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M. Caldwell Butler Audio Diary, August 8, 1974 - Transcript

M. Caldwell Butler

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8/8/74

B This is a part of Tuesday August 2 - at an earlier tape, I stopped when we completed a republican conference and I mentioned a conversation between McClory and Rhodes on the Floor and Rhodes had told him about a meeting he was ~~going~~ going to have. McClory told him about a meeting he was going to have with Rodino and so forth.

And I concluded then that the republicans were working toward a quick vote one way or the other. Now - I ~~found~~ sat down beside Mr. Gross there later on ~~in~~ in the day and - H.R. Gross - you know, he's about as conservative as they come - and he was upset as many loyal people to the president were - everybody is - but ~~particularly~~ he was particularly I think distressed and then he said, look over at that - i think he described him ungraciously - Father Bob Drinan. Says he's smiling - he's smiling from ear to ear - they all are. He's just bitter that the handling democrats were getting such pleasure out of the thing. And that's sort of thing that's bothered me a little bit - a lot of people have said to me, well, you know, this vindicates you and that kinda isn't the view I had of it at all. I mean I don't think it vindicates me cause I didn't have any indication at all that these conversations were going to be that damning. I felt like the evidence was sufficient up to that point. What vindicated me, I guess, was the vote on the floor along the lines that I had contributed but I guess the general, overall ~~view~~ mood, even on Monday afternoon and Tuesday - is sort of a relief on the part of republicans - that this difficult decision has been taken away from us and that's the first view - I mean - indicated to me that a whole lot more people wanted to vote for impeachment even before Monday - I mean - were inclined to vote for impeachment ~~before~~ even before Monday than was apparent. But their loyalty to the party and the practicality of their getting reelected was the fact that they couldn't do it and so now, I think, all of that - that is a relief. Great disappointment in the president. Up ~~and~~ until now the feeling about these other conversations were that they were comments in passing - that - you ~~y~~ know - many felt like well, it's true - said - how much is on his mind compared to everything he ~~as~~ was doing but when it becomes a central part of his efforts - it's just sort of a disbelief that the president would deliberately prevaricate to the Congress, to the committee and to his own family and to let his daughter go out and make a public -

W Upset a lot of people

B It really did. It's just unbelievable. I came back - walked back to the Capital with _____ from Hawaii - he's on the Rules Committee - and when the President got back from Red China - the president had a little doll for each one of them _____ which he purchased in Red China he said - and he had a little luncheon for the rules committee and he gave each one of them a doll or something he purchased on Red China. And Sparten (sp) said when he was presenting that, he said now if you have trouble explaining to your constituents that I bought an article from the Red Chinese - you can tell them that I got ~~in~~ it in Taipai - and Sparky said he leaned over ~~the~~ to the man he was sitting next to and said - Why, ~~did~~ ~~the~~ Tricky Dick - the point is everybody now is drumming up recollections of the president which indicate duplicity in his presentation of it - - the whole Tricky Dicky theme is being re ... particularly by democrats - now this wasn't said with bitterness. Because I had to agree with him I thought it was a - you know, the president of the United States carrying on that way - even ~~in~~ ~~public~~ informally - a little bit unnecessary. I'm not really critical of it I ~~x~~ just think that he

W Big headline in the Washington Post saying Nixon resignation seen near so on that note, we'll pick up.

B Well, the first thing I want to do is go over a little bit what took place on the floor yesterday and just general activities yesterday and then - that's Wednesday - and then fill in some of the blanks where we left off.

The first thing I want to tell you is last evening I brought home some of the letters that are against my position and started reading them because I feel like that this is kinda down the road now and I've got an opportunity to look at them so I brought ~~them~~ home most of those to read them and try to get feeling of who they are from and so forth and as of this moment, the number of people who are - approve of my position or my conduct is running about 2 to 1 against those that are opposed to it and this ~~again~~ of course has not yet allowed an opportunity for the president's statement of Monday to sink in, although I don't expect any letters of apology even then.

They are falling into categories a little bit - some - ~~is~~ but principally they are all republicans who feel like that you are - that they are disappointed that a republican didn't stick with a republican and they are leaving me, that group. Then there's another group which thinks President Nixon is the greatest president the United States and modest imperfections that we've uncovered don't justify getting rid of him and I think that's the next group. The economic - it's hard to draw any idea of where they stand in the social, economic strata except that not many of the letters are illiterate. They seem to be literate people, genuinely concerned. There's no talk about a communist conspiracy but there's talk about a vicious program by the democrats to get rid of the president regardless and no feeling that many of these people will ever be content with the imperfection of the president. I mention this because it seems to me in line with the interview with Colgate Darden which you just had, from the long term of history, it's important for the record to state clearly and unequivocally the basis of the charges against the president and to remove some doubt as to his innocence. If he goes out - kicking and screaming - that he has been railroaded - an innocent man railroaded - sacrificing himself for his country - it'll do more harm than anything else he's ever done. So that as long as the threat of present criminal prosecution is hanging over his head, I think that will make that difficult to develop so I have real reservations in my mind about striking a bargain with him - in any way - until it's clearly understood what his position is going to be. And how you go about the mechanics of this one, I'll never know, until its developed.

