

DRAFT

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Shafer handed Nixon the report on March 21, 1972, and gave him a quick summary. Nixon discusses the report with his chief domestic policy adviser, John Ehrlichman, after Shafer leaves. Af

Conversation 691-7 starts at **A92:24** on rmn_e691a and continues onto rmn_e691b.

A95:18

Shafer: We're unanimous in saying that we do not believe that marijuana should be legalized and unanimous in saying that there ought to be a discouragement policy on the use of the substance. We feel that the possession offense has shown no [unclear] in the discouragement policy and in fact has created so many problems, not the least of which has been the cynicism and mistrust of the young, that we should have a new policy with reference to this particular drug. This has nothing to do with heroin, cocaine, the amphetamines, the barbiturates, the hallucinogenics, the volatile solvents. They're in a different category. We're talking about this particular category. We're trying to deflate it as a symbol, deflate it as an issue. And I think we have done it. Our new policy is that there should be [unclear] what we recommend is that the discouragement, the education of the user, the responsibility for that should fall on the shoulders of the family, the home, the church, the medical profession, and then relieve the law enforcement officials of that particular task and let them put all of their energies into getting the pusher, the trafficker, the supplier, the person who preys on the frailties of other people

A99:15

A99:15

Shafer: The congressional members didn't participate as much until the very end, and then Javits and Hughes tried to take over. [*Chuckling*] We would have had legalization if we hadn't really, you know, they wanted to have the alcohol model, which is wrong. We were against legalization, because we feel that in the first place the returns are not in about the pharmacological effects of the drug.

President Nixon: I would say this with regard to that, you know how Ray is an old politician. You know very well that no matter how precisely you state it, how your report reads, that they will try to oversimplify it and say, 'The commission recommends legalization,' or, 'It does not recommend legalization.' [*Unclear*] And I think it is important that you say, 'Let us understand what this report does do and what it does not do. We do not believe marijuana should be legalized.' I think you should say that.'

Shafer: We've already said it [*unclear*].

President Nixon: And then you go on to say, 'However, we believe that in terms of penalties that there should be some, uh, that in order to get at the problem there should be' this and that and the other thing.

B17:26

President Nixon: What is your feeling about this damned report, this thing?

John D. Ehrlichman: A lousy report.

President Nixon: Can we give an inch on this?

Ehrlichman: No, sir. No, sir. There is no place—

President Nixon: How was he able to sell all that [*unclear*].

Ehrlichman: Well, I'll never understand what went on in that commission, 'cause this guy, for instance, from Rockford is a —

President Nixon: John Howard [unclear].

Ehrlichman: —rock-ribbed conservative.

President Nixon: Well, what do you think about legalizing the use and possession of marijuana?

Ehrlichman: It's a crazy rule. What they've done is they've come half way. It's this, it's like liquor. There would be no law against consuming liquor at home, but there'd be a law against selling it. Now how the hell can you make that work?

President Nixon: Well, I made it clear enough to him that I don't endorse it.

Ehrlichman: He's not [under] any illusions, and Bud and I made it very clear to him before he came in here so that he's not under no misapprehensions.

President Nixon: [Unclear]

Ehrlichman: Well, and everything we've said, [unclear] we all get asked about this all the time, and we always say there's a lot daylight between us and that commission

B19:04

President Nixon: Young people probably say we're all wrong, old fogies and the rest.

Ehrlichman: I'm not so sure about that.

President Nixon: I don't know, I mean, somebody was telling me, Bob Haldeman or somebody [that] in his kid's class, or were you telling me that in his kid's class at school that he was the only one who didn't use the stuff?

Deletion, 00:02, "Privacy"

B19:26

Ehrlichman: I really don't think it's quite like that any more. Now three years ago—

President Nixon: [Unclear].

Ehrlichman: Three years ago—

President Nixon: [Unclear] friends.

Ehrlichman: Oh, yeah, that's Bob's younger boy.

