

ACTION

*Announcement of Intention To Nominate
Harry J. Hogan To Be Associate Director for
Policy and Program Development.
August 21, 1973*

The President today announced his intention to nominate Harry J. Hogan, of Bethesda, Md., to be Associate Director of ACTION for Policy and Program Development. He will succeed Charles W. Ervin, who resigned effective September 4, 1973.

Since 1972, Mr. Hogan has been director of government relations for Catholic University, in Washington, D.C. From 1971 to 1972, he was engaged in the private practice of law, served as a consultant on educational and environmental matters, and was professor of law at Delaware Law School, in Wilmington, Del. From 1969 to 1971, he was counsel of the House Special Subcommittee on Education.

He was born on May 2, 1914, in Newark, N.J. Mr. Hogan was graduated magna cum laude from Princeton University, received his LL.B. from Columbia Law School, and received his Ph. D. in American History from George Washington University. He served in the U.S. Navy during World War II, attaining the rank of commander.

From 1947 to 1952, Mr. Hogan was on the legal staff of the Tennessee Valley Authority, the Bureau of Land Management, and the Bureau of Indian Affairs. From 1952 to 1961, he was engaged in the private practice of law in The Dalles, Oreg., where he was twice elected District Attorney (1956 and 1960). From 1961 to 1968, Mr. Hogan served as general counsel of the Bonneville Power Administration, in Portland, Oreg.; as Associate Solicitor for Water and Power of the Department of the Interior, and as Legislative Counsel of the Department of the Interior.

Mr. Hogan is married and has three daughters. The Hogans reside in Bethesda, Md.

NOTE: The announcement was released in San Clemente, Calif.

THE PRESIDENT'S NEWS CONFERENCE OF AUGUST 22, 1973

Held at the Western White House

SECRETARY OF STATE

THE PRESIDENT. Ladies and gentlemen, I have an announcement before going to your questions.

It is with the deep sense of not only official regret, but personal regret, that I announce the resignation of Secretary of State William Rogers, effective September 3. A letter, which will be released to the press after this conference, will indicate my appraisal of his work as Secretary of State.¹

I will simply say at this time that he wanted to leave at the conclusion of the first 4 years. He agreed to stay on because we had some enormously important problems coming up, including the negotiations which resulted in the end of the war in Vietnam, the Soviet summit, the European Security Conference, as well as in other areas—Latin America and in Asia—where the Secretary of State, as you know, has been quite busy over these past 8 months.

As he returns to private life, we will not only miss him, in terms of his official service, but I shall particularly miss him because of his having been, through the years, a very close personal friend and adviser.

That personal friendship and advice, however, I hope still to have the benefit of, and I know that I will.

¹ For an exchange of letters between the President and Secretary of State Rogers, see page 1025 of this issue.

As his successor, I shall nominate, and send to the Senate for confirmation, the name of Dr. Henry Kissinger. Dr. Kissinger will become Secretary of State, assume the duties of the office after he is confirmed by the Senate. I trust the Senate will move expeditiously on the confirmation hearings because there are a number of matters of very great importance that are coming up.

There are, for example, some matters that might even involve some foreign travel by Dr. Kissinger that will have to be delayed in the event that the Senate hearings are delayed.

Dr. Kissinger's qualifications for this post, I think, are well known by all of you ladies and gentlemen, as well as those looking to us and listening to us on television and radio.

He will retain the position, after he becomes Secretary of State, of Assistant to the President for National Security Affairs. In other words, he will have somewhat a parallel relationship to the White House which George Shultz has. George Shultz, as you know, is Secretary of the Treasury, but is also an Assistant to the President in the field of economic affairs.

The purpose of this arrangement is to have a closer coordination between the White House and the departments, and in this case, between the White House, the national security affairs, the NSC, and the State Department, which carries a major load in this area.

And also, another purpose is to get the work out in the departments where it belongs, and I believe that this change in this respect, with Dr. Kissinger moving in as Secretary of State and still retaining the position as Assistant to the President for National Security Affairs, will serve the interest not only of coordination but also of the interests of an effective foreign policy.

I will simply say, finally, with regard to Secretary Rogers, that he can look back on what I think, and I suppose it is a self-serving statement but I will say it about him rather than about myself, at the moment one of the most successful eras of foreign policy in any administration in history—an era in which we ended a war, the longest war in America's history; an era, in addition, in which we began to build a structure of peace, particularly involving the two great powers, the People's Republic of China and the Soviet Union, where before there had been nothing but ugly and, at some times, very, very difficult confrontation.

We still have a long way to go. There are trouble spots in the area of the Mideast, others—Southeast Asia, which we could go into in detail.

But as Secretary Rogers looks back on his years—4½ years of service as Secretary of State—he can be very proud that he was one of the major architects of what I think was a very successful foreign policy.

And now, we will go to the questions. I think AP, Miss Lewine, has the first question.

QUESTIONS

THE WATERGATE INVESTIGATION

Q. Mr. President, on Watergate, you have said that disclosure of the tapes could jeopardize and cripple the

functions of the Presidency. Question: If disclosure carries such a risk, why did you make the tapes in the first place, and what is your reaction to surveys that show three out of four Americans believe you were wrong to make the tapes?

THE PRESIDENT. Well, with regard to the questions as to why Americans feel we were wrong to make the tapes, that is not particularly surprising. I think that most Americans do not like the idea of the taping of conversations, and frankly, it is not something that particularly appeals to me.

As a matter of fact, that is why, when I arrived in the White House and saw this rather complex situation set up where there was a taping capacity, not only in the President's office, the room outside of his office, but also in the Cabinet Room, and at Camp David, and in other areas that I had the entire system dismantled.

