



H. R. Haldeman Diaries Collection, January 18, 1969 – April 30, 1973

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Sunday, June 20th. At Key Biscayne. The President was on the phone for a long time this morning, caught me over at the hotel at breakfast, then frequently on various ideas during the day as they came up, all regarding the *New York Times* case. He firmly rejected Scali's line of calling the press in and making, or the editors and so on in, and the heads of editors associations to make his case, feeling that that was putting himself before a hanging jury, and that his only chance is to go direct to the people. He wants to be sure, though, that we consider carefully the possibility of not doing anything, rather leaving it scrambled around the way it is, so that we wait and see what effect it has. His point is that we have two basic issues that are being made by the opposition: one, that the people were deceived; and two, the attack, that we're attacking the freedom of the press. Our lines are just the opposite of each of those: one, that this isn't our war, we didn't deceive them; and two, that the press is bad, that it's not a question of freedom of the press, it's a question of license of the press.

He wanted me to have Colson get a series of calls going around the country, which we did. He wanted to go ahead with the poll, which we spent, I spent most of the late afternoon trying to put together, so we could get it done and in the field tomorrow. He's afraid that this does make the war look bad, but there's nothing that we can do about that. We can't fight the thing on all fronts. We, the main thing is that we can't allow public, publicizing of confidential documents. He wanted me to get Buchanan on it, to take it over. The President then got fussing about it, saying, I guess maybe I'm going to have to step in and take this over and give focus to it. Ehrlichman is being buffeted by the lawyers, and that he's worried about the legal case; whereas, the PR is a totally different problem than the legal one. The real problem that he felt, was that Haig's on vacation and Henry's down here, so there's no one there in charge and to shape up the bureaucracy and ride herd. He wants Henry to get onto this and get off of China and his other problems for a while. He makes the point that we've got to get across the case on the highly sophisticated stuff: the codes, foreign government assurances, and all of that. He thinks it's significant that Henry reported to him that this is all getting an enormous play in *Izvestia*. He



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also makes the point that we should not presume that the only road is for the President to go on television. We should not do it unless we can win public opinion by doing it. We have to know that it's in the ball park. The problem is people may not care that much. He says he knows Scali's plan is no good, of calling in the press people. If he goes on TV, he doesn't need any pre-buildup, he can just go on.

Ehrlichman made the point in a later discussion, that his theory is that we've got to either make a very strong showing or fold our case as of now. The President called on later on the point of getting the exact number of stolen documents that were involved and change the story to an interest story on how it all got out, and try to get this going on the television networks. He also thinks that this may really be a chance for Agnew to be heard on this issue, and he wants Buchanan to write a 3,000 word speech for Agnew of the best things that he can say. He feels that maybe it would be better not to get the President going against the *Times* and *Post*, instead have Agnew do it, because he's stuck with the issue in any event. This would be a speech with moderation but great conviction. Making the point that this is what he's been talking about for the last two years, not a whining or carping thing, but high level. It could rehabilitate him, making the point that this is the press irresponsibility at its worst, as he's been discussing.

He also called to have me call Bill Rogers and ask him to really work with Ehrlichman in pulling all this together, giving him his best advice, etcetera. He wanted some, then oh, then he explained to me that the way we've got to understand this, that in order to understand this whole thing, we have to understand the Hiss case. That they're very similar, although none of us really realizes it. In that case too, the papers themselves didn't make any difference. They were old and outdated and unimportant; the key thing was that we got across the point that Hiss was a spy, a liar, and a Communist. That was the issue. The question on this one is basically the same thing. These papers are not what are important in themselves; what is important is that someone stole



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them and that the *Times* printed them; and that's the point that we've got to get across. He feels strongly that we've got to get Ellsberg nailed hard on the basis of being guilty of stealing the papers; that that's the only way we're going to make the case of the press having done something bad and violated the law in publishing stolen documents. He feels Ehrlichman's problem is that the people advising him are all overboard: Scali's overboard regarding the press; Moore's overboard as a lawyer; none of them are oriented to the PR politics side. He makes the point that the *Times* aren't playing the legalism; they're playing the PR point. The law's against them and they know it, but they don't worry about it.

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We also need to build the Canadian and Australian objections to this; apparently there's a possibility of a Romanian complaint also.

We can make some headway out of that. He raised the question of where the Cabinet is on this; why aren't any of them speaking out and doing something about it?

End of June 20th.