

**NIXON PRESIDENTIAL MATERIALS STAFF****Tape Subject Log***(rev. 10/08)*

Transcript #1: Part of a conversation among President Nixon, John D. Ehrlichman, Stephen B. Bull, and Alexander P. Butterfield in the Oval Office between 12:35 pm and 2:08 pm on October 25, 1971

Conversation No. 601-33#1

[Noise]

Ehrlichman: A lot of, uh --

President: Yeah, complicated matters.

Ehrlichman: Heavy going, right.

President: That's very fine job they're doing [unintelligible].

Ehrlichman: They're, they're good guys.

President: People [unintelligible].

[Writing sounds]

President: [Unintelligible] judgments [unintelligible].

Ehrlichman: I, uh, I, uh, don't feel comfortable -- yet

President: [Unintelligible].

Ehrlichman: Well, uh, I'm satisfied with that, it's the basic political question going for new

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tax...

President: Yeah.

Ehrlichman: ...that bothers me.

President: [Unintelligible].

Ehrlichman: And, uh, [unintelligible] necessary?

President: So?

Ehrlichman: I, I can see, I can see all kinds of negatives in it...

President: Yeah.

Ehrlichman: ...in terms of people saying, you know, here's the economy.

President: Another thing, too, that I've been thinking about. I've been very interested to note that your, uh, your, your fellows in their analysis of the polls showed the rather modest support that we're getting.

Ehrlichman: That's right, that's right.

President: In other words, uh, it was less than I had predicted [unintelligible]. I, it might be, it might be advantageous I guess.

Ehrlichman: [Unintelligible].

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President: I can see, for example, why we had to do entire [unintelligible]. It was basically an issue that could have been a hell of an issue, otherwise.

Ehrlichman: Yeah, yeah.

President: Revenue sharing, I think was just something we just did...

Ehrlichman: Defensive --

President: [Unintelligible].

Ehrlichman: Defense --

President: Just to be doing something, to be trying --

Ehrlichman: Well, it's, it's our answer to the problems of the cities, the farms --

President: Problems of the [unintelligible] and all that, as far as the average guy is concerned, it didn't make much, uh, it didn't make as much headway. I wonder this year if, ah, we really want to go on a new, a great new initiative, I wonder, I wonder, I --

Ehrlichman: Well --

President: I -- you see, the point that I, uh, raise and incidentally, this is related also to our problem on Hoover. I read his, I mean your memorandum. That's a very good fellow, is it Liddy?

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Ehrlichman: Liddy.

President: Smart, isn't he?

Ehrlichman: Yeah, very.

President: Must be conservative as hell.

Ehrlichman: Conservative?

President: Smart. How'd he get, why'd get in the Bureau?

Ehrlichman: Uh, he was Hoover's ghost writer. Uh, did a lot of Hoover's speeches.
[Unintelligible].

President: And Hoover fired him?

Ehrlichman: And, uh, no, no, he got disillusioned. And, uh, he, he put in for a transfer and we found him over in, uh---

President: Let me tell you what I have a feeling on it. It's a way out thing. His, his analysis of Hoover from a psychological standpoint is tremendously perceptive. We may have on our hands here a man who will pull down the temple with him, including me. I don't think he would want to, I mean he considers himself a patriot, but he now sees himself as McCarthy did, Benson did, and perhaps Agnew does...

Ehrlichman: Yep.

President: ...now...

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Ehrlichman: Yep.

President: ...as, he sees himself as an issue rather than the issue which is the great...

Ehrlichman: Well --

President: ...weakness of any political man.

Ehrlichman: Ordinarily I would not,...

President: Hickel did.

Ehrlichman: O-, ordinarily I would not have sent you the whole piece,...

President: I heard the whole thing.

Ehrlichman: ...but I wanted you to get that buildup that this guy gave you.

President: That piece would make a brilliant, brilliant piece for a magazine, anyway. He makes -- actually, and this is -- gets down to your other point, interestingly enough, a stronger case for not doing something on Hoover than doing something.

Ehrlichman: Hummmm, mmm

President: Now, there's something in between --

[Noise]

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Ehrlichman: There must be --

President: You see, first of all, the, after, let's suppose we, we, we get Hoover in and I convince him we can't, or, you know, order, no way I'm gonna say I didn't [unintelligible].

