

# Ehrlichman: I Approved

## a Covert

## Investigation . . .

Following are excerpts of testimony before the Senate select Watergate committee yesterday by John D. Ehrlichman, formerly President Nixon's top assistant for domestic affairs and, before that, counsel to the President. The excerpts begin with portions of a statement Ehrlichman read to the Senate committee and continue with questioning by the committee's staff.

Ehrlichman: Mr. Chairman, and members of the committee, at the time of my resignation (from the White House April 30, 1973) I assured the President that I intended to spend such time and personal resources as I had in the statement of the truth of these matters now before his committee.

Because I sincerely do not believe I am guilty of any wrongdoing, I have not invoked the Fifth Amendment, nor have I attempted to negotiate "immunity" for myself from anyone. . .

I am here to refute every charge of illegal conduct on my part which has been made during the course of these hearings, including material leaked to the news media. What I say here will not be new but it may be different from what you have been reading in the papers. . .

It has been repeatedly said that this is not a trial; that the committee will recommend legislation, not assess guilt or innocence. At the same time, the soundness and integrity of the President, his staff and many close associates have been impugned and directly put in issue here. Many important questions about the White House, the Presidency, and its staff system have also been asked here, but not answered. I hope and believe I can contribute a few of those answers and also perhaps some measure of perspective.

Mr. Dean began his statement with a somewhat superficial but gallery-pleasing repetition of the old story

about fear and paranoia in the Nixon White House. Why, Mr. Dean wondered, was there all that overplayed concern about hippies coming to Washington to march peacefully down Pennsylvania Avenue? Mr. Dean's explanation is simply that we were all suffering from some advanced forms of neurosis, and nothing else—some strange White House madness. He suggests he was the only sane one in the bunch. . .

I submit that on this general subject there are some realities of governmental life to be weighed in your deliberations.

From its first days the Nixon administration sought a stable peace abroad and a return of our POWs from Southeast Asia. To get these results required the President to undertake foreign policy moves and initiatives which were completely interrelated and extremely delicate. In pursuit of this result we necessarily gave earnest attention to the staffing of critical government positions with people loyal to the President's objectives. And the problems of leaks, demonstrations, bombings and terrorism, public opinion and congressional support were understandably on the President's mind.

Today the Presidency is the only place in the nation where all the conflicting considerations of domestic and international politics, economics and society

