

3/30/72 NX + HRH 11:52 to 12:15

000

N I must say it's quite different  
H I believe it is  
N Anyone who believes a thing like that deserves  
H Just been unbelievable. Y'know. Built himself  
up as a little kid. Dedicated. And has become  
end up the greatest swimmer in world  
history  
N Really?  
H Oh. Yeah. and all the rest.  
N Yeah. Well - I was going to suggest that after  
I finish these knick-knacks around 12:30, I  
think it would be good to get Colson and  
McGregor to come in after you have  
H Well, I've--  
N  
H Well, I've covered it with McGregor. I've  
talked to Kleindienst  
N Yeah  
H And I've talked to McGregor  
N What'd you say to Kleindienst?  
H Well I went through just exactly what we talked  
about with Kleindienst and he said oh hell I  
didn't mean to imply to McGregor in any way that  
he should talk to Eastland. Now - I think he  
did it  
N Yeah  
H But he backed off of it  
N Yeah, yeah - but  
H An I think is that it's just-- in making the  
deal with Eastland I can do a better job  
because, because he likes me better and moves me  
more--  
N Yeah

H --to put it in its simplest terms  
N Yeah, yeah, Right  
H And what I felt that I ought to do that. I thought it was best understood.  
N Yeah  
H But we have a problem that if you want this to be a relationship where nobody's allowed to talk to Eastland but that's, that's kind of a problem.  
N Yeah, right.  
H And he said o hell no and Clark should be going with him --  
N Yeah.  
H -- on the vote counts  
N Yeah, right  
H -- and the technical  
N Right  
H -- all that  
N Good let me call Clark  
H No problem on that and when he said I-- that there was a story that Marlow Cook was going for a compromise on this thing. And he said I've talked to Marlow Cook about that to see what he's talking about and Cook says that he's solid for a, a, complete termination vote but he felt it would be a good strategy for him to say publicly that maybe we ought to look into sane compromise on the thing. He'd certainly think that was a good idea so that it doesn't look like the Republicans are trying to cover up. He said in executive session he would vote uncompromisingly for total termination and he said there'll be no problem because the compromise that Teddy will seek will be so outlandish that we can, probably we can just reject that out of hand.  
I'll just say unreasonable.

N Right  
25  
H Whatever it is  
N Right  
H And so he at least and and McGregor brings this too, does, it not concerned about the-- wh--  
N Right. Right  
H Wh--  
N Good. That covers the thing  
H his being directly obese and when not Mardian being with them and he said I understand that and I will in there  
N Good  
H And ah I said now tie only other problem that we've got to clear up is is there's apparently some thought on Eastland's part that ah ah it would be a good idea for you to continue through the rest of the year as acting Attorney General. Somehow he can't be allowed to go on having that problem. And he said I understand that and I don't think  
N Yeah  
H Y' know he's understands it-- misunderstands the overhand and all that  
N Yeah. All right  
H But anyway I got that  
N You got that and you got  
H I got that  
N Great  
H So he knows that. I said obviously as the President made very clear yesterday that's that's just a potential that we can't rule politically and ah--

N Right

H -- he said oh I understand that. And--

N Right,

H -- so I went in and talked to Clark.  
Kleindienst had already talked to Clark  
on the phone

N Yeah

H -- before I got to him. He had not talked to  
Eastland yet, so this, this

N Right

H Eastland. Kleindienst

N You talked to Clark.

H I talked to Clark and Clark said there's ah, I  
understand all that and that's fine. And he  
said and there-- we talked through the whole  
thing. I said this what Klein-- Kleindienst and  
he said I agree. Kleindienst is the better guy  
to cut the deal with Eastland. Eastland does, is  
suspicious of me. On the other hand ah if my  
hands are to be tied and I'm not to do anything  
except be an I said they're not to be  
and said the President -Oh. I hit Kleindienst  
on that pretty hard. I said that, see, Clark's  
problem, Dick, is that it's his view that he's  
the President's Congressional

N Right

H -- that he has an assignment from the President-

R Right

H -- which is to deliver the confirmation

N That's right

H That's where we're crossed.

