

Hunt Told Colson Of Shielding Top Bugging Figures

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Convicted Watergate conspirator E. Howard Hunt Jr. told special counsel to the President Charles W. Colson in a November, 1972, telephone conversation, "We're protecting the guys who are really responsible" for the Watergate break-in, according to a transcript of the conversation released by the Senate select Watergate committee as it resumed its hearings yesterday.

In the conversation, which was recorded by Colson, Hunt was repeatedly admonished by Colson not to tell him any specific details about the break-in and bugging of the Democratic National Committee's Watergate headquarters.

"It's just that the less specifics I know," Colson told Hunt, "the better off I am, we are, you are."

Hunt told the committee yesterday that he was unaware that Colson was recording the conversation, the transcript of which the committee obtained from Colson by general subpoena. "I might say that I feel, in retrospect I was set up on this one," Hunt told the committee.

Colson has consistently denied any prior knowledge of the Watergate break-in or involvement in the subsequent cover-up.

The thrust of the conversation between Hunt and Colson, which Hunt said took place on Nov. 24, was Hunt's complaint that he was having difficulty getting funds for legal fees and family subsistence that he had been promised would be paid to him and the other six Watergate defendants.

At the time of the conversation, the seven Watergate defendants were preparing for their January, 1973, trial. Hunt testified that after his wife's death in a December, 1972, plane crash, he decided to plead guilty in the case.

For the first time publicly, Hunt yesterday told how he became involved in both the Watergate affair and the break-in at the offices of Daniel Ellsberg's psychiatrist.

Hunt, who appeared pale, thin and physically weak, told the committee that at the time he became involved in the Watergate break-in, "I considered my participation as a duty to my country." Hunt admitted receiving funds to cover his legal fees and family subsistence after his indictment and conviction but insisted that "I made no threats" in order to receive the money.

Although Hunt was testifying under a grant of limited immunity from prosecution extended by the committee, he is also under an admonition from Chief U.S. Dis-

trict Judge John J. Sirica to cooperate fully with any official investigative body that calls upon him for testimony.

Sirica last March sentenced Hunt provisionally to 35 years in jail and a \$40,000 fine for his admitted role in the Watergate affair. At the time of sentencing, Sirica made it clear that he would weigh the degree of Hunt's cooperation before giving Hunt a final sentence.

Hunt last week filed a motion with Sirica asking him to set aside Hunt's guilty plea and to dismiss all charges against him because, among other reasons, Hunt thought that top White House officials

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had approved the Watergate burglary.

Although Hunt was speaking for the first time publicly yesterday about "the events which have befallen me" as he put it, much of what he told the committee has already been reported as a result of the several appearances he has made before other committees in closed session and through the release of his grand jury testimony.

Hunt, and his attorney, Sidney S. Sachs, both referred to the burden that has been placed on Hunt under the provisions of the conditional sentence imposed by Sirica.

"Since being sentenced," Hunt said, "I have been questioned under oath on more than 25 occasions, often for many hours. I have answered thousands of questions by innumerable investigators, prosecutors, grand jurors and staff members of this committee.

"I am informed that such intensive and repeated interrogation is a most extraordinary procedure and of dubious legality. Even so," Hunt said, "urged by the court to cooperate fully, I have not contested the procedure. In fact, I have answered all questions, even those which involved confidential communications between my attorneys and myself."

A major portion of Hunt's testimony yesterday concerned his dealings with his former lawyer, William O. Bittman. Hunt said Bittman received \$156,000 in legal fees from Hunt. Bittman withdrew as Hunt's counsel in August after he became a subject of scrutiny.

Hunt, 54, a CIA agent for 21 years before his retirement in 1970, also catalogued for the committee

the troubles that have beset him since his sentencing, which he said may keep him imprisoned for the rest of his life. "I have been incarcerated for six months. For a time I was in solitary confinement. I have been physically attacked and robbed in jail. I have suffered a stroke. I have been transferred from place to place, manacled and chained, hand and foot. I am isolated from my four motherless children. The funds provided me and others who participated in the break-in have long since been exhausted. . . . Beyond all this, I am crushed by the failure of my government to protect me and my family as in the past it has always done for its clandestine agents."

