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Kleindienst Perjury Fear Linked to I.T.T. Disclosure

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WASHINGTON, Oct. 31—Former Attorney General Richard G. Kleindienst told Archibald Cox about President Nixon's order to delay the appeal of an antitrust ruling involving the International Telephone and Telegraph Corporation after he became con-

Text of Kleindienst statement is printed on Page 33.

vinced that he might be indicted, according to sources familiar with the circumstances.

Before going to Mr. Cox, who was then the special Watergate prosecutor, Mr. Kleindienst told friends that he was sure he would be indicted for perjury in connection with his testimony before the Senate Judiciary Committee during its 1972 hearings on his nomination as Attorney General, according to the sources.

The White House admission that the President personally

intervened in the Justice Department's antitrust suits against I.T.T. contradicts what Mr. Kleindienst told the Judiciary Committee during the hearings. [Details on Page 33.]

Mr. Kleindienst, in a statement issued through his attorney's office today, denied having made false statements to the committee and said that he had threatened to resign if the President "persisted" in his orders to drop the appeal.

According to people familiar with the circumstances of Mr. Kleindienst's disclosure to Mr. Cox, however, the former Attorney General reached the conclusion that his indictment was likely after hearing reports that the special prosecutor's staff had recommended indictments against several persons. These included Harold S. Geneen, the chairman of I.T.T., who had

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testified at the Kleindienst confirmation hearings, and Charles W. Colson, the former special counsel to President Nixon.

These reports indicated that the prosecutor's staff had recommended that Mr. Geneen be indicted for giving false testimony to the Judiciary Committee, and that Mr. Colson be indicted for his role in financing the burglary of the office of Dr. Daniel Ellsberg's psychiatrist.

Mr. Colson's attorneys have said publicly that he expected to be indicted; this expectation was the reason given for his refusal to appear before the Senate Watergate committee, as scheduled, when it re-opened its hearings last month.

Irrevocable Decision

When Mr. Kleindienst, believing himself to be in danger of indictment, decided to go to Mr. Cox, he informed the White House of his decision and said it was irrevocable.

The conversation with Mr. Cox and two of his assistants took place in Mr. Cox's office on K Street, in downtown Washington, according to the statement issued by Mr. Kleindienst today. He also said that "a story in The New York Times yesterday, which was repeated on the networks and in newspapers around the country, contained a very specific report of one part of that conversation."

This was a reference to The Times article disclosing President Nixon's order to drop the appeal in the I.T.T. case.



United Press International
Richard G. Kleindienst

But Mr. Kleindienst's statement, contradicting the reported fear of a perjury indictment that allegedly led him to seek the meeting with Mr. Cox, said that he "did not perjure myself or give false information to the Senate Judiciary Committee" when he was asked about pressure from the White House staff concerning the I.T.T. antitrust actions.

Sequence of Events

Because of what he termed "distorted and misleading accounts of my conduct that have appeared in the press," Mr. Kleindienst related the sequence of events surrounding the I.T.T. appeal, starting with a telephone call on April 19,

1971, from John D. Ehrlichman, then Mr. Nixon's chief adviser on domestic affairs.

"Minutes later, the President called me and, without any discussion, ordered me to drop the appeal," Mr. Kleindienst said. "Immediately thereafter, I sent word to the President that if he persisted in that direction, I would be compelled to submit my resignation."

Mr. Kleindienst said he obtained an extension of the time period within which he could file an appeal to the Supreme Court "to enable the President to consider my position." The former Attorney General added that Mr. Nixon "changed his mind," the appeal was filed and the case eventually settled out of court in what Mr. Kleindienst characterized as "a settlement highly advantageous to the United States." Others have described the settlement as more advantageous to the corporation.

I.T.T. officials issued a statement today saying that the corporation had "no prior knowledge that President Nixon had intervened personally in connection with I.T.T.'s antitrust cases."

The statement also defended the settlements, saying that they represented "a substantial win for the Government in its efforts to curb conglomerate mergers."

In support of this position, the statement issued by an unnamed spokesman quoted Mr. Cox, former Attorney General Elliot L. Richardson and Richard W. McLaren, former chief of the Justice Department's Antitrust Division.