

The Saturday Night Massacre.
What Really Happened on October 20, 1973?

By
James Kirkpatrick Davis

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For
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and
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Prologue

The Nixon presidency was extraordinary, noteworthy and forlorn. This presidency contained the essential elements of a true American tragedy — an administration of the most extraordinary triumphs followed by complete and utter despair. In events unlike anything in the American political experience, nearly all of the field offices of the Federal Bureau of Investigation, utilizing the talents of several hundred special agents, were involved in the massive nationwide Watergate investigation — the largest since the death of John F. Kennedy. The nation watched in astonishment as the Watergate scandal dominated media headlines for 26 months, leading ultimately to the only resignation of an American chief executive since the founding of the United States, the world's oldest Constitutional republic. The culminating climactic events of October 20, 1973 shattered the Nixon administration beyond repair.

William Safire knew Nixon well and wrote, “He knew what he wanted for America — a renaissance of the confident American spirit, a new sturdiness to the American character, equal opportunity, free markets and free men . . . with noble motives like that, he figured anybody who opposed him must have ignoble motives of their own”

William Safire, *Before the Fall: An Inside View of the Pre-Watergate White House* (Garden City, New York: Doubleday & Company, 1975), p. 276.

October 1973.
The Oval Office is surrounded.

*“there is a euphoria about secrecy and that this
‘euphoria of secrecy goes to the head . . .
normally prudent men become drunk with it.
It induces an unbalancing sense of power.’”*

C.P. Snow

The difficulties facing the 37th president by October of 1973 were by now insurmountable. Each day brought new and outrageous revelations of corruption and outright lying from the White House and from officials who had worked in and for the Committee to Re-Elect the President. Nixon himself was caught in a relentless crossfire generated from events largely of his own making. The stunning decline in Nixon’s approval rating in less than one year was almost certainly unmatched by any similar presidential approval decline in American history. Fully 68% of Americans approved of Nixon’s job performance in January of 1973 following his landslide reelection victory in November of 1972. Less than a year later, by the early fall of 1973, less than one in four Americans approved of his job performance and 70% no longer believed anything the president said. The immense scale of the wrongdoing, of the lying, of the “dirty tricks,” of the “enemies’ lists,” of attempts to subvert the rule of law, of the wiretapping, of the Watergate break-in and attempted cover-up, of the other burglaries and of the falseness in speaking to the American people were beyond the scope of anything the American public or the Congress or the news media had ever experienced. Henry Kissinger observed, from the vantage

point of five years of close association with the president, Nixon “was like a figure in a Greek tragedy, he was fulfilling his own nature and thus destroying himself.”¹ English novelist C.P. Snow argues “there is a euphoria . . . a ‘euphoria of secrecy goes to the head . . . normally prudent men become drunk with it. It induces an unbalancing sense of power.’”² Theodore White, commenting on the immense pressure focused on the Oval Office, reported, “What the men in the White House were involved in, without ever admitting it to themselves, was the management of an unstable personality.”³

Nixon’s legal team, by this fall including Fred Buzhardt, Leonard Garment, Charles Alan Wright and James St. Clair, worked to the point of exhaustion. They appeared unable to defend the president successfully in the face of the resources of the Watergate Special Prosecution Force, the Senate Select Committee on Presidential Campaign Activities and the Federal Bureau of Investigation. A handicap in the president’s defense centered on the huge numbers of tapes involved with only Buzhardt allowed listening to some. Nixon’s lawyers argued that only specific acts of a criminal nature would qualify as offenses that are impeachable. The House of Representatives eventually charged the president with three articles of impeachment including Contempt of Congress, Abuse of Power and Obstruction of Justice.