Ehrlichman: Yeah.

President: Now, just let me run this by you, just occurred to me right now, the helicopter the devious way to get at a very entire difficult problem. We do that, then Hoover, through all of his operatives, will piss on anybody that we send up there who other name. And I don't think he will approve any other name. That's my guess. You have the feeling maybe that he might approve Pat Gray, is that correct?

Ehrlichman: Well, I, uh, I think Pat has a better chance than most.

President: Yeah. But look, so you, so I send Pat Gray's name up, then you come to something else. You're gonna come into one of the hellest, damnedest Senate confirmation fights you ever saw, who is Pat Gray? How is he qualified? **[WITHDRAWAL - "D" RESTRICTION]** a stooge, a Nixon stooge, now I agree he isn't, you should have have a proper Bureau, if you have somebody from the Bureau, they'll say you should have somebody from outside. And then, uh, Ramsey Clark will be recommended.

Ehrlichman: [Laughs]

President: No, I'm serious.

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Ehrlichman: I know, I know.

President: Now, there's a way to get around it. That we defuse the whole goddamned thing. Hoover made a very interesting point, he said, regardless of who wins in '72, he says, I'll probably be out. And of course he's right. Why doesn't he announce now that I am, this is my last year in the Bureau, I am submitting my resignation effective on January 1st, 1972...

Ehrlichman: Hmmm mmm.

President: ...so that the new President, I mean, the President who's elected, so that I will not be an issue in the campaign. The President will select him, they select anybody that he wants. Now, let's look at that for a moment. The weakness in it is that we've still got a, an inefficient FBI to screw around with for a year. I'm not sure we can do a hell about, a hell of a lot about the efficiency of the FBI in a year anyway. Uh, the, uh, the other weakness is that presumably Hoover's enemies would be so furious at having the issue removed they would continue on it. But it's pretty hard to take on a man when he says, 'Now, I've, I think I've had it. I've done my job and at the end of this, I, I might give the new President, whoever he is, whether it's President Nixon or it's, uh, the other President, I want them to know that this, this is that I'm going to take the Bureau out of politics.

Ehrlichman: Uh huh.

President: Now from Hoover's standpoint, he just, he has to realize that he can't stay forever. He has to realize that, that the new President, that at, uh, 78 years of age -- is that what he would be then?

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Unknown: He's 77 now.

Ehrlichman: I don't know, I forget.

President: Anyway, uh, then, the, the advantage of that is that, uh, well, what I'm more concerned about than anything else that I, I don't think we talked through adequately [unintelligible] of getting Hoover out. It's going to be a problem. I should think the confirmation project would be one that would make the Supreme Court look like, uh, you know --

Ehrlichman: Yeah.

President: Whatcha doin' about civil rights?

Ehrlichman: Wiretapping and --

President: What do ya ask about wiretapping.

Ehrlichman: Yeah.

President: What is the, ah on Hoover -- look up Hoover's name and age.

Unknown: Hoover's age?

President: Don't call the FBI to find out, just, just look it up. I think it's 76 or 7, I would want to know month of birthday. Ah, now, you, let's let's look at that in terms of, uh, --

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Ehrlichman: One thing that'll happen --

President: No, I don't know, I don't know, maybe it won't work, but I, I guess, I guess, I, that, I think that we could get Hoover, I think I could get Hoover to resign if I put it to him directly that without it he's going to be hurt politically which I happen to believe if you do it otherwise. But I think if he resigns, and I think, he's going to, I don't think he's going to like it, I don't think I, I think that your confirmation is going to be one hell of a job. And you want to remember whoever we appoint, uh, is appointed at the will of the President anyway. [Unintelligible]. They can [unintelligible] if we lost the election.

Ehrlichman: Sure. You take the position that you'll pick his successor if you're elected.

President: Yes.

Ehrlichman: In other words, there'd be no, uh, campaign issue there.

President: Right, that's right. I'm not willing to suggest it now, who's it gonna be. I'll state only that it's not gonna be Ramsey Clark. [Unintelligible]. Tough. You know, just say that's an issue, that the FBI should not be an issue in the campaign, we'll pick the very best possible man we can get at that time. And that's it.