President Nixon: He says that.

Ehrlichman: Well, I know three years ago it was much more of a problem in our kids' school than it is now. But—

President Nixon: I don't know what it is, but I guess, perhaps I'm a hopeless reactionary. I don't think so. But I can't understand it. Of course, it isn't morality. It's just a question, goddamn it, of what will work. I am sure as I sit here, if you make it acceptable and fashionable to use the goddamn thing, it'll increase the use.

Ehrlichman: No question. And I don't think you're out of step.

President Nixon: [Unclear].

Ehrlichman: I don't think you're out of step with most people. You know, I spoke up at that Harvard Club in New York. [Unclear].

President Nixon: [Unclear] quite a group.

Ehrlichman: And there were older people and younger people, but all Harvards. And all intellectuals. And I got a question from a long-haired kid about legalization of marijuana. And I said the president's against it. Now I'll tell you why he's against it. There are two kinds of people in this country. There's the people in the drug scene, and there's the people out of the drug scene. And there isn't any little bit about it. You're either in it or you're out of it. And the people that are in it have all kinds of problems. And we think it's better [that] they don't have those problems. So it's better if everybody stays out of the drug scene. So we don't know any place to draw the line except right there.

President Nixon: So they say, what about alcohol?

Ehrlichman: Well, then I got a big hurray from, I would say, far and away the majority of the crowd.

President Nixon: So what about alcohol?

Ehrlichman: You get that question, and I'm in great shape on that, of course.

President Nixon: 'Cause you don't drink.

Ehrlichman: 'Cause I say, I agree completely with you. Yeah.

President Nixon: Yeah.

Ehrlichman: And that stops them dead.

President Nixon: Suppose [*unclear*] say, well, what about alcohol?

Ehrlichman: All right. I think, it happens to be a matter of personal conviction with me. I think that the same rule ought to apply to alcohol for a lot of the same reasons. You know, but it doesn't.

President Nixon: So? [*Unclear*].

Ehrlichman: So rather than compound the wrong—

President Nixon: That's right. Don't have two wrongs.

Ehrlichman: Either stay where you are or go back—

President Nixon: [*Unclear*] thing, isn't it? And you know damn well it ain't true. Frankly, they say it isn't detrimental, and it is. I am convinced that their evidence is not right on that.

B24:13

Ehrlichman: Well, I just don't see any way for you to come part way down this road with and remain anywhere near faithful to what you've been standing for right along. And there's certainly nothing in the report that I know—well, I haven't read the detail, but I don't know that they have come up with any new evidence. They have rearranged the old evidence, is about what it amounts to. And in the absence of new evidence, scientific or some other kind of evidence, I don't think you're in a position to move.

Conversation No. 691-7

Date: March 21, 1972

Time: 5:48 pm - 7:00 pm

Location: Oval Office

The President met with Raymond P. Shafer, John D. Ehrlichman and Egil ("Bud") Krogh, Jr.

Greetings

The President's schedule

-Arms control

-[Nihat Erim, Manea Manescu]

Shafer's report

-Vietnam

-Copies

-Marijuana

An unknown man entered at an unknown time after 5:48 pm.

Oliver F. ("Ollie") Atkins

The unknown man left at an unknown time before 6:21 pm.

Marijuana

- Schools of thought
 - Users and non-users of marijuana
 - Objectivity
- President's Commission on Marijuana report
 - Research
 - Harold E. Hughes
 - Jacob K. Javits
 - Tim Lee Carter
 - Paul G. Rogers
 - Mitchell Ware

The White House photographer entered and left at an unknown time after 5:48 pm.