With reference to global affairs, the Nixon administration’s arena of preeminence, Stanley I. Kutler wrote, by the fall of 1973, “Watergate had become inextricably linked to foreign affairs.”⁴ Walter Isaacson said the Nixon administration’s “development of a working relationship with Moscow was an achievement of enormous historic magnitude.”⁵

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Nonetheless, it was an achievement denigrated by the scandal. Henry Kissinger was asked about the impact of Watergate on foreign affairs at every press briefing. Nixon's authority and attention span diminished day-by-day. Authority for holding American foreign policy together fell to the United State's non-elected, foreign-born secretary of state. By this October, Nixon was not functioning at full capacity. Kissinger remembered, certainly by the fall of 1973, "It was not clear that Nixon retained enough authority to manage the manifold pressures about to descend on him."⁶ Robert Dallek wrote, "The Middle East crisis . . . remained too dangerous to have a distracted president in command."⁷ "Complicating everything," Steven E. Ambrose wrote, "Watergate and Agnew made it all but impossible for Nixon to concentrate on diplomacy; meanwhile his secretary of state was all too ready to take up the burden."⁸

The investigation of the Watergate break-in and cover-up began in the summer of 1972 with initial investigative work by the FBI and the U.S. Attorney's Office for the District of Columbia. The investigation expanded to include the Watergate Special Prosecution Force under the direction of Archibald Cox; it was fully staffed by the fall of 1973 with 42 attorneys of the highest academic caliber, four consultants and 44 support personnel. Under Cox's direction, the WSPF utilized the nationwide resources of the FBI at Bureau headquarters in Washington and, by this fall, involving 56 Federal Bureau of Investigation field offices across the United States, including investigative work by 341 special agents. The Senate Select Committee would continue with Watergate hearings through November. A second Watergate grand jury, impaneled in August of 1973, would continue to hear reports of criminal behavior through the

end of the year. No group of prosecutors, jurors, special agents and supporting personnel had ever worked under more intensive public scrutiny in the United States.

Nixon later wrote, "The situation was intolerable. Week by week, month by month, we were being worn down, trapped paralyzed."⁹ "Watergate sliced open," wrote Thomas Powers, "the Nixon administration like archeologist's trench, revealing the inner workings of government — the rivalries, intrigues and clashes of personality — in unprecedented detail."¹⁰

Officials at the highest levels of the Nixon administration who had already pleaded guilty to charges by October 1, 1973 included Fred C. LaRue, former special assistant to the president and former special assistant to John N. Mitchell, Jeb S. Magruder, former assistant to H.R. Haldeman and former deputy director, Committee to Re-Elect the President and Herbert G. Klein, former White House communications director. Nixon later wrote, "Watergate had acquired dominant status on the television news. Almost daily, every major newspaper had a story based on a leak about some aspect of the case."¹¹

Others under investigation by the fall of 1973 included Charles W. Colson, former special counsel to the president, John D. Erlichman, former chief domestic advisor to the president, Harry R. Haldeman, former White House chief of staff, Robert Mardian, deputy manager, Committee to Re-Elect the President, John N. Mitchell, previously United States attorney general and later director, Committee to Re-Elect the President, Keith W. Parkinson, attorney for the Committee to Re-Elect the President, Herbert L. Porter, previously scheduling director, Committee to Re-Elect the President and Gordon L. Strachan, who had served as an assistant to Harry R. Haldeman.

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An additional group of administration and campaign officials were charged with offenses resulting from the September 1-4, 1971 break-in at the Los Angeles office of Dr. Lewis J. Fielding. This list included Bernard L. Barker, a convicted Watergate burglar, Felipe De Diego, a convicted burglar of Dr. Lewis J. Fielding's office, Egil L. Krogh, Jr., previously chief assistant to John D. Erlichman, G. Gordon Liddy, formerly a White House aide on the staff of the Domestic Council and former counsel for the Committee to ReElect the President and a staff member of the Finance Committee to ReElect the President and Eugenio Martinez, another convicted Watergate burglar.

