

NIXON BARS DATA SOUGHT BY HOUSE

Panel Asked Information on
Aid to Cambodia

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WASHINGTON, March 16 — President Nixon has refused to supply Congress with information about the United States aid programs in Cambodia.

The President's decision to withhold the documents was disclosed today by Representative William S. Moorhead, Democrat of Pennsylvania, chairman of the House Government Information Subcommittee.

Mr. Moorhead said he learned of the decision shortly before last midnight when a State Department courier appeared at the door of his Georgetown home with a formal notification that the President had invoked "executive privilege" in refusing to supply the information.

The President's action forestalled an abrupt halt in foreign aid funds to Cambodia at midnight.

In seeking the information on Cambodia, Mr. Moorhead and his subcommittee had invoked a 1961 law that stipulates that spending for a foreign aid program will be suspended unless, within 35 days, the executive branch has either supplied the requested information or the President has expressly forbidden release of the documents.

3d Such Action by Nixon

The request for the information was made 35 days ago, with the deadline falling at midnight.

The White House said today that this was the third time that President Nixon had invoked executive privilege since taking office in 1969.

The doctrine of executive privilege has been used, but only sparingly, by most Presidents since the founding of the country.

The Constitution nowhere expressly refers either to the powers of Congress to obtain information or to the power of the executive to withhold information. However, both rights are rooted in history and precedent.

In refusing last night to divulge the Cambodian information, Mr. Nixon described the papers as "internal documents" that did not represent official policy.

The President's decision was in the form of a memorandum to Secretary of State William P. Rogers and Frank Shakespeare, director of the United States Information Agency, instructing them "not to make available to Congress any internal documents concerning the foreign assistance program or international information activities which would disclose tentative planning data."

Used to Receive Reports

The information sought by the subcommittee is known as the annual country field submission, assembled by United States Embassy officials in Cambodia on information from the political and economics sections. It also contains data from the Agency for International Development and the United States Information Agency.

A subcommittee spokesman said that such reports had routinely been sent to the subcommittee by the last four Administrations. Such reports are not ordinarily read by subcommittee members, but the staff reviews the material and brings items of interest to the attention of the members.

Mr. Nixon first invoked executive privilege by refusing to supply a House subcommittee with information from files of the Federal Bureau of Investigation. His second confrontation came last August, when he refused to disclose to the Senate Foreign Relations Committee the Administration's long-range plans for foreign military aid.

There have been numerous other instances in which the executive branch has denied information to Congress by refusing to allow key officials to testify.