

Mrs. Beard Can't Re-Testify For 6 Months, Doctors Say

By Sanford J. Ungar
Washington Post Staff Writer

DENVER, March 27—Doctors said today that ITT lobbyist Dita Beard will not be able to testify again before the Senate Judiciary Committee for "the next six months or more." She collapsed with a heart seizure during questioning Sunday.

At the same time, her attorney, David W. Fleming, said he could produce two witnesses who would corroborate Mrs. Beard's version of a meeting Feb. 24 in her Arlington, Va., home with Brit Hume, an associate of syndicated columnist Jack Anderson.

Mrs. Beard was subpoenaed by the Senate after Anderson published a memorandum which linked Justice Department settlement of three anti-trust cases against International Telephone and Telegraph Corp. to the corporation's pledge of at least \$200,000 to the Republican National Convention in San Diego.

Fleming said the two poten-



ATTY. DAVID FLEMING
... offers Witnesses

tial witnesses, Walter Benning of ITT and Beverly Sincavage, Mrs. Beard's secretary at the ITT Washington office, were at Mrs. Beard's home that night. Benning, he said, was "no more than 11 feet away" when the conversation took place. Fleming said Benning heard Mrs. Beard tell Hume

that she had never written the memo published by Anderson.

Hume, on the contrary, has told the committee that Mrs. Beard repeatedly confirmed writing it.

It was the first time in the three-week-old controversy that anyone suggested the Hume-Beard meeting had been witnessed. In fact, attorney Fleming said, there were two other people in the house as well although they were too far away to overhear the conversation in the kitchen.

The dispute over the memo had delayed confirmation of Richard G. Kleindienst as Attorney General. Today, Senate Republican leader Hugh Scott of Pennsylvania said the hearings were "an exercise of irrelevance, total irrelevance." Scott said a majority of the Senate is prepared to vote immediately to confirm Kleindienst.

It was Kleindienst himself who asked that the Senate Judiciary hearings be reopened after publication of the memo in Anderson's column. After Mrs. Beard was located in a

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Denver hospital suffering from a heart ailment, seven members of a special Senate Judiciary subcommittee arranged to fly out to question her from her hospital bed.

She was to be questioned over a period of three days, in 90-minute sessions twice a day with doctors present. An hour into the second session Sunday she developed severe chest pains and the questioning was stopped. Today most of the Senators and staff members flew back to Washington.

One of Mrs. Beard's doctors, osteopath Dave T. Garland, said today at Rocky Mountain Osteopathic Hospital: "It would be very difficult to state that she would ever be in a position to be on the stand at the committee hearings in Washington with the protection that she had here"—including constant electronic monitoring of her heartbeat.

Joined by Dr. Lewis M. Radetsky, an osteopath specializing in heart and internal illnesses, Garland called upon the Senate committee to quash the subpoena issued to Mrs. Beard "if possible."

Dr. Radetsky said this afternoon that Mrs. Beard's condition had improved considerably since her attack of chest pains Sunday, but that she would be under intensive care for several more days.

The doctors spoke to a press conference at the hospital with two California lawyers representing the 53-year-old lobbyist.

While Fleming was calling for an expansion of the Judiciary Committee's witness list to include Benning and Miss Sin-cavage, Sen. Scott and Sen. Roman Hruska (R-Nev.) held a news conference in Washington denouncing the hearings as a "political circus" and asking that they be cut off immediately.

Scott said there would be an executive session of the Judiciary Committee next week after the Senate returns from its Easter recess, and predicted that the committee would vote 12 to 4 to call for an immediate vote on the Senate floor on Kleindienst's confirmation.

The Judiciary Committee hearings are scheduled to resume Wednesday morning with further testimony from ITT president Harold S. Geenen.

At his press conference here, Fleming attacked Anderson and Sen. Edward M. Kennedy (D-Mass.) for "their complete ruthless and obsessive disregard for anything save the attainment of their own objectives whatever they might be."

"That a sick and distraught woman responsible for the upbringing of five children has been driven to the point that she would risk her very life to ensure that the truth be made public," Fleming said, "is a sad and disgusting commentary on the almost untrammelled power of Jack Anderson, an arrogant and brazen journalist and his pathetic mud-raking investigator Brit Hume."

Fleming portrayed Mrs. Beard's effort to renounce the alleged memorandum as a fight "to buck a multi-billion dollar conglomerate."

In her testimony Sunday Mrs. Beard described a trip to New York during which she had been unable to convince ITT executives that she didn't write the memorandum published by Anderson.

Fleming acknowledged that, despite her criticism of ITT, the corporation is paying all of his legal fees and costs in representing Mrs. Beard.

The lawyer also described Mrs. Beard's Washington physician, Dr. Victor L. Liszka of Arlington, Va., as "a very confused and rather frightened individual."

Dr. Liszka testified under oath earlier this month that

Mrs. Beard had told him she wrote the Anderson-published memorandum, but was "mad and disturbed" at the time.

Fleming explained the discrepancy between Dr. Liszka's testimony and that of Mrs. Beard this way: "He is a man of Hungarian extraction. It is very difficult for him sometimes to translate from Hungarian to English to Hungarian."

One of the members of the special Judiciary Subcommittee, Sen. Edward J. Gurney (R-Fla.) said that his own conclusion from the hearings was that "someone wrote the memo (attributed to Mrs. Beard) to get her." He declined to speculate on who that might have been.

There was a continuing controversy here today over how ITT obtained the original copy of the memorandum published by Anderson in order to have private chemical tests performed on it.

After the FBI said last Friday that it was unable to confirm that the Anderson-published memo was "a fraud" as contended by Mrs. Beard, ITT released the results of its own tests, concluding that it was written as recently as January

or February of this year, rather than on June 25, 1971, as the FBI tests had indicated.

"The FBI tests didn't go deep enough," Fleming said today, but he insisted that he did not know how ITT obtained the original memo for its tests.

Judiciary committee aides here for Mrs. Beard's testimony said the committee had never made the memo available to ITT. "You'll have to ask the FBI," the aides said.

An FBI spokesman in Washington, however, declined comment.