

Not So, Say Capitol Hill Probers

Kleindienst Issue Lost in Fog

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WASHINGTON — It is getting hard to recall that, back on March 2, when the Senate Judiciary Committee started its current hearings, the question was: should Richard Gordon Kleindienst, the man whom President Nixon wants

crats make two parallel arguments about Kleindienst's fitness:

1. Kleindienst has done some things that are wrong. One of the clearest, they argue, is that he has now told the committee that he met with an ITT director and helped arrange a presentation by ITT for the antitrust division, although he wrote Lawrence F. O'Brien, the Democratic National Chairman, last December that he had nothing to do with the settlement. "For some reason," one of them said, "he sought to cover up his involvement."

2. Regardless of any specific events Kleindienst may have taken part in, he was responsible for the Justice Department's handling of the ITT cases (since John N. Mitchell, then attorney general, had disqualified himself because ITT had been a client of his law firm.

"KLEINDIENST is the one ultimately responsible," one Capitol Hill aide contended. "If there is anything fishy about it, he is to blame." This is a particularly beneficial argument for the Democrats: under its terms, if they succeed in proving there was anything wrong in the Justice Department's behavior, they can blame Kleindienst.

If this second argument seems a bit rough on the man the President wants to join his Cabinet, remember, the Democrats say, he brought this all on himself. With some relish, they point out that Kleindienst—a rather beefy 58-year-old with a reputation in the Justice Department for frequently "shooting from the hip"—asked for the

hearings to clear the cloud he felt was settling in over his head.

Republicans in the Senate and in the Justice Department argue that the Senate hearings are "a fishing expedition," that not one incident of impropriety has been demonstrated and that the Democrats are frantically casting about for political ammunition this election year.

KLEINDIENST believes the hearings have proved there was no connection between the convention and the ITT settlement.

Ironically, because of the

swirl of new and sometimes tangential events, names and charges since March 2, the judiciary committee has not gotten to hear Mark J. Green of consumer advocate Ralph Nader's corporate accountability research group, talk about an old event directly involving Kleindienst. Green showed up March 2 to testify and his statement was distributed to the news media, but he did not get a chance to read it.

If he had, he would have raised the subject of Kleindienst's testimony in the Carson bribe trial in New York last November. After listening

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to be his attorney general, get the job? After the flood of charges and countercharges and the "sensational" revelations that seemed for a while to escalate daily, is there anyone who still remembers that question (besides Kleindienst)?

Yes, say those on Capitol Hill who are pressing the attack against Kleindienst. As one of them put it, "We are starting at the end of the train and working backward."

What this means is that the liberal Democrats have fixed upon the contribution to the San Diego Republican convention by International Telephone and Telegraph Corp. and are working back to see, first, if the contribution was related to the settlement of ITT's antitrust cases by the Justice Department, and second, to see whether Kleindienst was involved.

HENCE, THE liberal Demo-

STATES-ITEM

of ITT Probe?

to that testimony a Justice Department official walked up to a reporter and volunteered the opinion that Kleindienst had lost his chance to ever become attorney general.

IN BRIEF, Kleindienst has said that on Nov. 24, 1970, Robert T. Carson—since convicted of participating in a bribery scheme—asked him to help out a friend who was under federal indictment in return for which the friend would contribute between \$50,000 and \$100,000 for the re-election campaign of Nixon.

At the trial, Kleindienst ac-

knowledge that at the time this conversation occurred he did not consider the offer a bribe. It was a week later—after learning that Carson was being investigated by the FBI — that Kleindienst said he realized a bribe had been proffered.

To a Republican staff member on Capitol Hill, the bribe case is "an old chestnut." To Green, it demonstrates that "any official who would not have realized that a bribe, or something closely akin to it, had occurred and who did not immediately report it, does not inspire confidence."