I guess I'm also - in reading these letters, the other thing that occurs to me is that the defense that Wiggins, Dennis, and principally Sandman, those ~~is~~ 3, with some assistance from Wiley Maine and Trent Lott, Latta and Maraziti - those 3 to 10 people have been a great public service in that they pointed out in our presentation to the Judiciary Committee, the weaknesses in the case and ~~various questions~~ raised questions - serious questions - they raised all those questions in the minds of the American people and now in the light of the additional evidence, they've got the courage to say well, now they think the time has come to impeach the president. It seems to me that that goes a long way toward pulling the rug out of the argument that the president has not been fairly treated or is innocent and I don't think that's important for the record. Those are the two things I guess I wanted to say

W It is now likely that Wiggins and Sandman, Lott, Latta, these defenders will join in writing the report now..

B Well, let me mention one other thing - I talked to Wiggins on the ~~phone~~ floor yesterday - wednesday afternoon - and he's a pretty good sport about the situation he finds himself in - in that he's quite upset and everything. There were public reports and newspaper reports and the like ~~xx~~ to the effect that Wiggins had been called by St. Clair - I think he now stated that publicly - that St. Clair called him on Friday and said come on down and talk to me.

Al Hague and I have something we think you ought to see and he got down there and they showed him the tapes and said you'd better read it. Well, he read and of course he was quite dumbfounded and I judge well my conversation is - well, I guess he really didn't have trouble about what you had to say then and he said no problem at all as far as he was concerned and I judge without getting it out of him that he felt like that St. Clair seeking for some kinda Congressional reaction and certainly he selected wisely because if there was going to be any hope left for the President it was going to have to be in Wiggins and I think Wiggins responded professionally and St. Clair must have. That you've got to reveal it. And there are rumors to the effect that he told him - if you don't reveal it - I will. ~~xx~~

W Wiggins told...

B Wiggins told St. Clair that - but I don't think that was any problem with St. Clair. I think he's quite competent - quite professionally - quite professional throughout the thing and has a standing that he wouldn't worry about - I mean that he wouldn't want to jeopardize.

Wiggins' feeling was that the President's natural resistance to the idea and his natural ~~xxx~~ combative personality is such that he's going to resist resignation for a few days but ultimately he'll come ~~itxxx~~ to it. ~~xx~~ He seems to think that the jig is up.

I had a brief conversation with Charlie Sandman at the republican caucus yesterday and I said to him - do you think the president has got any votes in the Senate and he said as far as he's concerned he's got to go. There are not any votes in the Senate right now - as far as he could - not many votes - is the way he put it. So, when those people start taking that view then of course the jig is up. But it gets back to - still the vital mechanics of it. There's a remarkable feeling - almost erie feeling - that these vindictive democrats now want to show compassion in the sense that they are perfectly willing to let him go out quietly and no thought of working out immunity or anything else - all those things seem ~~x~~ to satisfy those people. And this is the feeling among the hangin democrats - the guys that really led the ball originally and really wanted to get him, even from the first, even when they didn't have any real basis in anything.

W Have you talked to some of them...

B Well, lot of ~~x~~ it is rumor. I guess - I didn't make a note as I talked to him - but yes, I talked with Don Edwards - he felt that way. I talked with Waldie thought that way - John Conyers. I haven't talked to Wayne Owens - he's not quite that carried away. I think that's the feeling. The membership wants to get to get it over with quickly but, from a historical point of view, I have real reservations

B about whether the record is in the ~~shape~~ shape right now that it out to be.

W Did any of the democrats talk about that ~~aspect~~ aspect of it - I mean did any of the ones you talked to, did they talk to you about that aspect of it, about the ~~need~~ need to make the records clear?

B No, that doesn't concern anybody like that. I mean that concerns me. And it's not a matter of real concern. But, of course, historically, and I guess justifying it to my folks back home, maybe be one of the considerations but I think the important thing is that the record be ~~clear~~ cleared up.

On other thing Bill Ketchum stopped me - we had a chat on the floor yesterday and he was one of these that was taking an official line that he was going to reserve judgement until he had to vote but he me that even prior to Monday, ~~he~~ having listened to the tapes, and particularly the conversation of March 21st, that he had concluded that he was going to ~~vote~~ vote for impeachment even before the President put on his show on Monday of this week.

