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There were many courtesies Kleindienst, if not ~~him~~ to the establishing of truth to the completeness possible. One of the more glaring - but one also not commented on - had to do with an earlier scandal over the promise of \$400,000 by the monstrous international conglomerate, ITT to the Republican convention then slated for San Diego. Jack Anderson had published a secret memo ~~XXXXXX~~ by ITT lobbyist Dita Beard confirming the deal as a quid pro quo for favored treatment in an anti-trust case pending against ITT, which sought to buy Hartford Insurance ~~XXX~~ and several smaller ^{Company} was allowed to keep Hartford in the settlement. companies. Mrs. Beard had involved John Mitchell, the attorney general. In the backwash, the confirmation of Kleindienst as Mitchell's successor was jeopardize. It was apparent that unless everyone else lied, Mitchell perjured himself in that proceeding. Nixon's troubleshooter, Chuck Colson, recommended abandoning the Kleindienst nomination, the feeling was that strong. Colson knew more than most about what could come out.

Mitchell had testified to not having anything to do with the matter. If false, because it was material and under oath, this was perjury.

Less than a week before Kleindienst appeared, the committee asked him about a secret memo to him written by Colson. Haldeman, whose amnesia was then more than usually troubling, claimed no recollection of it. He can't be blamed for not wanting to remember. Even for Colson it was a blunt writing. They have an internal White House classification "for eyes only" but in this case it hadn't functioned well.

The ITT buying of the deal was in 1970. Colson's is a 1972 memo, inspired by the Kleindienst hearings.

This memo was described better by ^{California Democratic} Senator John V. Tunney, son of the former boxing champion, than by any of the Watergate investigators. Tunney said it "involves the highest echelons of the White House and the Administration in a fix-up, cover-up, lie-out-of-it scheme...obliterates any legitimacy the settlements on behalf of ITT may have had."

As a member of the Judiciary committee, Tunney participated in the Kleindienst and the Gray hearings. He then had demanded the filing of perjury charges, without success,

which is predicatable when the Department of Justice is called upon to prosecute itself and duplicates my own earlier experiences, again with perjury committed by Department officials that, thanks to Mitchell and Kleindienst, went unpunished.

Whereas Mitchell had sworn to no knowledge of the fix or of the case itself before settlement and had denied the payoff. Colson wrote Haldeman, with some energy, about the existence of internal documents not all copies of which were retrievable or had been destroyed "setting forth the \$400,000 agreement with ITT". One copy of the memo had gone to Mitchell before the settlement, Colson said, so this alone was proof. There was, in fact, much more. I have copies of some.

Then there was another memo, by White House Communications Director Herb Klein. It included this language, "...\$400,000 in private money arranged through a new major ITT hotel contacted by Bob Wilson." The hotel is the Sheraton. Wilson is a California Republican Congressman. (Another California Republican leader, Ed Reinecke, also confirmed the transaction at an earlier date. He also was part of it.)

Part of Colson's concern was that the memos, copies of which still existed, directly involved Nixon. One discussed conversations between Nixon and Mitchell two months before the ultimate settlement, mentioning, in Colson's words, "the agreed-upon ends of the resolution of the ITT case." Another said that Ehrlichman told ITT President Hal ~~Stam~~ S. Genseen (right) that Nixon had given specific instructions to Justice, not to press anti-trust cases on "big business alone."

Colson laid out straight for Haldeman his and other White House staffers' concern over "all the problems - put in their worst context - that might arise. Colson suggested that Kleindienst's nomination be withdrawn to avoid "the possibility of serious additional exposure" of the Nixonian seaminess.

ITT executive activity was rushed August 7, 1970, which is this period before the deal was consummated with the settlement ITT wanted. The quality of the personal relationships is indicated by the informality of the salutations. ITT's "Ned" wrote "The Honorable Spiro T. Agnew" as "Ted", not even "Dear Ted/": "I deeply appreciate your assistance concerning the attached memo. Our problem is to get to John the facts...After you

read this, I would appreciate your reaction on how we should proceed."