- Legalization
- Discouragement policy
 - Youth
- Differences from other drugs
 - Heroin
 - Cocaine
 - Amphetamines
 - Barbituates
 - Hallucinogens
 - Volatile solvents
- Symbolism
- User
 - Education and discouragement
 - Responsibility
 - Family
 - Church
 - Medical profession
 - Police
 - Efforts to arrest drug dealers
- Commission news conference
 - Commission's report presented to the President
 - The President's approval
 - Ehrlichman
 - Dr. Jerome H. Jaffe
- Members of the Commission
 - Dr. Dana L. Farnsworth
 - Maurice H. SeEVERS

- Southern Methodist University [SMU]
- Charles O. Galvin
- John A. Howard
 - Rockford College
- Congressional members
 - Javits
 - Hughes
- Legalization
 - Alcohol model
- Shafer's public statements
 - Columbia Broadcasting System [CBS]
- Penalties
- Decriminalization of possession
- Supply
- Children
 - Arrest and prosecution
- Penalties
 - Spain and Greece
 - Family and Church
 - India
 - Morocco
 - Hashish
- Press
- Legalization
 - Shafer's previous appearance on CBS
 - Comparison to Prohibition
 - Decriminalization of possession
- Commission report
 - Javits
 - Ware
 - Howard
 - John F. Cooney
 - Legalization
 - Proposals
 - Review
 - Scientific studies
 - Department of Health, Education and Welfare [HEW]
 - American Bar Association [ABA]
 - American Medical Association [AMA]
 - Potential harm
- Penalties for drug dealers
- Heroin
 - Physical addiction
 - Compared to marijuana
 - 1937 statute
 - Myths

- Youth
- Jerry Rubin
- Crime
- Myth
- Shafer's view
- Private personal possession
- Public
 - Criminal act
- Influence of marijuana
 - Compared to alcohol
- Effect on nation
- Youth
 - Experience
- Compared to hashish
 - India and Malaysia
 - Cooking
 - Marijuana
- Forthcoming press conference
 - Shafer
 - Opposition to legalization of marijuana
 - Commission report
 - The President

Bull entered at an unknown time after 5:48 pm.

The President's schedule

Bull left at an unknown time before 6:21 pm.

Marijuana

- Press conference
 - Commission report
 - Legalization of marijuana
 - Recommendations
 - The President's position
 - Submission of report
- Democratic presidential candidates
 - George S. McGovern
 - Edmund S. Muskie
 - Henry M. ("Scoop") Jackson
 - George C. Wallace
 - John V. Lindsay
 - McGovern
 - Humphrey
 - Busing issue
 - Change in position

- Muskie
- Segregation
- Elderly

BEGIN WITHDRAWN ITEM NO. 3
[Personal Returnable]
[Duration: 9m 6s]

END WITHDRAWN ITEM NO. 3

Presidential gifts
-Paperweight

Soviet trip

Shafer's
-Forthcoming talk with Ehrlichman
-Future meeting with the President

Marijuana Commission
-Report
-The President's endorsement

Bull entered at an unknown time after 5:48 pm.

Shafer's schedule
-Secretary

Shafer, Krogh and Bull left at 6:21 pm.

International Telephone and Telegraph [ITT]
-Document
-Federal Bureau of Investigation [FBI]
-J. Edgar Hoover
-Examination
-ITT experts
-The President's forthcoming talk with Hoover
-Ehrlichman's forthcoming call to Hoover
-Cooperation

- Ehrlichman's possible meeting with Hoover
- Examination of ITT document
 - ITT experts
 - Possession of the FBI
 - L. Patrick Gray, III
- The President's note to Hoover
- Use of telephone
- Jack N. Anderson

Shafer [?]

The President's schedule
 -[Erim]

[No conversation]

Dorothy Kirsten
 -State Dinners
 -Dwight D. Eisenhower

[No conversation]

The President's schedule
 -Church services [?]

