

Guilty Plea By Ex-Nixon Aide Likely



AP Wirephoto

HERBERT PORTER
A 'team player'

Washington

Herbert L. Porter, former scheduling director for the Committee for the Re-election of the President, waived formal indictment yesterday on a charge of lying to the FBI and is apparently prepared to admit his guilt.

Porter, who said he was thought of as a "team player" and who wore his first Nixon button at 8 years old, was the subject of a criminal information filed yesterday by the Watergate special prosecutor.

U.S. District Judge John J. Sirica accepted the waiver of indictment and assigned the case to Judge William B. Bryant. Bryant is ill and the hearing was set for Monday.

Porter's attorney, Charles B. Murray, said, "I can't say he is going to plead guilty but there will be a disposition of the case."

He told reporters they could "figure that out."

The case was the first to grow directly from Senate Watergate committee testimony. Porter appeared before the committee but did

not ask for immunity from prosecution.

He told the committee last June 7 that beginning in December, 1971, he gave about \$35,000 to G. Gordon Liddy, later convicted in the burglary of the Democratic National Headquarters at the Watergate complex.

Porter said he had drawn the funds from Hugh W. Sloan, former campaign treasurer, and had given them to Liddy for "dirty tricks and other special projects."

Ten or 11 days after the burglars were caught, Porter told the senators, Jeb Magruder, second in com-

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mand at the re-election committee, called him in and discussed the payments to Liddy.

"There is a problem with some of the money," Porter said he recalled Magruder telling him.

"Now, Gordon was authorized money for some dirty tricks, nothing illegal, but nonetheless, things that could be very embarrassing to the President of the United States and to Mr. Mitchell and Mr. Haldeman and others. Now, your name was brought up as someone who we can count on to help in this situation, and I asked what is it you are asking me to do, and he said, 'would you corroborate a story that the money was authorized for something a little more

legitimate sounding than dirty tricks, even though the dirty tricks were legal, it still would be very embarrassing.'"

The references were to Mr. Nixon's former campaign chairman and attorney general, John N. Mitchell, and former White House chief of staff, H.R. Halde-

man. Porter said he invented a rationale for spending \$100,000 — \$1000 a month to 10 college-age students for 10 months for infiltrating radical groups.

He said they agreed that Magruder would tell such a story to investigators and that Porter would back it up.

When the FBI interviewed him, Porter said he told them the pre-arranged cover story. He said he also told

it to the Watergate grand jury and at the first Watergate trial.

Magruder has since pleaded guilty to conspiracy to obstruct justice and has agreed to cooperate with the criminal investigation. Porter, too, is believed to be ready to cooperate.

The charge filed against Porter comes under the unusually broad fraud and false statements section of Title 18 of the U.S. Criminal Code.

The section makes it a felony for anyone to make a statement he knows is false "in any matter within the jurisdiction of any department or agency of the United States."

The maximum penalty is five years in prison and a \$10,000 fine

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