

Kleindienst Testifies

Congress Defied on Privilege Issue

Assertion of Nixon's Power

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Attorney General Richard G. Kleindienst, in a sweeping assertion of executive prerogatives, declared yesterday that the President has the power to forbid all federal employees from testifying before Congress under any circumstances - including impeachment.

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"This is a power relegated to the President of the United States alone," Kleindienst said of executive privilege. Under it, he declared, the president "logically" has the authority to block congressional demands for any document within the executive branch as well as the testimony of any of its 2½ million federal employees.

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Senator Edmund S. Muskie (Dem-Main), chairman of the Senate subcommittee on intergovernmental relations, called the attorney general's claims "frightening."

"No administration in the history of this country has ever asserted the concept (of executive privilege) as you have today," Muskie told him.

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"He seemed to be taunting us," Senator J. William Fulbright (Dem-Ark.) told newsmen later.

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[Kleindienst] stopped well short, however, of conceding that executive privilege can be overridden even by the courts.