

Henry Gravel

April 16, 1973 - B

P—Well, I frankly think—I would hope you can help on the PR there by saying—

D—I will be happy to help on it.

P—I would like for you to say—and you are free to talk. You are to say, "I told the President about this. I told the President first there was no involvement in the White House. Afterwards, I told the President that I—" And the President said, "Look, I want to get to the bottom of this thing, period." See what I am driving at—not just the White House. You continued your investigation, et cetera, and the President went out and investigated on his own. Which I have done, believe me. I put a little pressure on Magruder and a few of

D—Uh, huh.

P—And as a result of the President's actions this thing has been broken.

D—That's right.

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April 16, 1973 - E

P—They're going to believe this (inaudible) if it breaks today. I don't want—you and I don't want the Washington Post to break it.

HP—No sir.

P—And after all—we have broken this—you, the Department of Justice, damn it—you see—demonstrated that the judicial system does work—isn't that right?—sometimes it takes time.

HP—I'd say that's correct.

P—But it does work.

* * *

P—(Inaudible) something, but the need, as you see, we've got to show that the President takes the initiative. When I get backed up here as this, Henry, I can't be here (inaudible).

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April 17, 1973 - D

P—So basically we are in a pretty good position to say—that except as I said I don't want the Washington Post to break this case.

HP—That's right. We don't either.

P—I want the Department of Justice—and, frankly, the White House—because as you can see we'll cooperate (inaudible).

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April 14, 1973 - G

P - But the point is—Bob says you will have either seven minutes of John Chancellor and Weicker interpreting what was said in a secret session or do you want four minutes of that and maybe three minutes of Haldeman?

E—Well, that is a good point.

P—Is that something to be considered?

E—It sure is. At least we get a little piece of it that way.

P—You know—you see a man looking honest and earnest etc., denying it in a public forum—

E—Yeah, yeah

April 30, 1973, p. 1

K—And we want to give some thought to having in such an event having a special prosecutor.

E—What is the procedure for that?

K—Well, I don't know. I think that the President could appoint somebody as a special prosecutor to direct the FBI to cooperate with him, giving them an opportunity to hire some attorneys, you know, on his staff and then just have complete authority to have his own investigation, and if there's evidence that comes out that there were acts of criminal behavior, have them presented to a grand jury, then proceed with it.

E—Could you have somebody brief out how that's done? Just so we know? And the question would be whether the President or Sirica or you or you-know-who actually does it?

K—Well, it wouldn't be the judge. The judge has no jurisdiction. I think it would be the President.

E—OK.

K—But it has its own problems that by doing that, you in effect say publicly, well, OK, the Department of Justice and the attorney general and the U.S. Attorney and the FBI are all corrupt. I've now found that out and have got to get myself a new—

E—Of course, we've resisted that right straight through.

Nixon, on April 30, 1973:

"I have instructed him [the new Attorney General, Elliot Richardson] that if he should consider it appropriate, he ~~can~~ has the authority to name a special supervising prosecutor for matters arising out of the case."

Richardson, on May 7, 1973:

"I have decided that I will, if confirmed, appoint a special prosecutor and give him all the independence, authority and staff support needed to carry out the tasks entrusted to him."

Ronald Zeigler, on October 20, 1973:

"President Nixon has tonight discharged Archibald Cox, the special prosecutor in the Watergate case....Furthermore, the office of the Watergate special prosecution has been abolished....Its function to investigate and prosecute those involved in the Watergate matter will be transferred back into the institutional framework of the Department of Justice, where it will be carried out with thoroughness and vigor."

PLEDGE TO RICHARDSON

from Nixon statement of April 30, 1973:

As the new Attorney General, I have today named Elliot Richardson....I have given him absolute authority to make all decisions bearing upon the prosecution of the Watergate case and related matters.

