

# A Justice Dept. Report in Limbo

Washington

The Justice Department will not report until well after the presidential election whether it believes perjury was committed during the marathon hearings last spring on Attorney General Richard G. Kleindienst's nomination.

The Senate Judiciary Committee voted unanimously last June 27 to send its 1751 - page hearing record to the Justice Department for a written report within 30 days on contradictions in the testimony.

But more than 90 days later the review is "nowhere near completion," Justice Department sources have told the Washington Post.

"There are lots of pages to read," said John W. Hushen, the Justice Department's public information officer, when asked for an explanation for the delay.

The job will not be completed for a long time, the

sources predicted. Even then, they said, the department will probably report that it has found "a lot of political hair - splitting, but nothing that could be made into a substantive case of perjury."

One reason for the delay, a Justice Department official explained, is that when the judiciary committee referred the transcript to the criminal division of the Justice Department, it gave no specific citation of which testimony was believed to include false statements.

Ordinarily, the department would send the hearing transcript back to Capitol Hill and demand specific leads to follow up.

This time, however, high-ranking Justice Department officials decided that would be a risky step that could be misinterpreted, because much of the testimony involved the inner workings of the department itself.

Henry E. Petersen, who

would usually supervise such a perjury study in his role as assistant attorney general in charge of the criminal division, has excused himself from taking any part in the matter, because he has a witness during the hearings.

Instead, the review is being directed by one of Petersen's deputies, Harold Shapiro, who has assigned two lawyers in the criminal division's general crimes section to index the entire 1751 - page record.

Unlike Petersen, who serves at the pleasure of the President, Shapiro is a career employee.

One of the central issues in the Kleindienst confirmation hearings was the allegation that the Justice Department had settled three anti-trust cases against the International Telephone and Telegraph Corp. in exchange for the corporation's pledge to help underwrite the 1972 Republican national convention. *Washington Post Service*