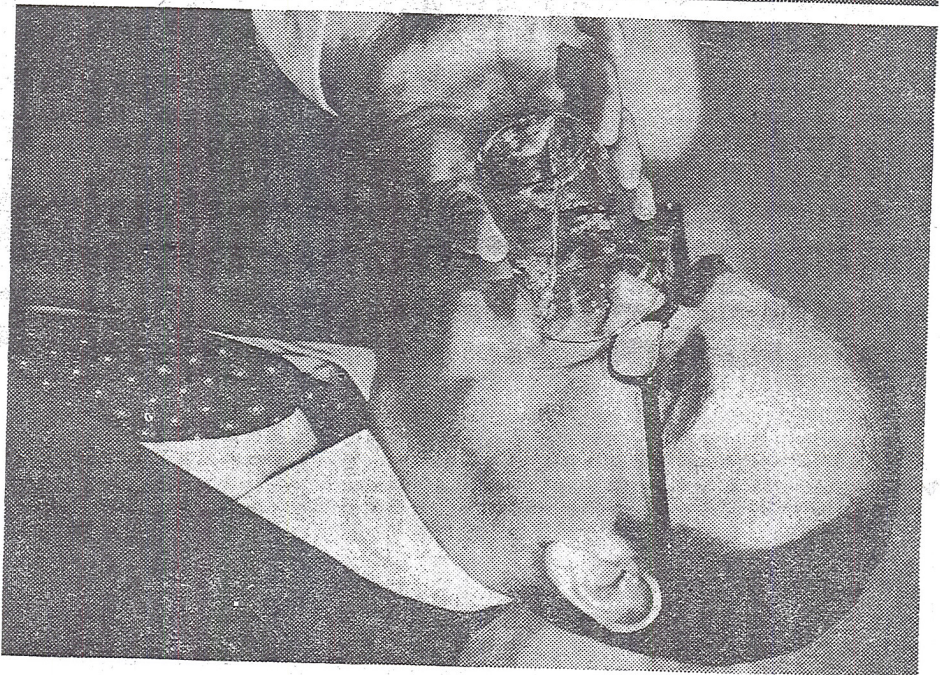
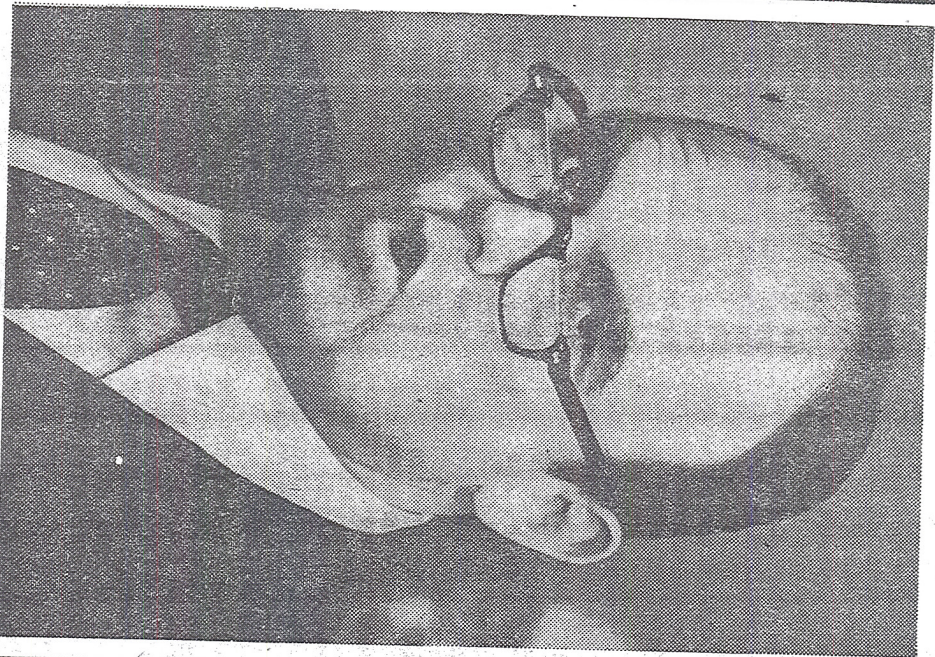
merge; it is there that street violence and civil rights and relations with Russia and their effect on China and the Cambodian military situation and a thousand other factors and events are brought together on the surface of one desk and must be resolved.

Some of these events in 1969 and 1970 included hundreds of bombings of public buildings in this country, a highly organized attempt to shut down the federal government, which you will all remember. . .

Taken as a part of an apparent campaign to force upon the President a foreign policy favorable to the North Vietnamese and their allies, these demonstrations were more than just a garden variety exercise of the First Amendment.

Just as, and because, they affected the President's ability to conduct foreign policy, they required the President's attention and concern. Had he and his staff been ignorant of the significance of such a campaign, or merely indifferent, they, that is the President and his staff, would have been subject to the proper criticism of all citizens interested in securing a stable peace in Southeast Asia and the return of our POWs.

But the President did understand these events to be important in the overall foreign policy picture and they received balanced attention along with other events and



*John Ehrlichman: left, "I'm not guilty . . ." center, "Let's be clear . . . I did not cover up anything to do with Watergate," right, a respite.*

By Frank Johnston—The Washington Post

factors ... From close observation I can testify that the President is not paranoid, weird, psychotic or the subject of demonstrators or hypersensitive to criticism ...

### Why didn't everyone know all about Watergate?

It has been my experience that, in the trial of a long lawsuit with a great number of witnesses, it becomes hard for the lawyers, witnesses, judge and jury to remember that anything else ever happened in the community back at the time of the disputed event except that event itself ...

