

Nixon Says Aides Should Not Testify

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In a policy statement on the use of "executive privilege," President Nixon said yesterday that both members and former members of his personal staff should decline to make a formal appearance before a committee of the congress.

The statement indicated that Mr. Nixon is ruling out any appearance before Congress of John W. Dean III, the President's legal counsel, and a former White House aide, Dwight L. Chapin, in the continuing inquiry into political sabotage during last year's presidential race.

"A member or former member of the President's personal staff normally shall follow the well-established precedent and decline a request for a formal appearance before a committee of the Congress," Mr. Nixon said.

"At the same time," he continued, "It will continue to be my policy to provide all necessary and relevant information through informal contacts between my present staff and committees of the Congress in ways which preserve intact the constitutional separation of the branches."

BUGGING

The use of "executive privilege" has recently become a heated issue, not only in regard to congressional efforts to find out about possible White House involvement in last year's bugging and break-in at the Demo-

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cratic National headquarters in the Watergate complex, but also in the evolution of "presidential government" — the drawing of more authority and decision-making away from the departments and into the White House, where the President can curtail the extent of Congressional and public access.

Mr. Nixon's 1000-word statement on the issue, promised by the President in his January 31 and March 3 news conferences, was designed to clarify the White House position.

Although he promised not to use the privilege "as a shield to prevent embarrassing information from being made available," the thrust of the statement was not likely to stop accusations that he has extended use of the privilege beyond that of any previous President, particularly in protecting administration officials well down the line of authority.

"The manner in which the President personally exercises his assigned executive powers is not subject to questioning by another branch of government," Mr. Nixon said. "If the President is not subject to such questioning, it is equally inappropriate that members of his staff not be so questioned, for their roles are in effect an extension of the presidency."

On the Watergate case, Mr. Nixon was asked March 3 if he would object to Dean appearing before a congressional committee in the Watergate case.

"Of course," Mr. Nixon replied. "It is executive privilege."

Dean was present when FBI agents questioned White House staff members about alleged political espionage, and the Senate Judiciary Committee is expected to vote later this week to ask him to testify.

Mr. Nixon's position regarding his present counsel came as no surprise. But his statement yesterday seemed to extend the use of the privilege by including former aides.

Chapin, who resigned earlier this year as a deputy special assistant to the President, may be asked to testify in the Watergate inquiry. There has been testimony before the Senate Judiciary Committee that Chapin had made payments from Republican campaign funds to a man allegedly hired to conduct political sabotage against Democratic candidates.