

## Deep Kiss

### How the *Washington Post* missed the biggest Watergate story of all

Garrick Alder

**A**t the height of the Watergate scandal, in summer 1974, Dr Henry Kissinger tried to tell the world about an act of treason that had been committed by President Richard Nixon over the Vietnam War. The information was passed to Bob Woodward of the *Washington Post* – but it never appeared in print. Richard Nixon’s flashing of his trademark double V-signs as he fled the White House by helicopter meant exactly what they appeared to suggest: he had got away with it.

The secret that Dr Kissinger attempted to make public related to Nixon’s sabotage of the Paris peace talks held in late 1968, while Nixon was running for the presidency against Democratic challenger Senator Hubert Humphrey. Dr Kissinger’s breach of confidence – essentially betraying another traitor – unlocks the dark heart of the entire Watergate scandal.

At the centre of the scandal is a botched burglary ordered by President Nixon. And it wasn’t the 19 June 1972 break-in at the Watergate complex.

The previous year, on 13 June 1971, the *New York Times* had published the first batch of the Pentagon Papers, a splash falling six inside pages deep. They cited documents that showed the fabrication, fiction, and falsehoods being fed to the public about the USA’s engagement in Vietnam. The leaker was RAND Corporation employee Daniel Ellsberg, then aged 40, who had returned from a tour of duty in Vietnam disillusioned and disgusted with his nation’s ‘bloody, hopeless, un compelled, and surely immoral prolongation [of] mass murder.’ Ellsberg declared:

‘I felt that as an American citizen, as a responsible citizen, I could no longer cooperate in concealing this information from the American public. I did this clearly at my own jeopardy and I am prepared to answer to all the consequences of this decision.’<sup>1</sup>

Nixon immediately became obsessed with documents relating to the war, which he believed might also be leaked, and with sequestering them for himself. He had originally toyed with the idea soon after taking office in 1969, telling his

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<sup>1</sup> This quote from Ellsberg has been widely referenced over the years but the original source appears to be the UPI report of Ellsberg’s arrest.

number one aide, H. R. Haldeman, that he wanted to get hold of records, which he believed the Brookings Institute had, that related to a 'bombing pause in late 1968 part of a last-minute "peace effort" by Nixon's predecessor, Lyndon Baines Johnson, intended to derail Nixon's campaign.'<sup>2</sup>

Haldeman's efforts to get the documents fizzled out due (he thought) to bureaucratic obfuscation and he forgot about the document hunt. Nixon, however, did not. The first trace of desperation is recorded on the White House tape of 17 June 1971 (i.e., four days after the first *New York Times* story about the Pentagon Papers). Nixon is heard telling Haldeman: 'God damn it, get in and get those files. Blow the safe and get them.' Nixon's aides were used to occasionally turning a deaf ear to their boss's more outrageous orders. Indeed a fortnight later (30 June 1971) Nixon had to hammer home his demands once more: 'I want Brookings . . . just break in, break in, and take it out. Do you understand? You're to break into the place, rifle the files, and bring them in.' Twenty four hours later, Nixon issued the same demand even more emphatically: 'Did they get the Brookings Institute raided last night? No? Get it done. I want it done. I want the Brookings Institute safe cleaned out.'

What was in the safe at the Brookings Institute that made the President of the USA demand burglaries, over and over again, to his senior aides? That aspect of the Watergate story didn't appear to interest *Washington Post* reporters Bob Woodward and Carl Bernstein as they pressed ahead with their investigation of the Watergate burglary itself.