It was put into place again in June of 1970 (1971) because my advisers felt it was important in terms particularly of national security affairs to have a record for future years that would be an accurate one, but a record which would only be disclosed at the discretion of the President, or according to directives that he would set forth.

As you know, of course, this kind of capability not only existed during the Johnson Administration, it also existed in the Kennedy Administration, and I can see why both President Johnson and President Kennedy did have the capability because—not because they wanted to infringe upon the privacy of anybody, but because they felt that they had some obligation, particularly in the field of foreign policy and some domestic areas, to have a record that would be accurate.

As far as I am concerned, we now do not have that capability, and I am just as happy that we don't. As a matter of fact, I have a practice, whenever I am not too tired at night, of dictating my own recollections of the day. I think that perhaps will be the more accurate record of history in the end.

I think we go to the UP now, and then we will come to the television.

Q. Mr. President, on July 6, 1972, you were warned by Patrick Gray that you were being mortally wounded by some of your top aides. Can you explain why you did not ask who they were, why, what was going on?

THE PRESIDENT. Well, in the telephone conversation that you refer to that has been, of course, quite widely reported in the press, as well as on television, Mr. Gray said that he was concerned that as far as the investigation that he had responsibility for, that some of my top aides were not cooperating.

Whether the term was used as "mortally wounded" or not, I don't know. Some believe that it was, some believe that it was not, that is irrelevant. He could have said that.

The main point was, however, I asked him whether or not he had discussed this matter with General Walters because I knew that there had been meetings between General Walters, representing the CIA, to be sure that the CIA did not become involved in the investigation, and between the Director of the FBI.

He said that he had. He told me that General Walters agreed that the investigation should be pursued, and I

told him to go forward with a full press on the investigation to which he has so testified.

It seemed to me that with that kind of a directive to Mr. Gray, that that was adequate for the purpose of carrying out the responsibilities.

As far as the individuals were concerned, I assume that the individuals that he was referring to involved this operation with the CIA. That is why I asked him the Walters question. When he cleared that up, he went forward with the investigation, and he must have thought it was a very good investigation because when I sent his name down to the Senate for confirmation the next year, I asked him about his investigation. He said he was very proud of it. He said it was the most thorough investigation that had ever taken place since the assassination of President Kennedy, that he could defend it with enthusiasm, and that under the circumstances, therefore, he had carried out the directive that I had given him on July 6.

So, there was no question about Mr. Gray having direct orders from the President to carry out an investigation that was thorough.

Mr. Jarriel.

Q. Mr. President, Assistant Attorney General Henry Petersen has testified that on April 15 of this year he met with you and warned you at that time there might be enough evidence to warrant indictments against three of your top aides, Messrs. Ehrlichman, Haldeman, and Dean. You accepted their resignations on April 30, calling Mr. Haldeman and Mr. Ehrlichman two of the finest public servants you had known. After that you permitted Mr. Haldeman, after he had left the White House, to hear confidential tapes of conversations you had had in your office with Mr. Dean. My question is, why did you permit a man who you knew might be indicted to hear those tapes which you now will not permit the American public or the Federal prosecutors handling the case to listen to?

THE PRESIDENT. The only tape that has been referred to, that Mr. Haldeman has listened to, he listened to at my request, and he listened to that tape—that was the one on September 15, Mr. Jarriel—because he had been present and was there. I asked him to listen to it in order to be sure that as far as any allegations that had been made by Mr. Dean with regard to that conversation is concerned, I wanted to be sure that we were absolutely correct in our response. That is all he listened to. He did not listen to any tapes in which only Mr. Dean and I participated. He listened only to the tape on September 15—this is after he left office—in which he had participated in the conversation throughout.

Q. Mr. President, one of the lingering doubts about your denial of any involvement is concerning your failure to make the tapes available either to the Senate committee or the Special Prosecutor. You have made it perfectly clear you don't intend to release those tapes.

THE PRESIDENT. Perfectly clear?

Q. Perfectly clear. But is there any way that you could have some group listen to tapes and give a report so that that might satisfy the public mind?

THE PRESIDENT. I don't believe, first, it would satisfy the public mind, and it should not. The second point is that as Mr. Wright, who argued the case, I understand very well, before Judge Sirica this morning, has indicated, to have the tapes listened to—he indicated this also in his brief—either by a prosecutor or by a judge or *in camera*, or in any way, would violate the principle of confidentiality, and I believe he is correct. That is why we are standing firm on the proposition that we will not agree to the Senate committee's desire to have, for example, its chief investigator listen to the tapes, or the Special Prosecutor's desire to hear the tapes, and also why we will oppose, as Mr. Wright did in his argument this morning, any compromise of the principle of confidentiality.

Let me explain very carefully that the principle of confidentiality either exists or it does not exist. Once it is compromised, once it is known that a conversation that is held with the President can be subject to a subpoena by a Senate committee, by a grand jury, by a prosecutor, and be listened to by anyone, the principle of confidentiality is thereby irreparably damaged. Incidentally, let me say that now that tapes are no longer being made, I suppose it could be argued that, what difference does it make now, now that these tapes are also in the past. What is involved here is not only the tapes; what is involved, as you ladies and gentlemen well know, is the request on the part of the Senate committee and the Special Prosecutor, as well, that we turn over Presidential papers, in other words, the records of conversations with the President made by his associates. Those papers, and the tapes as well, cannot be turned over without breaching the principle of confidentiality. It was President Truman that made that argument very effectively in his letter to a Senate committee, or his response to a Congressional committee, a House committee it was, in 1953, when they asked him to turn over his papers. So whether it is a paper or whether it is a tape, what we have to bear in mind is that for a President to conduct the affairs of this office and conduct them effectively, he must be able to do so with the principle of confidentiality intact. Otherwise, the individuals who come to talk to him, whether it is his advisers, or whether it is a visitor in the domestic field, or whether it is someone in a foreign field, will always be speaking in a eunuch-like way, rather than laying it on the line as it has to be laid on the line if you are going to have the creative kind of discussion that we have often had, and it has been responsible for some of our successes in the foreign policy period, particularly in the past few years.

