

Cox Is Assigned to Investigate Kleindienst Quiz and ITT Probe

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Special Watergate prosecutor Archibald Cox yesterday took jurisdiction over a pending investigation of whether there was obstruction of justice during a Securities and Exchange Commission probe of the International Telephone and Telegraph Corporation.

Attorney General Elliot L. Richardson, noting that there is "overlap with the Watergate investigation," also asked Cox to take charge of a probe of

whether there had been perjury during Senate hearings on the nomination of Richardson's predecessor, Richard G. Kleindienst.

The Kleindienst hearing lasted several months, after an allegation that the Justice Department had settled three antitrust cases against ITT in exchange for the corporation's subsidy of the 1972 Republican National Convention.

The SEC investigation concerned the circumstances surrounding ITT's merger with the Hartford

Fire Insurance Co. and the possibility of "insider" stock trading by corporate officials.

(ITT eventually held on to the Hartford company, despite a Justice Department action seeking to require divestiture, but the conglomerate gave up other subsidiaries as part of the settlement.)

Last June, the Senate Judiciary Committee referred the complete transcript of the Kleindienst hearings to

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the Justice Department for a determination of whether any witnesses had lied under oath.

The committee offered no specific citations in the 1,751-page transcript, but some senators, including Birch Bayh (D-Ind.), contended that former Attorney General John N. Mitchell was not telling the truth on March 15, 1972 when he testified that he had "no party responsibilities."

Mitchell has since said publicly that he took part in meetings before that date at which plans to bug Democratic National Committee headquarters in the Watergate were discussed.

Although the Judiciary Committee originally asked for a report on the perjury question within 30 days, the Justice Department, almost a year later, has still not submitted one.

Richardson, during his own confirmation hearings last month, promised to give the issue top priority.

The attorney general wrote to Judiciary Committee Chairman James O. Eastland (D-Miss.) Thursday to say that he had decided the investigation falls within the responsibilities outlined for Cox.

Richardson's "guidelines" for Cox included jurisdiction to pursue all allegations "involving the President, members of the White House staff, or presidential appointees."

His letter to Eastland, which was released yesterday, did not explain the "overlap" between the ITT and Watergate investigations, but the attorney general noted the "availability of testimony" growing out of the Watergate affair which "might shed light on certain aspects of the ITT matter."

Richardson said that the FBI had already interviewed "certain individuals previously associated with the administration," but added

that other interviews are yet to be conducted.

The issue of obstruction of justice concerns a decision last October by William J. Casey, then SEC chairman, to send 34 cartons of ITT documents to the Justice Department—allegedly to keep them away from a congressional committee until after last November's presidential election.

Former Deputy Attorney General Ralph E. Erickson has testified that Casey and former White House counsel John W. Dean III—who has also been implicated in the Watergate scandal—pressed him to accept the material.

Meanwhile, an attorney for the Project on Corporate Responsibility filed suit in U.S. District Court here yesterday to force disclosure of the documents under the Freedom of Information Act.

The attorney, William A. Dobrovir, contended that the records contain "material potentially embarrassing to and showing the possible wrongdoing of high officials of the executive branch of government."

Some of the ITT documents, already revealed in the course of other congressional hearings, among other matters show that the corporation attempted to influence presidential elections in Chile.