

20 October 1973

Excerpt from press conference at National Press Club, Washington, by Special Prosecutor Archibald Cox. Transcribed from tape, about 15 minutes into Cox's remarks.

....The incidents of last night need to be viewed against two things. One of the whole problem of obtaining information for this investigation.. And the other is the immediate discussion that took place between me and various representatives of the President. It's my characterization, but all I can say is that my efforts to get information, beginning in May, have been the subject of repeated frustration. This is a very special investigation in some ways. The problem is unique, because nearly all the evidence, bearing not only on the Watergate incident and the alleged coverup, but on the activities of the Plumbers and other things of that kind, is in the White House papers in files. And unless you have access to those, you're not able to get the normal kind of information that a prosecutor must seek. And written documentary evidence is far more reliable in a situation of this kind ~~is far more reliable than~~ the recollection of any witness, and certainly of interested witnesses.

As I say, it seems to me that the record has been pretty much one of frustration, either through delays or refusals to provide things we asked. I haven't made a great point of it while the legal question was being tested, but it seems to ~~seem~~ me that it would be right for the President's counsel to say, well, let's get the law wettled on these points and then we could go on from ~~there~~ there. And that it would be unfair of me, while litigation was pending, to attempt to put public pressure on possibly the President in these respects. But now, at least as of the moment, there's a question whether we can test the legal question. Let me give you an example.

You will recall that the papers of many White House aides -- Haldeman, Ehrlichman, Krogh, Young, Dean and others -- were taken into custody and ~~there~~ are in a special room. And many of their papers were taken out of the usual files and put in something special called presidential files. Back in June, early June if my memory is right, I asked that an inventory be made of those papers. I recognized that some of them might contain information that I shouldn't see, but I thought that if there was to be any thorough investigation that at least we ought to know what papers were there. I've never gotten it. I was told orally over the ~~phone~~ telephone a short time ago -- I don't mean in connection with the current incident, but a few weeks ago -- that the inventory would not be furnished.

There have been other papers that we've sought to get, and while I must say that I've been told I would receive them, the delays have been extraordinary. For example, I asked for all kinds of logs of many principal names from these incidents, and I was promised them back in June. I still haven't got the logs of the meetings of the President with such people as Chapin, Colson, Gray, Hunt, Kleindienst, Krogh, Larue, Liddy, Strachan, and Young.* (I hope our records are accurate). There are many pending letter requests, and I can't help reading the instruction not to seek subpoenas against that background, even though the instruction, as it's written, refers only to things referring to presidential conversations, and I think I'm entitled to suggest that the thing should be judged against that background.....

* See transcript, Gen. Haig on Face the Nation, 28 Oct 73.