

May 17, 1973, 8:44 a.m.

Richard Nixon and J. Fred Buzhardt

Oval Office 921-003

Audio: <http://nixontapeaudio.org/chron5/921-003a.mp3>

[00:00:7.7]

Nixon: How do you like your job?

Buzhardt: It's a unique job.

Nixon: That's right. You like it, don't you?

Buzhardt: Yes, sir. It's great to have.

Nixon: You've got to be willing to fight. That's right. That's right. I was thinking a little about our program here and how we get this thing handled. I mentioned one thing to [unclear]. He's in a staff meeting now, and he mentioned you and that you might have to have [unclear]. It seems to me that as soon as you get your facts, and I trust that you'll get them early, at least — well, isn't it true you're not going to get everything nailed down, but some of it nailed down — that you should alert on a very quiet basis our friends like, for example, and the people we have to count on. By that I mean Petersen, and Schlesinger, and Ruckelshaus should know—

Buzhardt: Right.

Nixon: —what happened here. Now, maybe they already know, but — can you do that?

Buzhardt: I can do that. Yes, I can talk to Henry and Bill.

Nixon: You can talk to Henry?

Buzhardt: Jim Schlesinger already knows.

Nixon: Yeah, what does he know, that it wasn't [unclear]—

Buzhardt: He knows that it never went forward.

Nixon: Yeah. I want him to know. I want him to have utter confidence. You see, so that—

Buzhardt: I have taken time out to talk to him. I went to see him Sunday afternoon.

Nixon: Yeah. But on—

Buzhardt: He had some misgivings, and I had a long talk with him. And explained, I think, the Walters memorandum. I explained — sent him on down. First I called Henry, made the appointment—

Nixon: Reassured him?

Buzhardt: All the way through.

Nixon: You called Henry about this?

Buzhardt: No, sir. Jim was a little worried about the—

Nixon: Walters?

Buzhardt: —Walters thing.

Nixon: Yeah.

Buzhardt: And so I—

Nixon: Is he worried about presidential involvement?
Buzhardt: Yes.
Nixon: Yes.
Buzhardt: So, I went over and personally — and had a talk with him.
Nixon: Yeah.
Buzhardt: Jim and I are longtime friends.
Nixon: I just wanted you to know that, my God, I am totally [unclear] to the Walters thing, whatever it may [unclear]. [Unclear] did anybody at the CIA [unclear].
Buzhardt: I explained that to him, and he said [unclear].
Nixon: Now on this one, [unclear] where we presently stand after your calls—

[00:02:28.7]

[Portion redacted for national security — surveillance]

[00:02:39.3]

Nixon: '68?
Buzhardt: '68 they made an effort. They had a meeting here about reinstating.
Nixon: This did not involve the Bureau, correct? Well, I guess it could have.
Buzhardt: Yes, it did involve the Bureau.
Nixon: Yeah. And NSA also?
Buzhardt: NSA. Clark Clifford presided at the meeting.
Nixon: And they decided not to do it?
Buzhardt: He didn't make a decision.
Nixon: Right.
Buzhardt: He held that one — he said he was going to think about it some more—

[00:03:08.3]

[Portion redacted for national security — surveillance]

[00:03:20.1]

Buzhardt: —and they raised the question again in 1970 when they could get somebody's attention again. They had discussions with Hoover in the meanwhile.
Nixon: [Unclear]. Well, the meeting which is — from which the Dean — or the 43-page memorandum emanated — the policy shift emanated as a result of a battle in the various agencies after the Cambodia thing as to what the hell they should do in this area. Is that correct, or—
Buzhardt: It wasn't a battle at that point, Mr. President. It was a — there had been a number of meetings between the agencies there was concern.
Nixon: Yeah.
Buzhardt: In the initial instance, Hoover did not really express his objections.

