

# TREASON

## NIXON AND THE 1968 ELECTION



**DON FULSOM**

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Political journalist Don Fulsom lays bare the true nature of former United States president Richard Nixon, who deliberately prolonged the Vietnam War to win the 1968 presidential election. His political machinations directly caused the slaughter of thousands of the citizens he swore to defend.

After two crushing defeats in the early 1960s, Nixon burst back into the political sphere with a bid for the White House, running against Democratic candidate Vice Pres. Hubert Humphrey. Nixon hoped to curry public favor by promising to end the increasingly unpopular Vietnam War, but Humphrey and the sitting president, Lyndon B. Johnson, also pushed for peace.

From campaign to cover-up, Nixon took matters into his own hands. Author Don Fulsom presents the indisputable evidence — only recently revealed — of Nixon's transgressions and their long-lasting repercussions. Fulsom, who covered Nixon's presidency during his career as a reporter, also calls upon legal and psychological experts to determine whether Nixon actually committed treason.

With extraordinary insight and damning evidence, Fulsom rewrites the narrative of Nixon's presidential legacy.

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**DON FULSOM**



**PELICAN PUBLISHING COMPANY**

Gretna 2015

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Library of Congress Cataloging-in-Publication Data

Fulsom, Don.

Treason : Nixon and the 1968 election / by Don Fulsom.  
pages cm

Includes bibliographical references and index.

ISBN 978-1-4556-1949-8 (hardcover : alk. paper) -- ISBN 978-1-4556-1950-4 (e-book) 1. Presidents--United States--Election--1968. 2. Nixon, Richard M. (Richard Milhous), 1913-1994. 3. Vietnam War, 1961-1975--Political aspects--United States. 4. Vietnam War, 1961-1975--Diplomatic history. 5. United States--Politics and government--1963-1969. I. Title. II. Title: Nixon and the 1968 election.

E851.F85 2015

324.973'0924--dc23

2015006598



Printed in the United States of America

Published by Pelican Publishing Company, Inc.  
1000 Burmaster Street, Gretna, Louisiana 70053

*For Avi McClelland-Cohen, whose help was absolutely indispensable*





# Contents

Acknowledgments	9
Cast of Characters	11
Timeline of Events	23
Chapter 1: Setting the Scene	33
Chapter 2: Nixon and Humphrey	45
Chapter 3: Vietnam and the 1968 Election	61
Chapter 4: Playing the Chess Master	81
Chapter 5: "This is Treason"	93
Chapter 6: Covering Nixon in '68	103
Chapter 7: The Humphrey Campaign	113
Chapter 8: "Treason" Takes the White House	123
Chapter 9: Nixon's War	135
Chapter 10: 1968 All Over Again	147
Chapter 11: Covering Up the Crime	163
Chapter 12: "Nixon's the One"	175
Chapter 13: The Watergate Connection	185
Chapter 14: Nixon's War on the Left	205
Chapter 15: The X Envelope	215
Chapter 16: Was It Treason?	223
Chapter 17: Was Nixon Nuts?	233
Chapter 18: "Tricky Dick"	245
Appendix: Contents of the X Envelope	257
Notes	283
Index	311



## Acknowledgments

From idea to proposal and from chapter outlines to complete chapters, Avi McClelland-Cohen has been a chief partner in this endeavor. Avi is a brilliant former student of mine at American University. Among her contributions: indexing the X Envelope, compiling research, composing several sections, contacting experts, selecting photos and documents, and editing initial drafts.

Another former student, James Tsouvalas, deserves high praise for his fine writing and editing—and for bolstering the book in its final stages. Jimmy wrote one full chapter and beefed up many others. He edited the entire manuscript and made key agent and publisher contacts.

The best literary agent in the business, Jane Dystel, quickly found an enthusiastic publisher in Pelican and its savvy editor-in-chief, Nina Kooij. And, in Erin Classen, Nina brought a very sharp editor into the publishing process. This is their book too. Thanks!

My gratitude also goes out to Margaret Harman and Holly Reed of the National Archives and Records Administration, Director Mark Updegrove and Deputy Director Tina Houston of the LBJ Library, and Dick O'Neill and Steve Greene of the Nixon Project at the National Archives in College Park, Maryland.

I also want to thank family members who offered continuous support and encouragement, led by my daughter, Beth Willett, and my sister, Deanna Nowicki, and their spouses—my son-in-law, James Willett, and brother-in-law, Frank Nowicki.

Others who offered advice and support include: Jay Bell and Mary Mariani; Ted and Cornelia McDonald; Pat O'Connor; Maya O'Connor; Fred Tracy; William Klein; Bob and Nancy Sloan; Melissa and Jay Crews; Tina and Igor Rafalovich; Rick Boardman; David and Patti Victorson; Mitch Kominsky and Sarah Lerman; Carol and Max Hershey; Kim Mealy; Kelly Lux; Liz Specter; Steve and David

Toth; Penny Pagano; Marc Borbely; Bill Stoffel; Kenneth Williams; Joe Gomez; Al Schumm; Tom Foty; Tom DeLach; Gene Kuleta; Mary Chamberlayne; Sid Davis; Muriel Dobbin; Al Spivak; Bill McCloskey; Pat Sloyan; David Taylor; Dan Moldea; Stanley Kutler; Glenn Fuchs; Devra Marcus; Rob Enelow; Dan Deutsch; Tom Gauger; Jim McManus; Bob Moore; Bill and Marsha Greenwood; Ford Rowan; Eric, Mihun, and Cosworth Esplund; Rob and Romani Thaler; Jane Berger and Roger Gittines; Gordon MacDougall and Linda Geurkink; Linda Cashdan; Dave Rosso; Jenny Tsouvalas; Linda Anderson; Bill Wilson; Frank Sciortino; Bill Scott; Nicole Hollander; Rowena Gear; and Margaret Southern.

## Cast of Characters

### **Richard Milhous Nixon (1913-1994)**

Richard Nixon stands as one of America's most fascinating historical figures. As the leader of a criminal presidency, his actions would irreparably alter that office.

Born in Yorba Linda, California, in 1913, Nixon attended Whittier College and Duke University School of Law (where he committed one of his earliest break-ins, to view his grades before they were released) before returning to his home state to practice law. After serving in the Navy during World War II, Nixon won election to the House in 1946, then to the Senate in 1950.

A staunch anti-communist who once accused an electoral opponent of being "pink down to her underwear," Nixon gained national renown for his voracious pursuit of Alger Hiss in the House. In 1952, Dwight "Ike" Eisenhower chose Senator Nixon as his running mate, and Nixon served as vice president for two terms. He and Ike, however, were not close—a fact Eisenhower made known publicly, inspiring Nixon's resentment. Nixon lost a presidential race to Sen. John F. Kennedy in 1960 and suffered another defeat almost immediately in the 1962 gubernatorial race in California.

After disappearing briefly from politics, Nixon returned to the scene for another White House bid in 1968. Paranoid that a last-minute peace deal would turn the electoral tides to Democratic candidate Hubert Humphrey, Nixon conspired with the South Vietnamese to torpedo Pres. Lyndon Johnson's peace talks and thus win the election. Though his actions were discovered by the Johnson White House, they were not made public, and Nixon won the race, taking office in January 1969.

Rather than providing a better peace deal—as he had promised—Nixon escalated the war in Vietnam. Millions of Vietnamese, as

well as twenty-one thousand American soldiers, lost their lives under Nixon's reign before he finally declared the war over in 1973 and announced the withdrawal of all troops. The war did not end, however, until 1975, when communist forces overran Saigon.

