

# White House Aide Agrees To Testify in I.T.T. Inquiry

## Flanigan Says He Is Willing to Appear Before Senate Judiciary Unit—Move May Speed Kleindienst Action

By FRED P. GRAHAM  
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WASHINGTON, April 18—The White House moved today to eliminate a major stumbling block to Richard G. Kleindienst's nomination to become Attorney General, as Peter M. Flanigan, an economic aide to President Nixon, offered to give limited testimony before the Senate Judiciary Committee, which is holding inquiries involving the International Telephone and Telegraph Corporation.

"There was a change of



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**Peter M. Flanigan**

heart because of the nomination itself, which was in jeopardy," explained Senator Edward J. Gurney of Florida, a Republican member of the committee.

The turnabout seemed likely to avert a confrontation between the Senate and the White House over "executive privilege," but Mr. Flanigan did not disclose today whether he would testify under ground rules offered by the committee.

Senator James O. Eastland, chairman of the Judiciary Committee, said he hoped to have Mr. Flanigan as its witness when the committee convenes on Thursday for its last scheduled day of public hearings. The committee voted, 7 to 6, not to extend a similar invitation to William E. Timmons, another White House aide.

An appearance by Mr. Flanigan would be a milestone in the long dispute between Capitol Hill and the executive branch over the White House's obligation to give information to Congress, and a personal triumph for Senator Sam J. Ervin Jr. of North Carolina, who forced the issue in this instance.

Mr. Flanigan's name has figured in key testimony in the

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committee's hearings into allegations that the Justice Department settled three antitrust suits in exchange for a \$400,000 pledge by the International Telephone and Telegraph Corporation toward the expenses of the 1972 Republican convention.

The former New York banker, who has been a frequent target of Democrats as being big business's representative in Mr. Nixon's inner circle, was disclosed to have hired the outside financial analyst whose report on I.T.T.'s "hardship plea" prompted the Justice Department to settle the three cases.

Senator Ervin, who has skirmished frequently with the Nixon Administration over its use of "executive privilege," vowed to block Mr. Kleindienst's nomination until the committee heard from Mr. Flanigan. The Senator said that the Nixon Administration was attempting to stretch the executive privilege doctrine by refusing to permit White House aides to give any Congressional testimony, but that they should be required to testify about matters outside their relations with the President.

Today, Mr. Flanigan said in a letter to Senator Eastland that he had discussed the situation with several members of the committee, and that he would testify solely about his services in obtaining the analyst, plus his unrelated meeting with Harold S. Geneen, the president of I.T.T., at an informal luncheon.

### Kennedy Rejects Units

Senator Edward M. Kennedy of Massachusetts, a Democrat, said witnesses cannot set limits on their testimony before the committee, and added that he would not be bound by Mr. Flanigan's conditions.

The committee later voted 12 to 1 in favor of ground rules for the testimony. These were not disclosed, but some sources said they would permit Senators to ask any questions about the antitrust settlement or the San Diego convention, but not about Mr. Flanigan's conversations with President Nixon or other members of his staff.

At the White House, the Presidential press secretary, Ronald L. Ziegler, said that Mr. Flanigan would say tomorrow if he would accept the committee's terms. Mr. Ziegler indicat-