And that's another thing that I think is maybe the ^{gun} - smoking ~~gun~~ - theory is the one that you got to find the weapon in his hands and that's still floating around, punctuated with the thought that this revelation on Monday was a smoking gun. That concerns me also because I think therewas enough evidence or I wouldn't have voted for impeachment. I think the president would have been impeached, surely, even prior to that time. And I'm not sure the record is going to show that and I think he would have been removed on the basis of the evidence that existed prior to that. I'm not sure what bearing that has on the overall picture except that I had that thought.

Now going back to wednesday ~~morning~~ morning. I guess Colgate Darden, who was president of the University of Virginia when I was a student there and before that was Governor of Virginia and before that was in Congress, has achieved the status of an elder statesman in Virginia and perhaps no body else that I can think of - these are other ex-governors - and ex-congressmen and ex-presidents of universities around - but he certainly has that standing in Virginia. It's related largely I think to his general nature and his opportunity to - his continuing interest in public affairs and his very sensitive nature and very responsive to the problems of the times and so I was tremendously flattered when he came by my office to speak to me on yesterday and tell me that he thought I'd done a very nice job in the committee and appreciated my statement. He was in a big hurry and he was accompanied by Brooks Hayes, an ex-congressman, preacher - he was on his way to southside Virginia to deliver some kinda speech - to Galax, I believe and I encouraged him to go down there and I thought he could do some good in my district but he didn't have time to stop there.

Later Colgate Darden made a speech about resignation and you might want to make a note of that and get a copy of it. I mean he didn't write the book - he made the statement - I mean just put that in it and then ~~will stay back from me~~ it was played back for me and that may have ~~be~~ influenced by judgment as to what I just said. It certainly is important from an historical point of view. I say again that to make sure that the president's demise was not - is not misinterpreted cause here 100 years later, the universal view is that, the impeachment

B of Andrew Johnson was totally political in motivation but I find it difficult to accept that 100% at this late date. I haven't had time to review that but one theory in a marginal situation can take over in history so I hope we'll have some way to build a record on that.

We had a caucus of the republican members of the Judiciary Committee - very well attended incidentally on wednesday morning at 11 a.m. I think it was called principally to discuss procedural matters but when I walked in there, Bob McClory had - (it was in Ed Hutchinson's office and he was presiding) taken over and he was lecturing us on how important article III was and he even got around to the point that he said this was a ~~republi~~ republican sponsored article and we were deserting the ship. He really lectured us. It's hard for him to realise how much his status with republicans has eroded during this process and it's almost tragic because I think he's been trying hard to give us some leadership and I think Ed Hurchinson - for one reason or another didn't do that - but McClory just hasn't answered our problems.

Goes back and may eventually - makes me think that the reexamination of the seniority system is a matter that we ought to pretty much keep constantly before us.

The arguments were the same - the classic arguments - we had about article III and he was - and so far as I could tell, he didn't get anywhere but if it comes to the floor, I think republicans are going to be pretty - even now - entirely against article III with the exception of McClory and possibly Hogan. And I would guess that it might go down since the fact of the things they are provin are also provable under article I - in my judgment and in the judgment of most of the people there - so with that basis, I can see some developments on that developing on the floor.

As Ed Hutchinson said, well, he called us together for procedural discussion - said he'd met earlier that day with O'Neil, McCall, Rodino, Rhodes, Hutchinson and the speaker (earlier tuesday afternoon) and he pretty well outlined what Rodino wanted in terms of procedure. Rodino still insists on an an adequate general debate - they're down to maybe three days of general debate - 25 hours - we kicked around how many hours it was going to be.

I think

Hutchinson/called us together principally because he wanted to get our view of - Well, Rodino's proposal was 25 or so hours of debate and two hours of debate on each one of the senior articles and that would be the end of it. ~~Rodino~~ Hutchinson was anxious to find out how we felt about the suggestion that we not be able to move - not deem out under the rules to strike each individual paragraph of the various articles which is what we did in the full committee. Rodino represented that it was an agreement of a bi-partisan group, that the individual vote on the paragraphs of the articles should not be in order and he made this representation to Hutchinson and Hutchinson wasn't familiar with it. Well, McClory explained that he had had a meeting with Rodino the day before and Railsback and Thornton had gone along in which they expressed this view. That irritated me because McClory had called me earlier and said he was going to set up a meeting with Rodino and would let me know when it was going to be. So, I'm afriad he's gotten to the point where he can't do anything right for me. As far as I'm concerned - so maybe I'd better back off on that a little bit. But anyway

B No - and then he didn't seem to have any recollection of it. I think he's so busy running around in circles that he can't think straight. And it worries me that he's out there representing - if he represents me - and that's the part of it that concerned me.

