

Excerpt's From Hunt's Testimony Before

NY, SEPTEMBER 25, 1973

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Senate Panel Investigating Watergate

Following are excerpts from a transcript of the testimony in Washington yesterday of E. Howard Hunt Jr. before the Senate Select Committee on Presidential Campaign Activities, as recorded by The New York Times.

MORNING SESSION

Mr. DASH: In the early part of 1971, Mr. Hunt, did you discuss with Mr. Colson the possibility of your obtaining a position at the White House?

Mr. HUNT: I did.

Q. Did you have a telephone conversation with Mr. Colson and who initiated that telephone conversation? A. I had numerous telephone conversations with Mr. Colson, Mr. Dash. I'd appreciate your being a little more specific.

Q. Yes. On July 2, 1971—or July 1, actually—did you receive a telephone call from Mr. Colson? A. I did.

Q. Let me show you what purports to be a transcript of that conversation. Would you please look at it. A. I have examined the purported transcript, Mr. Dash.

Q. Does that purport to be or reflect the conversation you had with Mr. Colson? A. It does.

Q. Now, in that conversation with Mr. Colson, does Mr. Colson question you concerning your viewpoints and attitudes concerning the Pentagon Papers and Mr. Ellsberg? A. Yes.

Q. Would you look at page 2 and the last line. Would you read that for the committee? A. Colson's question?

Q. Yes. A. "Let me ask you this, Howard, this question. Do you think with the right resources employed that this thing could be turned into a major public case against Ellsberg and co-conspirators?"

Q. And how did you respond to that on the top of the next page? A. My response was as follows: "Yes I do. But you've established a qualification here that I don't know whether it can be met."

Q. Did you understand, Mr. Hunt, that from that conversation Mr. Colson was exploring the idea with you of a major effort to discredit Mr. Ellsberg in the press? A. Yes.

Q. Now, did Mr. Colson eventually offer you a position in the White House? A. He did.

Q. And I think you've indicated that he referred to specific qualifications. Can you repeat that? What did he indicate to you your qualifications led you to that particular position, what qualifications?

Background Cited

A. The fact that I had an investigative background of some years. And also that I had been involved in political action operations.

Q. Now, were you interviewed by anyone besides Mr. Colson? A. Yes.

Q. And who was that? A. Mr. John D. Ehrlichman.

Q. Whose direction, Mr. Hunt, did you work when you took this position—under whose direction? A. Under Mr. Colson's direction.

Q. Can you describe your initial assignment under Mr. Colson?

A. Mr. Colson instructed me to become the White House resident expert on the origins of the Vietnam war. At the same time I had a collateral responsibility for determining certain leaks of highly classified information, which included the leaks of the Pentagon papers.

Q. Now, is it true, Mr. Hunt, that from the beginning of your employment, Mr. Colson asked you to collect what could be called derogatory information about Daniel Ellsberg? A. Yes.

Q. Now, what was to be done with this information when it was collected? A. My assumption was that it would be made available by Mr. Colson or someone in his confidence to selected members of the media.

Q. Did you, by the way, early in your employment, collect a list of certain media representatives who might be interested in such material? A. I did.

Q. Now, how did you develop the information on Mr. Ellsberg following the assignment you received from Mr. Colson? A. It was developed through an intensive study of reports furnished by the Federal Bureau of Investigation.

Q. Were there any other materials that you used? A. There were certain overt materials.

Q. What do you mean by overt materials? A. Materials published in the press.

Q. Now. . . . A. Let me—to be more responsive, Mr. Dash, I have a feeling that I have left something hanging here, which I don't want to do. The same unit—the special investigations unit—that was receiving information on a frequent basis from the Federal Bureau of Investigation also received reports from other Government agencies, such as the Department of Defense, the Department of State, the National Security Agency, the Immigration and Naturalization Service and so on.

So that as part of my reply to your question, I would include those government agencies as sources of information on Dr. Ellsberg. PU 7th add

Q. All right now, do you re-

call Mr. Colson asking you to interview Col. Lucien Conein? A. I do.

Q. Who is Colonel Conein? Or who was he at the time you interviewed him?

A. At the time I interviewed Colonel Conein, he had just retired from the Army, I believe, and was in the process of retiring from the Central Intelligence Agency, oh had retired therefrom.

He and I had trained to-

gether in the Office of Strategic Services for service in the Far East. And, in fact, we had shipped out to China together and worked in China together during World War II.

I had seen him infrequently during the intervening years, but we had maintained a friendly relationship.

Q. Do you recall when this interview took place, your initial interview with Mr. Conein? A. It was on or about the eighth of July of 1971.

Q. Do you know what the purpose of Mr. Colson's asking you to interview Colonel Conein was?

A. I would have to go back a number of years and make it a matter of record that Colonel Conein had worked for the Central Intelligence Agency in Vietnam, I would say almost uninterrupted since 1954. Colonel Conein had a high degree of intimacy with senior officials of the several governments that had held power in South Vietnam. He was also a military officer, he spoke French, he spoke Vietnamese to some extent. He was intimately familiar to, and I believe this gets to the crux of your question, with the events leading up to the coup that resulted ultimately in the deaths of Premier Diem and his brother.

Q. And was the interview supposed to be directed toward the coup and the underlying causes of that coup, the assassination of Premier Diem? A. It was.

