

## Garage Job Dispute

# Mitchell Blocks U. S. Jury Action

WASHINGTON — (UPI) — Attorney General John Mitchell has rejected the recommendation of a second U.S. attorney, refusing to sign a draft indictment alleging prominent politicians interceded for a Baltimore contractor involved in a dispute over Capitol Hill garages, sources said today.

Justice Department lawyers were expected to tell U.S. District Court Judge Rozel Thomsen in Baltimore, Md., today the proposed indictment, prepared by a federal grand jury, should neither be issued nor made public.

### Won't Say Who

However, U.S. Appeals Court Judge Albert V. Bryan in Alexandria, Va., last night ordered Thomsen not to make the presentment public. Bryan said the order was requested by lawyers for one of the persons involved but he refused to say who.

The names of several prominent officials have been mentioned in connection with the grand jury investigation, including Sen. Russell B. Long (D-La.), and former Sen. Daniel B. Brewster (D-Md.).

Bryan described his order as "only temporary."

The dispute involved construction of underground garages near the House Office Building complex.

The grand jury, which has been investigating the case, took the unusual step last month of telling Thomsen it wanted to indict certain individuals but was prevented from doing so by Mitchell.

Democrat Stephen Sachs, then U.S. attorney in Baltimore, said he wanted to sign the indictment but was ordered not to by Mitchell.

The Justice Department reportedly maintained it did not have enough evidence to get a conviction and therefore an indictment was not justified.

After the application to Thomsen, the Justice Department

requested the court to delay any decision until today so it could review the case and allow the new U.S. attorney, Republican George Beall, to reach his own judgment.

### Same Conclusion

Beall supposedly arrived at the same conclusion as his predecessor: a grand jury should indict, and if blocked from doing so, the court should make public the proposed indictment.

But Mitchell supposedly held fast to his position and rejected Beall's request.

At issue is about \$5 million in extra payment for construction of the garages that the builder, Victor J. Frenkil, says he is owed beyond the \$11.7 million contract to build the garages.

The office of the Capitol architect has resisted the effort, and the draft indictment alleges some members of Congress improperly urged the architect to pay Frenkil the money he claims is legitimately owed to him.