Nixon is often known for opening the door to renewed U.S. relations with China and encouraging détente with the Soviet Union. But his name has truly become synonymous with Watergate, referring to the criminal conspiracy that ended his presidency. An investigation that followed a June 1972 break-in at the Watergate offices of the Democratic National Committee revealed that Nixon had at least orchestrated the subsequent cover-up. Among Nixon's multitude of other illegal activities were the collection of a huge campaign slush fund and the targeting of political opponents by the Internal Revenue Service.

Facing certain impeachment, Nixon resigned in 1974, the only president to ever do so. A month later, he was pardoned by Pres. Gerald Ford, Nixon's carefully chosen vice president and presidential successor. Highly unpopular, the pardon made Nixon ineligible for prosecution for any crimes he had committed during his presidency. It also doomed Ford's chances of becoming an elected president when he ran for that office in 1976.

As an ex-president, Nixon did manage to somewhat salvage his legacy by making numerous trips overseas in the role of an elder statesman and by publishing nine books. He died in 1994 after suffering a massive stroke.

### **Lyndon Baines Johnson (1908-1973)**

Lyndon B. Johnson, thirty-sixth president of the United States, was undoubtedly one of the shrewdest politicians of the twentieth century. Known for the "Johnson Treatment"—coarse, gruff political dealing with a bit of physical roughhousing thrown in—Johnson is one of only four people to hold all four elected federal offices (representative, senator, vice president, and president). For better or worse, his policies as president would shape the country's destiny for decades.

After spending several years as a teacher, LBJ followed the footsteps of his father, a Texas legislator, into the political arena. He became a congressional aide, personally befriending the likes of

Rep. Sam Rayburn and numerous aides to Pres. Franklin Roosevelt, before running for Congress himself in 1936. He won and served in the House of Representatives until 1949, when he was elected to the Senate. He spent the next dozen years there, half of them in leadership positions.

In 1960, after his own failed bid for the White House, Johnson became Democratic presidential nominee John F. Kennedy's running mate. On the dark day of Kennedy's assassination in November 1963, Johnson fulfilled his constitutional duties and was sworn in as president. The next year, he won the presidency in his own right, defeating Barry Goldwater in the 1964 election.

Johnson is best known domestically for crafting the "Great Society" legislation responsible for civil rights advances, Medicare and Medicaid, environmental protection, urban and rural development, economic aid that lifted millions of people out of poverty, arts funding, and improved education. Though Kennedy's presidency paved the way, it was Johnson who signed the Civil Rights Act and Voting Rights Act to outlaw racial discrimination.

Overseas, however, Johnson escalated the war in Vietnam. The Gulf of Tonkin Resolution in 1964 essentially gave Johnson carte blanche to run the war however he saw fit, without any legal declaration of war. American personnel on the ground in Vietnam increased from sixteen thousand advisors to over half a million troops between 1963 and 1968. Massive bombing raids devastated the north, and the deadly chemical weapon Agent Orange soaked the land in both parts of Vietnam. Soldiers and civilians were dying in numbers almost too great to count, and victory—if there was ever a possibility for one—remained worse than elusive.

Early in 1968, Johnson announced he would reduce the bombing of North Vietnam in order to kindle hope for peace negotiations. He also announced, after an early primary defeat and massive criticism of his war policies, that he would not be seeking another presidential term. Vice Pres. Hubert Humphrey became the eventual Democratic candidate, though Johnson and Humphrey had, at best, a lukewarm relationship.

With much political maneuvering, it seemed by the end of 1968 that a peace deal was in sight, with parties agreeing to meet in Paris to discuss future action. At the last minute, though, South

Vietnamese president Nguyen van Thieu pulled out of the talks. Shortly after, Johnson found out that the Republican presidential nominee, Richard Nixon, was working behind the scenes to sabotage the negotiations.

Johnson never went public with the information about Nixon, and after the transfer of power he and Nixon maintained a close professional relationship, visiting each other in the White House and at Johnson's Texas ranch. That relationship, however, grew increasingly toxic as Nixon failed to end the war, tried to blackmail the ex-president, and made clear his intention to dismantle the Great Society. Two days after Nixon's second inauguration, on January 22, 1973, Lyndon Johnson died of a heart attack. That night, Nixon announced the war would finally draw to a close. Yet it did not end until a communist victory in 1975.

### **Anna Chennault (b. 1925)**

A friend and political ally of Richard Nixon, Asian-American socialite Anna Chennault played a key role in the sabotage of the 1968 peace negotiations. Her exertion of political influence and role as an informal covert operative would shape the course of geopolitical history at the height of the Vietnam War.

Anna married American general Claire L. Chennault in her native China in 1947. He was the founder of the Flying Tigers, the first American Volunteer Group of the Chinese Air Force, which defended Chinese airspace by shooting down thousands of Japanese aircraft during World War II. In 1958, after the general lost his last battle to cancer, Anna and their two daughters moved to Washington, DC, and the young widow began developing her status as a thoroughly red-white-and-blue yet simultaneously fascinatingly exotic hostess. She became known for her sharp mind and keen eye for both parties and politics and attracted two nicknames: she was called "Little Flower" by some, "the Dragon Lady" by others.

Having broken barriers as the first female reporter for China's Central News Agency, Chennault's hard-nosed journalistic skills served her well in making friends and influencing people. She drew eyes in her flamboyant, brightly colored, authentic Chinese silk dresses, and her intellect won the ears of many a politician.



She rose in the ranks of the Republican Party as a campaigner and fundraiser, and by 1968 she was co-chairperson of Women for Nixon-Agnew.<sup>1</sup>

During the campaign, Chennault served as a go-between in secret message relays from Nixon to the South Vietnamese and back. She met often with John Mitchell, and sometimes with Nixon himself. She was placed under FBI surveillance by President Johnson, which failed to hinder her actions but established a historical record of her direct involvement in collapsing the Paris negotiations. It was Chennault herself who gave the message that South Vietnam should refrain from negotiating with Johnson because Nixon would surely provide a better deal when elected.

Her shrewd political mind did not prevent Chennault from being double-crossed, and indeed Nixon deeply betrayed her by failing to end the Vietnam War as he had promised. Nevertheless, her political career continued. She served as a personal liaison for a total of eight presidents and in 1980 was part of President Reagan's special envoy to Taiwan and mainland China; her reputation grew as a goodwill ambassador between China and the U.S.—a reputation that might have been far different had the 1968 sabotage become public.

Now a vivacious octogenarian, Chennault founded and chairs the Council for International Cooperation (CIC), a non-profit, non-political organization that aims to foster global cooperation. Focused primarily on building relationships between the U.S., China, and Taiwan, CIC promotes educational exchange programs and provides annual scholarships worldwide.<sup>2</sup>

### **John Mitchell (1913-1988)**

Sometimes referred to as the ultimate Nixon loyalist, John Mitchell started his career as a municipal bond lawyer in New York City. He practiced there from 1938 to 1968, with the exception of three years spent as a naval officer during World War II. Mitchell met Richard Nixon when their firms merged in 1967. As Nixon's 1968 campaign manager, Mitchell was a key communication point between the GOP candidate and Anna Chennault, Nixon's clandestine go-between with the South Vietnamese government.

After Nixon took office, Mitchell was appointed attorney general.

But the nominee escaped the standard background check for someone of such high office—thanks to the new president's unusual appeal to FBI director J. Edgar Hoover. Once in office, Mitchell favored “law and order” policies over civil liberties protections. He advocated the use of non-court-ordered wiretaps in national security cases, as well as preventative detention of criminal suspects. The attorney general compared Vietnam War protesters to Nazi Brownshirts and brought criminal conspiracy charges against war critics.

In 1972, Mitchell resigned as attorney general to run Nixon's reelection campaign. Later it was discovered that he controlled an illegal campaign slush fund used to spy on Democratic opponents and was one of the key conspirators in both planning the Watergate break-in and covering up White House involvement.

