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POLITICAL CAMPAIGN CONTRIBUTIONS

AND

THE APPOINTMENT OF AMBASSADORS

IN THE NIXON ADMINISTRATION

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I. INTRODUCTION

Since the disclosure of Watergate events of 1972, the critical eye of Congress has been cast upon a multiplicity of unethical and illegal practices of the Nixon administration. This paper explores one of these practices, the "sale of ambassadorships" in the Nixon administration. In particular, this paper will focus on two questions. First, to what extent did the Nixon administration promise to sponsor persons for ambassadorships in return for campaign contributions? Second, was the scope of this kind of patronage unprecedented with respect to the three previous administrations? To answer these questions, I shall compare the backgrounds of politically appointed ambassadors under the Eisenhower, Kennedy, Johnson, and Nixon administrations. To place Nixon's patronage policy in context, this paper will investigate a third proposition. Have ambassadorships been awarded for other kinds of political contributions throughout the four administrations? Judgments about the propriety of awarding ambassadorships for political contributions could only be made after inquiring whether ambassadorial functions can best be fulfilled by professional recruits from the Foriegn Service or by political appointees. Nearly one-third of our ambassadorships are filled by political appointees who are inexperienced in diplomatic capacities.

Lacking historical treatises and testimony of White
House officials prior to the Nixon administration, I tested my
hypotheses by using two procedures. Initially, I categorized

non-career ambassadors as to their occupational backgrounds and service to political parties. Over two hundred résumés listed in Who's Who were analyzed in regard to several factors which could have been significant in an ambassador's appointment. These factors include experience in the State Department or on special diplomatic missions, party affiliation and political campaign service, occupational experience in the affairs of an ambassador's accredited nation or region, and background in issue areas salient to the incumbent President's objectives. In addition, records of campaign contributions made by political appointees were of paramount importance in my analysis. Upon categorizing the appointees with respect to these factors, I discovered several trends concerning diplomatic experience and geographical assignments of those ambassadors who had contributed their services or money to political campaigns. These trends illustrated the different kinds of patronage in each administration.

The second test focused upon the proceedings of congressional investigations, the appointment of ambassadorships and campaign finance in the Nixon administration. Specifically this treatment dealt with inquiries by the Senate Select Committee on Presidential campaign activities and by the Impeachment Inquiry Staff of the House Judiciary Committee. Steve Sharp, Assistant Minority Counsel for the Impeachment Inquiry Staff, donated to the Washington and Lee Library voluminous stacks of evidence regarding the appointment of ambassadors and campaign finance

in the Nixon years. Some of this evidence cited in support of my thesis is unpublished, but may be found in designated folders among the Sharp material in the library. All citations of testimony from White House officials are found in the Sharp collection. This evidence provided by Congressional investigation is the only information available on the ambassadorial recruitment process of a President's administration.

II. THE AMBASSADOR'S ROLE IN DIPLOMACY

The rapid expansion in modes of communication and transportation has changed the course of diplomacy among nations in the twentieth century. Prior to the First World War, international relations consisted, for the most part, of bilateral negotiations. Ambassadors served to communicate their government's policies to the ministers of the host department of foreign affairs, as well as to negotiate agreements. However, with the passage of two world wars, increased speeds of communication and transportation have pushed many political and economic problems beyond the scope of bilateral negotiations and new methods of diplomacy have been established to solve multi-lateral These methods of diplomacy have usurped traditional issues. diplomatic channels, thus changing the functional role of the ambassador. The traditional notion of the ambassador as the leading representative and negotiator is the exception to the new diplomacy rather than the rule. Today, the ambassador

serves as titular head of a "country team" of representatives. His diminished authority in negotiation is more than offset by his increased ceremonial, reporting, and coordinating responsibilities.

Several factors of modern diplomacy have contributed to the ambassador's reduced negotiating role. Initially, the multiplicity of inter-related issues confronted in international relations has all but eliminated the ambassador's input to policy relations with his accredited country. Foreign policy necessarily affects domestic economic policies of which the ambassador may have little knowledge. Hence, the bulk of planning has emanated from Washington where foreign policy decisions concerning economic issues such as oil import agreements may be made in light of domestic consequences. 2 Secondly, the technical nature of international issues has proliferated responsibilities among various United States governmental agencies Extensions of major departments are stationed in foreign abroad. nations and responsible directly to their Washington bases rather than to the coordinating ambassador.

Senator Jackson points out,

"Since World War II, the American executive branch has reproduced itself abroad in something approaching

Jackson, Henry, ed. <u>The Secretary of State and the Ambassador</u> (from the Jackson Subcommittee Papers on the Conduct of American Foreign Policy). New York, 1964, p. 21, 63.

²Rusk, Dean. "The National Security Policy Process," in The Secretary of State and the Ambassador, ed. Henry Jackson, p. 120.

its full panoply of separating agencies—with all that implies in terms of overlapping jurisdiction, incompatible assignments, neutral jealousies, surplus staff and nominations of innumerable committees. Not only State, but AID, USIS, the service attaches (Army, Navy, Air Force), military assistance advisory groups, CIA, Treasury, Agriculture, science attaches, and the Peace Corps may be found at major posts."³

These independent agencies answer directly to their base departments in Washington. The ambassador, then, is faced with the task of coordinating the activities along horizontal lines, yet he possesses no influence in budgetary, personnel, and policy planning for these agencies. The ambassador does not reside at the apex of a vertically structured organization of decision—making. The ambassador more accurately acts as spokesman for "a country team" of decision—makers representing a plurality of quasi—independent missions in a foreign nation. The proliferation of departmental offices abroad has further reduced the need for an ambassador's analysis of a nation's political and socio—economic state in the policy—making process.

The ambassador's role in negotiation has similarly diminished in frequency and scope. To deal with problems, increasingly technical and universal, governments have turned to the multilateral conference as an arena of negotiation. Moreover, personal diplomacy (i.e. the direct negotiation between chiefs of state or foreign ministers) has increased markedly since World War II. Diplomatic policy direction has been centralized and the ambassador alienated from his traditional negotiating function. Sir Victor Wellesley, former Undersecretary of State for

³Jackson, p. 64.

Foreign Affairs of the United Kingdom, a long-time British diplomat, sums up the new diplomacy:

"The growing interdependence of nations and advance of science have made them [conferences] not only multilateral but also highly specialized and technical, tending more and more to concentrate the direction of foreign affairs in the hands of experts at home. Ministers alone, and not diplomatists, are in a position to gather up all the threads, and with expert advice, to deal with subjects on a multilateral basis."

The ascendency of conference and personal diplomacy has significant consequences not only for the responsibilities but also for the prestige of the American ambassador. While the most pressing international issues are dealt with by Chiefs of State or Foreign Ministers, traditional diplomatic channels are still used to negotiate policy of less importance. As a result, some governments desire to circumvent diplomatic channels and register their concerns directly with the White House to make certain their interests are heard.⁵

As noted, American envoys do participate in negotiations, although with decreasing frequency and authority within the negotiating team. President Kennedy noted the crucial participation of American ambassadors in the significant areas of Laos,

⁴Wellesley, Sir Victor. "The Perfect Diplomatist."

<u>The Diplomatic Yearbook</u>, ed. Myron L. Hurwitz (New York, 1951),
p. 4.

⁵New York Times, Jan. 26, 1972.

South Korea, and the Dominican Republic during 1961-2. The ambassador is likely to assume the role of spokesman for an expert negotiating team which has formulated the tactical strategies for policies dictated by Washington. In the Senate Foreign Relations Committee hearings for the nomination of John Krehbiel as ambassador to Finland, Senator Percy addressed the role of the ambassador in the negotiating team at the European Security Negotiations in Helsinki:

Sen. Percy: "Will you have a substantive role or is it entirely left to the negotiating team in a direct relationship with the State Department?"

Krehbiel: "I was advised in this regard that I will attend the meetings as the leader of the American delegation but that a qualified team that has been working on this matter for months will advise me on the actual negotiations."

Krehbiel's role as a spokesman for a negotiating team of delegates is characteristic of a trend in diplomacy. The ambassador is not likely to attain sufficient knowledge of many technical issues during his brief tenure as envoy. Specialists in technical fields attend to the immediate analysis of proposals before trade-offs or policy-modifications are approved. Indeed, many conferences are attended by special delegations independent of the ambassador and his staff. Yet, a strong ambassador, relegated from tactician to spokesman, may still play an active

⁶U.S., President, "John F. Kennedy: 1963" <u>Public Papers</u> of the <u>Presidents of the United States</u> (Washington, D.C., 1964), pp. 236.

⁷U.S. Congress. Senate. Committee on Foreign Relations. Nominations. March 13, 1973. 93d Cong., 1st sess.

⁸Thayer, Charles W. <u>Diplomat</u> (New York, 1959), p. 105.

part in directing the course of negotiations. Wellesley notes that the overriding concerns in international negotiations are essentially political, even though technical proposals are framed by experts in their specialized fields. Hence, an experienced and capable diplomat will ensure against the entanglement of political agreements in a morass of technical detail.

effective guidance of negotiating depends in large part on the diplomatic relations already nurtured by the ambassador with the political elite of the host country. The establishment of favorable relationships with the home government may take considerable time, especially for inexperienced diplomats. While the average term of duty for an envoy lasts two and a half years, at least one year is devoted normally to establishing close contacts and in learning the peculiar problems of the host country. For inexperienced diplomats, this orientation period may require years. ¹⁰ The brief tenure of duty disrupts the construction of regular diplomatic relationships with the host government and has facilitated the appointment of professional officers for long terms of duty on an embassy staff. Ambassador Berger noted in the Jackson Subcommittee hearings, that:

"In many countries, it is desirable to keep a superior intermediate officer for longer than four years, so that he can develop language facility, wide contacts, and an encyclopedic

⁹Wellesley, p. 6.

¹⁰ Jackson, p. 86 and Thayer, p. 261.

knowledge of the country that can be tapped by his colleagues."11

Hence, with the need for continuity in the diplomatic relations between an embassy and the host government it is no surpirse that of the 54 Foreign Service officers in 1966 to reach the rank of career minister, one-half were assigned to European posts where the number of non-career ambassadors is the greatest. 12 Especially for the non-career ambassador, the brief term of assignment to an embassy interrupts the continuity of diplomatic relationships and further obscures his limited role as negotiator. Hence, the State Department assigns to deputy positions senior Foreign Service officers to assist non-career appointees.

Today, most of the ambassador's time is consumed by dayto-day business of reporting and formal representation. The
daily volume of messages between an embassy and the State Department is massive and increasing, in large part due to the proliferation of agencies abroad. To avoid an overwhelming influx
of duplicative information, the ambassador has acquired an
added responsibility in coordinating the reporting activities of
the various agencies stationed in his accredited country. The
"Country Team" has become the standard device for coordinating
reporting and day-to-day execution of policy. The "Country
Team" concept refers to the regular meetings of the ambassador
and the heads of various intelligence, military, and economic

llJackson, p. 87

¹²Harr, John E. <u>The Professional Diplomat</u> (Princeton, N.J., 1969), p. 315.

agencies stationed in a foreign country. 13 Members of these meetings may include local chiefs of the Peace Corps, USIS, AID, CIA, and those of the Departments of Defense, Treasury, Agriculture, and HEW. The success of the country team in its coordinative efforts has varied with the time, interest, and managerial skills that the particular ambassador has at hand. Too often the lack of coordinative efforts by the embassy has resulted in overreporting. The modern ambassador is called upon to analyze with special scrutiny the political, cultural, and economic perspectives of the entire country, yet constraints on his time preclude coordination of reports into a purposive analysis.

Representational demands on the ambassador add to constraints on his time. If the ambassador is not busy coordinating reports, he most likely is entertaining, representing the embassy at ceremonial functions, or preparing for the visits of foreign ministers. An ambassador's attendance at dinner engagements and special ceremonies extends beyond the fortyhour week. Of course, the financial costs of entertainment, especially in the large European posts, can be exorbitant. This factor is influential in the selection of envoys and will be discussed later.

Not only is coordination of activities hindered by time restrictions and the autonomy of various agencies, but the

¹³ Jackson, p. 79.

¹⁴Harr, p. 296.

broad, highly abstract goals sought by the mission are not comparable to the tightly coordinated activities of hierarchical organizations (e.g. in industrial management). Each agency operates under its own budget, prescribed by its base department in Washington, and works toward its own goal. Moreover, although greater coordination would eliminate much over-reporting, the lack thereof does not produce major breakdowns of diplomacy in the absence of crisis situations. 15

The restraints of time and proliferation of specialized duties among semi-independent agencies abroad have exerted great demands upon the modern ambassador. Though he spends much time in his representative role and is restricted in his coordinative efforts, the ambassador is not an official of little influence. A strong, knowledgeable ambassador who has established favorable relations with positions of power in the host country has greater success in influencing local programs as administered by the quasi-independent agencies. He may alter State Department directives on local programs or advise the State Department on the success or desirability of a Those restraints that are exerted upon the ambassador's time and coordinative capabilities do not make the ambassador an ineffectual titular representative. These restraints do, however, prohibit the ambassador from exerting his authority systematically. The ambassadorship still represents a position of influence, especially in the daily transactions of local business

¹⁵<u>Ibid</u>., p. 301.

within his mission. Ambassador Livingston Merchant described the authority of the ambassador to the Jackson Subcommittee:

"I think you can only blame the individual ambassador if he does not run a tight, disciplined, and well-coordinated mission. I think the authority is there, all of the necessary authority is there."17

III. RECRUITMENT OF AMBASSADORS

The significance of outlining the major responsibilities of an ambassador comes to bear on the recruitment process for chiefs of mission. For if negotiation, representation, reporting, and coordination comprise the major responsibilities of the ambassadorship, then the nominee for this post ought to have served terms of apprenticeship in fields which develop expertise in these functions. Presently, ambassadorships are filled by recruits from the Foreign Service, business, the military, journalism, education, government, and other fields. The Foreign Service professes to develop the expertise and experience desired at an ambassador's post, and critics have condemned many "political" appointments from other fields as evidence that the "spoils" of government are still reaped by unqualified but influential loyalists of the President. Many non-career appointees have either contributed large donations to presidential campaigns or provided services in party politics. While party patronage or wealth alone does not qualify nominees for diplomatic positions, certain wealthy contributors or partisan supporters may have acquired an expertise in diplomatic roles during their terms

^{17&}lt;sub>Ibid</sub>., p. 294.

of apprenticeship in occupational fields. A close look at these fields of apprenticeship is warranted.

A. The Foreign Service

The Foreign Service career program was created in 1924 under the Rogers Act. It combined the diplomatic and counsular services into one career service to provide qualified personnel for diplomatic missions abroad. The formation of a foreign service was in part a reaction to the need for a diplomatic corps free from the influence of political spoils. Moreover, career offices indifferent to partisan politics were sought by the appropriation of salaries above standard civil service levels so officers could serve without supplemental income. tion of the Foreign Service marks the recognition that effective diplomacy entails more than maintaining a messenger service between national leaders. The incorporation of new cooperative programs of information and developmental assistance required diplomats to expand their attention to whole societies. Successful implementation of these programs demanded the creation of a professional corps of diplomats trained in managerial and specialized skills.

Today, there are nearly 3,000 Foreign Service Officers rated among a progression of eight grades. Ordinarily, an officer serves for a minimum of twenty to twenty-five years before reaching the grade of FSO-1, the highest rank next to Career Minister. Presently, there are some 300 Foreign Service Officers of grade FSO-1 or Career Minister rank from which

ambassadors are drawn. ¹⁸ In response to the changing needs of diplomacy, the Foreign Service assigns officers to various fields of functional and area specialization. Most mid-ranking officers specialize in the political, economic, and administrative functions. After attaining FSO-2 status, most officers transfer to managerial or program direction tasks as preparation for ambassadorial or Deputy Chief of Mission appointments. Nearly seventy percent of the Foreign Service officer corps consider themselves functional specialists. ¹⁹ Recently, many officers have been assigned to AID and USIA programs, in response to the growth of these agencies abroad.

Area specialization is increasing among the FSO corps; fifty-eight percent of the FSO's questioned in a survey conducted by Joseph Harr consider themselves area specialists. Of all the officers questioned, eleven percent specialize in Latin American affairs; eight percent attend directly to Atlantic affairs; and the rest are, by and large, equally distributed among those of the Near East, South Asia, the Soviet Union, Africa, Eastern Europe, Japan and Southeast Asia. 20

The ability to communicate effectively in the native language is an integral requirement of the area specialist.

¹⁸<u>Ibid</u>., p. 155.

¹⁹Ibid., p. 163.

²⁰Ibid., p. 164.

Of the 1,338 FSO's stationed in non-English speaking posts in 1974, 74% commanded an adequate reading and speaking know-ledge of the language of their accredited nation.²¹

Most importantly, an ambassadorial nominee from the ranks of the Foreign Service has to his credit ten to twenty years of diplomatic experience both in Washington and abroad. Increasing emphasis on functional and area specialization has enhanced the development of career officers who are knowledgeable in the needs of particular diplomatic posts. For example, the following portrays the career of Robert Hurwitch prior to his appointment as ambassador to the Dominican Republic.

