EDWARD M. KENNEDY ORAL HISTORY PROJECT

Interviewer’s Briefing Materials
Edward M. Kennedy Interview, 5/8/2006

Robert A. Martin, Research Director

Miller Center Documents¹
  • Edward M. Kennedy Nixon Impeachment Timeline.

Secondary Source Materials

Documents Provided by Senator Kennedy
  • “Watergate and Nixon Impeachment 1972-1974.”

¹ These are original documents created by Miller Center researchers for the Edward M. Kennedy Oral History Project. Please acknowledge credit for any use of these materials.
### NIXON IMPEACHMENT TIMELINE

*Prepared by Mark D. Nevin and Rob Martin*  
*Miller Center of Public Affairs, University of Virginia, 05/03/2006*

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
</table>
| 1969 | **January**  
Nixon is sworn in as the nation’s 37th president.  
EMK becomes chairman of the Judiciary’s Subcommittee on Administrative Practice and Procedure (Ad Prac).  
**May**  
EMK criticizes Nixon’s Vietnam policy. In a Senate speech, he denounces the deadly fighting over “Hamburger Hill” as “senseless and irresponsible…madness.” (Lippman, Jr., p. 65)  
**July**  
**November**  
The Senate votes 55-45 to reject Nixon’s nominee to the Supreme Court, Clement Haynsworth. EMK plays a “central, even decisive role” in the action. (Clymer, p. 160) |
| 1971 | **April**  
The Senate votes 51-45 to reject Nixon’s Supreme Court nominee G. Harrold Carswell. Again, EMK is said to have played a “central, even decisive role” in the action. (Clymer, pp. 163, 160)  
Nixon secretly orders Deputy Attorney General Richard Kleindienst to drop the Justice Department’s plans to appeal an unfavorable ruling in its antitrust lawsuit against ITT (International Telephone & Telegraph). |

The Justice Department decides not to appeal the ITT ruling. (Watergate: Chronology of a Crisis, p. 384)

1972

March-May  EMK plays a “leading role” in Kleindienst’s confirmation hearings for Attorney General. The former Attorney General, John Mitchell, had recently resigned to move to the Committee to Re-elect the President. EMK questions Kleindienst and other witnesses about whether the White House had instructed him as deputy attorney general not to appeal the ITT ruling after the company allegedly pledged $400,000 for the 1972 Republican National Convention. Jim Flug, Ad Prac’s chief counsel, later calls the confirmation hearings before the Senate Judiciary Committee the “dress rehearsal” for the Senate Watergate investigation. (Clymer, p. 191; Watergate: Chronology of a Crisis, p. 384; Lippman, Jr., 201-202)

June  The Senate confirms Kleindienst 64-19 as Attorney General on the 8th. EMK had fought strongly against the nomination.

On the 17th, four men are arrested with bugging equipment, cameras, and $2,300 in cash inside the Democratic National Committee’s headquarters in the Watergate office building. (Michael A. Genovese, The Watergate Crisis, Westport, CT: Greenwood Press, 1999, p. xxii)

EMK, as chairman of Ad Prac, begins an informal investigation of the Watergate break-in. EMK has to proceed slowly because of legal, political and Senate jurisdictional issues involved.

Summer  EMK resists pressure from George McGovern supporters to conduct formal hearings on Watergate. Flug argues that, because Watergate is not yet on the public radar, EMK is concerned that his participation in a Watergate investigation would appear politically-motivated and be written off as election year politics. It was also look like EMK was misusing his subcommittee for partisan purposes. (Theo Lippman, Senator Ted Kennedy, p. 203)

EMK’s brother-in-law, Sargent Shriver, is named as McGovern’s running mate in the 1972 presidential election.

