



6-1975

Fragile Coalition Interviews - Introduction

M. Caldwell Butler

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Cohen

INTRODUCTION

* Fish

Note to the Members: These suggested questions are intended to serve merely as a general guide for developing thought and discussion on the drafting of Articles I and II. We are not intending to write a general history of impeachment or an analysis of the information and evidence that developed, but rather what information, events, and people influenced these seven Members and how they, in turn, influenced impeachment. Please feel free to strike, amend, or add to any of these questions.

In March 1974, Mr. Rodino was quoted as saying that, "The decision has to come out of the middle of the Committee," to avoid partisanship or a final narrow (and hence divisive) vote as was the case 107 years previous in Andrew Johnson's impeachment inquiry. On June 20, 1974, for example, Messrs. Flowers, Mann, and Butler expressed their own awareness of their unique position; or, again, on July 10, Mr. Railsback commented to Mr. Butler, "We have the thing in our hands."

But perhaps just as important was the negative feeling: e.g., Mr. Fish commented that "Misery loves company." Mr. Thornton just three weeks ago recalled that "We shared, not shaped, each others' views." Or again, Mr. Mann, "It's nice to find people of the same motivation."

SUGGESTED QUESTIONS FOR INDIVIDUAL INTERVIEWS

1. What were your initial, original, natural predilections, inclinations: did you instinctively recoil at the very idea of impeachment--naturally reluctant? did you initially assume/presume the President's innocence? Specifically, what was your reaction when on July 31, 1973, Mr. Drinan introduced the first resolution calling for Mr. Nixon's impeachment? * Report being right up
2. When did impeachment begin to become a possibility? What and when did you seriously begin to question either the possibility of impeaching a President or Mr. Nixon's innocence? E.g.; at the time of the creation of the office of Special Prosecutor on May 18, 1973? --when the question of Agnew's possible impeachment in early October 1973 (before his resignation) was informally discussed? --when the "Saturday night massacre" occurred on October 20, 1973? -- when the Committee on the Judiciary voted 28-17 to grant subpoena powers on October 30, 1973? --with the passage of House Resolution 803 on February 6, 1974? --when the President failed to cooperate in supplying the requested evidence? --when Nixon made his April 30 TV appearance and the released transcripts caused such a furor? --did any one event trigger in your mind the real possibility of impeachment?

typical

provoked Rep for each as Ford treated pro former

great testimony w/ C. Butler

*my offer from Black

3. How and when did you arrive at your view of an "impeachable offence"? In March 1974, the Justice Department, the White House and the Committee staff each published its suggested interpretation (see special appendix for summary of three) --were you influenced by any, all? By Mr. St. Clair's insistence that the proof be "clear and convincing," beyond "reasonable doubt." Vice President Ford's, Douglas presentation, i.e., what the House considers it to be? Is the President required to adhere to a standard of conduct in part described by a) the Constitution, and/or b) the "reasonable expectations" of the American people?, etc.

1. contacted
no! tapes
2. 2. for not
4. What motive or motives weighed most heavily with you, especially as your views may have begun to change in the spring and summer of 1974? --on the one hand, legal and constitutional/personal conscience and responsibility vs. "political"? In other words, did you vote evidence, conscience, district, or party; or a combination of considerations.

read story all about all else early on not confined to original offer.
5. What outside factors influenced you during this time? --media, if so, which papers, magazines, etc.? --wife, children, other family, friends, constituents? --district politics? mail? threats?

Rep. practically all pro-Dick Nixon
1. speak for 60,000 in debt
yourself Ford helped him
6. What information or evidence did you consider most helpful -- most convincing -- most damaging -- in your deliberations? -- testimony of witnesses? -- Nixon tapes? -- White House memoranda? -- St. Clair briefs?, etc.

of all assembled which I about
20-18 vote tough as the ultimate vote!
7. Who within the government (Congress, Committee, White House, etc.) influenced your own evolving position in spring and summer 1974? E.g., any personal background ties to Nixon? Other members of the "Coalition"? other members of the Judiciary Committee? Members of House or Senate and party leadership?

make any impact.
Squira
8. What was your own relationship (possibly changing...?) to: Mr. Rodino (e.g., at the time of his alleged interview with the L.A. Times in which he predicted a unanimous Democratic pro-impeachment vote?) --the Committee leadership generally, or lack of leadership? --the respective party caucus? --Mr. Doar, Mr. Jenner, Mr. Garrison, Mr. Cates, Mr. St. Clair, etc.? --the Committee "liberals" (resentment by Mr. Kastenmeier as expressed in his procedural amendment, requiring a vote on each article separately?) --other groups in the Judiciary Committee (e.g., Mr. Mann's contact?) --the "leaks", e.g., Dixon memos, etc.

chart Texas Jenner went off July 10 impeachment
Ky Republ.
suspicion before Comm

didn't think he would have been back!