"Joined the Foreign service, 1950 (age 30); assigned Lima, Peru 1951-3. Hamburg and Bonn, Germany, 1953-6, Bogota, Columbia, 1956-60, State Dept., 1960-3, Sr. Seminar Fgn. Policy, 1963-64, Santiago Chile, 1964; Dep. Chief Mission La Paz, Bolivia, 1964-66. Dep. Chief Mission, Vientiane Laos, 1967-9, Dep. Asst. Sec. of State, Washington, 1969-73."²²

The foreign service career pattern is characteristic here. After initial training at the Foreign Service Institute, the FSO is assigned to various foreign posts for individual terms of two to four years. Never does the Foreign Service officer spend his entire career at overseas posts. After serving apprenticeship terms in a foreign area, the officer returns to serve on a Country Desk, the focal point of foreign policy directives from Washington with respect to particular nations. Hence, the

²¹U.S. Congress. Senate. Committee on Foreign Relations. Hearings on S. 1248, Department of State Appropriations Authroization, Fiscal Year 1974. p. 399.

²²Who's Who, 1972-3, p. 1540.

State Department utilizes the political sensitivities of the officer experienced in the field, while simultaneously broadening the officer's knowledge of policy-formulation mechanisms. His appreciation of the factors significant to policy direction renders valuable insight as to reporting and managerial responsibilities in the field.

Incompetent officers are systematically eliminated from ambassadorial nomination through the promotion mechanism.

Moreover, because the number of available ambassadorships is limited, even recruitment from the superior ranks of the Service is quite selective. Consequently, rarely is an ambassadorship filled by an unqualified Foreign Service Officer. Though some career men carry out their duties in a perfunctory capacity, none are as inept as some "political" appointees. 23

B. Recruitment of Non-Career Ambassadors

Normally, about one-third of the ambassadorial posts have been occupied by persons recruited from fields other than the Foreign Service. While career officers are selected upon endorsement of the Secretary of State, non-career appointees are recruited through separate White House channels. In comparing the non-career ambassador with his counterpart from the Foreign Service, one must bear in mind that the former falls into one of two categories. First, some non-career ambassadors are appointed because of special abilities to perform a task salient

²³Interview with Dr. Fred Hadsell, former ambassador to Ghana.

to the administration. 24 Secondly, some non-career ambassadors are awarded their posts in appreciation of their political patronage. 25 Ambassadors in the first category have acquired special negotiative skills, area expertise or issue expertise during previous experience in foreign affairs. Some have served at other ambassador posts, or in the State Department. Others may have actively participated in U.S. delegations at special international conferences. Edwin O. Reischauer, a scholar, brought his knowledge on Far Eastern affairs to his post as envoy in Japan. Kenneth Todd Young, appointed ambassador to Thailand in 1961, had similarily been a Far Eastern specialist in the State Department. Ambassadors such as Averill Harriman, David K. E. Bruce and Ellsworth Bunker were political appointees who served long terms with high esteem in diplomatic capacities. Skills in communication, reporting and management, and an analytical sensitivity of political and social climates are not peculiar to Foreign Service men. There is a place in diplomacy for knowledgeable non-career appointees in whom the President can confide.

Most non-career ambassadors fall into the second category of appointees. Some are awarded posts for services rendered to party organizations or in return for substantial campaign contributions. Some posts are rewarded as favors for an appointee's service in the administration or for one's dedication to political issues of particular salience to the President.

²⁴Hadsell, Fred. "The American Diplomat". (Unpublished manuscript). 1974, p. 11.

^{25&}lt;u>Ibid.</u>, p. 11.

Many of these appointees have been recruited from fields of business, law, and journalism, and have successfully applied their skills and judgment to diplomacy. Yet, numerous political appointees lack the diplomatic experience necessary to effectively coordinate the activities of their accredited mission. Some fail to elicit the respect of their colleagues and foreign ministers of the host nation. Indeed the majority of political appointees (58%) have previously served less than two years in diplomatic capacities, either with the State Department or as delegates to special diplomatic missions. If we acknowledge Ambassador Merchant's belief that it takes a year for the career officer to establish close contacts with the host government and to familiarize himself with significant issues, it becomes apparent that these problems are compounded for the inexperienced political appointee. ²⁶

Complaints from foreign governments concerning the assignment of "third rate political hacks" are numerous. ²⁷ Upon questioning by the Senate Foreign Relations Committee, the nominee to Ceylon, Maxwell Gluck, could not recall the name of Ceylon's prime minister. Mr. Gluck was a dress shop owner who had contributed some \$30,000 to the Republican Party in 1956. ²⁸ The Luxembourg government refused to accept one political appointee

²⁶ Jackson, p. 86.

²⁷Thayer, p. 255 and Clark, p. 132.

²⁸Congressional Quarterly Weekly Report, June 13, 1973, p. 1516.

after suffering the ineptness of several prior envoys wanting in diplomatic experience. European and Latin American governments have been especially resonant in their complaints about the unwillingness of amateur diplomats to discern the issues of primary importance to them.

The State Department recognizes the problems encountered by the political appointee. The timidity shown by inexperienced ambassadors in asserting their own discretion as to tactical execution of policy has aggravated a tendency by State Department officials to over-instruct diplomats in the field. Consequently, experienced ambassadors have expressed their dismay at being second-guessed by State Department staff members who are less qualified and further removed from the problems encountered in the field. 29 To rectify this dilemma, the State Department assigns professional officers as Deputy Chiefs of Mission to posts occupied by non-career ambassadors. In addition, a routine has been established at considerable expense to assign professional officers to personally assist the non-career ambassador in diplomatic method. 30 Politically appointed ambassadors have been relegated to mouthpieces for the expression of field strategies wholly determined by their professional staff. While this formalizing role undermines the discretionary authority of the ambassador in the field, it would be desirable for an inexperienced diplomat to rely on a strong staff of

²⁹Jackson, p. 70.

³⁰Thayer, p. 261.

professionals. Yet the coordination of the mission also may be sacrificed by a weak ambassador. More than a few diplomats have resented the persistent advice of their professional staff members, and have ignored them to the detriment of mission coordination. As George R. Packard, special assistant to Ambassador Edwin Reischauer in Japan, stated, "There is no substitute for an ambassador who is also an expert." 31

Packard's statement points to a transitional attitude toward diplomacy. In the past, the highest posts have been occupied by both professional and amateur generalists. As noted, the increasing technicality of policy execution in our foreign relations have spurred the Foreign Service's interest in training functional and area specialists. Yet, the more salient the issue involved between nations, the higher it rises in the bureaucracy at home and in the field. As a result, specialists have been excluded from authoritative points of decision making. This exclusion of specialists from access to ambassadorships has in turn discouraged Foreign Service Officers from specializing and contributed to periods of low morale. Many skilled Foreign Service officers consequently resign in search of more lucrative jobs. 32

The generalist-specialist debate is only part of a fundamental anomaly in American diplomacy. Packard noted that there are fifty Foreign Service officers who have turned their talents to obtaining a professional knowledge of Japanese

³¹ Packard, George. "A Crisis in Understanding". <u>Foreign Service Journal</u>, Jan. 1973, p. 10.

³² Bovey, John. "The Golden Sunshine". <u>Foreign Service</u> <u>Journal</u>. May 1975, p. 9.

affairs and language, of whom several are qualified to occupy the ambassador post. Yet, the most recent ambassador appointed to Japan, Robert Ingersoll, neither spoke Japanese nor had ascertained a professional understanding of Japanese culture. Ingersoll, a businessman whose diplomatic experience had been restricted to commercial ventures with Japanese companies, was appointed because of his hard-line stance on U.S. trade policy with Japan. The essential anomaly in this case lies not with the incompetence of Ingersoll, but in the conflicting assumptions on diplomacy between the State Department and the President. While the Department of State attempts to groom professionals in area and functional specialization, President Nixon perceived the need to designate a man of similar political convictions in whom he may confide. For professionalization has removed the diplomatic corps from personal direction of the President. Indeed, the bureaucratic interests of some State Department officials may conflict with policies pursued by the President. As in the Ingersoll case, the appointments of some non-career men represent attempts by Presidents to impress their convictions on salient issues to foreign governments through personal confidants.

The appointment of non-career diplomats, then, may produce ramifications which both benefit and burden American diplomacy. The appointment of skilled non-career diplomats in whom the President trusts can provide direct contact between foreign governments and the White House on salient issues.

The President's policy may be impressed upon foreign governments with greater impact through one of his own men than through a career servant. However, the careless appointment of many unqualified political patrons denies missions of professional judgment and coordination. Furthermore, the development of a superior Foreign Service is discouraged by denying career officers access to prestigious posts which are continually held by "political" appointees. On balance, Clare Boothe Luce, noted,

"The issue seems to settle itself; the skilled practitioner of the art of diplomacy is clearly preferred to the novice."33

C. The Senate Foreign Relations Committee and the Confirmation of Ambassadors

All politically appointed ambassadors are approved by the Senate Foreign Relations Committee. In theory that body is as responsible for the appointment of an inept diplomat as the administration which nominated him. In fact, the Committee has bestowed rubber-stamp approval on some persons nominated by all administrations. To consequently, criticism of an administration's appointment of amateurs often appears capricious and hypocritical. On rare occasions, the Senate Foreign Relations Committee has been known to leak its displeasure over a nominee, only to approve him in the final analysis. To

³³ Luce, Clare Boothe. "The Ambassadorial Issue: Professional or Amateurs?" <u>Foreign Affairs</u>. 1957. p. 106.

³⁴ Thayer, p. 261.

Mouat, Tucia. "Ambassadors Abroad," in the Congressional Record. U. S. Congress. Senate. June 16, 1972. p. 21254.

In most cases, the brief questions posed by committeemen are only cursory attempts to discern conflicts of interests
or to discuss nominees' familiarity with the duties of their
designated posts. The following three dialogues between
committeemen and nominees suggest the shallowness of the
Committee's inquiry.

1) Statement of John Krehbiel, nominated to be ambassador to Finland:36

Krehbiel: "I contributed \$30,000 which was in keeping with what I had been giving over the years."

Sen. McGhee: "... we are all grateful that these things happen in the system. But what we try to make certain is that there is no quid pro quo in these instances."

Krehbiel: "That's right, there wasn't."

Sen. McGhee: "We understand how the system works."

2) Statement of John P. Humes, nominated to be ambassador to Austria:37

Sen. Symington: "I noted in your family, Mr. Humes, your father-in-law was Carl Schmidlapp, the banker?"

Humes: "Yes, sir; he was."

Sen. Symington: "Well, I can say, Mr. Chairman, I hope the committee is as kind to Mr. Humes as Mr. Schmidlapp once was to me. I have no questions."

Sen. Aiken: "I assume, Mr. Humes that you and your family are all skiers?"

Humes: "I am afraid I don't qualify. Senator Aiken, ... but I have several boys who do."

Sen. Aiken: "I see. Well, they will find Austria interesting as well as beautiful.

³⁶U.S. Congress. Senate. Hearings before the Commission on Foreign Relations. March 13, 1973. p. 51.

³⁷U.S. Congress. Senate. Hearings before the Committee on Foreign Relations. Sept. 23, 1969. p. 36.

- 3) Statement of Mrs. Ruth Farkas, nominated to be ambassador to Luxemburg: 38
 - Sen. Percy: "... about the <u>economy</u> of Luxemburg which is closely intertwined with that of Belgium. To what extent if any does Luxemburg exercise independence of action or policy?"
 - Mrs. Farkas: "Well, actually Luxemburg's policy is independent because it is an independent country, actually. It depends on Belgium sometimes for some of its consular services and sometimes the Netherlands represents it in some diplomatic activities when it does not have an embassy someplace."
 - Sen. Percy: "I have no further questions other than to make this comment: I am always delighted when women are appointed or elected to important posts in Government."

As demonstrated by the dialogues, the Committee hearings are quite amiable and shallow with respect to important questions of a nominee's expertise, conflict of interest, or support in prior campaigns. Some nominees are not brought to testify before the committee, as in the case of Joseph Farland, an experienced non-career ambassador nominated in 1972 to the post in Pakistan.

The Senate Foreign Relations Committee has assumed a passive role in the appointments process for several reasons. First, the Committee lacks objective standards which it can apply to each nominee. Presidents have customarily been yielded the freedom to choose their own associates for appointed executive positions. However, the increasingly technical nature of diplomacy and the multiplicity of functional agencies abroad

³⁸U.S. Congress. Senate. Hearings before the Committee on Foreign Relations. March 13, 1973. p. 47.

have altered the sentiments of Congress in recent years. Greater concern has been expressed over the need for applicable standards by which the committee can judge a nominee's ability to head a professionalized diplomatic mission.

At hearings in April, 1973, Senator Percy asked William Hall, Director-General of the Foreign Service, for some basic guidelines by which the committee could judge a nominee's fitness to occupy an ambassadorship. ³⁹ Percy stated that at times nominees could not answer fundamental questions about their accredited posts, and the committee lacked clear guidelines by which to appraise a candidate. The committee is understandably embarrassed by rejecting a nominee without succinct reasons for its appraisal.

Secondly, the committee really has little more information regarding a nominee's background than that furnished by the State Department or the White House. Especially in regard to a nominee's campaign contributions, the committee is hard pressed to investigate matters which it knows nothing about. Despite requirements of the 1925 Corrupt Practices Act, campaign contributions were never systematically reported at the federal level until the Federal Election Campaign Act activated the disclosure rule in April 1972. Until then, committee members had to rely on newspaper reports and voluntary

³⁹U.S. Congress. Senate. Hearings before the Committee on Foreign Relations. September 23, 1969. p. 36.

accounts issued by campaign organizations. Confidentiality of a nominee's contributions was assured if he so wished.

Thirdly, unethical practices are difficult to pinpoint in the limited time spent in scrutiny of each nominee.
For the lack of investigatory resources, the committee often
has to respect the nominee's word as truth. In the dialogue
between Senator McGhee and John Krehbiel, the senator was
bound to respect Krehbiel's testimony that there was no quidpro-quo agreement. There may be no third party to testify to
the contrary.

The case which best illustrates this obstacle is the testimony of Ruth Farkas, who was nominated the ambassador to Luxembourg in 1973. 40 While the Senators respected the right of the nominee to contribute to presidential campaigns, the committeemen did want assurance that no quid-pro-quo agreement was made between the administration and Mrs. Farkas. Mrs. Farkas testified that she pledged \$300,000 to the Nixon campaign, half delivered in the fall of 1972 and half delivered after the election in 1973, despite a substantial surplus of funds in the Republican coffer. Mrs. Farkas stated she was first notified of her nomination in August 1972 and that her pledge made afterwards had nothing to do with her ambassadorship. At the hearings, the committee took Mrs. Farkas' word at face value, only to be embarrassed by future congressional

⁴⁰U.S. Congress. Senate. Hearings before the Commission on Foreign Relations. March 13, 1973. p. 47.

investigations. The Impeachment Inquiry Staff of the House Judiciary Committee discovered that Mrs. Farkas had made a quid-pro-quo agreement with Herbert Kalmbach at lunch on August 4, 1971. 41 Mrs. Farkas had lied to the committee; yet without evidence to the contrary, her word was respected.

The Senate Foreign Relations Committee has the power to reject unqualified nominees or those who have illegally sought to obtain diplomatic spoils, but simultaneously lacks clear guidelines and investigative resources to rule on the fitness of a nominee. For example, the committee's conflict of interest policy has been obscured by the expansion of multinational corporate interests. The committee deservedly feels baffled by the fact that individuals are encouraged to invest in these interests, yet are expected to relinquish their investments when nominated for public office.

In regard to the IBM investments of John Irwin, nominated to be ambassador to France, Chairman Fulbright stated:

"This whole subject (conflict of interest) is a murky one. I am bound to say I don't know how a country which is primarily a capitalist country in which all citizens are urged to invest in corporations...can then set up this requirement which has the implication that everyone who owns shares cannot be independent in their views... It is a very difficult area. We require statements, and yet, I don't know what to do with them as a committee unless the committee changes its policy."

⁴¹Draft on Campaign Contributions/Ambassadorships by the Minority Counsel of the Impeachment Inquiry Staff to appraise House Judiciary Committee. Undated. Sharp material.

⁴²U.S. Congress. Senate. Committee on Foreign Relations. Nominations Hearings. Jan. 31, 1973. p. 723.

Irwin, who stated that he transferred his investments to a blind trust, was confirmed by the committee. Arthur K. Watson similarly held interests in IBM and was confirmed by the committee as ambassador to France.

Similarly, the sale of ambassadorships in the Nixon administration has only recently spurred the committee to adopt new policies regarding the nominations of generous campaign contributors. Chairman Fulbright warned that nominees who contributed over \$10,000 were likely to be viewed as unacceptable by the committee. Senator Pell proposed that the Committee allow only fifteen percent of U.S. ambassadors to be recruited from the non-career sector. Lacking an explicit policy on campaign contributions of ambassadorial nominees, the Senate Foreign Relations Committee remained a rubber stamp for the appointment of unfit diplomats during each of the past four administrations.

IV. TRENDS IN THE APPOINTMENT OF NON-CAREER AMBASSADORS

A. The Diplomatic Experience of Non-Career Envoys

Since the 1950's, political appointments have accounted for about thirty-five percent of the ambassadorships awarded. During the Eisenhower administration, the figure dropped from 34% to 29% at the end of his second term. This level was maintained throughout Kennedy's term, whereupon the figure rose

⁴³ New York Times. May 24, 1973 (abstract).

again to 34% in 1965. The percentage of non-career chiefs declined to 22% in 1972, yet jumped again to the 35% level after President Nixon's re-election. 44 Characteristically, the number of political appointees increases after an election year, due to the President's perceived obligation to pay off political supporters for their services. 45 Toward the end of a President's term however, career diplomats fill posts vacated by weak political envoys who have resigned.

