

20 Oct 73 (1)

Cox is fired as special prosecutor. Announcement made at White House, 8:25 p.m.

□ Nixon orders Richardson to fire Cox, because (as Ziegler says in making the announcement) of Cox's "refusal to comply with instructions ... not to seek to invoke the judicial process further to compel production of records, notes or memoranda regarding private presidential conversations." AMP-A

□ Richardson refuses and resigns, because he had promised the Senate, when he was confirmed as Attorney General, that he would not interfere with Cox's operations. -6

□ Nixon orders Ruckelshaus, as Richardson's deputy, to fire Cox. Ruckelshaus refuses and is fired. AMP-B

□ Nixon tells third-ranking man in the Justice Department, Solicitor General Robert Bork, that by law he is Acting Attorney General, and orders him to fire Cox. E

□ Bork notifies Cox that he is fired and that the office of the special prosecutor (with a staff of nearly 100 lawyers and investigators) is abolished. Cox responds with a one-sentence statement: "Whether ours shall continue to be a government of laws and not of men is now for Congress and ultimately the American people."

□ FBI seals off Cox's office to prevent any documents or records from being removed. FBI spokesman says this is being done "at the request of the White House." (WXP) AMP-I

□ Nixon says Watergate investigation has been transferred back to the Justice Department. AMP-C

SFEx 21 Oct 73, Knight News Svc, Robert S. Boyd

See clippings for details of these events, and reaction ("Within minutes of the astonishing announcement by ... Ziegler, congressmen who had not spoken of impeachment before were talking of it.").

See file for:

- Text of letters, Nixon, Richardson, Ruckelshaus, Bork. AMP-F
- Text of tape compromise proposal and Cox's reply.
- Reconstruction of events, beginning 15 Oct when, according to "authoritative sources," Richardson was informed by "a high-ranking presidential aide" to dismiss Cox. (Story by Laurence Stern.)
- Chronology of events of 19 Oct (deadline for Nixon to comply with or appeal Sirica's order for release of tapes) to 26 Oct (Nixon press conference). See "Eight Days in

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[continued from previous page]

October," by Saul Pett, Jules Loh and Richard Meyers.
- WXP 28 Nov 73, Stern

"Cox Vowed Fight for Tapes, Hinted at Contempt Move." Cox tells newsmen at press conference he is planning to go court "promptly" next week to press the case. AMP - D
- H

In correspondence between Cox and WH, released by Cox today, he outlined four main objections to Nixon proposal, and suggested a more thorough means of verifying the integrity of the tapes "even though I reject all suggestions of tampering. Should we not go further, to dispel cynicism, and make provision for skilled electronic assistance in verifying the integrity of the tapes . . . ?"

WXP 21 Oct 73, Chapman

SFEx 21 Oct 73 [Ex News Svcs]

"Ervin, Stennis Feel Firings Don't Affect Tapes Plan," that they feel the agreement is still in effect as to their part in it.

Ervin says he was told tonight by Buzhardt that his committee would receive a verbatim, partial transcript of the tapes, with deletion only of national security information. In announcement 19 Oct Nixon said he would personally prepare a statement from the tapes, his summary and the tapes would be given to Stennis, and Stennis could then certify whether or not the summary included all the Watergate material. The statement would then be given to Sirica. (And also to Ervin committee?* Check.) Ervin says he will not accept a summary "because a summary is another man's interpretation of the contents of the tape."

WXP 21 Oct 73, Chapman *See entry 21 Oct, Baker says ..

WXP 21 Oct 73, Crenshaw

Tapes -"Although President Nixon has said he has taken personal custody of the tape recordings sought by ... Cox, their precise location ... remains as classified as their content. A top White House aide would acknowledge only that the tapes are somewhere in the executive mansion. ... Officials now leave unanswered whether [Secret Service] agents still are keeping special watch over the tapes."

SFEx 21 Oct 73 [AP]

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Milk fund - "White House Expected \$2 Million From Dairymen."
(Not read.)

WXP 21 Oct 73, Lardner

Gurney sanctioned a covert political fund-raising operation directed in 1971 and 1972 by Larry E. Williams of Orlando, according to sources close to both men at the time.

SFEx 21 Oct 73 [Knight Newspapers]

Tape "compromise" - Joseph Kraft points out that Nixon's proposal "would have yielded summaries, not evidence admissible in court." "In any case, it is not for Mr. Nixon to pick and choose about how the tapes should be made available. He is under a specific court order on that matter."

WXP 21 Oct 73, Joseph Kraft

Tapes (possibility of alteration) - Syntonic Research, Inc., New York, has recently released a phonograph record, one side of which carries Nixon's speech of 15 Aug 73, and the other, the speech as altered by them, to show how easily this can be done. (See clipping for excerpt from altered tape.) Irving Teibel, head of Syntonic, said they "edited the tape, adding nothing, but rearranging the words in order to change the meaning. The objective was to show what could be done with altered tapes."

