

The ITT Affair: Getting to the Heart of It

Let's see now: There's the memorandum attributed to Dita Beard by columnist Jack Anderson, which she first acknowledged and then three weeks later said was a "hoax," a "forgery," and a "fraud." Then there's the memorandum which miraculously escaped the ITT's shredding machine which ITT says is the "genuine" Dita Beard memorandum and proves the Anderson version to be a "fraud." And then there's what might be called the missing memorandum which so far exists only in the recollection of Mrs. Susan B. Lichtman, who was Mrs. Beard's secretary for six weeks last summer and who says that she remembers typing a memorandum which is not the same as the ITT version but not the same as the Anderson version either. So that's about where it all stands, memorandum-wise, and this weekend seven members of the world's greatest deliberative body, comprising a subcommittee of the Senate Judiciary Committee, are going out to the Rocky Mountain Osteopathic Hospital in Denver to try to find out from Mrs. Beard which is the real memorandum.



There are a number of things to be said about this mission, the first being that it is a waste of time if what the senators are looking for is the truth about the ITT affair. Leaving aside the value or validity of any testimony from a witness who has already been put down in sworn testimony by her own doctor as "irrational," "disturbed" and given to mental lapses as a consequence of a heart condition, the notion that Mrs. Beard could somehow put this whole matter to rest is merely something that the Republicans on the Judiciary Committee would like to have us believe.

For example, if Mrs. Lichtman is right, then this might make the Anderson version a forgery or a hoax, but it would also make ITT's latest explanation what might be called a genuine fraud, for ITT is arguing that its version of Mrs. Beard's memorandum on the Republican convention financing is the only "genuine" one and in an interview with this newspaper, Mrs. Lichtman has insisted that it isn't the memorandum she remembers typing. Much more important, however, is the fact that this case could hardly be considered closed—as Senator Gurney blithely proposed—even if Mrs. Beard and Mrs. Lichtman together can successfully prove the Anderson version to be a forgery. In that event, it would be interesting, of course, to know who did it and why—but it still wouldn't have much to do with the heart of the matter at this stage because, as we have argued repeatedly in this space, this case has moved light years beyond the rather vague and insubstantial questions raised in the memorandum attributed to Mrs. Beard by Mr. Anderson about a possible connection between the convention financing and the ITT antitrust settlement. For the benefit of those who may still believe that the ITT affair any longer turns on what Mrs. Beard may have written, or what she may now say about what she has writ-

ten, it might be instructive at this point to recall:

1. That the issue before the Senate Judiciary Committee is the fitness of Richard Kleindienst to be Attorney General of the United States.

2. That not one of the various versions of Mrs. Beard's memorandum mentions the name of Mr. Kleindienst or in any way involves him in either the convention financing or the antitrust settlement.

3. That the first column by Mr. Anderson about Mrs. Beard's memorandum does not charge Mr. Kleindienst with any involvement in the ITT affair.

4. That the first involvement of Mr. Kleindienst came in a subsequent Anderson column and was based very largely on a public letter from Mr. Kleindienst to Democratic National Chairman Lawrence O'Brien, which asserted that the ITT settlement had been "*handled and negotiated exclusively*" by the then antitrust chief Richard McLaren; based on evidence only part of which was drawn from the Beard memo, Mr. Anderson asserted that this was not the case—that Mr. Kleindienst had himself discussed the case with an ITT director and that others in the government, outside of the antitrust division, had played a role in it.

5. That while there can be no doubt that Democrats on the Judiciary Committee were delighted to seize upon this evidence of possible wrongdoing in a Republican administration, it was Mr. Kleindienst, not the Democrats, who thereupon asked that the hearings on his nomination be reopened.



Since then, of course, a large part of what Mrs. Beard implied in her memorandum, and of what Mr. Anderson alleged in his column, has been corroborated in sworn testimony before the committee. While there is no evidence of an out-and-out deal, or even of a close connection between the convention financing and the antitrust settlement, we now know that the two coincided; that ITT very much wanted an out-of-court settlement and that Mr. McLaren did not and that something happened to change his mind; and that part of what happened involved a considerable involvement of people outside the antitrust division, including Cabinet members, White House aide Peter Flanagan, a private adviser recruited by Mr. Flanagan—and Mr. Kleindienst.

For confirmation of all this we have no need of Mrs. Beard nor of any of the three versions of her memorandum and the further large questions that hang over this affair are not ones on which she would be likely to be able to give reliable testimony. The trip to Denver is necessary only because the Republicans have succeeded in making it a condition precedent to resuming the hearings. There is nothing she can say, however, that could conceivably discharge the Judiciary Committee from its obligation to get back to the hearings, and to a long list of witnesses who actually could help us get to the heart of the ITT affair.