

TUNNEY RELEASES NEW SILBERT DATA

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Raises 'Further Questions'

About Ellsberg Burglary
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WASHINGTON, June 18— Senator John V. Tunney made public today material that he said showed that Earl J. Silbert, the chief prosecutor at the original Watergate break-in trial and President Ford's nominee for United States Attorney here, "should not be confirmed unless exonerated by further investigation."

Mr. Tunney, a California Democrat who has been the most vocal critic of the Silbert nomination among the members of the new documents he released raised "further questions" about whether Mr. Silbert "knew or should have known" about a burglary in September, 1971, at the office of Daniel Ellsberg's former psychiatrist.

The Senator noted in a memorandum accompanying his statement that Mr. Silbert and his assistants in the prosecution of the initial Watergate wiretapping case had received, in December, 1972, photographs taken by E. Howard Hunt Jr. of the Beverly Hills, Calif., office of Dr. Lewis I. Fielding, the psychiatrist.

No Inquiry Sought

Although one of the photographs showed a parking space reserved for Dr. Fielding, Mr. Tunney said, Mr. Silbert and his assistants decided not to request an additional investigation for any evidence of a possible crime committed by Mr. Hunt on Dr. Fielding's premises.

Senator Tunney made public today documents that he said demonstrated that Mr. Silbert had had in his possession as early as July, 1972, evidence that Dr. Fielding had previously been a subject of interest to the White House "plumbers," a special White House group established in the Nixon Administration to investigate and stop "leaks" to the press. The plumbers burglarized Dr. Fielding's office during the Labor Day weekend in 1971 in an effort to obtain psychiatric data about Dr. Ellsberg.

Dr. Ellsberg, a former Defense Department official, was under indictment at the time on

charges of having illegally obtained a copy of the "Pentagon papers," an official study of American involvement in the Vietnam war that was later leaked to the press.

At a committee hearing on his confirmation last month, Mr. Silbert testified that, when he first saw the photographs, he had "no reason to suspect" that Mr. Hunt might have selected Dr. Fielding as a target.

Senator Tunney noted in today's memorandum, however, that in July, 1972, less than a month after five men under Mr. Hunt's direction were arrested for breaking into the Democratic National Committee's headquarters in the Watergate office and apartment complex, the contents of Mr. Hunt's safe in the Executive Office Building, next to the White House, were delivered to Mr. Silbert's office.