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Kleindienst Defended by Justice Aide

N. D. STATES ITEM
WASHINGTON (AP) —

Henry E. Petersen, head of the Justice Department's Criminal Division, said today the dismissal of a U.S. attorney in San Diego last year for allegedly obstructing justice in Southern California would not only have been unwarranted but grossly unfair.

Petersen told the Senate Judiciary Committee that Acting Atty. Gen. Richard G. Kleindienst, as deputy attorney general, properly cleared the U.S. attorney, Harry Steward, of any wrongdoing.

In fact, said Petersen in his prepared statement, Kleindienst ordered the Justice Department investigation of Steward and it was carried out by career staff attorneys who analyzed the information and made the recommendation which he accepted and implemented.

LIFE magazine charged recently that Kleindienst had cleared Steward of any wrongdoing after Steward allegedly stepped in to block prosecution of prominent Republicans for arranging what the magazine called illegal campaign contributions.

The statement did not go into a point raised by Sen. Edward M. Kennedy, D-Mass., who asked for a Justice Department explanation of why the Judiciary Committee was not informed of a federal investigation of a doctor who submitted testimony to the committee.

Kennedy said Petersen should explain why the probe of Dr. L. M. Radetsky for alleged Medicare fraud was not made known to the committee. Radetsky was one of Dita D. Beard's cardiologists in Denver when the International Telephone & Telegraph Corp. lobbyist was being treated for a heart problem.

Kleindienst's nomination to be attorney general is now before the Senate after being unanimously approved by the committee.

KLEINDIENST, however, asked that the hearings be opened after columnist Jack Anderson published a memo, attributed to Mrs. Beard, linking the out-of-court settlement of three antitrust suits against ITT with the conglomerate's financial commitment to the city of San Diego in an effort to help it obtain next summer's Republican National Convention.

The committee, which began hearings March 2, voted last Friday to take up the LIFE magazine charges. Petersen was the first witness on that phase of the investigation.

Following an investigation in 1971, the Social Security Administration referred a probe of Radetsky to the U.S. Attorney in Denver, who in turn passed the information on to the Justice Department in Washington, Kennedy said.

AS OF MARCH 27, 1972," Kennedy said, "it is the intention of the U.S. attorney's office to review the case in detail during April, and, if prosecution were warranted, to present the case to the federal grand jury scheduled for the first week of May."

Kennedy asked that Petersen be ready at today's session to explain the Justice Department's failure to tell the committee of its investigations.