

# Memo on Ellsberg Aide Held Key to Colson Plea

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WASHINGTON, July 18—The document that Charles W. Colson said played a major role in his decision last month to plead guilty to obstruction of justice charges was depicted by Government prosecutors as a "scurrilous and libelous" attack on Leonard B. Boudin, one of Dr. Daniel Ellsberg's attorneys.

In his report on White House domestic surveillance activities published today, the House Judiciary Committee included a copy of a memorandum on Mr. Boudin, which had not been previously made available. It was written by E. Howard Hunt Jr., a member of the White House "plumbers" unit.

Mr. Hunt, who participated in the 1971 burglary of the office of Dr. Ellsberg's psychiatrist's and the 1972 Watergate break-in, is a former Central Intelligence Agency official who has published more than 40 spy novels.

Mr. Boudin has defended a number of controversial clients in his career. Dr. Ellsberg, a former Pentagon official, was charged with conspiracy in the disclosure of the Pentagon Papers, a history of United States intervention in the Vietnam war.

In a section entitled "The Odor of Espionage," Mr. Hunt wrote the following:

"The art of espionage, of course, is seldom conducted in the open for its very success depends upon those involved remaining hidden from public view. Nevertheless, it has been said with some certainty that over the years Leonard Boudin has been a contact of both the Czech and Soviet espionage organizations . . . because of the secrecy normally surrounding meetings between foreign agents and American citizens, it is impossible to say whether Boudin was providing information to Communists or—as seems more likely—receiving the defense of clients in instructions or advice concerning whom the Czechs or Russians had a special interest."

Despite a lack of substantiation, Mr. Colson forwarded the Hunt Memorandum on Aug. 24, 1971, to John D. Ehrlichman, the Presidential aide, with a letter suggesting that it "should be useful in connection with the recent request that we get something out on Ellsberg." The forwarding letter also was published today by the House Committee.

The request to get something on Dr. Ellsberg, Mr. Colson acknowledged at his sentencing last month, came directly from President Nixon. "The President on numerous occasions urged me to disseminate damaging information about Daniel Ellsberg, including information about Ellsberg's attorney and others with whom Ellsberg had been in close contact," he said.

Mr. Colson added that he believed the President was convinced that he "was acting in the national interest. I know I did," he said.

The admission came last June 21, when Judge Gerhard A. Gesell of United States District Court sentenced Mr. Colson to one to three years in prison and fined him \$5,000 for his admitted efforts to disclose derogatory information about Mr. Ellsberg and Mr. Boudin.

The special Watergate prosecutor's office, which dropped charges related to the Watergate and the Ellsberg burglary against Mr. Colson after his guilty plea, accused Mr. Colson of "unlawfully, willfully and knowingly" seeking to "influence, obstruct and impede the due administration of justice in connection with the criminal trial of Daniel Ellsberg." The case against Dr. Ellsberg was dismissed.