## **LBJ knew**

**I**n office between 1963 and 1968, Lyndon Baines Johnson was the first US president who routinely tape-recorded his meetings and telephone conversations. One tape from the last days of the Johnson administration is far more incriminating than the so-called 'smoking gun' tape that led to Nixon's resignation in 1974. At 9.18 pm on 2 November 1968, Johnson called Illinois Senator Everett Dirksen to discuss the unforeseen failure of the Paris summit ('peace talks') that Johnson had so painstakingly set up over the course of that year.<sup>3</sup> After proposing a couple of hypothetical reasons for the collapse of the

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<sup>2</sup> H. R. Haldeman, *The Ends of Power* (1978) pp. 251-252. With characteristic dishonesty, Nixon later stated in his memoirs that it was *Haldeman* who had actually suggested the plan, claiming Haldeman suggested the Brookings papers could be used to 'blackmail' Johnson. The fact that Haldeman had died the year before Nixon made this startling claim is unlikely to have been coincidental.

<sup>3</sup> For the full audio recording and accompanying transcript see <<http://prde.upress.virginia.edu/conversations/4006123>>.

summit, Johnson sardonically got to the point and the topic of the conversation was suddenly transformed from the theoretical to the pragmatic.

Johnson: 'Or some of our folks, including some of the old China Lobby, are going to the [South] Vietnamese embassy and saying, "Please notify the [South Vietnamese] President that if he'll hold out till November the 2nd they could get a better deal. [. . .] And they oughtn't to be doing this. This is treason."

Dirksen: '*I know.*' (emphasis added)

The 'China Lobby' referred to by Johnson was the ad-hoc conglomerate of hard-right Republican politicians and Chinese exiles who had made their cause the demonisation of President Harry Truman as 'the man who lost China', seeking thereby to tar the entire Democratic Party by historical association. One of those Republicans was Richard Nixon.

Johnson went on to speculate about the identity of the Nixon aide who was acting as go-between with the South Vietnamese president, and then came to the reason he had phoned Dirksen.

Johnson: 'Now, if Nixon keeps the South Vietnamese away from the conference, well, that's going to be his responsibility. Up to this point, that's why they're not there. I had them signed on board until this happened.

Dirksen: 'Yeah.' [Pause.] 'OK.'

Johnson: 'Well, now, what do you think we ought to do about it?'

Dirksen: *Well, I better get in touch with him, I think, and tell him about it.*' (emphasis added)

In plain language, Nixon had undermined Johnson's summit by telling the South Vietnamese president that he would get a better deal if he waited until Nixon was in the White House. Johnson knew what Nixon was up to, and he wanted to make Nixon aware that he knew about these destabilising manoeuvres. To date, no record of Dirksen informing Nixon about Johnson's awareness of the sabotage has surfaced. But, from Haldeman's January 1969 encounter with Nixon (described above), we know that Nixon entered office with his own subterfuge weighing heavily on his mind. This might have been compounded by the fact that, when he took office, Nixon abandoned any pretence at seeking peace and escalated the Vietnam War instead.

What did Johnson think as he watched the Watergate scandal begin to grow in later 1972? No documentary record of any such reactions has yet been released by the Johnson Presidential Library. Johnson himself died of a heart attack on 22 January 1973, just 48 hours after Nixon's inauguration for his

second term as President.<sup>4</sup>

The Johnson-Dirksen conversation is fairly damning, but is it unfair to have expected Woodward and Bernstein to have uncovered Nixon's treason decades before that conversation became public? As it happens, the two venerated newsmen cannot be acquitted lightly – if at all. In a 24 July 1974 memorandum,<sup>5</sup> quoted here in its original spelling and layout, Bob Woodward set out what he could recall of an interview with Nixon aide John Ehrlichman, in which the Brookings break-in was discussed.

'At president's direction E[hrlichman] said he talked to Brookings and about secrecy there; did it several times; right after Pentagon Papers. Also about Brookings a meeting in San Clemente about 12 July 71 'undoubtedly discussed it' (w/ Dean) the discussions were an effort to get the so-called "bombing halt" papers back.'

