

Nixon Adamant on Break-In, Tape Shows

President Told Aides to 'Use Any Means' to Obtain Brookings Files on Vietnam War

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The morning after he ordered a break-in at the Brookings Institution to seize the think tank's files on the Vietnam War, President Richard M. Nixon was still adamant about it and frustrated by what appeared to be resistance from "high-minded" lawyers.

"We're up against an enemy, a conspiracy, that are using any means," Nixon said on July 1, 1971, at an Oval Office meeting with White House Chief of Staff H.R. Haldeman and national security adviser Henry A. Kissinger. "We are going to use any means," the president said in a steely tone, hitting the desk seven times, once for each word. "Is that clear? Did they get the Brookings Institute raided last night? Get it done! I want it done! I want the Brookings safe cleared out."

Nixon's anger—and exasperation—were evident from the outset that morning. The evening before, another tape released this week by the National Archives reveals the president ordered the burglary at Brookings as part of a counterattack against critics of the war, especially those who may have been involved in leaking the Pentagon Papers. Kissinger, the only participant at the July 1 session still alive, said Thursday he doubted he was in the room June 30 when the burglary first came up. But

his presence the next morning was affirmed not only by the logs, but by remarks Kissinger made later on, urging dismissal of a suspected leaker. "He was there if the logs say he was there," a Kissinger assistant Jerry Bremer said yesterday. "But he has no memory of this discussion at all. These meetings covered much broader issues."

The July 1 meeting lasted 67 minutes but, under rules worked out in lengthy legal wrangling with the president's lawyers and more recently his estate, only the portions dealing with "abuse of power," totaling some 201 hours during the Nixon presidency, are being made public now.

Nixon's White House was concerned that Brookings was planning a classified study on the Vietnam War similar to the Pentagon Papers that had been leaked to the New York Times and Washington Post. In fact, no such study at Brookings was underway, and Brookings officials say no burglary ever occurred.

But on June 30, in the wake of a Supreme Court ruling permitting continued publication of the Pentagon Papers, Nixon told Haldeman to "riffle the files" at Brookings, "bring them out." He even set the time of night. "Go in at 8 or 9 o'clock." When his orders were not followed, an obviously unhappy Nixon said the next morning that he needed "a tough lawyer." The president said he was tired of those always asking, "Is it technically correct?"

"I mean I can't have a high-minded lawyer like [White House domestic assistant] John Ehrlichman or, you know, [White House counsel John] Dean or somebody like that," Nixon said. "I want somebody that's just as tough as I am, for a change. Just as tough as I was. I would say, in the Hiss case. Where we won the case in the press." Alger Hiss, a former State Department official convicted of perjury in 1950 for lying to a grand jury about communist espionage, died last week at 92. In the tape, Nixon recalled how Justice Department officials had wanted "to clear Hiss," and how he outfoxed them by refusing to produce evidence he had compiled as a congressman.

"I played the press like a master," Nixon said. "I leaked out the [Pumpkin] papers. I leaked out everything I could. . . . I had Hiss convicted before he ever got to the grand jury. And when the grand jury got there, the Justice Department, trying desperately to clear him, couldn't do it."

Nixon said he would handle the Pentagon Papers controversy the same way. "We're going to leak bits and pieces," he said. "All evidence we find with regard to the conspiracy is going to be leaked, to columnists and the rest. And we'll kill these sons of bitches."

Staff researcher Barbara J. Saffir contributed to this report.