

U.S. Denies Report on Drug Lawman

By Morton Mintz

Washington Post Staff Writer

The Justice Department yesterday denied a report that the nation's top law enforcement officer was the house guest of a Texan who was then under investigation in an alleged conspiracy to smuggle 10,000 submachine guns and other weapons into Mexico in exchange for 25 kilograms of heroin.

The report appeared in yesterday's New York Times, which characterized the alleged deal as a \$2 million transaction.

The official, Myles J. Ambrose, was U.S. Commissioner of Customs when he visited Richmond C. Harper at the Texan's ranch in Mexico, near the Texas border town of Eagle Pass, last December.

But the Justice Department, in a statement last night, said it was "not until May 30, 1972—more than five months later—that Mr. Harper was made part of the investigation. Mr. Ambrose did not know Mr. Harper before the visit and has not seen or talked to him since."

The department also said The Times story "contains numerous misstatements of fact and false innuendoes."

About a month after the visit, on Jan. 28, President Nixon named Ambrose, 45, a Special Assistant Attorney General and director of Drug Abuse Law Enforcement.

According to the Times, Bureau of Customs officials had begun to investigate Harper in December, 1970, and had intercepted a shipment of merchandise from Hong Kong that the made to Mexico in October, 1971.

The department said the "Hong Kong merchandise" was nothing more than "personal items" that Ambrose's wife had bought and "shipped in bond through the United States to her home in Mexico."

The Times said and the department denied—that Customs officials had strongly advised Ambrose not to visit the ranch.

Ambrose also denied this in

the Times interview, saying the purpose of the visit was to attend the annual fiesta at which Harper distributes Christmas gifts to his ranch hands.

"Richmond Harper has a very distinguished reputation" and "has a million friends in the federal service," the Times quoted Ambrose as saying.

The department said last night that the visit was an official one, part of an "inspection of Southwestern border stations," and that it had been arranged by David Ellis and William Magee, Customs aides who accompanied Ambrose to the ranch.

Six months after the visit, Customs officials arrested Harper and eight other men on charges of conspiring to

smuggle the weapons, as well as explosives, in exchange for the heroin. He was released in \$25,000 bond. A grand jury in New Orleans is now looking into the case, The Times said.

The Justice Department, however, said that only illegal weapons and ammunition sales—not heroin—were involved in the Customs investigation.

The official transcript of testimony taken in New Orleans in a preliminary hearing on the alleged gun sales verifies that heroin was not part of the investigation and that Harper did not come under investigation until last May, the department said.

"Mr. Ambrose categorically and emphatically denies the allegations in The Times article," the statement added.

Arrested with Harper, and also released on bond, was Murray Kessler of Brooklyn. He was said by The Times to have been a house guest of Harper last June, to have a record of six convictions including one for conspiring to possess heroin and to be a member of an organized-crime family.

An undercover customs agent, Cesar Diosdado, told the New Orleans hearing that Harper was the middle-man in

the weapons-for-heroin deal, the Times said.

According to The Times, Diosdado testified that he arranged with Marion Hagler, a retired Immigration and Naturalization inspector arrested with Harper, to meet Harper on May 30 at the rancher's office in Eagle Pass. There Diosdado reportedly said he placed an initial weapons order but refused to reply to a question by Harper as to the ultimate destination of arms.

Diosdado was reported to have testified that the weapons were manufactured in Newark, N.J., at a tool company to which he was escorted by Kessler.

The sellers of the weapons judged the heroin defective and then received a \$1.25 million credit. The Times said.

Michael Pollack, of the Brooklyn Strike Force Against Organized Crime, coordinator of the raid in which Harper was arrested, covered the cost of the transaction by putting up \$1 million in cash at the Chase Manhattan Bank in New York and another \$1 million in a deposit box in San Antonio, The Times said.

Diosdado reportedly was to pay off Kessler in New Orleans. Before he could do so,

other Customs agents, as secretly planned, flew to Shreveport to verify that the weapons were being loaded onto a DC-4. They seized the plane before it could embark for Minatitlan, Mexico, south of Vera Cruz, Diosdado testified.