

SFChronicle
**Cox Tells What
 Nixon Held Back**

Washington

Ousted Watergate prosecutor Archibald Cox yesterday disclosed a lengthy new list of documents that the White House has been holding back despite its public claims of cooperation with his investigation.

He predicted that it would take "a very large number of subpoenas" to secure the records and other crucial evidence for the inquiries he had undertaken before President Nixon fired him.

Testifying before the Senate Judiciary Committee, which thought it had hammered out a sufficiently independent charter for him just five months ago, Cox said he now favors legislation providing for appointment of a successor by the federal courts.

He said "total independence" from the Nixon administration is vital and, his own experience has shown, "cannot be had with someone answering to the attorney general and the President."

Cox reiterated his charges of "frustration and delay" by the White House in meeting his requests for evidence and took sharp issue with White House chief of staff Alexander M. Haig Jr. who disputed his complaints in a television interview Sunday.

"It seems to me our efforts were very unsuccessful," Cox said.

As a result, he protested, for him to have bowed to Mr. Nixon's demands that he stop using the courts in his attempts to obtain tapes, notes and other records of presidential conversations at issue in his investigations would have smacked "of almost a coverup."

Ticking off documents that he and his Watergate special prosecution force were still

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trying to obtain when he was dismissed October 20, Cox said some of the requests had been bottled up at the White House for almost two months.

For example, he said he had asked on August 23 for:

- All records and logs of telephone calls made by former White House aides John D. Ehrlichman, David Young, Egil Krogh Jr., Charles W. Colson, G. Gordon Liddy and E. Howard Hunt between June 19, 1971, and December 13, 1971, in connection with the secret activities of the White House "plumbers" in investigating news leaks of sensitive information.

- Logs of any meetings* between them and the President during the same period.

- All records involving the "plumbers" investigations of the Pentagon Papers case and two other assignments cryptically labeled "Special Project No. M 1" and "Project Odessa."

- Records removed from Krogh's files at the Department of Transportation and placed in the President's files between Dec. 31, 1972, and May 31, 1973. After leaving the White House staff, Krogh served as under secretary of Transportation until he resigned because of his role in the White House-sponsored break-in at the offices of Daniel Ellsberg's psychiatrist over the 1971 Labor Day weekend.

"Presidential files have a way of expanding," Cox said wryly.

Mr. Nixon's White House lawyers, Cox told the Senators, even blocked the release of White House documents bearing on a controversial 1971 increase in milk price supports although those same documents had already been turned over to the Justice Department's civil division.

The civil division is de-

fending the Administration in a civil lawsuit brought by consumer groups who have charged that the higher price supports were a payoff for \$427,500 in campaign contributions by the dairy farm industry to Mr. Nixon's re-election effort.

Cox said he mentioned the records involving the milk producers several months ago to then Attorney General Elliot Richardson, who was forced to resign October 20 when he refused to fire Cox.

TELL

"I said that if the civil division can see them, I don't see why I can't," Cox recalled telling Richardson. "He agreed, then stopped and said, 'Well, I'd better tell the President's counsel.'"

"When he did tell them," Cox reported, "he was forbidden to turn it (the milk producers' file) over."

Cox said the White House had also failed to turn over any records involving a \$5000 loan by Washington public relations man William Baroody which Colson had requested for unspecified reasons in August of 1971. The money, it was recently learned, was used to finance the Ellsberg break-in. Baroody was repaid shortly afterwards by \$5000 from the dairy industry's contributions.

Senator John L. McClellan (Dem-Ark.) asked Cox about rumors that he had been fired because the investigative trail was leading to the White House.

"I have no evidence to support any of the rumors of this kind," Cox said. But he added that he had seen some evidence that some of the President's staff were troubled by the breadth of the guidelines for the prosecutor's office.

Cox was the first witness as the committee opened a public inquiry into Cox's ouster by President Nixon.

Washington Post

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 TRANSCRIPT,
 CRAIG 28 OCT 73