There were no 'bombing halt' papers, this was just another Nixon lie to conceal his true motivations, and Ehrlichman essentially admitted as much to Bob Woodward during the same interview, when describing his attempts to access the Brookings Institute's Vietnam records via official bureaucratic channels:

'Buzhardt decided what we not get to see [*sic*] So it was admittedly a hit and miss process.' in terms of what he got to see; not the whole story; but *the Brookings matter was not necessarily what he was looking for.* Wouldn't elaborate on that.' (emphasis added)<sup>6</sup>

Nor was Ehrlichman the sole source nudging Woodward and Bernstein towards the truth about the Brookings break-in plan, or even the strongest source. Filed at the University of Texas, along with the 24 July 1974 Ehrlichman interview notes, is a second typed memorandum from Woodward, addressed to his colleague Carl Bernstein, setting out what a well-placed and unnamed source had told him about the Brookings affair. However, this second document has nothing to do with Ehrlichman and it is unclear why it was filed alongside

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<sup>4</sup> Johnson compiled a dossier on what he knew of Nixon's treason, including documents gleaned from the CIA and FBI detailing surveillance of Nixon's go-betweens. Johnson entrusted his so-called 'X-Envelope' to Walt Rostow, his National Security Advisor. On 26 June 1973, with Johnson now dead, Rostow handed this dossier to the director of the LBJ Presidential Library, with a note recommending that it remain secret for another 50 years. It was eventually opened on 22 July 1994. A copy was obtained during the present research.

<sup>5</sup> Brookings Institute, Woodward's typed notes. Ehrlichman (Ref: Series 1, container 75.2) – Bernstein-Woodward collection, Harry Ransom Center, University of Texas, Austin.

<sup>6</sup> See note 5.

the 24 July memo. For convenience, this second memorandum will be referred to as the 'Carl' memo, since that is the document's first word.

## **The second source**

The memo is undated, but, from part of its contents,<sup>7</sup> it can be placed in the first half of 1974. It also contains a reference to 'our story about the Buchanan memo', which was a *Post* story about Nixon aide Patrick Buchanan and his reservations over Nixonian plans to burgle Daniel Ellsberg's psychiatrist.<sup>8</sup>

The interview that led to the creation of the 'Carl' memo, then, can be pinned down to a period of approximately 35 days at the height of the Watergate scandal, between the publication of the Buchanan story and the Supreme Court's ruling. The 'Carl' memo begins with the following sentence: 'First and most important, my source said that the President personally ordered the break-in at Brookings.' This was correct, although the tapes of Nixon's orders at this stage (i.e., pre-25 July 1974) were still in the sole possession of the White House. Woodward's source knew what he was talking about.

After some discussion about how Charles Colson had reacted to the President's order to burgle the Brookings Institute, when other aides had just ignored what they regarded as another of Nixon's impetuous outbursts, Woodward got to the point of his source's information.

'I quizzed him for a while, and while *I don't remember exactly what he answered* in each instance, the impression left was that *these papers related to secret U.S. negotiations with Hanoi, Russia and China*. The "Other stuff", my source said, really provided the impetus for the administration's panic reaction to the Pentagon Papers, not the Pentagon Papers themselves.' (emphases added)

As can be seen, the exact information passed on by Woodward's source was already a fading memory by the time the 'Carl' memo was typed up. Even so, the import is clear. Woodward's source knew exactly why Nixon wanted a break-in at the Brookings Institute, and which documents Nixon wanted to seize. But no *Post* story was ever published about this incendiary information. In terms of understanding Woodward and Bernstein's perplexing failure as reporters, at the height of the Watergate scandal, we have to inquire: how

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<sup>7</sup> A reference to 'the tapes that [Watergate special prosecutor Leon] Jaworski is fighting for in the high court' and the fact that the Supreme Court's order for Nixon to hand over his White House tapes was issued on 24 July that year.

<sup>8</sup> This story, headlined 'Buchanan objection ignored', was written by Lawrence Meyer and published on 19 June 1974.

reliable was Woodward's source? In other words, did Woodward and Bernstein reject this information out of hand, due to a lack of confidence? We can ascertain this by assessing other information from the same memorandum.