Nixon: Yeah.
Buzhardt: He had a two-and-a-half-hour meeting, apparently, with Noel Gayler and Lou Tordella—
Nixon: Without the [unclear]?
Buzhardt: —just the three of him.
Nixon: Without the [unclear]?
Buzhardt: Yes, over there. And, as it was described to me, they got a lecture on communism and he got a lecture on why they needed these entries.
Nixon: Right.
Buzhardt: He appeared to be convinced.
Nixon: Right.
Buzhardt: So they then had the meeting which it was all discussed — here.
Nixon: That was—
Buzhardt: Before—
Nixon: —the meeting here.
Buzhardt: —that they needed additional intelligence coverage.
Nixon: That’s right. Everybody discussed it.
Buzhardt: They were told, “alright, go develop a plan. Tell me what these limitations are that encumber you. Look at them all—”

[00:04:49.3]

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[00:04:59.4]

Buzhardt: At that point, no specifics were apparently discussed, Mr. President.
Nixon: Right.
Buzhardt: They just talked about constraints. They were then sent back, with the results of that meeting, to have an interagency group to sit down and thoroughly work this thing out — what it was they were supposed to do.
Nixon: Right. Right.
Buzhardt: That the result of that was this 43-page plan [the Huston Plan]—
Nixon: Who is your leader witness that tells you this — this is Sullivan?
Buzhardt: Tordella.
Nixon: Tordella?
Buzhardt: Tordella is the best witness.
Nixon: He’s still — he’s at the NSA?
Buzhardt: Yes, sir. He has been Deputy Director out there since the place was formed.
Nixon: And an honest man? [Unclear].
Buzhardt: Very honest. Very [unclear].
Nixon: Ok, then what happened?

Buzhardt: Then they—
Nixon: They developed the 43-page memorandum—
Buzhardt: —developed a 43-page plan. It was signed by the four of them—
Nixon: Right.
Buzhardt: —Helms, Hoover, Gayler, and Bennett.
Nixon: Right. The recommendations were—
Buzhardt: All four of them signed it. All the recommendations were unanimous.
Nixon: Except—
Buzhardt: Nope. No excepts. It was unanimous when it came to you.
Nixon: Right. And I approved it.
Buzhardt: You approved it.
Nixon: The policy paper.
Buzhardt: The policy paper.
Nixon: Right.
Buzhardt: Then — and this place is kind of murky. You didn't approve it immediately.
Nixon: Oh, I didn't? [Unclear].
Buzhardt: Not when it was submitted. There was a period of two or three months in there, about when a decision was discussed. Hoover, at some point, raised the objection. Now it's — this is one we're getting the notes on — to get pinned down on the dates. Because when the approval and the subsequent disapproval came was not immediately following submission of the plan for some later date.
Nixon: What I don't understand [unclear] if I approved the plan — I was thinking about it last night — one day and then I went to [unclear] two days later and I—
Buzhardt: Right. We are still looking—
Nixon: Yeah.
Buzhardt: —to get the specifics—
Nixon: No, what I'm asking about — this recommendation was made to me. I approved the plan. Did I sign it or something?
Buzhardt: No, sir. I am saying you approved the plan.
Nixon: I approved the policy.
Buzhardt: One of the—well, it was a policy. There were no specifics in that.
Nixon: Yeah, so [unclear].
Buzhardt: The Haldeman note back to Huston, telling him to go ahead, is dated some time—
Nixon: Haldeman wrote a note to Huston?
Buzhardt: He wrote a memo to Huston.
Nixon: Saying what? Go ahead with the plan?
Buzhardt: Saying the president has approved the plan.
Nixon: Now this was the 43-page plan?
Buzhardt: Yes, and to go ahead. But to do it with the procedures they had discussed, or words to that effect. Instead of you signing out the plan.

Nixon: Oh, I see [unclear]—

Buzhardt: At the end of the plan they an option paper—

Nixon: Right. Right. Right.

Buzhardt: —for you to sign off on each one.

Nixon: Go ahead.