N Right

H Now there're some prices which we can take in  
delivering that but you don't know a goddam  
thing about it--

N Right

N Right  
H -- and shouldn't and never will  
N S'right  
H We've got a Senator who wants a Veteran's Hospital and we may give it to him.  
N S'Right  
H And we've got another Senator who wants something else--  
N Right  
H -- wants something taken out of the record, and we may take it out  
N Right  
H But that's nothing to do with justice--  
N Right  
H -- you don't know a damn thing about it?  
N Right's time  
H But Clark does  
N Right  
H -- and do you really wanta pull Clark outa that? And he said well-- and I said I also understand that you talked to Clark last week and made the point that you were counting on him to deliver the ah,  
N Yeah  
H ...confirmation...  
N Yeah  
H ...and he says that's right  
N Yeah. Right j  
H Absolutely  
N Good  
H So that's all cleared. I covered that all with Clark. He said fine. I he says maybe I over-reacted but I'd--  
N Yeah

H

N

H

N

H

**RESTRICTED-"D"**

N

H

N

Yeah

H

I said well it probably woulda but I'll get it cleared up. I just want you-- And he said I'm not asking-- I said-- I'm not asking you to do anything I just want you to know what my problem is here so that you're

N

Good

H

has to go down the track on that

N

Great. Great.

H

-- and I'll take care

N

I just don't want Clark to feel we-- we're trying to--

H

When we finish when I finished with Clark I said he said ah I don't wanna rush you out but I do have the President's 12 o'clock appointment waiting. Maybe I oughta go catch him and ah, ah

N

Sure. Yeah

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H

I said, ah, fine but ah, maybe ,maybe we ought to go down and see the President and just make sure this is all cleared up. He said, if the President wants to that's fine if there's any concern in his mind.

P Right, right

H But, he said you clear everything up  
I have no need to see the President.

P Right

H So that's where that is. Now, in the meantime you should note, MacGregor just told me this, that Colson after McGregor, Colson and I met this morning, Colson got McGregor aside and said I want you to join with me in a private memo I'm sending the President urging that Kleindienst withdraw now. And McGregor said, I will not join in that, I don't want to be on record and that it isn't any of my business and Colson said yeah I noticed you waffle in (?) the President's office on that point the other day. And, ah, McGregor said well waffling(?) may be what you'd call it, I hadn't thought about it. My assignment is to get the nomination confirmed and that's what looking at and I haven't-- my first assignment was get the ah, the hearings terminated and that's what I'm working on.

P Right

H I am beyond that as to what ought to be done and when the President asked me I said I hadn't thought about it.

P But does Colson have a new scheme(?)

H I don't know. I'll see his memo that, ah

P Well, we don't need to have memos written to each other.

H This is this is a point.

P Yeah

H And McGregor said, I don't, he said McGregor said look

P Is McGregor, will he

H There are numerous...

P Kleindienst out and oh Kleindienst right now can withdraw.

H Well, I can't

P Do you think so?

H No

P Does Colson think so?

H I think

P I asked this point, I asked about

H Colson's back on his scare tactic again of the memos that, from, there's a memo from, ah, ah McLaren to Ehrlichman er, all those things, we've heard about 'em before.

P Yeah

H And he said, he told Clark about 'em, he said I hadn't told you about them before 'cause I didn't think you should know they were there and I haven't told the Attorney General or Kleindienst because if they're called on the witness stand they shouldn't know these exist

P Right, right

H But they're there and we've got to terminate the hearings in order to avoid these things coming out. And then, I think he's now arguing that maybe with the hearings terminated, that Kennedy in his frustration will find some way to get these out if he or find out about them if he doesn't know about them if he doesn't know about them which I can't imagine that he does, and get 'em out some other way. Ah

P Yeah

H If we can keep Kleindienst up for confirmation. Now, my answer to that would be, they don't give a shit whether Kleindienst is confirmed or not

P They'll take what they're going to get(?)