Tapes from the Nixon White House are stained with incriminating evidence against Mitchell, and at trial he was found guilty of conspiracy, obstruction of justice, and perjury. Sentenced to two-and-a-half to eight years in prison, Mitchell had time reduced for health reasons. He spent only nineteen months behind bars under minimum-security conditions. Mitchell holds the dishonor of being the only United States attorney general to serve prison time.

Many years later, it emerged that Mitchell had lied about key parts of his military service. He had not, as he'd claimed, commanded a heroic World War II junior officer named John F. Kennedy. Nor was Mitchell awarded two Purple Hearts and the Navy's Silver Star, as the eulogy delivered by his lifelong friend Richard Moore at Arlington Cemetery asserted.<sup>3</sup>

After his early release from prison, Mitchell lived quietly in the Georgetown area of Washington, where he served as a consultant to business schemes of dubious propriety. He granted no interviews and published no accounts of the Watergate affair, which he called the “White House horrors.” Like Nixon, Mitchell never spoke or wrote about the sabotage of 1968 Vietnam peace efforts. The former attorney general died of a heart attack in 1988 and was buried with full military honors at Arlington National Cemetery.<sup>4</sup>

## **Hubert Horatio Humphrey (1911-1978)**

Before ever harboring political aspirations, Hubert Humphrey was a licensed pharmacist, assisting at his father's drug stores in the 1930s. In 1940, he became a political-science instructor at Louisiana State University, where he had just graduated with a master's degree. During World War II, he returned to Minnesota (where he had attended college) to supervise the Works Progress Administration and helped found the Minnesota Democratic-Farmer-Labor Party (DFL). He was elected mayor of Minneapolis on the DFL ticket in 1945 (having lost as a Democrat in 1943) and co-founded Americans for Democratic Action, a liberal anti-communist group, in 1947.

In 1948, the Democratic Party added to its platform a plank to end racial segregation, and Humphrey made a notable speech at the convention in which he urged Democrats to "walk into the sunshine of human rights." He was elected to the Senate that year and served three terms, until being chosen as Lyndon Johnson's vice presidential nominee in 1964. (He also made two failed presidential primary bids during that time, in 1952 and 1960.) While in the Senate, Humphrey introduced the first resolution to create the Peace Corps, chaired the Select Committee on Disarmament, and was the lead author of the Civil Rights Act of 1964.

As vice president, Humphrey remained loyal to Johnson's Vietnam War policies—which disappointed many liberal anti-war Democrats when Humphrey made his third White House bid in 1968. Challenged by anti-war senators Eugene McCarthy and Robert F. Kennedy, Humphrey used a shrewd delegate strategy (focused on winning over the delegates from non-primary states) and secured the nomination. But the Democratic National Convention in Chicago that summer became a bloody hotbed of protest and police brutality—what might, in hindsight, be viewed as a death knell for Humphrey's presidential dreams.

Humphrey might have stood a chance in the November 1968 general election against Richard Nixon had the Paris peace negotiations been successful. But Nixon ensured they were not, and the war raged on. Humphrey lost the election, yet he never went public about Nixon's sabotage. His campaign manager, Larry O'Brien, went on to chair the Democratic National Committee,

whose offices were broken into in the Watergate scandal of 1972.

In 1971, after a political hiatus during which he returned to teaching in Minnesota, Humphrey returned to the Senate. He served there until his death in 1978.

### **Nguyen Van Thieu (1923-2001)**

Nguyen Van Thieu was born in a deeply impoverished village in the lowlands of Vietnam (then French Indochina) in 1923. Educated at Catholic schools, Thieu worked in his father's rice fields during the Japanese occupation of World War II. His nationalistic sentiments drove him to join the Viet Minh, the anti-French nationalist liberation army, in 1945. But Thieu quickly became disillusioned, realizing he had joined a communist organization. He turned to the Vietnamese National Military Academy, which the French had established to train anti-Viet Minh fighters, and received his commission in 1949. He quickly became known as a brave and capable leader, and in 1954 he led a battalion to oust the communists from his home village.

Thieu was introduced to politics in the early 1960s, when he assisted in a successful and deadly coup against President Ngo Dinh Diem, a corrupt, American-backed, South Vietnamese leader known for imprisoning political opponents by the thousands. The Military Revolutionary Council took control, and Thieu began to accrue influence.

In 1965, Thieu set up his own military government in South Vietnam. He was the tenth national leader in nineteen months and received an endorsement by the United States as "the best available candidate."<sup>5</sup> He reigned strong against the communists, imposing martial law, growing the military through conscription, and arresting hundreds of political opponents.

In 1968, Thieu's ambassador to the U.S., Bui Diem, communicated with Anna Chennault and the Nixon campaign about holding off on the peace talks. Thieu was unhappy with prospects under Johnson—one reason being that Thieu wanted South Vietnam, not the U.S., to lead the anti-communist side at the table. So Thieu, communicating with Nixon through Chennault, agreed to refrain from negotiating until the GOP candidate became president and a better deal was available. Thieu refused to send a delegation to Paris, and the peace talks crumbled.

In the end, Nixon did not offer Thieu a better deal; Thieu felt betrayed. When Nixon announced plans to withdraw U.S. troops from Vietnam, Thieu became even harder for Nixon to deal with. Nixon made a thinly veiled threat on Thieu's life to get him to support final U.S. peace efforts. When the last American forces withdrew from Vietnam in March of 1973, Thieu controlled most of the South. But the ceasefire broke down less than a year later.

In 1975, Saigon fell to communist forces, and Thieu fled—reportedly taking along suitcases rattling with millions of dollars in gold bullion.<sup>6</sup> It was later determined that Thieu's corrupt regime was also riddled with communist spies, and there was, in reality, little chance he could ever have had a fighting chance at victory on his own. In his final speech before being safely flown out of the country in an American aircraft, Thieu blamed the military defeat of his government on "American betrayal."

Thieu relocated to Britain and later to America, where he lived out his days quietly in Massachusetts. He rarely made public statements. The last president of South Vietnam, he died in 2001.<sup>7</sup>

### **Bui Diem (b. 1923)**

Bui Diem was South Vietnam's ambassador to the United States under President Nguyen van Thieu. Deeply involved in his country's politics, Diem was part of the delegation to the Geneva Conference in 1954, and in 1965 he was Prime Minister Phan Huy Quat's chief of staff. His status allowed him to work closely with American diplomats, including Robert McNamara and Henry Kissinger.

In 1968, Diem met personally with Anna Chennault, at the behest of Richard Nixon, and transmitted messages to President Thieu. These communications, and Nixon's promise to Thieu that a better peace deal would be available if Nixon were elected president, led to Thieu's withdrawal from the Paris negotiations and the collapse of the peace talks.

The war continued for several years. Near the end, as American support evaporated, Diem lobbied Congress for \$700 million in emergency aid that never came. In 1975, Saigon fell, and the communists took over the country.

When South Vietnam collapsed, Diem and his family moved stateside to Rockville, Maryland, bringing only two suitcases and a

few thousand dollars. Initially he worked at a local deli to support his wife and young son; he later took a faculty position at George Mason University and became a scholar at both the Woodrow Wilson International Center for Scholars and the American Enterprise Institute. With the goal of fostering public understanding of the war, he published *In the Jaws of History* (co-authored with David Chanoff), a book about the Vietnam War from the perspective of those it affected most—the Vietnamese.<sup>8</sup>

### **Henry Alfred Kissinger (b. 1923)**

Born Heinz Alfred Kissinger to Jewish parents in post-World War I Germany, Henry's family fled their home country for New York in 1938. Five years later, Kissinger became a naturalized citizen and was drafted into the Army to deploy in the Second World War. He returned to Germany, this time in uniform and ready to fight the Nazis who had chased his family from their home.