Buzhardt: Now, we need to pin down — we still don't have pinned down the precise dates on — subsequently, at some point in the process, Hoover had agreed to it, and then—

Nixon: Tolson?

Buzhardt: Tolson got to him. He changed his mind. Now on one copy of this plan, somewhere, we are going to try and find it, Hoover wrote footnotes. This is indicated by the memorandum we have. We don't have the actual footnotes — to which he took exceptions to a number things that were in there. There are a lot of exceptions.

Nixon: Wiretapping and break-ins?

Buzhardt: Yes. Those were the two key issues. Then at — when that came back he took it to Mitchell, or came here to see you. Now we don't know whether he went through Mitchell and Mitchell came—

Nixon: I don't know.

Buzhardt: —or he came. And as a result, according to the word that I get, or was told the word was passed that the decision had been suspended. The go was recalled, and the decision was held in abeyance.

Nixon: The what?

Buzhardt: The decision was — the go was held in abeyance.

Nixon: Oh, the go code. Oh, yeah.

Buzhardt: It did not come out as an absolute no. It was just a suspension of your earlier decision to go.

Nixon: That things were to go forward as they had been done previously—

Buzhardt: That's right. That's right.

Nixon: —but nothing new.

Buzhardt: Nothing new.

Nixon: Now that was implemented, however, by Sullivan—

Buzhardt: Yes.

Nixon: —as we know. Sullivan specifically remembers that?

Buzhardt: Sullivan was the one that got the word. Sullivan — we are going to try to get him down here to get his notes—

Nixon: Right.

Buzhardt: —he's up in New England. And—

Nixon: But he remembers that?

Buzhardt: Yes.

Nixon: He told you that on the phone?
Buzhardt: He's — Sullivan — well, we know from Tordella also.
Nixon: Sullivan? Alright.
Buzhardt: Little leery of Sullivan's memory.
Nixon: Huh?
Buzhardt: I'm a little leery of Sullivan's memory.
Nixon: [Unclear]. But Tordella says — Tordella says —
Buzhardt: Yeah.
Nixon: What does he say? Does he [unclear]—
Buzhardt: Tordella specifically remembers that Sullivan called him and telling him it was go — calling him back, very shortly thereafter and telling him—
Nixon: No go.
Buzhardt: No go. And he's looking for his notes right now.
Nixon: Right. Now, have you not found anybody else of the principals?
Buzhardt: No, sir.
Nixon: What about CIA?
Buzhardt: They're checking, but they don't — they don't think that anybody out there did anything. They are checking now to make sure. They want to go down into the [unclear].
Nixon: [Unclear].
Buzhardt: I am sure that's to have come [unclear]—
Nixon: I am not — I was wondering not simply about whether they did something [unclear]—
Buzhardt: Yeah.
Nixon: —but whether they ever got the word from Sullivan. Besides Tordella, do you have anybody that's got the word from Sullivan? That there was a no go—
Buzhardt: The word came to me independently from DIA that some of the people knew that the plan was no go—
Nixon: Yeah.
Buzhardt: —that it never did go. But they have not located who called — who got the call yet.
Nixon: Right.
Buzhardt: I suspect it was Bennett. Bennett's in Korea and I have not been able to reach him.
Nixon: Right.
Buzhardt: I think it was probably to Bennett directly because he was a participant.
Nixon: Right. Right.
Buzhardt: So this is [unclear]—
Nixon: He's what, a general?
Buzhardt: Yes, sir. He's a four-star general now. He's commander in Korea.

Nixon: I would ask him. I would do it on the phone.

Buzhardt: I will call him and ask him. Now, this morning's Washington Post — they're already [unclear]. You know, you can see it all, that the—

Nixon: Right.

Buzhardt: —two Washington Post reporters have, interestingly, they say that the series of burglaries — they say that this was the whole pattern. There were many of them, yet undisclosed — you know—

Nixon: Right.

Buzhardt: —what we anticipated. Wide scale wiretappings, but they allege that these were not done by the agencies, but done by separate front groups and special groups working out of the White House. That's the worst one, Mr. President.

