

Affidavit Given by the Assistant Attorney General

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WASHINGTON, July 19—Following is the text of an affidavit submitted to the House Judiciary Committee on April 25, 1974, by Assistant Attorney General Wallace H. Johnson, concerning the confirmation of Richard G. Kleindienst as Attorney General of the United States and events in the International Telephone and Telegraph case.

WALLACE H. JOHNSON, being duly sworn, deposes and says:

1. I am an Assistant Attorney General of the United States in charge of the Land and Natural Resources Division of the Department of Justice. I make this affidavit, knowing that the House Judiciary Committee may rely thereon in connection with proceedings before it. All statements contained herein are made to the best of my present recollection.

2. From about January, 1972, until April, 1973, I was Special Assistant to the President of the United States. As such Special Assistant, from February through June, 1972, I assumed various duties with respect to the confirmation by the Senate of Richard G. Kleindienst to be Attorney General of the United States.

3. In connection with said duties, in late February or early March, 1972, I was with Robert C. Mardian and John N. Mitchell at Mr. Mitchell's office at 1701 Pennsylvania Avenue, NW, Washington, D.C. During the course of the evening, I was instructed to meet with

an attorney representing the International Telephone and Telegraph Corporation (I.T.T.) at the Sheraton-Carlton Hotel in Washington. I went to the Sheraton-Carlton and met with Michael Mitchell, who subsequently gave me a copy of a document which I delivered to John Mitchell. I understood that the document had some relevance to John Mitchell's testimony before the Senate Judiciary Committee, although I do not now know what, if any, relevance it had. Charles Colson was probably mentioned by name in the document, for I recall his being in John Mitchell's office that same evening.

4. At a later time, the precise date of which I do not recall, I had in my possession copies of three additional documents. I do not recall any inconsistency between the contents of these documents, or the document referred to above, and the testimony of any witness at the confirmation hearings, nor do I know whether the documents were authentic. I recall showing the documents to Mr. Mardian, but do not recall his reading them. Richard Moore was present when this occurred and the three of us were in the Deputy Attorney

General's conference room. I believe, but do not specifically recall, that I received these documents from Michael Mitchell and ultimately gave them to Fred F. Fielding of the White House staff.

7. On April 23, 1971, I prepared a memorandum for the President, describing among other things my meeting with Messrs. Geneen and Merriam.

8. After leaving the White House, I saw a published copy of a letter dated April 22, 1971 from Mr. Merriam, to John B. Connally, then Secretary of the Treasury, which begins:

"Pete Peterson and I thought you would be interested in the results of the calls Harold S. Geneen and I made on Friday, April 16, when we discussed antitrust matters and their impact on the economy of the country."

The letter discussed the delay in the I.T.T.-Grinnell appeal and other developments related to the antitrust suits against I.T.T. To the best of my recollection, I never initiated any suggestion to Mr. Merriam or anyone else that Mr. Connally would be directly involved in such matters.