

Nixon Critic Turns Admirer

Saxbe Wouldn't 'Flounce Out' at Opposition

By Susanna McBee

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Attorney General-designate William B. Saxbe said yesterday he would not resign if President Nixon decided to fire the new Watergate special prosecutor, Leon Jaworski.

Saxbe based his stand on Mr. Nixon's assurance that Jaworski will be fired only if eight congressional leaders reach a consensus that he should be dismissed. If that happens, Saxbe said in an interview, "I certainly would feel obligated to follow through with their consensus."

Former Attorney General Elliot L. Richardson resigned Oct. 20 rather than obey the President's order to fire Watergate Special Prosecutor Archibald Cox, and acting Attorney General Robert H. Bork, finally carried out the order.

Saxbe, a Republican senator from Ohio, said he assumes that any future firing would be caused by "improprieties, on the part of the prosecutor. He added however, that if he did not agree that there was impropriety, he "would make a case" for the prosecutor with the President and congressional leaders before any dismissal decision could be made.

"One thing that I'm determined in taking over this job is that—and this is no reflection on Richardson—but I'm not going to flounce out of there [the Justice Department] at the first opposition that comes up or the first time that there's a confrontation," Saxbe said.

"Once you give up your job, you're a voice in the wilderness. The only time you can fight is when you have the job. You can be fired, but you don't have to quit," he said.

Richardson resigned because he said he could not carry out an order that would compromise the complete independence of the prosecutor. Specifically, he disagreed with Mr. Nixon's insistence that Cox forego any future court fight to get White House Watergate tapes and documents.

Saxbe said Jaworski would have full independence in that he could go into court if necessary to subpoena evidence from the

White House and could sign his own indictment instead of going to the Attorney General.

Saxbe was asked if he would expect Jaworski to consult with him on the course of the investigation. He replied, "Only when he chose to. Frankly, it's my hope that he will take complete charge of this and permit me to go ahead and get the department organized."

The senator said it is not his intention to call Jaworski periodically and ask how the investigation is coming or to criticize the way he runs it. "I'm not going to look over his shoulder," Saxbe said.

He was lavish in his praise of Jaworski, whom he called a "tough, patriotic lawyer . . . the kind of man you can only get in time of crisis and get him by imposing on him."

Saxbe sidestepped a question about whether he thinks Jaworski will pursue the same kinds of evidence that Cox has said he needed—and the White House refused to supply him to complete his investigation. The evidence included numerous memos, tapes and logs of conversations.

Instead of replying directly, the senator said, "I felt the main problem with Mr. Cox and the President was really a conflict of personalities that was getting worse and worse.

"It was not so much over what he was trying to do as over the way he was trying to do it. I had the feeling he (Cox) was more interested in a lawsuit than he was in pursuing the Watergate investigation.

"I don't think we'll have that problem with Mr. Jaworski. He's a pretty practical type of lawyer. He's not an academician. He's practiced successfully in a number of courts throughout the world, and I think he's putting his whole career on the line."

Asked what would happen if Saxbe were to feel that Jaworski was making unreasonable demands for information from the White House, the senator said:

"I don't think this will arise until he comes to me and

says, 'We've reached a hiatus in these affairs. I can no longer continue without your intervention.' At that time, I'll make a determination."

Saxbe said he had no part in the President's proposal to consult with majority and minority leaders and the chairmen and ranking minority members of the House and Senate Judiciary committees before firing the new prosecutor.

"It seems to be a fair agreement," he said.

Saxbe, the frequent critic of Mr. Nixon, seemed yesterday to be Saxbe, the confirmed admirer of the President.

In the past the senator has said Mr. Nixon took "leave of his senses" when he ordered the Christmas-time bombing of North Vietnam and that the President, in asserting his ignorance about the Watergate affair, was "like the man who plays piano at a house of ill repute and says he doesn't know what's going on upstairs."

Yesterday he stressed his faith in Mr. Nixon. "He's the President of the United States, and if I didn't have confidence, I wouldn't presume to go forward with the confirmation."

Asked about the two Watergate tapes the White House now says never existed, Saxbe said the matter is now "before the judge" and "has to be satisfactorily explained."

He recalled that when he heard about it on Wednesday, he said, "My God, here's another card that's turned. Every day there's a new card." He added, "It would seem to me we're going to have to reach bottom pretty quick on this, and I hope that we can."

But Saxbe pointedly declined to discuss his personal reactions to the new tape disclosure. "I'm kind of past the point of having suspicions and instincts," he said, adding that expressing them was "one of the things I enjoyed" as an individual senator but could no longer do as a prospective Cabinet member.

Saxbe stressed that he and the President did not dwell on his past anti-Nixon comments when they conferred Wednesday on his taking the Attorney General's job.

"He knew I had said them, and he knew I knew he knew I'd said them," Saxbe said. "He reported to me that some people said he shouldn't appoint me because I had said this and so and that and so, and he chuckled and he said, 'Well, this is not of interest to me. We're looking forward from here.' He said,



By Joe Heiberger—The Washington Post

Ziegler, President Nixon and Saxbe enter White House press room for announcement.