Here is what appears to be this great big thing, a burglary, a "cover-up", "horrors" all going on, and witness after witness goes over the exquisite details of a few meetings, phone calls, memos, and conversations, day after day here. One begins to think, surely, all of this could not possibly have passed unseen by anyone of even average awareness. How, then, could people on the White House staff have failed to know all of these so obvious and often repeated and significant details, and failed to blow the whistle on the wrongdoers long before the ninth month?

John Dean said one thing in his testimony false than all the other falsehoods there, when he said:

(The Watergate) "was probably the major thing that was occurring at this point in time," meaning, in the context of Senator Baker's question in the White House between June 17 and September 15, 1972.

To demonstrate the absurdity of that important mis-statement I need only briefly develop a few facts which are perhaps a broader view of the months following June 17, 1972, than Mr. Dean is willing to take for his purposes. To this end I would like briefly to describe the White House, my experience there, and say a few things about the presidency in order to make more understandable some of the questions before you including access to the President, Mr. Dean's role and who reported to whom. And you need a clearer picture than you've had so far of

what was really going on at the White House in June, 1972, and the following months.

I do not suggest that we were all just too busy to have noticed. We did notice and we kept informed through John Dean and other sources on the assumption that he was giving us complete and accurate information.

But it is important to know that, in today's white House, there must be, and there is, a heavy delegation of responsibility and duties.

I came to the White House as counsel to the President from a private, civil law practice in Seattle, Washington. I took a substantial financial cut to come into the government. I came because the President asked me to, and because I became convinced that there was an opportunity too really accomplish things for the country by assisting him ...

Aside from being the President's liaison to the departments and agencies concerned with legal matters, the Counsel to the President is supposed to be the "conscience of the White House."

It is his job to keep a sharp eye out for wrongdoing, such as potential conflicts of interest, to insure that presidential appointees cannot put personal interest ahead of the interest of the public in governmental matters. He reviews the FBI checks of all potential ap-

pointees for such problems. He keeps abreast of legal and other questions which are before the Executive Branch, to be able to answer questions when asked by the President or his staff, he reviews documents before they go to the President for signing. In addition, he is a conduit for all kinds of miscellaneous information relating to federal law and regulatory agencies, logistical technicalities and legislation ...

The Counsel also has and has had political duties. The President is the nation's chief executive. But he is also, by long-standing tradition, his political party's leader. Any President has a political role to play, whether he is going to run for re-election or not. But if

he is a candidate, then he is both an executive and a practicing politician. Every such politician wants information. And the President, in his politician role, is no different from the others. He needs and wants information about issues, supporters, opponents and every other political subject known to man.

For the year 1969, to 1970, when I left the post of counsel, I attempted to gather some purely political information for the President, as I was expected to do. Out of real concern for the properties, I attempted to use only conventional, nongovernmental sources of information. As one might hire political aides in a political campaign, Tony Ulasewicz was hired to do this chore of information gathering. He was paid from existing Nixon political money, by check, under an appropriate employer's tax number. Among other assignments, he scouted the potential opposition for vulnerability. So far as I am aware, during my tenure as counsel, Mr. Ulasewicz conducted his assignments legally and properly in all respects.

To meaningfully answer the question, "What did the President know?" one should have a clearer picture of what the President really does ...

I am sure you ... realize the presidency has been dramatically changed in recent years by the increasing complexity of the nation's foreign and domestic problems. A domestic issue which simply could be considered and resolved by one agency head in 1935 or 1940 without involving the White House today probably involves the conflicting interest of two or three major departments of the federal government and frequently results in disputes which only the White House can resolve. For example, five or six departments today are directly concerned with important aspects of the subject of health ... There are fourteen hundred categorical grant programs administered by the Executive Branch today, compared to a third that many twenty years ago. Our concept of government's role has changed, and, with it, the

Presidency has changed qualitatively and in terms of the work load.

As this dimension and complexity has compounded, the demands and claims for the President's personal time and attention and his personal decision has steadily escalated. Jurisdictional conflicts between Cabinet officers, departments, levels of government all now find their way to the White House by some law of governmental gravity...

For example, there has been some surprise expressed here that Mr. Dean, his counsel, did not have easy entry to the President's office, to drop in to discuss the council's concerns. The

fact is that, with a senior staff of about 20, and a total staff of over 400, and given the real demands on his time, the President necessarily must operate on the basis that his staff come to him when called only, and all others did business on paper.