## Identifying the second source

It can be established at once that the filing of the 'Carl' memo with the Ehrlichman interview (discussed above) is erroneous. The 'Carl' memo's source was not Ehrlichman. The 'Carl' memo is from an earlier date, as it was composed during the legal proceedings leading up to the decision by the Supreme Court ordering Nixon to hand over the White House tapes. Woodward's typed notes from the Ehrlichman interview are clearly dated 24 July, which was the day in 1974 when that Supreme Court decision was announced.<sup>9</sup>

In the aforementioned (24 July 1974) interview notes, Woodward states that he 'told [Ehrlichman] that we had information that his notes specifically said the Pres. Ordered the Brookings break-in', to which Ehrlichman replied: 'I don't recall anything like that.' (The words 'break-in' have been added in pen to Woodward's typed notes, with the original word – firebombing – crossed out in the same ink; one among many illustrations of Bob Woodward's tendency to revise his notes after the fact).

It's worth pausing to let this sink in: Woodward was telling Ehrlichman that he and Bernstein *already knew* what was in Ehrlichman's private notebooks. This might be construed as a journalistic bluff, designed to loosen Ehrlichman's tongue – but it was not. The 'Carl' memo concludes with a postscript at the bottom of page five, an impressionistic succession of fragments.

'Ehrlichman taking notes, didn't know of taping system shortly after buchanan memo – source called after larry's story on buchanan. Knew being used (source). His opportunity. He stood by vault, (2) came out and told him it was there. During a run. Never had notion previously. Show natl security.'

This passage is intriguing in the extreme, but impossible to untangle with any great confidence. All that can be said for sure is that the first sentence explains Woodward's claim to know what was in Ehrlichman's private notes when he

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<sup>9</sup> Woodward's notes also contain a reference to Ehrlichman stating that he was 'glad of sup. ct. [d]ecision'.

interviewed Ehrlichman on 24 July. Therefore, the source who provided the information in the 'Carl' memo cannot have been Ehrlichman.<sup>10</sup>

Woodward's source (in the 'Carl' memo) said 'several times that the picture the public had of Ellsberg was still distorted [. . .] all he would hint at was that Ellsberg's activities were very questionable.' He also mentioned to Woodward the supposed existence of 'material that the [Nixon] administration had gathered about Ellsberg's behavior while in Vietnam.' This corresponds closely with claims that had been made in the White House soon after Daniel Ellsberg's leak of the Pentagon Papers had been published.

'[Henry] Kissinger, who knew Ellsberg, fed the president's spleen with a torrent of allegations. Ellsberg may have been "the brightest student I ever had," he told Nixon, but he was "a little unbalanced." He supposedly "had weird sexual habits, used drugs," and, in Vietnam, had "enjoyed helicopter flights in which he would take potshots at the Vietnamese below." Ellsberg had married a millionaire's daughter and – Kissinger threw in for good measure – had sex with her in front of their children.'<sup>11</sup>

Other information known to Woodward's source included the existence of 'a document – he gave the number as NSSCM 113 on declassification. We did not get further than that.' It is somewhat surprising that Woodward was able to recall the number of this document so exactly, when his recollection of the nature of the papers Nixon wanted from Brookings was so hazy. The document Woodward's source was directing him toward was NSSM 113 (just one letter different; NSSM standing for 'National Security Study Memorandum'). Dated 15 January 1971, NSSM 113 was titled 'Procedures for Declassification and Release of Official Documents' and was written by Henry Kissinger.<sup>12</sup>

Finally, Woodward mentions that 'My source also confirmed that Kissinger was for a unit to plug security leaks.' (This means that Kissinger had supported the formation of Nixon's 'plumbers' team).

Assessing the reliability of Woodward's information concerning the Brookings break-in plan, the following factors are known. Woodward's source repeated rumours about Ellsberg that Kissinger was circulating in the White

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<sup>10</sup> The look of the last few sentences in the passage are that Woodward's source stood by the Brookings vault, while someone else (referred to by Woodward as '2') went in and checked what was being held there. Was person '2' Ehrlichman? If so, that would explain why notes taken from two separate sources were filed alongside each other.