Nixon: Well, it's the worst one if it's true.

Buzhardt: Well, I doubt if it's true, outside of this one group, and all the evidence indicated that they really didn't do any others. You know, Hunt was telling everything. I went back and read his testimony this morning. He swore under oath and laid it all out, but he said no, they did no others.

Nixon: They did no wiretapping and no burglaries and no [unclear]—

Buzhardt: No wiretaps and no burglaries, except the one on the psychiatrist. Krogh's affidavit says he knew of no other—

Nixon: That's right.

Buzhardt: —of these activities.

Nixon: I know of no other group, and I—

Buzhardt: I know of no other group.

Nixon: I know of no other group [unclear]—

Buzhardt: I have never heard of another group. Of course, we hadn't heard of this one either, but I—

Nixon: [Unclear].

Buzhardt: —somebody would have a rumble of it surely. Whether the way these front groups, such as the Cubans — our problem is that they use Cubans in this and obviously the Cubans could have done a lot of things on their own. You know, if they play this story every time we have a Cuban involved in a burglary, even to steal money—

Nixon: Well, but maybe—

Buzhardt: —so we are going to — it's going to — what I'm saying is we're going to have to work very hard to prove a negative.

Nixon: The main point though that I — that Fred, to work on today, [unclear] it's just — knock the Dean papers out of the Goddamn water. Because the Dean papers would indicate that it was a government lie — official thing done, and it was not.

Buzhardt: Right.

Nixon: You have no evidence of any government agency doing anything whatsoever as a result of this [unclear].

Buzhardt: None whatever. None whatever.

Nixon: None whatever.

Buzhardt: No, sir.

Nixon: Now, you have Sullivan on that and you should have Mardian on that.

Buzhardt: Yes, sir.

Nixon: And you have Tordella.

Buzhardt: Tordella on that. DePoix on that — at DIA.

Nixon: You got him?

Buzhardt: Yes, sir. He says absolutely right—

Nixon: Right. Right. Right.

Buzhardt: —and I know pretty well on DIA because I am running—

Nixon: That was your—

Buzhardt: —very close to him.

Nixon: Yeah. Now, CIA didn't do anything. They're so damn terrible—

[00:14:34.8]

[Portion redacted for national security — intelligence]

[00:14:45.2]

Nixon: On this one though, Fred, we can blow them out of the water—

Buzhardt: We can.

Nixon: —if we move at our pace. But—

Buzhardt: I want to get, Mr. President — I want to get affidavits from all these people.

Nixon: Um-hmm.

Buzhardt: And get them in concrete.

Nixon: That's right. Now, I think Tordella will give you an affidavit, won't he?

Buzhardt: I don't think there is any doubt. I can get affidavits across the board.

Nixon: If you get Tordella, you can get Sullivan — and say that there was nothing done. Alright. I would hope you get Gayler an affidavit.

Buzhardt: I would hope to get Gayler's affidavit—

Nixon: And Bennett's.

Buzhardt: And Bennett's. And their successor people, whoever worked in this area. I'll get one from—

Nixon: What about?

Buzhardt: —Bernie Wells who ran the committee.

Nixon: Ran the committee — but did — but ran it after all this?

Buzhardt: After all this. Yes, sir.

Nixon: And his committee was what? What was his committee?

Buzhardt: That was the coordinating committee [Intelligence Evaluation Committee] of the intelligence community to try to get them to work together. And he puts it just bluntly. He said however much we talked about being able to analyze the intelligence, the truth of the matter was that Hoover cut off liaisons with all the agencies. No agent would meet with the other agencies or Hoover would fire him—

Nixon: Oh, I [unclear] memory.

Buzhardt: —so we had this group—

Nixon: The reason we had this darn meeting in here and as I now remember is that every — agencies were bitching about Hoover and they said we've got to get Hoover to cooperate.

Buzhardt: That's right.