Two of Hunt's four children, Lisa, 22, and St. John, 19, sat behind him as he testified. Hunt also has a daughter, Kevan, 20, and another son, David, 10.

Hunt first came to work at the White House as a \$100-a-day consultant in July, 1971, under the sponsorship of Colson, to work on declassifying the Pentagon Papers. Hunt quickly became part of the special investigative unit, popularly known as "th plumbers," established in July, 1971, by President Nixon to stop leaks of government information. It was the "plumbers" who, in September, 1971, conducted the break-in at the offices of Daniel Ellsberg's psychiatrist.

According to a memo released by the committee yesterday without explanation or elaboration, Hunt was interviewed in 1969 by Colson, Jeb Stuart Magruder and Lyn Nofziger, all White House aides at the time, for a position involving public relations. Although Magruder, who has admitted his later role in the Watergate conspiracy, recommended Hunt for the position, Hunt apparently was not hired at that time.

In addition to helping plan and conduct the Ellsberg break-in, Hunt told the committee that with Colson's urging he attempted to fabricate State Department cables implicating the Kennedy administration in the assassination of South Vietnamese President Ngo Dinh Diem, investigated Ellsberg's lawyer, Leonard Boudin, and released information to a reporter for a Detroit newspaper. Hunt also acknowledged an attempt to gather information on Sen. Edward M. Kennedy (D-Mass.) to be used for political purposes.

Jerald F. TerHorst, a Washington correspondent of the Detroit News, incorporated the material in a newspaper article, Hunt said.

TerHorst said yesterday that he was given an eight-page document on Ellsberg by Colson in August, 1972, but that it was five months before he wrote the article cited by Hunt.

He vigorously denied using the material without checking it, and said he did not use any of it verbatim. Most of the information in his article came right from Boudin, he said, and for Hunt to suggest otherwise "amounts to a slur on me and my paper."

The committee also released a July 28, 1971, memo

from Hunt to Colson in which Hunt outlined a plan to destroy (Ellsberg's) public image and credibility." One of the items in the memo suggests, "Obtain Ellsberg's files from his psychiatric analyst." Hunt told the committee that at the time he wrote the memo he had not yet contemplated the means of obtaining the files.

A later memo, dated Aug. 27, 1971, from White House aide John D. Ehrlichman to Colson, stated: "On the assumption that the proposed undertaking by Hunt and (G. Gordon) Liddy would be carried out, and would be successful, I would appreciate receiving from you by next Wednesday a game plan as to how and when you believe the materials should be used."

Ehrlichman, once President Nixon's top presidential adviser, resigned under fire on April 30. He has been indicted by a Los Angeles County grand jury, along with Liddy and former White House aides Egil M. (Bud) Krogh Jr. and David R. Young, on charges of conspiracy and burglary in connection with the Ellsberg break-in.

After the Ellsberg break-in, which failed to produce the psychiatric files, Hunt said he tried to tell Colson about the incident. Colson, Hunt said, told him, "I don't want to hear anything about it."

Colson originally was to have been the first witness to appear before the Senate committee in this phase of its hearings. Colson's appearance was indefinitely postponed two weeks ago after David I. Shapiro, Colson's lawyer, informed the committee that Colson was a target of a federal grand jury investigation the Ellsberg break-in. Colson last week appeared before the committee in executive session and invoked the Fifth Amendment in answer to all questions.

Hunt told the committee yesterday that he believes that Colson knew of plans by the Committee for the Re-election of the President to conduct an intelligence-gathering campaign against the Democrats in the 1972 campaign. Hunt did not say, however, that Colson knew specifically about the Watergate break-in.

