

**Nixon at War**  
**Episode Six - Off the Rails**  
**Release Date - July 19, 2021**

Where possible, we have included links to the archival audio or transcripts.

Key

*Bold* = Narrator, Kurt Andersen  
*GBH* = GBH Open Vault Collection  
*LBJL* = Lyndon B. Johnson Library  
*Intvw* = Original interview  
*MC* = Miller Center  
*OH* = Oral History  
*RNL* = Richard Nixon Library  
*WHT* = White House Tape

(Trailer)

**Seymour Hersh reported on all the president's men in the 1960s and 70s, knew a lot of them personally. And as he told me:**

*Seymour Hersh (intvw)*

It was very hard to tell Nixon something he didn't want to hear.

**But sometimes...you had to. Like in 1973, just after the Ides of March, when White House counsel John Dean spent more than an hour in the Oval Office delivering a very grim diagnosis to the president.**

[WHT \(MC\) March 21 1973](#)

John Dean: The reason I thought we ought to talk this morning is because, in our conversations, I have the impression that you don't know everything I know. I think that there's no doubt about the seriousness of the problem we've got.

**The "problem" is Watergate, of course – the Nixon team's burglary and attempted bugging of Democratic national headquarters in Washington nine months earlier, and the Administration's coverup of its involvement ever since.**

[WHT \(MC\) March 21 1973](#)

Dean: We have a cancer close to the presidency, that's growing. It's growing daily. It grows geometrically now, because it compounds itself. // One, we're being blackmailed, two, people are going to start perjuring themselves very quickly and there is no assurance—

Nixon: That it won't bust.

Dean: That that won't bust.

**The "cancer," the metastasizing web of crimes and lies that the press had gradually exposed and Justice Department prosecutors and Congress had now**

**started looking at closely.**

[WHT \(MC\) March 21 1973](#)

Dean: So let me give you the sort of basic facts. First of all, How did it all start? It started with an instruction to see if we couldn't set up a perfectly legitimate campaign intelligence operation over at the Re-Election Committee.

**“Perfectly legitimate.” In just a couple of weeks, Dean would start cooperating with the prosecutors, and eventually he and dozens of Administration accomplices would go to prison. 500 days from now, Watergate would force the president to resign.**

**But this famous, dramatic “cancer within the presidency” conversation reinforces the conventional wisdom about Nixon: that his self-destruction began with those famous crimes in 1972 and ‘73. And that Watergate was a self-contained piece of the Nixon story, that really had nothing to do with the Vietnam War.**

**When we started on this series, that was my basic take.**

**But a year later, I’ve got a different understanding.**

**In fact, Nixon took his first big step down the slippery slope of treachery and suspicion and secrecy and lies that led to his downfall before he was even elected president. And that step and the next and the next, up through Watergate, were all rooted in the Vietnam War.**

**In this installment, how those two big threads of the Nixon presidency were deeply intertwined from beginning to end.**

**I’m Kurt Andersen. We’ll be right back, with Nixon at War, episode six - “Off the Rails.”**

[LBJL WHT13710 November 3 1968](#)

My God, I would never do anything to encourage Saigon, not to come to the table... because basically, that was what you got out of your bombing pause.

**That’s where we started, right before the 1968 election, Republican candidate Nixon yet again assuring President Johnson that he would never ever do anything to mess up the Vietnam peace talks at that delicate, critical moment.**

[LBJL WHT13710 November 3 1968](#)

Good God, we want them over in Paris. We’ve got to get them to Paris, or you can’t have a peace.

**As you’ve heard in our previous episodes, he was lying. Upon Nixon’s instructions, his campaign finance official and intermediary Anna Chennault secretly, repeatedly passed instructions to South Vietnam’s regime: hang back,**

**postpone the big peace breakthrough, help elect Nixon, and you'll get a better deal for yourselves.**

**That intervention -- temporarily "monkey-wrenching" the peace talks -- was the original crime in his eventual presidential spree.**

**It was his Watergate crimes in 1972 and 1973 that finally forced him to resign. But his biographer John Farrell thinks those dirty tricks in 1968 to become president were morally worse.**

*John Farrell (intvw)*

I believe that Nixon's actions in the fall of 1968 were the most reprehensible of his presidency.

