

Special Prosecutor Is Urged

By Susanna McBee
Washington Post Staff Writer

Elliot L. Richardson, who resigned as Attorney General rather than follow President Nixon's order to fire the Watergate special prosecutor, said yesterday he thinks the administration should appoint a new prosecutor.

Richardson also told a televised news conference that he, too, would have done what the ousted prosecutor, Archibald Cox, did in pursuing a court order to force the President to turn over tapes of White House conversations about the Watergate case.

And he turned aside a question on whether he thought President Nixon should be impeached by saying that matter "is, in my view, a question for the American people."

The former Attorney General spoke to a packed audience of 150 press representatives and about 500 Justice Department employees about two hours before Mr. Nixon reversed a three-month-old position and agreed to turn over the tapes to U.S. District Court Judge John J. Sirica.

Justice Department employees, who filled the bal-

cony and part of the floor of the building's Great Hall, where Richardson spoke for more than an hour, greeted him with a thunderous ovation that lasted more than two minutes.

The former Attorney General, who seemed at times to be struggling to keep his composure, was obviously delighted with the strong vote of confidence he received. President Nixon had accepted both his and Deputy Attorney General William D. Ruckelshaus' resignations Saturday night after they refused to fire Cox.

Ultimately, the Solicitor General, Robert H. Bork, obeyed the presidential directive and dismissed the prosecutor. On Tuesday Bork, as acting Attorney General, placed Assistant Attorney General Henry E. Petersen, who had handled the Watergate probe until last spring, back in charge of it.

In reviewing his promise to Congress last May that Cox would have full independence in the prosecution, Richardson said that pledge was the reason he could not

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Associated Press

Richardson: President's action a "statesmanlike step."

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discharge Cox and therefore had to resign.

"At stake in the final analysis is the very integrity of the governmental processes I came to the Department of Justice to help restore," Richardson said.

But he took special care not to accuse Mr. Nixon of bad faith. Specifically, he said he was not charging the President "with a failure to respect the claims of the investigative process. Given the importance he attached to the principle of presidential confidentiality, he believed that his willingness to allow Senator (John) Stennis (D-Miss.) to verify the subpoenaed tapes fully met these claims," Richardson said.

An aide said later that Richardson had no prior knowledge of Mr. Nixon's turnabout on the tapes issue. In fact, the former Attorney General had gone to his McLean, Va., home when his aides called to inform him about the reversal.

He called the President's action a "welcome surprise" and a "constructive, statesmanlike step" and said he hopes it will "overcome the waves of protest" which arose after the firing of Cox.

Aides of both Richardson and Ruckelshaus said they did not think either would take their old Justice Department jobs back if the President asked them to.

Ruckelshaus, speaking at a later news conference, said he also was "glad to see that the President has complied" with the court order. "It remains to be seen how the investigation of the special prosecutor's office can be carried on," he added.

It should be done "on an independent basis," Ruckelshaus suggested, "either through the courts or Congress."

Richardson, while reaffirming his own "confidence in the integrity of Henry Petersen," told his news conference he thinks a "completely independent" special prosecutor "is an important guarantee of the integrity of any investigation."

The former Attorney General said he knows that whatever Petersen does "will be done right," but when asked if the Justice Department can do an independent job of completing the Watergate probe, he said, "I think the situation is fraught with great difficulty," for Petersen.

"I think that whoever is Attorney General and Mr. Petersen would both be in a better position if an independent prosecutor was appointed."

Richardson released a letter that the President wrote last Friday telling him to direct Cox "to make no further attempts by judicial process to obtain tapes, notes, or memoranda of presidential conversations."

In the letter the President admitted he was "intruding, to this very limited extent, on the independence that I promised you with regard to Watergate when I announced your appointment." But he said the intrusion was necessary because of Cox's refusal to agree to his plan to let Stennis submit a verified summation of the tapes to the court.

Richardson released another letter—one that he wrote Mr. Nixon Saturday outlining his disagreement with the President's insistence that Cox be forced to give up his court efforts to get the tapes themselves or to get access to other tapes and documents in the future.

"If you were in Mr. Cox's shoes, sir, would you have done the same thing?" Richardson was asked.

"I would have done what he has done."

The former Attorney General had warm praise for his former law professor at Harvard. He said Cox "was exercising a very difficult responsibility with conscientiousness, a real effort to be fair, and with an effort to pursue any evidence of wrongdoing wherever it might lead."

Wouldn't the appointment of another independent special prosecutor put the nation in the same box it found itself in last week? Richardson was asked.