Q. Do you have, Mr. Hunt, a copy, a transcript of that telephone conversation which I think that committee has provided you during the executive session? A. I do.

Q. Now would it be also fair to say that one of the purposes of the conversation was to get information from Colonel Conein which might be derogatory against Dr. Ellsberg? A. One of the purposes, yes, sir.

Q. Now, if you'd turn to Page 6. The transcript indicates that you were asking questions of Colonel Conein concerning certain cables—State Department cables. Could you instruct the committee as to what the purpose of your request of Colonel Conein were being led to?

Record of Exchanges

A. Yes, sir. Mr. Colson and I were jointly interested in the circumstances that led up to the assassination of the

President and I believe the premier of South Vietnam. We felt that somewhere there should be an instructive record of exchanges between Washington and Saigon.

We knew also that there were several channels that could have been utilized. In addition to the normal State Department communications with its Embassy, there was the normal C.I.A. communication channel with its station in Saigon. There were also so-called back channel communications facilities for both organizations. There were communication cable facilities—

Q. At this early time of your employment at the White House, Mr. Hunt, did you have access to State Department cables covering the period of the Diem assassination? A. I did.

Q. Why did you have access to them? A. Because I had requested such access and it had been granted me.

Q. Now, in the review of these cables did you notice any irregularity in the sequence? A. I did.

Q. And at what period did the gap in sequence occur? A. The period immediately leading up to the assassination of the premier of South Vietnam.

Q. Did you show the cables to Mr. Colson and offer an interpretation of them? A. I showed him copies of those chronological cables, yes, sir.

Q. And what interpretation,

if any, did you give him concerning the cables?

A. I told him that the construction I placed upon the absence of certain cables was that they had been abstracted from the files maintained by the Department of State in chronological fashion. And that while there was every reason to believe, on the basis of the accumulated evidence and the cable documentation, that the Kennedy Administration was implicitly if not explicitly responsible for the assassination of Diem and his brother-in-law, that there was no hard evidence such as a cable emanating from the White House or a reply coming from Saigon, the Saigon Embassy.

Q. What was Mr. Colson's reaction to your statement and the showing of the cables to him? Did he agree that the cables were sufficient evidence to show any relationship with the Kennedy Administration and the assassination. A. He did.

To Improve the Record

Q. Did he ask you to do anything? A. He suggested I might be able to improve on the record.

Q. And what did you understand him to mean when he said to improve upon the record. A. To create, to fabricate cables that could substitute for the missing chronological cables.

Q. Did you in fact fabricate cables for the purpose of indicating the relationship of the Kennedy Administration and the assassination of Diem? A. I did.

Q. And did you show these fabricated cables to Mr. Colson? A. I did.

Q. What was his response to the fabricated cables? A. He indicated to me that he would be probably getting in touch with a member of the media, of the press, to whom he would show the cables.

Q. Now are you aware from your conversations with Mr. Colson and the use of these cables any strategy that Mr. Colson had with regard to Catholic voters? A. Yes sir.

Q. Could you describe that more fully.

Link to Assassination

A. I believe it was desired by Mr. Colson or at least some of his colleagues to demonstrate that a Catholic United States Administration had, in fact, conspired in the assassination of a Catholic chief of state in another country.

Q. Now as part of Mr. Colson's plan to publicly discredit Mr. Ellsberg, did you prepare a derogatory article on Mr. Leonard Boudin, Ellsberg's lawyer? A. I did.

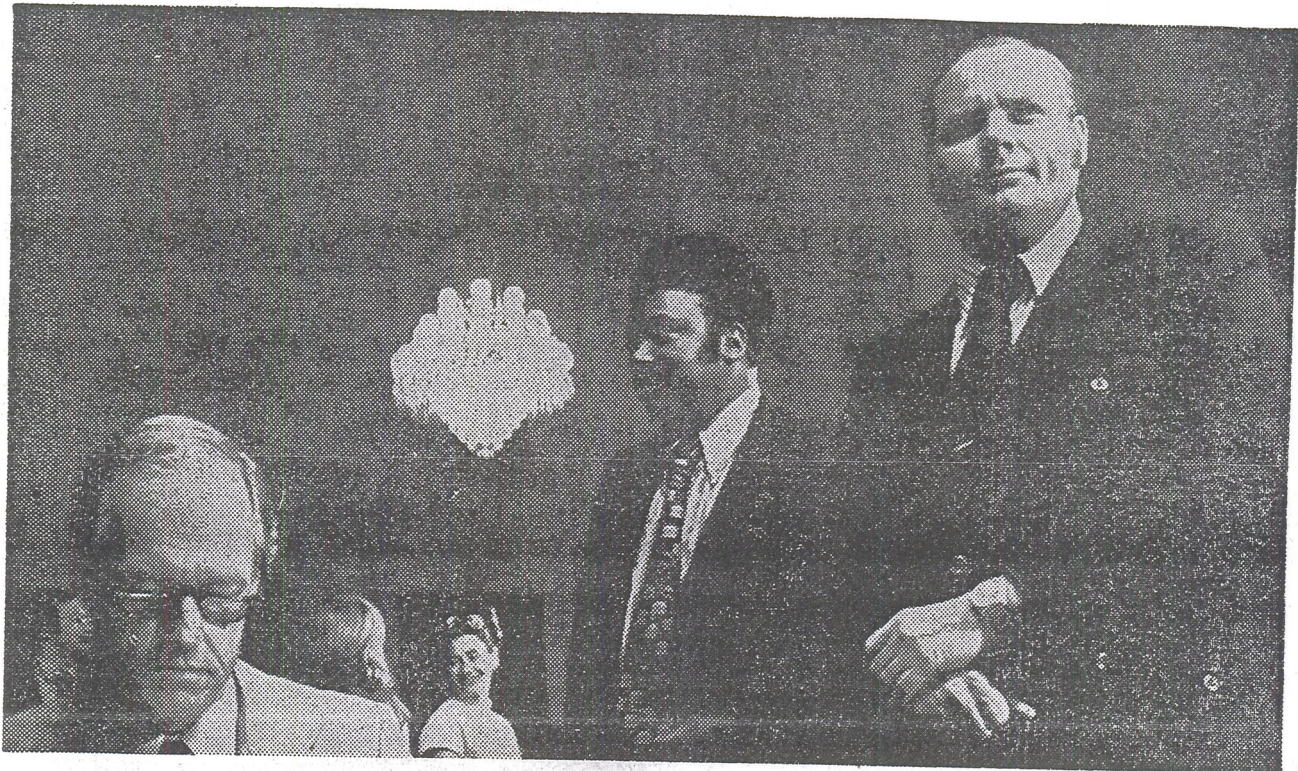
Q. And did you show this to Mr. Colson? A. I did.

