

Silbert Appointed Acting Prosecutor

By Lawrence Meyer
and Timothy S. Robinson
Washington Post Staff Writers

Earl J. Silbert, who was the prosecutor in the original Watergate investigation, was appointed yesterday as the interim United States attorney for the District of Columbia by the judges of the United States District Court here.

Silbert, 37, was the unanimous choice of the judges, according to Chief U.S. District Judge John J. Sirica, to succeed former U.S. Attorney Harold H. Titus Jr., who resigned last Friday because of poor health. Silbert was Titus' principal assistant.

Silbert, according to a statement read by Sirica during the swearing-in ceremony yesterday, will serve as the U.S. attorney, with full powers of a chief prosecutor, until President Nixon's appointment of a successor is confirmed by the Senate. Silbert, like Titus before him, could receive the presidential appointment after serving in the interim capacity.



EARL J. SILBERT
... unanimous choice.

A magna cum laude graduate from Harvard College with a degree in history, Silbert received his law degree cum laude from Harvard Law School in 1960.

Although he earned a reputation as a bright young lawyer

See **SILBERT, A7, Col. 1**

SILBERT, From A1

yer in his early days in the Justice Department and with the prosecutor's office, Silbert received national attention and prominence as the chief prosecutor in the Watergate trial.

Silbert and the two prosecutors working with him on the case were able to obtain guilty pleas or convictions for the seven original defendants, but their conduct of the investigation was widely criticized as not being sufficiently thorough and failing to spot the cover-up of the involvement of prominent White House officials in the Watergate affair.

Last March, following the sentencing of the seven Watergate defendants by Judge Sirica and the revelation of charges implicating higher-ups by convicted conspirator James W. McCord, Silbert and his assistants re-opened the investigation.

Although the Justice Department insisted it would conduct a thorough investigation of the Watergate affair last spring, the Senate conditioned its approval of Elliot L. Richardson as Attorney General on the appointment by Richardson of an independent special prosecutor.

Richardson appointed Archibald Cox and Silbert and his assistant Donald Campbell—worked with Cox under reportedly strained relations from the end of May until June 29, when they withdrew from the case, describing their investigation as having been conducted "forthrightly, vigorously and professionally."

Silbert declined yesterday to discuss the Watergate affair except to say that he and his assistants "have cooperated" with the special prosecutor's office since they withdrew from the case.

In his announcement of Silbert's appointment yesterday, Sirica described Silbert as having been Titus' "alter ego in all matters."

Silbert began working for the tax division of the Justice Department in 1960 after completing law school and being admitted to the bar in Massachusetts, where he grew up. In 1964, Silbert became an assistant U.S. attorney, working in the Court of General Sessions, special proceedings, grand jury and criminal trial sections.

In 1969 he joined the office of the deputy attorney general as an attorney-adviser and in 1970 returned to the U.S. attorney's office as executive assistant. While in the Justice Department, Silbert played a key role in the drafting and enactment of the D.C. Crime Act of 1970.

In January 1972, when Titus was elevated from principal assistant U.S. attorney by the court to fill the vacancy created by the resignation of U.S. Attorney Thomas A. Flannery, Silbert became principal assistant. He remained in that position after President Nixon appointed Titus U.S. attorney.

Silbert said yesterday that one of his main concerns will be the "public interest in street crimes . . . No one wants his home broken into, pocketbook snatched or to be robbed." In addition, Silbert said he will be "spending a significant amount of time" at D.C. Superior Court to assist in the implementation of the court reforms enacted by the 1970 crime legislation.

Silbert also said that he expects to be "more visible" than his predecessor. "I am concerned that not only does the office do a good job, but that it appears to do a good job as well," he said.

Silbert is married and has one daughter. As acting U.S. attorney, he will be paid an annual salary of \$38,000, an increase of between \$3,000 and \$4,000 over his present annual salary.