

COLSON REPORTED TO TELL INQUIRY OF CALL BY NIXON

JUL 16 1974

President Is Said to Have
Asked Last March 4 for
Date of Hunt Payment
NYTimes

By DAVID E. ROSENBAUM

Special to The New York Times

WASHINGTON, July 15 —

Charles W. Colson reportedly told the House Judiciary Committee today that President Nixon called him as late as last March 4 in search of information about the payment of \$75,000 to one of the Watergate burglars.

Mr. Colson had been indicted three days earlier for conspiracy in the Watergate cover-up case.

He also reportedly testified today that he was told last year that President Nixon had approved "the operation" by the "plumbers" unit that led to the burglary of the office of Dr. Daniel Ellsberg's former psychiatrist.

Today was the first time that Mr. Colson, who was President Nixon's special counsel and a key political operative had testified under oath about the broad range of allegations that the House Judiciary Committee is considering in its impeachment inquiry.

The committee's interrogation lasted late into the night.

Mr. Colson reportedly said that he had not. The President then said, Mr. Colson was reported to have testified, that he thought that Mr. Bittman might have escaped indictment because he had set March 21 as the payoff date.

March 21 a Key Date

Mr. Bittman was listed as an unindicted co-conspirator in the cover-up case.

The President has based his defense against impeachment on the proposition that he did not authorize or sanction the payment to Mr. Hunt and that the money was not intended to buy Mr. Hunt's silence.

The President had long discussions with top aides on March 21 about Mr. Hunt's demands for money. If it could be shown that the payment took place before then, it would presumably mean that it

Continued on Page 18, Column 4

COLSON TESTIMONY ON CALL REPORTED

Continued From Page 1, Col. 5

had not resulted from his orders.

Much of Mr. Colson's testimony about Mr. Nixon's role in the burglary of the psychiatrist's office had come out in the trial that ended last week in the conviction of John D. Ehrlichman and three others.

Nonetheless, several committee members said that Mr. Colson's sworn statements in this area had been seriously damaging to Mr. Nixon's cause.

Mr. Colson reportedly said that in the spring of 1973 Mr. Ehrlichman, who was the President's chief adviser on domestic policy, told him that the President had approved "the operation" to gain access to derogatory information about Dr. Ellsberg.

Asked by reporters as the committee recessed for dinner what he had meant by "the operation," Mr. Colson replied:

"I just used the precise words [Mr. Ehrlichman] used."

Mr. Colson responded, "It doesn't necessarily mean burglary."

Representative Holtzman, Democrat of Brooklyn, said that there was no question in her mind that Mr. Ehrlichman had been speaking of a burglary because, at the time, he was giving Mr. Colson "reasons for not talking to the prosecutors."

Conviction of Ehrlichman

Committee members noted that Mr. Ehrlichman was convicted last week of violating the civil rights of the psychiatrist, Dr. Lewis H. Fielding, even though the evidence showed that Mr. Ehrlichman had authorized a "covert operation" and not specifically a burglary.

President Nixon, in a sworn statement provided at the Ehrlichman trial, acknowledged that he had set up a special unit—known as the plumbers—in the White House in 1971 to investigate unauthorized leaks of information to the press.

Mr. Nixon said that he had instructed this unit to ferret out information about Dr. Ellsberg, whom he considered a serious risk to the national security. Dr. Ellsberg has said that he gave the Pentagon papers, a secret Government account of United States involvement in Vietnam, to the press.

Mr. Colson, who was indicted for conspiracy in both the 1972 Watergate burglary here and the 1971 Fielding break-in in California, pleaded guilty last month to obstructing justice by distributing damaging information about Dr. Ellsberg. He is

now serving a prison term of one to three years.

Mr. Colson told the court before his sentencing that the President had urged him to distribute the derogatory information "on numerous occasions."

Committee members who are generally critical of the President asserted today that Mr. Nixon might have committed the same crime for which Mr. Colson went to prison.

