

Ziegler Says Nixon No Longer Advises
Watergate Prosecutors to Refuse
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Ziegler Says Nixon No President Said to Leave Richardson Totally Free

By JOHN HERBERS
Special to The New York Times

WASHINGTON, May 8—The White House said today that President Nixon was no longer advising prosecutors in the Watergate case not to grant immunity to present or former members of the Administration.

"The whole question of immunity is a decision to be made by the Justice Department or the proper investigating authorities," said Ronald L. Ziegler, White House press secretary.

He depicted the President as having moved from daily oversight of the Watergate investigation to a role of detachment, leaving Attorney General-designate Elliot L. Richardson "absolutely, totally free" to choose an independent prosecutor and oversee other aspects of the case.

Earlier Statement Cited

This would constitute a drastic change for the President from last April 17, when he announced there had been "major developments" in the case and added:

"I have expressed to the appropriate authorities my view that no individual holding, in the past or at present, a position of major importance in the Administration should be given immunity from prosecution."

That statement was interpreted by some lawyers as possibly interfering with the prosecution if the prosecutors decided that some members or former members of the Administration should be given immunity so the full extent of wrongdoing could be disclosed.

Mr. Ziegler was asked about the President's current involvement in the investigation in connection with reports that prosecutors had decided not to give immunity to John W. Dean 3d, former White House counsel, in return for his complete testimony in the case.

The Senate select committee investigating the case has agreed to grant Mr. Dean immunity to testify before the committee. But this is separate from grand jury proceedings now under way.

Question Is Answered

Mr. Ziegler was asked if he meant to say that "the President is no longer involved in any shape, manner or form in the question of whether there should or should not be immunity granted to any present or former member of the Administration?"

"That is correct," Mr. Ziegler replied.

Mr. Ziegler, who has been at the President's side almost continuously in the last few weeks, discussed some aspects of the Watergate case with reporters as the disclosures continued to plague the White House.

The mood there today seemed one of grim determination to carry on with the daily processes of Government as Mr. Nixon sought to ride out the storm, reorganize his staff and present the image of a President carrying out leadership of foreign and domestic affairs.

"The President is governing, he is leading and he intends to do so," Mr. Ziegler said in response to questions as to whether the President's ability to govern had been impaired.

What about a report making the rounds in Washington that the President was heard to wonder out loud whether he should resign.

Report Is Denied

"I have never heard him wonder that out loud," Mr. Ziegler said.

Mr. Ziegler would not say outright that the President had not been aware of attempts to cover up White House involvement in the Watergate burglary. The question was raised in connection with a statement issued yesterday by the deputy White House press secretary, Gerald L. Warren and approved by the President. It said:

"I want to say this morning that any suggestion that the President was aware of the Watergate operation is untrue; any suggestion that the President participated in any cover-up activity or activities is untrue; any suggestion that the President ever authorized the offering of clemency to anyone in this case is also false."

If the President was unaware of the Watergate operation, was he not also unaware of any cover-up, Mr. Ziegler was asked.

"I am not prepared to go beyond the statement issued yesterday," he said. "I would add that reference to participation in a cover-up was not chosen to draw a distinction between participation and awareness. It was chosen because of allegations which were made in relation to various individuals."

The Same Reply

Several other questions as to whether Mr. Nixon had been aware of a cover-up brought the same reply. In his April 30 television appearance, Mr. Nixon seemed to be denying awareness of both participation and cover-up by members of his staff. Until March of this year, he said, he "remained convinced that the denials (of White House involvement) were true and that the charge of

involvement by members of the White staff were false."

Another persistent question involved Mr. Nixon's words of support for two resigned aides, H. R. Haldeman and John D. Ehrlichman. In his television speech, Mr. Nixon called them "two of the finest public servants it has been my privilege to know," while having nothing to say for Mr. Dean, whom he had discharged.

This morning, The Baltimore Sun reported that the President had said at a Cabinet meeting last Tuesday that he felt Mr. Haldeman and Mr. Ehrlichman would be "vindicated" in the Watergate case.

Other sources confirmed that the President's remarks, along with more praise for his two associates, came shortly after Mr. Ehrlichman's knowledge of the 1971 burglary of the office of Dr. Daniel Ellsberg's psychiatrist had been disclosed in Los Angeles. Mr. Ehrlichman did not report the burglary and advised the burglars "not to do it again."

Help With Transition

Although it has been one week since the two officials resigned, Mr. Ziegler said today that they were still coming to the White House to help with "the transition" of the White House staff into other hands. They also rode to the courthouse to testify before the grand jury in White House limousines.

Mr. Ziegler would not say whether the President's relations with Mr. Haldeman and Mr. Ehrlichman had changed in view of the disclosures of the last few days.

Mr. Ziegler was asked to comment on a report in today's Times quoting sources close to the Watergate case as saying that President Nixon sought on at least two occasions within the last two weeks to prevent the release to the Ellsberg court of details of the burglary of Dr. Ellsberg's psychiatrist. The sources said that the President had invoked national security in seeking to prevent the release, actions that he later reversed on advice of Administration officials.

"I have no comment on that," Mr. Ziegler said.