

WXPost JUN 16 1973

Cox Presses White House For Access to Documents

By George Lardner Jr.
Washington Post Staff Writer

Special Watergate prosecutor Archibald Cox began openly pressing the White House yesterday for access to presidential documents connected with his investigations.

One of Cox's top assistants, James Vorenberg, disclosed at the same time that five task forces have already been tentatively formed to pursue various sets of allegations involving the Nixon administration.

In addition to these, Vorenberg said, "we have initiated several investigations on our own." He refused to elaborate beyond indicating that these involve issues that have not yet been publicly targeted for formal inquiry.

On the issue of presidential documents, Vorenberg told newsmen at a morning press conference that White House aides Leonard Garment and Fred Buzhardt had been asked for a "relatively modest" stack of diaries, logs and files on June 6, but that not a single document had been received so far.

The papers include logs of the dates of President Nixon's telephone conversations and meetings with ousted White House counsel John W. Dean III in the past few months.

"We're absolutely determined to get the information we need to pursue Mr. Cox's responsibilities," Vorenberg told reporters.

Evidently anxious to avoid any impression of footdragging, the White House responded yesterday afternoon with a statement acknowledging that Cox had made "oral requests for certain information" at the

See PROSECUTE, A8, Col. 6

Dean testifies today behind closed doors with Senate committee staff. Page A8

PROSECUTE, From A1

June 6 meeting, but quoted him as saying at the same time "that the requests would be put in writing."

"The written requests, dated June 11 and June 13, have now been received and the special prosecutor will receive responses to them as soon as the counsel for the President have an opportunity to act upon them," the White House said.

There was no indication in the statement of whether any of the documents might be held back. Cox, however, has said that he has been promised access to "all documents, files and other papers in the executive branch" and that he would make "any waffling" on the issue plain.

Sources close to Cox added last evening that he expects to be supplied with pertinent papers as promptly as possible and that he considered the June 6 meeting in his office explicit enough for the White House to have started studying the requests immediately.

The White House has claimed that presidential papers "cannot be required under subpoena," a stand at variance with an 1807 court ruling involving Thomas Jefferson. In that case, Chief Justice John Marshall, sitting as a trial judge on a treason charge against Aaron Burr, ruled in passing that a President could even be legitimately subpoenaed to testify in a court case.

"...it is not known ever to have been doubted but that the chief magistrate of a state might be served with a subpoena ad testificandum," Marshall ruled. "If in any court of the United States, it has ever been doubted that a subpoena cannot issue to the President, that

decision is unknown to this court."

Vorenberg would not identify any of the documents Cox is seeking except for the Dean logs. The Washington Post reported June 3 that Dean had told both Senate investigators and federal prosecutors that he had discussed aspects of the Watergate cover-up with Mr. Nixon or in the President's presence at least 35 times between January and April.

Deputy White House press secretary Gerald Warren subsequently declared that it would be "constitutionally inappropriate" to make the logs available to investigators, but then announced on June 6 that they would be supplied after all, as soon as they were "compiled and verified."

Vorenberg declined to say whether any other documents would be subpoenaed if the White House decides to hold them back. As for the President's personal testimony, he said, "We have not made that kind of decision as yet."

The task forces that are being formed, Vorenberg said, include one for the Watergate break-in and with 1972 campaign contributions and financing, and cover-up, another to deal another to study the White House-sponsored burglary in 1971 at the offices of Daniel Ellsberg's California psychiatrist.

Still another has been assigned to probe the work of alleged political saboteur Donald Segretti and another to the administration's controversial settlement in 1971 of three antitrust cases against the International Telephone & Telegraph Corp. The ITT case has been assigned to a staff lawyer just hired, Joseph J. Connolly, 32, a Philadelphia Republican and son of the late Rep. James J. Connolly

(R-Pa.), who served in the House from 1920 to 1935.

For the moment, Vorenberg said, the investigation involving fugitive financier Robert L. Vesco, which has already resulted in obstruction-of-justice charges against former Attorney General John N. Mitchell and former Commerce Secretary Maurice Stans, is being left largely to the U.S. attorney's office in New York City.

Cox has about a dozen lawyers working under him at present, laboring to catch up with their assignments until 2 or 3 a.m. each day. Vorenberg envisions an eventual fulltime staff of 50 to 75 lawyers and investigators.

Meanwhile, he said, the FBI has been asked to pursue leads involving the "new avenues" of inquiry that Cox is exploring.