Q. Mr. President, could you tell us who you personally talked to in directing that investigations be made both in June of '72, shortly after the Watergate incident, and last March 21, when you got new evidence and ordered a more intensive investigation?

THE PRESIDENT. Certainly. In June, I, of course, talked to Mr. MacGregor first of all, who was the new chairman of the committee. He told me that he would conduct a thorough investigation as far as his entire com-

mittee staff was concerned. Apparently that investigation was very effective except for Mr. Magruder, who stayed on. But Mr. MacGregor does not have to assume responsibility for that. I say not responsibility for it because basically what happened there was that he believed Mr. Magruder, and many others have believed him, too. He proved, however, to be wrong.

In the White House, the investigation's responsibility was given to Mr. Ehrlichman at the highest level, and in turn he delegated them to Mr. Dean, the White House Counsel, something of which I was aware, and of which I approved.

Mr. Dean, as White House Counsel, therefore sat in on the FBI interrogations of the members of the White House Staff because what I wanted to know was whether any member of the White House Staff was in any way involved. If he was involved, he would be fired. And when we met on September 15, and again throughout our discussions in the month of March, Mr. Dean insisted that there was not—and I use his words—"a scintilla of evidence" indicating that anyone on the White House Staff was involved in the planning of the Watergate break-in.

Now, in terms of after March 21, Mr. Dean first was given the responsibility to write his own report, but I did not rest it there. I also had a contact made with the Attorney General himself, Attorney General Kleindienst, told him—it was on the 27th of March—to report to me directly anything that he found in this particular area, and I gave the responsibility to Mr. Ehrlichman on the 29th of March to continue the investigation that Mr. Dean was unable to conclude, having spent a week at Camp David and unable to finish the report.

Mr. Ehrlichman questioned a number of people in that period at my direction, including Mr. Mitchell, and I should also point out that as far as my own activities were concerned, I was not leaving it just to them. I met at great length with Mr. Ehrlichman, Mr. Haldeman, Mr. Dean and Mr. Mitchell on the 22d. I discussed the whole matter with them. I kept pressing for the view that I had had throughout, that we must get this story out, get the truth out, whatever and whoever it is going to hurt, and it was there that Mr. Mitchell suggested that all the individuals involved in the White House appear in an executive session before the Ervin committee. We never got that far, but at least that is an indication of the extent of my own investigation.

Q. Mr. President, you have said repeatedly that you tried to get all the facts, and just now you mentioned the March 22 meeting. Yet former Attorney General John Mitchell said that if you had ever asked him at any time about the Watergate matter, he would have told you the whole story, chapter and verse. Was Mr. Mitchell not speaking the truth when he said that before the committee?

THE PRESIDENT. Now, Mr. Lisagor, I am not going to question Mr. Mitchell's veracity, and I will only say that throughout I had confidence in Mr. Mitchell. Mr. Mitch-

ell, in a telephone call that I had with him immediately after it occurred, expressed great chagrin that he had not run a tight enough shop, and that some of the boys, as he called them, got involved in this kind of activity, which he knew to be very, very embarrassing, apart from its illegality, to the campaign. Throughout I would have expected Mr. Mitchell to tell me in the event that he was involved or that anybody else was. He did not tell me. I don't blame him for not telling me. He has given his reasons for not telling me. I regret that he did not, because he is exactly right. Had he told me, I would have blown my stack, just as I did at Ziegler the other day. *[Laughter]*

Q. Mr. President, I wonder, sir, how much personal blame, to what degree of personal blame do you accept for the climate in the White House, and at the reelection committee, for the abuses of Watergate?

THE PRESIDENT. I accept it all.

Q. Mr. President, I want to state this question with due respect to your office, but also as directly as possible.

THE PRESIDENT. That would be unusual. *[Laughter]*

Q. I would like to think not. It concerns—

THE PRESIDENT. You are always respectful, Mr. Rather. You know that.

Q. Thank you, Mr. President. It concerns the events surrounding Mr. Ehrlichman's contact, and on one occasion your own contact with the judge in the Pentagon Papers case, Judge Byrne.

THE PRESIDENT. Yes.

Q. As I understand your own explanation of events and putting together your statement with Mr. Ehrlichman's testimony, and what Judge Byrne has said, what happened here is that sometime late in March, March 17, I believe you said, you first found out about the break-in at the psychiatrist's office of Mr. Ellsberg, that you asked to have that looked into, and that you later, I think in late April, instructed Attorney General Kleindienst to inform the judge.

Now, my question is this. If while the Pentagon Papers trial was going on, Mr. Ehrlichman secretly met once with the judge in that case, you secretly met another time the judge with Mr. Ehrlichman. Now, you are a lawyer, and given the state of the situation and what you knew, could you give us some reason why the American people should not believe that that was at least a subtle attempt to bribe the judge in that case, and it gave at least the appearance of a lack of moral leadership?