WXP 21 Oct, Lloyd Shearer

Rebozo - Ervin committee subpoenas records of Nixon's personal account in Rebozo's bank. (Date undertain; WXP story in SFC 31 Oct says records were subpoenaed "about ten days ago.") See entry 30 Oct, Rebozo - Three-member board ...

Nixon - "While the White House was announcing the departure of chief Justice Department officials, the Nixon family was watching a movie entitled 'The Searching Wind.'" After dinner in upstairs family quarters with the Eisenhowers, Rebozo and Rose Mary Woods, "the family" went down to WH theater. Unclear whether Rebozo and Miss Woods went with them.

NYT 22 Oct 73 [UPI]

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Resignations, Richardson's^{personal} staff - Richard G. Darman and J.T. Smith, Richardson's special assistant and executive assistant, resign when he does. See entry 22 Oct, Resignations, Justice Department.

Rebozo stays overnight at the White House, 19 and 20 Oct. See entry 23 Oct, Rebozo/Hughes.

(20 Oct 73) AMP (1)

(A) - Ziegler says, "Mr. Cox's ... announced intention to defy instructions from the President and press for further confrontation at a time of serious world crisis made it necessary for the President to discharge Mr. Cox "

UPI: "Secretary of State Henry Kissinger went to Moscow today*on orders from President Nixon to discuss 'means to end the hostilities in the Middle East' with Soviet leaders. Senate Democratic Leader Mike Mansfield, one of three congressional leaders briefed by Kissinger late last night [19 Oct], said the secretary left in response to 'an urgent request from Kosygin, not that he come there in a matter of days, that he come there in a matter of hours.'"

SFEx 21 Oct 73 [Knight News Svc, Robert S. Boyd]

SFEx 20 Oct 73 [UPI]

*[20 Oct]

(B) - Haig is quoted as having said to Ruckelshaus today, "Your commander in chief has given you an order. You have no alternative."* Haig later says of this (no date) that it was taken out of context and that "I've never used that kind of language."

Story gives example of almost identical expression used by Haig to another man, William Watts (one of Kissinger's aides on NSC), just before U.S. military "incursion" in Cambodia: "You have an order from your commander in chief. You can't refuse it."

WXP 28 Nov 73, Stern

*SFEx 28 Oct 73 [AP, Pett, Loh, Meyers]

(C) - William Safire, on Nixon strategy in firing Cox: "The Department of Justice, an arm of the President, cannot properly investigate the President."

SFC 22 Oct 73 [NYT, William Safire]

(D) - "First, he said he planned to tell the court that he did not regard the President as being in compliance with ... Sirica's original order to hand over the subpoenaed tapes for inspection in his chambers. After that, Cox said, one of his obvious options would be to seek an order requiring the President to show cause why he should not be held in contempt of court."

(20 Oct 73) AMP (2)

(E) - Ziegler's statement implies Ruckelshaus was fired:
"[Mr. Ruckelshaus], like Mr. Cox, has been discharged of further duties effective immediately." Ruckelshaus's letter to Nixon begins, "It is with deep regret that I tender my resignation."

NYT 22 Oct 73, texts of statement and letters

- From story giving chronology of events: "[Ruckelshaus is told by Haig] to fire Cox. Haig: 'Your commander in chief has given you an order. You have no alternative.'

Ruckelshaus: 'Other than to resign.'"

SFEx 28 Oct 73

(F) - Text of Ziegler statement of 20 Oct.

NYT 22 Oct 73

(G) - "What several sources made clear [21 Oct] was that the nine White House tapes subpoenaed by Cox ... were not in fact the central issue of last week's tug-of-war between Cox and the White House. Sources close to Richardson and Cox said they were more concerned about getting other memos, notes and documents that also were subpoenaed from the White House. Various documents and memos from the White House could have been crucial evidence in cases expected to be brought by Cox against Nixon campaign contributors, the [ITT], White House wiretapping, and secret investigations into news leaks, the sources said."

WXP 22 Oct 73, Woodward and Bernstein

(H) - "In addition to the tapes, Cox indicated he is also seeking other White House material, including the papers of ... Ehrlichman and ... Haldeman. He said he was told only a few weeks ago that an inventory of papers he had requested would not be supplied to him. The compromise would prevent him from seeking subpoenas for other information in the White House."

WXP 21 Oct 73, Chapman

(20 Oct 73) AMP (3)

①- See SFC 16 Oct 75 for story on how Cox and his staff retained and protected their most important and sensitive documents when their offices were occupied by the FBI.