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W. Post

Hunt: Bugging 'Ill-Advised'

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Following is the text of a memorandum written by Watergate defendant E. Howard Hunt Jr. Nov. 14, 1972, five months after the break-in, pressing the Nixon administration for pardons and hush money. The memo, initially given to Hunt's attorney William O. Bittman, was introduced yesterday by prosecutors at the Watergate trial.

REVIEW AND STATEMENT OF PROBLEM

The seven Watergate defendants, and others not yet indicted, bugged DNC offices initially against their better judgment, knowing that Larry O'Brien was seldom there, and that many items of interest were being moved to Florida. Furthermore, the defendants pressed an alternate plan to bug O'Brien's Fontainebleau convention suite, before occupancy, a low-risk high-gain operation which was rejected.

The seven defendants again protested further bugging of DNC Headquarters on June 16-17, the intercepted conversations by then having shown clearly that O'Brien was not using his office. Again, objections were overridden and the attempt was loyally made even though money for outside guards was struck from the operational budget by Jeb Magruder. In fact the entire history of GEMSTONE was characterized by diminishing funding coupled with increasing demands by those who conceived and sponsored the activity.

If initial orders to bug DNC Headquarters were ill-advised, the defendants' sponsors compounded the fiasco by the following acts:

1. Indecisiveness at the moment of crisis.
2. Failure to quash the in-

vestigation while that option was still open.

3. Allowing Hunt's safe to be opened and selected contents handed to the FBI.

4. Permitting an FBI investigation whose unprecedented scope and vigor caused humiliation to families, friends and the defendants themselves.

5. Granting immunity to Baldwin.

6. Permitting defendants to fall into the hands of a paranoid judge and three self-admitted liberal Democrat prosecutors.

7. Failure to provide promised support funds on a timely and adequate basis; continued postponements and consequent avoidance of commitments.

8. An apparent wash-hands attitude now that the election has been won, heightening the sense of unease among all defendants who have grown increasingly to feel that they are being offered up as scapegoats ultimately to be abandoned.

Items for consideration:

1. Once the criminal trial ends, the DNC civil suit resumes. In his deposition John Mitchell may well have perjured himself.

2. Pending are three investigations by congressional committees. The Democratic Congress is not going to simply let the Watergate affair die away.

3. The media are offering huge sums for defendants stories. For example, an offer to one defendant for his "autobiography" now stands at \$745,000.

4. The Watergate bugging is only one of a number of engaged in by one or more highly illegal conspiracies of the defendants at the behest of senior White House officials. These as yet undisclosed crimes can be proved.

5. Immunity from prose-

cution and/or judicial clemency for cooperating defendants is a standing offer.

6. Congressional elections will take place in less than two years.

Defendants' Position

The defendants have followed all instructions meticulously, keeping their part of the bargain by maintaining silence. They have not, until now, attempted to contact persons still in positions of responsibility in an effort to obtain relief and reassurance, believing pre-election security to be a primary consideration.

The administration, however, remains deficient in living up to its commitments. These commitments were and are:

1. Financial support
2. Legal defense fees
3. Pardons
4. Rehabilitation

Having recovered from post-election euphoria, the administration should now attach high priority to keeping its commitments and taking affirmative action in behalf of the defendants.

To end further misunderstandings the seven defendants have set Nov. 27 at 5 p.m. as the date by which all past and current financial requirements are to be paid, and credible assurances given of continued resolve to honor all commitments. Half-measures will be unacceptable.

Accordingly, the defendants are meeting on Nov. 25 to determine our joint and automatic response to evidence of continued indifference on the part of those in whose behalf we suffered the loss of our employment, our futures and our reputations as honorable men.

The foregoing should not be misinterpreted as a threat. It is among other things a reminder that loyalty has always been a two-way street.