

23 Oct 73 ①

Tapes - Nixon announces, through Wright in Sirica's court, that he will "comply in all respects with the order of August 29 as modified by the order of the Court of Appeals," and will release the tapes to Sirica. Wright says the tapes will be indexed and submitted "as expeditiously as possible," perhaps in a few days. Story says, "The White House must also submit, with sharply limited exceptions, any memoranda, papers, transcripts or other writings related to the nine meetings and conversations at issue between the President and his advisers."

*See entry 12 Nov 73 AMP-F

SFC [WXP] 24 Oct 73

"A Theory: Nixon 'Trade off' -- Cox for the Tapes." Article by Clifton Daniel. "Because of Cox's probing into such questions [campaign funds diverted to Nixon's personal use, Rebozo and Hughes contribution, etc.], Mr. Nixon - the theory goes - had become the hostage of his friends: If they were going to protect him from the taint of affairs in which they had been involved he had to protect them from special prosecutor Cox." See entry, Nixon and "his confederates" ... SFC [NYT] 24 Oct 73, Clifton Daniel

Haig and Wright hold press conference, less than three hours after announcement of Nixon's decision to release the tapes, to explain the WH position.

SFC [NYT] 24 Oct 73

AMP-A

Richardson and Ruckelshaus hold press conference; Richardson^{is} cheered for two minutes before speaking by Justice Department employees. Richardson equivocates when asked whether he thinks Nixon should be impeached; says he would have taken the same position Cox did in pressing for the tapes; does not believe Cox was "out to get" Nixon; confirms that Cox was interested in Hughes contribution, given to Rebozo; calls for appointment of another special prosecutor; releases exchange of correspondence between himself and Nixon 21, 22 Oct. Ruckelshaus also calls for another special prosecutor.

SFC [LATimes] 24 Oct 73

23 Oct 73 (2)

Impeachment study by Judiciary Committee to proceed in spite of Nixon promise to release tapes. AMP-E

- House and Senate Democrats continue work on proposed legislation to create office of special prosecutor which would be independent of Nixon; 90 House members co-sponsor such a bill.
- House Republican leaders tell White House Nixon must appoint another special prosecutor, in addition to his release of the tapes, or lose the support of some House Republicans in an impeachment fight.
- Albert says he wants the House to move as fast as possible to confirm Ford.

SFC [WXP] 24 Oct 73

Impeachment - Bryce Harlow meets with ^{House} Republican leaders ^{this morning}, who tell him that unless Nixon makes the tapes available they will not "go to the wall" with him in blocking impeachment; urge continuation of office of special prosecutor. Harlow takes message back to the White House, after which Nixon makes decision to release tapes. Harlow, accompanied by Buzhardt, returns for afternoon meeting with congressmen, tells them of decision on the tapes, say Nixon will not name a special prosecutor. AMP - X, E, F

SFC [WXP] 24 Oct 73

Ford sees no need for special prosecutor.

SFC [AP] 24 Oct 73

"\$2 Million Dairy Promise to Nixon," through letter by Patrick J. Hillings, lawyer for AMPI, 16 Dec 70; copies of the letter "have been made available" to Ervin committee and "other investigators," including public interest groups. (See clipping for chronological account, running to 1 Feb 72.) Hillings later joined Chotiner's law firm; has since left it.

- See entry 10 Sep 73; 24 Oct 73.

SFC [AP] 24 Oct 73; SFEx 24 Oct 73

Rebozo - WH denies that Nixon has a \$1 million investment portfolio; see entry 22 Oct.

SFC [AP] 24 Oct 73

23 Oct 73 (3)

Nixon television and radio address is scheduled for tomorrow, 9 p.m. EDT. See entry 24 Oct, Nixon's broadcast ...
SFC [AP] 24 Oct 73

Impeachment - House meets for only four hours but in that time eight resolutions calling for impeachment are introduced; before adjournment the resolutions pick up 31 cosponsors; in addition 13 resolutions calling for a committee of inquiry (a preliminary to actual impeachment proceedings) are introduced, with 76 cosponsors. AMP - F
SFEx 24 Oct 73 [UPI] See entry, Impeachment,

Bryce Harlow ..

Ehrlichman's lawyer, Joseph Ball, says he will ask for all presidential tape recordings dealing with plumbers group; will ask for them at hearing in Superior Court, Los Angeles, 26 Oct. Ball's statement is made after Nixon announcement of release of tapes.