Despite the growth of a professional and specialized Foreign Service, amateur political appointees have continued to break into the ambassadorial ranks. The following table reveals the years of experience among political appointees in the four previous administrations. Note that "diplomatic experience" refers to the number of years an appointee has served in either the State Department or on special governmental missions such as trade and cultural exchange negotiations. The lengths of diplomatic experience were determined from my analysis of biographical sketches in Who's Who.

Around 95% of the political appointees since 1952 are included in the sample. The remaining few were not listed in Who's Who.

⁽New York, 1964). p. 240. Conduct of the New Diplomacy.

⁴⁵Interview with Dr. Fred Hadsell.

TABLE 1

Experience of Non-Career Men in State Department/Diplomatic Affairs

Years	Eisenhower	Kennedy	Johnson	Nixon
0	28	16	18	23
1-2	7	8	, 7	5
3-5	15	7	16	8
6-10	3	4	1	7
over 10	3	9	8	14
	56	44	50	57

Analysis of Table I reveals that over half of those persons appointed from the private sector had acquired less than two years experience on diplomatic missions or in the State Department. While President Eisenhower appointed the greatest number of inexperienced envoys of any one administration, the Kennedy and Johnson appointments may be combined to equalize the tenure of each party in power. Hence, in the Democratic administrations nearly fifty posts were awarded to persons with less than two years experience in the conduct of foreign affairs. At the same time, fewer inexperienced diplomats were appointed by Kennedy and Johnson than under either Republican administration. While the Nixon administration increased the number of inexperienced appointees, it also assigned more posts to envoys with over ten years of experience in foreign affairs. While it is important to note that career military men were counted among those diplomats with over ten years service, there were never more than two diplomats in each administration drawn from that field.

B. The Geographical Assignments of Non-Career Appointees

The frequency of appointing inexperienced diplomats to ambassadorships is significant in light of the geographic location of their accredited posts. Table II shows where both experienced and amateur diplomats are accredited. Again, this sample represents those non-career ambassadors as distinguished from diplomats recruited from Foreign Service ranks. The table gives the ratio of ambassadors with less than two years diplomatic experience to those with greater experience, as accredited to geographic regions.

Region	Eisenhower	Kennedy	Johnson	Nixon	Total
Europe	18/4	7/3	8/5	18/7	52/19
South Amer.	3/3	2/1	4/3	1/3	10/10
Africa	4/2	7/3	3/7	4/2	17/14
Asia	3/2	2/4	2/2	0/2	6/10
Pacific Posts*	4/0	3/3	4/1	2/1	12/5
Central Amer.	3/7	3/0	4/2	3/3	12/12
Eastern Europe	0/1	0/1	1/0	0/3	1/5
Middle East	1/0	0/2	1/0	0/3	2/5
	37/19	24/17	27/20	28/24	112/80

^{* (}Australia, New Zealand, Japan, Philipines)

In analyzing the table, we find that fifty-two of the total seventy-one political appointees to European posts had acquired less than two years experience in diplomacy. Similarly, of the seventeen political appointees to Pacific posts (Australia, New Zealand, Japan, Philippines), twelve of them had served less than two years in diplomatic capacity. In other areas, about half of the political appointees are similarly amateurs.

A few qualifications should be made to the chart, however. First, while the appointment of inexperienced diplomats to African posts appears to be popular, many of these envoys had acquired expertise in African affairs through their occupation. The number of new posts in Africa has risen dramatically in the last decades and only recently has African politics become an area of specialization in the Foreign Service. With the gradual acquisition of expertise in African affairs the number of experienced diplomats assigned to those posts should increase. Secondly, it should be noted that within the region labeled Central America, the favorite diplomatic plums among inexperienced appointees are at the Caribbean posts of Jamaica and Trinidad.

The trend of awarding European, Pacific, and Caribbean posts to persons unfamiliar with diplomatic method is but a part of a larger scheme. In the past, those recruits most familiar with diplomatic affairs have been assigned to posts in Asia, Eastern Europe (including Soviet Union) and the Middle East. It is no surprise that the major posts of Southeast Asia, the Soviet Union, and Israel have been occupied by either career ambassadors recruited from the Foreign Service or by political appointees with over ten years experience in the State Department. Since 1952 seven ambassadors have headed the diplomatic team in the Soviet Union, all of whom have been career Foreign Service officers. 46 Eight of nine

⁴⁶Dougall, Richardson and Patricia Chapman. <u>United</u>
States Chiefs of Mission 1778-1973 and the 1973-4 Supplement.
(Department of State publication) 1975. p. 139.

ambassadors to Korea were recruited from the Foreign Service. Five of eight ambassadors to South Vietnam have emerged from Foreign Service ranks, while the other three non-career appointees (Henry Cabot Lodge, Maxwell Taylor, and Ellsworth Bunker) had acquired either extensive expertise in Southeast Asian affairs or negotiative skills prior to their appointment.

The appointment of predominantly career diplomats to these difficult posts represents a tacit recognition by the State Department and the President that a skilled and experienced negotiator can better coordinate his mission than the novice from the business sector. The pattern of appointments since 1952 confirm this conclusion. Table III displays the percentage of non-career diplomats accredited in several regions since 1952.

TABLE III

Region of Post	Percentage	of	Non-Career	Diplomats
Pacific			68%	
Europe			67%	
Central America			42%	
South America			30%	
Asia			23%	
Africa			20%	
Eastern Europe			15%	
Middle East			12%	

In the geographic areas where counter-insurgency is the dominant demand of the U.S. mission, the number of non-career appointees are few. 47 As previously noted, all of the diplomats heading

⁴⁷Harr, p. 292.

missions in Korea, Viet Nam, and Cambodia have made careers in the Foreign Service or have acquired extensive backgrounds in diplomatic negotiation.

The Middle East, of course, has long been of primary concern to the United States. Tensions between the Soviet Union and the United States underlie three Arab-Israeli wars. Continuous interaction over oil export agreements, boundary disputes, troop withdrawals, and the legitimacy of nationalist groups have demanded the presence of skilled negotiators with an expertise in Middle East relations. Hence, of American ambassadors accredited to Middle East posts, only 12% have been recruited from the private sector.

Economic assistance has been the fundamental concern of American missions to most of the sub-Sahara African nations as well as in many Latin American posts. In nations such as Brazil, Nigeria, Kenya, Columbia, Ethiopia, and Guatemala, the U.S. AID and Peace Corps programs rival the State Department in the length of employment rolls. Despite the complexity of these missions, non-career men have regularly filled the ambassadorship positions. As noted, the recent emergence of Africa in world affairs has fostered a need for African specialists in our diplomatic missions. Some non-career diplomats who have attained a working knowledge of African affairs have been appointed to offset the want of African specialists in the Foreign Service. Similarly, Table III indicates that a substantial percentage of envoys in Latin

America are recruited from private occupations. This percentage is notable despite the number of Latin American specialists in the Foreign Service. Nearly 12% of all Foreign Service officers considered themselves Latin American specialists in the Joseph Harr study. He reasons for substantial numbers of non-career diplomats in Latin America are not obvious. Reference to table II reveals that exactly half of the non-career ambassadors appointed had not acquired even two years of experience in prior diplomatic missions.

The Caribbean posts of Trinidad and Jamaica have traditionally been resort vacations for political supporters of Presidents. Joseph Farland, who served as consultant in the State Department in 1956, contributed \$9,000 to Eisenhower's campaign and acquired the Dominican Republic post the next year. William Doherty, member of the executive council of the AFL-CIO, received the Jamaican post during Kennedy's administration. Vincent DeRoulet, J. Fife Symington, and Anthony Marshall obtained Caribbean vacations in return for ample contributions to the Nixon campaigns. Ardent campaign workers, likewise, obtained Latin American diplomatic posts for their efforts. The Dominican Republic post was awarded to William Pheiffer and John Martin for their respective efforts on the 1952 Republican National Committee and John Kennedy's campaign staff. Among these appointments, only Anthony Marshall had ever accompanied a diplomatic mission or worked with the State

^{48&}lt;u>Ibid</u>., p. 164.

Department.

Surely, it is difficult to prove conclusively that these posts are awarded to inexperienced diplomats solely on the basis of their political support. Yet, assuredly one will not find such appointees in capitals of unrest such as Guatemala and Khartoum. 49 Nor are the new but tiresome diplomatic duties in Africa undertaken by such political patrons. As a rule, Foreign Service officers are drafted to occupy ambassadorships at new African posts or troubled Latin American embassies. 50

U.S. missions to the Pacific embassies in Australia, New Zealand, Japan, and the Philippines are frequently directed by inexperienced non-career ambassadors. Table III indicates that sixty-eight percent of the diplomats appointed since 1952 were non-career officers. Of these non-career men, more than two-thirds had not secured two years experience in diplomacy. (Table II). Eisenhower assigned two lawyers to Australia and Republican senators to New Zealand and the Philippines. Anthony Akers, a Democratic candidate for Congress and executive chairman of the New York Citizens for Kennedy-Johnson organization, received the New Zealand post in 1961. Lyndon Johnson named long-time personal friend and business associate, Edward Clark, as envoy to Australia in 1965. Clark had contributed \$3,000 to the Democratic presidential campaign. Kenneth Franzheim, an independent oil operator for thirteen years with no previous

⁴⁹Bovey, p. 9.

^{50&}lt;u>Ibid</u>., p. 9.

⁵¹ New York Times, July 9, 1965. p. 8.

government experience, was designated by President Nixon to the New Zealand post in 1969. Franzheim vacated his embassy post after refusing to contribute to the Nixon re-election effort in 1972.⁵² In November of that year he was replaced by Joseph Farland, an experienced diplomat who gave \$22,300 to the 1972 re-election committee.

It is significant that the large majority of amateur diplomats appointed to this region have been accredited to the pleasant posts in Australia and New Zealand. Although the non-career diplomats have frequented the Philippine post, they have usually had some diplomatic experience. Japan has entertained seven diplomats, five of whom were recruited from the Foreign Service. Again, the trend in the Pacific region suggests that campaign supporters and party loyalists have obtained the pleasant but undemanding positions, while career and seasoned non-career diplomats have occupied posts of greater responsibility.

C. Political Appointments to European Posts

Most esteemed European ambassadorships are awarded to wealthy non-career appointees. Complaints by Foreign Service officers against their exclusion from prestigious posts are often justified. Table III points out that 68% of the ambassadorships to Europe have been granted to non-career diplomats; in numerical terms, seventy-one ambassadors to Europe

⁵² New York Times, March 17, 1974. p. 47.

since 1952 have been recruited outside of the Foreign Service. Table II reveals that 52 of these men and women had not served more than two years in any diplomatic function. While the Republican administrations of Eisenhower and Nixon appointed the greatest number of amateur diplomats to European posts, Presidents Kennedy and Johnson also awarded their fair share.

Before discussing the appointments of each administration, some explanation of the functional nature, the social prestige, and the costs of a European ambassador post is necessary to discern the reasons for the influx of non-career diplomats to our representative seats in Europe. The missions to France, Italy, Germany and Great Britain are among the largest of our representative and cooperative efforts in the world in terms of persons employed in various functional departments. In Germany over one thousand persons are listed on the payrolls of the local branches of the departments of State, Agriculture, Commerce, HEW, Justice, Transportation and the Treasury.⁵³ Four hundred persons are employed by the USIA there.

The proliferation of functional agencies has engendered the need for coordination of agency activities by the country team, which is comprised of the ambassador, deputy chief of mission, and the heads of various departments stationed in Germany. The country-team meetings allow for regular

⁵³U.S. Congress. Senate. Committee on Foreign Relations. Hearings on S. 1248. Department of State Appropriations Authorization, Fiscal Year 1974, p. 73.

⁵⁴Jackson, p. 78.

consultation on the activities of each department. Strong executive leadership can pull together information elicited from each department in order to draft a complete and accurate analysis of the successes and drawbacks of the mission. An experienced diplomat, knowledgeable in U.S.-German relations, can with confidence utilize this analysis in advising the State Department from a field perspective. As noted earlier, this advisory authority is less likely to be used by a timid amateur diplomat too ready to accept policy directions from junior officials in Washington. An experienced and capable ambassador can impress his views upon Washington planners who are removed from the actual execution of policy.

However, in countries where functions are dispersed among a number of departments, the coordinating role is burdened by the Deputy Chief of Mission and the Supervising Consul General, who, through long tenures of working realtionships with local departmental professionals, have acquired a comprehensive knowledge of the country and our efforts there. 55

The Deputy Chief of Mission further serves as the alter ego of the ambassador, accompanying him at all times, scheduling daily activities, screening and disseminating both incoming and outgoing correspondence, and briefing the ambassador on issues. 56

The brief tenure of duty precludes the politically

⁵⁵Berger, Samuel. "Foreign Service Staffing and Operations Problems and the Role of the Ambassador." Secretary of State and the Ambassador, ed. Henry Jackson, p. 165.

^{56&}lt;sub>Harr</sub>, p. 295.

appointed ambassador from establishing contacts conducive to cooperative leadership. Of the one hundred Deputy Chiefs of Mission in 1961, virtually all were Foreign Service officers. 57 Hence, the number one need of functional coordination through collaboration with departmental ministers is accomplished by the superior career officers.

The politically appointed ambassador in Europe, then, assumes the titular head of the mission and attends to representational demands. The weekly schedule of the American ambassador to Great Britain is consumed largely by luncheons, courtesy calls, and evening entertainment. His official reports to Washington are drafted in spare time and represent the coordinative facilities of his senior deputies. Moreover, cooperative programs between nations may bypass embassy channels and be dictated by the particular departments concerned. John Kenneth Galbraith, Ambassador to India, admits,

"Everyone knows that as regards London, the important matters are discussed between the President and the Prime Minister, the unimportant matters between the Secretary of State and the Foreign Secretary and the technical matters between the Departments of Agriculture. The Ambassador does the rest, which is to make appointments. No Englishman of any consequence forms his view of the United States from the Ambassador. Accordingly, even a strict comic figure at the Court of St. James probably does no real damage."59

^{57&}lt;sub>Ibid</sub>., p. 313.

⁵⁸Clark, Eric. <u>Diplomat</u>. (New York, 1974). p. 120

⁵⁹Galbraith, John K. <u>Foreign Service Journal</u>. December 1969, p. 22.

One finds that size of the mission and program-mix really has no bearing on the appointment of career, experienced non-career, or amateur ambassadors. The coordination of the mission may be handled by deputy career officers while the ambassador fulfills his representational duties.

The social prestige which accompanies a European ambassadorship is a major reason such posts are awarded to wealthy laymen. The European ambassadorship attracts wealthy patrons who aspire to serve their country in a pleasant, undemanding, yet prestigious capacity. In this respect, some European ambassadorships are akin to "political non-jobs," awarded to an elite of political patrons who desire the honor accompanied by a parchment signed by the President. 60 In return, fundraisers, campaign contributors, and leaders in media, labor, and citizen lobbies sit in innocuous semipolitical positions. These include hundreds of seats on government advisory committees in domestic affairs. In foreign affairs, the pseudo-ambassadorship rivals the European appointment as a political non-job. While President Johnson reduced the number of politically appointed ambassadors to Europe, he designated forty-eight of these pseudo-diplomats to attend inaugurations or special ceremonies in foreign nations. 61 Yet the European ambassadorship remains the prize political plum of the noblesse. The most frequent ambassadorial nonjob among European posts has been at the grand duchy of

⁶⁰Oberdorfer, Don. "The New Political Non-Job". <u>Harper's</u> <u>Magazine</u>, October 1965, p. 108.

^{61&}lt;u>Ibid</u>., p. 112.

Luxembourg, a picturesque community surrounded by France, Belgium, and Germany. Recently, Mrs. Ruth Farkas was awarded the ambassadorship for her campaign support. She contributed \$300,000 to the 1972 Nixon campaign. 62

The prestige of European posts is elucidated by the explicit preferences of wealthy contributors to the Nixon campaigns. In a White House memo to Bob Haldeman, Gordon Strachan notes that John Safer, a Washington sculptor and 1968 fundraiser for Eugene McCarthy, contributed \$250,000 to the Nixon campaign so that he would "receive serious consideration for an ambassadorship to Norway, Sweden, Switzerland, the Netherlands, Belgium, Denmark, Argentina, Brazil, Mexico, and Australia in that order. As will be discussed further, Clement Stone, Vincent De Roulet and J. Fife Symington also indicated European posts as their favorite choices for ambassadorships.

The prohibitive cost of representation and entertainment is another reason why many European posts are awarded to wealthy non-career diplomats. The ambassador's annual salary of \$42,500 is not enough to cover living, residence, and entertainment expenses in London. Walter Annenberg spent \$250,000 toward living and entertainment expenses in his term as ambassador there. While the ambassador receives an

⁶²Washington Post, November 10, 1973.

⁶³U.S. Congress House of Representatives. Committee on the Judiciary. Statement of Information: Appendix, "Political Matters Memoranda." p. 33 (Memorandum of November 16, 1971).

⁶⁴Economist, November 2, 1974, p. 52.

an additional \$34,500 for maintenance of his residence and entertainment, the fact remains that the ambassador to Britain must dig deeply into his savings. The expenses incurred at embassies in Paris, Rome, and Madrid also preclude most Foreign Service officers from occupying the chief of mission positions The Ambassador to Rome, Clare Booth Luce, testified not only that she overspent her \$30,000 salary, but that subordinate minister counselors had asked for transfers because their salaries could not cover the expenses encountered in their duties. 65 President Kennedy acknowledged that Ambassador Gavin's decision to resign the Paris post rested upon his inability to support his family there. 66 Gavin was a retired general and businessman. In these costly embassies, the pool for recruitment is severely restricted to pecunious non-career diplomats. Career diplomats who benefit from no financial source other than their Foreign Service pay cannot be expected to absorb the estimated \$75,000 expenses incurred at these Indeed, the Senate Foreign Relations Committee in 1975 heard testimony from Foreign Service officers who described a new wave of resignations from senior officers in the service who had been given more lucrative job offers in the business sector.67

⁶⁵ Luce, C. B., p. 115.