Ehrlichman: Uh, huh. Uh, huh.

President: In a few --

Ehrlichman: Then he becomes a lame duck director.

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President: Correct. So? How much are you going to do with the FBI anyway in a year?

Ehrlichman: We can't --

President: You can't do it. It's a hell of a job. I can see it as a -- shake up. If he becomes a lame duck director. But also he might become a lame duck director. Everybody, maybe, trying to let the old guy go out without pissing on him....

Ehrlichman: Yeah.

President: ...and say, look here, let's...

Ehrlichman: Yeah.

President: ...and he tries to keep, he becomes a little wild-eyed, maybe, just trying to, you know -- What kind of a, incidentally, what kind of a man is Sullivan, incidentally? I, I don't know him.

Ehrlichman: Well, I don't know him at all, they tell me he is --

President: I thought you did know hem.

Ehrlichman: No, I never, I, I don't think I've ever met him or if I have I only met him on very short acquaintance.

President: He seems to me, from the description, he's honest and capable.

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Ehrlichman: --thoughtful. Uh, he's astute, uh, uh, a very sensitive guy, uh, apparently very well-spoken and has, uh, very strong, uh, loyalties, running down into the personnel of the Bureau. And, uh, uh, at one time had an enormous amount of power over there, delegated by Hoover.

President: Oh, didn't Sullivan do some of the intelligence work for Hoover --

Ehrlichman: Oh, yes.

President: And us.

Ehrlichman: Sure.

Unknown: That's right, sir. He will be 77 next birthday, which is January 1st.

President: Fine. Now, you see, there it is.

Ehrlichman: Yeah.

President: No, no man in his right mind can say at 78 the President of the United States ought to be appointing him as director of the FBI. He's too old.

Ehrlichman: Yeah. Uh, Sullivan was the man who executed all of your instructions for the secret taps.

President: So he knows all of them.

Ehrlichman: Oh, I should --

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President: Will he rat on us?

Ehrlichman: Uh, it depends on how he's treated. It's dependent, it's, see, uh, uh --

President: Can we do anything for him? I think we better.

Ehrlichman: What he wants, of course, is vindication. He's been bounced, in effect, and what he wants is the right to honorably retire and so on. Uh, I think if you did anything for Sullivan, Hoover would be offended, right now, it would have to be a part of the arrangement, whatever it is, that Sullivan could be given an assignment somewhere else in the Government. And, uh--

President: Out of the Government. Yeah, he'd be a hell of an operator...

Ehrlichman: We could use him.

President: He'd do a good job.

Ehrlichman: We could use him.

President: Hmm, Mitch and I agree.

Ehrlichman: We could, we could use him on other things.

President: Liddy's not on your committee?

Ehrlichman: He's got, he's got n fund of information and, uh, uh, could do, uh, could do all kinds of intelligence and other work.

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President: **[WITHDRAWAL - "B" RESTRICTION]**

Ehrlichman:

President: **[END WITHDRAWAL]**

Ehrlichman: He'd be very, he'd be very qualified for that kind of a [unintelligible].

President: Hoover upsets me. "Is the sun down? Is that what he calls it? That's his favorite term.

Ehrlichman: Yeah, and, and, uh, he strictly in Mardian's orbit. You see he treated with the --

President: Mardian's the "Lebanese Jew.

Ehrlichman: [Laughs] Ya see that. He's treated with the enemy so, uh, and he has. Sullivan delivered the papers to Mardian that are unbelievable what I've got up in my safe. All the inside documents.

[Pause]

President: What do you lean to at the moment?

Ehrlichman: Well, I like your idea. I, uh, haven't had a chance to think it all through.

President: Well, don't mention it to anybody.

Ehrlichman: Well, I won't.

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President: The difficulty is that I have decided after our agonies over the Court that from now on, and incidentally this is the main reason for not shutting it to the Bar in advance. We're just playing everything very close to the vest and you know, we, it's inevitable around here [unintelligible] it doesn't affect you so much as it does Kissinger, of course, uh, to a certain extent [unintelligible] Petersen and the rest, where 19 out of 25 bureaus did you see that, in Washington said that the backgrounders were, uh, quite off the beat and so forth and so on. Well, fine, let's not have them --

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Transcript #2: Part of a conversation between President Nixon and John D. Ehrlichman in the Oval Office between 12:35 pm and 2:08 pm on October 25, 1971.

