

SILBERT QUERIED OVER TWO ISSUES

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A Transcript and Fielding
Break-in Stir Tunney

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WASHINGTON, May 20—The issue of whether Earl J. Silbert was less than vigorous in his prosecution of the original Watergate defendants was raised yet again today during Senate Judiciary Committee hearings on his nomination as United States Attorney for the District of Columbia.

Mr. Silbert directed the initial prosecution of the Watergate burglars in 1972 and early 1973, then withdrew from the

case when Archibald Cox was named special prosecutor in May, 1973.

President Nixon nominated Mr. Silbert for the attorney's post here in January, 1974, but confirmation has been blocked by Senate Democrats who believe that their approval of Mr. Silbert would also be tacit approval of how he originally handled the case.

Two issues discussed at length today involved the "national security" implications of the original case against G. Gordon Liddy, E. Howard Hunt Jr., and their five co-defendants.

Senator John V. Tunney, Democrat of California, sought to determine whether Mr. Silbert and his aides had misled Federal Judge John J. Sirica and the court during the original trial over the substitution of the initials "C.k.P." FOR

"C.I.A." in a transcript of an interview in 1972 of Alfred C. Baldwin by Jack Nelson of The Los Angeles Times.

Mr. Baldwin was a participant in the original bugging of Democratic national headquarters in the Watergate complex. A tape recording of his five-hour interview was turned over by the newspaper in December, 1972, at the demand of Judge Sirica and had been sealed by the court until this week.

During the interview Mr. Baldwin referred to the Central Intelligence Agency many times, although in subsequent hearings the references to "C.I.A." were said to have been references to "C.R.P." that is the Committee for the Re-election of the President.

Senator Tunney pressed Mr. Silbert about the discrepancy. Mr. Silbert said he had not

listened to the tape recording of the interview and denied that he had tried to mislead the court. He said he did not "recall" correcting the court record, but insisted that the substitution of the initials was irrelevant to the case.

Senator Tunney's questions appeared to be directed to the issue of whether attempts had been made to leave the C.I.A. out of the case because of undue concern for "national security" by Mr. Silbert and others.

As has happened in past committee hearings, Senator Tunney also sought to know why Mr. Silbert had not made a connection between Mr. Hunt, through papers found in his safe, and the break-in of the Los Angeles office of Dr. Lewis Fielding, a psychiatrist who had had Dr. Daniel Ellsberg as a patient.