

The I.T.T. Hearings

MAR 3 1972

NYTimes

The circumstances surrounding settlement of the anti-trust suit against the International Telephone and Telegraph Company last year and the degree of involvement of high Justice Department officials in making that settlement require more extended investigation by the Senate Judiciary Committee. At stake is not only the nomination of Richard G. Kleindienst to be Attorney General but also—and more important—the integrity of departmental procedures under the retiring Attorney General, John Mitchell.

It is already clear from his own testimony that Mr. Kleindienst was guilty of impropriety in discussing the I.T.T. case several times with the New York investment banker representing the firm, setting up a conference between him and officials of the Antitrust Division, and personally attending that conference.

Despite Mr. Kleindienst's protestations that he maintained a hands-off policy in the negotiations between the Antitrust Division and the company, these actions could only be construed by his subordinates as a sympathetic intervention by the department's second-ranking officer. These actions also call in question Mr. Kleindienst's public statement last December that the settlement "was handled and negotiated exclusively" by the Antitrust Division and that he had no role other than to concur in the division's recommendation.

Mr. Mitchell officially disqualified himself from any involvement in the case because his former law firm had represented I.T.T. The assertion in a memorandum from a company lobbyist that "Mitchell is definitely helping us but cannot let it be known" is therefore a most serious charge—providing the lobbyist was not inflating her own importance, which, of course, is also a possibility.

The memorandum further states that an I.T.T. subsidiary's contribution of \$400,000 to help finance the next Republican National Convention had "gone a long way" toward achieving a favorable settlement of the antitrust case.

The Judiciary Committee has wisely recognized that it cannot leave these allegations hanging in the air. It has an obligation not only to take the testimony of Mr. Mitchell, Mrs. Dita Beard, the lobbyist who wrote the memorandum, and Gov. Louie Nunn of Kentucky who allegedly acted as a go-between, as well as responsible officials of I.T.T., but also to investigate all ramifications of this affair.