capital gains, could be very, very strong. As a result, March and/or April Federal Deficits are likely to be temporarily pushed below the underlying trend.

DEFICIT COULD BE \$100 BIL. IN APRIL.

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STUDIO 54: TRAVESTY AND TRAGEDY

Having established the atmosphere that existed by the late summer of 1979 and learned something about how it came to be that way, we may now turn to the way the press handled the allegations that Hamilton Jordan had used cocaine in a New York disco called Studio 54. What follows is an account of a personal tragedy with national implications. It involves the ethics of journalists and lawyers, the judgment of government officials, and even the equity of the law.

Even four years after it all occurred, as I write about and relive those days, anger, frustration, and bitterness come flooding back. Justice was not done. The innocent suffered more than the guilty. And some of the guilty paid no price at all. The chance for redress, except in the court of public opinion, has passed. If there is any good reason for telling this story now, it is the hope that an understanding of how such an injustice occurred will help to keep such a thing from happening again. I wish I could believe that it would.

In August of 1979, President Carter decided to spend his summer vacation aboard the riverboat *Delta Queen*, cruising the Mississippi River from Minneapolis to St. Louis. A few months earlier, on June 28, Ian Schrager and Steve Rubell had been indicted by a federal grand jury for tax fraud, conspiracy, and obstruction of justice. Rubell and Schrager were the owners of

Studio 54, a tacky-trendy nightclub in New York that catered to the exhibitionistic tendencies of the would-be beautiful people. One of the attractions of the night spot was the availability of a variety of drugs on the house for selected patrons.

As President Carter was preparing to leave for his vacation, Rubell and Schrager and their lawyers, Roy Cohn and Mitchell Rogovin, set in motion a plan to circumvent the penalties of the law. They would charge that the chief of staff to the President had used cocaine at Studio 54 and attempt to use that information to pressure the Justice Department into agreeing to reduced sentences.

Their plan failed, partially because of the ineptitude of the lawyers. Hamilton Jordan was eventually cleared. Steve Rubell and Ian Schrager went to jail for tax fraud. But the attempt to make it work almost ruined the public career of the President's senior aide. He was left with staggering legal bills and permanent damage to his reputation. It eroded the credibility of a President and set the stage for behavior by journalists and lawyers that called into question their judgment and their integrity.

As the President was ending his cruise, Mr. Rogovin presented the Justice Department with his accusation. On an evening in April of 1978, Rogovin said, Hamilton Jordan had come to Studio 54. While there, he had asked for and been given cocaine in the presence of Jody Powell, Steve Rubell, and a small-time drug dealer called Johnny C.

As required by the Ethics in Government Act, the Attorney General directed the FBI to investigate immediately.

When the *Delta Queen* reached Lock and Dam Number 24, near the town of Clarksville, Missouri, shortly after 7 P.M. on Thursday, August 23, 1979, President Carter was summoned to the lockmaster's office, where a scrambler phone had been installed. The Attorney General wanted to talk to him, and he wanted to talk on a secure line.

As the senior staff member on the trip, I walked the few dozen yards with the President, and was standing beside him as he took the call. After less than a minute of conversation, which came mostly from the other end of the line, the President interrupted to say that I was in the room. A few seconds later, he motioned for me to step outside. I thought the call must involve

some sensitive intelligence matter about which I had no need to know, and was curious but not concerned.

Once back on board, I asked the President if he could tell me anything about the call, since the press had seen him break away from the crowd and go into the lockmaster's office. He said no. In a few minutes, one of the reporters in the small press pool aboard the *Delta Queen* asked why the President had gone to the office. I said that he had taken a phone call, but that I could not say anything more about it.

I dismissed the incident from my mind until several hours later, when the *Delta Queen* got under way from Lock 25 at Winfield, Missouri. The President asked if anyone had come on board to talk to me. Somewhat puzzled, I said no. He said FBI agents would probably be waiting at the next lock to ask me some questions. There was nothing more that he could tell me, not even the reason for the questions. I was not to discuss what little I knew with anyone before talking with the FBI, and I was to cooperate with them completely.

At almost the same moment, FBI agents were arriving at Hamilton Jordan's apartment in northwest Washington to confront him with Rogovin's accusations. He had been called a few hours earlier, and quickly agreed to see the agents that night.

Although I knew nothing about that event, I was beginning to think the situation was a little strange. It would be four o'clock in the morning when we arrived at the next stop. Less than six hours later we would be in St. Louis, where the agents were most certainly based.

I had become accustomed to strange happenings over the past few years; some eventually made sense and others still do not. Even FBI interviews were not particularly startling occurrences. I had been through them before. But this appeared to be different. Why the haste, and why was the President able to tell me so little about what was going on? From the little I knew about FBI procedures, it almost looked as though I were the target of the investigation. I was almost right.

At four-fifteen on Friday morning we reached Lock and Dam 26 near Alton, Illinois. I stood along the lower deck railing watching for people who looked like FBI agents, and hoping they would spot me if I did not see them. I had told our advance people that

there might be someone waiting to see me at this stop (although in accordance with the President's instructions, I did not say who). I had informed the Secret Service that some people from the FBI would be coming to talk to me, since the Secret Service would have to know who they were and why they were there to clear them on board. By that time, my feelings were about equally divided between concern and curiosity.

Shortly after four-thirty, a Secret Service agent brought two men up the gangway and introduced them as "the people who wanted to talk to you." The agents presented identification, apologized for the late hour, and asked if I was too tired to talk; they could wait until I got some sleep and see me in the morning. At that point, concern pulled ahead of curiosity. The last thing I wanted to do was wait until morning. The thought also occurred to me that if a serious problem was developing, I would have the rest of the night to think about how to handle it. They asked if there was a place where we could sit and speak privately, and I took them into the cabin-deck lounge nearby.