PLEDGE ON SPECIAL PROSECUTOR

from remarks at Republican fund-raising dinner, May 9, 1973:

All Americans can have ~~EXXIX~~ confidence in the fact that the new nominee for Attorney General, Elliot Richardson, and the special prosecutor that he will appoint in this case will have the total cooperation of the executive branch of this Government. They will get to the bottom of this thing. They will see to it that all of those who are guilty are prosecuted and are brought to justice. That is the pledge I make tonight, and that I think the American people are entitled to it.

But I would add that the place where that should happen is in the courts of law.

(NYTimes, 5/10/73)

From Nixon letter to Richardson, Oct. 19, 1973:

I am instructing you to direct Special Prosecutor Archibald Cox...that he is to make no further attempts by judicial process to obtain tapes, notes, or memoranda of Presidential conversations. I regret the necessity of intruding, to this very limited extent, on the independence that I promised you with regard to Watergate when I announced your appointment.

(Wash. POST, 10/24/73)

PENDING SEC. RICHARDSON'S confirmation as attorney general, I have asked him to involve himself immediately in the investigative process surrounding the Watergate matter. As attorney general, Mr. Richardson will assume full responsibility and authority for coordinating all federal agencies in uncovering the whole truth about this matter, and recommending appropriate changes in the law to prevent future campaign abuses of the sort recently uncovered. He will have total support from me in getting this job done.

—White House statement, May 1, 1973

"Though I have not wished to intrude upon the independence of the special prosecutor, I have felt it necessary to direct him, as an employee of the executive branch, to make no further attempts by judicial process to obtain tapes, notes or memoranda of Presidential conversations."

—President Nixon
Oct. 19, 1973

IN HIS PRESS CONFERENCE today, Special Prosecutor Archibald Cox made it apparent that he will not comply with the instructions I issued to him, through Attorney General Richardson, yesterday. Clearly the government of the United States cannot function if employees of the executive branch are free to ignore in this fashion the instructions of the President. Accordingly in your capacity of acting attorney general, I direct you to discharge Mr. Cox immediately and to take all steps necessary to return to the Department of Justice the functions now being performed by the Watergate Special Prosecution Force.

—Letter to Robert H. Bork, Oct. 20, 1973

Nixon speech of May 9, 1961, in response to Kennedy plea to press of April 27 for more "self-restraint" on national security issues:

No reporter worth his salt would deliberately publish information hurtful to national security. President Kennedy's remark will inevitably encourage government officials to further withhold information to which the public is entitled....

The plea of security could well become a cloak for errors, misjudgments, and other failings of government. The whole concept of a return to secrecy in peacetime demonstrates a profound misunderstanding of the role of a free press as opposed to that of a controlled press.

(Quoted by Marianne Means in
Phila. INQUIRER, 12/14/73)

Ziegler response to NYTimes story that Nixon twice tried to prevent the release to the court of details of the break-in at Ellsberg's psychiatrist's office:

Any reference or suggestion made by anyone that ^{the} President would have proceeded in any other way than to provide information to the court is completely unfounded.

from NYTimes, 5/10/73

from statement accompanying STATEMENT BY THE PRESIDENT, May 22, 1973:

It was not until the time of my own investigation that I learned of the break-in at the office of Dr. Ellsberg's psychiatrist, and I specifically authorized the furnishing of this information to Judge Byrne.

from Nixon statement issued August 15, 1973:

On May 22 I said that "it ~~XXXX~~ was not until the time of my

own investigation that I learned of the break-in at the office of Mr. Ellsberg's psychiatrist, and I specifically authorized the furnishing of this information to Judge Byrne." After a very careful review, I have determined that this statement of mine is not precisely accurate. It was on March 17th that I first learned of the break-in at the office of Dr. Fielding, and that was four days before the beginning of my own investigation on March 21st. I was told then that nothing by way of evidence had been obtained in the break-in. On April 18th I learned that the Justice Department had interrogated or was going to interrogate Mr. Hunt about this break-in. I was gravely concerned that other activities of the Special Investigations Unit

might be disclosed, because I knew this could seriously injure the national security. Consequently, I directed Mr. Peterson to stick to the Watergate investigation and stay out of national security matters. On April 25th Attorney General Kleindienst came to me and urged that the fact of the break-in should be disclosed to the court, despite the fact that, since no evidence had been obtained, the law did not clearly require it. I concurred, and authorized him to report the break-in to Judge Byrne.

