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Mrs. Beard 2nd Lead A239 200

WASHINGTON AP - In a surprise move, the Senate Judiciary Committee announced it will resume an inquiry into accusations against Acting Atty. Gen. Richard G. Kleindienst on Monday, a day earlier than had been planned.

The committee counsel, John H. Holloman III, announced the change but declined to explain it. He also refused to say who will testify as the panel delves further into allegations made against Kleindienst by columnist Jack Anderson.

However, it was learned that the first witness Monday will be Dr. Victor L. Liszka of Arlington, Va. Liszka is treating Dita D. Beard, an International Telephone and Telegraph Co. lobbyist whose interoffice memo fell into Anderson's hands and resulted in the accusations.

Kleindienst's nomination to be attorney general had been approved unanimously by the committee and reported to the Senate last week before Anderson's allegations against him appeared in print. Anderson wrote that an antitrust action against ITT was settled in ITT's favor after the conglomerate had pledged \$400,000 to help finance the Republican National Convention in San Diego next August. Kleindienst requested etc. 4th graf A239, changing Dita Beard to Mrs. Beard in 6th graf, eliminating 7th graf, and deleting Liszka's first name in next-to-last graf A224 original. Victor L. is CQ.

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Mrs. Beard Lead-Precede Denver A224 320

WASHINGTON AP - In an unexplained, surprise move, the Senate Judiciary Committee announced Sunday that its inquiry into accusations against Deputy Atty. Gen. Richard G. Kleindienst will be resumed Monday morning, instead of Tuesday.

The committee counsel, John H. Holloman III, announced the change but declined to say who will testify as the panel delves further into allegations made by columnist Jack Anderson against Kleindienst.

Kleindienst's nomination to be attorney general had been approved unanimously by the committee and reported to the Senate last week before Anderson wrote that an antitrust action against the International Telephone and Telegraph Corp. was settled in a fashion favorable to the big conglomerate after ITT had pledged \$400,000 to help finance the Republican National Convention in San Diego next August.

Kleindienst requested the hearing and in testimony last week denied that there was any link between the settlement and the pledged contribution, or that he even knew of the latter until after the out-of-court agreement was reached.

Former Atty. Gen. John N. Mitchell, who stepped down from the Cabinet last week to head President Nixon's re-election campaign, was scheduled to testify Tuesday but Holloman refused to say whether Mitchell now will be heard Monday, or whether other, unannounced witnesses might appear.

It seemed likely that one key witness, Dita Beard, would not appear either day although she has been subpoenaed.

Mrs. Beard is a Washington lobbyist for ITT and a keystone piece in Anderson's accusations against Kleindienst and Mitchell is a memo she prepared for her Washington boss.

She left Washington last week as Anderson's allegations were published and the committee was unable to serve a subpoena on her. She was located in a Denver hospital Saturday and a subpoena was served on her late Saturday night.

But her doctors reported the 53-year-old woman ill with heart trouble, and her early appearance as a witness seemed unlikely.

The Senate Judiciary 6th graf A224.

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Mrs. Beard Lead add 260

WASHINGTON Mrs. Beard Lead A259WX add: unlikely.

Sen. George McGovern, D-S.D., said the incident raised enough questions about the effect of big money on administration policy so that "the American people have a right to be suspicious."

McGovern, a candidate for the Democratic presidential nomination, had announced before the ITT disclosures that he would vote against the nomination.

McGovern gave his views Sunday on the ABC TV-radio program "issues and answers."

Republican Reps. Paul McCloskey of California and John Ashbrook of Ohio who are challenging President Nixon for the GOP presidential nomination expressed reservations about the incident. But they said there is not yet enough on record to say whether the officials involved were guilty of any wrongdoing.

The congressmen appeared on separate segments of CBS' "Face the Nation."

"I don't know of anything in the story yet that I would criticize Kleindienst for except a bad memory," McCloskey said. But he said the incident "shows the influence of big business" on the administration.

He said also that ITT has, in effect, admitted a crime by acknowledging it had made a contribution to the city of San Diego. McCloskey said federal law prohibits companies doing substantial business with the government from making political contributions. McCloskey said he would view the ITT contribution as falling in that category, even if it had no connection with the antitrust case.

Ashbrook, a conservative, said Kleindienst is one of the few officials in the Nixon administration "I have respect for."

Ashbrook said he would not believe Kleindienst and Mitchell had done anything wrong "until I see something to the contrary."

But, he added, "it does not look good."
The Senate Judiciary etc. as before 6th graf A224.

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Mrs. Beard 400

DENVER AP - Dita D. Beard, International Telephone & Telegraph Corp. lobbyist who has been subpoenaed to appear before a Senate Judiciary Committee hearing involving President Nixon's nominee for attorney general, was reported in slightly improved condition Sunday at a Denver hospital.

But it remained doubtful whether she would be well enough to testify before the committee when it resumes hearings Tuesday.