The lounge had long been deserted for the night and the lights turned out. After a brief and unsuccessful search for a light switch, we sat at a table near a window illuminated by the giant floodlights along the lock and the glare of television lights following the President as he shook hands with the several hundred people who had driven out to greet him. Their cheers and applause as he moved along drifted through the open windows.

The senior agent quickly relieved some of my concern by telling me that I was not the target of their investigation. He then asked if I was familiar with or had ever visited a place called Studio 54 in New York. I told him I had never been to Studio 54, and, from what I knew of it, thought I was probably not their kind of people. He said, with only a trace of a smile and a raised eyebrow toward his partner, that it might be a short session in that case, and outlined the allegations.

I said that to the best of my recollection (which turned out to be accurate), Hamilton Jordan and I had never been in New York on the same night in all of 1978. He then asked if I was familiar with about half a dozen names. I was not, but I, and most of the rest of the country, very shortly would be. After about thirty minutes, they thanked me for my time, apologized again for the inconvenient hour, and left.

A few hours earlier in Washington, after waiving his right to have an attorney present, Hamilton flatly denied that he had ever used cocaine, at Studio 54 or anywhere else. He said he had somewhat reluctantly made one, relatively brief, visit to Studio 54, but had not even been in New York during April of 1978, when the incident had allegedly taken place.

As we pulled away from Alton, I told the President about the interview and what I had said to the FBI. He seemed somewhat relieved, but still concerned. So was I.

Neither of us believed there was any truth to the charges. We both knew of Hamilton's strong distaste for the drug scene. I had heard him warn young staffers of the risk to their careers if they were foolish enough to indulge in it. I had volunteered to the FBI that I had never seen or even heard of Hamilton's ever using drugs, and could not believe that he had done so.

But we both knew that innocence is not necessarily a defense. We had seen the tremendous momentum that can build behind an allegation of scandal against a public official.

Soon after I became involved in politics and press work, an older and more experienced hand had warned that it only takes about five seconds for someone to call you an SOB, but proving that you are not one can take a bit longer. That would be the crux of the problem. It would take nine months.

The press has never been known for adhering to particularly strict rules of evidence, or fair play, when dealing with stories of scandal in high places. There is no concept of innocent until proven guilty; there is no right to confront, much less cross-examine, your accuser. Too often, there is little or no restraint on the publication of the rankest sort of hearsay and innuendo. That is bad enough. Now, however, the problem was exacerbated by the law itself.

The new Ethics in Government Act, which had become law the year before, contained a provision that required the Attorney General to investigate thoroughly any charge of criminal behavior made against any person on a list of 140 government officials, no matter how frivolous the accusation or how incredible its source. If the investigation did not, within ninety days, show the charge to be without substance (if, in effect, the Justice Department was not able to prove that the accused was innocent), the Attorney General had to appoint a special prosecutor.

The Carter administration, although favoring the act in general, had opposed that provision. We would soon have reason to wish we had been much more vigorous in our opposition.

To protect the reputation of those falsely accused, the act required that the preliminary investigation and the appointment of a special prosecutor be kept confidential. But the drafters of the law had reckoned without the likes of Schrager and Rubell and their two lawyers, Rogovin and Cohn. They were quite a quartet.

Mitchell Rogovin was a well-known Washington insider with extensive political and press connections; Roy Cohn was equally well connected in New York. Both had experience in government, Rogovin as counsel to the IRS and the CIA during the Nixon and Ford administrations, and Cohn as a chief aide to Senator Joseph McCarthy in the fifties.

Both certainly knew that if an allegation as flimsy as the one made against Jordan was brought directly to a responsible news organization, the allegation might never be publicized. An allegation is by definition conjectural. It may or may not be true. Before publishing an allegation, good news operations will usually make some attempt to check it out, to see if there is anything to it.

But an FBI investigation of a high government official had always been considered in a different light. The allegation under investigation might or might not be true, but the FBI investigation itself is a fact. The unwritten rule had been: "If the FBI thinks there is enough substance to launch an investigation, there is enough substance for us to run the story."

The Ethics in Government Act had changed the rules for the FBI. An investigation under this law did not in any way imply a judgment by the FBI on the substantiation of the accusation. Unfortunately for Hamilton Jordan and for the Carter administration, it quickly became apparent that no matter how the rules had changed for the FBI, the rules of press behavior remained the same. The existence of an investigation would continue to be sufficient rationale for extensive coverage.

At about 9 A.M. on Friday morning when the *Delta Queen* reached St. Louis, a few hours after my session with the FBI, I called Hamilton. We agreed that we faced a serious problem. But we had no inkling of just how serious it would be.

There had been other investigations under the Ethics in Gov-

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ad changed the rules for the investigation of the accusation. Under the Carter administration, no matter how the rules had changed, press behavior remained the same. The investigation would continue to be sufficient.

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ernment Act that had remained confidential as the law required, so we had some hope that this one would be handled quickly and without inflammatory press coverage. Nevertheless, we decided that press calls would probably come sooner or later. Fortunately, we decided that we had better be prepared for sooner.

By two that afternoon, I was back in the White House. Hamilton had already received a call from the *New York Times*. They had been told that the FBI was investigating drug charges against him. What did he have to say for himself?

The *Times* had learned of the accusations on August 22, two days before Hamilton knew anything about them.

As it turned out, the *Times* also scooped both the Attorney General and the FBI. Attorney General Benjamin Civiletti received his first briefing on the charges, which had first been raised with the U.S. attorney for the Southern District of New York, late in the afternoon of August 23. He and senior Justice Department officials quickly concluded that an investigation was required under the Ethics in Government Act, and it should begin immediately.