Q. And what was his suggestion when you showed it to him?

A. He indicated that he would be passing the information to a member of the press—the article that I prepared.

Q. And did you in fact see material that's in that article—was it reflected in any news story that you were aware of? A. Yes.

Q. Can you state to the



E. Howard Hunt Jr., convicted Watergate burglar, was guarded by Federal marshals as he testified yesterday

The New York Times

committee what particular news story? A. It was an article authored by Mr. Jerry terHorst who represented one of the Detroit newspapers in Washington. It formed the second half of a story that Mr. terHorst was publishing on Ellsberg and Ellsberg's defense.

Q. Do you have a memorandum the committee provided you dated Aug. 27, 1971, from Mr. Ehrlichman to Charles Colson with the subject "Hunt-Liddy. Special Project No. 1?" A. I have such a memorandum.

Q. Just let me read the memorandum in brief. Ehrlichman to Colson. On the assumption that the proposed undertaking by Hunt and Liddy would be carried out and would be successful I would appreciate receiving from you by next Wednesday a game plan as to how and when you believe the material should be used. This referring to the Hunt-Liddy Special Project No. 1.

Mr. Hunt, what from your understanding on the day of Aug. 27, 1971, would Hunt and Liddy's special project No. 1 be?

A. I would assume it to be the Fielding entry, based on the fact that Mr. Liddy and I as of that were just re-

turned from our initial reconnaissance of Dr. Fielding's professional premises in Beverly Hills, and would have made—submitted a feasibility study.

Q. And that the reference there to Hunt and Liddy's Special Project No. 1 would refer to the proposed covert entry of Dr. Fielding's office for the psychiatric file? A. Yes.

Q. Now, in fact, you and Mr. Liddy did go to Los Angeles to observe whether a covert entry was feasible and you concluded that it was, did you not? A. Yes.

Q. And, in fact, you and Mr. Liddy and three Cuban-Americans did break into Dr. Fielding's office, over the Labor Day weekend in 1971, is that true?

A. With one limitation. Neither Mr. Liddy nor I were ever on the premises of Dr. Fielding.

Q. And no files were ever found? A. None were found, no sir.

Q. Did you take photos of the inside of Dr. Fielding's office to show the forced-open files? A. No sir.

Q. Did somebody in the room take photos? A. Yes sir.

Q. Right. Now to whom were these photos shown? A. They were shown within

Room 16 to Messrs. Krogh and Young.

Q. Now would you say relative to Messrs. Krogh and Young, by the time this program developed which led up to the covert entry of Dr. Fielding's office you had begun to work with Mr. Krogh, Mr. Young and Mr. Liddy, was not that so? A. Yes, sir.

Q. How did that occur? You originally, I think, testified that you were assigned to work with Mr. Colson. How did the transfer of relationship in the assignment take place?

A. Through a process resembling osmosis, almost. I had discovered early in my reading of the overt materials relating to the publication of the Pentagon papers, my researches into Dr. Ellsberg's background, that considerably more documentation would be necessary for my purposes. I so advised or informed Mr. Colson and he told me that these materials—that is classified materials bearing on my researches were to be found in Room 16 and I should check with Mr. Liddy for that purpose.

I found that the holdings were—in Room 16 were—quite extensive and I began as a matter of course and custom to go there every day to acquaint myself with addi-

tional information as it flowed into Room 16 from the various Government agencies who were making contributions. So it was that I spent less and less time in office 338, which had been assigned me by Mr. Colson and a great deal more time in Room 16 which became known as the plumbers unit—special investigations unit.

Q. And by the time you had filed your memorandum on neutralization of Mr. Ellsberg, you at this time were working with the so-called plumbers? A. Not entirely, yes sir.