⁶⁶U.S. President, "John F. Kennedy: 1962." <u>Public</u>
Papers of the Presidents of the United States. (Washington, D.C., 1963). Press conference dated August 1, 1962.

⁶⁷Boyatt, Thomas D. "Statement Before the Commission on The Organization of Government For the Conduct of Foreign Policy." Foreign Service Journal. July, 1975, p. 32.

Exorbitant costs which accompany European posts do not warrant the primary consideration given to wealthy individuals on the basis of their generous campaign contributions. Because Congress has failed to appropriate sufficient funds for diplomatic representation in Europe, the possession of wealth has become a primary factor in the consideration of ambassadorial candidates. Since the Deputy Chief of Mission can burden the reporting and managerial responsibilities, standards of competence required of Foreign Service officers are suspended when political appointments are made to European posts. In fact, the possession of wealth has provided means for aspiring individuals to procure ambassadorships in the form of campaign contributions. Even in the absence of prior contributions, administration officials have nominated wealthy individuals with few qualifications in hopes of eliciting contributions in campaigns subsequent to their appointment. In the Nixon administration, the consideration of persons for most European posts was restricted not only to wealthy individuals qualified in diplomatic skills, but to wealthy individuals who either had contributed to the 1968 Nixon campaign or would be expected to contribute in 1972 in appreciation of their appointment.

Without remuneration, Foreign Service officers specializing in European affairs stand little chance of receiving an ambassadorship in that area. 68 Such a system is

⁶⁸Hadsell, Fred. "The American Diplomat" (manuscript), p. 11.

is both unfair and foolish. Joseph Harr notes that the procurement of an ambassadorship is the goal of nearly every Foreign Service officer he surveyed. To deny qualified career diplomats access to the most prestigious posts is to disavow the very incentives for which professional Foreign Service men strive. The cost argument cannot be construed as justification for the "sale" of ambassadorships to individuals wanting in diplomatic experience. Nor should the recruitment pool be restricted to wealthy individuals.

C. Appointments to Europe by the Eisenhower, Kennedy, and Johnson Administrations

The appointment of wealthy individuals to European diplomatic posts in the Eisenhower administration represented a continuation of the patronage trend during the Truman administration. In 1952, of the 27 non-career diplomats, 11 had contributed over \$500 to the Democratic party. There were no diplomats appointed during Truman's administration who had contributed to the Republican Party. The year of 1953 witnessed a change of party in the White House and in diplomacy. Thirty non-career chiefs were appointed by President Eisenhower, of which eleven had donated gifts of over \$500. The exact amounts of these donations are not

⁶⁹Harr, p. 206.

⁷⁰Heard, Alexander. The Costs of Democracy. (Chapel Hill, 1960), p. 147.

^{71&}lt;sub>Ibid.</sub>, p. 147.

known. Only one of the Democratic supporters survived the change of party. The trend continued in 1957 after another election secured the Eisenhower presidency. Fourteen ambassadors made gifts totaling \$217,975, of which eleven were accredited to European embassies. The other contributors received ambassadorships to Ceylon, Canada, and the Dominican Republic. The following list specifies the contributor, his assumed ambassadorship, and amount contributed.

Ambassador	Post	Contribution
J. H. Whitney	England	\$47,100*
C. Douglas Dillon	France	36,500
Clare B. Luce	Italy	29,375
Maxwell Gluck	Ceylon	26,500
R. Douglas Stuart	Canada	16,150
John C. Folger	Belgium	12,500
William A. M. Burden	Belgium	10,750
Harry F. Guggenheim	Portugal	10,000**
L. Corrin Strong	Norway	9,600
Amory Houghton	France	9,000
Joseph Farland	Dom. Rep., Panama	9,000
J. D. Zellerbach	Italy	6,500
Robert Thayer	Romania	6,000
David K. Bruce	Germany	1,000 \$217,975

⁷² New York Times, February 3, 1957, p. 13.

- * The Whitney family donated around \$120,000 to the Republican cause in 1956.
- ** Represents the contribution made in name of his brother, M. Robert Guggenheim.

Some of these contributors also donated money in 1952. C. Douglas Dillon, Clare B. Luce (and her husband), and J. H. Whitney made gifts totaling \$82,000 in the first Eisenhower campaign. 73

Only two of these European ambassadors had acquired any diplomatic experience prior to their appointment. Zellerbach was Truman's Chief of the ECA special mission to Italy from 1948 to 1950 and served as an alternate delegate to the U.N. General Assembly in 1953. William Burden, former assistant Secretary of Commerce, had served in diplomatic capacity at international aviation conferences prior to his The other philanthropists had never served on diplomatic missions or in the State Department. Two contributors also were active in Republican party campaigns. Douglas Dillon acted as Treasurer and Chairman of the New Jersey Republican State Committee, while Frederick Alger had run unsuccessfully as the Michigan Republican gubernatorial candidate in 1952. Only one ambassador had acquired familiarity with his accredited nation during his previous career. A picture develops of this administration awarding diplomatic

⁷³Alexander, Herbert E. Financing the 1960 Election in Studies in Money in Politics (Princeton, N.J., 1965), p. 96.

plums in Europe to an opulent elite comprised mostly of prominent businessmen who contributed notable gifts and services to the Eisenhower reelection campaign.

Table II indicates that over two-thirds of the non-career diplomats appointed by Eisenhower had acquired less than two years of diplomatic experience in their previous occupations. Of the twenty-three persons assigned to European posts, only four had ever held positions in the State Department, the military, or on diplomatic missions. Seven had occupied state and federal domestic agency posts, while four ambassadors had worked in Republican party organizations. On balance, for an administration that delegated unusual authority to its diplomats in the field, its choices of ambassadors left much to be desired in terms of commanding an expertise in the affairs of their accredited nations and acquiring the experience necessary to exercise that authority with a professional knowledge of their diplomatic mission.

The 1960 Presidential campaign witnessed another change of party in the White House and promises made by John Kennedy to upgrade his diplomatic corps. During the campaign, Kennedy vowed to nominate diplomats on the merits of "their interest and knowledge of the areas involved." Moreover, he noted that he would give top priority to those who spoke the language of the vacant posts rather than merely bestowing diplomatic prizes for political considerations. The new Democratic administration offered improvement in diplomatic representation, yet

^{74&}lt;sub>New York Times</sub>, July 2, 1961, p. 13.

subsequent appointments fell short of Kennedy's enthusiastic rhetoric. The percentage of political appointments remained essentially the same (29%) as that during the last year of the Eisenhower administration. Of those non-career envoys, less than half had ever served more than two years in some diplomatic berth (Table II) and the number of those who professed a foreign language ability did not increase dramatically. Twenty-seven non-career ambassadors designated by Eisenhower did not speak the native language, and were replaced by the Kennedy administration. Yet, twenty-one of their replacements similarly could not command a proficient foreign language speaking ability. 76

To be sure, Kennedy was praised by members of Congress for several of his appointments to Latin America, Africa, and Asia. All the ambassadors to Latin America spoke Spanish and many of those appointed to Africa and Asia had acquired an expertise in the political affairs of those areas in their previous occupations. 77 Among those praised were John S. Badeau, ambassador to Egypt, and Edwin O. Reischauer, ambassador to Japan, both of whom spoke the native languages fluently and were experts in Mid Eastern and Asian affairs respectively.

Yet the quality of our diplomatic representatives noticeably deteriorated when one looked to Europe. Few in

^{75&}lt;sub>McCamy</sub>, p. 240.

^{76&}lt;sub>New York Times</sub>, July 2, 1961, p. 13.

⁷⁷Ibid., p. 13.

either the Kennedy or Eisenhower administration commanded proficient language skills. Kennedy's appointees did hold a slight edge in prior diplomatic experience. ⁷⁸ Of ten non-career diplomats in Europe during the Kennedy years, only three had formerly served more than two years in diplomatic capacity. (Table II). Senator J. W. Fulbright, Chairman of the Senate Foreign Relations Committee, said that while he had hoped the "New Frontier would be better," the overall picture of diplomatic appointments had not appreciably improved with respect to competence. ⁷⁹

The change of party in the White House did effect some modifications in the primary factors considered by administration officials who appointed ambassadors to Europe. Contrary to the Eisenhower administration, the Kennedy administration did not extravagantly award diplomatic positions to generous contributors. Only one Kennedy-appointed government official contributed more than \$6,000 to Democratic campaigns. Two diplomats, John K. Galbraith and John Rice contributed \$5,000 apiece. Lucius D. Clay contributed \$4,000 exclusively to Republicans. In all, seven diplomats gave to Democratic committees. Only \$26,715 was received from ambassadorial appointees, as compared to a total of over

⁷⁸<u>Ibid</u>., p. 13.

^{79&}lt;u>Ibid.</u>, p. 13.

⁸⁰ Alexander, p. 106.

\$200,000 for each of Eisenhower's campaigns. President Kennedy bucked the tradition of awarding large contributors with shares of the spoils. Joseph Alsop reports that President Kennedy demanded that contributors be warned that no quid-pro-quo commitments for government jobs were to accompany their donations. 81 A few contributions were returned to persons seeking diplomatic prizes.

While it appears that Kennedy frowned upon granting diplomatic spoils to campaign contributors, some qualifications deserve mention here. First, the pressures made by large contributors for spoils were not as great upon the Kennedy campaign as upon the other party. Twice as many "fat cats" donated sums of \$10,000 or more to Republican causes than to the election of Kennedy. Secondly, campaign contributing is not the only method of earning top consideration in diplomatic recruitment. Several ambassadorships have been conferred upon patrons who were instrumental in campaign organizations and fundraising.

Four diplomats who offered their services to Democratic campaigns were rewarded with European ambassador spots. 83

John Rice, former Democratic nominee for governor of Pennsylvania and Chairman of the State Democratic Central Committee (1959-61) was designated ambassador to the Netherlands. As

^{81&}lt;u>Ibid</u>., p. 88.

^{82&}lt;u>Ibid.</u>, p. 59.

⁸³ Who's Who.

noted before, Rice also gave \$5,000 toward the election of Kennedy. James Wine, former Democratic Congressman from Kentucky, won his post to Luxembourg in return for his hard work as special assistant to the Kennedy presidential campaign. William Rivkin acted as Deputy Campaign Director for Adlai Stevenson and as a regional coordinator in the 1960 campaign. He subsequently spent two years at the embassy in Luxembourg William Blair, long-time assistant and friend of Adlai Stevenson, resided at the U.S. post in Denmark for his patronage to the Democratic party. None of these campaign coordinators possessed peculiarly outstanding qualifications for an ambassadorship. In fact, none of them had ever occupied any position related to international diplomacy. One's services to the Democratic campaign emerged as a significant channel of access to European diplomatic rewards during the Kennedy years.

Finally, Kennedy appointed several diplomats who neither exhibited special awareness of diplomatic method nor go on record as substantial campaign contributors or organizers. The appointments of James Gavin (a retired lieutenant general) to France, and Anthony J. D. Biddle to Spain drew Congressional criticism as neither spoke the language of those nations. Moreover, one wonders why a director of chemical companies was chosen ambassador to Switzerland. For many appointments it is fruitless to attempt to explain how the appointees obtained top consideration for their posts. This

problem is not peculiar to any one administration. The annals are filled with appointments of businessmen, lawyers, labor leaders, and journalists who have by some avenue of influence gained favorable consideration for plush diplomatic posts.

Those avenues of financial and organizational support are simply the most influential and also the most readily detected methods of gaining recognition among White House officials.

President Johnson continued the policy of awarding diplomatic positions to campaign organizers and fundraisers. of these campaign patrons were appointed to Europe, two to South America, two to Africa, and one each to New Zealand and Pakistan. Several of these appointments were reassignments of diplomats accredited under the Kennedy administration. example, Sargent Shriver was assigned the French ambassadorship after heading the Peace Corps for five years. Shriver donated \$2,500 to Johnson's presidential campaign. Some of the notable political comrades who sought and obtained ambassadorships were George Feldman and Eugene Locke. Feldman, a Washington lawyer, served as Vice-Chairman of the finance committee for the National Democratic Convention and as Chief Counsel to the platform committee in 1965. Feldman donated \$5,000 to the election of Lyndon Johnson. He, like past diplomats of considerable influence, obtained the ambassadorship to the Grand Duchy of Luxembourg. Eugene Locke managed John Connally's Texas gubernatorial campaign in 1962 and sat as chairman of the Texas Democratic Executive Committee a year later. 1966, he was presented the ambassadorship to Pakistan. Katharine E. White, vice-chairman of the New Jersey Democratic

Committee from 1954 to 1964, was appointed Ambassador to Denmark. Though never having served in diplomatic capacity, she had been active in state government and in two Democratic national conventions. H. Gardner Ackley, Chairman of the President's Council of Economic Advisors from 1962-8, was rewarded with the envoy spot in Rome. Similarly, Ralph Dungan and Edward M. Korry, both special assistants to President Kennedy, received ambassadorships to Chile after Lyndon Johnson assumed the Presidency. Party affiliation and, in particular, active service in the White House and campaign organizations remained influential channels of access to diplomatic rewards in the Johnson administration.

As in the Kennedy White House, the sale of ambassador-ships for financial campaign support to elect Lyndon Johnson was restrained in comparison to the Eisenhower and subsequent Nixon years. Eight appointees donated more than \$3,000 each to 1964 Democratic campaign. The following list reveals the amounts contributed and location of accreditation for these appointees. 84

Harold Linder	Canada	\$61,300
Frederick Mann	Barbados	27,500
W. W. Heath	Sweden	12,500
Raymond Guest	Ireland	11,000
Averill Harriman	At-Large	10,000
A. Biddle Duke	Spain	5,640
George J. Feldman	Malta	5,000

⁸⁴Alexander, Herbert E. <u>Financing the 1964 Election</u>. (Princeton, 1966), p. 128.

Edward Clark

Australia

3,000

\$125,940

Both Duke and Linder had served under the Department of State before their interest in the election of Lyndon Johnson. In 1951, Harold Linder was named Assistant Secretary of State for Economic Affairs and served in that capacity for three years. He also held the positions of President and Chairman of the Export-Import Bank in Washington from 1961-8. Angier Biddle Duke, who had worked for the Democratic Party in New York and contributed to the Johnson election, served in the Foreign Service and as ambassador to El Salvador during the Eisenhower years. Duke's diplomatic experience and Linder's expertise in international economics highly qualified them for ambassadorships to Denmark and Canada, respectively.

Averill Harriman hailed from a family which frequently contributed thousands of dollars to the Democratic Party.

His appointment as Ambassador-at-large reflects the need of a statesman, expert in international relations, to fulfill many of the diplomatic duties demanded of the Secretary of State.

Harriman was appointed by both President Kennedy and Johnson as a roving ambassador to reduce the number of diplomatic trips required of them and their Secretaries of State. During their terms, Kennedy appointed three such roving ambassadors while Johnson utilized the expertise of five ambassadors-at-large. The reliance upon these roving ambassadors reflects a distrust of regular diplomatic channels by Kennedy, Johnson,

and Dean Rusk. Rusk warned "that negotiation must be more than simply a mouthpiece for sheets of paper" placed in front of the ambassador and strongly advocated the use of trained professionals in international negotiations. 85

The remaining contributors to the Johnson campaign lacked the expertise of Harriman. Raymond Guest, Ambassador to Ireland, only briefly served as special assistant to the Secretary of Defense from 1945-1947. Since that time he had lived comfortably as a horse breeder and cattle farmer in Virginia. William Heath, lawyer and regent at the University of Texas at Austin, similarly was awarded the ambassadorship to Sweden for his generous contribution. As noted earlier, Edward Clark received the Australian envoy post because of his longtime business association and friendship with President Johnson 86 And Frederick Mann, president of a corrugated box manufacturing firm, bought a vacation to Barbados for his \$27,500 donation to the Johnson campaign. Mann also had contributed \$10,000 to the election of John Kennedy. appointment of these diplomatic amateurs maintained the trend of awarding undemanding, yet plush, envoy posts to generous contributors or party associates. On balance, the Democratic presidents awarded more posts in return for services to

⁸⁵Burke, Lee H. Ambassador-at-Large: Diplomat Extraordinary (The Hague, 1972).

^{86&}lt;sub>New York Times</sub>, July 9, 1965, p. 8.

party campaigns than for financial contributions.

One interesting highlight of the recruitment of diplomats during the Johnson administration is the distribution of ambassadorships as rewards for outstanding achievement in areas of particular salience to the President. Several appointees had helped to advance the civil rights cause for blacks through advisory or legal capacities. President Johnson appointed more blacks (six) to ambassadorships than any other president. The most active of those, Patricia Harris, earned the prized Luxembourg spot as the first Negro woman ambassador. While she had not served in the diplomatic field, her service toward the promotion of civil rights is impressive. She was Co-Chairman of the National Women's Committee on Civil Rights, Vice-chairman of the National Capital Area Civil Liberties Union, Chairman of the Welfare Committee of the Urban League in Washington, D. C., and sat on the executive board of the D. C. Chapter of the NAACP. The Luxembourg post is not as demanding as the newly established African ambassadorships, at which ambassadors familiar with African cultures were sought to strenghthen diplomatic relations.