THE PRESIDENT. Well, I would say the only part of your statement that is perhaps accurate is that I am a lawyer. Now, beyond that, Mr. Rather, let me say that with regard to the secret meeting that we had with the judge, as he said, I met with the judge briefly—after all, I had appointed him to the position—I met him for perhaps one minute outside my door here in full view of the whole White House Staff, and everybody else who wanted to see. I asked him how he liked his job, we did not discuss the case, and he went on for his meeting with Mr. Ehrlichman.

Now, why did the meeting with Mr. Ehrlichman take place? Because we had determined that Mr. Gray could not be confirmed, as you will recall. We were on a search for a Director of the FBI. Mr. Kleindienst had been here, and I asked him what he would recommend with regard to a Director, and I laid down certain qualifications.

I said I wanted a man preferably with FBI experience, and preferably with prosecutor's experience, and preferably, if possible, a Democrat so that we would have no problem on confirmation. He said, "The man for the job is Byrne." He said, "He is the best man." I said, "Would you recommend him?" He said, "Yes."

Under those circumstances then, Mr. Ehrlichman called Mr. Byrne. He said: Under no circumstances will we talk to you—he, Ehrlichman, will talk to you—if he felt that it would in any way compromise his handling of the Ellsberg case.

Judge Byrne made the decision that he would talk to Mr. Ehrlichman, and he did talk to him privately, here. And on that occasion, he talked to him privately, the case was not discussed at all—only the question of whether or not, at the conclusion of this case, Mr. Byrne would like to be considered as Director of the FBI.

I understand, incidentally, that he told Mr. Ehrlichman that he would be interested. Of course, the way the things broke eventually, we found another name with somewhat the same qualifications, although, in this case, not a judge. In this case, a chief of police with former FBI experience.

Now, with regard to the Ellsberg break-in, let me explain that in terms of that, I discussed that on the telephone with Mr. Henry Petersen on the 18th of April. It was on the 18th of April that I learned that the grand jury was going away from some of its Watergate investigation and moving into national security areas.

I told Mr. Petersen at that time about my concern about the security areas, and particularly about the break-in as far as the Ellsberg case is concerned.

And then he asked me a very critical question, which you, as a nonlawyer will now understand, and lawyers probably will, too. He said, "Was any evidence developed out of this investigation, out of this break-in?" And I said, "No, it was a dry hole." He said, "Good."

Now, what he meant by that was that in view of the fact that no evidence was developed as a result of the break-in—which is, incidentally, illegal, unauthorized, as far as I was concerned, and completely deplorable—but since no evidence was developed, there was no requirement that it be presented to the jury that was hearing the case. That was why Mr. Petersen, a man of impeccable credentials in the law enforcement field, did not, at that time on the 18th, at a time that I told him what I had known about the Ellsberg break-in, say, "Let's present it then to the grand jury," because nothing had been accomplished, nothing had been obtained that would taint the case.

It was approximately 10 days later that Mr. Kleindienst came in and said that, after a review of the situation in the prosecutor's office in Washington, in which Mr. Petersen

had also participated, that they believed that it was best that we bend over backwards in this case and send this record of the Ellsberg break-in, even though there was no evidence obtained from it that could have affected the jury one way or another, send it to the judge.

When they made that recommendation to me, I directed that it be done, instantly. It was done. Incidentally, the prosecutor argued this case just the way that I have argued it to you, and whether or not it had an effect on the eventual outcome, I do not know.

At least, as far as we know, Mr. Ellsberg went free, this being one of the factors, but that is the explanation of what happened and, obviously, you, in your commentary tonight, can attach anything you want to it.

I hope you will be just as fair and objective as I try to be in giving you the answer.

VICE PRESIDENT AGNEW

Q. Mr. President, what is the state of your confidence in your Vice President at this point in time?

THE PRESIDENT. I have noted some press speculation to the effect that I have not expressed confidence in the Vice President, and, therefore, I welcome this question because I want to set the record straight. I had confidence in the integrity of the Vice President when I selected him as Vice President when very few knew him, as you may recall back in 1968—knew him nationally. My confidence in his integrity has not been shaken, and, in fact, it has been strengthened by his courageous conduct and his ability even though he is controversial at times, as I am, over the past 4½ years. So I have confidence in the integrity of the Vice President and particularly in the performance of the duties that he has had as Vice President and as a candidate for Vice President.

Now obviously the question arises as to charges that have been made about activities that occurred before he became Vice President. He would consider it improper—I would consider it improper—for me to comment on these charges, and I shall not do so. But I will make a comment on another subject that I think needs to be commented upon and that is the outrageous leak of information from either the grand jury, or the prosecutors, or the Department of Justice or all three, and, incidentally, I am not going to put the responsibility on all three until I learn from the Attorney General who at my request is making a full investigation of this at the present time—I am not going to put the responsibility, but the leak of information with regard to charges that have been made against the Vice President and leaking them all in the press.

Convicting an individual—not only trying him but convicting him—in the headlines and on television before he has had a chance to present his case in court is completely contrary to the American tradition. Even a Vice President has a right to some, shall I say, consideration in this respect let alone the ordinary individual. And I will say this, and the Attorney General I know has taken note of this fact,

any individual in the Justice Department or in the prosecutor's office who is in the employ of the United States who has leaked information in this case to the press or to anybody else will be summarily dismissed from government service. That is how strongly I feel about it, and I feel that way because I would make this ruling whether it was the Vice President or any individual.

We have to remember that a hearing before a grand jury and that determination in the American process is one that is supposed to be in confidence, is supposed to be in secret, because all kinds of charges are made which will not stand up in open court and it is only when the case gets to open court that the press and the TV have a right to cover it—well, they have a right to cover it, but I mean have a right it seems to me to give such broad coverage to the charges.

