

Jaworski To Push on 'Plumbers'

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Special Prosecutor Leon Jaworski said yesterday he plans to press for indictments in the Watergate case despite a "national security" problem brought to his attention by the White House.

He testified before the Senate Judiciary Committee that when presidential aides informed him of the problem last week, "my analysis was I could proceed, and I told them I expected to proceed."

Earlier, former Attorney General Elliot L. Richardson said White House Special Counsel J. Fred Buzhardt had told him last summer about "a very significant national security problem" in connection with the super-secret "plumbers" operations.

The so-called White House plumbers were set up in 1971 as a special investigative unit to plug news leaks of national security matters.

One plumber project—the September, 1971, burglary of the office of Daniel Ellsberg's psychiatrist—led last May to dismissal of the government's case against Ellsberg for leaking the Pentagon Papers to the press.

Richardson said the national security aspect of the plumbers case, which he declined to specify, "could be" a serious impediment to Jaworski in bringing federal indictments. "It depends on how it is handled," the former attorney general said.

Richardson said he raised the problem with former Watergate Prosecutor Archibald Cox last September, "and he agreed it was a serious problem. We agreed that it had to be thought through and anticipated," Richardson said. Cox could not be reached for comment.

Jaworski, however, did

not seem overwhelmed by the problem in his testimony before the committee. He said Buzhardt and Gen. Alexander M. Haig Jr., White House chief of staff, "did call to my attention a matter relating to national security and a problem
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which could arise from that."

The new prosecutor, whom President Nixon appointed Nov. 1 after he had fired Cox, said Buzhardt and Haig promised to let him or a member of his staff listen to tapes and see documents relating to any national security problem.

Jaworski added that he does not think "I would have to invade that area at all," and he said he told the White House aides, "If the evidence justified bringing indictments, I would bring indictments."

Asked specifically about the burglary at the office of Dr. Lewis J. Fielding, Ellsberg's one-time psychiatrist, Jaworski said, "If I don't believe it involves an area of national security, I'm going to go after it."

"What assurances do you have that the veil of national security won't be drawn over the matter?" asked Sen. Edward M. Kennedy (D-Mass.).

"One, much as I respect the issue of national security, I'm not going to be blinded by it," Jaworski replied, "and, two, there was no resistance (from Buzhardt and Haig) when I said I thought some indictments could be brought, and I was going to pursue them."

Richardson, in a telephone interview, noted that he had raised the security problem in his testimony two weeks ago before the Senate Judiciary Committee.

He said a Washington Post article last Friday was "wrong" in saying that he and Cox were subjected to White House "lobbying efforts" to discourage possible indictments of former presidential aides John D. Ehrlichman, Charles W. Colson, and Egil (Bud) Krogh Jr. because of national security.

Richardson said the article was "not fair" to Buzhardt in saying he had "lobbied heavily" on the issue. "He raised a problem that could arise if asserted by a defendant. It was not a situation peculiar to any particular defendant. He did not mention any particular names," Richardson said.

The security problem has been mentioned several times without being identified.

The latest reference to it came last Saturday night from President Nixon in his news conference with the Associated Press Managing Editors at Disney World in Orlando, Fla.

Mr. Nixon said he had told Assistant Attorney General Henry E. Petersen, who handled the Watergate probe until last May, "that national security matters were not matters that should be investigated because there were some very highly sensitive matters involved, not only in Ellsberg but also another matter so sensitive that even Sen. Ervin and Sen. Baker (the chairman and vice chairman, respectively, of the Senate Watergate Committee) have decided that they should not delve further into them."

Cox mentioned the problem Oct. 31 when he testified before the Senate Judiciary Committee. He indicated then that indictments in the Ellsberg burglary case were being held up by White House objections, voiced to him through Richardson, concerning national security.

Petersen also discussed the matter in public when he testified before the Watergate committee last August.

He told of a phone conversation he had on April 18 with Mr. Nixon, who, he said, told him that he (the President) knew about a report dealing with the Ellsberg break-in.

The President then said, Petersen testified, "That is a national security matter. You stay out of that. Your mandate is to investigate Watergate."