**Remarkably, his secret scheme worked, may have clinched him the election.**

**Even more remarkably, his denial and coverup of the scheme worked for decades.**

**As president, Nixon had his aide Tom Charles Huston investigate - and Huston concluded that Nixon had gotten away with it.**

*Huston interview*

What I was able to tell him was that based on what I had seen, Johnson was never able to establish with any certainty that Nixon had personally any role whatsoever in that.

**And so Nixon stuck to his story after he left office.**

*Richard Nixon - Robert Frost 1977 interview*

I had no knowledge of any contact with the South Vietnamese. I couldn't have done that in good conscience.

**A lie. But:**

*John Farrell (intvw)*

As far as he knew, there was no trace of his personal involvement. Despite that, he fought very hard for years and successfully for years until his death to keep his political and personal papers and the vast majority of the White House tapes away from the public.

**Remember the evidence of his fall 1968 meddling that LBJ collected, all the FBI and NSA and CIA surveillance? Which his aides like Tom Johnson called "the X file."**

*Tom Johnson (intvw)*

Andersen: Is the X file, the Chennault documents, part of what he's worried about?

Johnson: It had to be, it had to be! If I were Richard Nixon, I'd be very, very worried about even being disclosed during his presidency. Look, this was treason. I mean, you can shape it any way you'd like to shape it, but this was treason. And it was directed by the candidate, Richard Nixon, who became president of the United States. If this story had come out, I mean, this was huge front page news.

**I think Nixon was like Lady MacBeth, desperately trying to prove that nobody could prove or prosecute her crimes.**

*Macbeth Act V Scene I*

What need we fear who know this, when none can call our power to account?

**The famous moment right after she imagines the awful, bloody evidence there, on her hands, visible.**

*Macbeth Act V Scene I*

Out damn spot. Out.

**Or like that American murderer, in the Edgar Allen Poe story, fantasizing that his buried victim's incriminating tell-tale heartbeat was audible.**

**Audible evidence of crimes – in President Nixon's case that turned out to be real, as the world learned a few months after John Dean's Oval Office warning, at the Senate Watergate hearings.**

[Watergate Hearings July 16 1971](#)

Q: Mr. Butterfield, are you aware of installation of any listening devices in the Oval Office of the president?

A: I was aware of listening devices, yes, sir.

**The secretly recorded White House tapes. So many of which you've heard in this series.**

**Something else I've learned: the extent to which the Nixon campaign and then the Nixon White House was about spying and concealment, unearthing and keeping secrets. For which Nixon really had the perfect co-conspirator in Henry Kissinger.**

*Seymour Hersh (intvw)*

You know, Kissinger was a Shakespearean diabolical character.

**Seymour Hersh knew Kissinger for a half century and wrote a book about him.**

*Seymour Hersh (intvw)*

Hersh: He never had any — no guilt about anything. He just didn't.

Andersen: One thing that the two of them really have in common, is this just intense desire for secrecy, right? That's a big thing for both of them.

Hersh: Oh my God. Totally. Totally. Nixon was a paranoid. I mean, there was no other question about it. And Henry in his way was a paranoid. You know, you had to hide what you were doing. Everybody was told a different story in the government. And that's why people were spying...

**– including on their own colleagues –**

*Seymour Hersh (intvw)*

Remember the White House spying stuff, they were spying because everybody knew there was more going on than he was saying.

**Kissinger's special assistant Winston Lord was specifically assigned to keep track of his boss's various lies and dissembling.**

*Seymour Hersh (intvw)*

Kissinger couldn't quite remember who had -- knew what. So Lord's job, it sounds crazy, one of his jobs -- he had a substantive job too -- was to say, "Remember, Henry, when you see him, he doesn't know about these talks and this talk."

**In fact, it was Kissinger's dissembling and Nixon's spiralling mistrust that led the president to start *bugging* himself in the White House...the voice-activated tape system his speechwriter William Safire later called "The Monster With Total Recall."**

*Evan Thomas (intvw)*

He became bothered by the winter of 1971 when he heard that Kissinger was going around town talking about how great Kissinger was and how bad Nixon was.