From United States Code, Title 18, Section 3:

Whoever, knowing that an offense ~~XXXXX~~ against the United States has been committed, receives, relieves, comforts, or assists ~~XXXXX~~ the offender in order to hinder or prevent his apprehension, trial or punishment, is an accessory after the fact.

From NYTimes, 5/19/73: "Under Section 15, IC, of Title 18, USC, it is a felony to willfully obstruct, delay or prevent the communication of information relating to a violation of any criminal statute of the United States by any person to a criminal investigator....The maximum punishment is five years in prison, a fine of \$5,000, or both."

Ellsberg Break-in

March 24, 1973 - A

P—Who else do you think has—

D—Potential criminal liability?

P—Yeah.

D—I think Ehrlichman does. I think that uh—

P—Why?

D—Because of this conspiracy to burglarize the Ellsberg doctor's office.

P—That is, provided Hunt's breaks?

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March 21, 1973 A

P. You see, John is concerned, as you know, about the Ehrlichman situation. It worries him a great deal because, and this is why the Hunt problem is so serious, because it had nothing to do with the campaign. It has to do with the Ellsberg case. I don't know what the hell the—(unintelligible)

H—But what I was going to say—

P—What is the answer on this? How you keep it out. I don't know. You can't keep it out if Hunt talks. You see the point is irrelevant. It has gotten to this point—

D—You might put it on a national security grounds basis.

H—It absolutely was.

D—And say that this was—

H—(unintelligible)—CIA—

D—Ah—

H—Seriously,

P—National Security. We had to get information for national security grounds.

D—Then the question is, why didn't the CIA do it or why didn't the FBI do it?

P—Because we had to do it on a confidential basis.

H—Because we were checking them.

P—Neither could be trusted.

H—It has basically never been proven. There was reason to question their position.

P—With the bombing thing coming out and everything coming out, the whole thing was national security.

D—I think we could get by on that.

P—On that one I think we should simply say this was a national security investigation that was conducted. And on that basis, I think the same in the drug field with Krogh. Krogh could say he feels he did not perjure himself. He could say it was a national security matter. That is why—

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D—That is the way Bud rests easy, because he is convinced that he was doing. He said there was treason about the country, and it could have threatened the way the war was handled and (expletive deleted)—

P—Bud should just say it was a question of national security, and I was not in a position to divulge it. Anyway, let's don't go beyond that.

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* * *

P—And Hunt would get off by telling them the Ellsberg thing.

D—No Hunt would go to jail for that too—he should understand that.

P—That's a point too. I don't think I would throw that out. I don't think we need to go into everything. (adjective deleted) thing Hunt has done.

D—No.

P—Some of the things in the national security area. Yes.

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Ellsberg Swath-en

March 21, 1973 - B

E- Let's suppose I am called at some time. Our position on that is that I wasn't a prosecutor, that he was sent out to do an investigation on Ellsberg. And when we discovered what he was up to, we stopped him. Now I suppose that lets Ellsberg out, because there are search and seizure things here that may be sufficient at least for a mistrial, if not for—

P—Isn't that case about finished yet?

E—Oh, it will go a little while yet.

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Elmer Krogh interview

March 27, 1973

E- And Krogh is very frank in saying, "I authorized this operation in Los Angeles, no two ways about it." He says, "If I am asked, that's what I will say and I will resign and leave the Department of Transportation and get out of town." He said, "I thought at the time we were doing the right thing and—"

P—Should he?

E—I don't think he will have to. Number one, I don't think Ford will strike him. If he did, I would put the national security tent over this whole operation.

P—I sure would.