Nixon: That's what it was.

Buzhardt: This was the whole point.

Nixon: And Hoover didn't want to even meet in the same room with Helms.

Buzhardt: That's true.

Nixon: So I think what happened is that he went back and thought about it a bit, and a couple of months later maybe he and Tolson decided when they got the go signal — and then they say they got a go signal and then two days later a no signal. Is that right? Is that what—

Buzhardt: That's Tordella's recollection and he's looking now for his notes.

Nixon: He'll have notes won't he?

Buzhardt: I am quite sure he will, coming from where he does. I don't know — I wouldn't be surprised if they taped the conversations going in and out of there. I don't think they would admit it.

Nixon: No, they shouldn't. They shouldn't.

Buzhardt: Even to me, but I get the definite impression—

Nixon: [Unclear]. I think Hoover tapes all of his conversations.

Buzhardt: I think it is a common practice in town.

Nixon: Sure. But they never have to admit it — never have to use it.

Buzhardt: No.

Nixon: And shouldn't. [Unclear]. I'm sure everything in here is taped. I've never used it.

Buzhardt: Yes.

Nixon: I guess they probably have a way to do it, but — you know what I mean.

Buzhardt: Yes.

Nixon: Johnson set it up here — no Kennedy did. They tell me. They tell me. I don't know. But I'll never use it.

Buzhardt: Yes.

Nixon: Well anyway, if you could get this one nailed today — I mean —

Buzhardt: We are going to work diligently on getting it [unclear] out.

Nixon: Can you get a plane and get Sullivan flown down, or—
Buzhardt: We'll be on that.
Nixon: And get an affidavit from him. He is key in the sense that it was turned off.
Buzhardt: I think so. I think we need to bring Huston back, too.
Nixon: Yes. He's in California?
Buzhardt: He is in Minneapolis.
Nixon: Minneapolis. You bring Huston back, and Huston comes back with all those [unclear] language that he — he — what did he tell you?
Buzhardt: He told me it didn't go.
Nixon: Huh?
Buzhardt: He told me that it didn't go.
Nixon: And that's why he left—
Buzhardt: That the decision went against him, and was like — he said, you know, I was really teed up and I left. He didn't say precisely that was the reason—
Nixon: I know.
Buzhardt: —but he said he was really teed off and I left.
Nixon: If you know Tom Huston that sounds like him. I've only met him about three or four times. But he's an explosive right-winger—
Buzhardt: I think I met him when he was a college freshman, Mr. President.
Nixon: He's smart as hell — the smartest of the group. Well, and a decent man. But just—
Buzhardt: Yes.
Nixon: —wanted to do something.
Buzhardt: That's right.
Nixon: But, you could. — Huston could have a memorandum because he was here at the White House, and —
Buzhardt: He looked last night. He hasn't found a memorandum in his files. He said he would not have taken anything that was classified—
Nixon: Yeah.
Buzhardt: —with him.
Nixon: Yeah. But he could come here and find out where his files were from the time.
Buzhardt: Yes.
Nixon: This would have been classified top secret? Might have been.
Buzhardt: It might have been, depending on what he put in it. I suspect he didn't write a memorandum. Maybe he called Hoover — I mean called Sullivan.
Nixon: Sullivan. Hoover would never have been called on this.
Buzhardt: No.
Nixon: And Huston said it did not go. Alright, so independently — I'm just — understand — I'm not — I'm just trying to get the facts.
Buzhardt: Yes.

Nixon: No matter how we want the facts to appear, if the facts are wrong, screw it. I mean, you can call [unclear] it's wrong anyway. Goddamn it, we want the truth. Independently, you first heard that Huston — the plan, whatever the Goddamn thing was, he talked about, did not go. Independently, Sullivan told you that he—

Buzhardt: Did not go.

Nixon: —made calls indicating that it did not go. And independently, Tordella said he got a call that it did not go.

Buzhardt: Yes, [unclear].