**Evan Thomas interviewed Kissinger for his Nixon biography.**

*Evan Thomas (intvw)*

It was upsetting to the president. So he put in a taping system so that when he, Nixon, wrote his memoirs, there would be a record, a taped record of who really had done what.

**Kissinger also secretly recorded his own phone conversations, but unlike his boss, he had the audio transcribed, but the tapes destroyed.**

*Evan Thomas (intvw)*

Nixon saw that Kissinger was, like him, a manipulative, secretive bastard, and that they got along, it was a kind of a love-hate relationship because each was trying to manipulate the other and didn't really trust each other. So they were kindred souls and they could make music together, the music of lies, but they saw eye to eye on the need to be manipulative and cunning even as they were manipulating each other.

**In June 1971 Nixon and Kissinger were seeing eye to eye on Vietnam, and "Vietnamization" appeared to be working—at least in America, politically.**

[Richard Nixon Address on SE Asia April 7 1971](#)

I can assure you tonight, with confidence that American involvement in this war is coming to an end.

**Troop withdrawals proceeding apace, American deaths coming down, the year's big antiwar protests all done. And Congress still neglecting to impose any fixed deadline for ending the war.**

**But then on June 13th, the Sunday morning after his daughter Tricia's fabulous White House wedding, where we started this series – the Pentagon Papers begin appearing in the NY Times, a massive scoop. As his military aide Al Haig puts it:**

[RNL WHT005-50 6.13.71](#)

This goddamn *New York Times* exposé of the most highly classified documents of the war.

**And soon...things start to fall apart.**

**The Pentagon Papers, remember, contain nothing about Nixon's Vietnam War... but he still regards them as a shot across his bow by his enemies – the press, the liberals, the elites.**

**As he tells Kissinger later that day...**

[RNL WHT005-059 June 13 1971](#)

Nixon: The thing, though, that, Henry, that to me is just unconscionable, this is treasonable action on the part of the bastards that put it out!

**"Treasonable" ...Treason was the very word LBJ had used to describe candidate Nixon's unauthorized Vietnam shenanigans three years before.**

[RNL WHT005-059 June 13 1971](#)

Nixon: People have got to be put to the torch for this sort of thing, this is terrible.

**Track the bastards down, "put them to the torch."**

*Chuck Colson RNL*

The Pentagon Papers came out in the Sunday "New York Times."

**39-year-old Chuck Colson, one of the hard-core SOBs in Nixon's White House, became a leader of this hunt.**

**The next morning.**

[Charles Colson \(RNL OH\)](#)

I was at the senior staff meeting in the Roosevelt Room, and there was a mood of panic and despair, Kissinger throwing papers on the tables saying, "We cannot run a government this way." I was in with Nixon that morning and he was genuinely, genuinely alarmed. I mean I could tell when Nixon was putting on an act. I could tell when Nixon was manipulating people. I'd been with him enough that I knew when he was doing things for effect. He wasn't doing this for effect. He was genuinely concerned.

**That night, eating dinner alone in his office, Nixon takes a call from his de facto deputy chief of staff, about the Pentagon Papers...**

[RNL WHT005-068 June 14 1971](#)

Operator: It's Mr. Ehrlichman calling you, sir.

**John Ehrlichman, phoning about John Mitchell, the tough lawyer who'd run the 1968 campaign and now runs the Justice Department. Mitchell wants to prevent any more of the Pentagon Papers from being published – by getting a court to impose prior restraint, censor the Times.**

[RNL WHT005-068 June 14 1971](#)

Ehrlichman: Mr. President, the Attorney General has called a couple times about these *New York Times* stories, and he's advised by his people that unless he puts the *Times* on notice, he's probably going to waive any right of prosecution against the newspaper. And he is calling now to see if you would approve his putting them on notice before their first edition for tomorrow comes out.

Nixon: You mean, to prosecute the *Times*?

Ehrlichman: Right.

Nixon: Hell, I wouldn't prosecute the *Times*. My view is to prosecute the goddamn pricks that gave it to them.

