

THE WHITE HOUSE

WASHINGTON

July 26, 1974

EYES ONLY

MEMORANDUM FOR: DEAN BURCH
FROM: DAVE GERGEN 
SUBJECT: The "Option Two" Arguments

I thought it might be useful to write up the arguments in favor of "Option Two". In the interests of time, they were rapidly and roughly drawn.

I would assume that if RN adopted this course, he would do so in a dramatic speech (perhaps before a Joint Session) in which he also presents his own best arguments on the evidence. Personally, I would also hope that the speech might be accompanied by a promise of full cooperation with the Senate, including all tapes now subpoenaed, but this may be asking too much.

cc: Pat Buchanan
Len Garment

The heart of the argument in favor of asking for immediate impeachment by the full House and for a speedy Senate trial is that it should improve RN's chances of survival and would ultimately be better for the country and the Republican Party.

Here's why:

1. The pro-impeachment vote is snowballing and there appears to be no stopping it. Lying ahead are more indictments, more tape disclosures, the Watergate trial, bad economic news and uncertainties abroad. In short, there is very little good news in prospect.
2. As the snowball continues, RN's present support in the House is likely to continue melting away. If it does, the vote against RN in the House may go as high as 2-1 or 3-1, and the President would be doomed in the Senate before he ever made his case.
3. Psychologically, RN is in a rapid downspin with the public. His Gallup poll is already down 4 points and with the committee vote, there will be a tendency to believe that government-at-the-top is in a state of suspension.
4. As weak as his support is now, RN should muster it all for one last-ditch fight. If he makes that fight in the House and loses it, he will have very little left to fight with in the Senate, where it really counts.
5. The fight in the House will tend to be political, while the fight in the Senate will center on the evidence and on the law. RN is much stronger legally than politically and should immediately move to the legal forum to make his fight.
6. Bypassing the House would be a terrific boost to the Republican Party. Taking the fight to the House will tear the party apart -- it's the "scorched earth approach" -- and may well guarantee large party losses in November. Thus RN would be better off to save as much of the party as he can.

7. The Republicans on the committee who have turned against RN have become his most effective opponents (e.g., the most dramatic speeches against him have come from Railsback and Hogan). By letting the House Republicans "off the hook", RN can retain a reasonable amount of party support as he goes to the Senate and his GOP opponents in the House are likely to remain quieter than otherwise.

8. Low on the list but high among considerations should be what's best for the country. It can be reasonably argued only the full Constitutional process -- including a House fight -- would be good for the country, but it can be better argued that the Watergate problem has already been considered ad nauseam and that what the country needs now is a rapid resolution to it.

9. Finally, and most importantly, RN needs a ten-strike with the public now. He needs to get back on top of this issue, and only a dramatic move can do it. By asking for an immediate trial, RN could perhaps regain some control in this before he is completely overrun. And he would do it with a certain degree of grace and dignity.