Johnson appointed several blacks with orientations to African societies who were instrumental in civil rights issues. Clarence Ferguson and Franklin H. Williams both worked in litigation for civil rights advancement and also served apprenticeships to their African Ambassadorships. Ferguson was General Counsel of the U. S. Commission on Civil Rights,

Civil Rights Advisor to Governor Rockefeller of New York, a member of several presidential commissions, and served on the board of directors in charge of legal defense and educational funding for the NAACP. He also was special coordinator for the relief effort to civilian victims of the Nigerian Civil War in 1969-70. Subsequent to his efforts in Nigeria, he was appointed to the ambassadorship to Uganda. Williams, special counsel for the national office of the NAACP, was appointed by President Kennedy as director of the African Regional Office of the Peace Corps. President Johnson, acknowledging his exploits in both fields, appointed him to the Ghana post in 1965. Johnson appointed others adept in both diplomacy and black relations. Hugh Smythe, Ambassador to Syria, directed research efforts for the NAACP and New York State Commissions on discrimination. After his assignment to the economic and social affairs office of the U. S. mission to the United Nations, he was awarded the envoy spot to Syria. Mercer Cook, similarly a member of the NAACP, received the Gambia ambassadorship from Johnson after serving at that post in Nigeria. Cook had developed extensive knowledge of African relations during two cultural missions to Africa. These examples illustrate President Johnson's intent of awarding ambassadorships to persons who are both knowledgeable in their accredited diplomatic field and accomplished in an arena of particular salience to the administration, i.e., the civil rights issue.

V. OVERVIEW OF THE AMBASSADOR'S CHANGING ROLE AND THE APPOINT-MENT OF NON-CAREER AMBASSADORS

Before analyzing the Nixon policy toward ambassadorial appointments, I will summarize the major developments in the ambassador's function and trends of appointment. First, the role of the American ambassador in foreign policy has changed since the Second World War. Fewer ambassadors are personal emissaries of President delegated to conduct bilateral negotiations. Today's ambassador is more an administrator of a "country team" of foreign ministers representing various bureaucratic agencies abroad. The proliferation of American technical programs directed by these bureaucratic agencies abroad has made increased demands for coordination of policy and reporting. These roles are best performed by career ambassadors who have nurtured diplomatic contacts with officials of a foreign government, and have attained an extensive knowledge of a country, its language, and culture.

There are exceptions in diplomacy requiring the appointment of non-career diplomats. Some non-career diplomats have acquired knowledge of a country or unusual expertise in an issue-area in their occupations. Non-career ambassadors may be appointed to pursue policy objectives which are salient to the President, yet to which State Department bureaucrats are less responsive.

In European posts, entertainment expenses require supplemental incomes unavailable to many Foreign Service

officers, thereby recessitating the appointment of wealthy non-career diplomats. At these posts, experienced Foreign Service officers who have established regular diplomatic contacts with the host government provide expertise which a non-career ambassador may lack. Moreover, in such instances, the demanding coordinative function is assumed by the Deputy Minister, while the ambassador spends most of his time in a representative or ceremonial capacity.

In review of the appointment policies of the three administrations prior to the White House, non-career ambassadors have been appointed for reasons unrelated to functions and demands incurred at diplomatic posts. Appointees have received prestigious diplomatic posts in return for several types of political patronage. Persons particularly active in domestic political issues of importance to the President have been bestowed with ambassadorships as reward for their services. Similarly, top party affiliates have obtained ambassadorships in return for their endeavors in political campaign coordination or finance. Finally, and of primary concern to this discussion, prestigious diplomatic posts have been awarded by Presidents in gratitude for substantial campaign contributions. The Nixon administration, as will be demonstrated, placed primary importance upon the donation of generous contributions in its consideration of diplomatic nominees.

VI. THE NIXON ADMINISTRATION

A. White House Policy Toward Appointments

In February of 1974, President Nixon denied allegations that his administration offered ambassadorships to wealthy contributors. Specifically, he stated that "ambassadorships have not been for sale and I would not approve an ambassadorshop unless the man or woman was clearly qualified apart from his contribution."87 The President's statement concerns two significant facets of the recruitment of diplomats. First, the President asserted his active discretion in recruiting qualified nominees. Secondly, the President declared that political contributions alone did not warrant the appointment of wealthy supporters to envoy posts. In fact, the Nixon administration brokered prestigious diplomatic posts for campaign contributions on an unprecedented scale. The diplomatic post was effectively utilized by members of the administration as leverage to solicit substantial contributions to the 1970 Senatorial campaigns and for the re-election of the President in 1972.

The promise of diplomatic plums for political contributions resulted in the conviction of one administration official for violation of federal law; yet violations of the law are not restricted to one offender nor to one diplomatic

⁸⁷ U.S. Congress. Senate Select Committee on Presidential Campaign Activities. Final Report. 93d Congress, 2d sess. 1974, p. 492 [hereafter referred to as "Senate Select Committee Final Report].

nominee. Specifically, the law states

"whoever, directly or indirectly, promises any employment, position, work, or any other benefit, provided for or made possible in whole or part by any Act of Congress, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in an election, shall be fined not more than \$1,000 or imprisoned not more than one year or both."88

With respect to Nixon's 1974 statement on the sale of ambassadorships, these laws have several implications. First, because the solicitation of campaign contributions was conducted by persons on the White House Staff, the President himself is at least indirectly responsible for any diplomatic posts rewarded in return for contributions or political services. Any evidence of such rewards infers the President's violation of the law. Secondly, violation of the law includes not only the actual quidpro-quo sale of appointive posts but also the promise to consider persons for diplomatic posts in return for campaign contributions. While it proves difficult to establish guilt in courts of law, it is demonstrable that campaign contributors who aspired to serve in government posts solicited and received preferential consideration by administration officials on the appointment of ambassadorships. Thirdly, although President Nixon did not rule out the possibility of awarding top priority to qualified campaign contributors, federal law prohibits the practice of giving special consideration to contributors despite their qualifications.

"Whoever solicits or receives, either as a political contributor, or for personal emolument, any money or thing of value, in consideration of the promise of support or use of influence in obtaining for any person

⁸⁸¹⁸ U.S.C. 600. Memoranda from Steve Sharp to John Doar, dated April 18, 1974.

any appointive office or place under the United States, shall be fined not more than \$1,000 or imprisoned not more than one year or both."89

Hence, despite a nominee's experience in diplomatic affairs, it is arguable that a violation of the law has occurred when the Chairman of the Finance Committee to Re-elect the President sponsors a person for diplomatic assignment on the basis of his contribution to the party.

Penalties also apply to those who pledge money to government officials with the intent of procuring appointed offices or other government favors. 18 U.S.C. 210 states:

"Whoever pays or offers or promises any money or thing of value, to any person, firm, or corporation in consideration of the use of any influence to procure any appointive office or place under the United States for any person, shall be fined not more than \$1,000 or imprisoned not more than one year, or both."

There is no doubt that persons have sought ambassadorships in making political contributions, but no one has ever been prosecuted on such a charge. Conversely, Herb Kalmbach is the only government official ever to be convicted for "selling" an ambassadorship.

While such violations have occurred in previous administrations, I have restricted my investigation of specific cases to the Nixon administration. Prior to 1972, no controlled attempts were made to systematically audit the sizes of campaign contributions and their sources. The records of campaign contributions in previous years have been compiled by Congressional lobby groups and private study groups with the voluntary

 $^{^{89}18}$ U.S.C. 211. Memorandum from Steve Sharp to John Doar, dated April 18, 1974.

support of political finance committees. Inevitably, these records exclude the donations of those persons who wish to protect their anonymity in regard to political patronage. The passage of The Federal Election Campaign Act of 1971 finally effected the public disclosure of all campaign contributions and their sources. Prior to April 7, 1972, the confidentiality of campaign contributions was assured.

The impact of the public disclosure law is astounding when one compares political contributions solicited by Herbert Kalmbach before and after the effective disclosure date. In November 1970 Kalmbach began to solicit some seventy wealthy individuals on behalf of the re-election effort, a project authorized by H. R. Haldeman. His goal figure was \$13 1/2 million. He received \$8,835,040 before the April 7 date of disclosure. 90 The importance of assuring one's anonymity was a key tactic used by Kalmbach. These figures are derived from Common Cause studies and from the Mary Woods list, which was disclosed as a result of court order. After the April 7 disclosure date, Kalmbach received only \$1,823,356 from those solicited. With respect to the sale of ambassadorships, the disclosure law produced profound ramifications. Of the thirteen largest contributions (those over \$25,000) from ambassadors appointed by President Nixon, eleven were made before the effective public disclosure date when the diplomats could be assured of confidentiality. While no administration has

⁹⁰ Senate Select Committee, <u>Final Report</u>, p. 510.

pursued the extensive solicitation efforts of the Nixon staff, one can plausibly assume that contributions to past campaigns have been solicited in complete confidentiality. As to the extent that these contributions represent quidpro-quo agreements for the promise of diplomatic rewards in previous administrations, we can only speculate.

B. The Emergent Pattern of Appointments

The federally enforced disclosure of campaign contributions, coupled with testimony and documents of White House staff members, enables us to discern at first-hand the impact of political patronage in Nixon's appointments to diplomatic posts. Thirty-one non-career ambassadors appointed by Nixon contributed a total of \$1,748,064 as of June 1974 to the re-election of the President. 91 In support of the election of the President in 1968, fourteen appointed ambassadors had given a total of \$241,000.92 When the sizes of contributions are matched against their sources, a curious pattern emerges concerning the accredited assignments of these wealthy contributors. Among those non-career diplomats appointed by President Nixon thirteen contributed over \$25,000 to the re-election effort. Significantly, twelve of these donors held ambassador posts in Western Europe or the Caribbean. The following list reveals those ambassadors who contributed

^{91&}lt;u>Ibid.</u>, p. 493.

⁹² Alexander, Herbert E. <u>Financing The 1968 Election</u> (Lexington, Mass., 1971), p. 353.

over \$25,000 to the Nixon re-election effort. 93

		1972 Total	Date Confirmed
Ambassador	Post	Contribution	by Senate
Arthur K. Watson	France	\$300,000	Apr. 6, 1970
Ruth Farkas	Luxembourg	300,000	Mar. 26, 1973
Walter Annenberg	Great Britain	250,000	Mar. 13, 1969
Leonard K. Firestone	Belgium	115,100	Apr. 10, 1974
Vincent Deroulet	Jamaica	103,500	Sept. 17, 1969
Kingdon Gould	Netherlands	100,900	Sept. 26, 1973
John Humes	Austria	100,500	Sept. 24, 1969
J. Fife Symington	Trinidad & Tobas	go 100,500	July 8, 1969
Shelby Davis	Switzerland	100,000	May 12, 1969
John Irwin	France	,	Feb. 1, 1973
Anthony Marshall	Kenya	48,505	Dec. 18, 1973
Sumner Gerard	Jamaica	38,867	Mar. 20, 1974
John Krehbiel	Finland	29,500	Mar. 26, 1973
		\$1,637,872	

The correlation between large contributions and the diplomatic assignments of those contributors is painfully apparent. The Nixon administration leaned heavily on the contributions of wealthy appointees to Europe and the Caribbean. Seven of the contributors listed received their diplomatic assignments after the contributions were made to the re-election effort. Another study compiled prior to the public disclosure date lists those ambassadors appointed after their contributions to the election of Richard Nixon in 1968.

Name	Post	1968 Contribution
Guilford Dudley, Jr.	Denmark	\$51,000
Vincent Deroulet	Jamaica	44,500
John P. Humes	Austria	43,000
Anthony Marshall	Malagasy Rep.	25,000
John Pritzlaff	Malta	23,000
Kingdon Gould	Luxembourg	22,000
J. Wm. Middendorf II	Netherlands	15,500
		\$224,000

 $^{^{93}}$ Senate Select Comm. Final Report, p. 493 and Alexander, p. 267.

⁹⁴Alexander, p. 353.

All of these appointed ambassadors contributed again to the re-election effort. Four of them (DeRoulet, Humes, Marshall, and Gould) donated sums after their appointment which were substantially larger than those given in 1968. parison of the two lists, one must keep in mind that the 1968 Alexander list does not account for contributions which were not voluntarily disclosed. For example, while Vincent DeRoulet is listed as contributing \$44,500 in 1968, a White House staff memo from Herbert Kalmbach to H. R. Haldeman indicates that DeRoulet gave \$75,000 to the campaign. Confidentiality was profoundly significant to the contributors of the re-election effort. In absence of a disclosure law and committee investigation, the 1972 list would have failed to recognize nearly \$1,000,000 in contributions from ambassadors, since most of their donations were made prior to the April 7 disclosure date. Hence, the list of ambassadors appointed after 1968 contributions represents a most conservative estimate.

Despite the limitations of the 1968 study, the two lists reveal that at least fourteen posts were awarded to persons who had previously contributed over \$15,000 to Nixon campaigns. Were these posts rewards for monetary support? Were the appointees qualified to serve in diplomatic service in light of the demands placed upon today's ambassador?

It is important to note that the primary concern here involves the "sale" of ambassadorships, rather than the performances of each appointee at his post. Certainly, some

businessman has served distinguished terms as ambassadors. Others, such as Arthur Watson, have been replaced because of their ineptitudes. Of real significance to this study are the apprenticeships of each appointee. An appointee's background provides clues as to how he (or she) gained top consideration for ambassadorships from White House Officials. In short, did these persons secure their ambassadorships because they had demonstrated unusual diplomatic abilities in the past or because they had donated substantial campaign contributions?

The answers to these questions can be discovered by analyzing each appointee's diplomatic experience in comparison with that of the professionally trained diplomat recruited from the Foreign Service. Who's Who provided the resumes for this comparison. Of the fourteen persons appointed after contributing large donations to a Nixon campaign, only two had previously served in any diplomatic capacity, Anthony Marshall who had contributed over \$70,000 to Nixon election efforts, has served in various government agencies abroad and has developed a familiarity with African societies. His resume resembles that of the Foreign Service officer. He served as consul to Istanbul in 1958, as president of the African Reserach and Development Company in Nigeria, as special ambassador to the Malagasy Independence anniversary, as a director of the African Medical Research Foundation, and as Director of the Royal African Society (an African studies

association). 95 He has developed a familiarity with his accredited area comparable to that obtained in foreign service apprenticeship terms.

John Irwin, appointed ambassador to France in 1973 after contributing \$50,500, served in the Eisenhower administration as Deputy Assistant Secretary of Defense for International Security Affairs and as assistant to Secretary of State Dulles. During the Johnson years, he headed the U.S. team for Inter-Oceanic Canal Negotiations. Since then, he has been appointed Deputy Assistant Secretary of State and has conducted negotiations with government officials of Peru. He has overseen the appointments process in the Foreign Service and, according to the testimony of one Foreign Service officer, once "ran" the State Department for the Secretary of State. He, too, has more than adequately served in diplomatic capacities.

Yet, Anthony Marshall and John Irwin are the exceptions to the rule in Nixon diplomatic annals. Of the remaining twelve posts awarded to persons who had previously contributed more than \$25,000, none have been filled with qualified appointees. Only two of the appointees have served in government or any diplomatic capacity, and that service is limited when compared to the apprenticeships of Foreign Service officers.

⁹⁵ Marquis, Who's Who in America, 1974.

 $^{96 \}text{U.S. Congress.}$ Senate Committee on Foreign Relations. Hearings on Nominations. 93d Cong., 1st sess., Jan. 31, 1973.

Most of them have not developed any special familiarity with their accredited government or its culture through their occupational experiences. Sumner Gerard, Director of Kaiser Steel Corporation, Kaiser Industries Corporation, and American Motors Corporation, received his orientation to diplomatic method as Mission Director of the U.S. AID program in Tunisia. 97 John Krehbiel, who told the Senate Foreign Relations Committee that his \$30,000 contribution was "in keeping with what I have been giving over the years," was introduced to the diplomatic service as a representative to trade talks with Scandinavian countries, 98 Other than the limited experience of these ambassadors, the remaining ten large contributors had never served in governmental or diplomatic capacity in any way, nor had they acquired a special familiarity with their accredited government, Their occupational apprenticeships are as follows.

- 1. Leonard Firestone (Belgium) President of Firestone Tire and Rubber Co. of California 1943-70. Chairman of Calif. finance comm. to re-elect President.
- 2. Arthur Watson (France) Vice-chairman, IBM 1966-70. Chairman of the Board, IBM World Trade Corp., 1949-54.
- 3. John Humes (Austria) Lawyer
- 4. Guilford Dudley (Denmark) Director of various banks; Pres.,
 Life and Casualty Insurance Co., Chairman of the Board
 of Worldwide Life Assurance Co., Ltd. and President
 of other insurance companies.
- 5. Kingdon Gould (Luxembourg, Netherlands) Chairman of the Board, Murray Corporation.

⁹⁷ Marquis, Who's Who in America, 1974.

 $^{^{98}}$ U.S. Congress. Senate. Committee on Foreign Relations. Nominations, 93d Cong., 1st sess., March 13, 1973, p. 48 and New York Times, March 4, 1973.

- 6. Shelby Davis (Switzerland) Managing partner of Shelby Davis & Co. investment bankers.
- 7. Ruth Farkas (Luxembourg) Sociologist; active in social welfare and educational programs, and wife of N.Y. City philanthropist.
- 8. Vincent DeRoulet (Jamaica) Chairman of the board of marketing and investment companies.
- 9. John Pritzlaff (Malta) In business and investment banking.
- 10. J. Fife Symington (Trinidad & Tobago) President of Maryland lumbering and building company.
- 11.*Walter Annenberg (Great Britain) President of Triangle Publishers Inc. Seventeen Magazine, TV Guide, Daily Racing Form. President of Annenberg School of Communications, Graduate School of Univ. of Pa.