SFEx 24 Oct 73

"White House officials admitted [today] that they were startled and staggered by the country's hostile reaction to the 'Saturday massacre' that wiped [Cox, Richardson and Ruckelshaus] off the government payroll. Staff Chief Alexander Haig used scary words like 'nightmare,' 'firestorm' and 'maelstrom' to describe the situation which the President faced when he walked into the Oval Office [this morning]. Outside the White House gate, automobile horns could be heard honking for his impeachment. Opinion polls showed massive disapproval of the President's actions. Frantic Republicans were scurrying for cover. He was in danger of being exposed, to use one of his phrases, as a 'pitiful, helpless giant.' "

"A ... Machiavellian theory is that the intricate maneuvering over the tapes was actually a scheme to get rid of Cox. Under that theory, the so-called 'compromise' Nixon offered on the tapes last Friday was deliberately designed to be unacceptable to Cox. He would either have to resign or put himself in a position where the President could fire him for insubordination "

SFEx 24 Oct 73, analysis by Robert M. Boyd

- See entry, Nixon (million-dollar portfolio).

(4)

23 Oct 73 (4)

Cox firing (WH version) - Undated story says a senior WH official, giving "an authoritative review of background of events" leading up to dismissal of Cox, says Nixon made the basic decision a week ago to bring Cox's suit for the tapes to an end. (23 Oct is a Tuesday; previous Tuesday was 16 Oct. See entry 16 Oct, Nixon/Cox/tapes, Richardson meets, and entry 17 Oct, Haldeman testifies; presumably Haldeman would have been in WX 16 Oct, if not a day or so earlier.)

Story quotes source as saying, "I'm not trying to say that the Middle East war was started because of this. But we had evidence from around the world that this might be a factor - from an increase in infiltration from North Vietnam into the South to more subtle action in the Middle East and Europe." (See entry 5 Oct 73, Thailand.)

Source says WH considered that Cox had three alternatives, to defy Nixon's order, obey it, or resign. "We thought - and frankly, we hoped - that he would choose to resign." Story says Nixon and his advisers were confident that the compromise would be popularly received, even if Cox resigned or was fired; quotes source as saying that Richardson and Ruckelshaus leaving the administration "is what triggered the big reaction. It wasn't Cox's firing."

SFEx 23 Oct 73

Richardson (WH pressure) - Undated story says Richardson concluded "earlier this month" that WH was trying to get him to limit the Watergate investigation, credits information to "sources familiar with Richardson's thinking." Sources say WH asked Richardson about a possible investigation by Cox of Rebozo, and a Cox request to obtain records from Rose Mary Woods. Richardson's contacts at the WH were Haig and Buzhardt, both of whom have denied asking for a restriction of the Cox investigation; story specifically says Richardson "interpreted certain inquiries by the White House ... as signals to go slow."

"Another point of pressure on Richardson, the sources said, were private predictions by the presidential lawyers that ... Sirica would accept the President's compromise proposal on the White House tape recordings. The predictions, if accurate, would mean that Cox and Richardson would be the only ones unwilling to go along with the proposed solution.

(5) (Cont'd)

23 Oct 73 (5)

[from previous page]

The [Ervin committee] leadership was willing to accept the authenticated version as a substitute for the tapes

"To compound the pressure on Richardson, the sources said that [Nixon, Haig and Kissinger] flooded Richardson with briefings and information on the Mideast crisis." AMP-XB

WXP 23 Oct 73, Woodward and Bernstein

Nixon, "temper tantrum" - "The President was so disturbed over the scope and intensity of the Cox investigation, one source said, that he 'threw a temper tantrum' within recent weeks*and asked ~~for~~ Richardson to oust Cox. Cox was not fired then because 'Richardson talked the President out of it,' the source said." *(See entry 15 Oct, Cox - The intense ..)

WXP 23 Oct 73, Woodward and Bernstein

Other investigations blocked - The firing of Cox has blocked, at least temporarily, investigation of ITT, milk fund, Fielding break-in, Rebozo (Hughes \$100,000), illegal campaign contributions. "But ~~the~~ [Cox] was still trying to determine whether extortion was used to get campaign funds from companies that had sensitive dealings with the government."

SFEx 23 Oct 73 [Ex News Svc]

AMPI - "New evidence has surfaced tying President Nixon to an alleged deal involving a pledge of \$2 million in campaign money in exchange for administration favors for the dairy industry." See story for details, including letter to Nixon from Pat Hillings, 16 Dec 70.