This last is a very important point, however. Men and women, even those considerably junior to Mr. Dean on the staff, frequently availed themselves of access to the President's evening reading via the typewritten page; important papers invariably got a full and quick response. Mr. Haldeman, Dr. Kissinger, and the rest of us seldom, if ever, saw the President unless he called for us. On the other hand, my staff and I had quick and easy access to the President's attention whenever there was a need, simply by sending in a memorandum or a message asking for a decision, or an appointment, or calling his attention to facts or events.

Mr. Dean admits he informed the President, even hourly, of some occurrences in this way. It was an open channel, and he knows it...

I should add also that, in my experience, any member of the White House staff having vital or sensitive information for the President alone could and would be seen by the President if he requested an opportunity. I know of a number of instances in which such a need was met during my

time at the White House.

In early 1970 my job had changed. I left the counsel's office and became one of the several assistants to the President. My assignment was domestic affairs and those of us working in that area were given the job of bringing to the President those domestic presidential decisions which required his attention, along with as much information, advice and opinion as we could gather from all sources, to enable him to consider an issue broadly.

We were the liaison between the President and the departments and agencies, dealing with the entire range of domestic problems as well.

The President has sent between 20 and 50 domestic legislative packages to the Congress in each year of his term... As you know, the federal budget is also an instrument of policy. Next year's budget begins in preparation the day after this year's goes to the Congress...

And then there is the Congress. The legislative packages, the budget and countless other decisions which ultimately rest with the Congress are affected by the devotion of time and attention which the President can give to their explanation and his advocacy with individual members and groups of members. A President could, I am sure, devote every waking moment to this work and still not satisfy every demand or criticism.

I have not even mentioned the President's necessary role in the area of foreign and domestic economic problems: problems of inflation, balance of payments, the relative values of currencies, import and export restrictions, the level of federal spending, and unemployment. All through my log and calendar, you will see meeting after meeting devoted to the problem of rising food prices, for instance...

As liaison to the domestic operating departments and agencies I frequently carried to them the President's expressions of criticism and suggestions for change. To the uninformed this undoubtedly would appear to create

tensions between a Cabinet secretary and me. But, actually, I think I maintained a good and frequent contact and good relations with our domestic secretaries, including the several Attorneys General, over my three years in this position. I confess I did not always bring them good news, but then that was not my job. They and I shared a mutual objective, I think, and that was to do all we could to help the President accomplish his stated goals.

As many here know, not everyone in the Executive Branch in the first term shared these goals. There were a number of holdovers in the Executive Branch who actively opposed the President's policies, especially his foreign policy, but also in the area of domestic affairs, I can assure you.

These people conducted a kind of internal guerrilla warfare against the President during the first term, trying to frustrate his goals by unauthorized leaks of part of the facts of a story, or of military and other secrets, or by just plain falsehood. The object was to create hostility in the Congress and abroad and to affect public opinion. Henry Kissinger, Secretary Rogers, and others were seriously concerned that this kind of internal sabotage of administration policy could actually ruin our chances to negotiate a strategic arms limitation treaty and terminate the Vietnam situation on a stable basis, for example. A similar threat to a good result in Vietnam was posed by the combination of street demonstrations, terrorism, violence and their effect on public and Congressional support for the President's policy.

#### The President and politics.

In his 1960 campaign Nixon was involved in every minute detail. In 1968 when he invited me to work in the 1968 campaign to manage the campaign I agreed to manage the campaign tour only after securing his promise that he would completely delegate detailed control of the advance work, logistics and schedule. And his participation in these details was minimal in 1968.

In 1972 with the foreign

situation as it was, the President decided quite early that he simply could not and would not involve himself in the day-to-day details of the Presidential primaries, the convention and the campaign. He made a very deliberate effort to detach himself from the day-to-day strategic and tactical problems. And so the regular work of the White House relating to government and the nation's problems continued unabated. If anything, we on the domestic side were busier with the President on governmental business than in other years.