Hutchinson had objected to this because he thought this was against the view of the republicans who had voted for impeachment. So then that was the subject of the discussion. Did we really want to vote for individual articles - an opportunity to vote for individual articles in the rules. Now Wiggins took the position - and I think rightly - that we are going to have to live with the rules that are dictated by the democrats and then we - he's still going to support article I but he's still opposed to article II and III because of the precedents and I think he's got a point there - that article II has created a president for invocation of executive privilege and Article III - the invocation of executive privilege is going to be an impeachable offense - that's the way he views it so he's pretty much down on that. Also it's his feeling that article II - the abuse of power - wouldn't stand on its own feet and we wouldn't even be talking about impeaching if it wasn't for Article I. He thinks the articles ought to be able to stand on their own feet.

W I'm not sure I know what you mean by that.

B Well, if we did not have the coverup problem, the charge of abuse of power would not be of such magnitude that people would want to impeach the president for abuse of power. That would be reprehensible and we would probably take action against it - do something about it but it ~~we~~ wouldn't be ~~talk~~ talking about impeachment. Therefore he says article II can't stand on its own feet. Likewise article III - same problem - but that's the ~~xxx~~ coverup on Watergate. Article II and III would never fly. Well there something to be said for that argument. They do have to stand on their own feet - they have to stand on their feet in the time in history in which they find themselves and so there is something to what he says but you are not totally persuaded. But he tossed that out - not really apopos of our major issue ~~that~~ about the rules.

My view of it was and I expressed it, right strongly, that as long as there was one single person that felt like the president wasn't getting a fair shake, I thought the rules ought to be accomodating to ~~a~~ that. Cause I ~~wanted~~ wanted to be sure that the president's case was given the same opportunity to be ^{represented} ~~represented~~ and if people wanted to - if anybody wanted to right to ~~strike~~ ^{strike} any individual article I would be for it - and David Dennis has much the same thing to say.

W Is that pretty much the word you used...

B Yes, I think that's pretty much the view I expressed and David Dennis backed me up. Course he wants to talk all day - on every issue - and I think maybe he thinks somebody has got to do it and there isn't anybody else there to do it but him. So we had a vote on that. The motion was made that we go along with Rodino's suggestion and I made a substitute motion that we go along with it except that we be allowed to vote on individual articles and we got two votes - me and Dennis. So in any event, now the republican position is going to be - and I'm certainly not going to follow that publicly - shorten the base and get it over with because the president is being hurt by it. So, he's going to be hurt by it if it does take place and so - but the general republican feeling is that the quicker we can get this

B over with the better. My feeling is to get in the record the facts - some way - and I'm not entirely sure the report is ~~xi~~ sufficient so we'll - but I think we'll have enough time in 20 hours or 16 hours of debate. Now Railsback points ~~him~~ out that he thinks the report and the appendix - and he gave us a little run down on the plans of what John Doar's report is going to look like - and we're supposed to get a draft of that Friday morning and take it home over the weekend and bring it back.

Now the interesting thing was that Railsback had talked to Rodino earlier in the day - on Tuesday - in terms of compressing the debate to one day or to about 16 hours and somebody else evidently got to Rodino subsequent to ~~the~~ that and added another day or so to it - he thinks it's a democrat and he gives Paul Sarbanes credit for it - and Sarbanes is a smart sort (or sock) he wants us to get more into the ~~rep~~ record and make a more political ~~re~~ capital ~~a~~ out of it - that's the feeling of Railsback and so the leadership have evidently prevailed upon Rodino to ask for more time than he originally intended and that's where the pressure has come from.

I don't have that strong a feeling about it. I think we can do it all in one or two days and that people will be talked out by that time and then too, we're just going to be inspired by just so much comment.

One interesting observation during the course of ~~the day~~ David Dennis' argument - he said - in effect the overlapping of articles I and II constituted what amounts to a duplicity or a - it's basically that it's a criminal law that you don't charge a man with two crimes on one set of facts. That's overstating it but that's what it amounts to and I'm going to try to rephrase his position on that - I'm going to let him rephrase it for you - but as I say, the interesting part of it was that he felt like the charges in Article II should have pulled out and been made separately and - well, that's the converse - that's the duplicity argument - that's what I'm trying to turn it around for - basically David Dennis feeling was that we had too many targets loaded up into Article II and his view of it was that we should pull all of them out and make them separate charges and vote on them separately. And I said well, why didn't you make a motion to that effect before the committee. He says alright, I'll tell you candidly why I didn't do that - he says because if I done that, Wiley Maine had said he would vote for the Article of Impeachment based on the IRS investigation - it stood alone. And so that was an interesting insight into that. And Wiley Maine was there and he just smiled and said well, yes, that's true. So that's why he didn't offer the motion.

