

Nixon Aides Won't Be Called on ITT

WASHINGTON — (UPI) — By a 6 to 6 tie vote, the Senate Judiciary Committee refused today to subpoena two White House aides in its politically explosive ITT investigation.

A motion by Sen. Sam Ervin (D-N.C.) to issue subpoenas for Peter Flanigan and William Timmons was defeated during a closed committee meeting called to take up President Nixon's decision to invoke executive privilege to prevent the two from testifying.

Also defeated, 9 to 4, was a compromise move simply to invite Flanigan and Tim-

mons to appear at a closed committee meeting.

Eastland Abstains

Chairman James Eastland (D-Miss.) abstained on the key vote, giving Republicans a victory since a majority was required to authorize subpoenas.

The Democrats have nine committee seats and the Republicans seven, but with Eastland abstaining, there was a tie in the straight party-line voting because two other Democrats, Sens. Birch Bayh, Ind., and John McClellan, Ark., were absent. The only Republican

absent was Sen. Strom Thurmond, S.C.

Ervin originally demanded that Flanigan be called, and was supported by assistant Senate Democratic leader Robert Byrd, W. Va. Ervin first lost on a motion to command appearances by all White House and Justice Department officials who might shed light on the ITT investigation.

6-6 Losses

Ervin then lost on a motion to subpoena Flanigan and Timmons. Then Sen. Quentin Burdick (D-N.D.) lost on a motion to call Flanigan alone. All those votes were 6 to 6. Byrd then offered the

"invite" compromise which got only 4 votes.

The committee is investigating activities of International Telephone & Telegraph Corp. and this has held up final Senate action on the nomination of Richard Kleindienst to be Attorney General.

The White House announced that Flanigan would refuse to testify on grounds of "executive privilege."

Flanigan

"It's vital that we know what Flanigan had to say to Ramsden," Byrd said. He referred to Richard Ramsden, a former temporary White House aide who prepared a financial report on ITT at Flanigan's request, according to Senate testimony.

The government subsequently settled out of court an anti-trust suit against the company, permitting it to keep the Hartford Fire Insurance Co.

"This whole thing creates a cloud of mistrust about the relationship between the government and huge corporations," Byrd said.

"Kleindienst is entitled to a verdict. My verdict might be greatly influenced by the part he played in the Ramsden report. I would be influenced greatly by his (Flanigan's) refusal to testify."