The trend is clear. Most of these political appointees have made their fortunes in business enterprises and all of them contributed substantially to the election and/or reelection of President Nixon. A few (Gerard, Symington, and Pritzlaff) have worked on Republican fund-raising committees. With the exception of Sumner Gerard and Anthony Marshall, none had acquired a working familiarity with their accredited countries prior to their assignments under the Nixon administration.

The possibility that these appointees are confidants of the President who were chosen to carry his immediate sentiments on foreign policy to their posts is doubtful. Although Vincent DeRoulet struck up a personal friendship with Nixon, the President rarely allotted time to visit with ambassadors

^{*}Annenberg donated the bulk of his contributions after his appointment to the London post.

and impress his personal convictions on the significant issues in their missions. 99 Chief of Staff Haldeman carefully shielded the President from petty issues which could be dealt with by his subordinates. Even Peter Flanigan, a senior White House official in charge of recruiting diplomats, rarely saw the President.

C. Fusion of Administration and Campaign Coordination in the White House

The haphazard consideration of wealthy contributors to appointed offices was augmented by President Nixon's efforts to centralize decision-making in his administration. Staff and line duties were fused by the development of a "super-secretary" system which brought certain cabinet officers into the White House as policy-making counsellors. 100 This White House advisory network under the auspices of five primary Nixon aides (Haldeman, Kissinger, Ehrlichman, Schultz, and Ash) gradually excluded the formal bureaucracy from decision-making.

Nixon's affinity for centralized decision-making extended to campaign fundraising efforts. At a press conference on October 26, 1973, the President denied taking an active role in fundraising. 101 In fact, the President participated in

Interview with Bruce Whelehan, Asst. White House Press Secretary.

¹⁰⁰ James, Barbara. The Contemporary Presidency (New York, 1973), p. 162.

Dobriver, William A. and Joseph D. Gebhardt. The Offenses of Richard M. Nixon (New York, 1974) p. 85.

the direction of his re-election campaign, as well as in the solicitation of funds for other Republican races. In 1970, he directed Chief of Staff Haldeman to organize the secret "Townhouse project", an authorization for Herb Kalmbach to solicit funds for disbursement to 1970 Senatorial races. 102 In February 1972, he authorized the creation of the Finance Committee to Re-elect the President. Maurice Stans resigned as Secretary of Commerce to become chairman of the new post. Similarly, John Mitchell stepped down from the Attorney General post to become Campaign Director of the Committee to Re-elect the President. In addition, a "political group" consisting of Mitchell, Ehrlichman, Haldeman and other staff members regularly convened to formulate campaign strategy.

These fundraising projects were directed in strict confidentiality from the White House, independent of the discretion of the National Republican Committee. The President made telephone calls to potential contributors and solicited funds from twenty of his wealthiest supporters at a private dinner aboard the Presidential yacht "Sequoia". 103

A list of all secret contributions was kept by the President's personal secretary, Mary Woods. 104 In addition,

¹⁰²Impeachment Inquiry Staff. "Draft to Appraise the House Judiciary Committee on Impeachment Inquiry." (unpublished). June 25, 1974.

Deposition of Hugh Sloan, Jr. May 25, 1973, in Common Cause v. Finance Committee to Re-elect the President, C.A. No. 1780-72 (D.D.C.)

¹⁰⁴Impeachment Inquiry Staff. "Draft to Appraise the House Judiciary Committee on Impeachment Inquiry." (unpublished). June 25, 1974.

the President telephoned Maurice Stans in August 1972 to remind him that press questions concerning campaign funds were not to be answered. The activities of Maurice Stans, Herbert Kalmbach and the related campaign efforts of other staff members were reported regularly to the President's Chief of Staff, Bob Haldeman. 106

Though many campaign funds were donated in secrecy, the organization of fundraising activities within the White House itself is not illegal or unprecedented. President Kennedy created a fundraising committee in Washington which was independent of the Democratic National Committee. The "Democratic 750 Club", as it was called, was designed to solicit contributions of at least \$1,000 from seven hundred and fifty Democratic supporters. 107 President Johnson transformed the committee into a personal fundraising arm of the 1964 campaign. The new "President's Club" intentionally barred the publication of its donors' names in the hope that the special attractions of privacy and communication with White House officials would lure generous contributions. 108

¹⁰⁵ Ervin Committee, Stans testimony, Hearings 726 (from Dobriver and Gebhardt).

¹⁰⁶U.S. Congress. House of Representatives. Committee on the Judiciary. Statement of Information: Appendix. "Political Matters Memoranda: August 13, 1971 to September 18, 1972. (hereafter referred to as "Political Matters Memoranda").

¹⁰⁷ Alexander, Hubert E. <u>Financing the 1964 Election</u>. (Princeton, 1966) p. 77.

^{108&}lt;u>Ibid.</u>, p. 79.

Johnson's "President's Club" Committee even dispersed over \$50,000 to a few Congressional races in the 1964 campaign. Whether gifts were made to the Johnson committee in expectation of favors is uncertain. Before 1972, contributors to national committees were assured anonymity.

With respect to the incorporation of fund-raising projects in the Nixon White House, we are certain that favors were bestowed upon major contributors. In the Nixon administration, the chief-policy makers and executives were responsible for campaign coordination and finance. The fusion of administrative functions and campaign direction within this elite group of executives reinforced the attention given to special interest groups in return for their political support.

Twelve corporate executives have pled guilty to contributing corporate funds to the re-election campaign. 109 These contributions were made with the intent of seeking the administration's support on particular issues of corporate interest. 110 Anti-trust suits against ITT were dropped by the Justice Department on order of the President. 111 In return for Associated Milk Producers contributions, dairy import quotas were revised and government price supports

¹⁰⁹ Senate Select Committee. Final Report, p. 446.

¹¹⁰ Dobriver and Gebhardt, p. 54.

¹¹¹ U.S. Congress. Senate. Judiciary Committee. Hearings on the Confirmation of Richard B. Kleindienst to be Attorney General, parts 2 and 3, March and April 1972, pp. 243, 371 and New York Times, October 30, 1973, pp. 1, 33.

increased. 112 The President met with dairy executives on the matter of price supports but refused to release tapes of the March 23 meeting on "executive privilege" grounds. 113 Prosecution of Gulf Resources' violation of pollution standards was halted after a \$100,000 contribution was made by that concern. 114 Numerous cases of the purchase of government benefits occurred as a result of the fusion of administrative functions and campaign finance within a small group of White House executives.

Government benefits, in the form of ambassadorial nominations, were also extended to wealthy contributors. The incorporation of campaign finance duties within the White House staff reinforced the attention given to major contributors during the recruitment of ambassadors. Generous contributors could receive serious consideration for ambassadorships through two channels. By contributing to the Finance Committee to Re-elect the President, one's name could be forwarded by Maurice Stans to Peter Flanigan, the White House official in charge of recruiting ambassadors. The merits of Stan's recommendations for ambassadorships depended upon the amounts contributed and party activity of each aspirant. 115

 $^{^{112}\}mathrm{Dolriver}$ and Gebhardt, pp. 61,66.

^{113&}lt;u>Ibid.</u>, pp. 64,65.

^{114&}lt;u>Ibid.</u>, p. 76.

 $^{$^{115}\}mathrm{Personal}$ notes of Steve Sharp, Assistant Minority Counsel for the House Impeachment Inquiry Staff.

recommendations, and reported his choices for ambassador posts to Haldeman.

Contributors could elicit special attention in the recruitment of ambassadors through another channel. Haldeman authorized several independent fundraising projects, undertaken by Herbert Kalmbach. Kalmbach regularly promised to sponsor prospective contributors for ambassadorships in return for contributions or pledges. The results of his solicitation efforts were reported directly to Haldeman. Hence, two channels of access emerged with respect to ambassadorial appointments. Herbert Kalmbach sponsored wealthy contributors for envoy posts and Peter Flanigan, on recommendations from Maurice Stans, designated his own choices for ambassadorships. Both men reported their preferences to Haldeman.

This conflict in jurisdiction engendered disputes between Kalmbach and Flanigan over prospective nominees. Because Flanigan was officially assigned the duties of recruiting ambassadorships, his judgment usually prevailed in disputed cases. As the discussion on individual cases will demonstrate, Haldeman approved several commitments for ambassadorships made by Kalmbach, only to acquiesce in the final analysis to Flanigan's objections. When approached as to who held the final voice on ambassadorships, Alexander Butterfield noted that whereas Flanigan was the "mogul of ambassadorships,"

Haldeman was the "grand mogul". 116

D. The Roles of Individual White House Staff Officials

1.) H. R. Haldeman:

Haldeman, the Chief of Staff, supervised all operations within the White House. His duties covered a wide range of concerns, from drafting the White House budget to the planning of the President's daily schedule. Before the Senate select committee, he described his authority as

"administrative rather than policy-making. I worked directly with the President in the planning and execution of his daily schedule, in providing for him the information he wanted from the members of his staff and the rest of his administration, and in disseminating from him to these people his instructions and opinions."117

Although officially his job was administrative, Haldeman wielded more clout with the President than anyone in Washington because of his direct and continuous access to him. Haldeman's schedule was essentially the same as that of the President, and Nixon spent most of his free time with his Chief of Staff.

Haldeman's activity in the re-election effort was substantial. Of all the members of the coordinating "political group," Haldeman enjoyed the greatest access to the President. An analysis of the daily political matters memoranda, issued to Haldeman by his assistant Gordon Strachan, reveals that "Finances" consistently headed the list of current reports. 118

 $^{$^{117}\}rm{Senate}$ Select Committee interviews. "Testimony of H. R. Haldeman" from Impeachment Inquiry Staff Draft.

 $^{$^{118}\}mathrm{Committee}$ on the Judiciary. "Political Matters Memoranda."

Among the events summarized frequently were the activities of Maurice Stans and Herbert Kalmbach (both key fund-raisers), and notable contributions of aspirants to diplomatic posts. While no evidence exists as to the details of specific conversations, the special attention given to such contributors on political matters memoranda suggests that Haldeman discussed with the President the possibility of exchanging ambassadorships for political contributions.

Haldeman's supervision of fund-raising projects placed him in the nominations arena. As noted, Peter Flanigan was directly in charge of recruiting diplomats. Yet, Haldeman authorized Kalmbach, his chief fund-raiser, to promise contributors serious consideration for ambassadorships.

2.) Peter Flanigan:

The official recruitment of ambassadors in the Nixon administration was handled independently of the personnel office supervised by Fred Malek. Instead, Peter Flanigan, an able White House generalist, assumed the duty of selecting nominees for ambassadorial positions. Flanigan had been named Assistant to the President in April 1969 and his duties in the White House characteristically had been delineated according to specific non-permanent tasks directed by the President. As a successful Wall Street investment banker, Flanigan served as spokesman for big business executives in the White House. Many of the non-career appointees for

ambassadorships hailed from business backgrounds. Flanigan received the high praise of Nixon for his intelligence, decisiveness, and ability to "get things done." Reportedly, some three hundred administration officials owed their jobs to him.

Flanigan's policy on appointments reflects both his clout with businessmen and the emphasis given to financial contributions as a primary factor in considering nominees. In 1972, as part of the selection process, Flanigan solicited lists of major contributors from Maurice Stans, Chairman of the Finance Committee to Re-elect the President. 120 doing so, Flanigan gave Stans lists of vacant posts for him to match with contributors. 121 Stans, in turn, forwarded the names of the most deserving candidates in order of the amounts they contributed and their activity in the party. Evidence suggests that Flanigan gave special attention to these wealthy contributors, but generally did not offer explicit promises to them in return for their donations. Consequently, while ambassadors to Europe contributed enormous sums to the party chest, it is likely that each was one of several prospects for that post who had contributed comparable amounts. Flanigan did offer a reciprocal agreement to Dr. Ruth Farkas for the Luxembourg post; yet, at the same time, he also overruled

¹¹⁹ New York Times, March 20, 1973, p. 24.

¹²⁰ U.S. Congress. House of Representatives. Committee on the Judiciary. <u>Testimony of Witnesses</u>. Box III, p. 618.

¹²¹ Personal notes of Steve Sharp, Asst. Minority Counsel for the House Impeachment Inquiry Staff.

commitments made by Herbert Kalmbach,

In fact, his aversion to quid-pro-quo agreements may have aggravated the strained relations with Haldeman. Flanigan's arrogance and impatience annoyed several White House officials. Alexander Butterfield testified that even the President seldom saw him because Flanigan was "too serious and the President didn't enjoy his company." Disagreements with Flanigan led Haldeman to maintain nebulous lines of authority with respect to political appointments. Some appointments appear to emanate from Bob Haldeman's office whereas others were blocked because of Flanigan's disapproval. Both men, however, were instrumental in the final consideration of nominees.

3.) Herbert Kalmbach:

On the day President Nixon officially stated that his administration was not involved in the sale of ambassadorships, Herbert Kalmbach pled guilty to that very charge. Kalmbach entered the plea of guilt in the J. Fife Symington case, in return for immunity against other cases in violation of title 18, U.S. Code, section 600. 123

After the 1968 election, Kalmbach, the President's personal attorney, was designated to handle the surplus of campaign funds and to assume two independent fund-raising

 $^{^{122}}$ Impeachment Inquiry Staff. "Interview with Alexander Butterfield."

¹²³Senate Select Committee. Final Report, p. 492.

projects. First, Kalmbach solicited funds for distribution to the 1970 senatorial campaigns, an assignment called the "Townhouse" operation. Secondly, Kalmbach was called upon in 1971 to solicit some seventy wealthy patrons for contributions to the 1972 Presidential election. On both assignments, Kalmbach solicited wealthy ambassadors. Moreover, he promised to sponsor wealthy individuals for ambassadorships in return for substantial contributions.

E. The Ambassadorship and the Solicitation of Campaign Funds

1.) The Townhouse Project

The Townhouse Project emanated from President Nixon's desire to see a Republican majority in the Senate. 124 In 1970 a net gain of eight Senatorial seats was needed to attain this end. In addition to this primary goal, Nixon felt that he would wield greater control over the Senate by his authority over the distribution of campaign funds from the White House to selected Senate races. 125 Hence, contributions were collected at the White House level by a secret committee, rather than being solicited for specific races.

Because the committee collected and disbursed funds for senatorial races, it was subject to the regulations delineated by the Corrupt Practices Act of 1925. The Act specifies that all fundraising committees for congressional campaigns file

 $^{$^{124}{\}rm Impeachment}$$ Inquiry Staff, "Draft to Appraise the House Judiciary Committee on Impeachment Inquiry", June 25, 1974 (unpublished).

^{125&}lt;sub>Ibid.</sub>

reports of receipts and expenditures with the Clerk of the House and the Secretary of the Senate. 126 The Townhouse committee failed to report publicly with the Clerk its aggregate receipts and expenditures and the names of contributors. Herb Kalmbach, the principal fund-raiser for the project, pled guilty in aiding this concealed committee. 127

Kalmbach began to solicit funds for the project in April 1970. Sixty-four individuals were solicited in pursuit of a \$3,375,000 goal figure. 128 Kalmbach drafted a list of these individuals in order of the goal figures which would be sought from each person. 129 Of the thirty top prospective contributors, ten were ambassadors, In addition, Fred Russell received an ambassadorship after pledging a contribution. Russell, Under Secretary of the Interior at the time, was nominated Ambassador to Denmark in January 1971 after contributing \$50,000 to the project in April of the previous year. 130

Kalmbach traveled to Europe in 1970 to solicit funds from ambassadors recently appointed in 1968. Upon his return, Kalmbach sent a "personal and confidential,

¹²⁶U.S. Congress. Senate. Committee on Rules and Administration. Federal Elections Act of 1957. 85th Congress. 1st session.

 $^{^{127}\}mathrm{Washington}$ Star News exerpt from notes of Steve Sharp.

¹²⁸ Impeachment Inquiry Staff, "Draft to Appraise House Judiciary Committee on Impeachment Inquiry" June 25, 1974.

 $^{^{129}\}mathrm{Herb}$ Kalmbach, list of names dated May 1, 1970. Contributions file - Sharp material.

¹³⁰ Impeachment Inquiry Staff. "Draft to Appraise the House Judiciary Committee on Impeachment Inquiry," June 25, 1974 (unpublished)

eyes only" memo to H. R. Haldeman to insure the secrecy of his efforts. 131 The memo, dated August 27, 1970, indicated the results of Kalmbach's trip.

Hon.	Kenneth Rush (Germany)	2,000
Hon.	J, Wm, Middendorf II (Netherlands)	23,000
Hon.	Arthur K. Watson (France)	50,000
Hon.	Walter H. Annenberg (United Kingdom)	50,000
Hon.	John Moore (Ireland)	10,000
	Pier Talenti (Switzerland)	20,000
Hon.	Robert Hill (Spain)	5,000
Hon.	John P. Humes (Austria)	25,000
	Tom Pappas (Greece)	50,000
Hon.	Kingdon Gould (Luxembourg)	25,000
Hon.	Guilford Dudley (Denmark)	5,000
	TOTAL PLEDGE AMOUNT \$	265,000.

