

HOFFA CAN SPEAK ON UNION ISSUES

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Justice Aide Upholds Right —Ex-Leader to Take Cash Pension of \$1.7-Million

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DETROIT, Dec. 27—James R. Hoffa will be able to renew his many friendships in the giant teamster union and speak out on issues affecting the union without violating the conditions of the commutation of his sentence, according to a Justice Department official in Washington.

Hoffa will also have few financial worries. His lawyer, Morris Shenker, confirmed today in an interview that Hoffa had decided to take his pension of \$1.7-million in a lump sum. He will get \$1.2-million after taxes.

The former teamster leader, whose 13-year sentence for jury tampering and pension fund fraud was commuted last week by President Nixon, showed his old bounce as he briskly strode into the United States Probation and Parole Office here this afternoon.

After a meeting of an hour and 10 minutes, Hoffa and Charles T. Hosner, chief of the probation and parole office, were uncertain about the extent of the activities in which Hoffa could participate.

The conditions imposed on

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Hoffa by the commutation said that he was not to "engage in direct or indirect management" of any labor organization before March 6, 1980.

"We have to find out what the word indirect means," Hoffa said at a news conference after the meeting.

Mr. Hosner, in an interview, said that there was a major problem in interpreting what constituted "indirect management," and that he would seek the advice of Lawrence M. Traylor, the pardon attorney for the Justice Department, whose office helped to draft the conditions.

Mr. Traylor, reached at his Washington office, said that the word "indirect" was meant "in no way to hold down the right [of Hoffa] to express an opinion."

He added that Hoffa could go to union picnics or dinners and could express an opinion in a speech on such current issues as the teamster union's support of President Nixon's economic program without violating the conditions.

He said, however, that it was "a matter of degree" and that the parole board could step in if Hoffa "exercised an influence so that over a time in fact we have a marked change" in union policy.

There had been reports that Hoffa was entitled to draw \$75,000 a year for life as a pension from the Teamsters. But Mr. Shenker's statement today was the first disclosure that Hoffa had decided to take the amount in a lump sum of \$1.7-million.

Mr. Shenker said that Hoffa's pension agreement gave him the option of taking the amount as a lump sum or in annual payments. The \$1.7-million would be equivalent to a 22-year pension for the 58-year-old Hoffa.

During his session with Mr. Hosner today, Hoffa said that he would like to renew friendships and relations with union leaders in the Detroit area and asked for clarification of what he could do and could not do.

Mr. Hosner said that Hoffa's

attitude during the meeting had been "very responsible."

"He wants to do the right thing," he said. "It was no easy experience to go through, with his wife ill. He doesn't want to do anything that would make him go back."

Hoffa also asked Mr. Hosner whether he could go to Miami next week to join his wife, Josephine, for 60 to 90 days to help her to recuperate.

Mr. Hosner said that he foresaw no major problem in granting the request, and that Hoffa's case would be transferred to the local parole office to which he would have to report once a month while he was in Florida.

Hoffa owns an apartment in Miami and also has real estate holdings there.

But Mr. Hosner said that he was uncertain on how to guide Hoffa so that he did not violate the provision that he not get involved in indirect management of the union.

Hoffa, who served four years and nine and a half months in prison, is still very popular among the rank and file and union leaders. It is believed that his opinions would carry weight within the union even though he cannot now hold any official position in the 2-million member teamsters. He was given the title of president emeritus at the union's convention last summer.

Mr. Hosner said that he had advised Hoffa to "be very careful about discussing union affairs."

He added, however, that he interpreted "managing" as meaning directing and controlling but not necessarily as influencing. He said that Hoffa "has a right to express an opinion, like any other citizen."

Mr. Shenker, Hoffa's lawyer, said that he interpreted the conditions as allowing Hoffa to express an opinion, whether it influenced the union or not. But he added that Hoffa would "be very cautious" and "observe the conditions to the nth degree."

Mr. Shenker said that Hoffa was appealing his jury tampering conviction, for which he received a sentence of eight years in a district court in Chattanooga in March, 1964.

If he wins the appeal, he would have a good chance of being freed from the present restrictions since he has served almost all of the five-year term

fraud.
Hoffa, dressed in a dark blue overcoat and suit, a black tie and white shirt, was in a happy mood when he entered and left the parole office on the eighth floor of the Federal Building in downtown Detroit.
Earlier, in a news conference at the airport, he said that he had received hundreds of job offers and could take his pick. He also said that he planned to speak out on prison reform, particularly on the way young people and first offenders were treated.