W That may have been a little strategy on the President's side.

B Yeah, that's it. Then we kicked things around. And Latta - he says - the president ought to quit - we shouldn't have to go through this exercise - which is an interesting observation for him. And then we got to thinking about things - you know, originally the proposal was to divide the time on the floor between the opponents and the proponents. And we got to thinking about the possibility of Earl Landgrebe and Otto Patman having - controlling all of the opposition time as the President's staunchest defenders and so we kicked that out as a - so that - we pretty much all agreed that the time ought to be divided between the party's and not proponents and opponents and I don't think that's going to fly.

W Anybody say anything in particular about _____ and Landgrebe

B Well, I guess it's a groan. Both of those people are - well, Earl Landgrebe, he's loyal to the president. I think he ~~x~~ would go out and be shot with him - he said ~~something~~ something to that effect and Otto Patsman is not - is violent but not persuaded. One more thing developed - during the course of the caucus - was Sam Garrison is preparing his draft of the minority views. We had the argument made that - suggestion along the lines, since everybody was holding on opposition to Article I, the thrust of his view was - of the draft that he was preparing was along the lines that the minority counsel is having trouble putting together the views of the minority and they went off into a discussion of their own kinda - I'm talking about the 10 people who voted against impeachment. Although McClory did pick at us - in his conversations with Rodino and Don Edwards - don't want anything but removal for the president - don't want anything - any other kind of punitive aspect. Course the Senate has ~~the~~ discretion after impeachment and ~~trial~~ trial to ~~effect~~ in effect include removal or disability to hold any other - and a disability to hold any other public office - and, so that's, that's not what he was talking about. Basically they weren't thinking ~~about~~ in terms of any criminal action against the President and that's one more evidence of what I meant before.

preferred

We also circulated the view, ~~described~~ by Railsback on stating our ~~opposition~~ opposition to Article III, which most everybody there signed and that will be in the report.

was

- J The thing he didn't talk about/when Railsback came in there he wants to make sure that they - and Flowers does too - that they have a article of impeachment that they can vote against. They want to have some of these liberal introduced resolutions about Cambodia or some of the things that nobody - that are not going to pass so it'll look good back home when they vote against some of these articles of impeachment.
- W Well, they are all kinda in that boat aren't they - I mean most of the republicans in the middle -
- J They just want to have ~~something~~ something to vote ~~g~~ against so it'll look good - some of the articles to vote against - you know like some of these wild things - to impeach the president for Cambodia or impoundment or something like that so the ~~the~~ headline back home will say they voted against one of them or something.
- W I would think they would get a chance on that.
Was there anything else that stuck in your mind from the meeting today
- X How did they look - did they all look weary - kinda grim about this or seem convicted that they have got to do this thing and they are looking for a way to do it.
- J Flowers repeated about 10 times that it gave him a bad feeling to impeach the president - the whole idea of having to make the decision and most of them ~~agreed~~ agreed that they wanted the president ~~to~~ to resign tonight on TV but they really didn't think that was going to happen and let's see - what else.
- W They don't think he's going to do anything like that
- J No they ~~don't~~. don't. Cohen thinks that the president is going to ~~come~~ come on and give them the tapes and everything and say if you really are going to do a fair job you'll wait ~~and~~ and listen to these tapes and that kinda strategy.
- B I left here and ran over to the floor to vote and Railsback had just gotten a call from George Bush and he said do whatever your conscious dictates, which surprised me and I asked me if he had suggested to John Rhodes that the President resign that he didn't think he'd suggested that to him. The only thing is that we ought to ~~keep~~ keep in mind - is that in the middle of the morning - somebody stuck ~~his~~ his head in our conference and announced that that the Supreme Court had voted 8 - 0 on that matter but we right on barging ahead. We never did dicuss in our group what we're going to do tonight when Bob McClory comes ~~up~~ up with his ~~motion~~ motion to delay. My inclination is not to delay for the president, we can certainly get this debate lined up anyway. We can go on with that for the next ~~few~~ few days ~~anyway~~ anyway and see what happend. So that's about where it is.
should
- W At this point you don't think you ~~would~~ delay a vote...
- B No. No, I won't delay debate - whether we should delay the vote is another thing ~~but~~ but I think we ought to go on with the debate anyway.
- W Finish the debate - (B- that's right) Do you think from the standpoint of possibly delaying a vote to see if the committee could get the material - or do you have any feelings on that or do you ~~want~~ want look at the Supreme Court decision and see exactly what it says.

B Yes, I just got a copy of the Supreme Court decision and I haven't had a chance to read it.

W Okay.

B And That's where we are.

W Oh, on Hogan, let me ask you one question as we wind up - ~~he said~~ you said he's having second thoughts - or says he is...