***"Find the goddamn pricks that gave it to them...."* This is key for Nixon – he wants to nail the snitch. In the Oval Office that day General Haig reports he's already on the trail.**

[RNL WHT519-007 June 14 1971](#)

Haig: ...I had a call last night from Walt Rostow.

**Walt Rostow is Kissinger's predecessor.**

[RNL WHT519-007 June 14 1971](#)

Haig: And he said, our strong suspicion is, Dan Ellsberg."

**Dan Ellsberg, who'd morphed from gung-ho hawk to crusading dove.**

[RNL WHT519-007 June 14 1971](#)

Nixon: Now this fella, Ellsberg, or whatever his name is...

Haig: Ellsberg.

Nixon: Ellsberg. I never heard his name before.

**Nixon had never heard of Ellsberg. But Kissinger, who knew him *well*, once said he had "learned more about Vietnam" from him than from any other American.**

[Daniel Ellsberg \(RNL OH\)](#)

I had been a consultant to Henry Kissinger first in the Hotel Pierre when the transition team was working, and then, in his office in the Executive Office Building. I had worked on alternative options in Vietnam, trying to cost them out in a rough way, and to say the pros and cons and the possible consequences.

**Six months after that gig with Kissinger ended, Ellsberg started photocopying the classified history of the war that he'd helped write. And in early 1971, started showing those documents to a New York Times reporter he'd met in Vietnam.**

[Daniel Ellsberg \(RNL OH\)](#)

Neil Sheehan, in urging me not to give it to a congressman first, but to let the "Times" do it, I was skeptical about it -- well, they just want a Pulitzer Prize -- I didn't really think that was the way to do it. But he was right.

**Sheehan secretly made a copy of Ellsberg's purloined first copy of the Pentagon Papers, without telling him -- and soon, there they were, page one of the New York Times.**

**24 hours later, the president was giving Chuck Colson orders:**

[Charles Colson \(RNL OH\)](#)

He was genuinely concerned that there could be a wholesale breakdown in our security system, and we would get CIA assets exposed. We would get secret operations out in the public domain, and this could be catastrophic to us. So he was aware of the consequences more than anybody else, more than Kissinger, I think, and told me to do whatever it took, and that really led to the creation of the Plumbers - guys running off with reckless abandon.

**The Plumbers, the extra-legal team with the cute name because they were supposed to find and fix "leaks."**

[Charles Colson \(RNL OH\)](#)

And that was really the trigger for what later became the undoing of the Nixon Presidency.

**In other words, summer of 1971 is when Richard Nixon really goes off the rails.**

*(music)*



**We'll be right back, with Nixon at War, from PRX.**

The president had always liked the tough talk of his aides like Colson, but *now* he ordered them to start executing special ops. They set up shop next door to the White House West Wing.

And it's not just the Plumbers...over those next few weeks Nixon and his men launched a multi-front secret domestic war. Some of the operations illegal, some just wrong, all directed at the conspiracy of enemies – the liberals, the Democrats, what was not yet known as “the deep state” - and the press.

Antagonism to the press was always central to the Nixon brand. In 1968, the interviewer David Frost asked him if there's any one thing he'd ever said that he regrets.

[Episode 1 - The Frost Tapes](#)

Many people looking at my life would say the statement that I should not have made was my criticism of the press when I lost my for governor of California.//

**Six years before, his legendary press conference in Beverly Hills.**

[Richard Nixon Press Conference November 7 1962](#)

You've had an opportunity to attack me, and as I leave you, I want you to know -- just think how much you're going to be missing -- you won't have Nixon to kick around any more.

**So then, with Frost in 1968, he had to explain himself:**

[Episode 1 - The Frost Tapes](#)

As a public figure I would say that was a mistake. And I can also assure you that as far as getting into an argument with the press it won't happen again.

**But now it was happening again, big time.**

The day after the Pentagon Papers start appearing, his attorney general telexes the Times' publisher, telling him they're violating the Espionage Law.

**But it wouldn't just be that historic fight in the courts.**

[RNL WHT005-081 June 15 1971](#)

Colson: Yes sir, Mr. President.

