

# President Will Comply With Court's Decision *F Post* 7-24-74

LAGUNA BEACH, Calif. (AP) — A disappointed President Nixon announced Wednesday he will comply "in all respects" with a unanimous Supreme Court ruling that he must surrender documents and tapes of 64 conversations for the Watergate cover-up trial.

Eight hours after the court announced its 8-0 opinion in Washington, Nixon sent his chief Watergate defense lawyer, James D. St. Clair, before national television cameras in a hotel near the Western White House to disclose his decision.

The President, who had consistently declined to say in advance whether he would abide by an adverse court ruling, said through St. Clair:

"My challenge in the courts to the subpoena of the special prosecutor was based on the belief that it was unconstitutional, and on my strong desire to protect the principle of presidential confidentiality in a system of separation of powers.

"While I am of course disappointed in the result, I re-

spect and accept the court's decision and I have instructed Mr. St. Clair to take whatever measures are necessary to comply with that decision in all respects."

St. Clair took exactly two minutes to read Nixon's statement to reporters in the packed and steamy press room. News-men pursued him from the room afterward, but he brushed aside all inquiries.

In his statement, Nixon maintained that the court's ruling supported the principle of executive privilege, often cited by the White House as grounds for not releasing the tapes.

The decision, written by Chief Justice Warren E. Burger, noted that privacy of presidential communications was "fundamental to the operation of government" but said the principle was outweighed by the needs of criminal justice.

Nixon said: "For the future, it will be essential that the special circumstances of this case not be permitted to cloud the rights of presidents to maintain the basic confidentiality without which this office cannot function. I was gratified, therefore, to note that the court reaffirmed both the validity and the importance of the principle of executive privilege — the principle I had sought to maintain.

"By complying fully with the court's ruling in this case, I hope and trust that I will contribute to strengthening rather than weakening this principle for the future — so that this will prove to be not the precedent that destroyed the principle, but the action that preserved it."

St. Clair said he would immediately begin preparing the tapes to be turned over to the U.S. District Court in Washington.

The statement said Nixon  
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hoped that his action "will contribute to strengthening" the principles of executive privilege and not serve as a precedent to destroy it.

The President had fought turnover of the tapes on grounds of executive privilege but the Supreme Court said the need for the tapes in the Watergate cover-up trial superseded any generalized claim of such privilege.

The tapes will be turned over to Judge John J. Sirica — not the House Judiciary Committee which was to begin its public debate of impeachment less than an hour after St. Clair read his brief statement.

St. Clair first read the brief presidential statement, drafted after several hours of discussions Wednesday between Nixon and his chief Watergate defense attorney.

He then said he would begin work on the turnover of tapes.

St. Clair declined to answer questions as he spoke to newsmen at the press center located 13 miles north of the Western White House.

Nixon said in the statement he was disappointed in the verdict, announced eight hours earlier by a unanimous court.

"I have instructed Mr. St. Clair to take whatever measures are necessary so as to comply with that decision in all respects," the Nixon statement said.

Sirica now must review each of the tapes for relevance to the cover-up trial, which is scheduled to begin Sept. 9 for six former administration and Nixon campaign aides, including H. R. Haldeman, John D. Ehrlichman and John N. Mitchell.

Previous tapes given to Sirica have eventually gone to the Judiciary Committee.

The possibility remained that Nixon's attorneys could challenge Sirica's rulings of relevance on various of the tapes, which cover a time span from June 20, 1972 — three days after the Watergate break-in — to June 4, 1973.

As recently as Monday, St. Clair had declined to say whether Nixon would obey any adverse Supreme Court ruling, echoing a position taken for weeks by various White House spokesmen.

Nixon, however, said in the statement read by St. Clair: "I was gratified therefore to note that the court both reaffirmed the validity and the importance of the principal of executive privilege, the principal I had sought to maintain.

"By complying fully with the court's ruling in this case I hope and trust that I will contribute to strengthening rather than weakening this principle for the future."