Q. Did you attempt to show the photographs that were taken during the Fielding break-in to Mr. Colson? A. I did.

Q. And what occurred when you did? A. I told Mr. Colson I would like to try to put a date on this, Mr. Dash.

Q. You have a date, Mr. Hunt?

A. Yes, I do, On Labor Day weekend, 1971, that is to say the third of September, the entry in Dr. Fielding's offices is accomplished. The following Tuesday, that is to say the first working day after Labor Day, was the morning on which I attempted to show Mr. Colson the polaroid photographs that had been taken by team members of the violated cabinets in Dr.

Figures in Senate Inquiry

Special to The New York Times

WASHINGTON, Sept. 24—Following are the names of individuals who figured in today's hearings by the Senate committee on the Watergate case:

COMMITTEE MEMBERS

Sam J. Ervin Jr., North Carolina Democrat, chairman.
Herman E. Talmadge, Democrat of Georgia.
Daniel K. Inouye, Democrat of Hawaii.
Joseph M. Montoya, Democrat of New Mexico.
Howard H. Baker Jr., Republican of Tennessee.
Edward J. Gurney, Republican of Florida.
Lowell P. Weicker Jr., Republican of Connecticut.

COMMITTEE COUNSEL

Samuel Dash, chief counsel and staff director.
Fred D. Thompson, chief minority counsel.
Rufus L. Edmisten, deputy counsel.
Terry F. Lenzner, assistant chief counsel.
James Hamilton, assistant chief counsel.
David M. Dorsen, assistant chief counsel.
H. William Shure, assistant minority counsel.

WITNESS AND COUNSEL

E. Howard Hunt Jr., former White House aide who pleaded guilty in the Watergate break-in.
Sidney Sachs, counsel for Mr. Hunt.

PERSONS NAMED IN TESTIMONY

Bernard L. Barker, pleaded guilty in Watergate break-in.
William O. Bittman, former attorney for Mr. Hunt.
Leonard Boudin, Dr. Daniel J. Ellsberg's lawyer.
Charles W. Colson, former counsel to the President.
Col. Lucien Conein, former Army officer who served in the C.I.A.
John W. Dean 3d, former counsel to the President.
John D. Ehrlichman, former White House domestic adviser.
Dr. Daniel J. Ellsberg, key figure in Pentagon papers case.
Dr. Lewis Fielding, Dr. Ellsberg's psychiatrist.
Egil Krogh Jr., former assistant to Mr. Ehrlichman.
G. Gordon Liddy, former White House aide convicted in Watergate break-in.
Jeb Stuart Magruder, former deputy director of Committee for the Re-election of the President.
Robert C. Mardian, former aide of re-election committee.
John N. Mitchell, former Attorney General and former director of re-election committee.
Paul L. O'Brien, attorney for the committee to re-elect.
David Shapiro, law partner of Mr. Colson.
David R. Young Jr., co-director of the White House intelligence unit.

Fielding's premises.

'He Declined to Look'

Q. And how did he react to your effort to show him the photographs? A. He declined to look at what I had in my hand, continued striding into his office without breaking his pace and said, "I don't want to hear anything about it."

Q. Now in the last part of 1971 did you become aware of the fact that Mr. Liddy was to become counsel for the Committee for the Re-election of the President? A. I did.

Q. And did Mr. Liddy re-

cruit you to help him develop a large-scale covert political intelligence plan for the Committee to Reelect the President?

A. In late November 1971, Mr. Liddy approached me saying that the Attorney General of the United States, Mr. John Mitchell, required the establishment of a large-scale intelligence and counter-intelligence program. That he, Mr. Liddy, was about to become its chief and Mr. Liddy would like to assure himself of my cooperation.

Q. Was this the plan that came later to be known as Gemstone? A. Yes, sir.

Q. And I think—who did you understand from the conversation with Mr. Liddy, actually were directing the development of this political intelligence plan?

A. My understanding was as follows: that the plan had been proposed and/or required by the Attorney General of the United States, Mr. Mitchell. That Messrs. John W. Dean 3d, the then counsel to the President of the United States, and Mr. Jeb Stuart Magruder, a recent White House aide were those who were active in its formulation.

Q. Now did you, in fact, help Mr. Liddy prepare the detailed plan and budget of this plan? A. I did, with the exception of that portion of the plan which dealt with electronic surveillance.

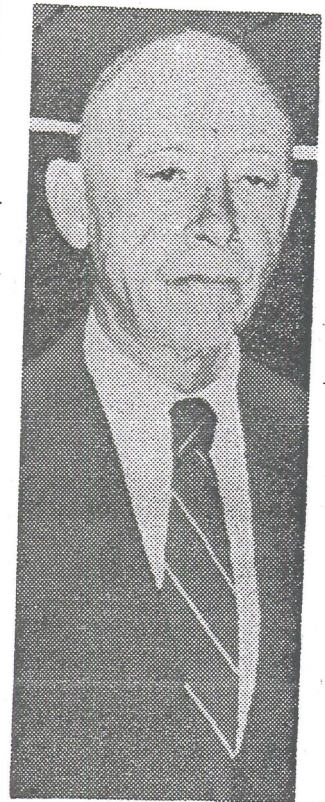
Q. Now prior to the presentation of the plan—and, Mr. Hunt, the committee has already had ample testimony concerning presentation of this particular plan from former Attorney General Mitchell, Mr. Dean and Mr. Magruder by Mr. Liddy on Jan. 27, 1972 and Feb. 4, 1972.

