

Flanigan's Story--ITT Inquiry Ends

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Washington

Presidential adviser Peter M. Flanigan invoked restrictions in his agreement to testify before the Senate Judiciary Commit-

tee as the tangled ITT inquiry ended yesterday.

He refused to answer Senators' questions about contacts he might have had with acting attorney general Richard G. Kleindienst and officials of the International

Telephone and Telegraph Corp., about the settlement of three government anti-trust cases against ITT.

Relying upon an agreement that he would be asked questions concerning only four specific aspects of the

ITT controversy, Flanigan said that he took part in the government's decision to settle three antitrust suits against the huge conglomerate. He said he acted only as a "conduit" to obtain for the Justice Department an independent financial analysis of one aspect of the case from a New York financial analyst.

On more than two dozen occasions, when Democratic senators attempted to ask if Flanigan had discussed the case with ITT officials or other government personnel, Republican members of the judiciary committee objected. They based their objec-

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tions on the agreement, which had been worked out earlier this week in an exchange of letters between the White House and the judiciary committee.

Senator Edward M. Kennedy (Dem.-Mass) stalked out of the hearing room and Senator Birch Bayh (Dem.-Ind.) declared that the situation had put the committee and Flanigan "in a ridiculous position."

"It would have been better for him not to come at all," Bayh charged.

Letter

But Senator James O. Eastland (Dem.-Miss.), chairman of the committee, repeatedly brandished the letter written by the committee and endorsed by a 12 to 1 vote of its members, and ruled in each instance that the questions were not in order.

Immediately after the hearing adjourned at 6 p.m., Flanigan went before television cameras and insisted that "I played by the rules, no inference should be made that I had anything to hide. I had nothing to do with the ITT settlement other than the matters to which I testified in the hearing."

He said that he recognized "that there has been some complaining" by senators about limitations on his testimony, but he observed that those limitations were approved by a 12 to 1 vote of the committee and "much of the complaining must have been done by those in favor of that motion."

Then he left without an-



UPI Telephotos

PETER M. FLANIGAN
A 'conduit' role

swering reporters' questions.

CLOSE

Only a few minutes earlier, Eastland had gaveled to a close the six-week hearing, which surpassed by far the previous longevity record for Senate confirmation hearings, set when the Senate approved the nomination of Louis D. Brandeis to the Supreme Court.

Earlier yesterday, the committee had defeated, by a 7 to 7 vote, a motion by Senator John V. Tunney (Dem.-Cal.) to hold two more days of questioning. The vote was along party lines, except that Eastland joined the Republicans in opposing the extension.

Eastland announced that two written questions will be

sent to Flanigan, to be answered by him in writing if the White House agrees.

The text of the question was not disclosed but sources close to the committee said that they would be the two major questions that Flanigan did not answer yesterday — his contacts, if any, with ITT personnel or other government officials about the settlement.

SURPRISE

Democratic senators made little effort to conceal their surprise and frustration yesterday when they learned that the terms of their agreement would not permit such questions.

In the exchange of letters, it had been specified that Flanigan would be asked only about his employment of the outside financial analyst, two meetings he attended where ITT officials were present, and any knowledge he might have had about the decision to locate the 1972 Republican national convention in San Diego with the assistance of a large financial guaranty from ITT.

The agreement was worked out after the White House had indicated earlier that it would invoke "executive privilege" and refuse to permit Flanigan to appear at all before the committee.

The committee has agreed to report its judgment on Kleindienst's involvement in the ITT affair to the full senate by April 27. There, Kleindienst's nomination to become attorney general is expected to encounter extended debate and perhaps a filibuster.