H They're going to get those out, they're going to get them out anyway.



P Well, the fact that we Colson forgets Kleindienst is not the issue. They want to get this stuff out. They, they're going to get it out one way or the other anyway-but they have the information.

H If they know about it, they'll get it out and our terminating the hearings isn't gonna stop 'em-- withdrawing the name just isn't gonna stop 'em

P Yeah. Well, can't I can't urge you to do this on Colson. You get him immediately while I'm going through the rif-raf today, 'cause you know he's been a hell-of-a loyal soldier here, say now Chuck, you're to take off 3 days and, there's another thing too you've got to get understood here that either whatever he called you memoranda and so forth and a lot of things these days, mideast and so forth that

H Um hum

P Bob, I'm spending an inordinate amount of my time talking to Colson, talking to McGregor, talking to you about these goddamned hearings. It's wrong. There isn't a thing that I can do that's gonna effect and also I shouldn't know this much about it.

H Sure.

P I just feel that I shouldn't. Now you know what I mean is that I, ah I think that, I think what oughta happen here is that everybody oughta do their goddamn best to, you know, to to work out a strategy and then if I have to be brought in & it, I will do it but

H yeah

P I think what is happening is that it's partly my fault, I gave Chuck a call once or twice

H Well, you're interested.

P I'm interested but goddamned thing but I think we're too close to it. I think Chuck's too close to it of course [phone rings] there's stuff out there. So it comes out that he wrote him a letter. So, so far example Kleindienst submits that people are going to be worried about whether he, what his letter to Larry O'Brien said. They aren't going to give a shit.

H That's the point.

P You see the point?

H Yeah, and if all that comes out it's gonna come out anyway.

P But Chuck, but Chuck's point is that what-- Kleindienst now resign or, or withdraws his name, on what grounds?

H There's no way.

P On what grounds?

H Before the Committee terminates, he can't withdraw. If the Committee terminates, he sure as hell can't withdraw.

P That's right

H The only place that he can and may have to, is if the Committee bogs down or if the Committee continues

P If the Committee continues, then he should say it's clear that I can not be confirmed. I withdraw my name. But I don't want Chuck leaking that to the press. You understand?

H Yup

P That's what we've got to avoid here.

H Yup

P That will, that will get it to a place where Kleindienst as a matter of face.

H Has to stay in,

P Chuck has got to, he's can't, he can't talk to so many people.

H yeah

P Ah, now can I ask you to, now, I'll talk to you at 12:30. I want you to talk to Chuck and say, you're doin' a great job here, we're on exactly the same track, but we've got to work it out better. Does Chuck now that we've been, can he guess is that's what the hell I was talking to Kleindienst about?

H But he knows it.

P About his withdrawal?

H Sure. Because they know, you know, we, you talked to (P & H talking at same time)

P ...writing a memorandum

H They both know that's what it was about.

P What's the purpose

H I made the point to both of them

P What's the purpose of the memorandum?

H They just don't wanta know what it was about, obviously they do but they don't want to so they forget about it. They don't know.

P In fact (?) the meeting never took place. That's what they should know. This meeting never took place. No, you can't say that.

H Well, it doesn't matter. There's no reason

P But my point is, I do feel, I do feel that Chuck, there's got, you've gotta get him off the kick that he figures he's a lobby (?), you know he's, you know, he's a fighter. God bless 'em but. He's fighting Mardian on this too. He's also fighting Mitchell. You see what I mean, and he thinks that other people are taking different views.

H Well they are.

P Mardian may be. I think though that Kleindienst now knows very damned well what we have to do. Doesn't he?

H Yes.

P Does he know

H He laid the groundwork for doing it. He, he put into the which I kind of explained this to McGregor, I said the other point here is, we're better off with Kleindienst knowing that these hearings have to be terminated, it's his ass too now.

P yeah.

H Cause he is committed that they will be terminated.

P That's right.

