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# Kleindienst? Yes, He's Still Issue

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WASHINGTON, April 10—It is getting hard to recall that, back on March 2, when the Senate Judiciary Committee started its current hearings, the question was: Should Richard Gordon Kleindienst, the man whom President Nixon wants as Attorney General, get the job? After the flood of charges and countercharges and "sensational" revelations, is there anyone who still remembers that question—besides Mr. Kleindienst? Yes, say those on Capitol Hill who are pressing the attack against Mr. Kleindienst. As one of them put it, "We are starting at the end of the train and working backward."

What this means is that the liberal Democrats have fixed upon the financial help given to the Republican National Convention in San Diego by the International Telephone and Telegraph Corporation and are working back to see, first, if the contribution was related to the settlement of three I.T.T. antitrust cases by the Justice Department, and second, if Mr. Kleindienst was involved.

## Democrats' Arguments

The liberal Democrats make the following two parallel arguments about Mr. Kleindienst's fitness:

1. Mr. Kleindienst has done some things that are wrong. One of the clearest errors, they argue, is that he has now told the committee that he met with an I.T.T. director and helped arrange a presentation by I.T.T. for the Antitrust Division, although he wrote Lawrence F. O'Brien, the Democratic national chairman, last December that he had had nothing to do with the settlement.

"For some reason," one Democrat said, "he sought to cover up his involvement."

## Critics Assert They Work 'Backward' in I.T.T. Hearing

2. Mr. Kleindienst was responsible for the Justice Department's handling of the I.T.T. cases, since John N. Mitchell, then Attorney General, had disqualified himself because I.T.T. had been a client of his law firm.

"Kleindienst is the one ultimately responsible," one Capitol Hill aide contended. "If there is anything fishy about it, he is to blame." This is a particularly beneficial argument for the Democrats. Under its terms, if they succeed in proving there was anything wrong in the Justice Department's behavior, they can blame Mr. Kleindienst.

## Hearing Requested

If this second argument seems a bit rough on a man the President wants to join his Cabinet, the Democrats say, remember that he brought this all on himself. With some relish, they point out that Mr. Kleindienst, who has a reputation in the Justice Department for frequently "shooting from the hip," asked for the hearings to clear the cloud he felt was settling in over his head.

Republicans in the Senate and in the Justice Department argue that the Senate hearings are "a fishing expedition," that no incident of impropriety has been demonstrated and that the Democrats are frantically casting about for political ammunition this election year.

Mr. Kleindienst believes the hearings have proved that there was no connection between the convention and the I.T.T. settlement.

Because of the swirl of events since March 2, the Judiciary Committee has not heard Mark J. Green of Ralph Nader's corporate accounta-

bility research group talk about an old event involving Mr. Kleindienst.

Mr. Green showed up March 2 to testify, and his statement was distributed to the press, but he did not get a chance to read it.

## Bribery Case Recalled

If he had, he would have raised the subject of Mr. Kleindienst's testimony in a bribery trial in New York last November. After listening to that testimony, a Justice Department official walked up to a reporter and volunteered the opinion that Mr. Kleindienst had lost his chance ever to become Attorney General.

In brief, Mr. Kleindienst testified that on Nov. 24, 1970, Robert T. Carson, who has since been convicted of participating in a bribery scheme, asked him to help out a friend who was under Federal indictment, in return for which the friend would contribute \$50,000 to \$100,000 to the reelection campaign of President Nixon.

At the trial, Mr. Kleindienst said that at the time this conversation occurred he did not consider the offer a bribe. A week later, after learning that Carson was being investigated by the Federal Bureau of Investigation, Mr. Kleindienst said, he realized that a bribe had been proffered.

To a Republican staff member on Capitol Hill, the bribe case is "an old chestnut." To Mr. Green, it demonstrates that "any official who would not have realized that a bribe, or something closely akin to it, had occurred and who did not immediately report it, does not inspire confidence."