Upon returning stateside, Kissinger attended Harvard University, ultimately attaining a Ph.D. from the department of government in 1954. His studies there influenced his views on foreign policy, which generally cherished order, no matter how flawed, over political tumult. He joined the department's faculty upon graduation, securing tenure in 1959.

Even during his time as a professor, Kissinger involved himself in policymaking, serving as a special advisor to both JFK and LBJ during their presidencies. In 1968, Kissinger served as Richard Nixon's mole in Johnson's peace negotiations, providing Nixon with information he needed to sabotage the talks; he was rewarded with an appointment to national security advisor when Nixon took office in 1969 and left his position at Harvard.

Kissinger and Nixon claimed to seek "peace with honor" in the Vietnam War. Kissinger used both diplomatic maneuverings and massive military firepower (including covert operations in Cambodia that led to the Khmer Rouge's rise to power and ensuing genocide) in attempts to simultaneously lure North Vietnam to the negotiating table and maintain credibility on the world stage. In 1973, a semblance of peace was achieved, though with questionable honor, when Kissinger and his North Vietnamese counterpart, Le Duc Tho, finally reached an agreement to end U.S. involvement in

Southeast Asia. Kissinger and Tho shared the Nobel Peace Prize for their efforts, though millions had died under Kissinger's foreign-policy guidance.

Kissinger also paved the way for the Nixon administration to open relations with China and played a key role in détente with the Soviet Union, negotiating the Strategic Arms Limitation Treaty (SALT I) in 1972. He orchestrated the coup that overthrew the Allende government in Chile, ushering the violently dictatorial but U.S.-backed Pinochet regime. Kissinger was appointed secretary of state by Nixon in 1973 and remained in office following Nixon's resignation, stepping down when President Ford left office in 1977.

Kissinger would go on to advise Presidents Ronald Reagan and George H. W. Bush, continuing his prolific career as one of the United States' most prominent, if Machiavellian, statesmen.

### **Lawrence "Larry" O'Brien Jr. (1917-1990)**

Larry O'Brien had his first taste of politics at age eleven when his father, a local Democratic Party official, recruited him to volunteer on Al Smith's 1928 presidential campaign. The experience hooked him on politics, and at age twenty-two, with a newly minted bachelor's degree in law, he was elected leader of his chapter of the Hotel and Restaurant Employees Union. It was the only elected office he would hold, but he would go on to help some of the most prominent political figures of the twentieth century attain theirs.

Larry O'Brien Sr., an Irish immigrant and staunch Democrat, passed on his political connections to his son, but the young man would quickly prove himself in his own right. After serving as a local director for three House of Representatives election campaign cycles in Massachusetts, O'Brien was chosen to lead John F. Kennedy's Senate campaigns in 1952 and 1958. In 1960, he helped Kennedy to victory in the presidential race against Richard Nixon. He became a member of the "Irish Mafia," Kennedy's inner circle of friends and confidantes. O'Brien was charged with staffing the new Kennedy White House, and later with overseeing its congressional relations.

The presidential campaign strategy O'Brien had developed for the Democrats in 1960—which focused on strong communication with convention delegates and alternative delegates, voter registration, telephone canvassing, and recruiting volunteers (particularly



women, who would hold tea with friends to promote the candidate) — became a national standard. O'Brien's status as a brilliant political player solidified. In 1964, he led Johnson's campaign to victory, and in 1965 Johnson appointed him postmaster general, a position he occupied for three years while continuing as a congressional liaison.

In 1968, O'Brien served as Humphrey's campaign lead and was privy to Nixon's underhanded intervention in the Vietnam peace talks immediately before the election. Though Humphrey lost, O'Brien was elected by the Democratic National Committee (DNC) as its chairman. He still held that position in 1972 when his office became the prime target of the infamous Watergate burglars — who may have been searching for documents incriminating Nixon in the 1968 sabotage.

After Watergate, O'Brien gravitated away from politics, though he left an indelible mark on campaign strategy. From 1975-1984, he served as commissioner for the National Basketball Association (NBA), stabilizing the organization. He died of cancer in 1990.<sup>9</sup>



## Timeline of Events

“Had this information been made public at the time, it would surely have destroyed Nixon’s presidential hopes – then and forever.”

– Nixon biographer Anthony Summers

### 1954

When the French withdraw from Vietnam after a major military defeat, Vice Pres. Richard Nixon becomes the first elected U.S. official to urge the dispatch of American troops to Indochina.

President Dwight Eisenhower rejects such advice, proclaiming: “The sun’s still shining . . . Dien Bien Phu (where the French were defeated) isn’t the end of the world . . . it’s not that important.”<sup>1</sup>

### 1960-1961

American advisors are sent to Vietnam in the Eisenhower era in small numbers. Under Pres. John F. Kennedy, that number increases to about sixteen thousand.

### 1961

Vice Pres. Lyndon Johnson visits Pres. Ngo Dinh Diem in Saigon. LBJ assures Diem that he is crucial to American aims in Vietnam and calls him “the Churchill of Asia.”

### April 1964

Former Vice President Nixon says North Vietnam must be attacked if South Vietnam is to win its anti-Communist war.<sup>2</sup>

### August 1964

Congress passes the Gulf of Tonkin Resolution. It authorizes

President Johnson to “take all necessary measures to repel any armed attack against forces of the United States and to prevent further aggression.”

### **1965**

Using his new powers, President Johnson begins bombing targets in North Vietnam and escalating America’s military buildup in the South.

### **1965-1968**

From 1965 to 1968, about 643,000 tons of bombs are dropped on the North. U.S. troop strength grows rapidly and reaches its peak in 1968 with five hundred thousand troops on the ground.

### **1968**

Republican presidential hopeful Richard Nixon claims to have a plan to “end the war and win the peace” in Vietnam. But he keeps the plan to himself, Nixon asserts, so as not to upset ongoing peace efforts.

### **March 31, 1968**

LBJ surprises the nation and announces he will not run for re-election in order to devote the remainder of his presidency to the search for peace.

### **July 1968**

Nixon holds a secret meeting at his Manhattan apartment with his campaign manager, John Mitchell; Anna Chennault, an avid Nixon fund-raiser with solid ties to South Vietnam; and South Vietnam’s ambassador to Washington, Bui Diem.

As a result of this meeting, private citizen Nixon begins illegally engaging in clandestine negotiations with the South Vietnamese. Nixon promises Saigon a “better deal” if he is elected. His secret emissary is Chennault, a.k.a. “the Dragon Lady.” The operation is code-named “Little Flower.”<sup>3</sup>

Nixon goes on to obtain inside intelligence on the peace talks

from his secret “mole” in the United States delegation in Paris—Henry Kissinger.

**August 1968**

Accepting the GOP presidential nomination, Nixon pledges that, if elected, his first objective “will be to bring an honorable end to the war in Vietnam.”

**September 30, 1968**

Seeking to separate himself from LBJ on Vietnam, Vice Pres. Hubert Humphrey, the Democratic presidential nominee, promises to end the bombing of North Vietnam and calls for a ceasefire.

**October 20, 1968**

Nixon asks LBJ if he can restrain Humphrey on Vietnam:

**RN:** Can you keep . . . your vice president and others, keep them firm on this? The hell with the god damned election! We must stand firm on this!

**LBJ:** Very frankly, I don’t know. That’s the honest answer. I just plain don’t know . . .

**LBJ:** You [Nixon] can have every reason to be proud of what your platform is.

**RN:** I won’t take any advantage of you.

**LBJ:** I know that [or] I wouldn’t be calling you. I’m going to keep you informed . . .<sup>4</sup>

**October 29, 1968**

Through CIA, NSA, and FBI surveillance, President Johnson gets solid proof of Nixon’s “treason.”