Nixon: I was thinking on this New York Times thing,

**That night, Nixon phones Chuck Colson.**

[RNL WHT005-081 June 15 1971](#)

Nixon: I think it's very important to build a backfire on these people. Understand, we cast this in the right direction, Chuck, this could backfire on the Times. How the hell can a president or a secretary of defense or anybody do anything, if it's going to be taken out in a trunk and given to a goddamn newspaper? The main thing, is to cast it in terms of doing something disloyal to the country. This risks our men, you know, secret things that give aid and comfort to the enemy.

**To be clear: “aid and comfort to the enemy” not by jeopardizing any military operations, but by revealing to the American people the government’s years of falsehoods underpinning the whole war.**

[RNL WHT005-081 June 15 1971](#)

Nixon: They're running the line, Chuck, “a right to know.” That's, of course, a goddamn code word. “Right to know.” The public has no right to know secret documents.

Colson: No, of course not.

Nixon: And freedom of the press is not the freedom to destroy the integrity of the government. What the Times has done has placed itself above the law. They say “we consider this an immoral war. It's our responsibility to print it.” Now, God damn it, you can't have that thing in a free country.

**And now...the stuff of movies: an appeals court grants the Nixon Justice Department an injunction that stops the Times from publishing more Pentagon Papers. But by Friday the Washington Post is already publishing its own articles – with a green light from a different federal court to keep going. Newspapers around the country start re-publishing the articles as well.**

**As far as Nixon is concerned, his darkest fears and hatred of the press and the liberals' anti-Nixon conspiracy are coming true.**

**He phones J. Edgar Hoover, an ally for a quarter century. The FBI director brings up the Post and its owner and publisher, Katherine Graham.**

[RNL WHT006-084 July 1 1971](#)

Hoover: I saw her on the TV last night—Mrs. Graham—I would have thought she's about 85 years old. She's only about, I think, something like 57.

**She'd just turned 54.**

[RNL WHT006-084 July 1 1971](#)

Nixon: She's a terrible old bag.

Hoover: Oh, she's an old bitch, in my estimation.

Nixon: [*laughs*] That's right.

Hoover: I don't think you should say anything. It's the very thing that the enemies of the administration want to do, is to divert the attack upon you.

**“The enemies of the administration.” Such as Democratic leaders, present and past.**

[RNL WHT006-084 July 1 1971](#)

Nixon: No, actually, the stories in the Post and Times this morning were all about Kennedy and Diệm.

Hoover: All about Kennedy. He was the one who started it, and then Lyndon Johnson escalated it, and then you inherited it. And you have brought it down, you haven't sent an additional man in there.

**Nixon had made this same point to Colson.**

[RNL WHT005-081 June 15 1971](#)

Nixon: Now, we've got to get across several points. One, it's the Kennedy Johnson papers, basically. That's what we're talking about, the Kennedy Johnson papers, and that gets it out of our way.

**In fact, even as he begins his righteous crusade to keep government secrets secret, he's ordering his own men to dig up more classified dirt on the last two presidents' national security operations. And then to leak that material to the despicable press.**

[RNL H.R. Haldeman Audio Diary June 22 1971](#)

Tuesday June 22: The New York Times papers question goes on. The President now wants to have Huston set up a small team under Ehrlichman to start rifling through all the secret documents and especially the Cuban missile crisis, etc... as well as Vietnam. And then get some newspapers to demand that it come out.

**Feeling besieged, Nixon escalates his war on domestic enemies, for instance by abusing the IRS... where he's just installed a new director:**

[RNL WHT498-015 May 13 1971](#)

Nixon: I want to be sure he is a ruthless son of a bitch, that he'll go after our enemies and not go after our friends.

**"Our enemies" such as the previous defense secretary, Clark Clifford, whose Vietnam-peace-now declaration has just gotten big front-page coverage.**

[RNL H.R. Haldeman Audio Diary June 23 1971](#)

Also, now that we have our man in the IRS, he wants to pull the Clark Clifford file and also all the top supporters of the doves, the full list.