H That he's to cut the deal with Eastland to get it done. Now that's up to him to do.

P That's right.

H Now obviously that doesn't preclude you working in every possible...

P No

H way you can to get 'em cut off.

P I want you to talk to Chuck and say now that's what we're trying to do. If the hearings are not terminated, Chuck, it's another game. But nobody's to breathe a thing. But we haven't got a provocation whereby Kleindienst can say today that he can do it. And tell Chuck that that, that he's got to know that

H Chuck's with that line.

P Is, huh, what well Chuck's got to know that his idea is full of shit. That he says they aren't, if I'm not confirmed in two weeks, or three weeks I will resign. That will not work. That I know is wrong. I mean it's a game which will not play. You agree with that?

H yup. I do.  
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N But he doesn't, right?  
H I don't think he does  
N Ah right  
H I hit him on that again this morning. I said that is out of, out of the ball park  
N yeah  
H We're not -That's not under consideration at all He didn't argue with me  
N It just can't work. On the other hand, in other words, when it's gotta be done, it's gotta be done searchfully, you can't say I'll do it in three weeks. You've gotta say I am out.  
H Uh--  
N Y'see, so he's a lame duck when he says three weeks.  
H Chuck--  
N Now--  
H Plus he gives them three weeks  
N yeah  
H ...of high level attentions to throw all their shit out at him.  
N That's right. S'right. Now that's the other thing. So I say to them, that's --I say, now the second thing is we're gonna now he can't cut listening off. If it isn't cut, then Kleindienst may have to move, and I'm perfectly prepared to do this. In other words--  
H And you told Kleindienst

N Yeah. I really think that we're gonna have to really rub John Mitchell's nose in this. Uh we've really got to get Kleindienst if if if they screw around this, in this hearing and we don't get it cut off, then Kleindienst has to go. Now the point that Chuck has if, if, if they do cut off the hearings he said well they've gonna get it out anyway as long as Kleindienst's name is up there. The point is that, they're going to get it out anyway whether his name is up there or not if they're going to get it out.

H If they have it and they want it out they'll get it out.

N That's right.

H Kleindienst is not a factor in it,

N That's right. That's right.

H No question.

N On the other hand, I think that I should be one step removed now. I think you'll agree--

H Yeah

N -- from this whole goddam controversy. I, I've got to have Kleindienst-- I've got to the word here, I don't want to see the damn memorandum on this damn thing. I don't want one floating around in here, this memorandum. It'll be in the Washington Post in a few days. Probably and might well be.

H I'll tell them not to send the memo--

N Yeah.

H (directly)

N Yeah, yeah. Tell them

H

N (Right/write) a memorandum on it. We know exactly what we're doing here. We know what we have to do. But we must-- there's too much talk. And, and ah, now do you think I should get Chuck in? Oh that? Ah right. You get him in now and you have a good talk to him and say, look, we've all in the same track here. The question is: What are you gonna do, put in the memorandum? We don't want one filed. He's gotta give it to a secretary and he'll show it to Wally Johnson. You know how it is-- he-- muscle up, he--

H Yeah

N You agree?

H Yep

N I don't need to see that. I know what the situation is. I don't think that Kleindienst can be confirmed either, I don't think his(Vrick)is going to work. But on the other hand--

H You don't know it isn't.

N Yeah, there's a chance. Lemme tell you the other thing. And this is you realize. If I dump Kleindienst over his objections and over Mitchell's objections...

H So what?

N ...the difficulty is, and over Eastland's objections, and his friends?-- he's got friends too. A hell of a lot more friends than the White House staff has got, Bob. That's the thing we've gotta realize. That's--

H That's...

N Now--

H ...that's natural.

N -- you understand? Now if I do that, then I'm in  
a hell of a bad spot. If, on the other hand--  
H You won't get an Attorney General.  
N Yeah. They aren't going to approve anybody.  
H That's right.  
N They'd say well screw you. Why should we get  
McGregor, if we're gonna send McGregor  
H Or whoever it is  
N That's right. The second part. If on the other  
hand I set it up so that Kleindienst himself  
concludes as a result of some prodding from me,  
that his staying in the race--



H S' right

N is going to cause more problems than it solves. The whole thing changes. Y'see the point?

