

# FBI Links Beard Note, ITT Machine

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The FBI said yesterday that a controversial memorandum that columnist Jack Anderson attributed to Dita D. Beard, lobbyist for the International Telephone and Telegraph Corp., appears to have been typed on a machine from the ITT offices here.

In a five-page letter from FBI Director J. Edgar Hoover to Chairman James O. Eastland (D-Miss.) of the Senate Judiciary Committee, the bureau said laboratory tests had failed to substantiate Mrs. Beard's charges that the memo is a "forgery" and a "fraud."

The memo, reported by Anderson almost four weeks ago, links the Justice Department's settlement of three antitrust cases against ITT to the company's pledge of at least \$200,000 to support the Republican National Convention in San Diego.

Ever since, it has been a crucial issue in Judiciary Committee hearings on the nomination of Richard G. Kleindienst as Attorney General. The hearings were convened at the Cabinet nominee's own request.

President Nixon, in his first public comment on the ITT controversy, yesterday urged the prompt confirmation of Kleindienst and flatly denied that the Nixon administration had given any special favors to ITT.

"If we wanted to do a favor for ITT, we could have continued to do what was done in previous administrations, which is nothing," the Presi-

See ITT, A13, Col. 1

## ITT, From A1

dent said during a news conference in his White House office.

That was apparently a reference to the fact that previous Democratic administrations took the position that the antitrust laws did not apply to conglomerate mergers by such companies as ITT and never went to court in an attempt to stop them.

The ITT cases settled by the Justice Department last year had been pressed by then Assistant Attorney General Richard W. McLaren as a test of his theory that the antitrust laws could be used against conglomerates.

The FBI letter says that comparison of the Anderson-published Beard memo with other documents provided by ITT indicates that the date on the memo, June 25, 1971, is probably an accurate one.

"On the basis of the chemical tests possible within the time available," the FBI reported, "the typewriting ink on (the Beard memo) appears substantially similar in composition to the typewriting ink appearing on all submitted comparison documents bearing dates of June 28, 1971, and earlier."

The comparison documents provided by ITT had all been prepared on Mrs. Beard's typewriter in the company's office here.

In contrast, the FBI said, later documents submitted for examination had typewriter inks which were "definitely different."

Republicans on the Judiciary Committee have said that they would produce evidence indicating the Beard memo that Anderson made public was actually prepared at a much later date.

The FBI did not rule that possibility out, citing "the ease with which typewriter ribbons can be substituted or replaced on a typewriter."

"A ribbon like that used during most of June, 1971, may have been substituted, if only temporarily, during some later period, even though such substitution does not appear in any of the known samples submitted and bearing dates after June 28, 1971," the FBI said.

The FBI report lent new im-

portance to a trip to Denver this weekend by a seven-man subcommittee of the judiciary committee.

Led by Sen. Philip A. Hart (D-Mich.), the subcommittee is scheduled to question Mrs. Beard, a heart patient at the Rocky Mountain Osteopathic Hospital, during six 90-minute sessions spread over three days.

In a statement released a week ago through her attorney and through Senate Republican Leader Hugh Scott of Pennsylvania, Mrs. Beard denounced the memo published by Anderson as a "hoax" and expressed her eagerness to testify.

Mrs. Beard's lawyer, David W. Fleming of Van Nuys, Calif., told The Washington Post in Denver yesterday that the FBI report was "exactly as we suspected."

Fleming said he believes the controversial memo was prepared by "one or more persons" other than the lobbyist, probably within the ITT offices.

He promised to hold a news conference in Denver shortly after the subcommittee's ar-

rival to offer "proof" of Mrs. Beard's position.

Fleming also said that Mrs. Beard is under sedation and will continue to be under heavy medication during her interrogation by the senators.

One of the physicians treating Mrs. Beard vowed yesterday to halt questioning of the 53-year-old lobbyist if she becomes "too excited" while testifying.

Subcommittee plans call for having at least 14 present while Mrs. Beard testifies in a special lounge on the first floor of the hospital.

In another development yesterday, Sen. Adlai E. Stevenson III (D-Ill.) called on President Nixon to withdraw the Kleindienst nomination.

"I do not believe that we of the Senate can perform our constitutional duty to grant or withhold our 'consent' to the nomination of Mr. Kleindienst until we do know the truth" about the ITT affair, Stevenson said in a speech on the Senate floor.

Stevenson charged that "the appearance of misconduct can

erode public confidence as effectively as misconduct itself."

There were these other features in the FBI report on the Beard memorandum published by Anderson:

- The initial 'D' on the Beard memorandum is too limited to permit a determination whether it was or was not written by the same person as handwriting samples submitted on behalf of Mrs. Beard by ITT.

The FBI pointed out that another Beard memo, produced earlier this week by ITT as the "genuine" one by the lobbyist, carried no such initial. Nor did other documents purportedly written by the lobbyist and examined by the FBI laboratory.

- The Board memo reported by Anderson was not written on the same typewriter as notes by Brit Hume, an associate of the columnist, describing an interview during which he says the lobbyist acknowledged writing the disputed memo.

- The margins and paragraph indentations on both the memo published by Anderson and the one provided by ITT are "closely similar" to those on other documents from late June, 1971, attributed to Mrs. Beard, but different from both earlier and later comparison documents.