

*Jack Anderson and Les Whitten***Richardson: A Leaker?**

WASHINGTON — The Justice department has suppressed records that tie Commerce Secretary Elliot Richardson to the leak of highly classified documents to Daniel Ellsberg. Our investigation indicates that Richardson encouraged Ellsberg, in turn, to pass the classified material to the press.

The Pentagon's chief investigator was so incensed over the leak that he recommended to the Justice Department that Richardson and an aide be prosecuted.

White House records show that then-President Nixon expressed his personal concern about the leak to aide John Ehrlichman. One cryptic note indicates that the White House was worried about the "E.L.R. implications," obviously meaning Elliot L. Richardson, who was then in the Nixon cabinet.

The evidence indicates that Richardson, working through an aide, used Ellsberg to leak a story helpful to Richardson. This occurred a year before the controversial Ellsberg was identified as the source of the more famous Pentagon Papers leak. Here are the details:

On March 26, 1970, the Washington Star published a story by its political reporter, James Doyle, revealing dates and details from classified State Department cables. The story told in terms favorable to Richardson, then under secretary of state, how he was trying to free a prominent South Vietnamese assemblyman named Tran Ngoc Chau.

President Nixon was reported to be apoplectic over the leak, and the State Department was ordered to search for the source. The leak was traced to Charles M. Cooke Jr., a former Air Force major, who had become Richardson's most trusted aide.

No action was taken against Cooke, and the incident was forgotten until the Pentagon's chief investigator, W. Donald Stewart, a dogged ex-FBI agent, began to poke into the files.

He described his findings in a Dec. 1, 1973, memo to the Senate Watergate Committee. "In pursuit of Cooke, I reviewed his State Department security file and learned that he had been iden-

tified as the person who allowed Daniel Ellsberg of the Rand Corp. to review highly classified information concerning a Vietnamese named Tran Ngoc Chau."

This same information subsequently turned up in the Washington Star story. "The release of this data was of such embarrassment," wrote Stewart, "that the Under Secretary of State Elliott Richardson ordered an immediate investigation."

The State Department sleuths quickly nailed Richardson's own aide, Cooke, "as the responsible person for allowing Ellsberg to review the file." Because no disciplinary action had been taken against Cooke for the security breach, Stewart himself went to the Justice Department to discuss "the Cooke matter." This resulted in a Justice investigation.

Stewart later learned from the office of then-Assistant Attorney General Robert Mardian that Cooke had been interviewed. "He reported that Elliott Richardson had instructed him to provide the data re Tran Ngoc Chau to Ellsberg," reported Stewart. "Richardson apparently desired a leak of this data to focus President Nixon's attention on it, which (Richardson) had been unable to do."

Stewart responded by recommending to the Justice Department that both Richardson and Cooke be prosecuted along with Ellsberg.

We contacted Richardson who acknowledged that he knew information had been furnished Ellsberg about the Chau case. The purpose Richardson understood, was to enable Ellsberg to prepare a chronology of the case.

The Commerce Secretary emphatically denied that he had any part in the leak to the press. "There is nothing to that at all," he told us. "That's ridiculous."

Cooke admitted that he had made the Chau file available to Ellsberg but denied that the purpose was to leak the classified information to the press. Cook said he kept Richardson informed of his actions and assumed Richardson knew Ellsberg had been given access to the secret file.



# Jack Anderson's Washington Merry-go-round

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The Justice Department's refusal to lift the secrecy on this case comes at a time when Richardson is quietly seeking the vice presidential nomination on the President Ford's ticket. The Richardson-Ellsberg leak clearly won't help his chances. But Justice insists the suppression has nothing to do with politics.

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He described his findings in a Dec. 1, 1973, memo to the Senate Watergate Committee. "During the course of a series of Jack Anderson leaks in February-May, 1971," he wrote, "in search for a suspect, I came across Cooke's name . . . He had . . . access to such data which appeared in Anderson's column."

Cooke was not, we should interject, the source of our stories. But Stewart's memo continued: "In pursuit of Cooke, I reviewed his State Department security file and learned that he had been identified as the person who allowed Daniel Ellsberg of the Rand Corporation to review highly classified information concerning a Vietnamese named Tran Ngoc Chau."

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## —With Les Whitten

We also obtained confirmation from Ellsberg, who said Cooke knew the classified details had been leaked to the press. Cooke told him, furthermore, that Richardson approved the leak, Ellsberg added reluctantly under questioning.

"When I got there," said Ellsberg, "the leaking process was already going on, and I happily joined in. I told Cooke, 'Your necks are already out. I'll take the rap . . . I'm not in the government. I'll take the rap.'" Ellsberg added that Cooke actually helped set up the Washington Star leak.

The affair also came to the attention of the White House plumbers whose nominal head, Egil Krogh, sent the State Department a memo on Aug. 11, 1971, demanding information on the Chau leak. Krogh requested a report on "all files in the Chau case," including those relating to Cooke, Richardson and "all the papers made available to Ellsberg."

Last month Stewart, now retired from the Pentagon and writing a book to be called "The Pentagon Untouchables," requested the Chau records from the Justice Department under the Freedom of Information Act. The request was turned down.