Fall  The Washington Post and The New York Times begin reporting the existence of a White House “dirty tricks” campaign, linking the Watergate break-in to the
alleged involvement of Nixon’s Chief of Staff H.R. Haldeman, Mitchell, and other Nixon aides. ([The Washington Post](https://wp.com/), 10/10/1972; Lippman, Jr., p. 204)

**September**  
The Watergate grand jury only brings in narrow indictments against the individuals personally involved in the break-in. DOJ shows no interest in investigating possible ties to the White House. (Lippmann, p. 204)

**October**  
EMK, as chairman of Ad Prac, begins a formal investigation of the Watergate break-in after Representative Wright Patman (D-TX) fails to get subpoena authority for his House Banking Committee investigation on the 3rd and Senator Samuel Ervin (D-NC) decides not to conduct the investigation in his Constitutional Rights Subcommittee. Ervin instead urges EMK on the 10th to open his own investigation. Patman’s efforts had reportedly been blocked by the Nixon White House by pressuring committee Republicans and vulnerable Democrats. EMK directs his Ad Prac investigation to focus on the White House “dirty tricks” campaign reported in the press and ignore the criminal investigation of the break-in which is pending. ([The Washington Post](https://wp.com/), 10/10/1972; Lippman, Jr., p. 204; Clymer, pp. 192-193)

**November**  
Nixon defeats McGovern in the presidential election.

After discussing with EMK less politically-charged alternatives to his Ad Prac investigation, Senator Mike Mansfield (D-MT) writes letters to Senators James Eastland (D-MS) and Ervin suggesting that one of them take over the Watergate investigation. According to Clymer, Mansfield wanted to find a prominent Democrat with no presidential aspirations to lead the investigation. Flug also notes that both Ervin and Eastland had more conservative reputations than EMK, which was needed to lead the investigation. (Clymer, p. 194)

**December**  
Mansfield decides that a Select Committee should be specifically created to take control of the Watergate investigation.

**1973**

**January**  
Ad Prac releases a public report of its Watergate investigation on the 23rd in preparation for the transfer of the investigation to a new body.

**February**  
The Senate votes 70 to 0 to create the Senate Select Committee on Presidential Campaign Activities (the Watergate Committee) to investigate the Watergate break-in and cover up, campaign espionage and sabotage, and campaign financing. Ervin is chosen to chair the committee. Ad Prac ends it investigation and turns over its materials to the Watergate Committee. EMK and his staffers provide the Watergate Committee “with a great deal of assistance.” (Genovese, p. xxiv; [Watergate: Chronology of a Crisis](https://chronology.org/), p. xxii; Lippman, Jr., p. 206)
During his unsuccessful confirmation hearings, acting FBI Director L. Patrick Gray III admits under EMK’s questioning that an FBI investigation had shown that Nixon White House officials had financed the Watergate break-in with campaign funds. Convicted Watergate burglar James McCord reveals that he was pressured not to reveal the names of others involved in the break-in. (Lippman, Jr., pp. 207-208; Watergate: Chronology of a Crisis, pp. xxi-xxii)

On the 30th, Haldeman, Ehrlichman and Kleindienst resign and White House Counsel John Dean is fired. Nixon announces that he will nominate Elliot Richardson to replace Kleindienst as Attorney General and that a special prosecutor will be appointed to investigate Watergate.

EMK helps draft legislation creating a special prosecutor to investigate the Watergate affair. Archibald Cox, President Kennedy’s former solicitor general, is appointed special prosecutor. EMK reportedly played an important behind-the-scenes role in Cox’s selection and the writing of Cox’s mandate, convincing Richardson that the Senate would not confirm him as Attorney General unless he agreed to select a strong, independent prosecutor. EMK had also advised two of Richardson’s earlier candidates, U.S. District Judge Harold Tyler and Warren Christopher, a former Deputy Attorney General in the Johnson Administration, to decline Richardson’s offer unless Richardson agreed to strengthen the powers of the special prosecutor position. Both Richardson and Cox are confirmed and sworn-in on the 15th. (Clymer, pp. 200-201; Richard Nixon, RN: The Memoirs of Richard Nixon, New York: Simon and Schuster, Inc., 1990, p. 910)

Dean testifies before Ervin’s Watergate Committee that Nixon was involved in the cover-up.

A White House aide reveals the existence of a White House tape recording system to the Watergate Committee. Nixon refuses to hand over the tapes to Cox because it would jeopardize the “independence of the three branches of government.” (Genovese, p. xxv) Nixon also declines to turn the tapes over to the Watergate Committee.