Now prior to that presentation, however, prior to the Jan. 27 presentation, did you have a discussion with Mr. Colson concerning that you would be giving fewer hours to the White House work because of the time that you would have to spend with Mr. Liddy?

A. I told Mr. Colson that, because of the increased amount of time I was spending with Mr. Liddy that I would be able to give far less time to Mr. Colson than I had done in the past.

Q. And what, if anything, did Mr. Colson say to you about that? A. He said that he understood this.

Q. And did he indicate by any words or statement that he understood the plan that you were working with Mr. Liddy on? A. Yes.



Associated Press

Dr. Lewis Fielding, psychiatrist for Daniel Ellsberg. His office was broken into by "plumbers."

Q. Could you give us a little fuller explanation of that?

Indicated His Awareness

A. On one occasion—and it must have been in conjunction with this particular interview—Mr. Colson told me that he had in fact supplied Mr. Mitchell with my bona fides. He further indicated that he was aware of the over-all intelligence plan and his only problem with it was that he would much prefer to see me heading it rather than Mr. Liddy.

I told him that the situation was fine as far as I was concerned, that I had cooperated with Mr. Liddy before, we got along well. I had already a full-time job with a public relations firm and was not seeking full-time employment such as Mr. Liddy had.

Q. Do you know where the conversation with Mr. Colson took place? A. Between myself and Mr. Colson?

Q. Yes. A. In Mr. Colson's office.

Q. Now did you tell Mr. Colson at that time that you planned to recruit and use members of the same Cuban-American community that



Spectators packed into the Caucus Room of the Old Senate Building as the Senate Watergate committee hearings reopened yesterday

The New York Times

had worked with you in the Ellsberg break-in? A. Either on that or another occasion. Mr. Dash.

Q. And Mr. Colson was aware, was he not, of the role you and Mr. Liddy played in the break-in at Dr. Fielding's office? A. I was not so aware at the time. I have come to understand that subsequently.

Q. Now at the time that Mr. Colson was indicating to you that he was aware of an intelligence plan that Mr. Liddy was working on, was there any other intelligence plan besides the Gemstone plan that Mr. Liddy was working on? A. No.

Q. And was it your impression therefore that Mr. Colson was speaking of the so-called Gemstone plan? A. Yes.

Q. Now Mr. Colson has submitted to this committee an affidavit. Do you have a copy. The affidavit, signed tee, I think, has given you a copy. The affidavit, signed by you, dated April 5, 1973—I think it's brief enough to read, is:

"I, E. Howard Hunt, having been duly sworn do hereby depose and state as follows:

"I understand that allegations and statements have been made to the effect that Charles Colson, former counsel to the President, had prior knowledge or in some way was involved in or participated in the break-in of the Democratic National Committee headquarters at the Watergate Hotel on June 17, 1972.

"I never had any time discussed with Mr. Colson any plans with respect to this incident. I have no knowledge whatever, personal or otherwise, that Mr. Colson had any prior knowledge

whatever of this knowledge. To my knowledge no one else ever discussed this matter with him prior to June 17, 1972."

Did you sign this affidavit?

A. I did.

How It Was Signed

Q. What were the circumstances that led you to sign this affidavit?

A. This affidavit was passed to me in the Federal Court House by my then attorney, Mr. William O. Bittman, prior to an appearance of mine before the Federal grand jury. To the best of my recollection, Mr. Bittman indicated to me that he had received the affidavit in draft from Mr.

Colson's office and wondered if there would be any problem on my part about signing it. I indicated I had no difficulty with it whatever and did, in fact, sign the affidavit.

Mr. SACHS: Excuse me, Mr. Chairman, I detect a little bit of confusion. If I could have just one minute to talk to Mr. Hunt, I think it might expedite this?

I think I have a notion, Mr. Dash, as to the line of questioning you are about to pursue in order to refresh Mr. Hunt's recollection as to the testimony he recently gave in executive session. And I—it was clear to me before you undertook this last question that he didn't quite clearly understand what you were driving at. And he and I have now discussed that briefly, and I think perhaps if you will ask your first question—or perhaps I could ask it—he could quickly answer it and we could go on to something else.

I think what you were asking him is whether in the past few weeks he had added to his explanation of his conversations with Mr. Colson the fact that in January of 1972 there was a conversation between him and Mr. Colson which indicated that Mr. Colson had knowledge of the Gemstone program.

Mr. DASH: Yes.

Mr. SACHS: I think he can answer that quickly.

Mr. DASH: Right. And the question was that I put to you is isn't this the first time you told the committee that?

Mr. HUNT: Yes, sir.

Q. Prior to telling the committee that, have you informed any other investigative body, including the grand jury that is presently sitting, about that information? A. No, sir.

Q. Can you explain to the committee, Mr. Hunt, what appears to be contradictory testimony in the executive session and now before this committee as to Mr. Colson's prior knowledge of this general plan? A. I can attempt to, Mr. Dash.

