

Nader Files Suit

Nixon Milk Tape Dispute

Washington

A tape recording of a meeting between President Nixon and dairy industry representatives in 1971 indicates that the White House contention that President Nixon did not mention campaign contributions may have been false or misleading, lawyers for Consumer Advocate Ralph Nader maintained in a brief filed in federal court yesterday.

The motion, filed in United States district court here, quoted an extract from the recording and asserted that the president's remarks could well be construed as an expression of thanks to the milk industry representatives for financial support.

It was the first time that any verbatim portion of the White House tapes has been put on the public record, other than the playing in court of part of the tape of June 20, 1973, which contain-

ed the "blank" 18 minute segment.

The tape had been turned over to the Nader group by Nixon administration officials.

Nader and others are suing the administration for allegedly basing a 1971 decision to raise milk price supports on political considerations, including campaign contributions by milk companies.

The tape referred to in yesterday's motion recorded a meeting between milk industry representatives and Mr. Nixon at the White House on March 23, 1971. Following that meeting and another meeting with his advisers later that day, the president acceded to the dairymen's request to raise price supports, thus reversing a decision made only 12 days earlier by his secretary of agriculture.

"I first want to say that I am very grateful for the support that we have had (inaudible word) from this group. I know that in American agriculture you're widely recognized: that it cuts across all the farmer organizations, is represented in all the states. I know, too, that you are a group that are politically very conscious, not in any party sense but you realize that what happens in Washington not only affects your business success but affects the economy, our foreign policy (inaudible word) affects you. And you are willing to do something about it. And I must say a lot of businessmen and others I get round this table, they yammer and talk a lot

but they don't do anything about it. But you do and I appreciate that. I don't need to spell it out. Friends talk (inaudible word) and others keep me posted as to what you do."

Judging by the actual words used at the meeting, the motion said, "the President could be thanking the dairy farms for their financial 'supprt,' of which he had been told by Mr. (Charles M.) Colson in September with a suggestion that he 'acknowledge' it... and of which he had been reminded just before the meeting... instead of thanking them for 'support' of his 'policies.' The difference could be curcial."

Nader's attorneys were suggesting, in other words, that the President's statement to the dairymen that they were willing to "do something" about their political needs instead of doing nothing but "yammer" may well have been an allusion to their pledge of heavy campaign contributions, even though the President did not want to "spell it out."

The Nader motion was filed for the purpose of asking the court to require the White House to turn over other tapes and documents relating to the milk case over which Mr. Nixon still claims executive privilege.

Among the items asked for was a tape of the meeting between Mr. Nixon and his advisers on the afternoon of March 23, 1971, after the meeting with the dairymen. It was after this second meeting that Mr. Nixon personally decided to raise the price supports on the basis of congressional pressure and political considerations as well as economic criteria, the White House white paper statement of Tuesday said.

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