

# ITT Quiz to Resume; Rep. Wilson Called

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The Senate Judiciary Committee voted yesterday to resume its controversial hearings on the nomination of Richard G. Kleindienst as Attorney General on Monday morning.

First on the witness stand as the 13th day of hearings begins will be Rep. Bob Wilson (R-Calif.). He is expected to be quizzed extensively on his role in arranging a contribution of at least \$200,000 from the International Telephone and Telegraph Corp. to help bring this year's Republican National Convention to his home town of San Diego.

In a March 3 interview with the San Diego Union, the transcript of which was released this week by Sen. John V. Tunney (D-Calif.), Wilson confirmed that he felt ITT's offer was for at least \$400,000, contrary to the testimony of ITT president Harold S. Geneen.

Wilson also said in that interview that ITT lobbyist Dita D. Beard had confirmed to him the authenticity of a memorandum published by

columnist Jack Anderson which linked the convention contribution to the Justice Department's settlement of three antitrust cases against the company.

Also listed as early witnesses in the resumed Judiciary Committee probe are central figures in a recent Life magazine article which contended that the Justice Department and prominent Republicans interfered with criminal prosecutions in Southern California.

One witness tentatively approved by the Judiciary Committee yesterday is C. Arnholt Smith, a San Diego millionaire and close friend of President Nixon.

The Life magazine writers and subsequent independent investigators for Tunney's staff have contended that for political reasons U.S. Attorney Harry D. Steward in San Diego declined to prosecute an associate of Smith, Frank Thornton, for allegedly illegal campaign contributions in 1968.

Tunney charged yesterday that on Feb. 17, 1971, the day Kleindienst cleared Steward of any wrongdoing, the then Deputy Attorney General had just received FBI information reflecting negatively on Steward.

In an affidavit submitted to the Judiciary Committee, however, Assistant Attorney General Henry E. Petersen said, "It was my conclusion that the results of the investigation (of Steward) were not sufficient

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to warrant the United States Attorney's dismissal although I considered that he had exhibited poor judgment in connection with an official matter."

The Justice Department says that Kleindienst merely accepted Petersen's recommendation in clearing Steward.

But Tunney suggested yesterday that Petersen himself may have exercised "poor judgment" in making that recommendation.

Yesterday's decision by the Judiciary Committee to resume the hearings came on the adoption of a compromise proposal by Senate Majority Whip Robert C. Byrd (D-W.Va.) at a 45-minute executive session.

By an ironic twist of parliamentary procedure, it was primarily with Republican votes

that the committee decided, 8-7, to extend the hearings until April 20, with a commitment to send some recommendation on the Kleindienst nomination to the Senate floor by April 27.

### Change of Strategy

In a last-minute change of strategy, Democrats decided to oppose the Byrd motion in an effort to force a vote on an amendment by Sen. Sam J. Ervin Jr. (D-N.C.) to continue the hearings indefinitely if White House aide Peter M. Flanigan should refuse to testify.

Flanigan, who recruited a financial analyst whose advice was considered crucial in the Justice Department's decision to settle with ITT rather than prosecute the antitrust cases, has thus far only been "invited" to testify.

If he declines the invitation, as expected, the committee will vote on whether to subpoena him and perhaps touch off a constitutional confrontation between Congress and the White House over "executive privilege."

Ervin's amendment was ruled out of order yesterday morning by Chairman James O. Eastland (D-Miss.), because the committee was operating under a unanimous consent agreement to vote by noon and to accept proxy ballots from several absent senators.

Sen. Roman Hruska (R-Neb.) objected to requests for unanimous consent to take the Ervin amendment up anyway or to hold over a vote on the Byrd compromise until Mon-

day.

The Republicans suddenly switched their votes in favor of the Byrd motion because, committee sources said, they feared the Ervin amendment would carry if it came to a vote.

Ervin immediately announced that he would bring up his proposal again at another executive session scheduled for 10 a.m. Monday, half an hour before the hearings resume.

### Eastland Sees Approval

The committee's extension of the hearings included a broad grant of power to the chairman to rule on the germaneness of specific witnesses and questions posed to them. Eastland is a strong supporter of Kleindienst and predicted again yesterday that he will be confirmed for the Cabinet post.

But Senate Democratic sources pointed out that Eastland may be campaigning in the Mississippi primary during much of the hearings and that the chairmanship may fall to Sen. Philip A. Hart (D-Mich.), who is in favor of an extensive investigation.

Yesterday's compromise also provided for the submission of written questions to some people on a list of more than 60 potential witnesses.

It was not immediately clear how many of the documents requested by committee Democrats the Justice Department had agreed to provide. Its answer was apparently satisfactory enough, however, to persuade the Democrats not to block the compromise.