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CORRESPONDENCE OF

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Correspondence of Changeover

Letter to Elliot L. Richardson, Attorney General, from President Nixon, Oct. 20, 1973.

It is with the deepest regard and with an understanding of the circumstances which brought you to your decision that I accept your resignation. Sincerely, RICHARD NIXON

Letter to President Nixon from Attorney General Elliot L. Richardson, Oct. 20, 1973.

Dear Mr. President: It is with deep regret that I have been obliged to conclude that circumstances leave me no alternative to the submission of my resignation as Attorney General of the United States.

At the time you appointed me, you gave me the authority to name a special prosecutor if I should consider it appropriate. A few days before my confirmation hearing began, I announced that I would, if confirmed, appoint a special prosecutor and give him all the independence, authority, and staff support needed to carry out the tasks en-

trusted to him." I added, "Although he will be in the Department of Justice, he will report to me—and only to me—he will be aware that his ultimate accountability is to the American people."

At many points throughout the nomination hearings, I reaffirmed my intention to assure the independence of the special prosecutor, and in my statement of his duties and responsibilities, I specified that he would have "full authority" for "determining whether or not to contest the assertion of Executive Privilege or any other testimonial privilege." And while the special prosecutor can be removed from office for "extraordinary improprieties," I also pledged that "The Attorney General will not countermand or interfere with the Special Prosecutor's decisions or actions."

While I fully respect the reasons that have led you to conclude that the Special Prosecutor must be discharged, I trust that you understand that I could not in the light of these firm and repeated commitments carry

out my duty as Attorney General. I am, of course, sorry that my conscience will not permit me to carry out your instruction to discharge Archibald Cox. My administration, with that action, is not too fundamentally flawed for me to act otherwise.

I wish you would continue during the remainder of your administration to take with me the opportunity you have given me to serve under your leadership in a number of important areas. It has been a privilege to share in your efforts to make the structure of world peace more stable and the structure of our own government more responsive. I believe profoundly in the rightness and importance of those efforts, and I trust that they will meet with increasing success in the remaining years of your Presidency.

Respectfully, /s/ELLIOT L. RICHARDSON

Letter to Robert H. Bork from President Nixon, October 20, 1973.

Dear Mr. Bork: I have today accepted the resignations of Attorney General Richardson and Deputy Attorney General Ruckelshaus in accordance with Title 28, Section 508 (b)

of the United States Code and of Title 28, Section 508 (b) of the Code of Federal Regulations, it is now incumbent upon you to perform both the duties as Solicitor General, and duties of and act as Attorney General.

In his press conference today Special Prosecutor Archibald Cox made it apparent that he will not comply with the instruction I issued to him, through Attorney General Richardson, yesterday. Clearly the Government of the United States cannot function if employees of the Executive Branch are free to ignore in this fashion the instructions of the President. Accordingly, in your capacity of Acting Attorney General, I direct you to discharge Mr. Cox immediately and to take all steps necessary to return to the Department of Justice the functions now being performed by the Watergate Special Prosecution Force.

It is my expectation that the Department of Justice will continue with full vigor the investigations and prosecutions that had been entrusted to the Watergate Special Prosecution Force.

Sincerely, RICHARD NIXON

Letter to Archibald Cox from Robert H. Bork, October 20, 1973.

Dear Mr. Cox: As provided by Title 28, Section 508 (b) of the United States Code and Title 28, Section 508 (a) of the Code of Federal Regulations, I have today assumed the duties of Acting Attorney General.

In that capacity I am, as instructed by the President, discharging you, effective at once, from your position as Special Prosecutor, Watergate Special Prosecution Force.

Very truly yours, ROBERT H. BORK, Acting Attorney General

Following is the text of Deputy Attorney General Ruckelshaus's resignation letter he says was delivered at 8 last night:

Dear Mr. President:

It is with deep regret that I tender my resignation. During your administration you have honored me with four appointments—first in Civil Division, then as administrator of the Environmental Protection Agency, next as acting director of the Federal Bureau of Investigation, and finally as deputy attorney general. I have found the challenge of working in the high levels of American government an unforgettable and rewarding experience. I shall always be grateful for your having given me the opportunity to serve the American people in this fashion.

I am, of course, sorry that my conscience will not permit me to carry out your instruction to discharge Archibald Cox. My administration, with that action, is not too fundamentally flawed for me to act otherwise.

I wish you would continue during the remainder of your administration to take with me the opportunity you have given me to serve under your leadership in a number of important areas.

Respectfully, William D. Ruckelshaus, Deputy Attorney General