In 1972 the President had to delegate most of his political role and it went to people not otherwise burdened with governmental duties. As a result, I personally saw very little of the campaign activity during the spring and early summer of 1972

... I began to spend more time with Ron Ziegler, press secretary at the White House, in the late spring of 1972, helping him to understand the campaign issues, reviewing the research with him, etc. It became more important than ever for me to keep ahead of developments and in this connection I asked Mr. Dean to inform me as early as possible of significant changes, or new events in the Watergate case, so Ron Ziegler and I could deal with new issues which would be arising in

the press. It was for this purpose that I talked to Dean about Watergate in most instances.

In addition, the President formed an advisory group which met twice a week to look at the campaign in overview, at long range, and to discuss any needed changes. Attending these Monday and Thursday morning meetings were Clark MacGregor, John Mitchell, Bob Haldeman, Bryce Harlow, Charles Colson and I. Presumably, I was the substantive issue man in the group. Since Watergate was a campaign issue it was discussed in these meetings; it was never a major subject of discussion, however, and if anyone in the group knew more than the others he didn't share his secrets there...

All of this was superim-

posed upon active involvement in legislative, budget and operational domestic problems, through the summer and early fall of 1972.

During the summer and fall of 1972 there were tough legislative issues which took the President's time and ours in great quantities. Busing, Water Quality, Phase II of the Economic Program, and Welfare Reform are, I know, subjects familiar to you all. They were critical issues to the Senate as they were to the President.

Federal government overspending was also a hot issue and we were engaged in documenting a catalogue of bad Federal spending programs to justify the Congressional repeal or reduction of a great many programs that spent great sums of federal money with little or not benefit to the public. During those months, along with a great many others, we were trying to understand Senator McGovern's \$1,000 a year welfare plan and figure out its true cost, and we were researching and analyzing about 20 other major campaign issues ranging from tax reform to the death penalty...

From June to September, 1972, my staff and I put in long days, the (GOP) Convention Platform having imposed additional burdens on some of us. After the convention, the speeches, position papers and political statements and releases kept the pressure on us. It was a very busy time.

John Dean, on the other hand, never found things so quiet and he planned the most expensive honeymoon in the history of the White House staff right along this period."

The committee has had the log of how I spent my office time over the years. As it shows, the vast percentage of my time was devoted to domestic policy issues. ...

And how much time did I actually spend with Mr. Dean learning about the (Watergate) break-in or keeping abreast of developments to assist Ron Ziegler on the issues, or with Mr. Dean on any other subject for that matter in the weeks following Watergate?

We invariably met either

in my office, or more rarely in Mr. Haldeman's (with the exception of just three or four meetings) most of which were held out of town.

The logs for these two offices, Mr. Haldeman and mine, demonstrate clearly the frequency of my meetings with Mr. Dean.

Remember: Dean testified that keeping Watergate covered up was a tremendous drain of my time and told of all the conferences and meetings I have having with him about it. Let's be clear: I did not cover up anything I did to do with Watergate. Nor

were Mr. Dean and I keeping steady company durign all these weeks.

I have compiled our meetings in two week periods from June 17 through the election, the "critical period," presumably, and here on page 27 of the statement, Mr. Chairman, you will see that compilation. In the first two weeks June 17 to July 1, which was the period when we were trying to learn about this new campaign issue, and whether the White House, the CIA or anyone else were connected with it, I had nine meetings with Mr. Dean.

In the second two weeks I had only one meeting. In the third two weeks, three. In the fourth two weeks, two. In the fifth two weeks, one. In the sixth two weeks, two. In the seventh two weeks, Sept. 13 to 26, none. In the eighth two weeks, none. In the ninth two weeks, again none, and finally, from Oct. 25 to election day three, for a total of 22.

It should be noted that this is the total number of our face-to-face contacts on all subjects, not just Watergate. These were all contacts, including group meetings.

Of the total 22 contacts, two related to Presidential papers and testamentary planning, one related to convention planning, one related to grain sales, two on general campaign planning, one regarding the President's financial statement to be released, one regarding settlement of the common cause lawsuit. Of the remainder not all were de-