Still others were investigated for their individual roles in "Dirty Tricks," and other matters. The list included Dwight L. Chapin, who had served as the presidential appointments secretary, Richard G. Kleindienst, previously United States attorney general, George A. Hearing, a Tampa Florida accountant indicted by a federal grand jury in Tampa with Donald Segretti on charges of conspiring to distribute a false and inflammatory letter during the 1972 campaign, Edward L. Morgan, a former White House lawyer, Donald H. Segretti, previously a Treasury Department attorney who directed a campaign of political espionage and sabotage against the Democrats, Frank De Marco, law partner of Herbert L. Kalmbach, who had served as and Nixon's tax attorney; Maurice H. Stans, former secretary of commerce and former chairman, Finance Committee to Re-Elect the President, Robert Vesco, New Jersey financier who secretly donated \$200,000 to the Nixon 1972 campaign and Harry Sears, a Chicago attorney. Thus, a total of about 40 administration and campaign officials were indicted on charges including perjury, abuse of power and obstruction

of justice. Of all those closest to Nixon, Alexander Haig and Henry Kissinger were untouched by the scandal.

Investigations expanded to include the president's finances and income taxes, the reportedly improper influence on behalf of the ITT Corporation in an antitrust case, the \$100,000 Howard Hughes cash contribution, the Vesco case, costs of installing security equipment in Nixon's Florida and California homes together with the legality of a tax deduction taken in 1968 for donating Nixon's pre-vice presidential papers to the National Archives.

While these investigations were in operation, the Nixon administration was also involved in a difficult disengagement process in Vietnam, retreating after 58,000 deaths from America's longest war. Additionally, the administration, largely under the direction of Kissinger, was skillfully managing the process of détente with the Soviet Union and also expanding a new relationship with the most populous country in the world.

As events moved forward, Watergate related pressure intensified to such a degree that October 1973 would represent the most turbulent month in 20th century American political history. It was a month in which *Washington Post* Executive Editor Benjamin Bradlee said October 1973 "felt like a whole newspaper career all by itself."¹²

Events would crash down on the president in October often without warning, almost as if Nixon himself was somehow being punished for past transgressions. The Agnew scandal would confront the president and lead to the first resignation in disgrace of a vice president in American history. Nixon would also be the first president to propose to the Congress, the name of the next vice president under authority of the Twenty-fifth Amendment. The Yom Kipper

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War would explode across the Middle East leading to the first American worldwide military alert since the Cuban missile crisis. Court battles with the Watergate Special Prosecution Force and the Senate Committee would propel the president into the catastrophic Saturday Night Massacre. Impeachment bills would flood the Congress. After such a promising first term with success in foreign and domestic affairs, the American people would turn against President Nixon in great numbers.

As October 1973 approached, Nixon continued to say he personally had not been involved in the Watergate cover-up; he had no prior knowledge of the break-in; he denied knowing that funds from Committee to Re-Elect the President had been provided for Watergate defendants; denied prior knowledge of the break-in of Ellsberg's psychiatrist's office. Alexander Haig reported "the appearance . . . of guilt created by the prairie fire of suspicion and accusation in the press was destroying his presidency" ¹³

NOTES

1. Henry Kissinger, *Years of Upheaval* (Boston: Little Brown and Company, 1982), p. 105.
2. Kim McQuaid, *The Anxious Years* (New York: Basic Books, Inc. Publishers, 1989), p. 179.
3. Theodore White, *Breach of Faith: The Fall of Richard Nixon* (New York: Antheneum Publishers, 1975), p. 13.
4. Stanley I. Kutler, *The Wars of Watergate: The Last Crisis of Richard Nixon* (New York: Alfred A. Knopf, 1990), p. 399.
5. Alistair Horne, *Kissinger 1973, The Crucial Year* (New York: Simon & Schuster, 2009), p. 153.
6. Henry Kissinger, *Years of Upheaval* (Boston: Little Brown & Company, 1982), p. 468.
7. Robert Dallek, *Nixon & Kissinger: Partners in Power* (New York: HarperCollins Publishers, 2007), p 528.
8. Stephen E. Ambrose, *Nixon Ruin and Recovery: 1973-1990* (New York: Simon & Schuster, 1992), p. 230.
9. Richard Nixon, *The Memoirs of Richard Nixon* (New York: Grosset & Dunlap, 1978), p. 928.
10. Thomas Powers, *The Man who Kept the Secrets: Richard Helms and the CIA* (New York: Alfred A. Knopf, 1979), p. 237-238.
11. Nixon, *The Memoirs of Richard Nixon*, p. 830.
12. Benjamin C. Bradlee, *A Good Life: Newspapering and Other Adventures* (New York: Simon & Schuster, 1996), p. 370.
13. Alexander M. Haig, Jr. and Charles McCarry, *Inner Circles: How America Changed the World* (New York: Warner Books, 1992), p 389.