The interviews would be more effective if they were conducted cold—without advance warning to either Hamilton or me. The officials were concerned, with justification as it turned out, that the press might get hold of the allegations. Publicity could give the two suspects a chance to compare notes. The Department of Justice also wanted to make sure it was clear that an investigation had begun without prodding by the press. The best way to do that was to make sure it was under way before the first story ran.

Attorney General Civiletti placed a call to William Webster, the director of the FBI. He was out of town and could not be reached immediately. Calls were placed to Webster's immediate subordinates, Homer Boynton and Francis M. Mullen, Jr., executive assistant directors of the FBI. By this time, the sun was going down and both men had left the bureau. They were quickly located and told to report to the Attorney General's office immediately. In the meantime, Webster was contacted in South Dakota. Since the conversation was over a standard telephone line, Civiletti gave the FBI director only a general description of the situation. Arrangements were made for a more detailed briefing by secure channels.

Within an hour, Boynton and Mullen arrived at the Justice Department. Both were in shirt sleeves. Boynton had been in the middle of a swim and came in with his longish, curly hair still wet.

By the time they arrived, Terry (Terrence B.) Adamson, special assistant to the Attorney General and director of public information for the Justice Department, had determined that Hamilton was in town and should be at home that night. He had also pulled the schedule for the *Delta Queen* so that plans could be made for contacting the President on a secure phone line and placing FBI agents on board to interrogate me.

Boynton and Mullen were briefed by Bob Fiske, the U.S. attorney for the Southern District of New York. He was responsible for the prosecution of the tax evasion charges against Rubell and Schrager, and the charges against Hamilton had been made to him by Rogovin, Schrager's attorney. Rogovin had been hinting to Fiske that he had information about wrongdoing by a high government official for several days, but he had not detailed the charges or mentioned Hamilton Jordan's name until the day before, August 22.

Arrangements were made to brief the agents who would conduct the interrogations. The Attorney General picked up the red scrambler phone on his desk and asked the operator to connect him with the President as soon as possible. Civiletti, who had just become Attorney General a week earlier following the resignation of Griffin Bell, had the unenviable responsibility of telling the President that two members of his senior staff were implicated in a drug investigation. Civiletti knew that if the charges were true, both Hamilton and I would have to resign. He also knew that even if they were false, we and the President were in for some difficult days. Looking back on it now, he says he had no idea how difficult.

When I got back to the White House on Friday afternoon, the first person I saw was neither the President nor Hamilton. My wife had come down to meet me. I had been gone for over a week, and since the President had no scheduled activities for the rest of the day, we were looking forward to an early start on the weekend. I had only a few minutes to prepare her for what was coming. I closed the door to my office and told her what had happened, trying to be as reassuring as I could.

I told her I felt certain I could eventually prove that I had never been to Studio 54, but the job of proving Hamilton had not used drugs would be more difficult. Still, I thought we would come out all right in the end. I did not try to be overly optimistic. I had learned long ago that Nan would not pry or push me to talk about things I did not want to discuss; but she preferred the truth with the bark off—the worst-case possibilities up front rather than nasty surprises later on.

I also told her that there would soon be press coverage and that my name was likely to be prominently mentioned in the early stories. I asked her to call our twelve-year-old daughter, Emily, and tell her what was happening. Emily was visiting my mother in Vienna, Georgia, so Nan could explain it all to my mother, too. My mother would then tell my aunt, who lives on the adjacent farm. Between them, they would make sure that hometown friends and family were adequately briefed.

This process of calling Vienna to warn of and explain some impending difficulty had become routine. I sometimes thought that Washington gossips could have gleaned better material at Ruth Pennington's beauty parlor in Vienna than at all the Washington cocktail parties they attended. Their coiffures and their lives would also have benefited.

I could not tell whether the glint in Nan's eyes was anger or tears—perhaps both.

"They're trying to destroy Hamilton," she said. "This thing will just drag on and on. They're lying, and everyone knows they're lying, but that won't matter. Ham is going to be hurt, and you and the President. But nothing will ever happen to the people responsible for all this."

She and I both knew that she was probably right. I could not think of anything to say. Nan gave me a smile and a hug and left.

As she left to drive back home, I walked around the corner to join Hamilton in the Oval Office. We reviewed the situation with the President, including the fact that the *New York Times* was already working on the story. I said that I was not sure yet, but thought we would be better off talking to the *Times*. Perhaps we could get them to hold off for a day or two. If not, we would at least get our side into the first story.

The President said he was inclined to agree, but to handle it as we saw fit. He seldom became involved in the details of press

relations. Usually, as in this case, it made my job easier. At other times I wished that he would take a greater interest in the nuances of the relationship.

Although I did not know it until later, Hamilton had slipped back into the Oval Office to offer his resignation. He was profoundly upset and discouraged. He argued that even though he was innocent, it would take a long time to prove it. In the meantime, the adverse publicity and the distraction from the other issues were too much of a burden for the President to bear.

The President would have none of it. He refused to accept the resignation and encouraged Hamilton to fight it out. If he resigned, the President said, we would have the worst of both worlds: Hamilton's services would be lost, and the resignation would be taken as an admission of guilt. Hamilton agreed to stay on, but he would come close to submitting his resignation more than once during the next nine months.

Once Hamilton and I had reviewed our notes, I was convinced that we should invite the *New York Times* people over for a talk. We had a good story to tell. The allegation was demonstrably inaccurate in three major respects:

- The incident was supposed to have taken place in April, but Hamilton's logs would show that he had not spent a night in New York during that month.
- Our daily schedules would show that Hamilton and I had not spent the same night in New York during the entire year.
- I was supposed to have been with Hamilton, but I had never been to Studio 54 in my life.