Conversation No. 601-33#2

President: Well, digression, let me say that I think that the best way to do here is to -- I feel it would help us to, as we get closer to election, their only interest is to, it seems to me that everytime we, it gets out the fact that some poor agent over here [unintelligible] say well that was our last scandal.

Ehrlichman: Yeah. I saw that.

President: Who could possibly have done that?

Ehrlichman: Well, you see the problem.

President: Some guy who's tired.

Ehrlichman: Some low-level guy, in the NSC...

President: Yeah.

Ehrlichman: ...could have been called --

President: Why the NSC? Might have been over in, uh, McGregor's shop.

Ehrlichman: It could have been, it could have been.

President: Oh, yeah. And there's another great problem, John, with these people, with all

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people, our people, we could have done, we tried our best. There's another great problem that, they've all liked to work for an officer and they all like to say things that they're [unintelligible] and also they all work hard, are tired, and most of them drink...

Ehrlichman: Yeah.

President: ...and it's then...

Ehrlichman: Yeah.

President: ...that they...

Ehrlichman: Yeah.

President: ...get in trouble.

Ehrlichman: Yeah.

President: I'll lay you money that three-fourths of the time, it's like drunk driving. It's three-fourths of the time, idiot statements are made when somebody's had a drink, do you not agree?

Ehrlichman: Yeah, I'm sure that's so.

President: ...and...

Ehrlichman: And when they're off --

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Conv. No. 601-33#2 (cont.)

President: ...and one of the reasons, one of the reasons, that, uh, back in the campaign, I mean, uh, uh, anybody like, when I go into a campaign, with a press conference and so forth, you have to be just like a God damn Spartan and then we still make mistakes. But the point is, these people, these people that try to handle things the way they, they just, just, just their judgment floats from people...

Ehrlichman: Yeah.

President: **[WITHDRAWAL - "D" RESTRICTION]**

Ehrlichman: [Laughs] That's right.

President: Well, in any case, they've got to [unintelligible] everything they say --

Ehrlichman: They get caught off guard...

President: Then they can't say anything.

Ehrlichman: ...at these damn receptions, ya know, the press are floatin' around and the...

President: [Unintelligible].

Ehrlichman: ...people can make a chance remark and, uh, and there it goes.

President: But on the Hoover think, I just want this so closely held this, it's just got to be.

Ehrlichman: Well, I won't say anything to anybody about it. Uh, I,...

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President: I'll be --

Ehrlichman: ...I,...

President: I'd like for you to be...

Ehrlichman: ...I would like to think about it.

President: I'd like to think about the proposition of my saying, 'Edgar, I think what you should do, that you should get out now, because I don't want to be in the position of trying to pick a successor now. I think you should say this is a matter which should be handled by whoever is the next President in the next election and I do not want to be an issue and so I have submitted my resignation effective then. I -- There'll be a lot to be said for that,...

Ehrlichman: Yeah.

President: ...a lot can be said.

Ehrlichman: I can see that.

President: So that I don't have, I mean, it -- then when you get his resignation,...

Ehrlichman: Yeah.

President: ...I've got that, for one thing, but on the other hand, we don't have the agony of his replacement...

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Ehrlichman: Yep.

President: ...which I think would be a very great negative.

Ehrlichman: Yeah. And, before election you can begin the buildup of the adulation and the...

President: That's right.

Ehrlichman: ...prerequisites and the, and the Medal of Freedom and all that sort of stuff, uh --

President: I could call him, I would tell him right now if I...I don't know when he should make this announcement, uh -- now that's the other thing; should he do it now?

Ehrlichman: I think so. And I'll tell you why.

President: [Unintelligible].

Ehrlichman: I think this...

President: Princeton study?

Ehrlichman: ...this Princeton thing is gonna get into the folklore and it's gonna become a part of the givens. It's gonna be a part of the, of the established findings.

President: Well, when will that happen?

Ehrlichman: Well, the, the end of this month.

