

Hunt Says Silbert Shunned His Plea to Tell All in 1972

Plotter Asserts He Made Bid Before Election— Prosecutor Denies It

By JOHN M. CREWDSON

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WASHINGTON, Sept. 19 — One of the original Watergate defendants has said that a month before the 1972 Presidential election, he was willing to tell all he knew about the origins of the bugging plot in exchange for leniency but that his offer was turned aside by the chief prosecutor in the case.

E. Howard Hunt Jr., who eventually pleaded guilty to charges stemming from the Watergate break-in, says that in early October, 1972, his attorney, William O. Bittman, approached Earl J. Silbert, then the principal assistant United States Attorney here, "and suggested a 'deal' by which I would testify fully to my knowledge of the events."

Mr. Hunt's previously undisclosed assertion, of his readiness to cooperate in helping fix responsibility for the then-murky origins of the bugging plot appears in his forthcoming book, "Undercover," a copy of which has been obtained by the New York Times.

Denial Made by Silbert

Mr. Silbert, informed of Mr. Hunt's allegations, denied that Mr. Bittman or anyone representing the conspirator had made such an approach to the prosecutors. He said that, to the contrary, he had suggested the possibility of Mr. Hunt's cooperation to Mr. Bittman and had been turned down.

However, two other well-placed sources supported Mr. Hunt's version of the events and said that Mr. Bittman, with his client's knowledge and assent, approached Mr. Silbert in early October with respect to his cooperation in the investigation.

Mr. Bittman, who no longer represents Mr. Hunt, declined to comment on the matter for publication.

"I would have gone the whole way," Mr. Hunt said this week when asked, in a telephone interview, how much he had been prepared to tell Mr. Silbert and the Watergate grand jury in return for consideration from the prosecutors.

His testimony, he said, would have included naming John N. Mitchell, the former Attorney General and manager of President Nixon's re-election campaign, as the person he had been told had authorized the attempt to bug the Democratic National Committee's offices in the Watergate complex.

Mr. Mitchell and five other White House and Nixon campaign aides face trial Oct. 1 on charges of illegally covering up responsibility for the plot.

In his book, subtitled "Memoirs of an American Secret Agent," Mr. Hunt wrote that Mr. Silbert's response to the offer, "as reported to me by Bittman, was that he did 'not need' my testimony, as he had sufficient evidence to convict all seven defendants."

Mr. Hunt and four other de-



United Press International
E. Howard Hunt Jr.



The New York Times
Earl J. Silbert

fendants pleaded guilty at the first Watergate trial in January, 1973, and two Nixon campaign officials, G. Gordon Liddy and James W. McCord Jr., were convicted. Mr. Hunt, who is free pending an appeal, wrote that Mr. Liddy had told him that Mr. Mitchell had urged the break-in at the Watergate.

Mr. Silbert and his two assistants on the case, Seymour Glazer and Donald Campbell, have been accused by some in Congress and elsewhere of failing to pursue from the beginning the possibility that higher-ups at the Committee for the Re-election of the President and the White House helped plan the Watergate bugging or cover up the responsibility for it.

Issue at Senate Inquiry

Mr. Silbert, now the Acting United States Attorney for the District of Columbia, was nominated earlier this year by basis. The scope of the Watergate prosecution over which he presided was a major issue at his confirmation hearings.

The Senate Judiciary Committee adjourned those hearings without a recommendation on the appointment. Last week, President Ford lent his endorsement to the nomination. Committee sources could not say when the hearings might be resumed.

In the first round of hearings, Mr. Silbert testified at length about his strategy of obtaining convictions against all seven defendants in the Watergate break-in. This strategy was to seek court orders protecting the seven from self-incrimination, then compel their testimony before a Federal grand jury.

However, it was not until the spring of 1973, several months after Mr. Nixon's landslide victory over Senator George McGovern of South Dakota, the Democratic Presidential nominee, that the seven were finally taken before the Watergate grand jury under grants of immunity.

The principal difficulty in cracking the Watergate case, Mr. Silbert testified, was the lack of cooperation from the seven original defendants, particularly Mr. Hunt, Mr. Liddy and Mr. McCord, who were presumed to have the most to tell.

In the period from Sept. 15, 1972, when the indictment was returned, to the beginning of the trial, Mr. Silbert said, "we repeatedly tried with all three of them" to elicit their coopera-

tion, "and were rebuffed at every turn."

"We could not get any inside," he went on. "That was our problem, and that is why we adopted the strategy we did, to indict and convict and then immunize so that we could get inside to see what, if anything, there was to find out."

Told of the account published by Mr. Hunt, Mr. Silbert denied that Mr. Bittman ever approached him to offer his client's cooperation.

He did, however, recall a meeting about the time mentioned by Mr. Hunt at which, he said, a suggestion of cooperation was made to Mr. Bittman by the prosecutors.

Had 'Nothing to Give'

"He was in our office on some matter," the prosecutor said, "and we brought it up with him."

Mr. Bittman's response, Mr. Silbert asserted, was that, while he would "love to" cooperate with the prosecutors, his client had "nothing to give" them.

Mr. Silbert said the implication he drew was that Mr. Hunt possessed no knowledge about the Watergate case that was unknown to the prosecutors.

One of the sources who agreed with Mr. Hunt's account said that the discussion initiated by Mr. Bittman "did not reach fruition" because the prosecutors indicated at the outset that the most they would offer in return was a recommendation to the court for leniency in sentencing, with no guarantee that it would. The usual practice in plea-bargaining matters is to offer a defendant the opportunity to plead guilty to a reduced charge, or to drop some of the charges against him in return for his cooperation.

Guilty Plea Entered

Two months after the 1972 election, when Mr. Hunt made known his decision to plead guilty anyway, Mr. Silbert agreed to a deal that involved his admitting guilt on three of seven counts.

Part of that bargain, Mr. Glazer said, involved Mr. Hunt's willingness to give limited testimony at the trial as a "rebuttal witness" for the Government. That, he said, was the first instance in which any offer to testify in any forum had been forthcoming from Mr. Hunt.

But the arrangement was not approved by Federal District Judge John J. Sirica, and Mr. Hunt eventually pleaded guilty to all seven counts.

One source said that the pre-election discussions between Mr. Silbert and Mr. Bittman never touched on the extent of Mr. Hunt's knowledge about Watergate because "the conversation never really got that far."

The abortive negotiations were ended, he said, when it became clear "the Government was only going to go so far" in offering to recommend leniency for Mr. Hunt in sentencing, no matter what assistance he supplied.