Hamilton was concerned that talking to the press might create problems for him with the Justice Department. He knew that the law required that the investigation be kept secret. He did not want officials at Justice or the FBI to think he was attempting to short-circuit their efforts by taking his case to the press. I ar-

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gued that if the *Times* had been told enough to have a story any-
way, no one could fault us for responding to their questions. I
thought, but did not say, that there was little chance the stories
would be favorable enough to Hamilton to place any pressure on
Justice to bend in his direction.

To resolve the issue, I called Bill Kovach, the new Washing-
ton editor of the *Times*, and asked him to tell me what they had.
After listening to his description, there was no doubt in my mind
that they had enough for a story, no matter what we did. I told
him that the whole thing was a crock of shit, but that I would
have to do some checking on just what more Hamilton and I could
say and get right back to him.

Kovach and I both knew that the deadline for the edition of
the *Times* that is delivered to homes in Washington is 6:00 P.M. He
wanted to make that edition with what was definitely a "Washing-
ton story." I wanted to make sure that we had plenty of time to
point out the errors and inconsistencies in the allegations. I also
hoped that we might be able to cast enough doubt on the cred-
ibility of the charges to get the *Times* to hold the story for a day or
two. That would give us time to try to come up with other wit-
nesses or information that would support Hamilton's innocence—
and mine.

Next, I called Terry Adamson. Terry was uniquely qualified
to be the Attorney General's spokesman. He was a lawyer who
had worked as a reporter. He and I had developed a good relation-
ship, keeping each other posted on developing matters that might
become issues in the press. The purpose of this call was to make
sure he knew that the *New York Times* was working on the Studio
54 story and to ask whether he thought anyone at Justice would
think it improper for Hamilton and me to talk to the *Times*.

Adamson said he had already received an inquiry from the
Times, but had made no comment, as the law required. However,
he saw no problem at Justice if Hamilton and I wanted to present
our side of the story. If we decided to do that, Adamson said, it
might make sense for the Justice Department to release a short
statement confirming that the investigation was under way.

With Hamilton's agreement, I called Kovach and asked if he
could come to the White House and see us. Since neither Kovach
nor I had any interest in other news organizations' finding out

about the story, I told him we would meet in Hamilton's office rather than mine, which was often surrounded by reporters. I would also arrange for him to enter through the West Lobby rather than the press room.

The *New York Times* bureau is located at the corner of Connecticut Avenue and K Street, less than four blocks from the White House. Kovach said he would see us in fifteen minutes, and was bringing Nicholas Horrock, their chief investigative reporter, and Phil Taubman, another investigative reporter who occasionally covered the Justice Department.

In the short time before they arrived, I tried to give Hamilton, who spent little time with the press, a quick briefing on the people who would be interrogating him.

Kovach had come to Washington only a couple of weeks before. I had done some calling around when his appointment as bureau chief was announced, and had made a point of asking him out for a get-acquainted drink as soon as he hit town. I was favorably impressed by what I saw and what I had heard about him. His reputation was that of a steady, nonflamboyant professional. His job would be to run the bureau. He would not write stories himself. That meant I no longer had to worry about being caught in the middle between the bureau chief and a White House correspondent when the correspondent felt that his territory was being invaded by his boss.

I liked his soft-spoken manner and his thoughtful approach to the job. On top of that, he was a southerner. I would not have to explain to him what "born again" meant, and when he had a few drinks too many, I would not have to sit and listen to mildly insulting imitations of the President's accent.

Horrock was a different matter. I had dealt with him only occasionally and had no major, specific complaints, but my general impression of him was not encouraging. He seemed to be almost a caricature of an investigative reporter: aggressive, suspicious of anyone in public office, and inclined to browbeat and intimidate when he thought he could get away with it. In addition, other reporters at the *Times* said he made no effort to hide his distaste for southerners in general, and those in the White House in particular. Finally, I had been warned that Horrock was determined that the *Times* would never again be beaten on a White

meet in Hamilton's office surrounded by reporters. I through the West Lobby

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I had no strong impressions of Phil Taubman one way or the other. He had worked on several stories that involved the White House, and I remembered him as generally reasonable and not excessively prosecutorial.

Our approach would be to speak freely since there was nothing to hide, but to be careful not to say anything unless we were sure it was true. I had learned the hard way that there is little toleration for an honest mistake when talking with the press. We did have the advantage of dealing with only one newspaper and in a relatively informal setting. It is much easier to explain a complicated point or to persuade a reporter that you are telling the truth in that sort of situation than in the supercharged atmosphere of a White House briefing.

I also felt we were fortunate to be dealing with the *New York Times*. I considered the *Times* to be more careful, more thorough, and less given to hyperbole than most other news organizations. That opinion would become somewhat tarnished in the weeks to come.

There were no big surprises in the interview. Horrock did most of the questioning: "Did you use cocaine at Studio 54? Have you ever used cocaine? Have you ever been to Studio 54? Did anyone offer you drugs or to set you up with a piece of ass? Do you remember going to the basement [where the cocaine sniffing had allegedly taken place]?"

Hamilton denied that he had ever used cocaine, acknowledged that he had visited Studio 54, said he was not certain whether he had been in the basement, but felt sure he would remember if anyone had offered sex or drugs, and he did not.

I denied that I had ever been to Studio 54, and Hamilton confirmed that I had not been with him on the one occasion when he was there.

We both described our sessions with the FBI and stressed that we had cooperated fully and strictly abided by their request not to discuss the matter with those who had been with Hamilton that night until after the FBI had interviewed them.

I was mildly surprised that Hamilton was asked whether he had ever used cocaine. I knew, as did the reporter who asked the

question, that drug use is not unknown among some reporters in the *New York Times* Washington bureau. Later, I would discover that an informal screening process had taken place at the *Times* to make sure that reporters who used drugs were not assigned to work on this story. (One Timesman explained to me that he had worked on stories with one *Times* reporter who was spending "several hundred dollars per week on drugs.")

