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How Nixon Bent Rules

To Win

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By William J. Eaton

WASHINGTON — (CDN)

— A White House decision to bend the rules on executive privilege was credited today with assuring the easy confirmation of Richard Kleindienst as attorney general.

Senate Republican Whip Robert Griffin said Kleindienst, approved on a 64-19 vote late yesterday, would have been "in serious trouble" if presidential aide Peter Flanigan had not testified.

Griffin said Sen. Sam Ervin Jr. (D-N.C.), was threatening to vote against confirmation if Flanigan did not appear to describe his role in the settlement of anti-trust suits against International Telephone and Telegraph Corp.

Ervin's influence with Southern Democrats and other senators would have been strong enough to jeopardize the nomination, Griffin said after the Senate action.

Policy Reversal

Although the White House first decided not to allow Flanigan to testify on grounds that his relationship to the President cloaked him

with executive privilege, Griffin and others urged a reversal of that policy to help Kleindienst's cause, he said.

It was Flanigan who recruited a Wall Street financial analyst, Richard Ramsden, to prepare a report that bolstered ITT's arguments in the settlement negotiations arranged by Kleindienst.

When he went before the Senate Judiciary Committee, Flanigan refused in advance to answer questions not dealing with his discussions with Kleindienst and former anti-trust chief Richard McLaren on the ITT case. The committee agreed to the conditions he laid down.

Lobbyist's Memo

The ITT investigation was triggered when columnist Jack Anderson printed a memo, attributed to ITT lobbyist Dita Beard, linking the anti-trust settlement with a pledge by the corporation of up to \$400,000 to help finance the Republican National Convention in San Diego.

The Republicans shifted their convention to Miami Beach, Fla., blaming problems on the modification of the hall to be used.

The seven-week-long hearings made ITT a household word but Kleindienst battled for confirmation. He talked privately with "an awful lot of senators," according to a Justice Department spokesman.