Top and bottom, large size stamping " PERSONAL & CONFIDENTIAL."

Mitchell is John Newton Mitchell. The attached, like-stamped unaddressed, unsigned memo of the same date refers to "our meeting on Tuesday [when] I told you of our efforts [ITT President Geneen] to try to settle the three anti-trust suits... Before we met Hal/had a very friendly session with John... While you and I were at lunch, Hal and Bill Merriam, who runs our local office, met with Chuck Colson and John Ehrlichman, and Hal told them of his meeting with John/ Ehrlichman said flatly that the President is not enforcing a bigness-is-bad policy and that the President had instructed the Department of Justice along these lines. He supported strongly what John had told Hal... In his conversation with Hal, John agreed that the steam had gone out of the merger movement... John agreed with Hal that there was no need for a 'crusade' to halt the merger. ... My question to you is, should we get this development [at lunch with Ehrlichman and Colson] back to John so he is aware, and how do we do it? What is the best way? I would appreciate your help and advice."

"Ted" response is not among the xeroxes I have.

But another of that day's ITT letters is. It is to "Dear Chuck" at the White House from "Tom", who is Thomas H. Casey, ITT's Director, Corporate Planning. His letterhead uses the Washington address, 1707 L Street, NW. It eliminates any question about the "John" of reference in these words, "During his meeting with Attorney General Mitchell, Mr. Geneen and the Attorney General both agreed... The Attorney General stated that it was not the intent of the Department of Justice to challenge economic concentration or bigness per se, or big mergers as such."

When there is a Nixon and a Mitchell and a gaggle of money-mind advisers to "interpret" the laws, the need for legislative enactments to develop an authoritarianism is considerably diminished.

On the 10th there is an internal ITT memo, from E.J. Gerrity (right) to J.F. Ryan that ends the pretenses of the Dita Beard scandal, that she was a hard-drinking self-starter: As a follow-up to what we did ~~with~~ [sic] Friday with Colson et al in re anti-trust

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it is important that Bob Schmitt, Dita Beard, Horner-Goodrich, and whomever else should be aware, that we acquaint key people with what happened last Tuesday." Among the seven to whom copies were sent is Dita Beard.

"Ned" wrote a memo ~~on~~ "describing his visit with Agnew." Or, with no address on the letter, the inference of hand-delivery is confirmed. For an additional Kleindienst involvement, "If Kleindienst follows through, this may be the break for which we have been looking."

This is quoted from an August 24, 1970 Inter-office ITT memo, also "PERSONAL & CONFIDENTIAL" from Ryan to Herrigan, subject "Highpoints."

It also discloses that in between, on the ~~x~~ 20th, Ryan visited with Nixon's moneybags, the indicted Stans, who collected and blackjacked the Watergate money.

There are many reasons for using these documents in questioning Haldeman, Ehrlichman, Kleindienst and Mitchell, ~~especially~~ With all the conflicts in crucial testimony, one, always pertinent, is as a test of credibility and honesty.

The committee's failure to do so seems not to be consistent with diligence or determination to pursue its mandate or, in fact, - to really do something about official criminality and corruption.

These documents should also have been used in questioning Gray, for Gray had the responsibility for no investigation of E. Howard Hunt's part in this ITT sordidness. Hut and Liddy, Nixon's superspies, had first spirited Dita Beard out of town so she could not be questioned and then ~~Hunt~~, "disguised" with the CIA outfit that also wasn't fully investigated, corrupted her, hardly a role in plugging leaks or "investigating" the Pentagon Papers. Or doing something about the dope traffick. ~~Knowing~~ these were Hunt's alleged function and the Gray's FBI had ignored all of this - and that the FBI was under Kleindienst - and that Peterson was in charge of criminal prosecutions - the committee rushed to its vacation instead.