

A nearly identical version of this conversation appears in Stanley I. Kutler, ed. *Abuse of Power: The New Nixon Tapes* (New York: The Free Press, 1997) pp. 346-347.

The initial draft of this transcript was prepared independently for the National Security Archive, although a comparison was done with the transcript in *Abuse of Power* for the second draft. Two words ([*unclear*]) of the second draft transcript were corrected as a result of the comparison.

Following Patrick Gray's resignation as Director of the FBI, after a short and tumultuous tenure, President Nixon discussed with Attorney General Richard Kleindienst the choice of William Ruckelhaus as a short-term successor. Nixon's response to Kleindienst's recommendation of Mark Felt as Acting FBI Director is noteworthy because the president rejected Felt out of hand and replied: "I don't want him. I can't have him...I want a fellow in there that is not part of the old guard, and that has not had part of that infighting in there."

Conversation 45-34 (White House Telephone)

Date: April 27, 1973

Time: 4:14 – 4:16 p.m.

Participants: President Richard M. Nixon & Attorney General Richard G. Kleindienst.

[According to a log prepared by the National Archives and Records Administration, this conversation is cross-referenced with conversation 906-8B.]

Operator: Mr. President, the Attorney General [*Kleindienst*] for you.

Nixon: Yeah. Hello?

Kleindienst: In view of Pat's [*L. Patrick Gray, III's*] resignation, Mr. President—

Nixon: Yeah?

Kleindienst: —it would be my recommendation that I just administratively permit Mark Felt to—

Nixon: No! I tell you, I don't want him. I can't have him. I just talked to Bill Ruckelshaus and Bill is a Mr. Clean and I want a fellow in there that is not part of the old guard and that has not had part of that infighting in there.

Kleindienst: Will Ruckelshaus do it?

Nixon: He'll do it. He'll do it as Acting Director until we get full director. See, I'm making a search as you know, and he says he'll take it for that long. Do you think that's a good thing?

Kleindienst: It's ideal.

Nixon: Now, his only problem he say, "What the hell am I going to say? I knew [*John N.*] Mitchell." But I said, "Hell, everybody knows Mitchell." I mean, he hasn't worked there since 1970.

Kleindienst: That's no problem for him.

Nixon: And he was there—never during the campaign. But, do you think Bill would be a good one?

Kleindienst: Ideal.

Nixon: Ideal. And I'm going to name him Acting Director of the Bureau, and I'm going to have it announced from over here. Is that all right?

Kleindienst: Sure, but, Mr. President...

Nixon: Yeah?

Kleindienst: ...under the rules and regulations of the law, it's an appointment that I, administratively, have to make. So, I think your announcement—

Nixon: Oh...

Kleindienst: —should be that you have directed me to—

Nixon: Sure.

Kleindienst: —designate him as Acting Director—

Nixon: So, under the rules and regulations of the law, it's an appointment that the Attorney General has to make? Is that right?

Kleindienst: So, you just—you make the announcement that you have directed me—

Nixon: Yeah.

Kleindienst: —to make him the Acting Director.

Nixon: Yeah. I make the announcement that I have directed the Attorney General to make you—him the Acting Director until a successor—

Kleindienst: That's right.

Nixon: —is announced...

Kleindienst: Yes, sir.

Nixon: ...as [Acting] Director. All right. That's what we'll do.

Kleindienst: Fine, sir.

Nixon: Fine.

[End of conversation]