Monday, October 1

“A presidential refusal to comply with the order of the courts would lift the controversy beyond the courts into a trial before the people.”

Archibald Cox
Special Prosecutor
Watergate Special Prosecution Force

At 8:45 A.M., the president arrived at the Oval Office.

Certainly by this date, Nixon was tormented by the scandals every waking moment — leading, he must have known in the darkest moments, to loss of the presidency in virtual disgrace. While the news and pressure of domestic scandals escalated daily, situations around the world also demanded Nixon’s attention.

As of this date, Middle East stress levels were near the breaking point between Egypt, Syria and Israel. Kuwait, Libya, Iraq, Saudi Arabia, Morocco and Algeria would most likely support and possibly participate in a new war against Israel.

Soviet leadership had repeatedly urged Egyptian President Anwar Sadat and Syrian President Hafiz-Assad to seek diplomatic solutions to Arab-Israeli tensions. The Soviet ambassador to Cairo, Vladimir Vinogradov, and others in the Soviet government maintained constant contact with Egyptian officials. It came as a shock to Soviet General Secretary Leonid Brezhnev when Sadat informed Soviet officials “as early as September 22 that a war would begin on October 6, 1973.”¹

Raymond L. Garthoff, writing about war and the Soviet relationship with the United States at the time said, “The October War came to have a serious negative impact on the whole policy of detente with the Soviet Union.”² Brezhnev had the impossible hope that the United States would somehow pressure Israel to withdrawal from the Arab territories occupied by Israel since the 1967 war.

Soviet foreign minister Andrei Gromyko warned, in his address to the United Nations General Assembly that fall, “War could break out at any time and who could tell what the consequences would ensue.”³ Soviet officials considered the Middle East an area of prime importance. “The Soviet relationship with Arab states,” wrote Janice Stein and Richard Lebow, “was important to the global struggle to preserve and promote Soviet influence against imperialism.”⁴

In early 1973 the Soviet Union increased deliveries of medium range bombers and multiple types of sophisticated weapons to Egypt and Syria, including Scud missiles. These weapons were particularly threatening to Israel because they could be quickly adapted to fire nuclear weapons with an effective range of almost two hundred miles. Scuds could hit Israel from positions west of the Suez Canal. Shipments of other military weapons and equipment to Egypt and Syria continued at very high levels during the summer and early fall of 1973. Shipments included about 2,500 tanks including T-62s, anti-aircraft missiles, Sagger Anti-Tank Missiles plus about 1,000 MiG-21 and MiG-23 combat aircraft — all designed to assist Egypt and Syria in confronting Israeli’s traditional superiority in armor and aerial combat. Although accepting such huge Soviet military shipments, Sadat had reportedly given up relying on the Soviet Union to assist his country in recovering Egyptian

territory lost in the 1967 war. By late September of 1973, the Egyptians had moved surface-to-air missiles to launching “sites within 20 miles of the Suez Canal.” A squadron of 30 Mirage V jet fighters had been moved from Libya to Egypt.⁵ Egyptian military strategists had developed plans for a massive attack across the Suez Canal. Syrian military officials planned major assaults directed to areas in and around the Golan Heights. A Moroccan armored contingent had been shipped to Syria. Two squadrons of Algeria MiG-21s were transferred to Libya; plans to send Sudanese ground forces to Syria were anticipated. In early spring, 1973, Sadat had told *Newsweek* reporter Arnaud de Borchgrave, in predicting a major Middle East war, said, “Time has come for shock.”⁶ Roger Merrick, intelligence analyst with the U.S. State Departments, prepared a report predicting “a better than 50 percent chance of major Egyptian-Israeli hostilities within six months.”⁷

