

Nixon WF

January 30, 1974

Honorable Richard M. Nixon
The President
The White House

My dear Mr. President:

As you know, this Grand Jury was empanelled on June 5, 1972, in the United States District Court for the District of Columbia, and has been investigating possible offenses that may have been committed against the United States arising out of the break-in and surreptitious electronic surveillance of the Democratic National Committee offices at Watergate, and attempts to preclude a successful investigation of the same. Possible offenses being investigated by this Grand Jury include, but are not limited to, obstruction of justice, conspiracy to obstruct justice, and perjury.

Evidence presented to the Grand Jury in the form of testimony and tangible evidence -- including tape recordings and documents -- indicates that you have information that is highly relevant to the Grand Jury's inquiry. In the very near future, the Grand Jury expects to receive recommendations from the Special Prosecutor, after which we will make decisions concerning major phases of our investigation.

Because the Jury is eager to have before it all relevant evidence respecting the involvement or non-involvement of any persons in the activities under investigation, and because we believe that you should be offered and would wish to have an opportunity to present to us your knowledge of these activities, I am hereby requesting you on behalf of the Grand Jury to appear before it -- at the White House or such other place as would be appropriate -- to testify as other witnesses on matters that are the subject of our investigation.

The Grand Jury understands that the Special Prosecutor, Mr. Jaworski, has already suggested this possibility to your counsel, Mr. St. Clair, and that your counsel has stated that he would not recommend to you that you make such an appearance. We further understand that Mr. St. Clair suggested that should the Grand Jury be willing to propound written questions to you in lieu of any appearance before us, counsel would recommend that you consider answering such questions in writing, under oath. As you may know, the Grand Jury has already had some experience in considering the sworn testimony of certain White House officials with important knowledge of matters under investigation which was taken outside the presence of the Jury and without the opportunity for any Jurors to question such witnesses or observe their demeanor. The very existence and scope of the Grand Jury's current, continuing investigation lends support to our belief that this procedure was less than satisfactory in discharging the Grand Jury's obligation to fully investigate this matter. Therefore, I am sure you can appreciate our concern that receipt of written answers to written questions, without an opportunity for direct questioning by any Juror or member of the Special Prosecutor's staff, would not only be unsatisfactory but might well fall short of the Grand Jury's duty to the public.

Accordingly, given this background, we believe we are justified in requesting that any testimony taken by the Grand Jury from you be taken under conditions substantially comparable to those upon which we have insisted in the case of all other witnesses during this phase of our investigation. However, should you decide to honor this request to appear, we would be happy to convene and take testimony from you at any appropriate location agreeable to counsel.

I wish to advise you that this request for your personal appearance before the Grand Jury was formally approved without dissent on this date, a quorum of the Grand Jury being present.

Of course our request for your personal appearance does not mean we would not consider material you unilaterally might wish to provide the Grand Jury through counsel or otherwise; it merely states our firm view as to the only satisfactory manner of performing our duty.

Inasmuch as we are in the closing stages of our investigation, we would appreciate an early response to this request.

Respectfully,

Vladimir N. Pregelj

Vladimir N. Pregelj
Foreman

June, 1972 #1 Grand Jury

Honorable Richard M. Nixon
The President
The White House

Registered Mail *AG*
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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA
June 1972 No. 1 Grand Jury

October 21, 1974

Mr. Leon Jaworski
Special Watergate Prosecutor
1425 K Street, N.W.
Washington, D.C.

Dear Mr. Special Prosecutor:

Just prior to presenting its indictments against John N. Mitchell and others, this grand jury upon your insistent advice reluctantly agreed for practical reasons to defer in the matter of its further investigation of and possible action related to any involvement of Richard M. Nixon in the Watergate cover-up, to the House Committee on the Judiciary, then starting its impeachment proceedings. It should not be necessary to stress that, by so agreeing, this grand jury had no intention whatever of abdicating its responsibility or of giving up its right to further action in the matter.

The events of the last two months or so, including the apparent abandonment of the impeachment proceeding by the Congress, have introduced an entirely new set of factors with direct bearing on the subject matter of this grand jury's investigation.

Having consulted with several of the most active members of the grand jury, I therefore earnestly request that you recall this grand jury into session in the very near future in order that it may discuss in depth with you and/or your staff, who have in the past acted as its counsel, any options for action, investigatory or other, that may still be open to this grand jury, that it may complete its task in this matter.

Sincerely yours,

Vladimir N. Pregelj
Vladimir N. Pregelj
Foreman

11/1/74 NOTE: NO REPLY NECESSARY.
H. Ruth met with
Mr. Pregelj in this office.

F.C.

OCT 24 11 23 AM '74

Files

*Memorandum**File*

TO : Files

DATE: May 30, 1975

FROM : Richard Davis

*Cross ref*SUBJECT: Richard Nixon

On May 29, 1975 Henry Ruth, Peter Kreindler, Richard Davis and Thomas McBride met with the Grand Jury. At that time the Grand Jury approved accepting Mr. Nixon's offer to voluntarily submit to being questioned in California by the Special Prosecutor's office. The questioning would be ancillary to the Grand Jury, under oath, subject to the penalties of perjury, in the presence of two Grand Jury members as observers who could request the Prosecutors to ask additional questions and would cover those areas enumerated in the May 16, 1975 letter to Mr. Miller previously approved by the Grand Jury. We told the Grand Jury that Mr. Miller insisted on being present during the questioning as a condition to his agreeing to the procedure, although he agreed not to interrupt the proceedings and to limit his role to consulting his client. The Grand Jury was also advised that if this proposal was agreed to, Mr. Nixon would waive any executive privilege he might have and respond to questions in the enumerated areas.

The Grand Jury was also told that we would continue to negotiate with Mr. Miller on the issue of his presence, but that we favored accepting the plan whether he was present or not. During the discussion we told the Grand Jury that if they rejected the proposal we would proceed to issue a subpoena and the result would be litigation for an unknown period of time. We also advised them of the information supplied to us concerning Mr. Nixon's health. Also, during the discussion in our presence, in which we answered questions, no one expressed opposition to the proposal. The Grand Jury then approved it.

We had told the Grand Jury that we suggested that the Foreman and one other juror selected by them by either lot or election be designated as their representatives at this deposition. They decided to proceed by lot and the name selected in that manner was [REDACTED] [REDACTED] was then selected by a second drawing as the alternate.

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cc: file
chron
Ruth
Davis
Kreindler
McBride