

Flanigan Limits Queries Of Senate Unit on I.T.T.

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By FRED P. GRAHAM APR 21 1972

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WASHINGTON, April 20—Peter M. Flanigan declined today to answer the questions of Senators about contacts he might have had with Richard G. Kleindienst or officials of the International Telephone and Telegraph Corporation about the settlement of three Government antitrust cases against I.T.T.

The Presidential assistant, in invoking restrictions on his testimony before the Senate

Judiciary Committee, relied upon an agreement that he would be asked questions concerning only four specific aspects of the I.T.T. controversy.

Mr. Flanigan said that he had taken no part in the Government's decision to settle the antitrust suits. He said he had acted only as a "conduit" to obtain for the Justice Department an independent financial analysis of one aspect of the case from a New York financial analyst.

Meanwhile, in Philadelphia, Senator Edmund S. Muskie called on President Nixon to withdraw the nomination of Mr. Kleindienst as Attorney General.

At the judiciary committee hearing, Republican members objected more than two dozen times when Democratic Senators attempted to ask if Mr. Flanigan had discussed the case with I.T.T. officials or other Government personnel.

The Republicans based their objections on the agreement, which had been worked out earlier this week in an ex-

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change of letters between the White House and the committee.

Late in the evening, Senator Edward M. Kennedy of Massachusetts stalked out of the hearing room and another Democrat, Senator Birch Bayh of Indiana, declared that the situation had put the committee and Mr. Flanigan "in a ridiculous position."

"It would have been better for him not to come at all," Senator Bayh charged.

But Senator James O. Eastland, Mississippi Democrat who is chairman of the committee, repeatedly brandished the letter written by the committee and endorsed by a 12-to-1 vote of its members, and ruled in each instance that the questions were not in order.



Associated Press
Peter M. Flanigan at the Senate hearing yesterday.

'Played by the Rules'

Immediately after the hearing adjourned at 6 P.M., Mr. Flanigan went before television cameras and insisted that "I played by the rules, but no inference should be made that I had anything to hide. I had nothing to do with the I.T.T. settlement other than the matters to which I testified in the hearing.

He said that he recognized "that there has been some complaining" by Senators about limitations on his testimony, but he observed that those limitations had been approved by a 12-to-1 vote of the committee and "much of the complaining must have been done by those in favor of that motion."

Then he left without answering reporters' questions.

Only a few minutes earlier, Senator Eastland had gavelled to a close the six-week hearing, which surpassed by far the previous longevity record for Senate confirmation hearings, set when the Senate approved the nomination of Louis D. Brandeis to the Supreme Court.

The committee has agreed to report its judgment on Mr. Kleindienst's involvement in the I.T.T. affair to the full Senate by April 27. There the nomination of the Acting Attorney General to become Attorney General is expected to encounter extended debate and perhaps a filibuster.

Earlier today, the committee defeated, by a 7-to-7 vote, a motion by Senator John V. Tunney, Democrat of California, to hold two more days of questioning. The vote was along party lines, except that Senator Eastland joined the Republicans in opposing the extension.

Senator Eastland announced that two written questions would be sent to Mr. Flanigan, to be answered by him in writing if the White House agrees.

The text of the question was not disclosed, but sources close to the committee said that they would be the two major questions that Mr. Flanigan did not answer today—about his contacts, if any, with I.T.T. personnel or other government officials about the settlement.

Democratic Senators made little effort to conceal their surprise and frustration when they learned that the terms of their agreement would not permit such questions.

Republican members did not bother to hide their satisfaction. Senator Hiram L. Fong of Hawaii replied to Senator Bayh's complaint by saying "I can read an agreement."

In the exchange of letters, it had been specified that Mr. Flanigan would be asked only about his employment of the outside financial analyst, two meetings he attended where I.T.T. officials were present, and any knowledge he might have had about the decision to place the 1972 Republican National Convention in San Diego with the assistance of a large financial guarantee from I.T.T.

The agreement for Mr. Flanigan to testify was worked out after the White House had indicated that it would invoke "executive privilege" and refuse to permit Mr. Flanigan to appear at all before the committee.

Early in the questioning today, Senator Philip A. Hart, Democrat of Michigan, asked Mr. Flanigan if he had been approached by any I.T.T. official. When the dark-haired 48-year-old former New York banker declined to answer, Senator Hart conceded that he had not realized such questions would be out of order.

Subsequently, Senator Bayh and another Democratic member, Quentin N. Burdick of North Dakota, said they also had not realized the questioning would be so limited.

As successive questions were out of order, Senator Kennedy, who cast the sole dissenting vote against the invitation, said, "I'm getting happier and happier about my vote."

Most of the day of questioning focused on Mr. Flanigan's act in hiring Richard J. Ramsden of New York to analyze the conglomerate's "hardship plea" for settlement of the suits.

Mr. Flanigan explained that Richard W. McLaren, then the chief of the Justice Department's antitrust division, telephoned him last May and asked him to reach Mr. Ramsden and request an analysis of I.T.T.'s claim that divestiture of the Hartford Fire Insurance Company would severely damage the corporation's credit and stock value.

Mr. Flanigan said that Mr. McLaren did not know how to reach Mr. Ramsden, who had done a previous analysis for the Justice Department when he was a Government employee.

Mr. Flanigan said that he relayed the question and a corporation document containing its "hardship plea" to Mr. Ramsden, and later relayed Mr. Ramsden's report back to Mr. McLaren.

Asked why he did not just give the Justice Department official Mr. Ramsden's address and let his order the report, Mr. Flanigan replied: "I was merely assisting another overworked public servant."