Decisions of global importance in dealing with major powers at the highest levels of government, would, of course, by definition, include the president of the United States. “By September,” Alistair Horne wrote, “it was the combination of Watergate and then Agnew that made it all but impossible for the president to concentrate on foreign affairs”⁸ At times, Nixon seemed out of contact to those around him, unable to deal with critical matters. At other times, as Kissinger noted, “Nixon no longer had the margin of maneuver or the personnel for the intricate minuets with which he managed affairs in the first term.”⁹ Horne also wrote, “Under the domestic pressures that were crowding in on him, he was — as Kissinger frequently noted — more and more distracted from foreign affairs.”¹⁰ William B. Quant wrote, “President Nixon’s role in shaping American policy during the October war is difficult to access

accurately . . .” Nixon, “showed little interest in the details of policy and left the task of day-to-day diplomacy to Kissinger.”¹¹

For whatever reason, a lack of focus by the Central Intelligence Agency, Kissinger’s preoccupation with daily pressures of the State Department and other global responsibilities, or Nixon’s distractions by Watergate, the United States did not see or anticipate an immediate Middle East war on the horizon. The impact of the Watergate scandal had disengaged Nixon’s normally expert participation in diplomacy. It was a time, Kissinger said, like “living on a volcano.”¹²

Virtually all American and Israeli intelligence assessments before October 1973 generally agreed that Egypt and Syria lacked the military capability to regain lost territory by force of arms. Horne also wrote, “Nixon’s mind was troubled and distracted . . .” This period was, Kissinger said “the only time in my association with him that his usual sure touch deserted him in talking to a Communist leader.”¹³

In the Middle East, Israeli military officials believed their nation’s intelligence operations would provide at least two successive days warning of an attack by Arab military forces. They believed this was enough time to organize troops for immediate service, mobilize tanks, heavy weapons, artillery and the Israeli Air Force for battle. Although the Soviet Union had provided Egypt with significant military equipment and training, the Israelis believed Egypt would not attack because they knew it would be a war they could not win. Syria, it was determined, would do nothing without Egypt.

On this first day of October, Israeli government officials asked their powerful ally, the United States, to move ahead,

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with monthly deliveries of Phantom aircraft, originally promised in March.

On October 1, Nixon's most pressing matter related to the Watergate scandal was the anticipated ruling from the U.S. Court of Appeals regarding the Cox subpoena for nine Oval Office tapes recorded on June 20, 30, September 15, November 30, 1972, March 13, 21, 22, 30 and April 15, 1973. Taped meetings variously included Nixon, John Dean, Harry R. Haldeman, John Erlichman, John N. Mitchell and Ronald Ziegler. A two paragraph memo to Bruce Kehrli was also subpoenaed.

There were few options for Nixon. Turning the subpoenaed tapes over to the court could result in calls for his resignation or possibly lead to impeachment hearings before the House Committee on the Judiciary perhaps leading to an impeachment trial in the Senate. He could appeal the matter to the Supreme Court or he could destroy the subpoenaed tapes and risk compliance with whatever the court might decide for destruction of evidence. Refusing a possible court order for the tapes was not possible, even for a president. "A presidential refusal to comply," Archibald Cox wrote, "with the order of the court would lift the controversy beyond the courts into a trial before the people."¹⁴ In a cruel paradox, the tapes litigation moving through the courts would reach a near climax at almost the same week the Yom Kipper war was fully engaged.

At some time during this day, while almost certainly considering tape options, Nixon must have heard disturbing news from the Federal District Court in Los Angeles. Transcripts regarding the Los Angeles grand jury inquiry into the Fielding office break-in revealed testimony in which John Erlichman said Nixon himself was totally aware of the

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White House plumber's efforts to discredit Daniel Ellsberg by attempting to secure and then leak his psychiatric records to the media.

Months earlier, on May 11, U.S. District Judge William Matthew Byrne Jr. learned that Ellsberg's phone had been tapped and his psychiatrist's office had been burglarized and searched. Byrne declared a mistrial. Charges against Ellsberg for his role in the release of the Pentagon Papers had been dropped.

