

Senate Group

OKs Kleindienst

Associated Press

Washington

The Senate Judiciary Committee approved for the second time yesterday the nomination of Richard G. Kleindienst to be attorney general, ending the longest Senate confirmation hearing in history.

By an 11 to 4 vote, a wider

margin than expected, the committee sent the nomination to the Senate floor "with recommendation that the nomination be confirmed."

Attempts by Senator Edward M. Kennedy (Dem-Mass.) to continue the eight-week hearings failed. He promised to fight on the Senate floor to defeat the nomination. No vote is expected there for several weeks.

Two Democrats who voted for Kleindienst — Senators Philip Hart of Michigan and Robert C. Byrd of West Virginia, the Democratic whip — said they reserved the right to vote against Kleindienst on the floor.

Senator Quentin Burdick (Dem-N.D.) who joined Kennedy, John V. Tunney

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(Dem-Calif.) and Birch Bayh (Dem-Ind.) in voting against Kleindienst, said, "The cloud that Mr. Klein-

dienst wished removed has not been cleared away, but has become darker than ever."

The chairman, Senator James O. Eastland (Dem-

Miss.), predicted a solid confirmation vote on the floor.

Kleindienst, who asked that the hearings be reopened, testified on the first and last days about the out-of-court settlement of three antitrust suits pending against International Telephone and Telegraph Corp. while he was deputy attorney general.

The new hearings followed the first committee ballot of unanimous approval for Kleindienst to replace John N. Mitchell. The sessions reconvened after publication of a memo attributed to an ITT lobbyist which linked the antitrust suits and a pledge of up to \$400,000 to the Republican national convention in August.

RESPONSE

Kleindienst was called again to testify because of apparent contradictions with what he said during earlier hearings. He told the committee yesterday that nothing which has occurred during the previous eight weeks would have prevented him from asking that they be reopened.

"I have not been guilty of any improper conduct," he said a few minutes before the committee adjourned to vote in closed session.

Earlier, the friendly, talkative acting attorney general blamed a busy schedule for his lack of memory on contacts a White House aide says they had about the ITT affair while it was still pending last spring.

One meeting with presidential assistant Peter M. Flanigan about ITT "was so insignificant and so immaterial it just doesn't stick in my mind," Kleindienst said.

FLANIGAN

In answer to questions, Flanigan wrote the committee that he carried to Kleindienst a last-minute appeal from an ITT director which forecast devastating results from any widespread divestiture of some of the conglomerate's holdings.

In his letter, Flanigan also said he told Kleindienst of the arrival of a financial report favorable to ITT which Justice Department officials say had a strong influence on the decision not to carry the three antitrust suits to the Supreme Court.

The 48-year-old White House aide and friend of Kleindienst also said that Kleindienst was present when the report, prepared by investment banker Richard J. Ramsden, was delivered to former Assistant Attorney General Richard W. McLaren, who is now a federal judge.

On March 3, the day after the eight weeks of hearings were resumed, Kleindienst testified he could remember no conversations with White House aides about ITT.