Q. Would you please do that?

Reasons for Request

A. Yes. It derived as a result of repeated questioning by the committee staff concerning events which transpired on the occasion of my having introduced Mr. Liddy and Mr. Colson for the first time.

A theory of Mr. Colson's perceptions of the meeting was entered into and developed which brought back to my mind for the first time the prior conversation that I had held in January with Mr. Colson.

Q. All right, now, Mr. Hunt, after the Feb. 4 meeting that Mr. Liddy had with the former Attorney General in which there was another turn-down on the so-called Liddy plan, did Mr. Liddy ask you to introduce him to Mr. Colson? A. He did.

Q. And what reason did he give you for this? A. He indicated to me that first of all he admired Chuck Colson as a man who got things done. He expressed his own desire for a substantial position in the forthcoming Administration. He indicated to me that inasmuch as John

Continued on Following Page

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Mitchell would be leaving the Administration and he, Liddy, was known and identified as a Mitchell man that Mr. Liddy would like to touch base with Mr. Colson who would be staying on in the Administration, at least through the election, and so have another power base, as it were, on which he could depend at such time—

Q. Well, did you arrange such a meeting? A. I did.

Q. After you did, what did you do? A. I withdrew to the back of the room and sat and smoked my pipe, leafing through a magazine, while Mr. Liddy conversed with Mr. Colson.

Q. And why did you withdraw to the back of the room? A. Mr. Liddy having given me the preamble, the reasons for his desire to meet Mr. Colson, I felt that it was a personal matter and did not want to involve myself with it or interpose myself in any way.

Q. How long did the meeting take place, Mr. Hunt? A. Approximately 10, 12 minutes.

Q. Did you observe Mr. Colson use the telephone during that meeting? A. On several occasions.

Q. After the meeting did you have a conversation with Mr. Liddy? A. I did.

Q. What did Mr. Liddy tell you? A. He said: "I think I may have done us some good."

Q. Now did you ever call Mr. Colson to complain about the problems of the payment of fees? [payment to the

families of the convicted Watergate conspirators.] A. I did.

Q. And so you recall when you made that call? A. On Nov. 24, last.

Q. Now do you have a transcript that Mr. Colson made of the telephone call? A. I do.

Q. During that call, what in effect were you telling Mr. Colson. Why did you make that call? A. I made the call, Mr. Dash, because my wife had indicated to me that because she had been placed in a very false and difficult position vis-a-vis the Cubans and the other people who were or had become her "clients," she was unwilling to continue to be the go-between.

She felt also that perhaps because she was a woman her words, her urgings, her representations were receiving insufficient weight, were not being seriously enough received by whoever the sponsors were. And it was in that spirit that she asked me to communicate with Mr. Colson, which I did.

'Apparent Unconcern'

Q. Now on Page 3 of that transcript, did you say the following: "All right, now we've set a deadline now for close of business on the 25th of November"—and I take it that's the deadline to receive funds—"for the resolution on the liquidation of everything that's outstanding. And they're now talking about promises from July and August. There just has been an apparent unconcern. Of course we can understand some hesitancy prior to the election, but there doesn't seem to be any of that now. Of course we're well aware of the upcoming problems of the Senate and —" Did you make that statement during that call? Does this transcript, by the way, reflect to your recollection the conversation you had with Mr. Colson? Do you recall that we showed you that transcript during the executive session?

A. I do, Mr. Dash.

Q. You've had a chance to read it? A. Yes, sir.

Q. And what is your answer to my question as to whether that statement was made? It appears in the transcript.

A. I have no specific recollection of making the statement, Mr. Dash. However, inasmuch as it appears in a transcript I accept it in good faith and will say under those circumstances that I made the statement.

Q. One further reference, on Page 5, if you look at the large paragraph at the top, where you say: "Well, that's fine but we're protecting the guys who are really responsible. But now that's—and of course that's a continuing requirement. But at the same time this is a two-way street and as I said before we think that now is the time when a move should be made and surely the cheapest commodity available is money." Do you see that statement?

A. Yes, sir.

Q. Would you adopt that as something you would have said during that conversation? A. Yes, sir.

MR. BAKER: Mr. Chairman, could I ask a question about it just very briefly? Mr. Hunt, were you aware that this conversation was being recorded? A. No, sir.

MR. BAKER: Did you—how did you come to know of its existence? A. I don't recall whether I learned about it through the grand jurors or through this committee.

MR. BAKER: Could I ask counsel how we received it?

MR. DASH: We received this from Mr. Colson.

MR. HUNT: I might say I felt in retrospect I was set up on this one.

MR. BAKER: I'm sorry, I didn't hear you.

MR. HUNT: That I was set

up, as it were. I had requested an opportunity to speak with Mr. Colson and the message I got back was that if I would call him from a phone booth at a particular time on a particular day he would speak with me.

Obviously, he had his recording equipment running at that time.

MR. BAKER: Do you have any reason to suspect that any part of the transcript is not correct?

MR. HUNT: No, sir.

MR. DASH: But isn't it true that you may have been set up, having had a chance to read this transcript, is it not true that throughout the transcript Mr. Colson repeatedly said to you whenever you wished to give him any facts that he doesn't want to hear anything about the facts. Not to tell him anything. That goes through the entire transcript.

MR. HUNT: It certainly does.