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President: They told me that -- well, it's a very leftish group.

Ehrlichman: Oh, it is, it's stacked, just stacked --

President: So --

Ehrlichman: Uh --

President: So we let a man be crucified by a stacked jury.

Ehrlichman: No, I think --

President: [Unintelligible].

Ehrlichman: No, I think if his resignation were in hand you could afford to defend him. And I think you can afford to do a lot of things for him as a lame duck as you get into the campaign which will be appreciated by his friends and will be virtually uncriticizable. And, and, and I see that as a real --

President: Do some thinking about it...

Ehrlichman: I will, I will.

President: ...and I'll tell you what will happen. Then you and Herb and, and Mitchell and I will talk about it.

Ehrlichman: Okay.

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President: There's only the three. There's only one other one that I might bring in on it is Moore. His, his PR judgment is not infallible but it, he has good antenna...

Ehrlichman: Yeah.

President: ...he has a good feel.

Ehrlichman: Yeah.

President: And he doesn't leak.

Ehrlichman: Yeah. Alright, well, I won't, I won't say anything to the two of them, but, uh, when you're ready, why, uh, we'll talk about it.

President: Well, what I meant is, first, you give it your judgment.

Ehrlichman: Yeah.

President: Oh, wait a minute. You could, no, I'll tell you what you could do. Don't run it by Mitchell because I need to do that or I should feel that, that this is not, I don't want him to feel that this idea is coming from somebody else. Mitchell thinks he has to go, but I would like for you to kick it around. Do you think you should kick it around with Moore or do you just want to make --

Ehrlichman: Let me do this. Let me let Moore read Liddy's article and, uh, uh, I've got a copy of it --

President: Let me get it out of my file.

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Ehrlichman: Okay -- and then I'll,...

President: He can read my copy.

Ehrlichman: ...I'll talk to Moore.

President: I understand. Right.

Ehrlichman: I've got the only other copy of this.

President: And, uh, then Moore?

Ehrlichman: And then, let Dick and I -- Dick and I've talked about Hoover's problem before. He's very concerned about it.

President: But the idea just seems to me to have a lot of merit in avoiding the confirmation fight.

Ehrlichman: Yeah.

President: If we had an outstanding man whoever is sent up oh, for example, a great state attorney general that's, that would be a [unintelligible] pretty good now wouldn't it.

Ehrlichman: Yeah.

President: I could name a surrogate Pat Brown or something like that...

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Ehrlichman: Uh huh.

President: ...or an Earl Warren...

Ehrlichman: Uh huh.

President: ...that'd be the guy to put...

Ehrlichman: Yeah.

President: ...in front of the Bureau. Uh, I don't think a cop should run the Bureau.

Ehrlichman: I don't know. Maybe somebody like, uh, -- well, hard to say.

President: I don't know.

Ehrlichman: Uh, no, I don't think it should be a policeman, I think --

President: Policemen are too narrow, too, uh --

Ehrlichman: It's gotta be a guy with great Hill...

President: Did you know [unintelligible].

Ehrlichman: ...and PR sense --

President: You know, there aren't very many outstanding people, I guess, in a PR sense in this whole field operation.

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Ehrlichman: I tell you, there's, there's a young attorney general in my state who's a very classy guy.

President: Tell you another one who impresses me, he's probably a Democrat, but he is the Attorney General in Arizona.

Ehrlichman: No, he's a Republican.

President: Oh, he's --

Ehrlichman: He's damn good.

President: He said at a meeting there...

Ehrlichman: Yeah.

President: ...where there were workshops...

Ehrlichman: Yeah.

President: ...and boy, he was sharp as a...

Ehrlichman: That's right.

President: ...tack.

Ehrlichman: Well, he's good. Oh, the guy in Illinois is, this Scott, is pretty good. Uh, he's a little on the, a little on the liberal side.

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President: Scott is?

Ehrlichman: Isn't he?

President: Well --

Ehrlichman: He's, he's all wrapped up in the environment business...

President: That's all right.

Ehrlichman: ...and, uh,...

President: Perfectly all right.

Ehrlichman: ...but, uh, no this, this guy in Arizona is...