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Squira

chart Texas Jenner went off July 10 impeachment

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Morney

* very loaded
well but flows
in major sense

9. The "mechanics" of the Emerging Coalition:

- a) your recollection of the earliest, informal, person-to-person contacts by whom? about when? *D'Arcy / took him about 7:30 am stuck around him* *daily every one evening floor w/ Flowers & Don*
- b) was, to you, the Coalition natural, inevitable, obvious? *reconciled to be alone* ** but word*
- c) what influence, if any, on the formulation of the Coalition, was the circulation of the Doar articles on Friday, July 19? *Brooks horrendous*
- d) how did you get to the meeting in Mr. Railsback's office Tuesday, July 23? Why in his office? *surprise* *Thunder yield time to Cohen* *Fish missed several*
- e) why hadn't the 7 Members as such met earlier -- why so late? ** did not want to only one*
- f) specifically, what Coalition meeting do you recall attending? At those, what other Members do you recall present? At those, what subjects were discussed? ** fish very little to do beyond Act 2*
- g) why were these 7 and not others in the Coalition? Messrs. Froehlich, Hogan, Hungate, McClory, Smith, Sarbanes, etc.? ** McClory sending him stuff why not Fishbill* ** Don* *did any of the actual 7 have "doubts" about their being a part of the group during the week? call from Polk re McClory Jan 2* *must have stayed up all night* *Tim. Rex B. G. D. Staff not prepared.*
- h) what specifics do you recall of the intensity of work, pressures, time, etc., of the Coalition's meetings? Were any subject matter areas quickly discarded? *Flowers motion to strike / divide it up generally* ** I don't recall me*
- i) what role, if any, did the proposed Article III play in the Coalition's considerations? *10-11 by nature in "a house"* *on Sat. morning* *10-11 Thursday* *missed dinner* *from his notes when come in* *the speed w/ supply use*

10. Was it a "fragile" Coalition? *not there!*

- a) on the question of procedure (i.e., vote on each article separately or together?) *Rails not very fragile* *up considered on his section alone - not your* ** debate*
- b) on specificity -- personal reaction to Wiggins' and Sandman's criticisms (dinner at the Capitol Hill Club Friday night)? were the Coalition's articles general out of necessity or by choice? what role did Doar play in the Coalition's furnishing needed information, etc. *on Kart motion* *we before* *Ford had Rollins to vote on* *be agreed.*
- c) on basic convictions?
- d) on the realization of the power they alone held?
- e) on the mutual political support the 7 Members afforded one another? (re their respective home districts)

11. Account for the evolving drafts of Articles I and II, July 23 to July 29? (see supplement for all drafts) Did Articles I and II reflect all of the concerns of the 7 Members? How were the final

me
5/3/51

* Must interview Don Jenner (2)
must look at notes July 20 - 31

12. After July 29: your hindsight on the Coalition, its work and your role in it?

- a) In anticipation of a Senate trial, were you, as a lawyer, satisfied with Articles I and II as defensible? *+ 2*
- b) 1 What was your immediate ~~personal~~ *manager if asked? Eckhardt out. in C* reaction and actions after the vote on especially Article I (27-11) on Saturday evening, July 27? *Monday Acting Copy of speech on TV in Maine. What: Gov of*
- c) 2 If the President had not released the damaging tapes, how do you think the three articles would have fared in the House?
- d) Could the Congress have recessed for the November elections and then returned and finished up the impeachment in the 94th Congress? *type of a vote prior to resignation unpredictable polit situation.*
- e) 3 What Senate outcome would you have expected? up, down, close, etc.?
- f) 4 It has been said that the inquiry staff did very little original work. Do you accept this? Is this a just criticism?
- g) Why was a small, bipartisan Coalition virtually able to dictate in this one important case? Why don't such coalitions form more often--or do you feel they do?
- h) 5 In your assessment of the offenses presented, what role did the offenses of past Presidents play? *NO What kind of coverage*
- i) 10 Do you feel the inquiry received generally a ~~fair~~ *coverage* treatment in the media? exceptions, etc.?
- j) 10 If Mr. Nixon had handled the presentation of his case, tapes, etc., differently, do you feel a different outcome would have been possible? *very*
- k) 6 Is there now a clear ~~or~~ *benefits* definition of an impeachable offence for future generations?
- l) What beneficial results for our system of government came out of the inquiry?
- m) ~~What impact did your own role have on your reelection?~~

13. By May, 1975, you made the decision to tape your recollections of your role in the Coalition. What factors or motives prompted this decision?

wrote his speech using Federalist Papers
3:00 a.m. ~~with~~ Lambert Alone Trial hours.

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me 5/3/81

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