

Secret Files, Including Ellsberg's, Were in Ehrlichman's Office

A.P. & U.P.

Washington

Acting FBI director William D. Ruckelshaus said yesterday that two large boxes of missing wiretap files—including one involving Daniel Ellsberg—have been found in the White House office of former presidential aide John D. Ehrlichman.

Acting on information provided by former Assistant Attorney General Robert Mardian, Ruckelshaus personally retrieved the files and almost "had to arm wrestle" with Secret Service agents over them, he said.

Ruckelshaus said the wiretaps were aimed at 13 Government officials and four newsmen and were operative between May, 1969, and February, 1971. They came after President Nixon and foreign affairs adviser Henry Kissinger had asked the FBI to track down news leaks on the ground they might imperil negotiations on the Vietnam war and strategic arms limitation.

The wiretaps occurred before Ellsberg's disclosure of the Pentagon Papers, and his conversations were picked up on a tap that actually was aimed at Morton Halperin, former National Security Council assistant to Kissinger, Ruckelshaus said.

DISMISSAL

The revelation of that particular tap—and the FBI's subsequent inability to locate the file—led to United States District Judge Matt Byrne's dismissal last week of all charges in the Pentagon Papers case. Now that the record has been located, said Ruckelshaus, it appears to contain no information which prosecutors might have used against Ellsberg.

Ruckelshaus did not elaborate at the news conference on what he meant when he said he "arm-wrestled" with the Secret Service to obtain files.

However, Jack Warner,

manner against the attorney general or the President."

"There is certainly no proof that Mr. Hoover had any such intention, but the charge had its desired effect," said Ruckelshaus.

"According to Mr. Mardian, he informed Mr. Mitchell, who in turn informed the White House." Sullivan then handed the files to Mardian, who carried them to the executive mansion, Ruckelshaus added.

Mardian was interviewed by FBI agents at his home in Phoenix last Thursday, a day before the files were located.

EHRlichman

Ruckelshaus said Ehrlichman had not come forward with any information relative to the files, but noted that he had not been questioned specifically about them and may have been unaware of the importance of information which prosecutors might have used against Ellsberg.

Ruckelshaus would not identify any of the others who were subjected to the taps.

He said he had told both the White House and outgoing Attorney General Richard G. Kleindienst of his announcement beforehand and got this reaction from both: "Well, that's your statement."

"My departure," said the interim director, "may be more rapid than you think."

AWARE

Ehrlichman told newsmen he had been aware that the documents removed from the White House by Ruckelshaus had been in the safe, but denied detailed knowledge of the contents.

He said the documents had been placed in the White House for safekeeping. Asked why the White House was considered safer than the Justice Department, he said, "you would have to ask somebody else," but then added he assumed it was because of the nature of the documents.

Ehrlichman said he had looked at the documents only briefly and was not aware they related to the Pentagon Papers case.

spokesman for the Secret Service, said Ruckelshaus' account of the incident "is absolutely false."

Warner said that Ruckelshaus and an FBI agent accompanying him were in an executive office building office "for a total of four minutes and we gave them the files they requested."

HOOVER

Ruckelshaus confirmed also that FBI correspondence indicated Mr. Nixon had personally sought the late J. Edgar Hoover's cooperation with the so-called

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"plumbers" at the White House, a team headed by Ehrlichman assistant Egil "Bud" Krogh which made its own probe of internal security and, in the process, burglarized the office of Ellsberg's psychiatrist. Two other members of that group have been convicted in the Watergate bugging.

Ruckelshaus said the files had been spirited from the FBI, without Hoover's knowledge, by Hoover's assistant, William C. Sullivan.

Moreover, Ruckelshaus said, memos later written by Hoover indicate that former Attorney General John N. Mitchell told him the files had been destroyed. Mitchell has denied making that statement.

Ruckelshaus quoted Mardian as saying Sullivan was the first to recommend the transfer to the White House because he (Sullivan) feared that Hoover "might use the records in some