

placed the country's needs above my personal interests. To me, Mardian was a Johnny-come-lately.

Because of Mardian's attitude, our relationship did not end on a cordial note when I left the FBI. On the other hand, there had never been an open break between us before I left, so when I felt my departure from the FBI and Washington was growing imminent, I decided to talk to Mardian about the wiretap logs. The decision to raise the question with Mardian was entirely on my own. I had never discussed it with anyone. I could have left the logs where they were, in a file in my office, but I desperately wanted to maintain their confidentiality within the Department of Justice where I assumed they would be retained. And Mardian already knew about the taps—he was the logical man to approach.

When I warned Mardian that my days with the FBI were numbered, he assured me that Hoover wouldn't force me out. "He wouldn't dare," Mardian said. I disagreed, and when I told him I suspected that Hoover would misuse the logs when I was gone, he grew concerned. "I don't have the authority to make this kind of decision," he told me, "but I'll talk to people who do." A few days later, Mardian told me that "on presidential request" and "on the authority of the attorney general" he would personally take possession of the logs and correspondence. In May 1973, I learned that after our first meeting Mardian had flown to San Clemente to discuss the future whereabouts of the logs with President Nixon. Mardian kept something else from me too: he never mentioned that the logs would not be kept in his office, as I assumed, but in the White House. In all fairness to Mardian, whose intelligence and ability I still respect, I don't think that the logs were moved to the White House to obstruct justice, but to maintain security. When I turned in my inventory before leaving the FBI for the last time, I listed the logs and told Mark Felt that I had left them in Mardian's possession.

After Mardian left the Department of Justice, I believed that the logs were still safe at the department until May 1973, when Henry Petersen, an assistant attorney general, called me and asked if the FBI had ever had a tap on Daniel Ellsberg. I told him that we hadn't, although Ellsberg could have been a "walk-in" (someone who called or was called by someone under FBI surveillance) on someone else's

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