

Tunney's Doubts On a Ford Pick

Washington

Senator John V. Tunney (Dem-Calif.), attempting to block Senate confirmation of Earl J. Silbert as U.S. attorney, cited documents yesterday that he contends raise serious questions about Silbert's handling of the original Watergate prosecution.

The documents include previously unpublicized records confiscated from the White House safe of Watergate conspirator E. Howard Hunt and an affidavit from Alfred C. Baldwin III, a key Watergate witness, contradicting sworn testimony by Silbert.

Tunney submitted the documents to the Senate Judiciary Committee in alleging that Silbert mishandled the Watergate investigation in at least two instances.

In one instance, Tunney said, Silbert failed to furnish the defendants in the Daniel Ellsberg case with evidence, taken from Hunt's safe, which would have aided the defense. The evidence linked Hunt and another Watergate conspirator, G. Gordon Liddy, to the burglary of the of-

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In another instance, Tunney said, Silbert misled U.S. District Judge John J. Sirica into believing that Baldwin had not discussed in a newspaper interview the possibility of CIA involvement in the Watergate burglary. The interview became part of the court record.

As the first chief prosecutor of the Watergate case, Silbert argued to the trial jury that the scandal was confirmed to the seven original defendants. Top White House and other Nixon administration officials subsequently were indicted by the special Watergate prosecutor.

Silbert, now acting U.S. attorney for the District of Columbia, was first nominated as U. S. attorney by former President Nixon in October, 1973.

Tunney bottled up the nomination in the Senate Judiciary Committee, where it died, but President Ford re-nominated Silbert.

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