**During the Pentagon Papers frenzy, Chuck Colson and John Dean start crafting a whole plan, quote, "to screw our political enemies" using "the available federal machinery," not just the IRS. And catalogued targets - the infamous "Enemies List," eventually hundreds of names.**

**Then there's the new superstar dove Nixon wants shot down—Daniel Ellsberg.**

[Charles Colson \(RNL OH\)](#)

There were two areas that we would have to fight this on. One was legally, and one was in the court of public opinion. And that would be my side of it.

**Just two days after the first Pentagon Papers articles, talking to Colson, Nixon applies an old template to the affair.**

[RNL WHT005-081 June 15 1971](#)

Nixon: That was really what Alger Hiss did, you see.

Colson: Yes, that's right.

**Alger Hiss – Nixon's original lefty nemesis. He was a former communist and former U.S. diplomat accused in 1948 of having slipped information to the Soviets in the 1930s.**

Nixon: He put himself on a higher pedestal and said, "Well, the Russians are entitled to know this. And he passed the information" and The New York Times, incidentally, was among the papers that supported him...

**As a freshman member of the House Un-American Activities Committee at the very start of the Cold War, Congressman Nixon fixated on Hiss.**

*Richard Nixon, [In the Arena](#) (audiobook)*

Hiss was popular, the committee was unpopular, and the administration and the media were lined up against us. By going forward with the investigation. I risked everything. In the Hiss case, my risk paid off. The Hiss case had made me a major national figure.

**And now, still, in 1971, with a shooting war against communists and now the Pentagon Papers:**

[RNL H.R. Haldeman Audio Diary June 20 1971](#)

Sunday, June 20, at Key Biscayne.- President was on the phone, explained to me that to understand this whole thing, we have to understand the Hiss case. That they're very similar, although none of us really realizes it.

**In fact, not very similar...very different: Ellsberg shared his classified historical documents with American reporters and the whole world.**

[RNL H.R. Haldeman Audio Diary June 20 1971](#)

These papers are not what are important in themselves. We've got to get Ellsberg nailed hard on the basis of being guilty of stealing the papers.

**Nixon's real goal here is to nail Ellsberg in order to nail the press.**

**As he actually told David Frost a few years later:**

[Ep 7 - The Frost Tapes](#)

It isn't immoral during a campaign to fight back, to keep a prejudiced press from cuttin' your guts out. That's *moral!* It's immoral *not* to fight.

**To Nixon, the liberal deep state out to get him was now embodied by Dan Ellsberg, just a new iteration of pinko Alger Hiss, conspiring with the Nixon-hating press and the whole elite establishment.**

**And soon...**

[RNL H.R. Haldeman Audio Diary June 20 1971](#)

Tuesday, June 29. Today started with the 8:00 Cabinet meeting at which the President delivered his blast to the Cabinet.

**...Nixon tied it all together in a kind of mad aria.**

[RNL H.R. Haldeman Audio Diary June 20 1971](#)

The President did all the talking.

**Haldeman reading the transcript.**

[RNL H.R. Haldeman Audio Diary June 20 1971](#)

Down in the government are a bunch of sons of bitches. We have yet to fire one of these people. We've checked and found that 96 percent of the bureaucracy are against us; they're bastards who are here to screw us. Beneath you, you have a whole department full of vipers, and they'll strike because they want to beat us, especially next year. Ellsberg has gone out and said he's not guilty because, what he did, he did for the sake of the country. Hiss and the Rosenbergs and those people all said the same thing. We're going to go forward on Ellsberg and prosecute him. Then he just got up and walked out, that was the end of the meeting. It was pretty impressive...

**Ellsberg has just turned himself in to federal authorities. The next day, Nixon is discussing him with attorney general Mitchell and Kissinger.**

[RNL WHT532-023 June 30 1971](#)

Nixon: Let's get the son of a bitch into jail. Try him in the press. Leak it out. We want to destroy him in the press. Is that clear?

***"We want to destroy him in the press."***

[Daniel Ellsberg \(RNL OH\)](#)

Q: Did you think you were going to go to jail?

Ellsberg: Well, yeah.