President: Your guy is good. Well, look at the guy in Arizona, we'll put him down as...

Ehrlichman: I will.

President: ...I already mentioned this to somebody, but put him down for a promotion because that guy ought to go to the, easy, he's a future Senator, or a future, uh --

Ehrlichman: Well, we have, of course, a recruiting, a recruiting problem for Justice, in any event, if John leaves.

President: I want that man, I want that man for something. And the man in your state also.

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Ehrlichman: Well, Gordon is a possibility, although he has local ambitions, I think. Uh, --

President: Interested in running for governor?

Ehrlichman: Yeah. Yeah, I don't think he can make it but he's got those ambitions.

President: Yeah. Well, on Hoover, when you come down to it, the problem of going through that confirmation by, before, I just think is going...

Ehrlichman: Yeah.

President: ...to be insurmountable.

Ehrlichman: It'd be a bitch.

President: But I think what he could do, I really think a lot, it makes a lot of sense, he says I'm resigning at the end of this year -- this is my last year and I've, uh, talked to the President and, submit,...

Ehrlichman: Yeah.

President: I wanta, because of the Bureau, I will not have the Bureau become an issue in the campaign. I've noted it, and I, and I, I think what I will do is just call him in and say, 'Edgar, I think you ought to resign and, and, January 1st, 1973.'

Ehrlichman: That gives him a three month transition with a new man between the election...

President: That's right.

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Ehrlichman: ...and the, and his retirement, which will be highly desirable.

President: Well, it will be longer than that, you see, the Senate won't confirm...

Ehrlichman: Well, that's true.

President: ...'til, uh, February,...

Ehrlichman: Yep.

President: ...so he's got a long...

Ehrlichman: He could say I'm kind, I, a -- Effective on confirmation of my successor on or after the first of January.

President: That's right. On or after the inauguration.

Ehrlichman: Yeah.

President: Okay. I think it would be a, has a hell of a lot to recommend it. Now everybody that, eager beavers that want to clean up the Bureau or the rest of it, we'll wait for that, but you're not gonna clean up much anyway this year. You know, another thing about this Bureau, do you realize, it'll be one hell of a plum.

Ehrlichman: Yeah.

President: Do you know, not one of those people's on Civil Service.

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Ehrlichman: Oh, I know it, I know it.

President: I mean, Edgar makes this point, he says it makes it look [unintelligible] for the Bureau. 'Cause everybody's, I mean this is, this is the biggest number of...

Ehrlichman: Sure.

President: ...these are Presidential appointments...

Ehrlichman: Sure.

President: ...apparently, aren't they.

Ehrlichman: Well, they're dir--, they're appointed by the Director as a practical matter, old Ronney and, uh, the Hill have a lot to do with the appointment of these guys.

President: But just think of that...

Ehrlichman: Yeah.

President: ...they won't have to clear Civil Service.

Ehrlichman: That's right.

President: And incidentally, I am, I am continuing that issue.

Ehrlichman: Yeah, yep, yep. It has...

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President: Anything come out of that?

Ehrlichman: ...it has given...

President: Or...

Ehrlichman: ...that discipline that this fellow talks about, uh, that internal discipline that, that has been so important to the success of that thing. Uh, well, lemme, lemme think about it and I'll try and make a list of the negatives, if there are any and drop you a note on it.

President: There are negatives, just don't drop me a note...

Ehrlichman: All right.

President: ...we'll talk about it.

Ehrlichman: All right.

President: We'll talk about this and then, we'll talk about this with you, Moore, and we'll have, uh, and Mitchell, and, uh, no more. Just those.

Ehrlichman: Yeah.

President: And then maybe we'll move the damn thing.

Ehrlichman: All righty.

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- President: It'd be great if he would do it. But what the hell would he do, what the hell, what can he say to that though? If he's a lame duck.
- Ehrlichman: Ah, that it would impair his, impair his usefulness is the one, is the one thing that occurs to me. And it would be hard for him to maintain internal discipline if everybody knew he was leaving and so on and so forth but hell, everybody knows he's leaving now, you know, it's just a question of time. And they all, they all now are on one side or another of either contributing to or slowing down his departure. And there's a, there's an internal war going on there.
- President: Getting back to the tax thing.