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W. Post

The Prosecutor's Independence

Your editorial suggestion (Nov. 29) that I amended the charter of the Special Prosecutor as "the first move to *legitimize* presidential intrusion into the jurisdiction of the Special Prosecutor" is entirely and demonstrably false.

A check of my original announcement of Mr. Jaworski's appointment will show that the President's assurance that he would consult with and require the consensus of eight congressional leaders applied both to the discharge of the Special Prosecutor and to any limitations on his independence. The charter which was subsequently issued inadvertently referred only to discharge. My later amendment restored the consensus safeguard for independence.

I made the amendment when a question by Senator Kennedy led to discovery of the drafting error and, ironically, I made it precisely because I thought I might be accused of deliberately leaving out part of the original safeguard.

I have not discussed this amendment or Mr. Jaworski's activities with anyone at the White House. I did discuss the amendment in advance with Mr. Jaworski and he fully understands and approves my reasons. I have, moreover, pledged him my full support in his undertakings.

The plain fact is that there has been no White House effort to limit Mr. Jaworski's freedom; I am confident there will be none and I would not, in any event, be a party to any such tactic.

ROBERT H. BORK,
Acting Attorney General.

Washington.

(See editorial on opposite page.)