

Kleindienst's Guilty Plea -- ITT Case

Washington

Former Attorney General Richard G. Kleindienst pleaded guilty yesterday to a misdemeanor charge that he refused to testify accurately during his confirmation hearings before the Senate.

Kleindienst was the nation's top law enforcement officer under President Nixon for ten months before he resigned last year as the Watergate scandal was growing.

He is the first of the country's 68 attorneys general to plead guilty to a criminal offense. The statute under which he was charged requires a sentence of at least one month in jail and a fine of at least \$100.

However, any sentence can be suspended by the judge, who will sentence Kleindienst later.

The charge, presented before U.S. District Chief Judge George L. Hart Jr. by Watergate special prosecutor Leon Jaworski, is that Kleindienst failed to tell the Senate Judiciary Committee that he had been ordered by President Nixon to drop an appeal of government antitrust cases against the International Telephone and Telegraph Corp.

Although the crime to which Kleindienst pleaded guilty was refusal to tell the Senate committee about presidential pressure on him in the ITT case, Jaworski said there is "no implication intended" of presidential misconduct.

"I think the President has the right as chief executive to pass on all matters of antitrust and this was the President's view," Jaworski told reporters.

Kleindienst later issued a two-page statement through his attorney, Herbert J. Miller Jr., which said, in part, "I was wrong in not having been more candid with the committee and I sincerely regret it."

He said he was entering his plea "out of respect for the criminal justice system of the United States and the indisputable fact that the system must have equal application to all."

The plea to the misdemeanor was the result of several weeks of intensive plea-bargaining between

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Kleindienst's attorneys and the special prosecutor's office, according to informed sources.

These sources have said that Kleindienst faced a possible perjury indictment as a result of his Senate testimony. Instead of pleading to that charge, which is a felony, Kleindienst wanted to plead to a misdemeanor count in hopes that he would not be disbarred from law practice, those sources said.

In a letter to Kleindienst's attorney, Jaworski said: "If Mr. Kleindienst enters this plea, this will dispose of all charges, of which this office is presently aware, arising out of his testimony at his confirmation hearings . . . unless substantial new evidence develops demonstrating that Mr. Kleindienst has failed to disclose material matters relating to the ITT matter."

Jaworski said his office's investigation into ITT "has failed to disclose any criminal conduct by Mr. Kleindienst in the manner in which he handled the ITT antitrust cases."

According to the information filed by the prosecutor, Kleindienst refused to testify about his communications with President Nixon concerning the ITT cases, his communications with former Attorney General John N. Mitchell about those cases, and about the circumstances surrounding an application by the government to the Supreme Court for an extension of time for filing



AP Wirephoto

**RICHARD KLEINDIENST
Sentencing was delayed**

an appeal in the ITT case.

Actually, Kleindienst repeatedly had directly denied before the committee that he had been contacted by anyone in the White House concerning the ITT cases. At one point, he testified, "I was not interfered with by anybody at the White House. I was not importuned; I was not pressured; I was not directed."

In a statement on Oct. 31, 1973, however, Kleindienst acknowledged that former White House chief domestic adviser John D. Eichman called him on April 19, 1971, and directed that the ITT case not be appealed.

Kleindienst refused, and minutes later he was called by the President and ordered to drop the appeal, a scenario that has been confirmed by the President himself.

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