E—And say there are a lot of things that went on in the national interest where they involved taps, they involved entry, they involved interrogation, they involved a lot of things and I don't propose to open that up to (unintelligible) just hard line it.

P—I think that is what you have to do there. But I wanted to get that one out,

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April 15, 1973 - A

P—Haldeman could tell me though—he's a—I'm sure—Bob would tell me—he's a "don't give a (expletive removed) kind of a guy" anyway and Ehrlichman would tell me too. The deep six thing troubles me. Although—what was that? Oh, I know what that could be—that could be—you see Hunt's operations before—that's what that is. Hunt worked in the White House, you know, on some national security matters and I think that's what that's involved. Not the Watergate.

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April 16, 1973 - A

P—That is why, John, I want to nail down what Dean said about other bugs on the White House and so forth, and so on. I assume that is the Plumbers operation.

E—No, no. What he is referring to is the FBI's bugs

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on the journalists in the first year he was nominated.

P—(Unintelligible)

E—Hold on. No, no. These were almost all FBI bugs. What I said all National Security—

P—But I was wondering what your advice if I should not tell him today that anything in that area is National Security (unintelligible)

E—I think you should, and I think it should cover not only that but Plumbing operation and anything else of which he has knowledge that I am (unintelligible) that with Executive Privilege right now.

P—Executive Privilege—

E—And I don't want to ever hear (unintelligible) discuss those matters.

P—Yeah.

E—(Unintelligible)

P—I don't know whether he did. He might have.

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April 16, 1973 - B

P—One other thing. On this privilege thing—nothing is privileged that involves wrongdoing.

D—That is correct.

P—On your part or wrongdoing on the part of anybody else. I am telling you that now and I want you when you testify, if you do, to say that the Presi-

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dent told you that. Would you do that? Would you agree to that?

D—Yes sir.

P—Fine. However, let me say with regard to what we call the electronic stuff they heard, and what I have now found is in the leak area of the national security area. That I consider privileged.

D—I do too.

P—And I think you should say, for example, on that. What I mean is I think in the case of the Kraft's stuff what the FBI did, they were both fine. I have checked the facts. There were some done through private sources. Most of it was done through the Bureau after we got—Hoover didn't want to do Kraft. What it involved apparently, John, was this: the leaks from the NSC. They were in Kraft and others columns and we were trying to plug the leaks and we had to get it done and finally we turned it over to Hoover. And then when the hullabaloo developed we just knocked it off altogether. But in my view, I consider that privileged.

D—I have no intention of raising that in any conversation. 513

April 16, 1973 - C

P—Well, John, let me say this is quite the operator. We first talked about the work he did before this began. I said that I wanted him to know that it is national security work. He said I consider it so. I said, "Have you told anybody about it?" He said, "No, I don't intend to. I don't intend to say a thing more than I need to say in answering questions with regard to this matter, and I will not comment on anything else of course. I will not comment on any conversation I have had with the President." So far as he is concerned, that operation will not be discussed. Of course, the problem I suppose is as far as others are concerned or were involved. But if they do John, I would play it straight out. Damn it, of course we do this.

talking about Dean

April 16, 1973 - E

HP—Oh, incidently, I have—there's one other item that I wouldn't put down. That in the course the negotiations, in the course of trial preparations, it became clear that Hunt had received certain documentation from CIA. He also received the loan of a camera and what have you.

P—Yeah—yeah—yeah.

HP—We anticipated that they might—the defendants might—try and defend by attacking the CIA. We asked the CIA people—we were told that they were simply responding to a routine request from another government agency to help out Hunt who was on a special assignment, and they—

P—This was (inaudible) the White House?

HP—Yes sir.

P—That was perfectly proper. He was conducting an investigation from the national security area for the White House at that point.

April 17, 1973 - B

H—Yeah. But I think at some point, like you do on anything else, you gotta face up to the fact that the guy is either a friend or a foe—or a neutral. If he's a neutral you don't have to worry about him; if he's a friend you rely on him, if he's a foe you fight him, and this guy—it seems at this point—is a foe.