B He says he is - I saw him over there as he was talking to reporters on the floor and I told him to hang in there - and he indicated that Hogan's never quit - quitters never quit or something like that - anyway I don't believe his present information is sufficient to quit.

W You ~~x~~ think he'll hang in just to ...

B I think he'll hang in there but I do have the information that indicates that some people have called him and called back their money. And - ugh - but ~~xx~~ that's the way life is.

Tape begins with television of Nixon's resignation statement

Well, your formal statement, we have that...

W What did you feel inside while you were hearing that.

B Well, you know, it's just quite a depressing experience for everybody and since I had some part in it why I guess - well, depressing is the only way to describe it except that a certain amount of relief that the - at the dignity with which he handled it - and I think he's - an absence of bitterness, I don't really see any bitterness present and I just think he handled it with a whole lot of dignity and I accept what he said about the national interest - I do think that's the basis for his decision. I think he fairly summarized his record. I think that he is - we are lucky - as he said, he's accomplished much.

I was never one to expect him to throw himself on the mercy of the American people and plead guilty and the sort of things that have been suggested today. I'm satisfied with his statement. I think he did well and handled it nicely and I'm sorry that _____ are that circumstances have brought us to this.

W Yeah, some people did seem to suggest he ought to go on in/^{the}respect - of an all out I am guilty'..

B Well, I gather that Ed Brooke said something like that today, didn't he?

W Yes, trying...

B You know, I do ~~xxx~~ think that that's asking too much of the president to - in effect - ~~px~~ plea bargain with the American people. I think we've just got to expect justice from the system and I think that's pretty substantial punishment.

W The feeling you ~~xxx~~ were relieved...

B Are you through with the statements for the newspaper?

W For the newspaper, no, let me ask that part ~~xxxx~~ about it because - I'm going to note that you looked relieved -

B Yeah, I did feel some relief when he said he was going to resign. I'm glad that the whole process is ~~of~~ over and I think that it was pretty much inevitable based on my reading and his reading of the Senate and the House so that's that.

W Okay - let me ask one last one for the record. He did seem to be relating his decision to quit more to the loss of political base - did you feel that or did you think that when he said...

B Well, that's what he said. Yeah!

W Do you think he should have gone any further in that regard (B-No) That that was for this "point in" (sounds like...)

B Well I think that's an accurate assessment. And I do think that made it necessary and I don't see why that was - it was necessary for him to go - in this speech - to go into the reasons why he lost the political base. I accept that.

W Any feelings you have that you don't want - you know - put into the paper right now.

B All right. Well, he opened by blaming it on the Congress and I think it's an index to his mental processes and his character and it may be that his mental condition may not be stable at the moment but in any event, it's - psychologically, he has to blame something, everything on somebody - other than himself and to push it on to the Congress is, I think, going to make it difficult for me and those of us who voted for his impeachment. And it may have been malicious, I don't think so, I think it's just his nature to blame it on other people but I just thought that was a kinda cheap shot - when you analyze it but, it's an accurate assessment. He had lost his political base in Congress but he was implying that we owed him a degree of loyalty beyond what I felt like and what anybody would feel like. We took an oath to support the constitution just like he did and I think that's going to embitter - I think that's going to rub some Congressmen the wrong way. And I don't think - and my own view of it is that I think we can make some allowances for his situation so I don't feel too upset about it but I think it's going to put a little more ~~support~~ support in it as far as I'm concerned.

he's

Cause that's as far as ~~we've~~ gone towards suggesting that he was being hounded out of office but he's laying the foundation I fear for that kinda of an approach. He's persuaded himself that he's doing the patriotic thing and ignoring the fact that he got himself in this mess because it was dishonest and having listened to his tapes and knowing how his mind works, I'm really concerned about where it's going to lead and how long it will be before he gets back on the track.

You know, Bill Hungate stopped me on the floor ~~and~~ today and said what are we ~~going~~ going to do to keep this thing from turning around. He says eight months from now, we're going to be the villain and Nixon's going to be a hero and the guys that vote him out are going to have to be responsible for ~~it~~ it and he was concerned about making sure that the minority of the republicans - from the republicans that voted against impeachment are pinned down in the report that we put out in that regard. I hope they are. I think that's - cause I think it's important for the country - even more important now since he's taken this attitude.

I don't think he's got to undress in public but I do think we've got to make the record that he's guilty and that's the reason he's leaving the office so we'll have the report tomorrow and certainly our committee will file its report. I don't know - the committee is going to meet tomorrow morning and we'll talk about what to do about it. So that concerned me.