"The decision [to approve a rise in price supports] was worth between \$500 million and \$700 million to the nation's milk producers, according to an industry estimate."

SFEx 23 Oct 73 [AP]

Rebozo (bank, savings and loan) - Undated story says confidential file on savings and loan institution to be operated by Rebozo associates, in his bank building, has disappeared from Federal Home Loan Bank Board. See story for details. Loss was discovered 16 Oct, and reported to the FBI by chairman of the Board, Thomas R. Bomar, on 17 Oct.

WXP 23 Oct 73, Cannon Also entry, 22 Oct.

(6)

23 Oct 73 (6)

Rebozo/Hughes - Undated story says Rebozo (according to "a highly placed White House source") became "very upset" by a story in Miami Herald 18 Oct which said Cox was looking into the Hughes loan.* The source says this decision by Cox convinced Nixon Cox was "out to get him" and triggered the events which led to his dismissal.

Story says Rebozo spent the nights of 19 and 20 Oct at the White House and returned to Florida yesterday.

See also entry, Rebozo (bank, savings and loan).

WXP 23 Oct 73, *\$100,000 contribution)
Cannon

International tension - See entry, Richardson (WH pressure).
A N I P - 8 - C

Impeachment - Carl Albert is attempting to head off demands by some House Democrats for the start of impeachment hearings; is expected to suggest instead a broad inquiry into whether there are grounds for such hearings. See entry, SFEx 23 Oct 73 [EX News Svc] /impchmt, Bryce Harlow ...
A N I P F

Nixon removal - "Forcing Mr. Nixon Out of Office," by Joseph Kraft: "Impeachment is only one of the weapons the country can use in meeting President Nixon's latest challenge to government by law." Kraft lists as other possibilities, action by the House, "which could hold hearings, and as part of the hearings subpoena the White House tapes;" by the Senate, because Nixon has unilaterally broken the compact whereby the Senate approved ... Richardson as attorney general on condition Mr. Cox be allowed to function freely;" by the Senate Judiciary Committee, which could "hold public hearings on the firing of Prosecutor Cox, [after which] the full Senate, without prejudging the impeachment issue, could then censure the President for his breach of faith;" and by citizen groups, such as the American Bar Association, [which] has a role to play in demonstrating that the President is subverting the judiciary."

WXP 23 Oct 73, Joseph Kraft

Impeachment - See entry, Nixon removal; entry, Impeachment, Marquis Childs

23 Oct 73 (7)

Nixon and "his confederates" (Jencks, Brady decisions) - Marquis Childs: "The President's determination to hold the tapes and relevant documents secret, with his proposed compromise a sham, shows his clear intent to try to insure that his confederates, indicted or about to be tried, shall go free. Their lawyers can claim that the relevant evidence on which to base their defense is not available and there must therefore be a mistrial. What is happening has the look of something like a concerted plot. If this sounds slightly paranoid put it down to the general atmosphere that infests the Nixon administration. The Haldemans, the Ehrlichmans and the others testify to the President's innocence of any wrongdoing in Watergate. He in turn, by holding back the evidence, makes sure they escape conviction. To cinch this mutual protective society the President had to go all the way and fire Archibald Cox, an honorable man determined to do what he considered his duty."

WXP 23 Oct 73, Marquis Childs See entry, A Theory ...

Impeachment - Marquis Childs: "There should be no illusions about the danger of this weapon. To shoot to kill the king and miss, as dictatorial societies in the past often demonstrated, was to guarantee sterner repression of whatever rights may have previously existed."

WXP 23 Oct 73, Marquis Childs

Nixon/Rebozo - "Rebozo has been one of Mr. Nixon's closest friends for many years. Mr. Nixon was the first depositor in the Key Biscayne bank and wielded the shovel at the bank's groundbreaking in 1964."

WXP 23 Oct 73, Cannon

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Bork - Nader files suit against him. See entry, 25 Oct.
SFC [WXP] 26 Oct 73 Is this the same suit as in
entry 29 Oct? (Bork)

Bork issues departmental order abolishing special
prosecutor's office, turning its personnel and functions
over to Criminal Division of Justice Department.
SFC 10 Nov 23 [NYT]

Nixon (million-dollar portfolio) - "Cox ... uncovered a
million-dollar 'private investment portfolio' set up for
[Nixon] and administered through ... Rebozo, A.B.C. News
reported today. In a report broadcast by Bill Gill, the
network said that 'an important witness from the Miami
area' provided the information, which was given to Mr. Cox
hours before he was dismissed and his office sealed off.
He said the information was also given to the Senate
Watergate committee....