P—When I talked to him I said, "Now John, any conversations are (unintelligible)." I said, "Anything (unintelligible) National Security are (unintelligible) you understand?" He said, "Yes (unintelligible) testified to it (unintelligible)."

H—OK. He said it and it was no problem for him to say it. But it was no problem for him to say a lot of things to us over the last couple of weeks too.

P—The point is, if you break it off with him, then he could go out and say, "Screw the (unintelligible)."

H—No he can't. It's not his privilege. It's yours.

P—I know it's mine, but—

H—If he screws the privilege—

P—Well, I think you have to charge Henry Petersen or whoever is in charge here with protecting your privilege and then that's got to go down to Silberman and Silberman has to be cautioned that he is not to go into matters of executive privilege—he is not to go into matters of national security importance. Any matters involving a conversation with the President—or national security, anything like that, they can ask me.

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P—Yep. Anything on the (unintelligible) thing, the plumbing thing was national security, the ITT thing. No, I can't believe it was that—you know—the Hunt thing there. That will just have to handle the way it is. (Unintelligible) Colson about (unintelligible) Hunt thing?

E—I don't know. If anybody around here did, if anybody did it, was Dean.

H—I doubt if Dean knew about that. You see Dean and Colson never tracked particularly well together, I don't think.

E—Whoever operates this at the Justice Department has to be told that the inquiry must not jeopardize your privilege. Some day they're going to try and put you in a crunch spot.

P—Sure.

E—And they'll put a question to me and I'll say, "I can't take that question and then I'll be back to you and it's going to be hard."

P—No turning it off. It's national security—national security area—and that is a national security problem.

E—Or, if it is something that you and I have discussed directly.

P—(expletive removed) it.

E—I'll just (expletive removed) that—I'll just—

H—I don't think anybody is going to try to challenge that.

P—(unintelligible) conversations with the President (unintelligible).

CHAPTER 2

NIXON AND THE PRESIDENCY

PEOPLE'S CONFIDENCE IN PRESIDENT VITAL

from Nixon statement of April 30, 1973:

But in matters as sensitive as *guarding* the integrity of our democratic process, it is essential not only that rigorous legal and ethical standards be observed, but ~~KNOW~~ also that the public, you, have total confidence that they are both being observed and enforced by those in authority and particularly by the President of the United States.

* * . * * *

I want the American people, I want you to know beyond the shadow of a doubt that during my terms as President, justice will be pursued fairly, fully, and impartially, no matter who is involved. This office is a sacred trust and I am determined to be worthy of that trust.

I WILL NOT DESTROY THE PRESIDENCY

From Nixon question-answer session in Houston on March 19, 1974:

I am not going to give up to any demand that I believe would weaken the Presidency of the United States. I will not participate in the destruction of the office of the President of the United States while I am in this office.

I am in charge

April 15, 1973 - H

P—Right. Let me say this. The main thing, Henry, we must not have any question, now, on this, you know I am in charge of this thing. You are and I am. Above everything else and I am following it every inch of the way and I don't want any question, that's of the fact that I am a way ahead of the game. You know, I want to stay one step ahead of the curve.

- PETERSEN

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April 16, 1973 - B

P (to D) - As soon as I got the Magruder thing I got in Kleindienst and then at 4:00 p.m. we got in Petersen. Kleindienst withdrew and assigned Petersen. I said, "Alright, Henry. I don't want to talk with Kleindienst anymore about this case. I am just going to talk to you. You are in charge. You follow through and get to the bottom of this thing and I am going to let the chips fall where they may." We have covered that all the way down the line. Now I had to follow him to a certain extent on the prosecution side. On the other hand on the PR side I sure as hell am not going to let the Justice Department step out and say look we dragged the White House in here. I've got to step out and do it, John. Don't you agree?

D—That's right.

