

Nixon aides avoid questioning

IT&T hearings continue

WASHINGTON (AP) — The Senate Judiciary Committee Wednesday avoided a confrontation with President Nixon by refusing to order or invite testimony from White House aides in its ITT hearings.

In another action, the panel voted to have two Denver heart specialists examine Dita Beard to determine whether the lobbyist for International Telephone & Telegraph Corp. is well enough to testify for a second time.

The hearings, now in their seventh week, were precipitated by Columnist Jack Anderson's publication of an intra-office memo attributed to Ms. Beard. It appeared to link the Justice Department's out-of-court settlement of anti-trust actions against ITT to the big conglomerate's pledge of financial support for the Republican National Convention in San Diego next August. Ms. Beard has denied she wrote the memo.

Anderson's allegations involved acting Atty. Gen. Richard Kleindienst who was deputy attorney general at the time of the settlement. As a result, Kleindienst asked the committee to re-open hearings on his nomination to succeed John Mitchell as attorney general, even though his appointment had won unanimous committee endorsement prior to publication of Anderson's accusations.

The Wednesday success of committee Republicans in blocking any committee subpoenas or requests for testimony

from White House aides headed off, at least temporarily, any direct clash between the panel and Nixon. A White House spokesman had said the doctrine of executive privilege would be invoked to prevent such testimony.

Presidential aides Peter Flanigan and William Timmons have been identified by some witnesses as having played some role in the ITT case.

Sen. Sam Ervin, D-N.C., moved in an executive session to summon Flanigan, Timmons and other executive department employees to be named by the committee. This was defeated by a 6-6 party-line vote with the Democratic committee chairman, Sen. James Eastland of Mississippi, declining to cast the tie-breaking vote.

An identical vote blocked a motion by Sen. Quentin Burdick, D-N.D., that Flanigan alone be called.

Finally, a 9-4 vote defeated a compromise proposal by Sen. Robert Byrd, D-W. Va., that Flanigan be asked to testify in a closed session.

Sen. John Tunney, D-Calif., said the committee's votes will jeopardize Kleindienst's chances for Senate confirmation. "There is no way we can get the truth until Flanigan testifies," Tunney said.

Ervin has said that he is prepared to do all he can to block the confirmation unless Flanigan is heard. He argued that executive privilege protects only communications within the

executive department and does not cover exchanges between presidential aides and third parties on matters of public concern, such as anti-trust actions.

Sen. Edward Kennedy, D-Mass., said he expects the matter of Flanigan's testimony to come up in the committee again before the agreed-upon April 20 cutoff of the hearings.

The unanimous committee vote for another examination of Mrs. Beard traced to the disclosure that a physician who examined her earlier is under investigation for possible fraud in connection with Medicare fees. This physician, Dr. Lewis Radetsky, is an osteopathic with a specialty in cardiology.

Kennedy said the new examinations are to be made in Denver by Drs. Ray Pryor and Joseph Snyder.

While Ms. Beard was being questioned two weeks ago on her hospital bed Radetsky cut short the hearings after she suffered what he said was an attack of angina pectoris, sometimes a symptom of a heart attack.

Kennedy said Tuesday that while the U.S. attorney's office in Denver was investigating Medicare claims by Radetsky, the doctor was advising the committee on Ms. Beard's ability to testify before the committee.

Much of her testimony has been contradicted by later witnesses. The Department of Health Education and Welfare has suspended Medicare benefits payments to Radetsky.

Government charges citizens with UN trade violations

NEW YORK (AP) — For the first time, the United States has charged American citizens with violating a U.N. resolution which the U.S. attorney's office said had become part of the law of the land.

They were accused of circumventing a 1968 U.N. resolution imposing economic sanctions on the white-ruled African state of Rhodesia which was embodied in the United States by an executive order establishing export and import controls.

Last November, the U.S. Congress relaxed the restrictions to permit the import of Rhodesian chrome and other strategic materials if they were otherwise only available from a Communist country. Several shipments of chrome ore have been received, under special license, since then by such firms as Foot Metals and Union Carbide.

The United States had been dependent on Soviet Chrome until these shipments arrived.

The four individuals and two corporations charged all pleaded guilty in U.S. District Court on Wednesday to some parts of the 18-count indictment.

One of the men was Edward Bartlett, Vermont tax commissioner, charged in a separate information. He pleaded guilty to conspiring with others from 1968 to 1970 to form a corporation in Vaduz, Liechtenstein, to hide trading with Rhodesia; opening a bank account in Zurich to finance the deals; entering into a secret agreement with the government of Rhodesia and Sable Chemical Industries of Rhodesia to supply ammonia and funneling the payments through Switzerland and Liechtenstein to New York and Yazoo City, Miss.

Immediately after the court pleas were entered, a lawyer for Bartlett, in a news release, called the charges a tempest in a teapot and accused the government of unfair enforcement policies.

The lawyer, Paul Grand, said enforcement of the regulations threatened to deprive "Rhodesian farmers and inhabitants, black and white alike... of fertilizer necessary to grow food crops," as well as depriving plant employees of work—"again, black and white alike."

An issue in the charges was the building of a \$50-million fertilizer plant in Que Que, Rhodesia.

