

Hoffa Is Said to Bar Plea to McClellan

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SAN CLEMENTE, March 28 —Justice Department officials said today that James R. Hoffa, whose application for parole will be reviewed Wednesday, considered and apparently rejected a bizarre scheme to enlist the support of the man who did as much as anyone else to put him in prison—Senator John L. McClellan, Democrat of Arkansas.

According to officials in the highest reaches of the department, the imprisoned head of the International Brotherhood of Teamsters held discussions while in prison with intermediaries who set forth a plan under which Mr. McClellan would be asked to intercede with the parole board or the Nixon Administration in Hoffa's behalf.

The intermediaries are said to have asked for large sums of money for their services. One report put the figure at \$1-million.

Senator McClellan has told The New York Times that he had received a tentative and mysterious "suggestion" that he might be approached in Hoffa's behalf but that no one ultimately got in touch with him. He said that he had dismissed the whole idea as "preposterous" and remained opposed to the release of Hoffa, who was convicted of jury tampering.

Regarded as 'Con Job'

Sources in Washington say that the scheme was first brought to the department's attention by an informer for the Federal Bureau of Investigation who claimed to have been present when friends of Hoffa allegedly formulated the idea and is said to have followed it carefully.

Justice Department officials say the matter was looked into. The department, these officials say, concluded after a preliminary examination that an individual or individuals hoped to make some money by persuading Hoffa that they could win Senator McClellan's support, that the scheme never got anywhere, and that Hoffa himself seemed to regard it as a "con job."

Accordingly, they say, the information they gathered about the incident, which one high official described as "merely an incipient scheme which never got off the ground," has not been included in a file on the Hoffa case that

the department reportedly sent to the parole board late last week.

An official said that the department intended to make a recommendation to the board on the case. He further suggested that the information about the scheme to approach Senator McClellan had not been included in the file on the ground that it seemed to have been the brainchild of outside in which Hoffa played no role other than to listen.

Several other sources w

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know the F.B.I. informer's allegations insist, however, that the department should submit the information to the parole board because they believe it is an important element in Hoffa's recent history that bears further examination.

Large Sums Discussed

According to their version of the incident, which is based on the informer's account, the intermediaries told Hoffa they would attempt to enlist the Senator's support if Hoffa would pay them \$1-million.

According to this version, Hoffa rejected the \$1-million offer but later settled on \$250,000. Further, according to this version, he refused to place the money in escrow, as the intermediaries wished, but pledged to pay it later if the attempts to win a favorable intercession with the parole board were successful.

The Justice Department agrees that large sums were mentioned in the prison conversation, but it insists that Hoffa did not agree to any part of the scheme and that it "just winnowed away."

Senator McClellan who held a series of conversations with The Times, said, "No one has contacted me that I thought was contacting me on behalf of Hoffa." He also said, however, that late last year or early this year he received what he regarded as a "feeler" from a person whose identity he said he could not recall.

Parole Is Opposed

He said, "Someone suggested to me that I could expect them [either the Administration or the union, he said in later conversations] to approach me to let the President know I would interpose no objection to Hoffa's parole."

Senator McClellan said that he had "brushed the whole thing off," that nothing further had happened, and that he thought Hoffa should remain in prison.

"I don't think he should be given a parole," he said in a telephone interview today.

Senator McClellan was chairman of a Senate select committee that conducted an intensive two-and-a-half-year investigation of labor racketeering in the late nineteen-fifties. Robert F. Kennedy was the panel's chief counsel.

Among the committee's conclusions was that the Teamsters Union, under Hoffa's leadership, was heavily infiltrated by racketeers.

Mr. McClellan, now chairman of the Senate Permanent Subcommittee on Investigations, maintains a continuing interest in Hoffa's activities.

Serving 8-Year Term

Hoffa, 58 years old, has been in the Federal Penitentiary at Lewisburg, Pa., since March 14, 1967, serving an eight-year sentence for jury tampering. He has already served more than one-third of that sentence and is therefore eligible for parole. He applied for parole on Oct. 2, 1969 and was turned down, but the board said it would consider his application again in March, 1971.

Frank E. Fitzsimmons, a teamster vice president, was designated by Hoffa to direct the union in his absence.

Asked about the conversations between Hoffa and the intermediaries who allegedly hoped to approach Senator McClellan, sources close to Mr. Fitzsimmons said that he knew nothing of the alleged plan and had been "amazed" to hear of it.

Some observers believe that Mr. Fitzsimmons has done less than he might to win Hoffa's release. Union sources close to Mr. Fitzsimmons, however, have said that he has visited influential political figures, including Attorney General John N. Mitchell, to lobby in Hoffa's behalf.

There have been periodic reports over the last two years that considerable pressure has been applied to the Nixon Administration to help Hoffa, whose union has made heavy

contributions to Republican candidates.

White House sources insist that they have expressed no opinion about the forthcoming



Associated Press

James R. Hoffa leaving prison in 1969 to attend a Federal court hearing.

parole proceedings, leaving this to the Justice Department, which says it has adopted a position of strict neutrality.

Among the criteria on which the parole board bases any decision is the conduct of the prospective parolee while in prison. The Bureau of Prisons is responsible for providing this information to the board.

There is general agreement that Hoffa has been a model prisoner.

It is conceivable that the parole board, assuming it chose to free Hoffa, might bar him from resuming control of the two-million-member teamsters' union.

The conversations between Hoffa and the architects of the scheme to persuade Senator

McClellan to intervene are said, by sources who have seen the F.B.I. informer's report, to have taken place late last year at Lewisburg Prison.

According to the report, the informer, a former convict, first heard the scheme discussed by a fellow inmate who, when released, took the plan to other intermediaries—one who knew Senator McClellan, and one who knew Hoffa.

The intermediary who visited Hoffa at Lewisburg was a friend or associate of Hoffa.

The informer, who was apparently told to keep monitoring developments in the case, reported to the F.B.I. that more than one meeting at Lewisburg had taken place and that there had been considerable haggling

over money and details. But, in the end, according to this version, Hoffa agreed to \$250,000.

The informer's report of these activities was sent up through the hierarchy of the Justice Department. Among those who are said to have been alerted to it were Henry Peterson, Deputy Assistant Attorney General in the Criminal Division; his immediate superior, Will Wilson, Assistant Attorney General, in charge of the Criminal Division, and the Deputy Attorney General, Richard G. Kleindienst.

It is not clear whether Attorney General Mitchell was given all the details or was merely informed, as a routine matter, that the F.B.I. report existed.

In any event, several top officials in the department, who have been interviewed by telephone about this matter over the last few days, have said that the informer's report, while potentially explosive, did not conclusively suggest any wrongdoing on Hoffa's account.

Viewed as Free-Lance Act

These officials do not deny that the approach to Hoffa was made at Lewisburg Prison, that more than one conversation took place, and that large sums of money were discussed. They simply contend that it was all the work of what one very senior official called a "rain-maker" — someone operating on a free-lance basis, who thought he might profit should

Hoffa be paroled.

"It was some individuals who agreed to do this for some ungodly sum of money," one official said.

Asked whether Hoffa had agreed to pay, the same official replied, "Certainly not the sum requested."

Pressed as to whether Hoffa had agreed to a sum of \$250,000, as the informer told the F.B.I., the official said, "My impression was that he didn't go or any of it. He seemed to regard it as a con scheme too."

It was for this reason the official said, that the Justice Department decided not to include the F.B.I.'s account of the episode in the material it is said to have submitted to the parole board.