H Sure.

N If this is what Chuck is blind to...

H There's no rationale that you could set that up for him to take any action now. Plus if it's desirable, we just

N That's

H look ridiculous if we pulled out now

N This week what's the hurry? How can he do it this week?

H The Committee's already

N And also

H It's gonna terminate its hearings next week

N That s right. Well. Then they'll vote. But the point is if he did it this week do you think they're gonna say, they're gonna say he's doing in (crying) and so forth. And also it would mean an enormous public reaction and so forth and so on

H Sure

N He's gotta do it at the time that there is some action. First, the committee may not terminate. Then Kleindienst should say I'm getting out, I, I think, that's what has to happen. If the committee does terminate and then there is an inordinate delay in the C-- Senate and Kleindienst ---we've gotta set the date in own mind. It's got to say after two (or) three weeks, it's clear that I cannot be confirmed and will not be confirmed because they will not allow a vote and under the circumstances I am asking the presidant to withdraw my name. Fair enough. Is that to handle it?

H Yes.

N Then Kleindienst is out. If, if for example I hear this Hoover(type) it wasn't somebody else-- it was I who raised the point Bob, that we should, Dick, maybe, maybe, Kleindienst oughta get the hell out. Now you remember at the meeting.

H Yeah

N And uh

H You were convinced of it at one point.

N And, and, well then nobody said

H Nobody felt that. Nobody else...

N Nobody thought so. Well, the more I think about it, that will not work unless it's set up so that he, uh so that his friends will be ,let me put it this way, he's got to have a fair shot-

H Right

N -- at the chance of confirmation. Do you agree or not?

H Right and then he's gotta be a true martyr--

N I think he's gotta be a time martyr

H and his friends have gotta rally behind us

N Right.

H -- who rallied behind him

N S'right, But we've got

H

N -- up to this point.

H Sure.

N And as far as Chuck's it's to expect that getting Kleindienst out is going to make any difference in terms of whether this information comes out.

H S'right

N If the information (that comes --) Getting him out will, it won't, it won't mean, mean it won't get as much publicity if he's out of the picture. You know what I mean?

H S'right.

N They'll say, well, what the hell, They're beating a dead horse, that sort of thing.

H I agree with that.

N On the other hand, right now, the whole Kennedy crowd is working on this thing.

H I think that's right-- all the way.

N Would you talk to Chuck now?

H yup.

N And, and, tell him about the-- the main thing is to, they all gonna been shakey and they want to be reassured. They worked their ass off,

H You mean they're, they're--

N They're so Everybody is, and they do. They worked and they've been slaves and they're been loyal, so you tell him, goddamit, the President is counting on you for help on a lot of things other than this thing. And because we feel there's a hell of a lot and he'll say this is the biggest thing and this is gonna be-- y'know, if, if we stop 'em on this we may stop'em on other things. Forget it,

H  
N --Stennis is gonna be investigating the War Power, you know that. That's, that's politics, nothing's gonna stop them. Not a goddam thing. Now, in, in fairness too, we've gotta say this about Chuck's new. We've really given him his head in the last three or four, three weeks on this. And this is going to break, that's gonna break

H Nothing's definite.

N We got all this, and he says we got this thing here. Dita Beard's testimony will break it, which suggested maybe that'll break and that's not all? And, ah, we got this And that's gonna change it and--

H Exactly like him. He was always right on the brink--

N Yeah

H -- of ending the Vietnam War, for years.

N That's right, And basically none of them has met not an issue

H That's right,

N But (this exterminates)

H

N --it happens to be that this is the case where we haven't gotten a break and we aren't gonna get one, and you know it and I know it. Isn't this true? On the other hand--

H Oh--

N I--

H I'm not convinced that we won't get the final break. I still think it could very well be that this gets to the Senate floor they may end up confirming it

N But let me say this

H

P The other thing is this that looking at it basically the job that Colson and I and you have and McGregor has , when we're fighting on their battleground

H Only lose.