That fact that Kalmbach made the European trip solely to solicit these ambassadors lends credence to the idea that wealthy individuals were awarded ambassadorships not only on the basis of their 1968 contributions but also on the expectation that they would contribute generously to future campaigns. The appointment of Kenneth Franzheim is a case in point. Franzheim, a wealthy independent oil operator, was appointed Ambassador to New Zealand in 1969. While it is

¹³¹ Haldeman memorandum. Dated August 27, 1970 (from Sharp material).

uncertain that he contributed to the 1968 campaign, he was solicited for \$50,000 by Herbert Kalmbach. ¹³² Since Kalmbach ordered his personal records of the Townhouse solicitations destroyed, it is not known if Franzheim did actually pledge that amount. ¹³³ It is known that Franzheim refused a request to pledge to the re-election effort in 1972, and subsequently lost his ambassadorship in November of that year. ¹³⁴

During his Townhouse crusade, Kalmbach promised ambassadorships in return for contributions to the project. 135 J. Fife Symington, Ambassador to Trinidad and Tobago, was promised the post in Spain on the condition that he pledge a substantial contribution. Vincent DeRoulet was similarly dissatisfied with his Jamaican post, and sought a European envoy spot in return for a \$100,000 pledge. These cases will be discussed in detail later.

2.) The 1972 Re-election Campaign

The 1972 campaign witnessed two channels of fundraising in the White House, both related to the recruitment of ambassadors. As noted, Maurice Stans recommended contributors for ambassador-

 $^{$^{132}{\}rm Kalmbach},~{\rm List}~{\rm of}~{\rm Names}~{\rm dated}~{\rm May}~{\rm l},~{\rm 1970}\,.$ Contributions file. Sharp material.

¹³³ Chronology of Events. Ambassador file, Sharp material.

¹³⁴ New York Times, March 17, 1974.

¹³⁵ Senate Select Committee. <u>Final Report</u>. p. 492.

ships to Peter Flanigan. Yet, the solicitation of the most wealthy supporters was assumed by Herbert Kalmbach on special fundraising tours authorized by Haldeman. Kalmbach's fundraising efforts substantially accounted for one-third of the 1972 campaign finance budget. He solicited more than seventy individuals, collecting pledges amounting to \$12,725,000 of a total \$40 million campaign goal figure. Salmbach's efforts also accounted for 57% of the contributions of over \$100,000 made to the campaign, all of which were pledged prior to the establishment of the formal finance committee. Eighty percent of these were paid prior to the public disclosure date of April 7, 1972. The administration urged that contributors fulfill their pledges before the effective disclosure date in order to insure confidentiality.

In May 1971, Kalmbach traveled to Europe again to obtain pledges toward the re-election campaign. Ambassadors to European posts contributed to Republican campaigns on an unprecedented scale. After visiting seven European capitals, Kalmbach was assured of commitments totalling \$1,200,000 from ambassadors. This figure was reported by Kalmbach to Gordon Strachan, a Haldeman aid, and conflicts with the figures reported by the Senate Select Committee on Presidential Campaign

^{136&}lt;u>Ibid.</u>, p. 507.

^{137 &}lt;u>Ibid.</u>, p. 507.

 $^{138\}textsc{Committee}$ on The Judiciary. "Political Matters Memoranda." September 24, 1971. p. 12.

Activities (see chart p. 66). It is not known whether the ambassadors failed to contribute the full amounts pledged, or whether the Committee failed to uncover all the contributions made by European diplomats. However, since most of these contributions were made prior to the public disclosure date, it is probable that the Committee's records are incomplete. In any event, Kalmbach also noted, in a memorandum to Strachan, that there "is no assurance on these posts after 1973." Probably, Kalmbach implies that he did not grant quid-pro-quo agreements to secure these ambassadorial posts.

With the exception of Middendorf, every ambassador who contributed to re-election effort either remained at his post or received another European spot. Moreover, fifteen of the seventeen ambassadors who contributed more than \$10,000 to the re-election campaign retained an ambassadorship. On the other hand, of the twenty-three non-career ambassadors who contributed less than \$10,000 to the re-election of Richard Nixon, eighteen were replaced in 1973. (See Appendix) If quid-pro-quo commitments were not explicitly granted as Kalmbach testified, these data confirm that the pledge of a substantial campaign contribution was still the primary factor in securing an envoy post for an incumbent ambassador.

¹³⁹ Ibid., p. 12.

¹⁴⁰ Senate Select Committee. Final Report, p. 493.

Kalmbach's success in soliciting funds from wealthy individuals may be attributed to his persistence and tactical style. In his testimony before the Senate Select Committee, Kalmbach asserted that he never inquired as to commitments but rather suggested "goal figures" to individual contributors. 141 At later dates, Kalmbach would return to obtain pledges. These "goal figures" were delineated in blocks of \$25,000. Kalmbach thus emphasized that there were various classes of contributors such as the \$25,000, \$50,000, or \$100,000 brackets. Of course, those persons who contributed \$100,000 or more received the greatest recognition by their membership in the "100 Club." These elites also were placed at the top of the lists given by Maurice Stans to Peter Flanigan for consideration to ambassador spots. In this regard, Kalmbach told the Senate Select Committee that as a rule he had informed contributors that no reciprocal commitments could be made for ambassadorships,

In fact, evidence suggests that Kalmbach did offer ambassadorships to wealthy contributors. He also told the Senate Select Committee that he had violated the "no commitment" policy twice, in soliciting funds from J. Fife Symington and Vincent DeRoulet. 143 Furthermore, whether quid-pro-quo agreements were frequently made or not, contributors were informed that their names would receive highest consideration

¹⁴¹Ibid., p. 505.

¹⁴²Ibid., p. 505.

¹⁴³ Ibid., p. 505.

for posts if they donated substantial amounts. When John Safer inquired as to how he could obtain an ambassadorship Kalmbach offered that "contributions and party identification were often helpful." Kalmbach told Steve Sharp, the Associate Minority Counsel on the Impeachment Inquiry Staff that he would "push anyone who gave money for an ambassadorship." He noted also that if he couldn't endorse a contributor for a post he would not solicit him. Despite Kalmbach's denial of making frequent commitments to contributors, he did promise them high priority on nominations lists.

This patronage policy created animosity between Kalmbach and Peter Flanigan. While Flanigan considered lists of major contributors for ambassadorships, he adamantly opposed explicit commitments. In a political matters memorandum (dated December 16, 1971) to Haldeman, Gordon Strachan states that Kalmbach was "depressed and angry" with Flanigan because he refused to reach agreements on the consideration of ambassadorships for contributors he had solicited. 146 Similar memoranda further demonstrate Kalmbach's disgust at Flanigan's treatment of contributors. 147

These memoranda to Haldeman are indicative of the

 $^{144 \}text{Impeachment Inquiry Staff.}$ "Draft to Appraise The House Judiciary Committee." June 25, 1974.

¹⁴⁵ Sharp notes on Kalmbach interview, undated,

 $^{$^{146}\}mathrm{Committee}$$ on the Judiciary. ''Political Matters Memoranda.''

^{147&}lt;u>Ibid.</u>, p. 104.

administration's desire to satisfy contributors' aspirations for ambassadorships. While Kalmbach and Flanigan disputed over possible nominations, Haldeman was always informed as to the interests of wealthy donors. The same memoranda that expressed Kalmbach's displeasure also informed Haldeman that Leonard Firestone and Clement Stone both sought the London post, while C. V. Whitney and Ruth Farkas desired posts in Spain and Costa Rica. All of these cases were brought to the attention of H. R. Haldeman by Kalmbach in the hope that the Chief of Staff could influence the President, thereby overruling the pompous Flanigan.

Hence, we find Kalmbach in a dual role. First, he was to solicit contributions for the 1970 senatorial and 1972 presidential campaigns. And secondly, he inadvertently sought ambassadorial candidates by emphasizing that greater recognition would be given to those who contributed the largest gifts. These overlapping responsibilities of White House staff officials engendered disputes which will be elucidated in the treatment of individual cases.

F. Cases Investigated by the House Judiciary Committee

1.) J. Fife Symington

J. Fife Symington represents the noblesse oblige character of the "fat cat" patronage to the Nixon Administration. Prior to 1968, Symington had never served the

country in the area of foreign affairs. The president of a Maryland lumber and building company since 1948, Symington had run for Congress on the Republican ticket three times and lost every election. He was also the GOP state finance chairman for Barry Goldwater in 1964 and for Nixon in 1968. 148 After contributing \$5,000, Symington asked Maurice Stans, Chairman for the Finance Committee to Re-elect the President, whether he might be considered for an ambassadorship, responded by forwarding Symington's resume with his endorsement to Peter Flanigan. Symington's name was one of several on a list of campaign contributors given to Flanigan by Stans. Fund-raising and campaign contributing offered an influential avenue to the consideration of aspirants to political posts early in the administration. During 1969, Symington met with Herbert Kalmbach and urged him to remind Stans of his diplomatic aspirations. In May of that year Symington was interviewed by Peter Flanigan in Washington. Symington told Flanigan that he wanted "a challenging appointment," to which Flanigan replied that Trinidad was an important post in the Caribbean. 150 Symington subsequently was named Ambassador to Trinidad and Tobago on June 23, 1969.

Having secured the Trinidad post, Symington pushed for a more prestigious ambassadorship. He remarked to Kalmbach

¹⁴⁸ Impeachment Inquiry Staff. "Initial Draft on Campaign Contributions/Ambassadorships", June 20, 1974. Symington section.

¹⁴⁹ Ibid., Symington section.

^{150&}lt;sub>Ibid.</sub>

that in light of his 1968 campaign work and the generous contributions made by his relative, Helen Clay Frick, he deserved a better post. 151 In 1970, Kalmbach contacted Symington about making a contribution to the Townhouse project. On September 16, they met for lunch, and drew up a list of Symington's preferences for European posts. 152 Kalmbach subsequently testified that Symington made his pledge of \$100,000 to the Republican senatorial races on condition that he was promised a European ambassadorship, preferrably to Spain. To conclude the agreement, Kalmbach called Terry Higby, assistant to the Chief of Staff, in Chicago, where he had gone with Haldeman and the President. One-half hour later, Higby returned Kalmbach's call and said, "Herb, the answer is go. You can go ahead on that." 153 Haldeman refused to comment to the Judiciary Committee about the endorsement on the grounds that he had already testified to the grand jury on the matter. Highy refused to testify for the same reason.

The deal was vetoed by Peter Flanigan. Infuriated,

Kalmbach replied that the commitment "Came right out of Bob's office" and must be honored. 154 Flanigan, however, refused to consider a commitment but contacted Bob Haldeman to confirm

¹⁵¹ Ibid.

 $¹⁵²_{\text{Ibid}}$.

¹⁵³Senate Select Committee. <u>Final Report</u>, p. 498.

¹⁵⁴Ibid., p. 499

Kalmbach's report. Haldeman told Flanigan that Kalmbach must have misunderstood and that he had no authority to make deals with Symington or Vincent DeRoulet. Symington never received his appointment to Spain.

The Symington case illuminates the jurisdictional conflict encountered by the Nixon administration in the appointment of ambassadors. Most importantly, fund-raisers were apparently given authority by White House officials to use the promise of ambassadorships as leverage. The two functions of fund raising and recruitment of ambassadors overlapped, yet were pursued along different lines of authority. Flanigan solicited lists of major contributors from Maurice Stans in considering persons for diplomatic posts. Yet Flanigan refused to acknowledge the commitment made by Kalmbach whose fund-raising authority emanated from Haldeman's office. In the confrontation between the two highest authorities along these lines, Haldeman acquiesced to Flanigan's decision.

2.) Vincent De Roulet

The same pattern of authority emerged with respect to the case of Vincent De Roulet. In 1968, Vincent (Pedge) De Roulet informed Maurice Stans of his desire to obtain a government job in the Nixon administration. Although Stans formally replied that "ambassadorships are not for sale,"

^{155&}lt;u>Ibid.</u>, p. 499.

he did put his name on the list of major contributors forwarded to Peter Flanigan. ¹⁵⁶ Concerning his \$75,000 contribution made in 1968, De Roulet said, "I was seeking some position in government for which I considered myself qualified and I knew that there were only three or four ways to get it, one of which was money." After meeting with Flanigan, De Roulet was subsequently appointed Ambassador to Jamaica in September 1969.

During his tenure as ambassador, De Roulet earned a reputation as the worst American diplomat in the field, ¹⁵⁸
He blocked efforts by the federal government's overseas Private Investment Corporation to guarantee loans on U, S. bauxite and aluminum investments in Jamaica. In disobeying State Department orders, he said, "There are certain things a free-wheeling guy with lots of money can do." De Roulet also offended Jamaican government officials on several occasions, a habit which culminated in a persona non grata declaration by that government in July 1973. ¹⁶⁰

During his stay in Jamaica, De Roulet continued to seek a more prestigious government position. Herb Kalmbach

^{156&}lt;u>Ibid.</u>, p. 501.

^{157&}lt;sub>Ibid.</sub>, p. 501.

¹⁵⁸Crile, George. "One Man in Jamaica." <u>Foreign</u> <u>Service Journal</u>. Feb. 1975. p. 15.

^{159 &}lt;u>Ibid.</u>, p. 18.

¹⁶⁰ New York Times. July 21, 1973. p. 8.

met with De Roulet several times in 1970 to solicit a \$50,000 contribution toward the White House fund for the senatorial campaigns. Upon obtaining a pledge of \$100,000 from De Roulet on May 8, Kalmbach wrote these remarks in a memorandum:

- "(1) He (De Roulet) would like to have my 'sponsorship' for an appointment to one of the following posts at some time in the next 18 months to 2 years:
- a) Secretary of protocol
- b) Italy
- c) Spain
- d) Portugal
- e) Brazil
- f) Argentina
- (2) No commitment was made to any of this, It was agreed that I would talk to Maury and HRH and after being certain of no negatives I'm so to advise Pedge. His pledge would then become firm."161

Kalmbach further told De Roulet that after he had been advised on his sponsorship, any contribution made must be "completely anonymous." 162 A few days later, Haldeman ruled on the De Roulet matter. He told Kalmbach:

"Tell Pedge there's no black ball on him. Get cash from him; get cash whenever you can."163

De Roulet, like Symington, pledged his contribution on the condition that he would receive an ambassadorship, In both cases, the pledges were secured after authorizations from Haldeman that envoy posts were forthcoming. Kalmbach testified

¹⁶¹ Impeachment Inquiry Staff. "Initial Draft on Campaign Contributions/Ambassadorships," June 20, 1974. De Roulet section.

^{162&}lt;sub>Ibid.</sub>

^{163&}lt;sub>Ibid</sub>.

before the Senate Select Committee that De Roulet had obtained a firm commitment at one of several meetings with the Chief of Staff. Though Kalmbach was the only administration official convicted of rewarding special consideration to campaign contributors in the appointments process, he actually served as a liais on between them and Haldeman's office. Moreover, Haldeman attempted to conceal the Townhouse project by demanding that contributions be made anonymously.

According to Kalmbach's testimony, Peter Flanigan was the only White House official to veto the De Roulet quid pro quo. 165 Others who had been advised of the commitment (Haldeman, Stans, Strachan, Higby, and Anderson) refused to address the committee on this matter. Both Stanton Anderson and John Connally had been informed by Haldeman that De Roulet was to be awarded the Swedish post, one not listed among De Roulet's preferences. Yet the nomination never materialized. Heeding Flanigan's objection, Haldeman agreed that De Roulet's contribution should be returned as the commitment for the European post could not be met. 166 Hence, while Kalmbach issued quid-pro-quo commitments upon Haldeman's authorization, Peter Flanigan, again, blocked the nomination. The decision to return the contribution, after

¹⁶⁴ Senate Select Committee, Final Report, p. 502,

^{165&}lt;sub>Ibid.</sub>, p. 502.

¹⁶⁶ Impeachment Inquiry Staff. "Initial Draft on Campaign Contributions/Ambassadorships." June 20, 1974. De Roulet section.

dropping De Roulet from consideration for diplomatic post, is indicative of the administration's conception that ambassadorships had been "sold" for campaign funds.

3.) Ruth Farkas.

Dr. Ruth Farkas purchased her post to Luxembourg for \$300,000. Prior to her appointment, she was active in education and local civic organizations. She is the wife of the philanthropist, George L. Farkas, who founded the Alexander's department store chains.

Before the Senate Foreign Relations Committee, Mrs. Farkas testified that her contribution was made to show her approval of President Nixon's detente policies. She further said that she was first informed about a possible appointment in August of 1972. Mrs. Farkas perjured herself. In fact, she had met with Kalmbach on August 4, 1971 and discussed the possibility of obtaining an ambassadorship in exchange for her pledge of a substantial gift. Kalmbach discussed this meeting in his interview with Steve Sharp. Peter Flanigan, who set up the meeting, told Kalmbach that Mrs. Farkas was interested in an appointment to Costa Rica. When Kalmbach mentioned a \$250,000 goal figure, Mrs. Farkas replied to the effect that "isn't that a lot for Costa Rica?" 169

¹⁶⁷U.S. Congress. Senate Hearings before the committee on Foreign Relations. Nominations. March 13, 1973, p. 47.

¹⁶⁸Impeachment Inquiry Staff Report. Initial Draft, Campaign Contributions/Ambassadorships. Farkas section,

Impeachment Inquiry Staff of the House Judiciary Committee. Interview with Herbert W. Kalmbach. July 9, 1974. p. 26.

Then she inquired into the possibility of obtaining a European post. At the meeting's end, Kalmbach agreed to sponsor her for a post in return for a generous contribution. By the next month, a commitment was made. In a "Political Matters" memo to Haldeman dated September 24, 1971, Gordon Strachan reports that "the only commitment Kalmbach is aware of at this time is Farkas for Costa Rica." 170

Kalmbach at this point had a falling out with Flanigan.