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April 16, 1973 - E

P—you understand now, you're talking only to me.

HP—Yes, Sir.

P—and there's not going to be anybody else on the White House staff.

HP—Yes, Sir.

P—In other words, I am acting counsel and everything else. I don't want it from anybody else (inaudible).

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P—Well then don't (inaudible)—let's just—better keep it with me then.

HP—All right.

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I am in charge - I think

April 14, 1973 - F

Z—His point is that, what Rose's point is, in the position of stampeding on (unintelligible) how this has been (unintelligible) this. But this point, the President is too closely tied in as an investigator and too closely tied in to the Grand Jury proceeding itself. In other words, he (unintelligible) in his view of this is to have the first (unintelligible) and suggests that the President is (unintelligible).

P—(Unintelligible). I don't.

Z—No, not affect. But the President is becoming as an investigator involved in knowledge and awareness of the Grand Jury proceedings.

P—Oh, yeah. Yeah.

Z—Which well could affect direction of those proceedings. He has contacted Petersen.

P—Well, all the facts are going to show just otherwise though when it comes out, but go ahead.

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April 14, 1973 - A

P—The point on Mardian, well, let me say I don't think that Mardian or LaRue or Mitchell or Magruder or anybody want to hurt the President.

H—No, sir.

E—I feel that way. Colson? How about Colson?

H—He—of course, I just think he will do everything he can not to hurt the President.

P—Yeah. That has got to be true of everybody because it isn't the man, it's the office.

H—Sure.

P—But also it happens to be true. I wish I knew about the (expletive deleted).

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April 14, 1973 - G

P—I mean, after all, it is my job and I don't want the Presidency tarnished, but also I am a law enforcement man.

E—Yeah.

P—Right

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E—Yeah, and you have to move on to more important things

P—Yes, that's right. OK. boy, see you tomorrow.

E—Right, sir.

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April 16, 1973 - B

P—No, I don't want, understand when I say don't lie. Don't lie about me either.

D—No, I won't sir—you—

P—I think I have done the right thing, but I want you to—if you feel I have done the right thing, the country is entitled to know it. Because we are talking about the Presidency here.

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P—The record. Here is what I have done—here is what I have done—here is what we think the President ought to do and when, you see what I mean? And then if we have to use these things, I pray to God we don't, you guys don't deserve them. You don't deserve them.

D—Well, the important thing is not them, it is you.

P—No—well, I know maybe it isn't me personally, it is this place.

Le Presidency, Clint Mose

April 15, 1973-A

P—No—no—I know—No—I'm just trying—understand—I want to know what is the right thing to do and understand we are going to come out of this thing. The Justice Department and the Presidency are going to come out clean because I don't tolerate this kind of stuff. But the point is, Dick, I also. I can't—I can't let an innocent man down. That's my point.

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April 27, 1973-A

P—Sit down, sit down. I was down in Mississippi today. We have gotten a report that, ah, that really we've got to head them off at the pass. Because it's so damned—so damn dangerous to the Presidency, in a

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sense. There's a reporter by the name of Hersh of the New York Times you probably know.

HP—He's the fellow that did the Vietnam stories.

P—Right. Who told Bittman, who told O'Brien, apparently that they have information—Hersh has information I don't know. You can't ever tell who is saying "this is from Hersh" or "this is from Bittman." Information indicating that Dean has made statements to the prosecuting team implicating the President. And whether—and whether—the *Post* has heard similar rumors. Now, Henry, this I've got to know. Now, understand—I have told you everything I know about this thing.

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HP—Mr. President, I tell you, I do not consider it,

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you know, I've said to Titus, "We have to draw the line. We have no mandate to investigate the President. We investigate Watergate." and I don't know where that line draws, but we have to draw that all the time.

P—Good. Because if Dean is implicating the Presidency—we are going to damned well find out about it.

HP—Yeah. My understanding of law is—my understanding of our responsibilities, is that if it came to that I would have to come to you and say, "We can't do that." The only people who have jurisdiction to do that is the House of Representatives, as far as I'm concerned.