FURTHER WATERGATE QUESTIONS

Q. Mr. President, at any time during the Watergate crisis did you ever consider resigning and would you consider resigning if you felt that your capacity to govern had been seriously weakened, and in that connection how much do you think your capacity to govern has been weakened?

THE PRESIDENT. The answer to the first two questions is no, the answer to the third question is that it is true that as far as the capacity to govern is concerned that to be under a constant barrage—12 to 15 minutes a night on each of the three major networks for 4 months—tends to raise some questions in the people's mind with regard to the President, and it may raise some questions with regard to the capacity to govern. But I also know this. I was elected to do a job. Watergate is an episode that I deeply deplore, and had I been running the campaign rather than trying to run the country and particularly the foreign policy of this country at this time it would never have happened, but that is water under the bridge, it is gone now.

The point that I make now is that we are proceeding as best we know how to get all those guilty brought to justice in Watergate. But now we must move on from Watergate to the business of the people, and the business of the people is continuing with initiatives we began in the first Administration.

Q. Mr. President.

THE PRESIDENT. Just a moment.

We have had 30 minutes of this press conference. I have yet to have, for example, one question on the business of the people, which shows you how we are consumed with this. I am not criticizing the members of the press because you naturally are very interested in this issue, but let me tell you years from now people are going to perhaps be interested in what happened in terms of the efforts of the United States to build a structure of peace in the world. They are perhaps going to be interested in the efforts of this Administration to have a kind of prosperity that we

have not had since 1955—that is, prosperity without war and without inflation—because throughout the Kennedy years and throughout the Johnson years whatever prosperity we had was at the cost of either inflation or war or both. I don't say that critically of them, I am simply saying we have got to do better than that.

Now our goal is to move forward then, to move forward to build a structure of peace. And when you say, do I consider resigning, the answer is no, I shall not resign. I have 3½ years to go or almost 3½ years, and I am going to use every day of those 3½ years trying to get the people of the United States to recognize that whatever mistakes we have made that in the long run this Administration by making this world safer for their children and this Administration by making their lives better at home for themselves and their children deserves high marks rather than low marks. Now whether I succeed or not, we can judge then.

Q. Mr. President.

THE PRESIDENT. We always have to have Mr. Deakin for one.

Q. As long as we are on the subject of the American tradition and following up Mr. Rather's question, what was authorized, even if the burglary of Dr. Fielding's office was not, what was authorized was the 1970 plan which by your own description permitted illegal acts, illegal breaking and entering, mail surveillance and the like.

Now under the Constitution you swore an oath to execute the laws of the United States faithfully. If you were serving in Congress, would you not be considering impeachment proceedings and discussing impeachment possibility against an elected public official who had violated his oath of office?

THE PRESIDENT. I would if I had violated the oath of office. I would also, however, refer you to the recent decision of the Supreme Court or at least an opinion that even last year which indicates inherent power in the Presidency to protect the national security in cases like this. I should also point out to you that in the 3 Kennedy years and the 3 Johnson years through 1966, when burglarizing of this type did take place, when it was authorized on a very large scale, there was no talk of impeachment and it was quite well known.

I shall also point out that when you ladies and gentlemen indicate your great interest in wiretaps, and I understand that, that the height of the wiretaps was when Robert Kennedy was Attorney General in 1963. I don't criticize it, however. He had over 250 in 1963, and of course the average in the Eisenhower Administration and the Nixon Administration is about 110. But if he had had ten more and as a result of wiretaps had been able to discover the Oswald plan, it would have been worth it.

So I will go to another question.

Q. Mr. President, do you still consider Haldeman and Ehrlichman two of the finest public servants you have ever known?

THE PRESIDENT. I certainly do. I look upon public servants as men who have got to be judged by their entire record, not by simply parts of it. Mr. Ehrlichman and Mr. Haldeman, for 4½ years, have served with great distinction, with great dedication, and like everybody in this deplorable Watergate business, at great personal sacrifice and with no personal gain.

We admit the scandalous conduct. Thank God there has been no personal gain involved. That would be going much too far, I suppose.

But the point that I make with regard to Mr. Haldeman and Mr. Ehrlichman is that I think, too, that as all the facts come out, that—and when they have an opportunity to have their case heard in court and not simply to be tried before a committee, and tried in the press, and tried in television—they will be exonerated.

Mr. Horner.

Q. Mr. President, could you tell us your recollection of what you told John Dean on March 21 on the subject of raising funds for the Watergate defendants?

THE PRESIDENT. Certainly. Mr. Haldeman has testified to that, and his statement is accurate. Basically, what Mr. Dean was concerned about on March 21 was not so much the raising of money for the defendants, but the raising of money for the defendants for the purpose of keeping them still—in other words, so-called hush money. The one would be legal—in other words, raising a defense fund for any group, any individual, as you know, is perfectly legal and it is done all the time. But if you raise funds for the purpose of keeping an individual from talking, that is obstruction of justice.

Mr. Dean said also on March 21 that there was an attempt, as he put it, to blackmail the White House, to blackmail the White House by one of the defendants. Incidentally, that defendant has denied it, but at least this was what Mr. Dean had claimed, and that unless certain amounts of money were paid, I think it was \$120,000 for attorneys fees and other support, that this particular defendant would make a statement, not with regard to Watergate, but with regard to some national security matters in which Mr. Ehrlichman had particular responsibility.

My reaction, very briefly, was this: I said, as you look at this, I said, "Isn't it quite obvious, first, that if it is going to have any chance to succeed, that these individuals aren't going to sit there in jail for 4 years? They are going to have clemency; isn't that correct?"

