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2 Senate Leaders Urge Action On the Kleindienst Domination

WASHINGTON, April 5 (AP) —Senate leaders of both parties said today that no case had been made against confirmation of Richard G. Kleindienst as Attorney General and urged early action on his nomination.

Mike Mansfield the majority leader, said he hoped the Senate Judiciary Committee could separate its consideration of the nomination from other factors involved in its investigation of the Justice Department's out-of-court settlement of antitrust cases against the International Telephone and Telegraph Corporation.

At the time of the settlement Mr. Kleindienst was on Assistant Attorney General. The committee has been investigating charges that the I.T.T. settlement was related to a subsidiary company's agreement to underwrite part of the Republican National Convention costs next summer.

The committee is to meet tomorrow in closed session. The minority floor leader, Hugh Scott, indicated that a motion would be made then to sever Mr. Kleindienst's nomination from the I.T.T. investigation.

Senator Scott said that he agreed fully with Senator Mansfield that no case had been made against Mr. Kleindienst's confirmation and added that Senate debate on the nomination should begin promptly.

Senator Scott said the committee's hearings no longer had "any real bearing on Kleindienst despite the best efforts of the wrecking crew."

Previously he had accused some of the committee's Democrats of trying to prolong the hearings in hopes of making political capital.

Senator Mansfield said there were still unanswered questions that had been raised in the hearings and that the committee ought to take the testimony of "other legitimate witnesses" and then consider Mr. Kleindienst's nomination apart from other aspects of its investigation of the antitrust settlement.

He said no definite conclusions had been reached and that he would like the advice and counsel of the committee before calling up Mr. Kleindienst's nomination in the Senate.

Among witnesses the committee might still want to hear, Senator Mansfield said, is Peter M. Flanagan, a White House aide.

Senator Mansfield said he understood that Mr. Flanagan would decline to testify, on the ground of Executive privilege. However, he expressed the hope that Mr. Flanagan would at least send a statement to the committee.