<sup>11</sup> Anthony Summers, *The Arrogance of Power: The Secret World of Richard Nixon* (Victor Gollancz, 2000), p. 386

<sup>12</sup> Full memo archived at <<http://tinyurl.com/y8wkeq65>>.

House; like Kissinger, Woodward's source claimed to have knowledge about Ellsberg's private life; Woodward's source knew the document number and nature of a (then undisclosed) memorandum concerning national security that had been written by Kissinger; and the source was able to give solid information about Kissinger's private attitude toward Nixon's creation of the 'plumbers'.

There could only be a very small number of White House figures privy to this precise set of information in mid-1974, and perhaps only one. *Prima facie*, Woodward's source was Nixon's Assistant for National Security Affairs, Dr Henry Kissinger. Still alive in 2018, Kissinger has maintained public silence about his knowledge of Nixon's Vietnam treason for half a century.

Kissinger had begun cultivating *Washington Post* proprietor Katharine Graham soon after he took office in 1969.<sup>13</sup> Graham recalled that Kissinger 'didn't seem to suffer within the [Nixon] administration even though he went on coming to my house – but not the [offices of the] *Post* – throughout Watergate.'<sup>14</sup> (Graham was no-one's fool and doubtless quite enjoyed the constant strategic games underlying her meetings with Kissinger.) The look here is of a typically Kissinger diplomatic backchannel, and the implication of Nixon's tolerance (remarkable, in the circumstances) is that this was useful to the president. It also suggests that Kissinger might have spotted that, as the drive to impeach Nixon reached its climax, he had an opportune moment to 'fill in the blanks' for Woodward and Bernstein with their investigation of the Brookings plot.<sup>15</sup>

It is incomprehensible that neither Woodward nor Bernstein appeared to understand the information they were being told by Kissinger: the allegations against Nixon had swirled ever since he won the Presidency. On 12 January 1969, the *Washington Post* itself had carried a profile of Nixon's go-between, Anna Chennault, which stated: 'She reportedly encouraged Saigon to "delay" in joining the Paris peace talks in hopes of getting a better deal if the Republicans won the White House.' Chennault was reported as making no comment on the

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<sup>13</sup> Deborah Davis, *Katharine the Great: Katharine Graham and her Washington Post Empire*, (Sheridan Square Press, 1994), p. 244

<sup>14</sup> Davis (see note 12) p. 470

<sup>15</sup> Supposedly, Kissinger was first approached by Woodward and Bernstein in October 1974, when the duo were writing *The Final Days*, concerning the White House's evolving internal dynamics during Watergate. A letter dating from that month sets out Kissinger's agreement to speak to the reporters on an 'on the record' basis. See Alicia C. Shepherd, *Woodward and Bernstein: Life in the Shadow of Watergate* (John Wiley and Sons, 2007), p. 126. However, the present research shows that there had already been contact between Kissinger and Woodstein, and that the October 1974 introduction was in fact a red herring laid down to distract from Kissinger's leaks of that summer.

allegations, which – as LBJ's 'X-Envelope' (see footnote 4) proves – were entirely accurate. Woodward and Bernstein didn't have Johnson's dossier, but by summer 1974 they didn't need it.

Woodward and Bernstein had been handed the skeleton key that would have unlocked the entire Watergate affair. They were on the verge of revealing what Carl Bernstein would later memorably enshrine in his pious maxim as 'The best obtainable version of the truth'. The reporters had been told – by no less a figure than Nixon's National Security Advisor, Dr Henry Alfred Kissinger – about the real motive behind Nixon's plan to burgle the Brookings Institute. It was to destroy the evidence that Nixon had conspired to prolong a war with an official enemy of the United States in order to win the presidency in 1968; after which he deliberately prolonged – even escalated – the Vietnam War. And – for reasons that might never be known – Woodward and Bernstein stayed silent. Bob Woodward and Henry Kissinger were contacted for comment on the specific disclosures made in this article. Neither of them replied. That silence has now been ended on their behalf.