He said, "Yes." I said, "We can't give clemency." He agreed. Then, I went to another point. I said, "The second point is that isn't it also quite obvious, as far as this is concerned, that while we could raise the money"—and he indicated in answer to my question, it would probably take a million dollars over 4 years to take care of this defendant, and others, on this kind of basis—the problem was, how do you get the money to them, and also, how do you get around the problem of clemency, because they are not

going to stay in jail simply because their families are being taken care of. And so, that was why I concluded, as Mr. Haldeman recalls perhaps, and did testify very effectively, one, when I said, "John, it is wrong, it won't work. We can't give clemency and we have got to get this story out. And therefore, I direct you, and I direct Haldeman, and I direct Ehrlichman, and I direct Mitchell to get together tomorrow and then meet with me as to how we get this story out."

And that is how the meeting on the 22d took place.

Q. Mr. President, earlier in the news conference you said that you gave Mr. Haldeman the right to listen to one tape because you wanted to be sure that "we are correct." I think I am quoting you correctly.

Now, you have indicated that you still feel that Mr. Haldeman and Mr. Ehrlichman are two of the finest public servants that you have ever known. You have met with their lawyer at least twice that we know of. Are you and Mr. Haldeman and Mr. Ehrlichman coordinating their and your defense and, if so, why?

THE PRESIDENT. No, no, as far as my defense is concerned; I make it myself. As far as their defense is concerned, their lawyer has demonstrated very well before the committee that he can handle it very well without any assistance from me.

Mr. Theis.

THE VICE PRESIDENT

Q. Mr. President, a follow-up question on the Agnew situation, you have said in the past that any White House official who was indicted would be suspended and that anyone convicted would be dismissed. Should Vice President Agnew be indicted, would you expect him to resign or somehow otherwise stand down temporarily until cleared?

THE PRESIDENT. Now, Mr. Theis, that is a perfectly natural question and one that any good newsman, as you are, would ask. But, as you know, it is one that it would be most inappropriate for me to comment upon. The Vice President has not been indicted, charges have been thrown out by innuendo and otherwise, which he has denied to me personally and which he has denied publicly. And to talk about indictment and to talk about resignation, even now—I am not questioning your right to ask the question, understand—but for me to talk about it would be totally inappropriate and I make no comment in answer to that question.

I am going to take the big man. [Laughter]

Q. [Clark R. Mollenhoff, Des Moines Register and Tribune] Thank you, Mr. President.

THE PRESIDENT. I know my troubles if I don't take him—or if I do. [Laughter]

EXECUTIVE PRIVILEGE

Q. Mr. President, looking to the future on executive privilege, there are a couple of questions that come to mind—

THE PRESIDENT. I thought we got past that, Clark; that was a year ago.

Q. But we have the future—

THE PRESIDENT. All right, fine.

Q. Where is the check on authoritarianism by the executive if the President is to be the sole judge of what the executive branch makes available and suppresses? And will you obey a Supreme Court order if you are asked and directed to produce the tapes or other documents for the Senate committee or for the Special Prosecutor? And, if this is not enough—[laughter]—is there any limitation on the President, short of impeachment, to compel the production of evidence of a criminal nature?

THE PRESIDENT. Is there anything else?

Q. No, I think that would be enough. [Laughter]

THE PRESIDENT. No, I was not being facetious but I realize it is a complicated question. The answer to the first question is that the limitation on the President in almost all fields like this is, of course, the limitation of public opinion, and, of course, Congressional and other pressures that may arise. As far as executive privilege is concerned in the Watergate matter and, I must say, the ITT file and so forth, that this Administration has, I think, gone further in terms of waiving executive privilege than any Administration in my memory, certainly a lot further than Mr. Truman was willing to go when I was on the other side, as you recall, urging that he waive executive privilege.

Now, with regard to what the Supreme Court will do or say, the White House Press Secretary, Assistant Press Secretary, Mr. Warren, has responded to that already. I won't go beyond that, and particularly I won't make any statement on that at this time while the matter is still being considered by Judge Sirica. I understand his decision will come down on Wednesday, and then we will make a determination. But as far as the statement that Mr. Warren has made with regard to the President's position of complying with a definitive order of the Supreme Court is concerned, that statement stands.

WATERGATE

Q. Sir, last week in your speech you referred to those who would exploit Watergate to keep you from doing your job. Could you specifically detail who "those" are?

THE PRESIDENT. I would suggest that where the shoe fits, people should wear it. I would think that some political figures, some members of the press, perhaps, some members of the television, perhaps would exploit it. I don't impute, interestingly enough, motives, however, that are improper because here is what is involved. There are a great number of people in this country that would prefer that I resign. There are a great number of people in this country that didn't accept the mandate of 1972. After all, I know that most of the members of the press corps were not enthusiastic, and I understand that, about either my election in '68 or '72. That is not unusual.

Frankly, if I had always followed what the press predicted or the polls predicted, I would have never been elected President. But what I am saying is this, people who did not accept the mandate of '72, who do not want the strong America that I want to build, who do not want the foreign policy leadership that I want to give, who do not want to cut down the size of this government bureaucracy that burdens us so greatly and to give more of our government back to the people, people who do not want these things, naturally, would exploit any issue, if it weren't Watergate, anything else, in order to keep the President from doing his job.

And so I say I impute no improper motives to them, I think they would prefer that I fail. On the other hand, I am not going to fail, I am here to do a job, and I am going to do the best I can, and I am sure the fair-minded members of this press corps—and that is most of you—will report when I do well, and I am sure you will report when I do badly.

