

Senators to Hear G.O.P. Congressman

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Representative Bob Wilson, a key figure in bringing the 1972 Republican National Convention to San Diego, will be the leadoff witness Monday when the Senate Judiciary Committee begins nine more days of hearings into the qualifications of Richard G. Kleindienst to be Attorney General.

The California Congressman, whose newspaper interview plunged the hearings involving the International Telephone and Telegraph Corporation into deepening controversy yesterday, will be questioned about his statements that contradicted sworn testimony by three officials of I.T.T.

The hearings have focused on allegations that a large pledge by I.T.T. toward the expenses of the Republican convention next summer influenced the Justice Department in settling three antitrust suits against the corporation.

Today the Judiciary Committee voted 8 to 7 to continue the hearings until April 20 and to render its judgment on Mr. Kleindienst, and thus clear the way for a confirmation vote by April 27.

To Avoid Blame

Senator Edward J. Gurney of Florida, voicing the reasons why he and other Republicans voted to extend the politically sensitive hearings, said that at last a terminal date had been set, and that now "you couldn't lay the blame on the Republicans" for choking off testimony to avoid further embarrassing disclosures.

However, the Democrats won a concession in an agreement by the committee to expand its inquiry into allegations that the

United States Attorney in San Diego, Harry D. Steward, quashed a grand jury investigation into unlawful political contributions by influential Republicans. Senator John V. Tunney of California, a Democrat, submitted a list of seven witnesses to the incident who will be heard if time permits.

Moreover, the April 20 deadline could yet be set aside if a move by Senator Sam J. Ervin Jr. of North Carolina wins the committee's approval.

Today Senator Ervin, a Democrat who has consistently sought to limit the President's power to withhold information from Congress through "Presidential immunity," sought to amend the compromise plan by providing that the April 20 cutoff date would be vitiated if the committee was unable to obtain the testimony of Peter M. Flanigan, a White House aide. Mr. Flanigan hired an "independent" economic analyst for the Justice Department who supported I.T.T.'s arguments in favor of its settlement terms.

Ervin Move Favored

A substantial number of the Judiciary Committee members reportedly expressed approval of Senator Ervin's proposal during the executive session today. But the committee had agreed not to amend today the compromise plan, which had been proposed by Senator Robert C. Byrd, Democrat of West Virginia, and which some Senators had already voted on by proxy. There were reports that the committee might meet again before the hearing begins on Monday to vote on Senator Ervin's proposal.

A confusing parliamentary situation developed today when Democrats who favor extending the hearings sought to vote

down Senator Byrd's compromise so as to end the no-amendment agreement and open the way for a vote on Senator Ervin's proposal. This put several Republicans who were seeking an immediate end to the hearings in the position of voting for the nine-day extension to head off Senator Ervin's motion.

Thus Senator Roman L. Hruska of Nebraska, who had urged an immediate confirmation vote on Mr. Kleindienst, supported the Byrd compromise, along with five other Republicans: Hiram L. Fong of Hawaii, Hugh Scott of Pennsylvania, Strom Thurmond of South Carolina, Charles McC. Mathias Jr. of Maryland and Mr. Guernsey. They were joined by two Democrats—Mr. Byrd and the committee chairman, James O. Eastland of Mississippi.

Voting Against

Those voting against the nine-day limitation were one Republican, Marlow W. Cook of Kentucky, who had left town and left a proxy vote against the Byrd plan when it was opposed by the Republican side—and six Democrats: Mr. Ervin, Mr. Tunney, Philip A. Hart of Michigan, Edward M. Kennedy of Massachusetts, Birch Bayh of Indiana and Quentin N. Burdick of North Dakota.

Today the Judiciary Committee released copies of an affidavit filed yesterday by Assistant Attorney General Henry E. Petersen, chief of the Justice Department's Criminal Division, who explained Mr. Kleindienst's decision not to dismiss Mr. Steward despite his "poor judgment" in the San Diego incident.

Mr. Petersen denied an allegation by Life Magazine that Mr. Steward had been inves-

Who Contradicted I.T.T.

tigated for obstructing justice. Instead, Mr. Petersen said, an administrative inquiry was conducted into allegations against Mr. Steward.

The Federal Bureau of Investigation made an investigation that was referred to a Criminal Division staff lawyer, Stephen M. Weglian, for evaluation. Mr. Petersen said the staff lawyer found no indication of criminal wrongdoing and no validity to any of the allegations against Mr. Steward except for one that "related solely to improper judgment."

Asked Admonition

The staff lawyer recommended that Mr. Steward be "admonished," and Mr. Petersen said he had advised Mr. Kleindienst not to dismiss him—a recommendation that Mr. Kleindienst adopted as Deputy Attorney General.

Other sources have confirmed that the act by Mr. Steward that was considered "poor judgment" was an order to Government investigators not to subpoena Frank Thornton, an influential Republican who had helped get Mr. Steward in his present job.

The investigators wished to question Mr. Thornton, an advertising executive, about allegations that a payment to his advertising agency was a cover for an illegal contribution by a corporation to the 1968 Republican campaign. Mr. Steward instead talked informally with Mr. Thornton, and told his investigators that Mr. Thornton had adequately explained the payment.

Senator Tunney has filed an affidavit with the Judiciary Committee by A. David Stutz, an investigator for the Internal

Revenue Service, who was looking into the transaction involving Mr. Thornton. The affidavit charges that Mr. Steward violated Federal laws by leaking information about the grand jury investigation to Mr. Thornton, and that he promised not to indict the men under investigation. No indictments were made.

Mr. Thornton and Mr. Steward reportedly denied these allegations to the F.B.I. Since there was no corroborative evidence, these allegations were not considered a basis for dismissing Mr. Steward.

Statement by I.T.T.

The International Telephone and Telegraph Corporation issued a statement in New York yesterday responding to an assertion Thursday by Senator Tunney that three I.T.T. officials might have committed perjury in Senate testimony.

Mr. Tunney had said that the transcript of an interview with Representative Bob Wilson contradicted testimony given by Harold S. Geneen, the corporation's president and board chairman; Mrs. Dita Beard, an I.T.T. lobbyist, and W. R. Merriam, head of I.T.T.'s Washington office.

The corporation's statement concerned only Mr. Geneen. The interview quoted him as having offered, in a conversation with Mr. Wilson, to guarantee up to \$400,000 of the convention funding. The I.T.T. statement did not challenge Mr. Wilson's version of the conversation, but cited written pledges for only \$200,000 and said Senator Tunney had made "an unfair interpretation of the record."