

Ambrose to Quit as Nixon Adviser and Drug

By MARTIN TOLCHIN
Special to The New York Times

WASHINGTON, May 21—Myles J. Ambrose, the top Federal anti-narcotics law enforcement officer who, while Customs Commissioner, visited a Texas rancher-banker subsequently indicted in an alleged smuggling conspiracy, plans to leave Government service.

"My resignation is before the President," Mr. Ambrose said today in a telephone interview. He declined to give the reason for the resignation.

"My letter clearly states why I'm leaving," he said.

Mr. Ambrose asked that the information not be made public because "it has nothing to do with Watergate" but he said he feared that it might be tied to that episode in the public mind. He asserted that he also feared that the information might jeopardize the creation of the proposed Drug Enforcement administration, which would consolidate all Federal anti-narcotics efforts.

"Fifty newspapermen have had the story, but they wouldn't use it," said Mr. Ambrose, a Special Assistant Attorney General director of the Office for Drug Abuse Law Enforcement and a special consultant to the President.

Vote Coming Today

The proposed superagency will come to a vote tomorrow morning in the House Government Operations Committee. The committee had a tie 18 to 18, when 17 voted on the proposal last Friday.

Mr. Ambrose was widely believed to be President Nixon's selection to head the organization. He now says that he will direct only the transitional period and will leave within 60 days of creation of the new agency.

Representative Chet Holifield, the California Democrat who is the committee chairman, said today that he had no knowledge of Mr. Ambrose's visit in December, 1972, to the ranch of

Richmond C. Harper in Eagle Pass, Tex.

A Justice Department spokesman said that there had been no investigation of the visit, despite a request for an inquiry by a union representing 8,000 immigration employees, the National Council of Immigration and Naturalization Service Locals.

Two Nights at Ranch

"We saw no reason, after seeing what Mr. Ambrose had to say, to conduct one," said John W. Hushen, the Justice Department's director of public information. "We took his statement at face value."

The New York Times reported last November that Mr. Ambrose, while Customs Commissioner, spent two nights at Mr. Harper's ranch, the En-

cantada, which straddles the Mexican-American border, with 3,800 acres in the United States and the remainder in Mexico. Mr. Harper is free on \$25,000 bail pending trial on weapons smuggling charges.

Mr. Ambrose later acknowledged that William Hughes, the customs agent in charge of the San Antonio office, had told him after the two-day visit that he had warned him not to make the visit because Mr. Harper had "a bad reputation." The warning was confirmed by other Federal officials, but Mr. Ambrose said that he had no recollection of the warning.

Mr. Ambrose said there had been nothing to indicate that Mr. Harper was anything more than a highly reputable business man. After the visit, he said, he discovered that Mr.

Harper had been the defendant in 1958 in a civil suit involving mislabeling as "dog food" that was intended for humans, and shipped over the border from Mexico to the United States. Mr. Ambrose said that that was merely "a technical violation."

2d 'Technical Violation'

Another "technical violation," Mr. Ambrose said, involved a 1971 shipment of trunks that Mrs. Harper had sent through the United States into Mexico. Mrs. Harper had declared the shipment to be old clothes, while although 17 actually consisted of Hong Kong suits. Ultimately, no violation was declared.

Samuel A. McKoie Jr., retired agent in charge of Eagle Pass, told The New York Times

Enforcement Chief

that Mr. Harper was under investigation "eight or nine years ago" for smuggling automobiles to avoid duty. No charges were preferred.

Mr. Harper pleaded not guilty last January after being indicted, with six other persons, in an alleged conspiracy to smuggle 10,000 weapons into Mexico.

Mr. Ambrose, noting that his former host had been arrested on the charge, said, "It proves one thing—it doesn't matter who you know."

Mr. Harper's contacts extend into Texas Democratic politics, and he was a major contributor to the successful Democratic gubernatorial campaign of Dolph Briscoe.

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