

WXPost NOV 6 1974 Petersen Retiring on Dec. 31

By Bob Kuttner

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Assistant Attorney General Henry E. Petersen, a key figure in the original Watergate investigation, is retiring at the end of this year, it was announced by the White House and the Justice Department yesterday.

Attorney General William B. Saxbe said in a statement praising Petersen that "his decision to retire is completely his own." Saxbe reportedly tried to persuade Petersen to remain until mid-1975. White House press secretary Ron Nessen also told reporters, Petersen had not been asked to resign.

As head of the Criminal Division, Petersen was in charge of the original Watergate investigation until the Special Prosecution Force was set up in June, 1973. He was later criticized when White House tape transcripts revealed that he had passed along Watergate grand jury reports to President Nixon in April, 1973, a time when Mr. Nixon's top aides were the investigation's prime targets.

According to several close associates, Petersen, who received a pin for 30 years of federal service last month, had wished to retire as early as 1972 or 1973, but did not wish to leave amid criticism.

He repeatedly defended his conduct, telling the Senate Watergate committee in a memorable exchange that the original team of prosecutors "was on the verge of breaking that case wide open" when Archibald Cox was named special prosecutor.

Petersen was again briefly in charge of the investigation after Cox was fired a year ago in what came to be called the Saturday Night Massacre. And he stirred renewed controversy when the White House transcripts were made public last spring. Petersen is on the list of witnesses to testify at the Watergate cover-up trial in the next several weeks.

Speaking to reporters yesterday, Petersen said his credibility as head of the Criminal



By James K. W. Atherton—The Washington Post

Petersen: "Events . . . have taken their toll."

Division was probably impaired by Watergate, but denied that this was a factor in his resignation. After 27 years in the Justice Department beginning as an FBI clerk, Petersen said he was ready for something new.

"The events of the past couple of years have taken their toll," he said.

But in response to reporters' questions, Petersen, who is now 53, said he had no regrets about the way he handled the Watergate investigation.

"There were only two choices," Petersen said. "Tell the president or not tell the President; and you could not

not tell the President unless you had good reasons. I did not have good reasons.

"I'm afraid that if I had it to do over again," Petersen concluded, "I'd probably do the same thing."

Petersen said he had no criticism of any of the Attorney General he worked for, including John N. Mitchell, now one of the Watergate cover-up defendants. "I've never met an Attorney General. I didn't like," he quipped. Petersen also declined to criticize Mr. Ford's pardon of former President Nixon, terming it "a gummy decision."

Petersen said he has no immediate plans other than to "go home, sit down, and weigh the offers to practice law." His retirement, transmitted to President Ford last Friday, takes effect Dec. 31. Petersen said one factor in his decision was money. He said under the federal retirement system, an official with his years of government service takes home about "\$100 a month" more by continuing to work than in retirement.

In a letter released by the White House yesterday Mr. Ford said he accepted Petersen's resignation with "deep regret and even deeper appreciation of your contributions to government." The President called Petersen's record one of "unique achievement."

Petersen said he would make recommendations for a successor but would not elaborate. The position of assistant attorney general is a presidential appointment; no replacement for Petersen has been announced.