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Kleindienst Foes Cite a Bribe Case

Washington

Richard G. Kleindienst's conduct in a bribery attempt involving a Senate aide "raises the most serious questions about his fitness to be Attorney General," three Senators opposed to the nomination said yesterday.

In a minority report filed with the Senate Judiciary Committee, Senators Birch Bayh (Dem-Ind.), Edward M. Kennedy (Dem-Mass.) and John V. Tunney (Dem-Calif.) broadened their objections to the nomination to include Kleindienst's testimony in the case of Robert Carson.

Carson, a former administrative assistant to Senator Hiram L. Fong (Rep-Hawaii), was convicted last November of perjury and conspiracy to commit bribery in a scheme to allegedly quash stock fraud indictments. He drew an 18-month prison sentence.

VISIT

At the trial, Kleindienst testified that Carson came to his Justice Department office Nov. 24, 1970, and told him that a New York friend of his was in trouble. Carson, Kleindienst said, described his friend as "a man of substantial means" and said he "would be willing to make a substantial contribution of between \$50,000 to \$100,000 to the re-election of President Nixon."

After Carson told him his friend was under federal indictment, Kleindienst testified, he said, "under no circumstances could I do anything about the matter, even look into it, as a result of the fact that a grand jury had returned an indictment."

Kleindienst testified that at that time he did not consider Carson's offer a bribe.

PROBE

The three senators noted that Kleindienst testified he next thought about his conversation with Carson a week later when he saw a

memorandum from the FBI to then Attorney General John N. Mitchell. The memorandum indicated that Carson was under investigation and that an electronic surveillance was going to be instituted that morning as part of the probe. Kleindienst then reported his conversation with Carson to Mitchell.

"Only after he had seen the FBI memorandum did he consider Carson's November 24 offer a bribe," the senators said. "At Carson's trial, Kleindienst asked for but was not given the chance to explain why he did not immediately think Carson's offer was a bribe."

Most of the 19-page report by the three senators focused on allegations of a link between settlement of International Telephone and Telegraph Corp.'s antitrust cases and a pledge by ITT Sheraton Corp. to help finance the Republican convention in San Diego.

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