

Cox Requests Extension of Grand Jury

With hopes of securing President Nixon's secret Watergate tapes before December fading rapidly, Watergate Special Prosecutor Archibald Cox asked Congress yesterday to keep the Watergate grand jury from going out of business.

Attorney General Elliot L. Richardson sent the request to the House and Senate on Cox's behalf.

Empaneled June 5, 1972, for a regular 18-month term, the Watergate grand jury will die Dec. 4 without a statutory extension.

Cox had been hoping to get the tapes in time for the grand jury to complete its work by the current deadline, but the U.S. Circuit Court of Appeals here, which last month promised the "earliest possible" ruling on the tapes, has yet to hand down its decision.

The Justice Department asked for "prompt consideration and enactment" of a bill extending the grand jury's life for as much as 12 months if necessary. The proposal would authorize chief U. S. District Court Judge John J. Sirica to keep the grand jurors sitting for six months and then for another six months if they still have not completed their work.

Cox had evidently been reluctant to ask for the extension since it would undercut his claims in court that the tapes are urgently needed before the grand jury goes out of business.

Richardson pointed out, however, that a Supreme Court decision on the case now "cannot reasonably be expected before mid-November."

"In the event of a ruling in favor of the special prosecutor," Richardson added, "both legal and technical problems may consume further time before the evidence is actually available, resulting in insufficient time for the grand jury to receive the evidence, pursue any resulting leads, and determine what indictments are warranted before Dec. 4."

The administration voiced no objection to the bill, but Richardson pointed out that White House lawyers had asked him to emphasize that its submission should not be considered an endorsement of Cox's demand for the President's Watergate tapes.