

LOBBYIST'S DOCTOR CALLED IN INQUIRY

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He Will Inform Senators at
Hearing Today When She
May Be Able to Testify

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WASHINGTON, March 5 — The Senate Judiciary Committee has scheduled a hearing tomorrow morning to take testimony from the doctor of Mrs. Dita D. Beard, the ailing lobbyist for the International Telephone and Telegraph Corporation.

Mrs. Beard is the central figure in the committee's inquiry into the Justice Department's decision last year to drop three antitrust cases against the I.T.T.

The committee had previously planned to resume the hearings Tuesday, but the earlier session was called today by James O. Eastland, committee chairman, after Mrs. Beard was subpoenaed last night in a Denver hospital, and doctors said that she was too ill to leave.

Dr. Victor L. Liszka of Arlington, Va., who has treated the 53-year-old I.T.T. lobbyist for about nine years for a heart ailment, flew to Denver over the weekend and said that it would take "a miracle" for her to recover enough to comply

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DOCTOR IS CALLED IN LOBBY INQUIRY

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with the subpoena to testify Tuesday.

He said that she was suffering from acute angina pectoris, a heart illness that produces chest pains.

The Judiciary Committee staff's announcement did not give the reason for the hearing tomorrow, but sources within the Government said that Dr. Liszka would tell the Senators when Mrs. Beard might be well enough to testify. Mrs. Liszka said that her husband had met with Federal Bureau of Investigation agents and committee aides on his return from Denver.

The current controversy was touched off last week by the publication by the syndicated columnist Jack Anderson of a memorandum purportedly written last June 25 by Mrs. Beard to a superior in I.T.T.

The document linked the company's "noble commitment" of some \$400,000 to the 1972 Republican National Convention in San Diego with a favorable Justice Department settlement of three pending antitrust suits against I.T.T. The cases were settled by the Government a month later.

Acting Attorney General Richard G. Kleindienst requested hearings to permit him to testify. Last week, he branded the memorandum "completely false," but some Senators insisted that a Senate vote on his confirmation as Attorney General be delayed until Mrs. Beard explained the memorandum.

Airline industry sources said today that Mrs. Beard apparently became ill on a flight Thursday morning from Washington to Denver. A woman matching her description was seized with chest pain in the aisle of United Airlines Flight 175, which left Dulles Airport at 8:54 A.M. Eastern Standard time and arrived at Denver at 10:30 A.M. Mountain time.

She was given oxygen by two stewardesses and took nitroglycerin pills that she had with her. She discouraged further help and fended off the stewardesses' attempts to learn her identity. Finally, she told one of the stewardesses, "I don't need a doctor." She walked off the plane at the airport.

In Denver, Mrs. Beard spent some time at the home of an old acquaintance, Robert B. McCall. On Friday, she got in touch with Dr. Dave T. Garland, an osteopathic physician, through an unidentified friend of hers, and he admitted her to the Rocky Mountain Osteopathic Hospital at about 7 P.M. Dr. Garland said that she was suffering from "an impending coronary thrombosis."

For a time, F.B.I. agents sat outside her room, waiting with a Judiciary Committee subpoena but barred by doctors from going in.

Later, the physicians decided that the pressure of waiting for the subpoena might be more damaging to her than its service. They permitted the agents to serve it on her at about 9:30 P.M. Dr. Liszka said in an interview that unidentified officials in Washington had agreed in advance that she would not have to appear Tuesday.

Witnesses Listed

Dr. Liszka added that Mrs. Beard might be in the hospital that she had been hospitalized in the past after similar attacks.

The scheduled lead-off witnesses for Tuesday are Mr. Kleindienst, Richard M. McLaren, chief of the Justice Department's antitrust division when the cases were settled, and Felix G. Royhatyn, a New York investment banker who is a director of I.T.T. None of them were requested today to appear tomorrow.

Already, the witness list has swelled to the point that at least another week of hearings will be required.

Among those expected to testify are former Attorney General John N. Mitchell; Mr. Anderson; Brit Hume, one of Robertson 3d, an associate of Ralph Nader, the consumer advocate; Harold S. Geneen, president of I.T.T.; W. R. Merriam, head of I.T.T.'s Washington office, and three "mystery witnesses" promised by Mr. Eastland.

Mr. Eastland has also discussed calling Richard J. Ramsden, a New York investment banker who was hired as an "independent expert" to advise the Government on how to settle the case. Mr. Ramsden was hired through Peter M. Flanigan, an aide to President Nixon.

An Economist's View

Mr. Eastland has also discussed inviting Mr. Flanigan to testify, but the White House has consistently invoked Executive privilege in such situations and has not permitted its personnel to testify.

Today Kenney G. Elzinga, Mr. McLaren's former economic adviser in the Justice Department, said that it was strange that the Federal Trade Commission's former chief conformist, Willard F. Mueller, had not been consulted before the antitrust case was settled.

Mr. Elzinga, who is now an associate professor of economics at the University of Virginia, said "every economist I have talked to about the settlement thinks it's very weak from the Government's point of view." He criticized particularly the Justice Department's decision to let I.T.T. keep "the choicest morsel" in its corporate empire, the Hartford Fire Insurance Company.