**October 31, 1968**

To convince Hanoi to come to the bargaining table, Johnson orders a halt in the bombing. This gives Humphrey an immediate boost in public-opinion polls. A onetime eighteen-point Nixon lead is soon sliced to two percentage points.

**November 1, 1968**

Operation “Little Flower” succeeds, as Thieu reneges on a

promise to Johnson and announces his country will not participate in the Paris peace talks.

Many years later, LBJ biographer Charles Peters notes that Thieu's announcement "appeared in the American press the weekend before the election, dashing any hope for peace. Humphrey's momentum came to a dead stop and went into reverse."<sup>5</sup>

### **November 2, 1968**

The President asks Senate Minority Leader Everett Dirksen for help in stopping Nixon's sabotage. Johnson hints he might leak the full story of Nixon's duplicity to the press:

**LBJ:** I don't want to get this in the campaign . . . They oughtn't to be doing this. This is treason.

**ED:** I know.<sup>6</sup>

Dirksen, the top elected Republican official, promises to get in touch with Nixon.

When LBJ later informs Sen. Richard Russell of Nixon's treachery, Russell says: "I never did have any respect for [Nixon], but damn, I never thought he'd stoop to anything like that."<sup>7</sup>

After Humphrey learns of Nixon's moves to undercut peace, the enraged Democratic candidate asks an aide, "What kind of guy could engage in something like this?"<sup>8</sup>

### **November 3, 1968**

Nixon denies to LBJ that he has been trying to scuttle the peace process. He pledges to cooperate with the president's peace plans and even to go to Paris or Saigon if needed.

### **November 4, 1968**

Defense secretary Clark Clifford tells the president: "Some elements of the story are so shocking in their nature that I'm wondering whether it would be good for the country to disclose the story and then possibly have a certain individual [Nixon] elected. It

could cast his whole administration under such doubt that I think it would be inimical to our country's interests."<sup>9</sup>

In the interests of national security, neither Johnson nor Humphrey blows the whistle on Nixon.

### **November 6, 1968**

Nixon edges out Humphrey in the presidential election.

In Saigon, South Vietnamese leaders toast Nixon's victory with vintage French champagne. One celebrant reportedly declares: "We did it. We helped elect an American president."<sup>10</sup>

### **November 17, 1968**

Syndicated columnists Drew Pearson and Jack Anderson report on a U.S.-South Vietnamese "backstage fight" over the peace talks. They say Saigon's leaders backed out of the negotiations because they felt LBJ rushed through a bombing-halt agreement "just before the election in order to win votes for Hubert Humphrey."

### **Early January 1969**

Tom Ottenad of the *St. Louis Post-Dispatch* writes an article saying a top Nixon official "secretly got in touch with representatives of South Vietnam shortly before the presidential election. It was in connection with an apparent effort to encourage them to delay joining the Paris peace talks in hopes of getting a better deal if the Republicans won the White House."<sup>11</sup> The Ottenad piece gets no public traction, no press follow-ups, and is soon forgotten.

### **January 20, 1969**

Declaring he has a "sacred commitment" to peace, Richard Nixon assumes the presidency from Lyndon Johnson.

LBJ gets early word to the new president "that Johnson would never reveal how Nixon had used Anna Chennault to torpedo the peace talks until Humphrey was defeated," as LBJ biographer Charles Peters disclosed in 2010.<sup>12</sup>

**March 1969**

President Nixon illegally orders the secret bombing of Cambodia. Neither Congress nor the American people are told.

The bombing continues for more than four years, until Congress discovers and stops it.<sup>13</sup>

**July 1969**

The president holds a quick, *pro forma* meeting with Thieu in Saigon and then choppers to a nearby U.S. Army base. Nixon tells aide Bob Haldeman that he was overwhelmed by the character of the troops, adding: "Never let those hippie college boys in to see me again . . ." <sup>14</sup>

**March 1970**

CIA director Richard Helms refuses Nixon's request for the CIA's detailed files on possible connections among LBJ's bombing halt, the Paris talks, and the U.S. presidential campaign. (Nixon eventually fired Helms for his refusal to turn over these files—as well as for his refusal to involve the agency in the Watergate cover-up.)

**April 1970**

American and South Vietnamese troops begin a two-month invasion of Cambodia. This, along with the secret bombings, helps destabilize the country.

**1970**

Shortly after the invasion ends, Gen. Lon Nol instigates a coup and displaces Prince Norodom Sihanouk of Cambodia. (Racked by turmoil, in 1975 the country witnesses the rise to power of Pol Pot and the Khmer Rouge—a communist political and military organization.)

**June 30, 1971**

President Nixon approves a firebombing and break-in at the left-leaning Brookings Institution in Washington in order to steal its Vietnam files, which he believes include documentation of his 1968 moves to block peace.

The break-in is ultimately called off, but only after proceeding to near-implementation. (John Dean managed to convince other top aides that it was too dangerous. Nixon's approval of this crime was only recently confirmed on new Nixon White House tapes.)

### **June 17, 1972**

DC cops catch Nixon's ham-handed Watergate burglars as they replaced a broken bug they had previously placed on the telephone of Democratic Party chairman Larry O'Brien. They also had rolls and rolls of film on which to photograph opposition political documents.

The burglars were on a fishing expedition to locate dirt they could use against the Democrats, or that O'Brien might use against them, as an election-year "October Surprise." Could Nixon have thought O'Brien might have had copies of the Vietnam files that disclosed Nixon's Vietnam treachery?

### **1973**

Early in his Watergate-truncated second term, the president tries to find out whether Johnson ordered the rumored FBI bugging of Nixon's 1968 campaign jet. When Johnson finds out, he explodes and makes what Nixon aide Bob Haldeman described as "a direct threat from Johnson" to expose Nixon's Vietnam treachery.<sup>15</sup>

Lyndon B. Johnson dies on January 22.

### **August 1974**

Nixon is forced to resign from office over the Watergate scandal.

### **September 1974**

President Ford grants Nixon a pardon for all crimes Nixon committed as president. (Nixon's "treason," of course, took place *before* he became president. But Nixon's sabotage of the Paris negotiations was not confirmed until after Nixon's 1994 death.)

### **April 30, 1975**

The United States loses its first war, as North Vietnamese troops overrun Saigon.

**1994**

Richard Nixon, the man accused by Lyndon Johnson of being a traitor, dies in Yorba Linda, California, after suffering a stroke. He was eighty-one.

**1995**

LBJ aide Walt Rostow's "X Envelope" is finally opened, leading to a declassification of many of the "Top Secret" and "Secret" documents it contains on Nixon's 1968 "treason."

**1999**

Key FBI documents from the X Envelope are released to Nixon biographer Anthony Summers. They verify that Nixon himself called the shots in the sabotage of the U.S. peace plan for Vietnam. The author concludes: "The fact that Nixon covertly intervened . . . deliberately flouting the efforts of the American authorities, was indefensible. The way in which he involved himself remains to this day undefended."<sup>16</sup>

**2002**

A bitter Anna Chennault admits her role in the 1968 sabotage, telling the *Shanghai Star*: "To end the war was my only demand. But after [Nixon] became president, he decided to continue the war. Politicians are never honest."<sup>17</sup>

**2008**

The LBJ Library releases riveting audiotapes concerning Nixon's 1968 attempts to torpedo U.S. peace efforts. Included is the president's description of Nixon's actions as "treason." Johnson opined that the GOP candidate had "blood on his hands."

**2010**

Declassified documents from the Nixon White House reveal just how eager Nixon was to obtain the CIA's intelligence data on his 1968 anti-peace machinations.

**2014**

In a declassified oral history, 1968 Nixon aide Tom Charles Huston confirms the sabotage plot and says it's *inconceivable* Nixon didn't manage it.