N We're not losing, We don't make any ground. We've got to get the word out. Now I know Colson probably read the news summary this morning and says oh Christ. The two networks had stuff on it and T. So they did.

H Wasn't that--

N Was about Geneen, right?

H That was all right. It was pretty good.

N But the point that I make is this-- what was more important was that three networks had Connally in the lead and how the hell do we set that up? I set that up with Connally, by sitting down and standing (in the top) as I should have with him, and suggesting that he meet with these people and he went out and had a press conference and he put all those

meat packers out there at 6 O'clock at night and every network ran it. Now what do you think of that?

H That's a matter of much more concern to much more people--

N Exactly

H than

N And Charlie Colson knows that, you see what I mean? Now he's, we've got to work on these things, just gotta quit worrying about this thing and that thing and how this is affecting us, you know what I mean.

H That's, uh-- great

N And also it affects, basically it it defers all of our offensive actions. Remember I said, we oughta hit, ought hit the lost of thing, food price thing we ought to hit the bussing thing, and we oughta hit the President's demand

H We oughta be hitting Meany, too, now.

N And kicking Meany in the ass and that has really taken by the wayside, hasn't it?

H No.

N No, but I mean as fat as we are concerned

H What I'm doing now that's right.

N They're editorials hung high

H That's right, but we'll get to

N What about our people? I mean By God, we oughta be-- the people that some of those guys should be writing speeches kicking Meany in the ass

H Right,

N I mean, and let's break ass about it

H We got, we got a, on Meany they re pulling all the AFL-CIO people off of the productivity council so that's fine. And not only don't want to help stop the price rise, they don't want to even help increase labor's productivity.

N Well, they did say. I noticed for example, uh Chuck had four people come into the uh the same dinner and none of them had

H Oh, really?

N Yeah. However uh, is the building trade issue still sitting around

H Not much more

N No more than that?

H S' all you ever had

N All we ever had  
H on the average  
N All we ever had was...  
H You take a stab but you lost on that you got a  
good ending and you gotta use it,  
N That's right but after you finish with Chuck  
let's do that little talk on it  
H OK  
N -- and, let's say look we're on the same, but  
keep me one step removed from it, uh, did  
H Yeah  
N -- that I have been spending more time on it  
than I should  
H Yeah, but I think you oughta say that,  
N Yeah  
H -- that you, that, that...  
N  
H ...we're getting to the point where we just--  
you better take a step back from it, and...  
N Yeah,  
H then, then we all oughta be moving on to some of  
our ground.  
N Yeah I agree. It's enormously important...  
H Easter, let's get some time off, relax  
N Yeah  
H -- there's nothing we can do on this anyway.  
N Yeah. Is there any way incidentally you could  
give him and two or three of the staff members a  
ride on uh y'know courier plane,  
or is there?  
H Lemme see  
N Why not?  
H Lemme see. Don't raise it with'em  
N No, But my point is--  
H Don't you raise any, any vacation with'em.  
Lemme try and work something out. I think maybe  
I can.  
N W--  
H Mitchell's down there. Maybe we can set  
something  
N And Julie's going down at 2: 30 today. She's  
going on a jet.  
H Yeah, don't wanna go with her. They can't get--  
N I think this would be a nice thing to have-

Mitchell is down there. Send uh uh uh I'll ask  
No, I didn't see any reason why a plane, I  
guess you can't, do it , it's too dangerous.

H Tend to think so but let me see. We may have  
something we can work out. That all depends

N Yeah, I'm going down on my vacation there, next  
week and maybe the Secret Service can go down  
and set up the telephone or some damn  
thing

H Lemme check it. Now this guy's serious  
he was here to see Clark McGregor the other day

N Sure

H

N Five, jive

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