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Richardson:  
Under  
Pressure

By James Reston

WASHINGTON, Aug. 28—The new Attorney General of the United States, Elliot L. Richardson, is an elegant man of elaborate, almost ostentatious serenity, and you could never tell by watching him these days that he is under more pressure now than ever before in his varied service to the Federal Government.

What will he do if his U.S. Attorney in Baltimore recommends the indictment of Vice President Agnew on charges of criminal extortion, conspiracy, etc., support it or reverse it?

What position will he take on Richard Nixon's assertion that a President must first be impeached, convicted and removed from office before he can be tried in court on criminal charges? And would Mr. Richardson's position be the same on the Vice President in the Baltimore case?

A prudent man facing such questions on a new job might be expected to take refuge in silence, even in isolation. Mr. Richardson instead is both available and voluble. He sees reporters as if he had all the time in the world, doodles and talks with meticulous care, smokes big black cigars in the morning, and says absolutely nothing on the points at issue, but says nothing with admirable eloquence and unflinching courtesy.

Still, the days of putting political managers at the head of the Justice Department—Herbert Brownell, Robert Kennedy, John Mitchell—are now over, and Mr. Richardson's dilemma is that he has to protect the civil rights of Mr. Agnew against leaks and unproven charges, while at the same time being faithful to the law as it applies to the top officials of his party and nation.

Few Attorneys General of the United States have ever had to face such a tangle of legalities and loyalties in the

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first weeks of their work, and Mr. Richardson, after Watergate, is making clear that the integrity of the Justice Department, and even of the Government is likely to depend on the performance of his duties.

His dilemmas are fairly obvious. If he supports a criminal indictment against the Vice President, no matter what the evidence, he will be accused by many members of his party with being disloyal to the Republicans; and if he doesn't follow a recommendation to indict, he will be accused of being

more loyal to party than to law.

If he decides that the President is not subject to criminal charges until impeached and removed from office, he will go against his own special prosecutor, Archibald Cox, and if he sides with Mr. Cox, he will have to go against the President.

Neither the President nor the Vice President has made Mr. Richardson's task very easy. The President has said publicly that the time has come to leave the Watergate mess to the courts, but at the same time, he has denied the courts the power to compel release of the tapes that might contain critical evidence of criminal activity.

More than that, the President has refused the compromise of allowing Judge Sirica to examine the tapes in private, so as to get the evidence without destroying the confidentiality of "national security" information.

There is another awkward situation. Speaking of the Watergate investigation on April 17, the President said:

"If any person in the executive branch or in the Government is indicted by the grand jury, my policy will be to immediately suspend him. If he is convicted, he will, of course, be automatically discharged."

This is the President's principle and promise, but would he, or could he, apply it to Mr. Agnew if the latter were indicted in the Baltimore case? This would not be Mr. Richardson's problem, but the President's, and though the Vice President is clearly "in the executive branch," it is not at all clear that the President could either suspend him if indicted or discharge him if convicted.

These questions, of course, are not up for immediate decision, but they have to be very much of the minds of the President, the Vice President and the Attorney General, for they cannot control the various actions of the district attorneys, the prosecutors or the courts, and they have to anticipate the serious constitutional questions that could be placed before them.

This is obviously harder on the President and the Vice President, who face the possibility of being accused, while Mr. Richardson merely has to anticipate the problem of being the accuser, but whatever Mr. Richardson decides, he is not likely to avoid criticism.

And this is made all the more difficult because, if Mr. Agnew should be forced out of office, the President would have to nominate a successor, and Mr. Agnew's people are already saying not only that Mr. Richardson's Justice Department is responsible for the leaks about the criminal investigation of Mr. Agnew, but that Mr. Richardson himself has political ambitions to succeed Mr. Agnew or Mr. Nixon or both.

Mr. Richardson bitterly resents such suggestions, and removes himself from any consideration of higher public office, but that's the way things are in this town these days. The new Attorney General is trapped in a legal and political tangle, and the surprising thing is that he doodles and puffs away and takes it all with such remarkable outward calm.