

## RICHARDSON BARS SECURITY AS ISSUE

He Sees Insufficient Reason for White House Creation of Investigative Group

By JOHN M. CREWDSON

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Elliot L. Richardson, the new Attorney General, said Monday that he did not believe the publication of the Pentagon papers was a sufficient justification for the establishment of a special White House unit to investigate security leaks, or for some of the tactics it employed.

In his first news conference since taking over the Justice Department's top post 11 days ago, Mr. Richardson said that he would have opposed the creation of such a group without "an extremely compelling justification in a given case."

The publication of the top-secret Defense Department study of the Vietnam war in June, 1971, he said, did "not in itself" represent such a justification.

Speaking to reporters from the head of a long conference table in his newly acquired suite of offices at the Justice Department, Mr. Richardson remarked that the "national security" explanation offered for a 1971 burglary by members of the White House unit "is not convincing."

### Concedes "Concern"

He conceded that "a genuine national security concern surrounded the formation and the operation" of the so-called "plumbers" group set up by President Nixon following the publication of the Pentagon papers said the question then should have become, "What do you do about it and how far do you go?" He said that the September, 1971, burglary at the Los Angeles office of Dr. Daniel Ellsberg's former psychiatrist went "too far."

Asked whether he agreed with Mr. Nixon's decision to create a special White House investigative operation to stop security leaks, Mr. Richardson said carefully, "There would have to be a very persuasive case made, in my view, as to why the normal agencies of government were not adequate" to perform such a function.

"I think the national security justification, even as put forward by the people who were directly involved, is not convincing," he added.

He referred to a sworn statement by Egil Krogh Jr., a former White House aide who was put in charge of the "plumbers" by Mr. Nixon, that the investigation of Dr. Ellsberg was based on the Administration's concern that the former Defense Department official might further jeopardize national security.

Mr. Richardson, who resigned as Secretary of Defense at Mr. Nixon's request to take over at Justice following the resignation of Attorney General Richard G. Kleindienst, seemed at times reluctant to commit himself on questions that currently divide the White House, the special Watergate prosecutor and Congress.

Asked to respond to reports that the prosecutors in the Watergate case would like to subpoena the President to testify before a grand jury, he replied, "I've thought about it some, but not enough."

He added: "All I know is that, in asking me to become Attorney General of the United States, the President said that he expected me to pursue the evidence wherever it might lead."

That responsibility, he said, had since been delegated to Archibald Cox, the Justice Department's special Watergate prosecutor, who is "operating under a charter which gives him total independence."

### Asked for Briefing

Other Justice Department officials confirmed that Mr. Richardson does, in fact, have little detailed knowledge of the department's pursuit of the Watergate case. Shortly before today's news conference, they said, he requested a briefing from officials on questions that he might be asked about the case.

Mr. Richardson said that he had not been consulted in advance on a White House statement last week that it would be "constitutionally inappropriate" for Mr. Nixon to appear investigating Watergate.

Asked whether he agreed with the White House's interpretation of the separation of powers doctrine in this instance, he said it was a question that could "only be addressed at the stage when the special prosecutor or a Congressional committee reaches it."

He did not find such an appearance inconceivable, he said, adding that it was "a question of how the issue is presented."

"The President had said he believes the truth should be found and that the investigation be pressed wherever it may lead," he said. "Now I'm sure he is entitled to expect that it will be pressed wherever it may lead."