P—That's right. But I want you to know, you tell me, because as far as I'm concerned—

HP—I'll call them. Do you want me to call from here or outside?

P—Use the Cabinet Room and you will be able to talk freely. And who will you call, who will you talk to there?

HP—I'll call Silbert. If he's not there, I'll get Titus.

P—You'll say that "This is the story some New York Times reporter has and Woodward of the *Post*, but Hersh is reporting that Dean had made a statement to the prosecutors." Now understand that this is not a Grand Jury thing. Now damnit, I want to know what it is.

HP—I'll call right away.

P—And I need to know.

HP—Yes, sir.

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to Presidency, but more

April 27, 1973 - B

P—So there you are. You've got to knock that—
Crack down. If there's one thing you have got to do,
you have got to maintain the Presidency out of this. I
have got things to do for this country and I'm not
going to have—now this is personal. I sometimes feel
like I'd like to resign. Let Agnew be President for a
while. He'd love it.

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from Nixon letter of May 13, 1970 to Emanuel Celler, ex-chairman of House Judiciary Committee

The power of impeachment is, of course, solely entrusted by the Constitution to the House of Representatives. However, the executive branch is clearly obligated, both by precedent and by the necessity of the House...having all of the facts before reaching its decision, to supply relevant information to the legislative branch...to the extent compatible with the public interest.

(Quoted in Phila. INQUIRER, 1/21/74)

IRREACHABLE OFFENSE or I guess I should be impeached

from Nixon press conference of March 6, 1974:

QUESTION: Mr. President, your attorneys have taken what is seen as the narrow view on impeachment, saying that impeachment should be limited to very serious crimes committed in one's official capacity. My question is, would you consider the crimes returned in ~~XXXXXX~~ the indictments last week—those of perjury, obstruction of justice and conspiracy—to be impeachable crimes if they did apply to you?

PRESIDENT: Well, I've also quit beating my wife.

= Of course the crime of perjury is a serious crime. And of course the crime of obstruction of justice is a serious crime and would be an impeachable offense. And I do not expect that the House committee will find that the President is guilty of any of these crimes to which you have referred.

From Associated Press dispatch of June 7, 1974:

Federal Jury Names Nixon Co-Conspirator

WASHINGTON (AP) — The disclosure that a federal grand jury has named President Nixon an unindicted co-conspirator in the Watergate cover-up case added a potentially explosive

Watergate was grounds for impeachment be based on the evidence rather than what the grand jury concluded.

"We have the responsibility under the Constitution to con-

dent an unindicted co-conspirator.

As such, Nixon was not charged with a crime.

The published reports ap-

Post. Both newspapers said sources disclosed that the grand jury at first wanted to indict the President but Special Watergate Prosecutor Leon Jaworski told the panel it was

From New York Times, February 28, 1974

2/28/74
Obstruction of Justice

"The President has decided not to comply with our outstanding requests for recordings for the grand jury investigations of the Watergate break-in and cover-up and certain dairy industry contributions, asserting that to do so would be inconsistent with the public interest and the constitutional integrity of the office of the Presidency. . . . The President has refused to reconsider this earlier decision to terminate his cooperation with this investigation."

Leon Jaworski, Special
Watergate Prosecutor, Feb. 14, 1974

"Whoever willfully endeavors by means of . . . misrepresentation [or] intimidation . . . to obstruct, delay or prevent the communication of information relating to a violation of any criminal statute of the United States by any person to a criminal investigator . . . shall be fined not more than \$5,000, or imprisoned not more than five years, or both."

Title 18, United States Code,
Sect. 1510

"A criminal offense on the part of the President is the requirement for impeachment."

President Nixon, Feb. 25, 1974

from NYTimes, June 9, 1973

Operative Texts

6/9/73

"The President . . . shall take care that the laws be faithfully executed."

