

A Kleindienst 'Deal' on ITT Charge Reported

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Former Attorney General Richard G. Kleindienst is plea-bargaining, according to informed sources, and has tentatively agreed to plead guilty to a misdemeanor charge in connection with his 1972 congressional testimony about the International Telegraph and Telephone Co. (ITT) antitrust case.

In return for his guilty plea, Kleindienst expects to receive no prison sentence and believes that he will not be disbarred from the practice of law in his home state of Arizona, the sources said.

Kleindienst's lawyer has told the Watergate special prosecutor's office that he is willing to plead guilty to a misdemeanor charge for making false or misleading sworn statements about the ITT case during Senate confirmation hearings on his appointment as U.S. Attorney General.

Despite the lack of a final agreement, special prosecutor Leon Jaworski has indicated that he will probably accept such an arrangement, according to several sources.

One well-placed source reported that several members of Jaworski's staff are not pleased with the tentative arrangement because they believe that Kleindienst should be indicted on a felony charge of perjury. Conviction of a felony would automatically lead to disbarment in Arizona.

Kleindienst's plea bargaining is the culmination of his apparently unsuccessful struggle to avoid prosecution since April 30, 1973, the day President Nixon announced the resignations of Kleindienst and three principal White House aides — H. R. Haldeman, John D. Ehrlichman and John W. Dean III.

(Meanwhile, the New

York Times quoted sources saying that Kleindienst withheld from federal prosecutors nearly a year information that would have linked former Attorney General John H. Mitchell's name with the five men arrested in the Watergate break-in.

(The sources said that one of the men convicted in the Watergate burglary, G. Gordon Liddy, invoked the name of Mitchell in an attempt to get the five men released from custody. Liddy talked to Kleindienst on June 17, 1972, less than 12 hours after the burglary, the sources said.

(Kleindienst was interviewed by the FBI two

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weeks ago, the Times said, and still has no explanation about why he withheld the information, despite the fact that he rebuffed Liddy's suggestion.)

Kleindienst was out of the country yesterday and could not be reached for comment. A spokesman for Jaworski's office declined to comment on the case.

The special Watergate prosecutor's investigation of Kleindienst concerns his sworn testimony at his senate judiciary committee confirmation hearings in the spring of 1972, when Kleindienst was acting attorney general.

Those hearings focused on allegations that the Justice Department had agreed to settle the ITT antitrust cases in exchange for ITT's donation of at least \$100,000 to help finance the Republican national convention.

During his senate testimony, Kleindienst said under oath that he "was not interfered with by anybody at the White House on the ITT cases.

Since then Kleindienst has voluntarily disclosed that in April, 1971, President Nixon personally ordered him not to press the ITT case to the

Supreme Court as had been recommended by the Justice Department antitrust division.

Kleindienst also has said — and the White House has confirmed — that he threatened to resign if the ITT case could not be pursued, and that the president accordingly reversed his decision.