"Described by a source close to the investigation as the
"Nixon Checkers Fund of 1973," the alleged investment
portfolio is being probed to determine whether large
unreported political contributions may have been diverted to
Mr. Nixon's personal use and whether or not Federal taxes
were paid on any such amount," A.B.C. said.

"According to the Miami witness, the network continued,
'contributions from two international corporations
[amounting] to more than \$1-million may have become part of
that private Nixon portfolio.'

"A.B.C. said the Senate Watergate committee and the
Internal Revenue Service were investigating the report."

NYT 24 Oct 73 [UPI]

- On Bill Gill, see entry 22 Aug 73, ABC News says
- See also entry 22 Oct 73, Rebozo - ABC says AMP - 9

Rebozo - See entries:

Rebozo/Hughes

Nixon/Rebozo

Rebozo - WH denies

"A Theory "

Nixon (million-dollar portfolio)

Bill Gill - See entry, Nixon (million-dollar portfolio)

(23 Oct 73) AMP (A)

(A) Haig says that decision to release the tapes to Sirica has decided the main controversy and that Nixon "does not want to impose on Senator Stennis." Tapes will not be given to ~~Waker~~ Ervin committee.

- Ervin sends telegram to Nixon demanding "a verbatim copy of the exact words as recorded on the tapes."
- Two Ervin committee members, asking not to be named, say they believe Ervin and Baker had been deceived into allowing themselves to be used by Nixon when he ordered firing of Cox. ~~Edmisten~~ says Ervin cannot be reached, but Edmisten says Ervin had no idea that the arrangement he agreed to would be used as a vehicle to fire Cox; Baker says he might not have agreed to Nixon's solution if he had known it would lead to Cox's dismissal.

SFC [NYT] 24 Oct 73

(B) - Story by Murrey Marder goes into greater detail. According to "a source" the subject of the Middle East "came up every day." "It was said" that one-half of the calls from the White House to Richardson in the week preceding dismissal of Cox was on this subject, that when Haig was discussing this with Richardson he would shift to the problem of Cox. Even Ruckelshaus, who had even less official responsibility in the field of foreign affairs, "is reported to have been urged by Haig to give special concern to the gravity of the international situation resulting from the Middle East crisis, in choosing his own course of action." "The entire interaction between the Middle East crisis, and the Cox-Richardson-Ruckelshaus departures, is yet to be disclosed." See story for details.

WXP 23 Oct 73, Murrey Marder; 2 May 74, Marder

(C) - See entry, Cox firing (WH version).

(D) - ~~See entry, Impeachment, House meets ... ; entry, Impeachment, Carl Albert is attempting ... ; / impeachment study .~~

(E) - "By the time most members of Congress returned Oct 23 from their Veterans Day weekend holiday, the impeachment process had begun. Shortly before noon that day, House Speaker Carl Albert (D Okla.) told a crowded press briefing that he

(23 Oct 73) AMP (B)

would refer all impeachment resolutions to the Judiciary Committee, headed by Peter W. Rodino Jr. (D N.J.). Three hours later , the mood of Congress was changed somewhat by the announcement of the President's decision to surrender the tapes. But the plans to go ahead with a study of impeachment remained intact. A spokesman for Rodino's committee [House Judiciary Committee] said the committee would be 'basically unaffected' by the President's reversal."

Congressional Quarterly, Watergate 2, p. 78

- See also long, detailed article of what went on behind the scenes at HJC; time covered is from 23 Oct 73, today, to 27 Jul 74, adoption of Article I of impeachment.

NYT 5 Aug 74, James M. Naughton and others AMP-F

(F) - See entries: Impeachment study by Judiciary Committee ...
" , Bryce Harlow meets ...
" , House meets ...
" , Carl Albert is attempting ...
AMP-E

(G) - See entry, 8 Oct 73, Hughes/Rebozo.
- See entry (today), Nixon (~~million-dollar portfolio~~)
"White House officials admitted "
- See entry (today), Nixon, "temper tantrum."
- See other refs, under entry headed Rebozo.
- See entry 20 Oct 73, Rebozo, Ervin committee subpoenas ...
 [] Check Chronology for other refs.
- See entry 26 Oct 73, Nixon press conference (esp. over page, note C).
- See entry 7 Nov 75, Nixon (Bahamian bank).
- See entry 22 Oct 73, AMPs F, G.