

RAMSEY CLARK NOMINATED TO BE ATTORNEY GENERAL; FATHER TO QUIT HIGH COURT

TEXAN, 39, CHOSEN

Civil Rights Advocate
Has Been in Justice
Agency 6 Years

Special to The New York Times

WASHINGTON, Feb. 28—

President Johnson named Acting Attorney General Ramsey Clark today to become Attorney General.

Two hours after the announcement, Mr. Clark's father, Justice Tom C. Clark of the Supreme Court, disclosed that he would retire from the bench no later than the end of the present session of the Court, in June, to avoid any suspicion of a conflict of interest.

Until that moment, however, the younger Mr. Clark said he did not know what his father would do and implied that he did not think it essential for him to resign. He said he had never discussed the question with his father.

President Johnson said he had not discussed the possibility of a conflict or resignation with either the father or the son.

Friend of the President

Ramsey Clark, 39 years old, is an old family friend of the President and a widely respected supporter of civil rights and civil liberties.

He came to the Justice Department in the Kennedy Administration in 1961 as an Assistant Attorney General in charge of the Lands Division. He was active also in other fields, however, especially during the civil rights demonstrations in the South in 1962 and 1963. He gained a reputation for his unruffled demeanor, laconic but candid responses to almost any question and deep concern for the legal right of individuals.

Two years ago, after Nicholas deB. Katzenbach was named to succeed Robert F. Kennedy as Attorney General, President Johnson raised Mr. Clark to the position of Deputy Attorney General. Mr. Katzenbach became Under Secretary of State last October, and Mr. Clark was left to serve as Acting Attorney General for nearly five months.

Got the Word Today

Mr. Clark said today that the President had discussed with him several times, his elevation to the Cabinet rank and indicated last Saturday that he might soon make the nomination. The final word was given to him at the White House today, he said.

Asked whether the President had been waiting for a response, Mr. Clark said:

"No, I guess he figured I was hanging around for something, maybe."

Mr. Clark, slender and 6 feet 3 inches tall, speaks evenly in the accents of his native Dallas, with a thin smile that appears and vanishes with great speed. He is not given to gestures, but in commenting on his father's problem about whether to remain on the bench he pounded a fist against his

Continued on Page 24, Column 5 stomach, saying, "That's a decision that's got to be made in here."

From his standpoint, he said, there was no conflict in his presiding over the Justice Department while his father sat on the court before which the department often pleads. In his six years at the department, he said, he made it a point not to sign department briefs to the Court, and his father, exercising a judge's right to determine his own qualifications in a case, never disqualified himself on account of his son's positions.

But 10 years ago he did, when the younger Mr. Clark, then practicing law in Dallas, came to Washington to argue the case of a food chain concern. Justice

Clark stepped aside for that judgment. His son lost a split decision by the eight other justices.

The younger Mr. Clark showed some pride at the White House in the knowledge that it was 30 years to the month since his father went to work in the Justice Department. Tom Clark was Attorney General from 1945 to 1949, under President Truman.

To Shun Partisan Politics

Ramsey Clark said he was deeply honored by the appointment and the chance to serve at an exciting time. Then he offered some forthright views.

He said he would not take an active part in partisan politics, as have some Attorneys General.

"My judgment is that the Department of Justice is not a good place to have high political activity," he said. "The fact and appearance of its function has to be even-handed."

Asked about his relations with J. Edgar Hoover, the director of the Federal Bureau of Investigation, who has had stiff dealings with both Mr. Kennedy and Mr. Katzenbach, Mr. Clark said:

"Our relations are very cordial."

Mr. Hoover, he said, has made great contributions to government and built an excellent service that is "his length and shadow."

But he added, after saying that "I shouldn't really be talking about this, I suppose," that he was leaning toward the view that future directors of the F.B.I. should be confirmed by the Senate before taking a job of such responsibility.

Backs Warren Report

Mr. Clark described the Warren Commission's inquiry into President Kennedy's assassination as the "most comprehensive investigation of a series of facts ever made" and said its findings "are supported by overwhelming evidence."

He said he doubted that District Attorney Jim Garrison of New Orleans had turned up any new evidence of a conspiracy in the assassination and said he found it difficult to see how anyone with hard evidence would fail to bring it to experienced Federal authorities.

Mr. Clark said he opposed capital punishment as "incom-

patible with our best knowledge and experience in the control of criminal conduct and criminal rehabilitation." He also shares Mr. Johnson's view that wiretapping and eavesdropping should be used only in cases of national security and not in fighting organized crime, he said.