I was glad that Hamilton was able to issue a sweeping denial. I thought it would lend credibility to his denial of the specific charge. I was wrong.

I also noted with interest that Horrock said the *Times* had been told that the incident took place "sometime during the spring of '78" rather than April of '78. This was somewhat disappointing, since "April of '78" was one of the provable inaccuracies in the story. At the same time, it was the first real clue as to who had given the story to the *Times*.

The FBI had specifically mentioned April to Hamilton and to me, so it was unlikely that the leak had come from the Justice Department. That was reassuring. We had enough on our plates without having to worry about whether someone in the FBI or at a high level at Justice was gunning for Hamilton or me.

It was logical to assume that if the source for the *Times* was not the Justice Department, it must have been the defendants in the tax evasion case or their lawyers. This seemed important because it meant that the *Times* was getting its information from a source with an ax to grind.

Furthermore, since Justice had gotten the April date from the person who made the allegation to them, it seemed possible that the source for the *New York Times* was someone else—not the person who was talking to Justice. Although this was interesting, I did not know what to make of it, except that our antagonists might not have taken the time to get their stories completely straight.

Once we had set out the facts to the best of our knowledge, I tried to convince the *Times* to wait for a day or two before running the story. They had not interviewed any one of the four or five people who had been with Hamilton at Studio 54, and I felt sure that when they did, their responses would support Hamilton's story. However, it quickly became obvious that I was fighting a

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losing battle. Kovach pointed out that if they knew about the story, other papers would soon be on to it. They were not going to risk losing their scoop. He also argued that they would handle it more responsibly than some others, so we would be better off if their story was the first. Although I did not say so, I knew he was right.

After the interview was completed, Hamilton went up to talk to Lloyd Cutler, the President's legal counsel. Cutler is an experienced and well-connected Washington hand. He would be an excellent source of advice, but it seemed apparent that Hamilton would need outside counsel. Cutler was the President's lawyer; for him to be the primary source of legal advice for Hamilton could create a conflict of interest. Though we did not know it at the time, the sheer volume of the work that would have to be done would also have made it impossible for Cutler to represent Hamilton and perform his White House duties.

I returned to the press office to set in motion the work that would need to be done to handle the flood of questions that would come when the story appeared the next day. I had briefed Deputy Press Secretary Rex Granum that morning in St. Louis. My secretary, Carolyn Shields, was already pulling all my travel records for 1978 so I could try to prove that I had never been to Studio 54. I gave Rex an update on the *Times* interview and told him to make sure we had adequate staff on Saturday to handle the work load. The President had left for Camp David, and normally the press office would have been manned by a skeleton staff over the weekend.

There was one additional problem. Rex pointed out that I had a potential conflict of interest. He was right, but I was so caught up in the problem that it had not crossed my mind. How could I be the spokesman for the White House on this matter when I was implicated in the charge? Although it seemed unlikely, the time could come when to say something would be in my best interest but not the President's, or vice versa. We decided that for the time being it would be best for Rex to issue any statements and respond to any questions on this issue. He would also try to explain my awkward situation to reporters.

I then called Terry Adamson in the Justice Department press office, with Rex on an extension, to fill him in on our interview

with the *Times* and to let him know that Rex would serve as the official spokesman on this issue. This would simplify things for Adamson, too. He could carry on routine discussions about the story with the White House Press Office without worrying about the problem of talking directly to someone who was involved in the investigation.

Adamson said that the Attorney General had decided that the department would issue a brief statement confirming the existence of the investigation when the *Times* story appeared the next day. He promised to let Rex know exactly what the statement would say as soon as it had been cleared.

The story in the *Times* the next day was about what we had expected, with two exceptions.

We were surprised to see it on the front page. Our impression from the reporters working on the story was that there was no inclination to hype it, and the text itself was on the whole well balanced, pointing out that there was no independent confirmation for the charges. But placement on the front page said to any sophisticated reader that the *New York Times* thought this was something big.

The other surprise was the misleading description of the sources of the story. The *Times* said it had come from "sources close to the investigation." This was both true and extremely deceptive. Although I did not know all the details then, I later learned from people at the *Times* that their source was none other than Roy Cohn, defense counsel for Steve Rubell.

The *Times* knew that its original source was by no means a disinterested party. But that information was not passed on to its readers.

According to reporters at the *Times*, Cohn originally took the story to his friend William Safire. Safire dashed off a memo. When things did not move quickly enough to suit him, Cohn called *Times* Executive Editor Abe Rosenthal, who made no secret of his dislike for Jimmy Carter and his administration.

With that knowledge, neither the disingenuous description of sourcing nor the front-page play are a mystery. Had I known at the time of the roles and relationships of Rosenthal, Safire, and Cohn, I would have been even more worried and less inclined to cooperate with the *Times*.

THE STORY

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From that point on, little that was positive or encouraging happened for nine months, until Hamilton was finally cleared by a special prosecutor and a federal grand jury.

There were a few light moments. Shortly after the story broke, we began to hear that Studio 54's regular jet-set clientele was in a state of wrist-flapping hysteria. We were not surprised a few days later to see Rona Barrett reporting from Hollywood on *Good Morning America* that she had just spoken with Roy Cohn, and he had assured her that no names of celebrities who had used drugs at Studio 54 would be given to the Justice Department.

By mid-September the news coverage had begun to taper off. The *Times* had reported Johnny C., the drug pusher that Rogovin and Cohn claimed as an eyewitness to the incident, had denied to the FBI that he had ever been present that night, much less given any cocaine to Jordan. A change of their story by the accusers, removing me from the scene, had let me get back to my regular responsibilities as spokesman on the issue.