Nixon: Otherwise you have — nobody else really.

Buzhardt: No, we have people in the Defense Intelligence Agency who know that it did not go, but they don't know who received the word.

Nixon: No, but they — they have — they [unclear] say they know — they heard that it did not go at the time?

Buzhardt: That's right. General Stillwell was there on staff at the time—

Nixon: Yeah.

Buzhardt: —and he said it did not — it never went. They got the word. He doesn't remember from precisely where.

Nixon: God, they must have made notes on that. Right? They must have made—

Buzhardt: Whoever did the talking should have made notes.

Nixon: Are they scouring their files now?

Buzhardt: They are trying to find out.

Nixon: But, being what we have up to this point — it seems to me that you are in a position to have — to give Jim the talking points.

Buzhardt: Yes.

Nixon: So that he can, I mean — incidentally — [unclear]—

Buzhardt: [Unclear].

Nixon: —no link. No link. My view is don't — what I meant is simply say that — I mean, put in the whole story, that in 19 — that very same issue in government going back to 1967. It was discussed in '67. It was discussed again in 1968. In 1967, it was brought to the president's attention. There was a unanimous recommendation for the policy. The president approved the policy for two months — no, after two months — after two months—

Buzhardt: We'll run down the exact dates.

Nixon: After two months, the president approved — presidential approval of the policy was conveyed by Huston — I mean by Haldeman. In other words, put it that way.

Buzhardt: Yes.

Nixon: Just say the approval was conveyed by Haldeman to—

Buzhardt: Huston.

Nixon: To Huston. And Huston conveyed it to the agencies. Two days later, as a result of the — I would then say let's give Hoover some brownie points — as a result of the objections of the FBI. That's really what it was, wasn't it?

Buzhardt: It was. As the reconsideration.

Nixon: Yeah.

Buzhardt: Because Hoover — because he signed it originally.

Nixon: Yeah, as the result of the—

Buzhardt: Change of mind.

Nixon: As a result of that, Mr. Hoover asked for reconsideration, and the policy was then—

Buzhardt: The approval was withdrawn.

Nixon: The approval was withdrawn.

Buzhardt: Withdrawn.

Nixon: Approval withdrawn. And then the bottom line no activities were undertaken under this policy.

Buzhardt: Yes.

Nixon: Not in accordance with law. Correct?

Buzhardt: Right.

Nixon: No activities were undertaken under this policy. The point being that it basically, Fred, turns out to be, if you look at it, a study paper. What I mean is a policy paper that is developed in the government by the [unclear] where you go through and agonize and you come up with a paper, and somebody signs it and then somebody bitches about it and then the Goddamn thing doesn't go through.

Buzhardt: Yes.

Nixon: And nothing ever happens. Is that about fair and accurate?

Buzhardt: That's right. I would say almost the majority of papers we generate go that way. [laughs]

Nixon: Right. Now, as for how to handle that depends on how it is handled—

Buzhardt: How it develops.

Nixon: —by others. But if you could get that kind of a paper to, for example—a Schlesinger should have that. It seems to me, I don't know, or do you think the best thing is for you to just tell Schlesinger?

Buzhardt: I think I should talk to Jim. I don't think you should hand your paper around

Nixon: Right. Ok.

Buzhardt: —until the time comes to use it.

Nixon: Yeah, because otherwise it will leak.

Buzhardt: That's true.

Nixon: Fine. You just tell Jim, "Jim there's no worry. No sweat on this. Because the damn — it was a thing where," and quite honestly I could say it was true — an NSA—

Buzhardt: That's true.

Nixon: It was. You [unclear]—

Buzhardt: No question about it.

Nixon: —NSA. And that as a result of Hoover's objections it was approved and then disapproved. We want him to know that that's the situation. Is that—

Buzhardt: Right.

Nixon: Alright, then the — now, moving — if you could follow-up on that, moving to the other subject—

[00:24:37.0]

[Conversation turns to other subjects]

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