# TREASON



# Chapter 1

## Setting the Scene

Few figures in U.S. history have proven as brilliant at high-stakes power-wielding and brokering as Lyndon B. Johnson. The same could be said of Richard Nixon, his political rival, but according to former White House correspondent for the *Baltimore Sun* Muriel Dobbin, “Nixon was different, and I think you have to be careful to draw the difference. Johnson was ruthless and probably terrifying. But . . . there was nothing [Nixon] would not do.”<sup>1</sup> As the 1968 election approached, these two giants clashed in a high-stakes political battle royale, one of the nation’s most dramatic and important little-known events.

As we are only now grasping, the Johnson-Nixon showdown involved a potential national security crime of the highest magnitude—an unpatriotic act so extreme that it challenged the legitimacy of the election. Johnson caught Nixon embroiled in a clandestine attempt to torpedo United States-sponsored peace negotiations in Paris by manipulating the Vietnam War for his own political ends and by portraying himself as a dove in hawk’s clothing. Nixon’s moves were designed to bolster his own chances of defeating Democratic nominee Hubert Humphrey, Johnson’s vice president.

Most of the information President Johnson uncovered came from unimpeachable intelligence sources. It was considered so shocking by the president and his advisors that Johnson took it with him when he left the White House in 1969. This evidence was turned over to the LBJ Library, where it was placed in what came to be known as the “X Envelope.” The envelope was sealed and was not supposed to be opened for fifty years. This book will fully examine and analyze this evidence, which Johnson’s national security advisor Walt Rostow eventually came to believe should be made public much earlier than its originally prescribed release date.

Indeed, much of the X Envelope’s material was made available

to researchers in the late 1990s. It has been augmented by tape recordings from the LBJ White House in 2008, as well as by declassified records and phone calls from the Nixon White House in 2010. (Johnson taped selectively, while Nixon recorded almost all of his phone conversations—and Oval Office meetings—on an automated system.)

## The Ballot Develops

The Paris peace talks began in May of 1968, about one month after President Johnson stopped bombing parts of North Vietnam. But they went nowhere until mid-September, when Hanoi's delegates finally agreed to expand the talks to include South Vietnam immediately after a complete halt to the bombing. Ironing out details of this promising development, however, would take additional time—and the U.S. election clock was ticking.

GOP front-runner Nixon had formally entered the 1968 campaign on February 1, confidently asserting, "I believe that I will be the strongest [Republican] candidate, and I believe that I can beat Lyndon Johnson." Nixon scored a resounding win in the first important primary in snowy New Hampshire on March 12—winning 79 percent of the vote against Michigan governor George Romney. The former vice president went on to easily capture the Republican nomination that summer.

It was obvious by February that the fall campaign would center on Johnson's highly unpopular war policies. So, from the start, on the hustings and in TV commercials, Nixon—at heart a war hawk—promoted himself as the peace candidate. He repeatedly pledged to implement an unspecified plan that would "end the war and win the peace." That probably sounded pretty good to many dovish voters who thought Humphrey was too tightly tied to LBJ's military misadventures.

As president, Johnson's mastery of domestic affairs—especially on civil rights, anti-poverty measures, and health care—was overshadowed by his failed Vietnam War policies. The situation on the faraway battlefield had steadily deteriorated on his watch and took a big turn toward disaster just before Nixon entered the race.

On January 30, 1968, Johnson and his top military advisors—along with hundreds of thousands of United States and allied forces in Vietnam—were totally surprised by the intensity and range of a major enemy attack that had been anticipated for months. Known as the Tet Offensive, enemy troops advanced on five of South Vietnam's six largest cities—and on most of its provincial capitals. Before Tet was repulsed, Viet Cong forces even attacked the U.S. Embassy compound and the presidential palace in Saigon.

LBJ biographer Mark Updegrove says “the sheer ferocity of Tet meant, in essence, that [enemy forces] were winning the war.” Johnson, according to his biographer, “monitored the developments of Tet at all hours, getting little sleep and wearing himself down further. During the crisis, Richard Russell visited with him privately at the White House, where he watched his former mentee weep over the situation.”<sup>2</sup> (Senator Russell had been Johnson's mentor in the Senate.)

On the home front, the war was becoming even more divisive. Public confidence in Johnson fell sharply after legendary TV news anchor Walter Cronkite returned from a fact-finding trip to the battlefield. CBS's avuncular journalist, “whose wisdom Americans seemed to take as an article of faith,” as Updegrove notes, broadcast a one-hour special on February 27. Cronkite reported: “It seems now more certain than ever that the bloody experience of Vietnam is to end in a stalemate.” After the program aired, Johnson told an aide, “If I've lost Cronkite, I've lost the country.”<sup>3</sup>

Exasperated by the war, and believing he might not even be re-nominated, Johnson surprised the nation and quit the presidential race on March 31, 1968. In doing so, in a nationally televised address, he dramatically pledged to devote all of his remaining term to the search for peace:

With America's sons in the fields far away, with America's future under challenge right here at home, with our hopes and the world's hopes for peace in the balance every day, I do not believe that I should devote an hour or a day of my time to any personal partisan causes or to any duties other than the awesome duties of this office—the presidency of your county.<sup>4</sup>

After the TV cameras went off in the Oval Office, as Johnson got

up from his desk, his wife and daughters rushed to his side. Lady Bird Johnson gave her husband a kiss and a hug and whispered into his ear, "Nobly done, darling."<sup>5</sup> A little later, while eating a bowl of tapioca and wearing a powder blue turtleneck, a relaxed president bantered with a small group of reporters in the family residence. Opening with a joke—"I fooled y'all, didn't I?"—Johnson soon turned serious, according to *Washington Post* reporter Carl Bernstein:

[T]hen we asked some questions about the war and what led to his decision [not to seek a second term], and he talked in very emotional terms about what the war was doing to the fabric of the country and his presence if he continued as President as this terribly divisive issue was [affecting] the country. And he became emotional at that point. I think we were all emotional in the sense of knowing this was an incredible moment in history.<sup>6</sup>

The news was astonishing—a healthy sitting president deciding not to run for a second term. It was so unexpected, one White House radio reporter lost his job for wrapping up a live broadcast of the event without any mention of the bombshell. He had been relying on the White House handout of the president's prepared remarks and had not paid suitable attention to LBJ's brief but critical insert. The reporter must have left his particular audience double-dazed. In his conclusion, the reporter began his comments by saying: "And so, President Lyndon Johnson has ordered a total halt to the bombing of North Vietnam in order to bolster peace prospects."<sup>7</sup>

LBJ's withdrawal announcement was followed by another 1968 political shocker: Sen. Robert Kennedy, who was running as an anti-war Democrat, was murdered—and Hubert Humphrey wound up as the party's standard-bearer. Richard Nixon then figured that if he could just keep the president from attaining peace before the November election, he, rather than Humphrey, would win.

### The "Peace Candidate"

In the campaign, Nixon was mostly silent or vague on the details

of his secret plan for peace. He said that to discuss such matters might wreck the Paris talks. This led Humphrey to run a TV spot that, in the words of Nixon biographer Rick Perlstein, “deflated Nixon’s very masculinity.” The ad opens with twelve seconds of silent film of Nixon speaking and gesticulating. Then comes a voiceover that says, “Mr. Nixon’s silence on Vietnam has become an issue itself.” It ends with a quote from Republican senator Mark Hatfield: “The Paris peace talks should not become the skirt for timid men to hide behind.”<sup>8</sup>

Reporters were not able to regularly and frequently quiz Nixon about his supposed peace plan—because he refused to hold news conferences and only appeared on live TV before friendly pre-screened studio audiences. His standard stump speech was so well-memorized by campaign reporters that they could say it along with him. He also refused to debate Humphrey. At the time, some Nixon PR specialists dubbed this strategy (focusing on prime-time TV commercials) “The Living Room Campaign.”