*Constitution of the United States,
Art. II, Section 1.*

"I, Richard Nixon, do solemnly swear that I will faithfully execute the Office of President of the United States, and will to the best of my ability preserve, protect and defend the Constitution of the United States, so help me God."

*President Nixon, Jan. 20, 1969,
repeated Jan. 20, 1973*

"Mail coverage. Covert coverage is illegal and there are serious risks involved. . . .

"Surreptitious entry. Use of this technique is clearly illegal; it amounts to burglary."

*Recommendations of the Interagency
Committee on Intelligence (ad hoc),
June 25, 1970*

"The President has carefully studied the special report of the Interagency Committee on Intelligence (ad hoc) and made the following decisions: . . .

"Mail coverage. Restrictions on covert coverage are to be relaxed. . . .

"Surreptitious entry. Restrictions on the use of surreptitious entry are to be removed."

*White House Decision Memorandum,
July 15, 1970.*

(Rescinded after protest by J. Edgar Hoover.)

"I want the public to learn the truth about Watergate, and those guilty of any illegal actions brought to justice."

President Nixon, May 22, 1973

March 1917 - 1918 - 1919 - 1920 - 1921 - 1922 - 1923 - 1924 - 1925 - 1926 - 1927 - 1928 - 1929 - 1930 - 1931 - 1932 - 1933 - 1934 - 1935 - 1936 - 1937 - 1938 - 1939 - 1940 - 1941 - 1942 - 1943 - 1944 - 1945 - 1946 - 1947 - 1948 - 1949 - 1950 - 1951 - 1952 - 1953 - 1954 - 1955 - 1956 - 1957 - 1958 - 1959 - 1960 - 1961 - 1962 - 1963 - 1964 - 1965 - 1966 - 1967 - 1968 - 1969 - 1970 - 1971 - 1972 - 1973 - 1974 - 1975 - 1976 - 1977 - 1978 - 1979 - 1980 - 1981 - 1982 - 1983 - 1984 - 1985 - 1986 - 1987 - 1988 - 1989 - 1990 - 1991 - 1992 - 1993 - 1994 - 1995 - 1996 - 1997 - 1998 - 1999 - 2000 - 2001 - 2002 - 2003 - 2004 - 2005 - 2006 - 2007 - 2008 - 2009 - 2010 - 2011 - 2012 - 2013 - 2014 - 2015 - 2016 - 2017 - 2018 - 2019 - 2020 - 2021 - 2022 - 2023 - 2024 - 2025 - 2026 - 2027 - 2028 - 2029 - 2030 - 2031 - 2032 - 2033 - 2034 - 2035 - 2036 - 2037 - 2038 - 2039 - 2040 - 2041 - 2042 - 2043 - 2044 - 2045 - 2046 - 2047 - 2048 - 2049 - 2050 - 2051 - 2052 - 2053 - 2054 - 2055 - 2056 - 2057 - 2058 - 2059 - 2060 - 2061 - 2062 - 2063 - 2064 - 2065 - 2066 - 2067 - 2068 - 2069 - 2070 - 2071 - 2072 - 2073 - 2074 - 2075 - 2076 - 2077 - 2078 - 2079 - 2080 - 2081 - 2082 - 2083 - 2084 - 2085 - 2086 - 2087 - 2088 - 2089 - 2090 - 2091 - 2092 - 2093 - 2094 - 2095 - 2096 - 2097 - 2098 - 2099 - 2100

April 27, 1973 - B

P—(expletive removed). You've got to believe me. I am after the truth, even if it hurts me. But believe me, it won't.

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P—Well, there's only this one charge I give to you, among many others, and that is: If any of this—I mean, I can't allow it. Believe me that even prosecutors shouldn't even have informed you of this one. Or me—I—

HP—They have described it as bombast, and rhetoric, and—you know, posing—

P—You examine them tomorrow. And you tell them, they are my men. I'm for them too. I want them to do the job. I want this to come out solid and right here.

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