Colson last April denied a report from highly placed sources in the executive branch that he had warned President Nixon in January that persons in his administration were obstructing justice. On three separate occasions, sources told The Washington Post, Colson

recommended to Mr. Nixon that he "get rid of some people."

In his transcribed Nov. 24 conversation with Colson, Hunt said at one point, "... we're protecting the guys who are really responsible, but now that's that — and of course that's a continuing requirement, but at the same time, this is a two-way street and as I said before, we think that now is the time when a move should be made and surely the cheapest commodity available is money."

"I'm reading you," Colson replied. "You don't need to be more specific."

The committee has expressed its intention to expedite the hearings in order to attempt to complete them by Nov. 1. The pace of the hearings yesterday, however, was plodding.

Although the hearings attracted thousands of spectators during the summer, the Senate Caucus Room was not nearly as crowded yesterday as it had been before

the Aug. 7 committee recess. Spectators found short waiting lines and empty seats inside the room.

In a clash reminiscent of those during the summer, Sen. Howard H. Baker Jr. (R-Tenn.), committee vice chairman, and Sen. Edward J. Gurney (R-Fla.) yesterday argued momentarily with committee chief counsel Samuel Dash as Dash questioned Hunt on the fabrication of the State Department cables.

Gurney asked Dash to explain the relevance of the questioning to the committee's mandate to investigate

the 1972 election. Dash explained that the fabrication was an effort by Colson to "try to discredit the Kennedy administration and therefore the Democratic Party during the election and relating it to the assassination of Premier Diem and for that purpose attempting to bring the Catholic vote away from the Democratic Party, and to show that a Democratic President has a role in the assassination of a Catholic premier."

Baker, who clashed frequently with Dash before Aug. 7, then complained that Dash was reaching "con-

clusions," a job for the senators, rather than limiting himself to establishing facts.

When Baker was asked later by a reporter if he was trying to trap Dash in cooperation with Gurney, Baker replied: "I was just trying to speed up the questioning."

Hunt's testimony that he paid \$156,000 in legal fees to his former attorney, Bittman, touched off a long and ultimately unresolved discussion between Sachs and members of the committee on whether the witness had waived the right to confidentiality normally extended to conversations be-

tween attorneys and their clients.

Sachs maintained that although Hunt was under pressure from Sirica to cooperate with the committee and agreed to testify freely about his relationship with Bittman, he was not waiving any rights. And if Bittman should be called to testify, Sachs said, he would still be bound by the attorney-client relationship not to reveal anything of his discussions with Hunt.

Bittman could not be reached yesterday to comment on the size of the fee he received from Hunt.

In earlier testimony before the committee, former Nixon campaign aide Frederick C. LaRue said he transferred a total of \$210,000 to Bittman with the understanding it would be given to the various Watergate defendants and their lawyers. Hunt's \$156,000 worth of fees were presumably not included in that amount.

Bittman withdrew as Hunt's attorney last month and was replaced by Sachs.

Hunt's testimony about the funneling of clandestine payments to Bittman closely followed that given by other witnesses earlier in the hearings.

After he had retained Bittman with a \$1,000 payment early in July, 1972, Hunt said, Bittman called him a few days later and said he had received \$25,000 — delivered anonymously to his office — as a further retainer.

Anthony Ulasegicz, a retired New York City policeman used by Nixon administration and campaign officials as a courier, told the committee last summer how he left the money for Bittman in a telephone booth in Bittman's office building.

Later in 1972, Hunt said, Bittman told him that a package addressed to Hunt had been delivered to his office. The package contained \$20,000, Hunt said, which he turned over to Bittman as part of his fee.

Around the end of the year, Hunt went on, he received another anonymous package containing \$15,000. Of this, he said, he gave \$12,000 to Manuel Artime—a Cuban exile leader in Miami who helped organize the Bay of Pigs invasion of 1961—to be used in the defense of the four Cuban-Americans arrested in the Watergate burglary.

He kept the remaining \$3,000 to reimburse himself for money of his own that his wife had given to the other defendants, he said.