The next thing - I thought it was appropriate to express confidence in Gerald Ford - which he did. Now let's see, the first thing he mentioned was blaming it on the Congress and losing his political base - I've been through that - and then he said he was going to resign effective tomorrow and I don't know why he chose to do that but I guess that's all right. You resign at a given time and I guess there will be some announcement now of the plan. And then he expressed confidence in Gerald Ford and the country and then he went back through his record.

B On comment - I have always made the - I have made some errors of judgment - that statement by him - I have made some errors in judgment - I guess we're entitled to let him, in a swan song of this nature, get away with that but errors - a deliberate prevarication is not an error of judgment but a weakness of character and that I think is what's happened here. I just think he should have been content to let it go at that. I feel like the reference just to this Watergate sort of thing ~~isx~~ - it's not just that - he made no ~~real~~ effort to make any real defense of what he's done - even the statement on Monday - no real statement that he was - there's just no remorse - no appology - not tonight or monday - no feeling that he's done wrong and he's sorry and that he has to leave for that ~~real~~ reason.

You know, I've gotten to know the man better, listening to these tapes and the conversations - and it's just a hollow ring to the whole speech - that's my real feeling about it - that what he had to ~~xy~~ say tonight was a very nice speech - very dignified speech - a very statesman like speech, really. But knowing him know as intimately as we do and all the Congress does now, you just can't accept it as a statement from the heart - which it should be. And he almost broke down there early in the speech, and I think that was probably sincere - I mean, I don't think that was ~~dam~~ dramatized deliberately.

W You think that was on the level.

B Yeah, I accept that. And I thought that part of the speech - but his emphasis on the national interest and what the president must do which is best for the country is quite true - that's exactly what he must do but I could not feel like he was doing anything except what he had to do because he'd been caught. And that's exactly what happened on Monday - he voluntarily gave those tapes up on Monday because he knew they were going to get them within a week and I suspect that he knew that St. Clair and Chuck Wiggins - between the two of them - forced him to make them public anyway.

Incidentally on ~~Monday~~ - Tuesday morning, I was in the cloak room I did hear David Dennis talking and I meant to mention that the other day - about St. Clair and the president and feeling like St. Clair - he had the vision of St. Clair - he said a statement to the effect that St. Clair did what any lawyer would have required his client to do under those circumstances. He told the president to make it public. So even his staunchest defenders don't have the feeling that he voluntarily turned over those ~~tapes~~. The other feeling I had was sort of a sense of guilt - a feeling that I brought this thing about in some measure that if I had taken a ~~standback~~ strong stand backing the president... (telephone interruption)

Well, you know, he kinda suggested that Congress' fault - well, maybe you know, at that critical time when we jockeying for position to decide what to do among that group of seven that if we had pushed to back ~~the~~ president, maybe this thing wouldn't have developed and that bothers me. So I guess I got a lot of comfort out of Monday's revelation cause I think that would have turned me around anyway. Course the Supreme Court was the key to all of that. But every now and then I feel like - as I watched this thing tonight - this is such an ~~unavoidable~~ circumstance - and so unnecessary and the chain of events that led to it was just unbelievable. The President of the United States could, at any

B time, beginning ~~in March~~ back you know, even in March, turned this thing around and such an inconsequential series of events - an inconsequential beginning really, the decision to - back in June, 1972, the president made a decision not to come clean and from there it's grown - it's just that feeling that - you know - we were forcing the president out for such a fundamental ~~x~~ decision but such a small one at the time.

That keeps coming back to me - that maybe I made a mistake. But I'm quite sure that I didn't but it still bothers me every now and then.

And when he comes on and blames it on his power base in the Congress and so forth why it makes you rethink it a little. And that's about all I've got to say about the speech.

Now watching Gerald Ford come on there - I thought it was very reassuring - the way he handled himself. It was a quick press conference - obviously no notes - hadn't rehearsed it too much - he started off by saying 'Let me say this' which was a little bit unpresidential - a little bit informal but then when he got into his remarks there wasn't any hesitation. I think he handled himself very nicely and said what had to be said and said it in a very dignified way so I was pleased with that. And Gerald Ford, coming on as he did right after the president spoke, I think is good for the country. It ~~xxxx~~ restores confidence and that's what we've got to do.

Now if Nixon will quietly go away - I think it will solve our problems.

W Course there's still the way in which he made the speech and as you say this seeming to blame it on Congress and I'm sure a lot of people will get that message - kinda goes back to what Darden was saying - somehow there's got to be a record made...

B Yeah, I think that's ~~xxx~~ going to concern us ~~xxx~~ when the Judiciary Committee meets tomorrow morning. I think that's going to be the topic of conversation. I think we've just got to firm up our report and make the record strong and permanent and somehow get it distributed in a way that will make it clear that this man left because he was fired - and he was fired because he was dishonest. And it's got to be a matter of record for history

W Or recriminations of all kinds...