This allowed the tightly wound Nixon to avoid confrontations or crowds that might cause him to come unglued. And it was an ideal strategy for trying to be all things to all people. So the GOP candidate regularly donned his brash disguise as *the* peace candidate. In one of his most dovish TV spots, Nixon’s own soothing baritone is heard over the sounds of battle, as a visual collage of the bloody Vietnam fighting fills the screen:

Never has so much military, economic and diplomatic power been used so ineffectively as in Vietnam. If, after all this time and all this sacrifice and all of this support there is still no end in sight, then I say that it is time for the American people to turn to new leadership not tied to the political mistakes of the past. I pledge to you that we will have an honorable end to the War in Vietnam.<sup>9</sup>

On October 9, Nixon fired yet another Vietnam volley at both Johnson and Humphrey, declaring: “Those who have had a chance for four years and could not produce peace should not be given another chance.”<sup>10</sup>

In the race’s final days, in a near panic, Nixon actually accused Humphrey of endangering the “delicate” Paris peace talks with the “fastest, loosest tongue ever in American politics.” He charged his

Democratic rival with speaking from both sides of his mouth on the “great issue” of a bombing halt. Nixon added: “He’s been for it unconditionally, and then he has said we should have conditions. He has been unable to mind his tongue when negotiations are going on.”<sup>11</sup>

Nixon’s blast might have been connected to signs of significant progress in Paris, just the kind of “October Surprise” the paranoid GOP candidate was dreading. Nixon first got word of a possible Paris breakthrough from his prized mole in the U.S. delegation, Henry Kissinger. Nixon’s future national security advisor, the urbane Harvard professor regularly delivered confidential information from the talks to Nixon, mostly through Nixon’s campaign manager John Mitchell. Mitchell, of course, went on to become President Nixon’s attorney general, and then the chairman of Nixon’s 1972 reelection campaign. An eventual Watergate felon, Mitchell wound up as Prisoner Number 23171-157 in the Alabama correctional system.<sup>12</sup>

By the end of October 1968, President Johnson was huddling with his top advisors on the advisability of a total bombing halt. The U.S. field commander in Vietnam, Gen. Creighton Abrams, was secretly flown to Washington and sneaked into the White House in a disguise. LBJ grilled the general on the potential battlefield ramifications of a bombing cessation. General Abrams told the commander in chief: “Mr. President, you will be plunged into a cesspool of controversy. This will be interpreted as a political act, but if I were you I would do it.”<sup>13</sup>

Johnson also received assurances from the joint chiefs of staff that such a move “would be a perfectly acceptable military risk.” At the end of his meeting with the joint chiefs, the president declared: “I know I will be charged with doing this to influence the election. The doves will criticize us for not doing this earlier. The hawks will say I shouldn’t have done this at all.”<sup>14</sup>

On October 31, the hawkish Johnson announced a total halt in the bombing of North Vietnam to entice the enemy into serious bargaining. By election eve, Nixon’s early 18 percent lead over Humphrey had evaporated to a mere two percentage points. (Segregationist Alabama governor George Wallace’s third-party bid was siphoning votes from both major party candidates, but mostly from Humphrey.)



The closer peace seemed to be at hand, the harder Nixon covertly tried to block it. Just days before voters went to the polls, Nixon convinced Nguyen Van Thieu to renege on a firm pledge to Johnson to participate in the Paris negotiations.<sup>15</sup> Saigon's boycott paid off big time for Nixon, who defeated Humphrey by less than one percentage point of the popular vote. In Electoral College voting, Nixon won with 301 to Humphrey's 191 and Wallace's 46.

The indomitable Johnson had waged a skillful and relentless fight—not only *against* Nixon, but also *for* peace in Indochina (where twenty thousand more Americans and millions of Indochinese would die during Nixon's presidency). But every time Johnson personally, or through intermediaries, called Nixon on the carpet on the sabotage issue, the Republican standard-bearer would play hide-and-go-seek with the truth.

Fearful LBJ might go public with the indisputable evidence he held, Nixon had nervously phoned Johnson just before the election. The soon-to-be president falsely assured LBJ that the “rumblings around about somebody trying to sabotage the Saigon government's attitude . . . certainly have no—absolutely no—credibility as far as I'm concerned.”<sup>16</sup>

Johnson's proof of the Republican nominee's treachery had given him a huge advantage in his direct and indirect confrontations with Nixon in the fall of 1968. At his presidential fingertips was a cornucopia of top-secret intelligence data from FBI wiretaps, CIA surveillance, and NSA intercepts. Through those means, Johnson was, as he told Senate Republican Leader Everett Dirksen, “looking at [Nixon's] hole card.” Using the lexicon of poker, the president was confiding to his longtime Republican friend that he had identified the exact scope of Nixon's anti-peace meddling.

Later in the same conversation, Johnson asked Dirksen to deliver a message to Nixon and his confederates: “You better tell ‘em they better quit playing with [negotiations]. You just tell ‘em that their people are messing around in this thing, and if they don't want it on the front pages, they better quit it.”<sup>17</sup>

Johnson's ability to read Nixon's full poker hand had revealed to the president and his top advisors a scandal of truly immense proportions. As LBJ peace negotiator Richard Holbrooke later observed, Nixon's people had “massively, directly and covertly

interfered in a major diplomatic negotiation—probably one of the most important negotiations in American diplomatic history.”<sup>18</sup>

How did Richard Nixon’s Vietnam sabotage system work? It was a rather Byzantine scheme. The candidate used a go-between to tell Saigon to resist LBJ’s peace initiatives until after the election. During a Nixon presidency, the candidate told Thieu, he would get a better deal.

Nixon’s secret channel to Thieu was acquainted with both men. She was Madame Anna Chennault, a glamorous forty-three-year-old Chinese-born intrigue- and gossip-loving Washington socialite, and an effective lobbyist for right-wing causes. Nixon’s messages went from John Mitchell to Chennault, who forwarded them to South Vietnam’s ambassador to Washington, Bui Diem, who in turn sent them on to President Thieu, the final link in the conspiracy chain. All the participants in this plot—with the exception of Thieu—had secretly conferred at Nixon’s Manhattan apartment in July to set it in motion. Chennault later explained: “Nixon told Ambassador Bui Diem that any message to President Thieu will go to Anna Chennault, or any message President Thieu of Vietnam wanted to give to me [Nixon], you may give it to Anna.”<sup>19</sup>

Chennault was somewhat of an odd pick. First, Nixon had great disdain for the female mentality. Second, he knew she had loose lips—not a terrific trait for a secret emissary engaged in a highly sensitive mission.

The future presidential candidate saw this flaw in Chennault up close and personal on a trip to Taipei in 1967. Not a “people person” to begin with, Nixon ran into Chennault during his visit, much to his displeasure. When she was out of sight, Nixon ordered aide Pat Hillings: “Get her away from me, Hillings. She’s a chatterbox.” LBJ aide William Bundy later described Chennault’s key drawback as a trustworthy back-channel messenger a little more politely, saying that Chennault was “a bit too conspicuous and not always discreet in speech and action.” But she was well-positioned to serve as a covert go-between with South Vietnam’s government.

Through Chennault—a.k.a. “the Dragon Lady”—Nixon repeatedly urged Thieu to block Johnson’s peace plans. But, by the fall, FBI wiretaps on Chennault’s phones—installed at the direction of a suspicious Johnson—picked up this key November 2 message from

Nixon via Chennault to South Vietnam: "Hold on. We are gonna win."<sup>20</sup>

As we have seen, "Operation Little Flower," as Team Nixon dubbed it, worked splendidly. Despite Johnson's hard proof of Nixon's treachery, the president remained silent, and Nixon edged out Humphrey on November 6, 1968.