## **Dan Ellsberg.**

[Daniel Ellsberg \(RNL OH\)](#)

I thought, if they prosecute, which is 97 percent likely, I'm bound to be convicted. Seven thousand pages of top-secret documents, as my lawyer said to me later, "has a bad ring to it." And moreover, you know, 7,000 pages, I'll go for life. I thought, this won't be a year or two or five years, so I expected to go to jail.

Q: For life?

Ellsberg: For life. Well, life, 30 years.

**Hours after Nixon's rough tough talk to his cabinet, he phones General Haig to start squeezing more of the liberal deep-state establishment. By canceling security clearances for the think tank RAND, where Ellsberg worked, and the Brookings Institution.**

[RNL WHT006-026 June 29 1971](#)

Haig: We've got a massive legal problem, sir. I've got all of the departments in there with me right now on this subject.

Nixon: You have? Oh good.

Haig: There are existing contracts, you see, that may have legal basis. //

Nixon: Brookings? Has Brookings got a contract?

Haig: They think Brookings does.

Nixon: Well, Brookings doesn't have any contracts that I ever approved. Now, goddammit, I want to know how that got by me. If they have one with Brookings. I really want to know.

Haig: All right, sir.. So we have to go through the whole...

Nixon: If it was done in this administration, I want to know why. I want to know. I want to know who signed it. Who approved it. OK? Because I gave specific orders in January of 1969 not to do anything at Brookings.

**Nixon had turned the Pentagon Papers into the great modern test of the limits of a free press. And for the last two weeks of June, America anxiously waited for the Supreme Court to decide.**

[RNL H.R. Haldeman Audio Diary June 30 1971](#)

Wednesday, June 30th. We had the court decision this afternoon. The Court went 6 to 3 against us.

**That is, for the newspapers and a free press. Times publisher Arthur Sulzberger that day:**

[Newsreel June 30 1971](#)

My reaction was very simply one of joy, one of delight, and "Now we'll go back to business as normal."

**Nixon had lost this battle. But not the war! Next day, he phones the FBI director.**

[RNL WHT006-084 July 1 1971](#)

Nixon: Edgar?

Hoover: Yes...

Nixon: I wanted to tell you that I was so damn mad when that Supreme Court had to come down, I did—first, I didn't like their decision, but—

Hoover: I didn't, either.

Nixon: Unbelievable, wasn't it?

Hoover: It was unbelievable.

Nixon: You know, those clowns we've got on there have—I'll tell you, I hope I outlive the bastards.

**In fact, two of the three Supreme Court *dissenters* in the Pentagon Papers case were the two justices Nixon had appointed.**

**The FBI director also gives the president advice on the leaker and the FBI's evidence against him.**

[RNL WHT006-084 July 1 1971](#)

Hoover: And I think we ought to be awful careful what we do in this case of this man Ellsberg, because there again, they're gonna make a martyr out of him. And in view what the Supreme Court has now said, I doubt whether we're going to be able to get a conviction of him.

Nixon: Mm-hm.

Hoover: I hope so, but I doubt it. We've got a good, strong case on him. His first wife testified very vigorously against him.

Nixon: MM-hm.

Hoover: And it's a good, strong case, but I...

Nixon: Well I'd like to check some of the other people around him, that's the other, there's—I think there's a conspiracy involved here.

Hoover: Exactly.

**– and Hoover proceeds to name some reporters in on the “conspiracy.” Of course, he and Nixon had been through this together before...on the Alger Hiss case.**

**That same day, just ahead of the 1971 July 4th weekend, Nixon instructs Haldeman to start leaking about Ellsberg and other liberals – as he kept reminding everyone around him he'd successfully done with Alger Hiss. He even provides a job description for a henchman.**

[WHT \(MC\) July 1 1971](#)

Nixon: Rather than a worker who'll work his butt off and do it honorably. I really need a son of a bitch like Huston who will work his butt off and do it dishonorably.

**“I need a son of a bitch who’ll do it dishonorably,**

**Just an hour later, he’s back with Haldeman, repeating the order – get some SOB, a Tom Charles Huston type, to start our black ops now.**

[WHT \(MC\) July 1 1971](#)

Nixon: Shake them up. Get them off their goddam dead asses. We’re up against an enemy, a conspiracy. We are going to use any means.