Hunt was not asked to give the details of how he received all the money he transferred to Bittman, but he said the total was \$156,000.

Later, he testified, the anonymous packages stopped coming and he called his friend Colson to ask that the financial support be renewed. Bills were accumulating, he said.

He did not say that Bittman was pressing him for additional fees, but "Mr. Bittman informed me of the current state of my deficit balance with him," he said.

"I did not interpret that as a demand for funds but rather he was keeping me informed of how much money was owed. At that juncture I was not considering debts owed to Hogan and Hartson (Bittman's firm) as being personal debts of mine although later I came to accept them in that spirit.

"I felt they should be paid by the people or groups who had sponsored (the) Gemstone program. And I encouraged Mr. Bittman to turn to others for the payment of his fees rather than myself."

Bittman and Colson met twice at his request, Hunt said, but he received nothing from Bittman as a result of those meetings except the assurance that Colson thought "I was a fine patriotic fellow and if worse came to worse he would take my children into his own home, that he was sorry I had ever become involved in this entire scheme."

Bittman, 41, had a distinguished career as a government prosecutor before he resigned from the Justice Department in 1967 to join Hogan and Hartson.

Among Bittman's government cases were the successful prosecutions of Teamsters president James R. Hoffa for pension fund fraud in 1964 and of former Senate Democratic aide Robert G. (Bobby) Baker for income tax evasion, larceny and conspiracy in 1967.

Bittman's efforts to collect fees for legal services rendered to Hunt above and beyond the first \$156,000 were unsuccessful, Hunt testified, and when the amount due reached \$60,000 he went to Hogan and Hartson to discuss the matter with Paul O'Brien of the Nixon re-election committee. Bittman arranged the meeting, Hunt said.

At that meeting, which Hunt said took place shortly before he was sentenced by Sirica last March 23, he urged O'Brien to pay the outstanding legal bills and to provide support for his family.

"I told him . . . I was very much concerned about the future of my family," Hunt said, and "that I would like to have the equivalent of two years' subsistence available to them before I was incarcerated."

He also told O'Brien, Hunt testified, "that I had engaged, as he might or might not know, in other activities which I believe I described as 'seamy activities' for the White House. I do not believe I specified them. However, I did make reference to them."

When asked by committee counsel Samuel Dash if he had intended to convey a threat to O'Brien that unless the money was paid these "seamy activities" would become public, Hunt

said no.

What he meant was, he said, that "if anyone was to receive benefits at that time, in view of my long and loyal service, if not hazardous service, for the White House, . . . certainly I should receive priority consideration."

He added, however, that "Mr. O'Brien might have assumed any number of things from our colloquy."

O'Brien told him, Hunt said, that "he was becoming less and less effective as an intermediary" with the White House in the matter, and urged him to get in touch with Colson, who had left the White House to practice law in Washington.

O'Brien told him, Hunt recalled, that "well, there are some of us who feel that Chuck stayed out of this too long, that it is time he got his feet wet along with the rest us."

Hunt tried to see Colson, he said, but was rebuffed and was able to see only Colson's law partner, David Shapiro. Shapiro, he said, "approached me rather aggressively and subjected me to a lengthy monologue which I considered to be highly self-serving."

Nevertheless, Hunt, said, he did receive a final delivery of cash on March 20 or 21. He said he put the money, \$75,000, in a safe deposit box.

Eventually, he said, he paid Bittman's bills not with the \$75,000 in cash but with \$80,000 he had received from insurance policies held by his wife, who was killed in a Chicago plane crash last December.

Hearings to Resume On Television Today

The Senate Watergate hearings will resume at 10 a.m. today with further testimony from E. Howard Hunt Jr., one of the convicted Watergate conspirators.

Channel 4 (NBC-WRC) will televise the hearings live, beginning at 10 a.m. Channel 26 (WETA) will telecast the sessions on a delayed basis, beginning at 8 p.m.