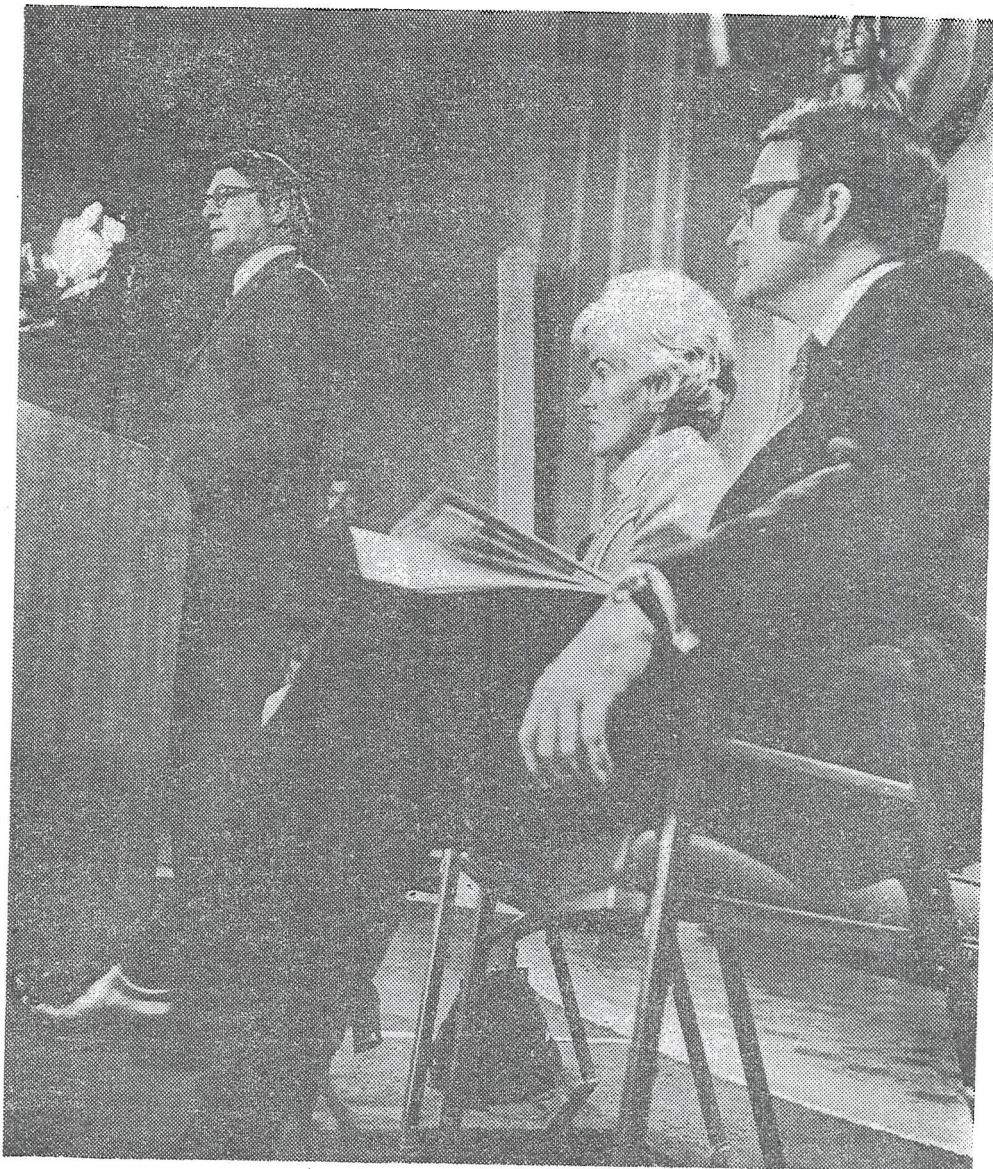
"In a way it would," he admitted. "But this week's box is deeper and bigger than last week's box, and we'd be better off to get back to the first one."

Asked if he thought the President's action last week-end will affect public confidence in government, Richardson said, "I think we need to let some time pass and developments unfold before we try to render a verdict." He stressed that Mr. Nixon "has not yet defied any court order" and "I have no reason to believe he would defy a court order."

Asked if he thinks Mr. Nixon should be impeached, he replied, "The question of any ultimate judgment to be made on these facts is, in my view, a question for the American people."

Richardson noted that he was part of Mr. Nixon's administration "from the beginning" and added, "I believe in the objectives and priorities of the administration. I regard particularly as important the role of the President of the United States, President Richard Nixon, in dealing with international problems.

"We have had a very recent illustration of the skill and the firmness with which he has dealt with that kind of crisis," Richardson continued, referring to the Middle East war. "And so I do not believe that I am the person, based on the record of these events, who should



By Joe Heiberger—The Washington Post

Richardson: "I would have done what he (prosecutor Cox) has done."

try to pass judgment on them."

The former Attorney General was asked if he thinks Mr. Nixon will permit Petersen and the Justice Department to pursue a course that he would not let Cox pursue.

Richardson replied by saying that while he does not

think the Cox investigation was tinged with partisanship, some other Republicans do.

"There is and was a feeling in the Republican Party, on the Hill, and among some members of the President's staff that there was a get-the-President attitude in Cox's office, that the

[prosecutor's] staff itself was heavily aligned to the Democratic Party, and there were likely to be results that were tipped by partisanship," Richardson said.

He added that while he personally does not believe that the feeling is correct, "this was a continuing problem" with Cox.