**“We’re going to use any means.” Which brings us back to where this series started, with the secret file from 1968 that so obsessed Richard Nixon.**

*Evan Thomas (intvw)*

Nixon had for a long time wanted to ramp up spying on his foes...

**Nixon biographer Evan Thomas.**

*Evan Thomas (intvw)*

Normally you would do that through J. Edgar Hoover's FBI. But by 1971, Hoover, who was a smart politician, decided to get the FBI out of the black bag, break-in and spying business. So Hoover refused to be Nixon's spy, basically, refused to spy on the anti-war movement in the way that Nixon wanted him to with black bag jobs and break ins and all that.

**Remember the tapes from our first episode, the one of President Nixon ordering a break-in to steal secret documents? Here we are again.**

[WHT \(MC\) July 1 1971](#)

Nixon: Did they get the Brookings Institute raided last night? Get it done. I want it done. I want the Brookings Institute safe cleaned out.

**Chuck Colson describes how one of their special ops guys, an ex-cop, suggested some... extreme tradecraft for that heist.**

[Charles Colson \(RNL OH\)](#)

He said, "You know when I was with the New York Police we used to create a fire as a diversion and then we'd go in and get any papers we wanted out of anybody's office." I said, "I don't know how you do your business, but all I can tell you is, the President wants those papers back."

**Arson as well as burglary? If that’s what it takes.**

**What did Nixon think was worth all this? His aide Tom Charles Huston:**

[Tom Charles Huston \(RNL OH\)](#)



I did a separate report to the president on what had happened in the Chenn — the surveillance.

**Note: 40 years later, he still stops himself from saying “the Chennault surveillance.”**

[Tom Charles Huston \(RNL OH\)](#)

What did what did they know, you know, as to how extensive the campaign's involvement had been in trying to influence President Thieu's decision not to go to the Paris talks.

**On assignment from the president, Huston had visited the Pentagon guy in charge of any files about this. Who said they no longer had a copy...but that the Brookings Institution apparently did.**

**And back at the White House Huston talked to Haldeman and his other colleagues:**

[Tom Charles Huston \(RNL OH\)](#)

I said, “well now, what about Brookings?” I said, you know, "It seems to me they have no business having that and they're not up to any good over there, and we oughta just go get it, tell them to give it back.”

**So the black ops guys cased the joint, a mile from the White House...walked into Brookings one evening that summer, told a guard they were headed to the 5th floor to visit a senior fellow...Mort Halperin, Kissinger's former aide, Ellsberg's friend.**

[Morton Halperin \(RNL OH\)](#)

Somehow the Nixon White House, we now know, became convinced that the Pentagon Papers were at Brookings, and so were lots of other secret documents about Vietnam. But none of it was true. Brookings had no storage of classified information and no secret documents of any kind.

**The guard turned away the White House goons. That heist never happened.**

**But the mysterious damning secret file was not an imaginary Maltese Falcon. It existed. And on it somebody had written "The 'X' Envelope." When LBJ left the White House it went with him to Texas...along with his aide Tom Johnson, who says that the ex-president –**

*Tom Johnson (intvw)*

– continued to keep it secret. He put it in an envelope or they put it all into an X file or an X letter and didn't give it to me. He gave it to Walt Rostow, who was there.

**– in Austin, teaching at the university, ghost-writing LBJ’s memoir... and sitting on the X file, which President Nixon, back at the White House, was still obsessing about.**

**I’m Kurt Andersen. This has been episode six of Nixon at War.**

**In the final installment - The Tangled Web:**

**Nixon: Always remember: that those who hate you don’t win unless you hate them. And then, you destroy yourself.**

**Thanks very much for listening. I’m the writer and a co-producer of this series. The executive producer is Steve Atlas. The series producer is Emma Weatherill. And the producer and researcher is Caitlin Rathe. Our original music is by Mason Daring with additional music by Tim Dickinson. Our mix engineer is Robin Wise.**

**For more on the series, visit our website, [nixonatwar.org](http://nixonatwar.org). And if you like what you’ve heard, please give us a rating and review wherever you get your podcasts. It helps others find us as well.**

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