EMK makes a speech on the Senate floor demanding that Nixon obey a court order to make available the White House tapes or face possible impeachment. He says, “If Nixon defied a Supreme Court order to turn over the tapes, a responsible Congress would be left with no recourse but to exercise its power of impeachment.” (Keith Olson, Watergate: The Presidential Scandal That Shook America, Lawrence, Kansas: University Press of Kansas, 2003, p. 112)

The White House discloses that there is a 18 1/2 minute gap in the tape of a June 20, 1972 meeting between Nixon and Haldeman. EMK persuades other senators to begin preparing for a trial in the event Nixon is impeached. (Genovese p. xxvi; Lippman, Jr., p. 212)
October

Vice President Spiro T. Agnew pleads no contest to tax evasion and resigns from office on the 10th. Nixon nominates Representative Gerald R. Ford (R-MI) as Vice President on the 12th. EMK unsuccessfully argues that Ford’s confirmation hearings should be held in the Senate Judiciary Committee, where they are held in the House. They are instead held in Rules. (Watergate: Chronology of a Crisis, p. xxii; Genovese, xxv)

The D.C. Circuit Court of Appeals unholds Judge John Sirica’s ruling that Nixon has to turn over the White House tapes.

Nixon orders Cox on the 19th to accept a White House proposal in which Senator John Stennis (D-MS) would listen to the tapes (once) and prepare his own summaries. Cox, who had already declined this proposal once before, declines it again. (Clymer, pp. 200-201)

In what later comes to be known as the “Saturday Night Massacre,” Nixon fires Cox on the 20th, abolishes the special prosecutor’s office, and accepts the resignations of Richardson and Deputy AG William Ruckelshaus, who each in turn refuse to follow Nixon’s orders to fire Cox. EMK publicly criticizes Nixon and calls for hearings in the Judiciary Committee. The House Judiciary Committee starts consideration of possible impeachment procedures. (Genovese, pp. xxv-xxvi)

After EMK attends a series of meetings to discuss possible responses to the Saturday Night Massacre, it is announced on the 29th that the Judiciary Committee will hold hearings and that Cox will be the opening witness. The possibility of a censure resolution had also been discussed. Richardson is also called to testify in the hearings.

November

EMK meets with Senator William Saxbe (R-OH), Nixon’s soon-to-be-named-nominee for Attorney General, on the 1st, to discuss the powers that should be given to the next special prosecutor. Nixon announces that same day that Leon Jaworski will be the new special prosecutor. Flug later writes that Jaworski goes on to receive “Cox-type powers.”

December

Ford is sworn in as Vice President after he is confirmed by the House and the Senate. (Watergate: Chronology of a Crisis, p. xxiii)

1974

January

A panel of technical experts determines that the 18½ minute gap in the Nixon-Haldeman tape is the result of manual erasures. (Genovese, p. xxvi)

Saxbe becomes Attorney General on the 4th.
**February**  
The House votes 410 to 4 to give the Judiciary Committee the authority to “investigate fully and completely whether sufficient grounds exist” to impeach Nixon. (Genovese, p. xxv)

**March**  
EMK attends the hearings of Dita Beard, an ITT lobbyist.

Several key former Nixon Administration and campaign officials are indicted for their alleged roles in Watergate and/or other crimes. (Genovese, p. xxvi)

**May**  
The House Judiciary Committee begins formal hearings on the possible impeachment of Nixon. (Genovese, xxvii)

**July**  
The Supreme Court rules 8-0 on the 24th that Nixon must hand over subpoenaed tapes of Watergate discussions to prosecutors. The House Judiciary Committee adopts three articles of impeachment against Nixon – obstruction of justice, contempt of Congress, and abuse of presidential powers. (Genovese, pp. xxvii; *Watergate: Chronology of a Crisis*, p. xxvi)

**August**  
On the 5th, the White House releases tapes which show that Nixon personally ordered a cover up of the Watergate break-in only days after it had occurred. This revelation contradicts Nixon’s earlier denials of involvement. (Genovese, pp. xxviii-xxix)

On the 9th, Nixon resigns from office and Ford is sworn in as the 38th president. (Genovese, pp. xxviii-xxix)

**September**  
Ford grants Nixon a “full, free, and absolute pardon” for any crimes he may have committed as president. EMK gives a speech criticizing Ford’s pardon of Nixon, calling it “the culmination of the Watergate cover up.” (Genovese, p. xxix; Clymer, p. 225)