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**GRISWOLD DIFFERS
 WITH I.T.T. VERSION
 OFFERED BY NIXON**

**Finds Discrepancy on Dates
 in White House Decision
 for Trust Case Appeal**

Special to The New York Times
 WASHINGTON, Jan. 9—

Erwin Griswold, former Solicitor General of the United States, said today that he disagreed with part of the White House version of the antitrust case against the International Telephone and Telegraph Corporation.

The discrepancy between the White House account, which was issued yesterday, and what happened, Mr. Griswold said in a telephone interview, involved the timing of the White House authorization for an appeal in the Grinnell case, one of the three suits against I.T.T. acquisitions. The appeal was from a District Court decision against the Government. It was taken to the Supreme Court by the Justice Department.

Meanwhile, on another matter explained by the President yesterday, Mr. Nixon's decision to raise milk price supports—the White House statement was seen as contradicting a recent declaration by the President that he had refused all information about campaign contributions before the 1972 election. [Page 20.]

Revelations in Memos

On the I.T.T. matter, aside from the question of the appeal chronology, the President's account, in the view of those who have followed the multifaceted case, was open to criticism for not making any specific mention of the numerous meetings of officials and Nixon Administration officials, at the time.

These included vice President Agnew; Attorney General John N. Mitchell; Secretary of the Treasury John B. Connally; the White House domestic affairs adviser, John Ehrlichman; Charles W. Colson, White House special counsel, and the White House foreign economics adviser, Peter Peterson.

These meetings were dis-

closed in 13 "political sensitive" memos and letters by I.T.T. officials that were made public last March by the Senate Foreign Relations Subcommittee on Multinational corporations and the House Commerce

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Subcommittee on Investigators. The White House and the Securities and Exchange Commission had tried to keep the memos from Congressional committees by sending them from the S.E.C. to the Justice Department shortly before the 1972 election.

In the statement yesterday, the White House said that on April 19, 1971, President Nixon called Richard G. Kleindienst, then the Deputy Attorney General, and ordered that an appeal of the Grinnell case not be filed. Mr. Griswold's office had prepared the appeal, and the deadline for filing a so-called jurisdictional statement was the next day, April 20.

Although the White House account made no mention of it, Mr. Kleindienst—according to a statement last Oct. 31—told the President he would resign rather than carry out the order. Mr. Kleindienst said that on April 20 he got a 30-day extension of time for filing of the appeal "to enable the President to consider my position."

As related yesterday by the White House, the President talked to Attorney General Mitchell on April 21, and was advised by him that "it was inadvisable for the President to order no appeal."

"The Attorney General reasoned," the White House statement said, "that, as a personal matter, Mr. Erwin N. Griswold had prepared his brief for appeal and would resign were the appeal not to proceed. The Attorney General further feared legislative repercussions if the

matter were dropped entirely."

On this recommendation, the White House said, the President reversed his decision of April 19, and authorized the Department of Justice to proceed with the case in accordance with its own determinations.

But Mr. Griswold said today that he had not received White House authorization to proceed with the appeal until nearly a month after Mr. Mitchell was said to have advised the President that Mr. Griswold might resign if the appeal were dropped.

"I didn't get authorization until about May 15, 16 or 17," Mr. Griswold said. "It was shortly before the extension would have expired."

Mr. Griswold said he could not explain why the White House waited so long on authorization of the appeal if there had been apprehension that he might resign. He refused to comment on whether he had threatened to resign.

Mitchell's Recollection

Mr. Mitchell could not be reached today. But William G. Hundley, his attorney, who was authorized to speak for the former Attorney General, said that Mr. Mitchell had talked with the President for two or three minutes on April 21, 1971.

Mr. Hundley said he understood that Mr. Mitchell had told the President that he believed Mr. Griswold "might" resign if the appeal were not filed. Mr. Hundley said that Mr. Mitchell had not talked with Mr. Griswold. Mr. Griswold confirmed this and also said he had not been aware of Mr. Mitchell's discussion with the President.

The President's order to Mr.

Kleindienst was not known until it was reported last Oct. 30 by The New York Times. Consequently, it did not come up during the Senate Judiciary Committee hearings in March and April, 1972.

In those hearings, Mr. Griswold said that the I.T.T. suits "didn't look like good bets to me," and he doubted whether the Supreme Court would reverse the District Court on the Grinnell case.

Nevertheless, Mr. Griswold fully supported the effort of Richard W. McLaren, Assistant Attorney General for the Antitrust Division to have a thorough court test on whether the Clayton Act could be interpreted to prohibit conglomerate mergers even though the mergers did not involve competitive companies.

Mr. Griswold said at the hearings that he believed "that the law with respect to conglomerate mergers ought to be strengthened." He also said, "When Mr. McLaren came in I

was delighted that he moved forward so vigorously with respect to conglomerates. And I suspect that that was one of the reasons why I went along with his recommendation to appeal the Grinnell case. He was doing what I wanted to see done, and I thought I should go up there with him."

However, Mr. Griswold told the committee he had no objection to Mr. Kleindienst's proposal to get an extension of the filing date so the Justice Department and I.T.T. could talk further. Mr. Griswold noted that the Supreme Court would not hear the case "until the fall of 1971 anyhow."