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Reinecke Testimony Conflicts

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The prosecution wound up presenting its perjury case yesterday against California Lt. Gov. Ed Reinecke by reading to the jury about an hour's worth of Reinecke's testimony before a grand jury last winter.

When Reinecke's trial began on Tuesday in U.S. District Court, Watergate Assistant Special Prosecutor Richard J. Davis said the lieutenant governor would "turn out to be the most important witness against himself."

In the grand jury testimony read yesterday Reinecke directly contradicted statements he made to the Senate Judiciary Committee in April, 1972, about the International Telephone and Telegraph Corp. case.

The perjury indictment against Reinecke charges that he lied to the committee twice about when he informed then Attorney General John N. Mitchell that Sheraton Hotels,

an ITT subsidiary, had offered up to \$400,000 for the 1972 Republican National Convention if it were held in San Diego.

The Senate hearings dealt with the nomination of Richard G. Kleindienst to be Attorney General.

After publication of a memo from ITT lobbyist Dita Beard, the committee tried to determine whether the ITT offer influenced the Justice Department to agree to the out-of-court settlement of its antitrust case against the giant conglomerate, which was announced on July 31, 1971.

At the hearing on April 19, 1972, Reinecke testified that he did not discuss the ITT pledge with Mitchell until two months after the antitrust case was settled. This testimony corroborated what Mitchell had told the committee earlier.

However, in his grand jury testimony here last Feb. 4, Reinecke said he did have three telephone conversations with Mitchell about the ITT

offer in May and June, 1971. This was just before the antitrust settlement, although Reinecke said he didn't know until much later that the legal case was pending.

Reinecke told the grand jury that the purpose of his phone calls to Mitchell was "to bring him up to date on details . . . about the progress of the convention, particularly the financial commitments."

Mitchell's reaction, he said, was, "encouraging, tolerant and fatherly," but Reinecke added: "He was like most of those fellows in the White House. They all say the same thing, which is very little."

At the start of the trial Reinecke's lawyer, James E. Cox acknowledged that Reinecke may have made a "mistake" in his testimony before the Senate committee, but said that Reinecke certainly did not tell a deliberate lie.

The case for Reinecke's defense is scheduled to start Monday and is expected to take about a week.