

# Richardson Pledges No 'Going Easy' In Watergate Probe

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Vowing to stay at "arm's length" from the White House in pursuing the Watergate scandal, Attorney General-designate Elliot L. Richardson said yesterday that he has no intention of "going easy" on anyone involved.

He assured the Senate Judiciary Committee that he would not even try to stop the special Watergate prosecutor he plans to enlist from pressing for the "personal testimony" of President Nixon himself.

If the White House wanted to object to that, Richardson told Sen. Birch Bayh (D-Ind.), the President's White House lawyers would have to fight it out with the prosecutor.

Despite those and other assurances, the committee concluded its second day of confirmation hearings on Richardson's nomination amid strong indications that he will have to name the prosecutor before Richardson becomes Attorney General.

He indicated that he hopes to submit his choice to the FBI Monday for an extensive five-day background check.

"I will make the announcement as soon as I can, whether I've been confirmed or not," Richardson added to a reporter after yesterday's hearing.

In his testimony, Richardson promised to give the prosecutor a wide-ranging, written charter, along with jurisdiction over any violations of federal law by White House personnel, 1972 Nixon campaign officials and administration appointees.

Pressed by Sen. Edward M. Kennedy (D-Mass.), he also agreed to give his private list of candidates for special prosecutor to committee members for their advice.

The concessions still failed to satisfy Democratic senators troubled by Richardson's insistence on keeping "final authority" over the Watergate investigation for himself.

Now Secretary of Defense, Richardson acknowledged that he had been one of Mr. Nixon's "surrogate" cam-

paigners last fall, praising the administration's record in speeches and interviews arranged by the Committee to Re-Elect the President.

He insisted, however, that any warmth he might have developed then or during his administration service with men now under investigation has been "at least neutralized" by his indignation over the depth of the scandals generically labeled Watergate.

"I don't want to get dramatic about it. Or melodramatic," Richardson testified. "But I'm among the great majority of Republicans who feel betrayed by the shoddy standards and morals displayed by people whose activities have recently come to light."

Kennedy and Bayh, who conducted most of yesterday's questioning, were unable, however, to pin down Richardson to what they regarded as a satisfactory definition of "final authority" over the Watergate investigation.

Repeatedly, Richardson protested that he would interfere with the Watergate prosecutor only in "extreme circumstances," but he also refused to limit himself, as the Democrats suggested, simply to retaining the right to fire the prosecutor.

At one point, Richardson said he would keep hands off the Watergate investigation so long as the prosecutor showed "reasonable" judgement. Bayh protested that such a caveat sounded to him like "a trap-door."

Near the close of the hearing, Bayh also pressed Richardson to speed up a long-overdue Justice Department report on whether any witnesses had perjured themselves during last year's Senate hearings on Attorney General Richard G. Kleindienst's nomination.

Singling out former Attorney General John N. Mitchell, Bayh charged that "there is a very definite possibility—that perjury was committed before a committee of the United States Senate by a member of the executive branch.

Mitchell testified before the Judiciary Committee on March 15, 1972, when he was about to take charge of the Committee to Re-Elect the President. Bayh cited this exchange:

Sen. Kennedy: "Do you remember what party responsibilities you had prior to March 1?"

Mitchell: "Party responsibilities?"

Kennedy: "Yes. Republican Party."

Mitchell: "I do not have and did not have any responsibilities and I have no party responsibilities now, senator . . . Not as yet. I hope to."

Acidly, Bayh contrasted those statements with Mitchell's public statement last month, after testifying before the Watergate grand jury here, that he had taken part in meetings during January, February and March of 1972 at which plans to bug Democratic national headquarters were discussed.

Bayh called those admissions "in direct conflict" with what Mitchell had told the Senate.

Richardson said he had no idea what the status of the potential-perjury report was, but promised to find out. The Senate Judiciary Committee had asked for it last June, primarily out of concern over testimony about the Justice Department's settlement of three antitrust cases involving the International Telephone & Telegraph Co.

Pressed for the scope of the investigations and prosecutions to be assigned to the special Watergate prosecutor, Richardson told the senators that they would range from the activities of alleged GOP political saboteur Donald Segretti, who was indicted in Florida last week, to the alleged destruction of FBI wiretap records compiled in 1971 on newspaper

reporters and White House aides. The taps were reportedly ordered by the Nixon administration as part of the secret investigation ordered by President Nixon into the leaks of the Pentagon Papers.

In general, Richardson said, "the common denominator" in determining the special prosecutor's jurisdiction will be "some sort of White House involvement" in alleged violations of federal law, including campaign financing.

Kennedy asked whether that would include "the milk fund" contributions in 1971 to Mr. Nixon's pre-campaign committees and the "Vesco case" that resulted in former Attorney General Mitchell's indictment yesterday.

"I don't know enough about them," Richardson said. But whatever the cases, he told the committee, he does not intend to make regular progress reports on them to Mr. Nixon.

"There would be no understanding, requirement or expectation on the part of the President that he would be informed or notified of any action, no matter who was involved," Richardson stated.

At yesterday's hearing, Richardson also revised his Wednesday testimony about when President Nixon had ordered full disclosure of White House involvement in the 1971 burglary at the offices of Daniel Ellsberg's psychiatrist to the court in Los Angeles where Ellsberg is on trial.

Richardson had said that Mr. Nixon ordered the disclosure around April 18, at the behest of Attorney General Kleindienst and Assistant Attorney General Henry E. Petersen. Yesterday, however, he said he had "checked my notes" and found that the right date was April 24.

Publicly confirming that government investigators were tipped off about the burglary by since-ousted White House counsel John W. Dean III, Richardson said April 18 was the date that Watergate prosecutor Earl Silbert told Peterson that Dean was the source of his information about the Ellsberg burglary.

Silbert had already told Petersen on April 16, without naming the source, that the burglars included Watergate conspirators E. Howard Hunt and G. Gordon Liddy.