

U.S. Won't Reopen Case Against ITT

9/13/73
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Attorney General Elliot L. Richardson has decided not to reopen the Justice Department's antitrust cases against International Telephone and Telegraph Corp., the Senate Judiciary Committee revealed yesterday.

The committee indicated that it will neither contest Richardson's decision nor raise the issue again, at least in the near future.

The ITT disclosure came when Sen. John V. Tunney (D-Calif.) read a letter from Richardson during a confirmation hearing for Deputy Attorney General-designate William D. Ruckelshaus.

Richardson's letter noted that on Aug. 2 Tunney had asked him to reinstitute its antitrust action "immediately" against ITT and its subsidiaries. At that time the committee, upset by new revelations about the case that had turned up in a 1972 White House memo, delayed confirmation of Ruckelshaus.

The Attorney General said that after receiving Tunney's request, he asked the Antitrust Division of the Justice Department to "review the matter to determine whether . . . the settlement should be reopened."

On antitrust officials' ad-

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vice, he said, "I do not believe that a reopening of the judgment, at this time, would give the government any greater relief than it obtained under the settlement."

Richardson added that "the public interest would not be served, and could well be injured, by reopening these cases."

In 1971 the department announced an out-of-court settlement in which it dropped three suits it had filed in 1969 against ITT acquisitions in return for the conglomerate's promise to divest itself of certain subsidiaries.

Among them were Canteen Corp., the Fire Protection Division of the Grinnell Corp, Avis Rent-A-Car, ITT-Levitt and Sons, Inc., and two insurance companies. ITT was allowed to keep the Hartford Fire Insurance Co., which had annual premiums totaling about as much as the combined sales of the other subsidiaries that were to be sold.

In 1972 it was revealed that ITT had pledged up to \$400,000 to help underwrite the Republican National Convention, and charges were made then that the proposed contribution

was a payoff for the out-of-court settlement.

On Aug. 1 those charges were revived by the disclosure during Senate Watergate hearings that Charles W. Colson, former special counsel to President Nixon, had written a memo about the case on March 30, 1972, to H. R. (Bob) Haldeman, then White House chief of staff.

The memo warned of the existence of other memos that Colson said would "directly involve" President Nixon in the favorable ITT settlement and would "lay this case on the President's doorstep."

The next day, Aug. 2, Tunney called for perjury charges in connection with testimony before the Judiciary Committee a year earlier when it was considering the nomination of Richard G. Kleindienst to be Attorney General.

Tunney named no one, but he clearly had in mind former Attorney General John N. Mitchell, who had told the

committee in March, 1972, that he did not know of the ITT \$400,000 pledge before the antitrust settlement.

Richardson's letter, written last Thursday, noted that "any questions of election improprieties or perjury in the ITT matter" are being investigated by Watergate Special Prosecutor Archibald Cox.

The committee, in quizzing Ruckelshaus yesterday, seemed satisfied with Richardson's responses in that letter and in another to Chairman James O. Eastland (D-Miss.) answering questions about ITT documents.

Ruckelshaus was treated warmly by committee members, eight of whom told him they would support his confirmation. He is to be questioned again today by Sen. Robert C. Byrd (D-W.Va.).

The nominee was asked about his views on amnesty, particularly for the thousands of men convicted of evading the draft before the Supreme

Court's 1970 decision that said a person does not have to serve if he holds a sincere philosophical belief opposing such service.

Ruckelshaus said he thinks the government should review cases of persons who have accepted punishment for their beliefs and who are now stigmatized as felons.