B Yes, that's right. And it just wouldn't be right for historians to come along and say well, here's a president that lost the confidence of the people and quit. And that's the way it ~~w~~ ought to be and then they'll be hounding people out of office for that. So I think we've got to move on that and I hope we'll move quickly.

W Let me ask you this one for the record - Do you feel that the Committee has to go ahead now - as a member of the Judiciary Committee - feel it has to go ahead and complete its record of the whole impeachment inquiry.

I think its got to complete its report.

B / What did you say - you're back on the record? No, no, I don't want to go into that. ~~xxx~~

W Well, what do you want to say on that?

B I don't want to comment on it right now.

W No comment on exactly what the committee should do.

B That's right - no I do not. No, I think it's all wrapped up in the immunity question - in the sense of the Congress resolution and all that sort of stuff and these people introducing sense of Congress resolutions to the effect that the president ought not to be prosecuted are jumping the gun and I just think we ought to quietly agree in the executive branch of government that he will not be prosecuted and let it go at that.

W Okay, now one last one. For the record. Should the Congress vote on the Committee report - should the members of Congress - to close the record - vote -

B No, let's just leave that out. Don't get into that. Cause I don't want to get at odds with what everybody else might want to do I just want to make sure...

W At this point, you don't want to get into any of the complexities of what - other than what you have in your statement - let the orderly...

B Yeah, I think - I think it will be sufficient if we can get all of the members of the Judiciary Committee - republicans and democrats to agree that the president is guilty of obstruction of justice and get that as a matter of record and then it would be nice to have the Congress endorse it but I wouldn't on to a vote unless we were certain we were going to get it.

W It's going to be interesting to see - the Judiciary Committee meeting tomorrow may really be something. Is the whole committee -

B I expect it's going to be a closed session. I don't know - I was just told that we were going to get the briefs tomorrow morning - reports tomorrow morning - that's all.

W Tomorrow at 10 a.m. (B-yep) Yeah, like you, I'm a little fearful at that - that's probably be the first question out of the box - I asked you was about the statement on political base - that seemed to be, except for the reference to - I've made some misjudgments -

B That's as far as he went toward strict guilty - but you know, it's a humiliating experience enough and I think it's just asking too much to expect him to really lay it out there and say - but and I think he ought to be allowed to quietly float away for a while now but I would not think that Congress, based on what he's done tonight, ~~he~~ would be able to move to grant him immunity just yet - but he didn't say - you don't have Nixon to kick around anymore. Apparently we are going to have him to kick around.

W I think so.

B And he may run for president again - you can't ever tell. They say Agnew could get elected in Maryland now. That's what some people say.

W That's fearful.

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- B Yeah, the whole thing is fearful. I'm fearful I made a mistake coming out as strongly as I did on Nixon in the Judiciary Committee.
- W Why, why do you think that was a mistake
- B Well, because I think - cause of what he said tonight, he's gonna - the diehard ~~Nixon~~ Nixon people are still going to be with him - they'll be madder than ever. Don't you think so.
- W Yep. I do. That's why as Darden said -
- B It's important to make the record. We've got to make ~~w~~ it without seeming vindictive -
- W That's it
- B It's going to be a hard thing
- W Well, when you ~~think~~ say you think you might have made a mistake you mean in terms of politics - not in terms of your vote.
- B Well, I mean I didn't could have quietly said I was going to have to vote. I don't whether the strength of my statement had anything to do with you know, making ~~people~~ people mad - no politically, I guess the ~~strength~~ strength of the statement was also very helpful from the other point of view so, I just think it's going to be hard to pull the republican party back together in the light of what he had to say tonight and you know, it might have been nice to say that I bear no malice to my ~~fix~~ friends in the republican party they ~~just~~ did what they wanted to and its important to pull our party together and that sort of thing. But I think he took the opposite view - now I don't know what that does to Chuck Wiggins and ~~x~~ all those guys that ultimately said - you know - impeach him. I just think we're in for more trouble with the guy. I don't think he's going to die quietly.
- W ~~D~~ ~~x~~ Doesn't seem like it. I'm just trying to probe at this - when you say you are a little concerned that you might have made a mistake - you mean in the strength of the statement...
- B Yeah, in the strength of the statement - no - my conclusions, I think have been pretty well born out. I could have said - put it less strongly but -
- W But at the same time you felt it didn't you
- B Yeah, at the moment, I sure did. I feel it now even more than ever - I'm just - well, actually it comes back - here, this guy, that's the way he talked to his daughter. Yeah, I haven't done a thing wrong - you go on out front there and tell everybody I'm going to fight to the last Senator. His own child - and in the same way - his own lawyer and all the American people again ~~right~~ tonight. No, I feel like he's - the coverup goes on.