AFTERNOON SESSION

Q. Mr. Hunt, shortly before your sentencing on March 23, 1973, did you meet with Mr. Paul O'Brien?

A. Mr. O'Brien, I knew, was the current contact that Mr. Bittman had on the Committee [for the Re-election of the President], not only for matters relating to the various civil suits that had been filed, but also and more relevantly in connection with the payment of legal fees for Mr. Bittman's services in my behalf.

I spoke to Mr. O'Brien at some length about the size and nature of the legal bills. I think at that time, they amounted to approximately \$60,000. I told him at the same time that I was very much concerned about the future of my family, that I would very much like to have the equivalent of two years subsistence available to them before I was incarcerated. And I put it to Mr. O'Brien that I had engaged, as he might or might not know, in other activities which I believe I described as seamy activities for the White House. The context of such reference was that if anyone was to receive benefits at that time in view of my long and loyal service, if not hazardous service, for the White House, that certainly I should receive priority consideration.

Q. Did you intend to create that threat, that unless that money was paid, you would make public the acts that you had engaged in on behalf of the White House? A. No, sir.

Q. How did Mr. O'Brien respond to you when you asked for this money? A. He recognized that assurances had been given, that to some extent they had in the past been carried out, but he felt that he was becoming less and less effective as an intermediary.

Q. Did he mention Mr. Colson to you?

A. Mr. O'Brien suggested that I originate and send to Mr. Colson what he termed a strongly worded memorandum or a tough or a hard memorandum to Mr. Colson.

I asked him why he wanted me to send the memorandum to Colson and Mr. O'Brien said, to the best of my recollection, "Well, there are some of us who feel that Chuck stayed out of this too long, that it is time he got his feet wet along with the rest of us," words to that effect.

Follow-Up Effort

Q. What efforts did you make to follow up on Mr. O'Brien's suggestion?

A. I told Mr. Bittman that I had no intention of writing the recommended memorandum, but I thought that I should get in touch with Mr. Colson so that I could explain the situation to him, notify him of the suggestion that had been made by O'Brien. Mr. Bittman did get in touch with the law offices—by then Mr. Colson was in private practice of Colson & Shapiro, and made the representations in my behalf; i.e., that I desired a meeting with Mr. Colson. A day or so later, I was informed by Mr. Bittman that although Mr. Colson would see me, his partner, David Shapiro, would see me. He would see me the following Friday, I believe the 16th of February, early in the afternoon.

Q. And did you tell Mr. Shapiro substantially the same thing that you told Mr. O'Brien? A. I did.

Q. Including the other activities that you engaged in on behalf of the White House?

A. I did not specify them. I referred to them. I might add that the context of our meeting was entirely different. Whereas Mr. O'Brien had approached me, I might say, almost apologetically, Mr. Shapiro approached me rather aggressively and subjected me to a lengthy monologue which I considered to be highly self-serving. My response was that I had expected actually to see Colson, although I could understand that I had met only with Shapiro rather than with Colson.

Q. Now, did you make it clear to Mr. Shapiro and Mr. O'Brien that you needed to get the money prior to the date of sentence? A. Yes.

Q. Why was that? A. If it was to be of any assistance

to me in terms of making prudent distribution of that among the members of my family, my dependents, taking care of insurance premiums and that sort of thing, it would have to be delivered to me before I was in jail. This was not only implicit but explicit as well, Mr. Dash.

Q. Now, what did Mr. Shapiro say to you when you made those representations to him?

An Angry Response

A. He indicated to me that he would use his own discretion as regards such portions of my conversation as he chose to convey to Mr. Col-



The New York Times/George Tames
E. Howard Hunt Jr.'s children, John, 18, and Lisa, 21, listening to testimony yesterday



The New York Times
Samuel Dash, left, chief counsel for the Watergate committee, and Senator Herman E. Talmadge, Democrat of Georgia, talking things over before yesterday's session began.

son. I responded rather angrily that I felt that he should convey all of what I had to say to Mr. Colson.

Q. Despite what you consider to be an unsatisfactory reception by Mr. O'Brien and Mr. Shapiro, you in fact did receive a large sum of money prior to being sentenced, is that not true? A. Yes.

Q. How much did you receive? A. \$75,000.

MR. THOMPSON: Mr. Hunt, you state in your opening statement that in your opinion the Watergate break-in was an unfortunate use of executive power. What executive power are you referring to?

A. I am referring to power delegated to the Attorney General of the United States by the President of the United States.

Q. Who involved in the Watergate break-in or the planning of the break-in had that power, in your opinion?

A. The concept, as I understood it from Mr. Liddy, and again I must be very clear that this is hearsay information, the the project, program, if you will had been conceived, proposed, engendered by the Attorney General of the United States with the assistance of the counsel to the President, Mr. John W. Dean 3d, and with a former and very recent White House aide, Mr. Jeb Magruder. The proposal had been put to me at the time by Mr. Gordon Liddy, who was a full-time White House employe and with whom I had worked in the Fielding and other operations.

Q. Did you consider the Watergate break-in then, a legitimate Government operation? A. In the context in which the break-in requirement was levied on me I did, yes, sir.

Q. What context was that? A. Foreign monies were reported to have been sent or received by the Democratic National Committee.