WIRETAPS

Q. Mr. President, you recently suggested today that if the late Robert Kennedy had initiated ten more wiretaps he would have been able to discover the Oswald plan, as you described it, and thereby presumably prevent the assassination of President Kennedy.

THE PRESIDENT. Let me correct you, sir. I want to be sure that the assumption is correct. I said if ten more wiretaps could have found the conspiracy, if it was a conspiracy, or the individual, then it would have been worth it. As far as I am concerned, I am no more of an expert on that assassination than anybody else, but my point is that wiretaps in the national security area were very high in the Kennedy Administration for a very good reason; because there were many threats on the President's life, because there were national security problems, and that is why that in that period of 1961 to '63, there were wiretaps on news organizations, on news people, on civil rights leaders, and on other people. And I think they were perfectly justified, and I am sure that President Kennedy and his brother, Robert Kennedy, would never have authorized them, as I would never have authorized them, unless he thought they were in the national interest.

Q. Do you think then that threats to assassinate the President merit more national security wiretaps particularly?

THE PRESIDENT. No. No, as far as I am concerned, I was only suggesting that in terms of those times—of those times—to have the Oswald thing happen just seemed so unbelievable. With his record—with his record—that with everything that everybody had on him, that that fellow could have been where he was in a position to shoot the

President of the United States, seems to me to have been a terrible breakdown in our protective security areas.

I would like to say, however, that as far as protection generally is concerned, I don't like it, and my family does not like it. Both of my daughters would prefer to have no Secret Service. I discussed it with the Secret Service. They say they have too many threats, and so they have to have it. My wife does not want to have Secret Service, and I would prefer, and I recommended this just 3 days ago, to cut my detail by one third, because I noticed there were criticisms of how much the Secret Service is spending.

Let me say that we always are going to have threats against the President, but I frankly think that one man probably is as good against a threat as a hundred. That is my view, but my view does not happen to be in a majority there, and it does not happen to agree with the Congress—so I will still have a great number of Secret Service around me, more than I want, more than my family wants.

WATERGATE INVESTIGATION

Q. Mr. President, during March and April, you received from your staff on several occasions information about criminal wrongdoing and some indication that members of your staff might have been involved. My question, sir, is why didn't you turn this information over immediately to the prosecutors instead of having your own staff continue to make these investigations?

THE PRESIDENT. Well, for the very obvious reason that in March, for example, the man that was in constant contact with the prosecutors was my Counsel, Mr. Dean. Mr. Dean was talking to Mr. Petersen. I assumed that anything he was telling me he was telling the prosecutors. And in April, after Mr. Dean left the investigation, Mr. Ehrlichman was in charge. I would assume, and incidentally, Mr. Ehrlichman did talk to Mr. Kleindienst. That is why it was done that way. The President does not pick up the phone and call the Attorney General every time something comes up on a matter; he depends on his Counsel or whoever he has given the job to—or he has given that assignment to to do the job. And that is what I expected in this instance.

U.S. BOMBING OF CAMBODIA

Q. Mr. President, in your Cambodian invasion speech of April 1970, you reported to the American people that the United States had been strictly observing the neutrality of Cambodia. I am wondering if you in light of what we now know, that there were 15 months of bombing of Cambodia previous to your statement, whether you owe an apology to the American people?

THE PRESIDENT. Certainly not, and certainly not to the Cambodian people, because as far as this area is concerned, the area of approximately 10 miles, which was bombed during this period, no Cambodians had been in

it for years. It was totally occupied by the North Vietnamese Communists. They were using this area for the purpose of attacking and killing American Marines and soldiers by the thousands. The bombing took place against those North Vietnamese forces in enemy-occupied territory, and as far as the American people are concerned, I think the American people are very thankful that the President ordered what was necessary to save the lives of their men and shorten this war which he found when he got here, and which he ended.

HELEN THOMAS (UPI). Thank you, Mr. President.

NOTE: President Nixon's thirty-second news conference was held at 11:30 a.m., P.d.t., on Wednesday, August 22, 1973, on the grounds of the Western White House at San Clemente, Calif. It was broadcast live on radio and television.

I believe, and I know you believe, can at long last produce a structure of peace in the world that will endure long into the future, and that will make it possible for differences among nations to be settled at the negotiating table rather than on the battlefield. This is an achievement of which you should be immensely proud, just as I am immensely proud of the vital contribution you have made to it.

Not only in foreign policy, but also on the wide range of other issues on which I have sought your advice, it has always been given with candor and courage and with exceptional insight. I have appreciated this greatly, and the Nation is much the better for your service—service which I know has been at great personal sacrifice.

Pat joins me in wishing you and Adele the very best in the years ahead, and in trusting that we will continue to see both of you often.

With warmest regards,

Sincerely,

RICHARD NIXON

Secretary of State

Exchange of Letters Between the President and William P. Rogers on Mr. Rogers' Resignation. August 22, 1973

August 20, 1973

Dear Bill:

It is with the greatest reluctance and regret that I accept your resignation as Secretary of State.

I cannot do so without thinking back gratefully on our quarter century of close personal friendship, on the battles we have fought together and the crises we have weathered together, and on your unwavering good spirits, good judgment and good sense.

I vividly recall that you were the first person I turned to for advice and counsel after receiving the terrible news of President Eisenhower's heart attack in 1955, and I recall how much your calm, reasoned encouragement meant to me as I sought to do what was right in the course of that ordeal. But that was only one of many times, before and since, when I have instinctively turned to you for advice and relied heavily on your judgment at those critical moments that are the truest test not only of an associate's friendship, but also of his character.