Loyalty to Nixon

Mr. Colson was said to have proclaimed his continued loyalty to Mr. Nixon. He appeared for the hearing in a blue pinstripe suit and a tie clasp bearing the Presidential seal.

He reportedly told the committee that, during the tumultuous period last year when the White House was being bombarded with allegations about the Ellsberg case, Mr. President repeatedly counseled his aides to read his book, "Six Crises."

Mr. Colson said that he had done so 14 times.

In addition to testifying about the Watergate case, the Colson was questioned at length about the Watergate burglary, the campaign contributions from milk producers and the Administration's relationship with the International Telephone and Telegraph Corporation.

Mr. Colson has said publicly that he warned the President in early 1973 that the facts of the Watergate burglary at the Democratic national offices were being covered up by the President's top aides.

Warning Held Discounted

But Mr. Colson has said that he believes that the President discounted his warning as stemming from the rivalry between Mr. Colson and John N. Mitchell, the former Attorney General and campaign director.

The committee was also trying to find out from Mr. Colson whether he was exaggerating when he wrote in a March, 1972, memorandum that there were documents that would "directly involve the President" in illicit dealings with I.T.T.

On the milk producers' contribution, the committee was interested in Mr. Colson's perception of whether the President ordered an increase in milk price supports because of a pledge of campaign funds from the dairy cooperatives.

Speaking of Mr. Colson's testimony about the President's relationship with the Fielding burglary, Representative Don Edwards, a California Democrat, said that "this is stronger [indication] of Presidential involvement than it's ever been before."

'Definitely Damaging'

Representative Hamilton Fish Jr., Republican of upstate New York, called the testimony "definitely damaging."

Mr. Edwards is considered a sure vote for impeachment, and Mr. Fish has increasingly ap-

peared to be leaning that way.

But one of the President's most vocal supporters, Representative Charles E. Wiggins, Republican of California, said that any allegation that the President has directly ordered the burglary was "a flat falsehood in the record."

The mere approval of the plumbers unit to plug news leaks and the President's interest in turning up all available information on Dr. Ellsberg were not proof that the President had ordered the burglary of the psychiatrist's office, Mr. Wiggins asserted.

On another matter, Mr. Colson reportedly testified that President Nixon had helped him to conduct a false public explanation of why the Federal Bureau of Investigation was gathering background information on Daniel Schorr, a correspondent for the Columbia Broadcasting System.

After the disclosure in 1971 that the F.B.I. was investigating Mr. Schorr, the White House announced that it had initiated the investigation because Mr. Schorr was being considered for a position in the Administration.

Subsequent sworn testimony showed that the real purpose of the investigation was to try to find information that could discredit Mr. Schorr, who had broadcast reports unfavorable to Administration policy.

'The Best Way'

Mr. Colson was said to have testified this morning that he and the President had decided that "the best way to work ourselves out of a situation that could have been embarrassing" was to put out the story about Mr. Schorr's being considered for job in the Government.

Mr. Colson reportedly said that he then gave that account to Ronald L. Ziegler, Mr. Nixon's press secretary, with the concurrence of the President.

Asked about the importance of the phony account to the impeachment inquiry, Representative Robert F. Drinan, Democrat of Massachusetts, responded, "In: more lie. How many do we have?"

The committee is scheduled to take testimony tomorrow from its final witness, Herbert W. Kalmbach, who was Mr. Nixon's personal California lawyer and a major campaign fund raiser.

St. Clair Rebuttal Set

On Wednesday, the panel is planning to hear a rebuttal statement from Mr. Nixon's defense attorney, James D. St. Clair. For the rest of the week, the members will attend private briefings to prepare for a week-long debate on proposed articles of impeachment next week.

Mr. Rodino said again today that he expected a final committee vote on impeachment by July 26.

The Democrats have formed a four-man study group, headed by Mr. Rodino, to draft proposed articles of impeachment. The other members are Mr. Edwards, John Conyers Jr. of Michigan and Paul S. Sarbanes of Maryland.



The New York Times/George Tames

Peter W. Rodino Jr., Judiciary Committee chairman, confers with Charles W. Colson