We also discovered that Rubell had attempted to pass on a fabricated story to John Fairchild of Fairchild Publications more than a year earlier. Rubell told Fairchild on August 8, 1978, that "Jordan and Powell" had visited Studio 54 on the previous evening and asked "if they could get some stuff and see some girls." Fairchild checked and found that Hamilton and I had been in Washington on August 7 and 8. When Fairchild confronted Rubell with this fact, he backed down, saying that perhaps it had been two people who looked like Jordan and Powell.

We gave this information to the *Times*. After a delay of three days it appeared in print, along with a list of other inconsistencies and contradictions in the statements from Hamilton's accusers. Unfortunately, that story ran on page 18. The contrast with the placement of the original accusations on page 1 exacerbated our suspicions and paranoia.

Still, the coverage seemed to be swinging our way. Then on September 11, as the FBI was about to dispose of the Studio 54 case, Mitchell Rogovin brought a new set of allegations to the Justice Department, thus precipitating a new investigation. The charges were based upon statements from a troubled woman in Los Angeles, who recanted as soon as her accusations became public, and statements from Leo Wyler and Harold Willens, two

outspoken political enemies of the President, who were unable to provide any specific information about anything.

The substance of the California charges evaporated quickly, but they are interesting for two reasons.

They provided a glimpse of the conduct of Mitchell Rogovin. Shortly after he brought the allegations to the Justice Department, he leaked them to the press. Then he denied having brought them to Justice in the first place. Officials at Justice were so incensed that they told reporters Rogovin had lied to them. Unfortunately, but not surprisingly, reporters never wrote a word about the duplicity of their source. In its front-page story, the *New York Times* claimed not to know who had brought the allegations to Justice. As in the case of the initial story from Cohn, the *Times* coverage implied that the source was neutral and unbiased when exactly the reverse was true.

As I was to discover later, this was not the only or the most startling example of questionable behavior by Rogovin. Throughout the entire process, he claimed that he had brought the Studio 54 allegations to Justice in a traditional attempt to plea-bargain—"Go easy on our clients and they will give you incriminating information on someone more important."

What he actually tried to do was subtly but significantly different—so different that former Attorney General Civiletti characterizes it as "blackmail." He and U.S. Attorney Fiske say that Rogovin came to them not with an offer to cooperate, but with a threat. The message was in effect, "We have damaging information about a high government official; we'll tell no one but you if you'll give our clients a break. If not, we'll go public, and there will be severe political and national security implications."

Mr. Rogovin is not the first lawyer to attempt to blackmail his government in an effort to obtain leniency for a criminal. He may be the first former official of the IRS and the CIA to indulge in such tactics. He is now engaged in the private practice of law in Washington. His annual income is somewhat in excess of the legal bills Hamilton Jordan is still trying to pay.

The second noteworthy aspect of the California charges is the press coverage they spawned in their brief existence. It was the most sensational and irresponsible coverage of the entire nine months, and the worst example appeared on none other than the *CBS Evening News*, with Walter Cronkite.

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About four o'clock on the afternoon of September 20, I took a call from Bob Pierpoint of CBS. He seemed a bit uncomfortable, which was unusual for the most experienced network correspondent at the White House. It did not take long to find out why. He said that CBS would be running interviews that night containing damaging accusations about Hamilton's behavior at a party in Los Angeles, including charges that he used drugs. He wanted an interview with Hamilton to respond to the charges.

I asked for a transcript of the interview. None was available. I asked for the specifics of the charges: where, when, who had made them. Bob did not know, and he was unable to hide his discomfort at being placed in such an awkward position. After a call back to CBS, he was able to tell me enough to make it clear that the allegations were similar, if not identical, to those that Rogovin had brought to the Justice Department a week earlier and that had been running for the past several days in the *Washington Post*, the *Los Angeles Times*, the *New York Times*, and particularly the *Los Angeles Herald-Examiner*.

We had decided early in the fight not to place Hamilton in the position of responding publicly, particularly on camera, to every charge that was made. There were several reasons for this decision. The first was legal. Since the matter could, and eventually did, end up before a grand jury, Ham's lawyers did not want him making a series of public comments.

In addition, we had learned through bitter experience that the perpetrators of this scheme could and would use information we provided in Hamilton's defense to concoct new stories. When we attacked the credibility of the original Studio 54 allegations by pointing out factual errors—I had never been to Studio 54, and neither Hamilton nor I were in New York in April of 1978 when, Rogovin originally said, the events took place—Cohn and Rogovin produced a new "witness" who told a different story to accommodate the accurate information we had provided. We were helping them perfect their charge, and they seemed to be suffering little or no loss in their ability to obtain attention from the press due to the errors and inconsistencies we pointed out.

We had also been worried about establishing a pattern of responding to every charge, which could come back to haunt us if we were faced with a collection of vague innuendos that could not

be refuted quickly because of their generalized nature. We now faced a classic example of that situation.

I told Pierpoint that I doubted we would want to put Hamilton in front of a camera to respond to the allegations, but could not say for sure without more information. After several conversations in which Pierpoint acted as a messenger between me and Sandy Socolow, who was at that time the executive producer of the *CBS Evening News*, I began to get enough of a feel for the story to be worried and even more unsure about how we could respond. However, my conviction that we should not throw Hamilton into the midst of all this became stronger.

Finally, Pierpoint suggested that I come back to the CBS booth and talk directly with Socolow by phone. After listening to him describe their story, I exploded. All it boiled down to was two avowed political opponents of the President claiming that some people with Hamilton had behaved in a boisterous manner and that they had said some things that sounded as though they were talking about drugs. Socolow acknowledged that no one had claimed to have seen Hamilton or anyone else use drugs.

I knew from having dealt with a similar story in the *Los Angeles Herald-Examiner* a few days earlier that a number of people who had attended the party in question would state that they had witnessed nothing improper in Hamilton's behavior, much less anything that implied the use of drugs. I begged Socolow not to run the story until he had interviewed them.