The committee is holding a special hearing into allegations that ITT received a favorable out-of-court settlement of a Justice Department antitrust action by pledging \$400,000 for the Republican National Convention in San Diego next August.

Mrs. Beard, 53, purportedly wrote a memo linking the political contribution with the anti-trust settlement. The memo, released by columnist Jack Anderson, said John N. Mitchell, who was the U.S. attorney general, "is definitely helping us, but cannot let it be known."

Mitchell, who has resigned to head Nixon's re-election campaign, is scheduled to testify on Tuesday. He already has denied the charges.

Another denial has come from Richard G. Kleindienst, deputy attorney general under Mitchell for three years and Nixon's nominee to succeed Mitchell. Kleindienst called the charges "completely false."

The Senate Judiciary Committee approved Kleindienst's nomination 16-0. But a vote by the full Senate has been held up pending the inquiry into the allegations involving Mrs. Beard's purported memo.

Mrs. Beard dropped out of sight late last week, and was admitted to the Rocky Mountain Osteopathic Center here.

A nursing supervisor at the hospital reported on her condition Sunday.

Earlier a physician, Dr. Dave T. Garland, said Mrs. Beard was seriously ill with a heart condition.

Late Saturday, two FBI agents who had waited outside Mrs. Beard's room throughout the day, were allowed to serve Mrs. Beard with the subpoena, which ordered her to appear before the Senate Judiciary Committee at 10:30 a.m. EST Tuesday.

Dr. David Liszka, a cardiac surgeon, who flew to Denver from Arlington, Va., Saturday, said then the order obviously could not be met unless Mrs. Beard's condition improves substantially.

"And this would be a miracle," he said. "Mrs. Beard is in a potentially dangerous situation, and this hasn't changed."

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Mrs. Beard SUB

WASHINGTON Mrs. Beard a239-224 precede Denver, to update SUB
last graf: substantially.

On Sunday, her physicians said it may be more than a week before she is able to leave the Denver hospital.

Drs. Garland and Liszka released a statement saying: "Mrs. Beard is suffering from impending coronary thrombosis due to acute coronary ischemia. Additional stress could have precipitated the thrombosis with resultant permanent heart damage or death.

"Dr. Liszka, in making this clear to Washington, was able to arrange the presentation of the subpoena with the assurance that the requirement of compliance will not be necessary due to Mrs. Beard's condition."

Coronary ischemia is a decrease of the blood supply to the heart muscle.

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Mrs. Beard Original Add 390

WASHINGTON Mrs. Beard original A246-239-224 add: heart muscle.

In another development Sunday, Rep. Henry Gonzalez, D-Tex., said the Senate Judiciary Committee also planned to question Kleindienst about a Texas stock scandal that prompted the resignation of a top Justice Department aide last year.

Gonzalez said he had requested a hearing on the matter in a letter to Sen. Birch Bayh, D-Ind., a committee member. Gonzalez said he had written the letter at Bayh's request and understood that the Indiana senator would bring it up on Tuesday.

"The odd tangle involving Mr. Kleindienst and the ITT antitrust suit brings to mind another scheme in which Mr. Kleindienst played a key role," Gonzalez asserted in his letter to Bayh.

Gonzalez reviewed the case involving Houston financier Frank Sharp, a central figure in the Texas stock scandal.

"Mr. Sharp was allowed to plead guilty to a couple of minor offenses and then was granted immunity on the recommendation of Mr. Kleindienst," Gonzalez wrote.

The San Antonio Democrat also stated: "In effect, Mr. Kleindienst arranged to let the most spectacular fraud in Texas history escape scotfree, hoping by so doing he would garner great political gain."

Gonzalez declared that Kleindienst "has never explained why Sharp got immunity."

The biggest official "to be embarrassed" in the scandal was "Kleindienst's subordinate, Assistant U.S. Attorney General Will Wilson," Gonzalez said.

Wilson resigned last October after being the target of more than 40 House speeches by Gonzalez. He had been a lawyer for Sharp before joining the Justice Department. He denied any wrongdoing.

The scandal broke when the Securities and Exchange Commission filed civil suit in Dallas last year, saying in effect that Sharp gave Texas politicians special loans and stock deals, hoping it would influence banking legislation that would take Sharp's bank from under federal controls.

The Texas Legislature passed the bills in 1969, but Gov. Preston Smith, who made \$62,500 in the Sharp deals, vetoed them.

Sharp later received a \$5,000 fine and a suspended prison term in return for his testimony in connection with the dealings.

When he quit last Oct. 15, Wilson wrote President Nixon: "events involving former clients which have unfolded in Texas in the past few months have through no fault of mine created difficulties and embarrassment which your administration should not be taxed with."

Gonzalez had contended that Wilson pulled strings to get light treatment of Sharp and cover up Wilson's own dealings with Sharp.

Wilson denied it.
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