

Richardson

Opinion on Nixon Logs

Washington

Attorney General Elliot L. Richardson said yesterday the courts may have to decide whether President Nixon gives White House documents to Watergate prosecutor Archibald Cox.

In such a case, Richardson told his first formal Justice Department news conference, the President would have to use White House counsel to defend the documents.

"I see no other way to do it," Richardson said. "It would be a great constitutional issue."

LOGS

Earlier in the day the White House said the President conferred this spring with his counsel, John W. Dean III, about Dean's Watergate investigation. But the White House said Mr. Nixon would not release the logs of their talks on grounds it would be "constitutionally inappropriate."

Richardson said if Cox decides to try to secure the President's logs as part of the Watergate prosecution, then Cox would be acting as a representative of the Justice Department. If this developed, Richardson said, then the department could not also represent the President.

But Richardson said he believed an accommodation might be worked out since Mr. Nixon has expressed a desire to have all the facts in the case made public.

KNEW

Richardson said he has no knowledge that President Nixon knew about the Watergate and related activities or the attempted cover-up.

Richardson said national security was no justification for the Watergate bugging, the burglary of Daniel Ellsberg's psychiatrist's office or the White House "plumbers" who tried to stop leaks of government secrets to the news media.

"There may be situations in which sheer survival de-

mands subordination of the law—perhaps in wartime," Richardson said. "The problem is to determine that such a clear and present danger exists."

FBI

Richardson also said the search for a permanent FBI director has been "narrowed" and an announcement is expected soon.

The FBI has been without a permanent director since J. Edgar Hoover died 13 months ago.

The White House said Kansas City Police Chief Clarence M. Kelley, who was in Washington yesterday, is among the candidates.

Others believed to be in the running with Kelley are Roy W. Moore, who heads the FBI office in Jackson, Miss., William A. Sullivan, agent in charge of the Philadelphia office; and Charles Bates, agent in charge of the San Francisco office.

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