He insisted that the CBS story did contain new and important material, and it would run that night to protect their exclusive. He would make the same argument three years later. In his view, CBS was being more than fair by offering Hamilton a chance to come on camera and respond to the innuendos.

By that time it was almost 6 P.M. I gave up on trying to get them to delay the story and raced back to the press office, where Rex Granum had been collecting the material we had used to deny the *Herald-Examiner* story. Pierpoint, who had been listening to my conversation with Socolow, was now visibly embarrassed and almost apologetic. If we could get him the information, he said, he would try to get as much of our response on the air as he could.

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CBS news broadcast that evening. It ran for more than six minutes, over one fourth of their entire broadcast, making it one of their biggest stories of the year.

I had walked around to Hamilton's office in the opposite corner of the West Wing to watch the news with him. His two lawyers happened to be there also. We were all shaken by what we saw. Hamilton and Steve Pollak typically had little to say. Henry Ruth and I paced the floor, occasionally cursing at the television set and speculating on the probable ancestry of various employees of CBS News.

Looking back on it, all four of us remember that evening as the most depressing point of the entire episode. Never at any other time during four years in the White House did I feel so useless and helpless. The story should never have been aired. It was as damaging as it was unfair. But I had been able to do absolutely nothing about it. For the first time, I thought that Hamilton might be forced to resign by negative press coverage before his innocence could be established.

There was almost nothing positive about the story. Pierpoint did point out in his closing segment that there were "at least three witnesses who were at the party who directly contradict descriptions of the party as licentious and say they saw no use of drugs." We also learned for the first time what CBS thought was so new and important about their story, what they were afraid their competitors would discover if they waited one day to check the story further: it was Willens's claim that he had brought his concerns to the attention of someone who worked in the White House.

The truth was that he had spoken with presidential adviser Dr. Peter Bourne, but he had made no mention of drugs and no specific references to any misbehavior on Hamilton's part. He had merely expressed his distaste for what he considered to be "licentious behavior" on the part of a group of people who had come to his party. Hamilton had been a member of that group. Bourne says the subject was mentioned only briefly, and Willens did not seem to attach particular importance to it. It was one of about two dozen things they talked about during the course of the conversation, according to Bourne.

As for the claim that this was news, the *Herald-Examiner* had reported Willens's contact with the White House on September

17, three days earlier, and CBS knew it. Mike Wallace, who conducted the interview with Willens and Wyler, says he specifically remembers reading that story. In fact, Wallace says it prompted him to arrange to have lunch with the reporter who wrote it and to seek the interviews with Wyler and Willens.

As for his refusal to hold the story for a day so others at the party could be interviewed, Socolow says, "Generally, the only times I have gotten into trouble have been when I held off. . . . When you have a story, you go with it; otherwise, you are in deep trouble. This one was ready, except for the rebuttal testimony. Frankly, I wasn't sure I would ever get it."

Socolow still has no regrets about the way the story was handled. Others at CBS were not, and are not, so sanguine. They are reluctant to speak for the record now, as they were then. But two of them called the day after the story ran to express sympathy and to apologize.

One, who was out of town and did not see the story until several days later, says he remembers thinking, "How could something like this have gotten on the air?" Another now says, "Everyone knew we had screwed up bad even before the show was over."

After his retirement, Walter Cronkite told friends that he considered the handling of this story "one of the most regrettable episodes" and "worst mistakes" of his entire career. Looking back on it, Cronkite has said to me that he cannot think of any story he misjudged more.

In Cronkite's defense, others at CBS point out that he was at a luncheon with CBS corporate executives that day until midafternoon. By the time he returned, Socolow was "set in concrete" on the decision to use and lead with the story. Cronkite, who had the authority to overrule Socolow, raised some questions, but let the decision stand.

Listening to Cronkite's reflections three years later, I began to develop a sick feeling in the pit of my stomach. What if I had talked to him instead of Socolow; might that have made a difference?

"I don't know," he said. "Maybe. In any case, you should have tried."

He was right; I should have.

file

THE WHITE HOUSE

WASHINGTON

April 5, 1984

MEMORANDUM FOR MICHAEL K. DEEVER
DEPUTY CHIEF OF STAFF

FROM: *[Signature]* JOHN E. HILBOLDT
DIRECTOR, GIFT UNIT

SUBJECT: Bronze Sculpture Gift

A bronze sculpture (photo attached) was sent to the President for his birthday by the people of San Diego through Mayor Hedgecock's office. It is valued at \$9,500 and the artist is Maher Marcos. All paperwork and acknowledgments have been handled.

In light of the President's fondness for bronze sculptures and considering the number of similar pieces already filling the Oval Office, I conferred with Kathy Osborne regarding this piece being brought to the President's attention. We elected to delay its viewing until the pending re-arrangement of West Wing office space was closer at hand; since no doubt the President would be interested in displaying this piece like so many others.

Now that the office changes have been put on hold, would you please advise either of us the preferred handling of this matter:

- m/cw* ✓
- _____ Forward to the President and handle per his instructions.
 - _____ Hold for Mr. Graber to view in connection with West Wing changes.
 - _____ Send to the Archives
 - _____ Other: _____

Thank you for your assistance and instruction in this matter.

cc: Kathy Osborne

MKD
FYI - RR loved the sculpture & does want to display it in the new study when office changes are made. It is now stored in Gift Unit.
R.O.

MAHER MORCOS

Edition 20
Height 34"
Length 45"



The Only Good Indian is *This piece is owned by President and Mrs. Reagan.*



Run to the Border

Oil

20" x 30"



MAHER NAGUIB MORCOS was born February 23, 1946, in a small city forty miles north of Cairo, Egypt, near the magnificent Egyptian pyramids. Since moving to the United States he has become a naturalized citizen, making his home in Chicago.