Few men have given so much of themselves to their country as you have, with your eight years of distinguished service as Deputy Attorney General and Attorney General in President Eisenhower's Administration, and now having carried the heavy responsibilities of Secretary of State for four and a half years at a particularly crucial time in the evolution of the Nation's foreign policies. Throughout, your service has been completely dedicated and completely selfless. The Nation owes you an enormous debt of gratitude.

As Secretary of State, you have represented this country abroad with great skill. You have played an historic role in the formulation and execution of those policies which

August 16, 1973

Dear Mr. President:

I herewith submit my resignation as Secretary of State effective September 3, 1973.

Because of our personal friendship which has extended over such a long period of time I take this action with a bit of sadness. You will recall, though, that when I accepted the post I did it with a firm resolve to return to the private practice of the law at the end of your first term of office. However, because of several pressing matters, particularly the closing phase of our involvement in the war in Viet-Nam, an uncertain cease-fire in the Middle East, the initial phase of the Conference on Security and Cooperation in Europe and the need for immediate attention to our relations with NATO, CENTO, Japan, South Korea and our Latin American allies it was agreed that I should stay on for awhile.

Now that the United States has ended its long war in Indochina; that the cease-fire in the Middle East has had its third anniversary; that the first phase of the Conference on Security and Cooperation in Europe has ended satisfactorily; and that our relations with our allies as well as with the Soviet Union and the People's Republic of China are on a good basis I believe the time is right for a change.

It has been a great privilege and honor to serve the nation as Secretary of State during the last four and one-half years. Under your strong and effective leadership the conduct of our foreign affairs has been marked with extraordinary success. Because of your policies, initiative and resolve, and the loyal support and assistance of many others including those in the State Department with whom I have been privileged to be associated, the world is a much more peaceful place than it was four and one-half years ago.

Under your leadership we are on the way to constructing a structure of international relationships which gives hope of providing peace and stability for future generations. It is the completion of this task especially which is so important to all mankind and which will continue to command great public support during the remainder of your term.

Please accept my thanks and deep appreciation for giving me the opportunity to serve the country during these critical and important years in our nation's history. Adele joins me in sending you and Pat our warmest personal regards.

Respectfully,

WILLIAM P. ROGERS

[The President, The White House]

NOTE: The exchange of letters was released at San Clemente, Calif. For the President's remarks upon announcing Mr. Rogers' resignation, see the preceding item.

Secretary of State

*News Conference of Dr. Henry A. Kissinger,
Assistant to the President and Secretary of
State-Designate. August 23, 1973*

MR. WARREN. Ladies and gentlemen, as you know, the President yesterday announced his intention to nominate Dr. Henry A. Kissinger to be Secretary of State.

Dr. Kissinger is here to take your questions this morning.

He will have a few observations for you and then open it up for questions.

Dr. Kissinger.

DR. KISSINGER. First, I wanted to say that the President has done me great honor to nominate me for a position that was held by such great Americans as Secretary Stimson, George Marshall, Dean Acheson, John Foster Dulles—all of whom were united in one basic approach: that the foreign policy of the United States is not a partisan matter, it concerns the whole Nation, that the future of our country transcends any particular administration.

That is the spirit in which, if the Senate confirms me, I will attempt to conduct the office of Secretary of State.

I would also like to say a few words about the outgoing Secretary of State, William Rogers. Many of you, for 4½ years, have commented about the difficult relationship between the White House Staff and the Secretary of State. And it is, of course, true—you wouldn't believe me if I said anything else—that there is an institutional problem when there is a strong White House operation and a strong Secretary of State, which is one reason why we have combined these positions now.

I would like to say on this occasion that these difficulties which are inherent in the arrangement were at an absolute

minimum. The Secretary of State has conducted his affairs with enormous dignity, grace, wisdom, and above all, humanity.

I had a long talk with him on the telephone yesterday, and I look forward to his continued advice and participation in a policy in which he played such a large role, in which he was perhaps more instrumental in shaping than he often received credit.

Now, let me say a few things about what is ahead. Any administration wants to leave the world better than it found it, and the most important challenge before our country in the field of foreign policy is to bring about a stable peace.

In the first term of the President, many important and some revolutionary changes were made. These required, to considerable extent, secret diplomacy, and they were conducted on a rather restricted basis. But now, we are in a different phase. The foundations that have been laid must now lead to the building of a more permanent structure. What has been started is still very tender.

If you think back, it is only 3 years that we had simultaneous crises in the Caribbean, in the Middle East, and on Berlin. It is only 2 years that we first opened relations with the People's Republic of China. And in the same period, relations with our traditional friends have undergone enormous transformation.

So, what we are going to try to do is to solidify what has been started, to put more emphasis on our relationship with Europe and with Japan, and to conclude during the term of the President the building of a structure that we can pass on to succeeding administrations so that the world will be a safer place when they take over.

Now, this requires that there will be a greater institutionalization of foreign policy than has been the case up to now. One of the challenges in going to the State Department will be the ability now to work with the great professionals in the Foreign Service who will be here after this Administration has left, and who, hopefully, will carry on the traditions that are valid, that will, by then, have been established.

It is worthwhile remembering that about 70 percent of my staff has been composed of Foreign Service officers to begin with, and, therefore, now that the entire Foreign Service can be brought more closely into the operation, we should get even more momentum behind our foreign policy.

Those who are worried whether the existing bureaucracy will be used should consult the members of my staff, and my advice to them will be to get to know their wives very well before the confirmation because afterwards they may not see as much of them as until now.

The role of the National Security Council's staff will continue to be interdepartmental. There will be a greater exchange between the State Department and the National Security Council staff personnel than has been possible up