State dinner
 -Guest lists

[No conversation]

World War I
 -Turkey
 -Gallipoli
 -Mustafa Kemal Ataturk
 -Winston S. Churchill
 -Allies
 -Erim's statement

Shafer Commission
 -Report
 -Ehrlichman's view
 -Carter
 -Howard
 -Legalization of the use of marijuana
 -Public compared to private use
 -Ehrlichman and Krogh

- Shafer
- The President's forthcoming press conference
- Legalization issue
 - Youth
 - H. R. ("Bob") Haldeman

BEGIN WITHDRAWN ITEM NO. 5

[Privacy]

[Duration: 2s]

END WITHDRAWN ITEM NO. 5

- Ehrlichman's children
- Use of marijuana
 - Ehrlichman's speech before the Harvard Club
 - Question from youth
 - Legalization
 - The President
 - Drug users compared to non users
 - Applause
 - Compared to alcohol
 - The President
 - The People's Republic of China [PRC]
 - Happy compared to unhappy people
 - Addiction
 - Cure
- Legalization issue
 - Jaffe
 - Krogh
 - Jaffe
 - ABA
 - Edward Bennett Williams
 - Heroin maintenance
 - Krogh
 - Talk with Ehrlichman
 - The President
 - The report
 - Evidence
 - Scientific

Ehrlichman's schedule

Busing

- Humphrey's view
 - Change
 - The President's television address, March 16, 1972

Humphrey

- Change in positions
 - Press reaction
 - Vietnam
 - War
 - Crime
 - Civil rights
 - Welfare
 - Florida
- Plan for elderly Jews

The President's busing speech

- Edward M. Kennedy's view
 - Staff
 - Equal educational opportunity
 - Blacks
 - Liberals
 - Compassion
- The President's previous statement, March 24, 1970
- Blacks
- Raymond K. Price, Jr.
- Minority businesses
- Television
- Children
- Liberals
- The President's previous trip to New York City
 - Interaction with black government employees
- James E. Cheek
 - President of Howard University
 - Letter to the President
- As issue
- Constitutionality
 - Congress
 - Remedy compared to right
 - Desegregation
 - Legislation
- Administration blacks
- Efforts with editorial boards and television

- Harry S. Dent
 - Edward L. Morgan
 - Kenneth W. Clawson
 - South
 - Texas
 - News summary
 - Lyndon K. (“Mort”) Allin
 - South
 - Opposition
 - Denver
 - Indianapolis
 - Intervention by the Justice Department
 - Richard G. Kleindienst
 - Talk with Ehrlichman
 - Michigan
 - Nashville
 - Texas
 - Morgan
 - Justice Department position
- Legislation
 - Moratorium
 - Conference committee
 - Constitutional amendment
 - Strom Thurmond
 - Possibility of passage

ITT

- J. Edgar Hoover
- Talk with Ehrlichman
 - Anderson
- Document (Dita D. Beard memorandum)
 - Gray
 - James O. Eastland
 - Tests conducted in New York
 - Questioning
 - Colson
 - Decision
 - Public statement
 - FBI experts
 - White House strategy
- Hearings
 - Beard testimony
 - Denver
 - Eastland
 - Edward .M. Kennedy's witnesses
 - Mike J. Mansfield

- Beard memorandum
 - Authenticity
- Vice President Spiro T. Agnew comments
 - Life* magazine story
 - Press coverage
 - Kleindienst comments
 - Justice Department
 - Clifford Irving
 - Look* magazine
- Life* magazine
- Hobart D. ("Hobe") Lewis
- Postal subsidy
 - Life* magazine
 - Peter M. Flanigan's views
 - Esquire*

Pay Board

- George Meany
- George P. Shultz
 - Meany
 - Democrat
 - Public members
 - Meany's resignation
 - Effect on Phase II
- Food prices
- Longshoremen strike
- Labor representatives
- Wage and price controls
 - The President's August 15, 1971 statement
- Economy
- Food prices
 - Consumer Price Index [CPI]
 - Dock strike
 - Duration
 - Effect on economy
 - Congress
 - Legislation
 - Herbert Stein

The President's forthcoming state dinner for Erim

Ehrlichman left at 7:00 pm.