In a meeting between the two, Kalmbach was infuriated at

Flanigan for objecting to commitments for Symington and De

Roulet while, at the same time, approving the Farkas agreement,

Kalmbach argued that commitments should be kept as a matter of honor, to which Flanigan interjected that only Farkas was capable. Afterwards, the solicitation of Mrs. Farkas' contribution was assumed by Maurice Stans.

Half of Mrs. Farkas' contribution was donated after the 1972 election when the presidential campaign chest contained an ample surplus. Mrs. Farkas replied that though her pledge was made before the election, she and her husband could not make the total contribution until they could sell some stocks on a favorable market. Three days after the last of of some 17 checks were received by various committees, the

U.S. Congress. House of Representatives. Committee on the Judiciary. Statement of Information: Appendix. Political Matters memorandum. p. 12.

¹⁷¹ Impeachment Inquiry Staff of the House Judiciary Committee. Interview with Herbert L. Kalmbach. July 9, 1974. p. 28.

administration announced her nomination to Luxembourg. 172

4.) Other Commitments

In an interview with the impeachment inquiry staff, Kalmbach stated that he urged Haldeman to consider a number of persons for ambassadorial nominations. These were persons whom Maurice Stans felt were deserving because of the financial support or activity in the 1968 campaign, ¹⁷³

C. V. Whitney, President of Whitney Industries and founder of Pan American Airways, offered to contribute up to \$250,000 to the Nixon re-election campaign and expressed his interest in the ambassadorship to Spain. 174 In July 1971, his name was forwarded to Peter Flanigan by Attorney General John Mitchell and the contribution was made that same month. Though Flanigan was impressed by Whitney in his interview, he dropped Whitney from the nomination list because of his age. 175 Whitney was seventy-two. In his testimony before the Senate Select Committee, Whitney denied that he sought the ambassadorship, yet his checks were returned to him. Subsequently, Whitney refused to recontribute until a year later when he donated \$50,000 to the Nixon re-election campaign. 176

¹⁷² Impeachment Inquiry Staff. Initial Draft, Campaign Contributions/Ambassadorships. Farkas section.

¹⁷³Impeachment Inquiry Staff. Interview with Herbert Kalmbach. July 9, 1974. p. 26.

¹⁷⁴ Impeachment Inquiry Staff. Initial Draft. Campaign Contributions/Ambassadorships. Whitney section.

¹⁷⁵U.S. Congress. Senate. Select Committee on Presidential Campaign Activities. <u>Final Report</u>. p. 505.

^{176&}lt;sub>Ibid., p. 505.</sub>

In 1971, John Safer, a Washington sculptor and fund-raiser for the 1968 McCarthy campaign, indicated his willingness to contribute \$250,000 to the President's reelection. In their initial meeting, Herb Kalmbach discussed sponsoring Safer for an ambassadorship to Norway, Sweden, Switzerland, Netherlands, Belgium, Denmark, Argentina, Brazil, Mexico or Australia (in order of his preference). 177 Kalmbach requested authorization from Haldeman that Safer receive "serious consideration" to one of these posts, yet the Chief of Staff agreed with Gordon Strachan that this commitment was not warranted. 178 Strachan urged that the "serious consideration" promise held damaging implications. Though Kalmbach denied Safer a quid-pro-quo agreement, he did promise to forward his name to Maurice Stans for a possible European post. Stans called Safer in March of 1973 to inform him that he was under consideration for the diplomatic post in Canada. 179 Yet, for reasons that are not clear Safer was eventually dropped from the list of prospective candidates.

In both these cases administration officials continued "sponsoring" major contributors for ambassadorships. Some bids may have been discouraged by a statement issued by Senator

¹⁷⁷ Impeachment Inquiry Staff. <u>Initial Draft</u>. Campaign Contributions/Ambassadorships. Safer section. Dated June 15, 1974.

¹⁷⁸U.S. Congress. House of Representatives, Committee on the Judiciary. Statement of Information: Appendix. Political Matters Memorandum, p. 33.

¹⁷⁹ Impeachment Inquiry Staff. Initial Draft, Campaign Contributions/Ambassadorships. Safer section,

Fulbright, Chairman of the Senate Foreign Relations Committee in the fall of 1971. In response to the administration's abuse of the practice, Senator Fulbright warned that the committee would frown upon nomination of persons who had contributed more than \$10,000 to the Republicans. 180

The impact of the warning however was indecisive, as the administration continued to seek major contributors for diplomatic posts (e.g. the Farkas case).

6.) The President's Involvement in the Sale of Ambassadorships

The President is responsible for the tactics used by members of his White House staff in soliciting campaign funds. Moreover, every ambassadorial appointment in the final analysis is subject to his approval, thereby burdening him with the final responsibility for any unlawful acceptance of money to influence the recruitment of diplomats. However, did the President himself authorize quid-pro-quo agreements? Was the authorization rather a tacit approval of the recruitment procedures of his staff? Did the President have any knowledge of either quid-pro-quo commitments or the special consideration given by his staff to generous contributors for diplomatic posts?

Several clues implicate the President's involvement in the sale of ambassadorships. First, the President was very interested in campaign finance. He authorized two fund-raising

^{180 &}lt;u>Ibid.</u>, Whitney section.

campaigns, the Townhouse project and the solicitation of wealthy individuals by the Finance Committee to Re-elect the President. The former campaign was cloaked in secrecy. Mary Woods, the President's personal secretary, maintained records of secret contributions made to the 1972 re-election effort. The President even urged Maurice Stans to abstain from answering press questions on campaign finance. The President personally solicited contributions at a dinner with wealthy supporters and on occasion by phone,

Second, Haldeman's testimony as to the nature of his job reveals that the President's concerns were the same as those of his Chief of Staff. Haldeman remained on call to the President at all times. His primary duty was to relay staff advice to the President and, in turn, to dissimenate Presidential directives to staff members. The fact that the most generous contributions of wealthy supporters as well as of diplomatic aspirants were the first topics of discussion in Strachan's memos to Haldeman infers that these matters were of paramount importance to the President's Chief of Staff, It seems probable, though not conclusive, that this information was passed to the President.

Third, Herbert Kalmbach's precarious relations with

Peter Flanigan led him to seek Haldeman's approval of quid

pro quos. Before acting on matters of such concern to the

President, Haldeman would probably have discussed the possibility

of confirming commitments with the President. However, again

no record of specific conversation between Haldeman and the President exist to attest to the truth or falsity of this inference.

Fourth, the wide scope of preferential treatment given to generous contributors by the most authoritative figures in the White House makes it difficult to believe that the President was isolated from such knowledge. For not only did Kalmbach report quid-pro-quo commitments to Haldeman, but Peter Flanigan solicited the names and diplomatic preferences of generous contributors from Maurice Stans before screening nominees.

The President must have known of the preferential consideration given to "fat cats" for diplomatic posts. His knowledge of such treatment represents at least tacit approval if not active participation in the issuance of diplomatic rewards for campaign contributions and service to the party.

VII. CONCLUSION

It is evident that ambassadorships were "sold" for campaign contributions by members of the Nixon administration, Some of these rewards emanated from explicit reciprocal commitments, while others represented understandings between contributors and administration officials that substantial gifts would assure "serious consideration" for diplomatic Often several contributors vied for the same post. He who contributed the largest gift won top priority on recommendation lists. This systematic use of the ambassadorship as leverage in soliciting campaign contributions is unsurpassed. Total receipts from ambassadors were five times those contributed by envoys appointed during the Eisenhower administration. Ambassadors who contributed substantially to the 1972 re-election campaign secured their posts, whereas most of those who contributed nominal sums were replaced. short, the donation of an enormous campaign contribution was the most direct avenue of securing an ambassadorship in the Nixon administration. The responsibility for the improper and illegal use of government positions as leverage in the solicitation of campaign funds ultimately rests with the President.

To be sure, the distribution of diplomatic spoils is not unique to the Nixon administration. President Eisenhower also awarded prestigious European posts to wealthy campaign contributors with little diplomatic expertise. While Kennedy refused to offer

diplomatic plums in exchange for campaign contributions, he did appoint several persons who donated their services to the 1960 Democratic Campaign. President Johnson gave ambassadorships to Kennedy staff members and to campaign contributors. Ambassadorships were awarded to persons accomplished in the promotion of civil rights, an issue of particular salience to Johnson. Though the practice was not as widespread under these administrations, the use of the ambassadorships as reward for gifts or services violated federal law.

During the Nixon administration, European ambassadorships were reserved not to the wealthy but to wealthy campaign contributors. This practice is unjust. For professional diplomats from the Foreign Service are the most qualified candidates for ambassadorships, yet are denied access to prestigious posts. Reporting and coordinating burdens placed upon an embassy staff are compounded when an amateur is appointed to an ambassadorship. Furthermore, the amateur diplomat relegates himself to a titular spokesman, thereby encouraging foreign ministers to avoid diplomatic channels and express their concern directly with the White House. Such occurrences undermine the concept of professional diplomacy advocated by the State Department.

Ambassadors to European posts should be adequately remunerated for exorbitant costs incurred in their duties.

Although the London, Paris, and Rome posts are indeed high-

priced diplomatic plums, there is reason to believe that many expenses are not inherent to the ambassador's job. For the more wealthy ambassadors tend to spend in accord with an unnecessarily high standard of living. Ambassador Annenberg spent more than a million dollars refurbishing his elegant estate. Less wealthy ambassadors would cut back on unnecessary spending. Foreign Service officers should be allowed access to European posts. Increases in annual salary and supplemental entertainment income should be appropriated to compensate for the costs of major posts.

Whereas ambassadorships should not be reserved for wealthy campaign contributors, serious objections may be raised against the prohibition of an ambassador's right to contribute to the political party of his choice. It can be argued that such a prohibition would violate one's freedom of expression. However, presently Foreign Service officers, like all civil servants, are restrained by law from contributing to federal election campaigns. Non-career ambassadors should similarly be subjected to this restraint.

The new campaign finance law offers the best remedy against the sale of ambassadorships. The 1974 amendments to the Federal Election campaign Act of 1971 limit individual contributions to presidential candidates. The Supreme Court has upheld the requirement that individuals may contribute no more than \$1,000 to any presidential candidate. A loophole remains, however, in that individuals may spend unlimited amounts of money on behalf of the candidate, as long as such

spending is not authorized by the candidate himself. The law also requires the public disclosure of all contributions over one hundred dollars. Hence, not only will individuals be prohibited from "buying" ambassadorships with unusually large contributions, but also records on campaign contributions will be available to the Senate Foreign Relations Committee prior to their inquiries of ambassadorial nominees. The spending limit will relieve Presidents of their perceived obligation to reward campaign supporters for their contributions. Moreover, these limits will eliminate the practice of using diplomatic appointments to lure campaign contributions.

The new law does not reduce the impact of other types of influence used by individuals in obtaining ambassadorships. Particularly during Democratic administrations, one's service in campaign management and finance frequently provided an avenue to the securement diplomatic rewards. Such patronage is likely to increase with the restraints placed upon campaign contributions. Aspiring individuals are now likely to pursue diplomatic plums either through enormous private expenditures on behalf of a candidate or through their active service in presidential campaigns. The Senate Foreign Relations Committee has not addressed itself to these forms of patronage, as they are harder to perceive and quantify. Certainly it is difficult to determine whether the President has nominated a non-career ambassador because of his desire for a personal emissary or because he is responding to favors rendered in the past. Yet,

the recent warnings of the Committee against the nomination of unqualified persons who contributed large gifts to the 1972 campaign suggest that that body is changing its policies toward the use of the ambassadorships as reward for political support.

Ambassadorial appointments should be based upon a nominee's experience on diplomatic missions or upon his peculiar expertise in a foreign nation's affairs, and not upon favors rendered to political campaigns. Statutory limits upon campaign contributions and critical attitudes by Senate Foreign Relations Committee members must discourage the distribution of diplomatic spoils for political support. For recent events have demonstrated that the "spoils system", a term frequently mentioned as past history in American government texts, will continue to thrive in the absence of controls on political campaign finance.

APPENDIX

CONT	TRIBUTIONS OF AMBASSADORS	APPOINTED BY	PRESIDENT	NIXON	
		Date	Pre-	Post-	
		confirmed	Apr.7,	Apr.7,	
Name	Post	by Senate	1972	1 972	Total
Adair, E. Ross	Ethiopia ^l	May 11, 1971			
	Great Britain				\$254,000
Campbell, James F	El Salvador	Feb. 8,1974			
	do ¹				25,000
Crowe, Philip K	Norway ^l	May 1,1969		500	500
Davis, Shelby	Switzerland	May 12, 1969	100,000		100,000
	Jamaica ^l			3,500	103,500
	Denmark			2,500	2,500
	Belgium ^l				
arkas, Ruth L	Luxembourg	Mar.26, 1973		300,000	300,000
	Iran ¹			12,300	22,300
Ferguson, Clarence C	Uganda ^l	Mar.16, 1970			
Firestone, Leonard K	Belgium	Apr.10, 1974	100,000	15,100	115,100
Franzheim, Kenneth	New Zealand	July 30,1969			
Gerrard, Sumner	Jamaica	Mar.20, 1974	38,867		- 38,867
Gould, Kingdon	Netherlands	Sept.26,1973	100,000	900	100,500
Helms, Richard	Iran	Feb. 8, 1973			
	Argent <u>i</u> na				750
Holland, Jerome H	Sweden ^l	Feb. 16,1970			
Humes, John F	Austria	Sept.24,1969	100,000	500	100,500
	South Africa				
Ingersoll, Robert S	Japan ¹	Feb. 25,1972	3,000		3,000
rwin, John N	France	Feb. 1,1973	50,000	500	50,500
Keating, Kenneth	Israel	June 15,1973		3,000	3,000
Kintner, William R	Thailand	Sept.26,1973			
	Finland				
Lodge, John D	Argentina ^l	May 23,1969		200	200
	Turkey				500
	Kenya				48,505
	Romania ¹				

		,		
Melady, Thomas PUgandal	June 12,1972			
Middendorf, J. WmNetherlands	June 12,1969		2,000	2,000
Miller, Lloyd ITrinidad & Tobago	Dec. 19,1973		25,000	25,000
Moore, John D.JIreland	Apr. 18,1969		10,442	10,442
Moynihan, Daniel PIndia 1	Feb. 8,1973			
Neumann, Robert GMorocco	Sept.19,1973			
Peterson, ValFinland 1	May 1,1969			
Plooser, Walter CCosta Rica 1	Apr. 6,1970			
Pritzlaff, John GMalta	July 8.1969		1.000	1.000
Replogle, Luther IIceland 1				
Rice, Walter IAustralia	Aug. 13,1969		- 1,000	1,000
Rivoto, Adm. HoratioSpain	Sept. 8,1972			
Rush, KennethGermany	July 8,1969		- 2,000	2,000
Russell, Fred JDenmark 1	Jan. 3,1971			
Sanchez, Phillip VHonduras	May 17, 1973			
Schmidt, AdolphCanada	July 8,1969		- 1,000	1,000
Scott, Stuart NashPortugal	Dec. 18,1973			
Selden, ArmisteadNew Zealand, Fiji &	Feb. 27,1974			
Tonga, and Western				
Somoa				
Smith, Robert SIvory Coast	Feb. 8,1974			
Strausz-Hupe, RobertSweden	Apr. 25,1974		1,000	1,000
Symington, J. FifeTrinidan & Tobago	July 8,1969	100,000	500	100,500
Vaughn, Jack HoodColumbia 1				
Volpe, John AItaly				2,000
Watson, Arthur KFrance 1				303,000
Total				1,748,064

 $¹_{\mbox{No}}$ longer serving in this post.

Melady, Thomas PUgandal	June	12,1972			
Middendorf, J. WmNetherlands 1	June	12,1969		2,000	2,000
Miller, Lloyd ITrinidad & Tobago	Dec.	19,1973		25,000	25,000
Moore, John D.JIreland	Apr.	18,1969		10,442	10,442
Moynihan, Daniel PIndia 1	Feb.	8,1973			
Neumann, Robert GMorocco	Sept	.19,1973			
Peterson, ValFinland	May	1,1969			
Plooser, Walter CCosta Rical	Apr.	6,1970			
Pritzlaff, John GMalta	July	8,1969		1,000	1,000
Replogle, Luther IIceland 1	(do			
Rice, Walter IAustralia	Aug.	13,1969		- 1,000	1,000
Rivoto, Adm. HoratioSpain	Sept	8,1972			
Rush, KennethGermany	July	8,1969		2,000	2,000
Russell, Fred JDenmark 1	Jan.	3,1971			
Sanchez, Phillip VHonduras	May :	17, 1973			
Schmidt, AdolphCanada	July	8,1969		1, 000	1,000
Scott, Stuart NashPortugal	Dec.	18,1973			
Selden, ArmisteadNew Zealand, Fiji &	Feb.	27,1974			
Tonga, and Western					
Somoa					
Smith, Robert SIvory Coast	Feb.	8,1974			
Strausz-Hupe, RobertSweden	Apr.	25,1974		1,000	1,000
Symington, J. FifeTrinidan & Tobago	July	8,1969	100,000	500	
Vaughn, Jack HoodColumbia 1	May	23,1969			
Volpe, John AItaly	Feb.	1,1973		2,000	2,000
Watson, Arthur KFrance	Apr.	6,1970	300,000	3,000	
Total			1,325,372	422,692	1,748,064
				1	4

¹No longer serving in this post.

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