Maher's artistic talent was discovered at a very early age. By the age of 14 he entered a nationwide high school art contest, sponsored by the Egyptian Ministry of Education, and he swept top honors.

As a result of this contest, at fifteen, the artist was commissioned by the Ministry of Education to illustrate Egyptian high school textbooks. (Maher used these very textbooks throughout his high school years.)

Emboldened by his previous successes, sixteen year old Maher entered a professional juried art show. The show was a nationwide event, sponsored by the Egyptian government, and included the top professionals of the day. He won top awards for his art work and had the unique pleasure of being the first participant to sell his paintings.

Maher next sculptured a bust of the late Egyptian President Nasser. The sculpture not only received an award, but was presented to President Nasser by the Ministry of Education.

By now the artist was ready for college. He entered Cairo University to study architecture under the world famous Professor Ramses Wisa. It was during this time that Wisa was commissioned to design the Heliopolis Cathedral in a suburb of Cairo. Maher was also commissioned to do the religious paintings for the church. The work was of superior quality, but Maher declined monetary compensation for his effort. Upon receiving his degree in Architecture, Maher enrolled at the Faculty of Fine Arts, Cairo, where he received an Art Degree, with emphasis on the human anatomy.

After finishing his university studies Maher travelled widely, devoting several years to the maturation of his talent. During this period he displayed his work in cities such as Cairo, Paris, Karthoum, Alexandria, and Montreal.

Maher's artistic talent is also expressed in the form of music. He is an accomplished saxophonist and has played professionally, throughout the world.

Description and Biography Written By: **Larry J. Carty**

Roulle

Jill

THE WHITE HOUSE
WASHINGTON

April 10, 1984

MEMORANDUM FOR: Bill Sittmann
FROM: Jann Duval
SUBJECT: Open mic on the President's Saturday radio address
April 7, 1984

I am mystified by this occurrence as I have talked to the Mutual technicians who were at the mault in the Press Room and in the Mutual studio and neither of them heard the President's "open mic remark" nor did they feed it over the air. In essence the remark was not fed by Mutual.

I spoke with Randy Davis, the supervisor from WHCA and he assured me that the remark was fed to the WHCA control room (which is where it should go). He assured me that it wasn't fed to the PA system in the Press Room.

The engineer from Mutual said that after the address was finished, and while he was returning equipment to the press room, reporters from AP and the Post had asked him if he recorded the sound level check. He replied that he never records the sound checks. They asked him what the President said and he did not reply.

Please note: When the President does an audio check, the mic is "hot" ... we have now used (for over a year) a light which is positioned directly in front of the President to indicate when the mic is "hot". He is aware of the light and it's implications.

In conclusion ... from now on I will refrain from having the President do a sound level check before Saturday radio broadcasts to avoid instances of this nature.

STONEGATE COMPANY, LTD.

J

Mr. Michael K. Deaver
4521 Dexter St., N.W.
Washington, D. C. 20007

April 9, 1984

Dear Mike:

I hope I am not presumptuous in using your first name, but I feel I know you and your family through your enthusiastic PR person Janet Snider.

I want to thank you for your letter of April 2nd. It was kind of you to write, and I trust that this fencing problem can be resolved soon to the satisfaction of all concerned.

If we can be of help to you in August please let me know. Mary Lynn's family and mine have been in Dallas a long time despite our inherent right to move on. (We're even getting to know the new parts.) Perhaps you have needs for additional living accommodations, transportation, etc. It would be our pleasure to help you in any way we can.

With best regards,

Sincerely,


J. B. McEntire, Jr.

STONEGATE COMPANY, LTD.



April 6, 1984

Col. Theodore Stroup
United States Army
Corps of Engineers
Fort Worth District
819 Taylor Street
Fort Worth, Texas 76102

Re: Fencing at Lake Lewisville

Dear Col. Stroup:

Enclosed please find a copy of a letter I have received from Mr. Michael K. Deaver, letter dated April 2nd.

I fully understand the need for fencing in some areas. The reasons set forth in Mr. Deaver's letter warrant fencing. However, as you must know, these circumstances do not exist at Fiddler's Green.

In light of the concern now being shown in Washington I would appreciate your reconsidering your plan to install the fencing at Fiddler's Green.

Please may I hear from you at your early convenience, and thank you for your help in this regard.

Yours very truly,



J. B. McEntire, Jr.

JBM:ohs

Enclosure

cc: Col. Stephenson W. Page
Mr. Allie Majors
✓ Mr. Michael K. Deaver

HOLTZMAN & ASSOCIATES

214 MASSACHUSETTS AVENUE, N.E.

SUITE 340

WASHINGTON, D.C. 20002

(202) 543-5777

file

April 6, 1984

The Honorable Michael K. Deaver
4521 Dexter Street, N.W.
Washington, D.C. 20007

Dear Mike:

Enclosed please find several strong letters of support for an 807 Unit Section 8 Moderate Rehabilitation Project being proposed for Puerto Rico. This project is being personally considered by Secretary Pierce and at the highest levels of the Department of Housing and Urban Development. In addition, the project has the support of the Mayor of San Juan, the Congressman and the Republican Chairman of Puerto Rico.

Mike, I have a strong personal interest in this project. I would be most grateful if you would look into this matter.

Thank you and please give my best to Carolyn.

Sincerely,

Marc

MARC L. HOLTZMAN

cc: The Honorable William F. Sittman

Enclosure

MLH/ldb

TED STEVENS
ALASKA

United States Senate

OFFICE OF
THE ASSISTANT MAJORITY LEADER
WASHINGTON, D.C. 20510

April 5, 1984

Michael K. Deaver
Assistant to the President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mike:

We had a pretty interesting table
Monday night. It was good to be in
a relaxing atmosphere for a change.

With best wishes,

Cordially,



TED STEVENS