Also on October 1, Donald Segretti pleaded guilty before U. S. District Judge Gerhard A. Gesell in Washington to three counts of violating 18 US Code 612, distributing illegal campaign literature during the 1972 Florida Democratic primary. As noted, Segretti, originally a Treasury Department attorney, directed the administration's undercover "dirty tricks," a campaign of political espionage and sabotage directed against Democratic candidates.

NOTES

1. Raymond L. Garthoff, *Détente and Confrontation: American-Soviet Relations from Nixon to Reagan* (Washington, DC: The Brookings Institution, 1979), p. 366.
2. Ibid., p. 360.
3. Ibid., p. 366.
4. Richard Ned Lebow and Janice Gross Stein, *We All Lost the Cold War* (Princeton, New Jersey: Princeton University Press, 1995), p.168.
5. National Security Archive, "Indications of Arab Intentions to Initiate Hostilities." May, 1973.
6. Marvin Kalb and Bernard Kalb *Kissinger* (New York: Little Brown & Company, 1974), p. 452.
7. National Security Archive, "Growing Risk of Egyptian Resumption of Hostilities with Israel" May 31, 1973.
8. Horne, *Kissinger 1973: The Crucial Year* p.175.
9. Kissinger, *Years of Upheaval*, p. 126.
10. Horn, Ibid., p.154.
11. William B. Quandt, *Peace Process: American Diplomacy and the Arab-Israeli Conflict since 1967* (Washington, D.C.: The Brookings Institution, 2005), p. 162.
12. Horn, Ibid., p. 172
13. Horn, Ibid., p. 162
14. Archibald Cox, *The Court and the Constitution* (Boston: Houghton Mifflin Company, 1987), p. 15.

Tuesday, October 2

*“We will have difficulty keeping the military situation
from flaring up”*

Leonid Brezhnev
General Secretary
The Communist Party of the Soviet Union

President Nixon arrived at the Oval Office at 9:09 A.M.

In early October 1973, the possibility of a new Middle East war was not the most overriding concern to him on this day although Soviet general secretary Brezhnev had warned Nixon earlier in June, “We will have difficulty keeping the military situation from flaring” up in the Middle East. That part of the world could not be ignored. Egyptian President Sadat had described Arab-Israeli relations as “unbearable to him and suggested the situation might be on the verge of blowing up.”¹ Syria, moving to full war preparation, was already mobilizing reserve forces. “Syria’s armed forces,” Walter J. Boyne reported, “became far more professional, with well trained officers leading well equipped and well motivated troops.”² Egypt also continued with full military preparation for war. Egyptian forces were by this date stationed along the length of the Suez Canal. Israeli military officers believed, although Egypt was undertaking a variety of obvious military maneuvers, these actions were only intended to maintain the morale of Egyptian troops. From the American perspective, Henry Kissinger knew Egypt was the key to Middle East diplomacy.

During late summer and early fall, the situation with Spiro Agnew was another catastrophe needing attention.

Nixon had known of the Agnew problem since April 10. Nixon himself, overwhelmed with scandal, the polls, Cox, the tapes, the Senate Select Committee and now with a possible Middle East war on the horizon, could devote little time to Agnew. As news of the impending Agnew scandal became public, the vice president had said he would never quit. Agnew, interviewed by James Reston of the *New York Times*, told Reston he had been “poisoned by leaks from men close to the top of the Justice Department.”³ He targeted Henry Peterson as the instigator in an effort to have him removed from office. Reston wrote, “Mr. Agnew is obviously angry with Mr. Peterson and the criminal division of the Justice Department,” because, “at his expense” they were trying to save face “after previous losses in high profile cases involving the administration and the Watergate scandal.”⁴

J. Marsh Thompson, Agnew’s press secretary, said the vice president “was in a fighting mood.” Agnew blundered badly by targeting Henry Peterson. This action was compounded in the eyes of the White House on Tuesday, October 2, when Thompson predicted to reporters that more of the bluster from a Los Angeles speech was planned for Agnew’s upcoming speeches.