

## . . . Illuminating Nothing

1/10/74

NYT

The considerably shorter statement on the I.T.T. case is even more opaque and incomplete. The President contends that when he instructed Richard Kleindienst, the then Deputy Attorney General, not to appeal the I.T.T. antitrust case to the Supreme Court, he was doing nothing more than establishing a broad general policy that large American companies ought not to be sued simply because of their size.

The assertion that Mr. Nixon did not care about I.T.T. as such but merely "wanted the Attorney General to see that his antitrust policy was carried out" is so unconvincing as to be an insult to the public intelligence. If I.T.T. was of no importance to the Administration, it is impossible to explain the political thunder and lightning that have played over this case for the last four years. The President, the Vice President, the White House staff, several members of the Cabinet and the top level of the Justice Department were all involved in trying to work out a settlement agreeable to I.T.T.

The White House statement presents such a laundered version of history that an innocent reader would be hard put to understand why any statement at all was being issued. It notes, for example, that the President in late April, 1971, approved a proposal for creating within the White House a central clearing house for information about Government antitrust policy "to ensure that the President's views on the subject could be made known to all the operating agencies."

Who would suspect that this proposal originated with I.T.T. itself? Or that its purpose was to give I.T.T.'s friends on the White House staff an instrumentality through which to pressure the independent-minded lawyers in the antitrust division of the Justice Department?

The statement omits numerous material facts. The most striking omission is any reference to the memorandum in 1972 from Charles Colson, the President's special counsel, to H. R. Haldeman, the President's chief of staff, urging withdrawal of Mr. Kleindienst's nomination for Attorney General because he feared that one or more Administration witnesses might be committing perjury in their testimony about the I.T.T. settlement. The Colson memorandum further stated that there were documents in existence that would tie the President personally to the case.

As in the milk decision, Mr. Nixon insists that he had no knowledge of I.T.T.'s offer to underwrite the Republican National Convention. But discussions between I.T.T. officials and certain White House officials concerning the corporation's financial offer were being held in June and July, 1971, the same weeks in which the White

---

House and the Justice Department were negotiating with I.T.T. the terms of the consent decree in the antitrust case.

In theory, a President might not have been aware of these parallel discussions. But this President has always been politically shrewd and interested in the gritty details of politics. Anything he did not know about the proposed San Diego convention or the I.T.T. settlement was something he chose not to know. Those who believe otherwise are qualified, as Lewis Carroll once wrote, to believe six impossible things before breakfast.