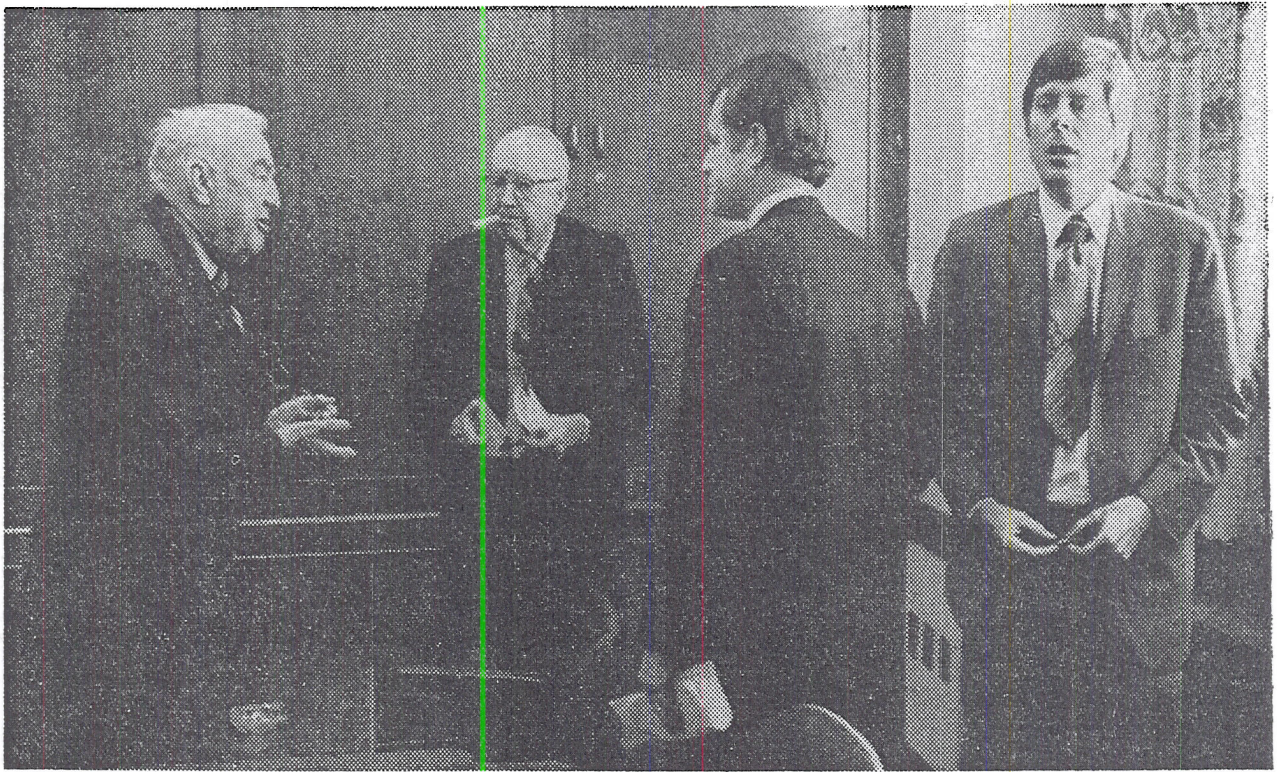
ed that if Mr. Flanigan appeared and if the questions ranged too far, the President would still reserve the right to invoke executive privilege.

The committee also voted to invite as voluntary witnesses Ed Reinecke, California's Lieutenant Governor, and his assistant, Edgar Gillenwaters. They have made statements that they discussed the San Diego arrangements with John N. Mitchell when he was Attorney General.

In testimony today, Harry Steward, the United States Attorney in San Diego, admitted that in 1970 he quashed a Federal grand jury subpoena for a man who was his "very good friend" and a perennial Republican campaign manager.

Democratic Senators have charged that Mr. Kleindienst acted from political motives in publicly absolving Mr. Steward of wrongdoing. Today, Mr. Steward conceded that when he was called to Washington to explain his action, he told Mr. Kleindienst that the subpoenaed man, Frank Thornton, had been campaign manager in San Diego for President Nixon, Barry Goldwater, Dwight D. Eisenhower, and other Re-





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Senators, from left, Sam J. Ervin Jr. of North Carolina, James O. Eastland of Mississippi, Edward M. Kennedy of Massachusetts and John V. Tunney of California conferring before yesterday's hearing. They are all Democrats.

publican candidates. Mr. Steward said he was "absolutely "blameless and guiltless" of wrongdoing.

Mr. Thornton, an advertising executive, had been subpoenaed in an investigation of allegations that his agency had been used as a conduit for an illegal contribution of \$2,068 to President Nixon's campaign.

Mr. Steward testified that he withdrew the subpoena to avoid a publicity "circus" and instead he interviewed Mr. Thornton himself. He said he could not recall how Mr. Thornton explained the situation.