President Johnson wrestled with the question of whether to blow the whistle on Nixon's 1968 perfidy. After failed backstage efforts to cajole, coerce, and threaten Nixon into stopping his sabotage, LBJ felt he could do no more. He could not reveal Nixon's skullduggery without endangering the peace talks or divulging highly sensitive diplomatic, military, and intelligence secrets. Disclosure might also have created a crisis of confidence in America's government, at home and overseas. As Johnson himself explained to Sen. George Smathers, a friend of Nixon: "Obviously, it's so sensitive I can't say anything about it, except just say 'quit it.'"<sup>21</sup>

A newly released tape gives us a much clearer idea of the moral and ethical depths to which Nixon had sunk in committing what LBJ describes as "treason." On the other end of Johnson's phone line, Senator Dirksen, putting country above party, responds: "I know."<sup>22</sup>

Were the president and the senior Senate Republican right in their conclusion? Apparently. The U.S. Constitution says treason includes giving "aid and comfort" to the enemy. The subversion of negotiations with a foreign power in opposition to official American foreign policy certainly seems like something that could benefit an enemy. The top penalty for treason is death. But a traitor could get off with as few as five years in prison, a fine of \$10,000, "and shall be incapable of holding any office under the United States."<sup>23</sup>

American University professor Chris Edelson—a constitutional law expert—thinks Nixon's action might well have qualified as treasonous: "South Vietnam was not the enemy, of course, but it seems Nixon was undermining his own government's efforts to make peace. It could also be improper dissemination of classified information—the same thing that got [President] Nixon so incensed at [Pentagon Papers leaker Daniel] Ellsberg."<sup>24</sup> At the least, Nixon deliberately violated the Logan Act, which prevents unauthorized private citizens from conducting United States foreign policy. A violator of this 1799 law could be imprisoned for up to three years.<sup>25</sup>

To his credit, President Johnson had given Humphrey a pre-election look at his intelligence goodies and an opportunity to go public with them. Learning about the full extent of the Nixon-Thieu contacts while on a campaign plane, Humphrey exploded to aides: "By God, when we land, I'm going to denounce Thieu. I'll denounce Nixon. I'll tell about the whole thing."<sup>26</sup>

Before the jetliner landed, however, Humphrey had a change of heart. He kept his mouth shut—reportedly concluding that outing Nixon's treachery might backfire. Some voters, he thought, might view such Humphrey charges as sour grapes—or even a dirty trick against Nixon. LBJ was reportedly "furious" with the vice president's decision not to implicate Nixon, calling it "the dumbest thing in the world not to do it."<sup>27</sup>

Humphrey campaign manager Larry O'Brien later explained that Humphrey held his fire because he didn't want to "be accused of playing cheap politics at the end of a desperation effort to win an election." Yet O'Brien said the even-keeled, often ebullient Democratic candidate, nicknamed the "Happy Warrior," was "shocked" when apprised of Nixon's actions, asking: "What kind of a guy could engage in something like this?"<sup>28</sup>

LBJ aide Tom Johnson describes Nixon's behavior as "reprehensible," adding: "I remain amazed that LBJ and Humphrey did not publicize the actions taken by the Nixon side in this ultra-sensitive matter. It is my belief that Nixon would not have been elected if the public had learned [of the sabotage]. This was kept as a very closely guarded secret."<sup>29</sup>

"Johnson was a master of leaking to the press," says Ford Rowan, a former NBC-TV reporter who covered the Nixon White House. "It's not clear why he was talked out of it in the hours before the election, even though a few reporters had picked up the scent of the Nixonian sabotage."<sup>30</sup>

Senior LBJ advisor Clark Clifford, one of those in the loop on this tightly held national security matter, later opined: "The activities of the Nixon team went far beyond the bounds of justifiable political combat. It constituted direct interference in the activities of the executive branch and the responsibilities of the Chief Executive, the only people [that is, members of the Executive Branch] with authority to negotiate on behalf of the nation." Clifford concluded that the

sabotage “constituted a gross, even potentially illegal, interference in the security affairs of the nation by private individuals.”<sup>31</sup>

### “The Most Wicked Action in American History”

Despite the mild scent of duplicity, reporters covering the Nixon campaign were largely unaware of Nixon’s anti-peace conspiring, but they were aware that the GOP candidate and his advisers were deeply worried that LBJ’s bombing halt and Humphrey’s separation from Johnson’s hardline on Vietnam could produce a huge comeback victory for Humphrey, who trailed Nixon by more than twenty points in some early polling.

Indeed, campaign aides privately admitted that Nixon could well be robbed again of his fondest political dream. But Nixon and his American anti-peace co-conspirators, John Mitchell and Anna Chennault, kept their interference in the Paris negotiations completely to themselves.

Humphrey press aide Al Spivak now recalls, “I didn’t have first hand-knowledge [*sic*] of [the sabotage], but I remember those of us in the HHH campaign apparatus knew in October of 1968 that here was *important* info on Nixon that might turn the tide of the November election. It just sort of vanished; we weren’t told why. One theory is that HHH vetoed any use of the info as being harmful to the USA. I think a better suspicion is that LBJ vetoed it.”<sup>32</sup>

As the election approached, LBJ’s bombing halt and Humphrey’s move away from Johnson’s war policies were alone enough to convince many political junkies that Humphrey could pull off a political miracle.

(My United Press International colleague Bill Greenwood, a gent with a wry sense of humor who was covering Humphrey, was so confident of a coming HHH victory that he proposed we make a huge, multi-faceted bet on the outcome. I knew this proposed wager would likely be a put-on, one he knew I’d decline. Indeed, Greenwood set the stakes so much in his favor [including a codicil that I would give up the White House beat to him if Humphrey won] that I had to decline the bet—even though I was fairly certain Nixon would prevail.)

Nothing of importance in government or politics usually stays secret for long (the JFK assassination being a notable exception), so the non-spillage of Nixon's 1968 sabotage secret—at least during his own lifetime—was a rare exception to the ways of Washington. For Nixon, this was likely his most successful cover-up.

After the election, President Johnson—acting on the advice of Clark Clifford and a few other trusted aides—decided that national interests were best served if he did not expose a conspiracy so tawdry it could have crippled Nixon's ability to govern. Johnson also knew that news of Nixon's anti-peace maneuverings would almost certainly compromise U.S. intelligence-gathering "sources and methods."

Nonetheless, what Nixon had managed to pull off was a capstone of unscrupulousness and duplicity. As Christopher Hitchens has stated: "Nixon's illegal and surreptitious conduct not only prolonged an awful war but also corrupted and subverted a crucial presidential election: the combination must make it the most wicked action in American history."<sup>33</sup>

This sordid saga also stands out as underreported history; and history—the evil as well as the laudable—often holds valuable lessons. This particular tale even has a hero or two: Lyndon Johnson's public silence about a national security breach by a political rival was a rare display of nobility in modern American presidential leadership. Hubert Humphrey's silence deserves an equally honorable mention.

One can only hope that future history textbooks contain at least a few lines about the scandalous 1968 presidential campaign of Richard M. Nixon. "Irony" is too weak a word to use in noting that, in 1974, this same corrupt politician was forced from the Oval Office by a 1972 campaign scandal called Watergate. One man; two tainted elections.

The two scandals might even be related. By 1972, one of the few Democrats who knew of Nixon's 1968 un-American activities was Larry O'Brien, who headed the Democratic National Committee. Did President Nixon's burglars break into O'Brien's Watergate offices and bug his phone to find out whether the Democrats might blow the whistle on Nixon's 1968 "treason"? Let's not rule out that possibility, which will be fully explored in Chapter Twelve.