Q. What context was that? A. Foreign monies were reported to have been sent or received by the Democratic National Committee.

Q. When did it first come to your attention that the Democratic National Committee headquarters were going to be broken into? A. Not

until April the following year.

Q. Was this before you were informed that foreign money was coming into the D.N.C.?

A. We did not begin to formulate plans for the Watergate break-in until after reception of the report to the effect that foreign monies were being received by the Democratic National Committee.

Q. But a plan was under way which included the possibility of surreptitious entry before that time. A. Yes, sir.

Q. I wonder what was in your mind at that time as to what the Attorney General could do and could not do. Surely anything that he decided to do would not necessarily be a legitimate activity, whether or not the President went along with it. I am wondering what justification you had in your mind for subscribing to a plan which was designed toward an opposition party in an election year.

A. I can really say only this, Mr. Thompson: Having spent 21 years in the C.I.A. following orders without question and a prior five years with the armed services following orders without question, it never occurred to me to question the—if you will—the legality, the propriety, of anything that might be ordered by the Attorney General of the United States.

Q. And you took Mr. Liddy's word for that? A. I did.

Q. Who told you that foreign money was coming into the D.N.C. A. Mr. Liddy.

Q. Where did he get his information? A. I believe that he was receiving it from a Government agency.

Q. Did he specify which agency? A. No, Sir.

Q. Did you have an opinion as to which agency?

A. Yes, sir. My opinion was that it came from the F.B.I. Mr. Liddy had on the basis of prior associations with the F.B.I. a private channel, a person or persons who would telephone or send him memoranda from time to time, providing him with information which was not distributed generally within the White House; there were really two channels of reporting from the F.B.I. into the White House.

2 Channels of Information

There was the J. Edgar Hoover channel to, let us say, Mr. Ehrlichman and Mr. Krogh, who would see copies of those memoranda. There were also materials that were coming to Mr. Liddy from Mr. Mardian in the Justice Department, and I believe telephonic information that came to Mr. Liddy from close and old time associates of his at the F.B.I. So I had every reason to believe that

he was still well plugged into the bureau.

Q. Did he tell you precisely the source of these foreign monies of the country? A. Yes, sir. Cuba.

Q. Was the plumbers unit in any way operative in April of 1972. A. Yes, indeed.

Q. Do you know whether or not they were looking into this matter? A. I am quite sure they were not.

Q. With regard to the actual scene, who was in charge of the various operations on the night of the break-in, the early morning hours of June 17, 1972?

A. The responsibilities were the same as they were during the prior break-in on May 27th, and that is to say I was in over-all charge of the entry operation. I planned it, and with Mr. McCord's help surveyed the ground work, developed the operational plan.

Mr. McCord had certain electronic responsibilities, the precise nature of which I was unaware of. My team, that is to say, the four men from Miami, were charged with photographic documents that would bear on the object of our search while Mr. McCord went about his electronic business.

Q. Was there any financial reward in any way for Mr. Barker or any of the other Cuban-Americans out of the Watergate break-in?

A. There was compensation for them for time lost from their normal businesses, yes.

Q. Was there anything additional to that? A. Not that I know of, no, sir.

Q. We have heard testimony about how the entry was carried out that night. I

believe Mr. McCord first taped the locks on the door, returned, found the tape had been removed. Then there was a discussion among the people there as to whether or not entry would be made after finding that situation there. Relate to us that discussion as best you can remember.

A. Mr. McCord said that he had previously taped the locks on the entry door of the basement of the Watergate office building. He said that on returning just prior to the meeting that was then in progress he had noticed that the tape had been removed and he had retaped the door. I asked him why he had done that and he said that he had noticed a large pile of mail sacks in the vicinity and he felt that the mailman, on exiting the Watergate office building premises, had taken off the tape.

At that point, I said, let us junk it, meaning let us scratch the operation. Mr. Liddy and Mr. McCord talked between themselves and the decision was made to go. I thought that it was very foolhardy to proceed on that basis. I might add that I had argued for three days in advance ineffectively with Mr. Liddy prior to the 17th of June against the second entry of the Watergate.

Q. Why?

A. Because it had been known to me through reports Mr. McCord had made that Mr. O'Brien was no longer in residence there, that there was evidently a large-scale movement of books, files, call it what you will, from the Watergate office to the convention headquarters of the Democrats in Miami. I felt that in effect, the bird had flown.

Q. Did you hear any of the conversation as to whom made the final decision or who was for or against re-entry? A. I think it was a mutual decision, a common decision between Mr. Liddy and Mr. McCord.

SENATOR BAKER: What support did you receive from the C.I.A.? Did you ever seek or were you ever given or have access to C.I.A. personnel records for the sake of achieving your assignment at the White House?

A. Not in the broader sense, Senator. I had asked the placement service to provide me with resumes of retirees who possessed certain limited qualifications.

Q. What were those qualifications? A. They had to do with photography and surreptitious entry.

Q. Did the agency from their employment office provide you with that information? A. Some information, yes, sir.

Q. Did you use that as a basis for recruiting? A. As a basis for attempted recruiting.

Q. Did they also supply you with such things as wigs, with false identification papers, with cameras, with tape recording devices, with photographic processing and printing? Were there things all supplied to you by the agency? A. Yes, sir.