Grand said, "The decision to enforce the sanc-

tions by criminal prosecution rather than by administrative remedy can serve no purpose other than to provide publicity to the U.S. Attorney's office and unwarranted damage to the careers of those men..."

Grand stated that Vermont officials had been told of the proceeding, "a technical violation which occurred years ago." He added that it "has no bearing on whether he should continue as tax commissioner."

Bartlett pleaded guilty to a misdemeanor, which could result in a year in prison and a \$10,000 fine, Grand said, "rather than undergo the enormous burden... of challenging the constitutionality of the sanctions and the present method of their enforcement."

Bartlett, who was accused in an "information" prepared by the U.S. attorney, was employed in an overseas venture before the 1968 sanctions, working on accounting in a project to build the Rhodesian plant to produce fertilizer for farmers, Grand said.

Margas Shipping Co. of Panama City, Panama, pleaded guilty through a lawyer to all 18 counts of a grand jury indictment charging conspiracy to violate the export controls and the actual exporting of ammonia without a license, as well as false statements.

IDI Management, Inc., Cincinnati, pleaded guilty to one conspiracy count and one count of exporting without a license, but it denied exporting technical aid for the Rhodesian plant in violation of the law.

Herbert Hamilton, Cincinnati, IDI president, pleaded guilty to two counts of unlawful exporting of ammonia and technical aid.

David Patterson, Nassau, the Bahamas, formerly of Coral Gables, Fla., admitted one count of exporting ammonia without a license.

Conrad Wysocki, Cincinnati, an engineer for IDI now stationed in Venezuela, admitted one count of sending technical aid unlawfully.

Penalties are one year in prison and a \$10,000 fine for each individual on each count and a \$10,000 fine for each corporation on each count.

Judge Charles Brient set sentencing for June 16. Sanctions were imposed after the ruling white minority in Rhodesia unilaterally declared its independence of Britain which was trying to bring blacks into the government.

News Roundup

From AP Reports

PITTSBURGH, Pa. — The FBI arrested a middle-echelon United Mine Workers official Wednesday on federal conspiracy charges in the 1969 killings of UMW rebel Joseph "Jock" Yablonski and his wife and daughter. Sources said more developments were expected soon because the alleged conspiracy "goes much higher." William Jackson Prater, 52, of LaFollette, Tenn., was arrested in Lake City, Tenn., the FBI said, after a federal grand jury in Pittsburgh indicted him on charges of conspiring to interfere with the rights of a union member, conspiring to obstruct justice and conspiring to interfere with an investigation.

PARIS — France is pressing for an early resumption of the Vietnam peace talks, broken off by the United States three weeks ago. The Vietnamese Communists demanded a meeting of the conference Thursday. The U.S. and South Vietnamese delegations would not comment on the French suggestion made Wednesday but rejected the demands of the North Vietnamese and Viet Cong to return to the peace table. The allies argued the Communists were not ready to negotiate seriously. In Washington, the State Department called in Emmanuel de Margerie, the French charge d'affairs, to express its displeasure over France's request.

SAN JOSE, Calif. — The prosecution in the Angela Davis trial added more guns and a sportcoat as evidence Wednesday in its recreation of the summer day shootout at the Marin County courthouse which took four lives. As the 31st state witness, a sheriff's deputy, began testifying, the defense objected that eyewitness accounts of the Aug. 7, 1970, shooting were becoming repetitive and "cumulative." The prosecutor, Albert Harris Jr., withdrew a question, and said later he hoped to wind up this week the testimony about evidence gathered just after the shooting stopped.

Secret talks possible says White House

WASHINGTON (AP) — The White House hinted broadly Wednesday that the United States is pursuing private channels in an effort to break the Vietnam peace talks logjam.

But presidential press secretary Ronald Ziegler would divulge no specifics on the possible secret maneuvering as he repeated that President Nixon hopes to continue with the withdrawal of U.S. troops from Indochina.

But Ziegler said again that Nixon's decision on further withdrawals would be based on circumstances existing before May 1, when U.S. troop strength is to stand at 69,000.

"Our intent and our hope and our policy is to continue with troop withdrawals," Ziegler said, "but I'm not going to predict what decision the President might make" before he makes his scheduled announcement on or before May 1.

The hint of secret diplomatic maneuvering came when Ziegler repeated that the "enemy knows full well what it takes to proceed to full negotiations."

And Ziegler used almost the same words spoken by Nixon when he hinted several months ago of the 12 secret Paris negotiating sessions conducted by foreign affairs adviser Henry Kissinger.

"When the record is known, the U.S. will not be found wanting," Ziegler said. Asked whether this meant secret diplomatic initiatives are under way, Ziegler said "Perhaps it could and perhaps it couldn't."

The United States expressed formal displeasure to the French government Wednesday for requesting that the Vietnam peace talks be resumed without delay.

The State Department said the French were told their call was one-sided and made without notifying the United States.

Press officer Robert McCloskey said the French request is similar to North Vietnamese and Viet Cong demands and that serious negotiations cannot be made under military pressure.

The administration said U.S. negotiator William Porter will have a further statement later on in the negotiations.

On Capitol Hill, Sen. Edward Kennedy, D-Mass., said: "How can any nation that genuinely desires peace be absent from the peace table at a time like this?"

Nixon met for two hours with Republican congressional leaders, who were briefed on the war by national security adviser Henry Kissinger.



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