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**Panel Says  
Tape Backs  
Nixon on ITT**

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The House Judiciary Committee listened to a tape recording yesterday that members said tended to support President Nixon's contention that his decision not to press an antitrust suit against the International Telephone and Telegraph Corp. was based on policy, not political, reasons.

The tape of an April 19, 1971, White House conversation between the President, his chief domestic affairs adviser, John D. Ehrlichman, and his chief economic adviser, George P. Shultz, included a presidential telephone call to Deputy Attorney General Richard G. Kleindienst. Committee members said that Mr. Nixon in a heated and decisive manner ordered Kleindienst not to appeal to the Supreme Court a lower-court decision in ITT's favor.

One allegation being investigated in the impeachment inquiry of the President is that the antitrust suit was settled out of court three months later in return for a pledge from an ITT subsidiary to help finance the 1972 Republican National Convention.

But members generally agreed that the President's words on the tape indicated he was motivated by his political philosophy instead.

Rep. Delbert L. Latta (R-Ohio), who took notes from the tape, quoted the President as saying it would be bad for business if the ITT ruling were appealed and that Shultz agreed. Mr. Nixon said it was not the policy of his administration to be against bigness for bigness' sake alone.

Of the Justice Department's plan to appeal the ITT decision in an effort to

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break up the big conglomerate, Latta quoted the President as saying, "It's not good for the country."

Latta also quoted the President as saying: "I don't know if ITT is good, bad or indifferent. There is not going to be any more antitrust action as long as I'm in this chair."

Rep. Charles B. Rangel (D-N.Y.), a strong critic of the President, said the account given by Latta, a strong supporter, was accurate and added:

"It shows that the President was in control of the situation. It was the President of the United States who made the final decision not to appeal."

From all accounts, this tape projected an image of a decisive, articulate President completely in command of the situation. In that regard it was quite unlike some of the edited transcripts of taped presidential Watergate conversations in which he came across as indecisive, and being told what to do by subordinates.

Rep. Edward (D-Iowa), said the message he got from the tape was: "If you cross the President, watch out."

The picture was that of a President being told that a government department was not carrying out his wishes, and picking up the phone to demand angrily that the department do so. Members generally felt his anger was directed not at Kleindienst personally but at Richard W. McLaren, vigorous chief of the Antitrust Division, who was soon named a federal judge.

The committee also listened to the tape of a conversation two days later between the President and Attorney General John N. Mitchell. This was the day Mitchell persuaded Mr. Nixon to reverse his order against appealing the ITT case because of expected adverse repercussions in Congress and the possible resignation of Solicitor General Erwin N. Griswold.

In the final out-of-court settlement, ITT agreed to divest itself of subsidiaries with \$1 billion in annual sales, the largest corporate divestiture resulting from an antitrust suit in history.

But ITT kept its Hartford Fire Insurance co. subsidiary, a matter of paramount importance.

The convention pledge was not fulfilled because the convention was not held in San Diego where the money was offered.

These were the only ITT tapes the committee has been able to obtain. It has asked for 20 more and is expected to subpoena them at a business meeting later this week.

The committee wants these other tapes to help it determine whether the President was involved a year later in misleading or untruthful testimony given to the Senate Judiciary Committee by Kleindienst during hearings on his nomination to succeed Mitchell as Attorney General.

Kleindienst testified that the White House had never tried to exert pressure on him in the handling of antitrust cases. He was permitted to plead guilty last month to a misdemeanor for refusing to answer committee questions "accurately and fully."

Members said that in remarks unrelated to the ITT case, Mr. Nixon said a Small Business Administration official in San Francisco should be fired for not following administration policy. "If you have a Civil Service problem, you know what to do—send him to Guam," the President was quoted as saying.

Several Republican committee members urges yesterday that Charles W. Colson, former White House insider who pleaded guilty Monday to a felony in the break-in at the office of Daniel Ellsberg's psychiatrist and is ready to help prosecutors, be called now as a witness before the committee.

Colson took part with the President in seven of the 20 ITT taped conversations the committee wants. And he was the White House contact with the dairy industry, whose political contributions at a time of increased price supports ordered by the President, is another allegation to be considered by the committee at closed sessions this week.