

# Nixon's Letter to Rodino and 2 Letters

Special to The New York Times  
 WASHINGTON, May 22 — Following are the texts of a letter from President Nixon to Representative Peter W. Rodino Jr., chairman of the House Judiciary Committee, declining to comply with two subpoenas, and two letters from James D. St. Clair, the President's counsel, to John M. Doar, the committee's special counsel, on matters dealing with International Telephone and Telegraph and milk price support inquiries:

## Nixon Letter

Dear Mr. Chairman:

This letter is in response to two subpoenas of the House of Representatives dated May 15, 1974, one calling for the production of tapes of additional Presidential conversations and the other calling for the production of my daily diary for extended periods of time in 1972 and 1973. Neither subpoena specifies in any way the subject matters into which the committee seeks to inquire. I can only presume that the material sought must be thought to relate in some unspecified way to what has generally been known as "Watergate."

On April 30, 1974, in response to a subpoena of the House of Representatives dated April 11, 1974, I submitted transcripts not only of all the recorded Presidential conversations that took place that were called for in the subpoena, but also of a number of additional Presidential conversations that had not been subpoenaed. I did this so that the record of my knowledge and actions in the Watergate matter would be fully disclosed, once and for all.

Even while my response to

this original subpoena was being prepared, on April 19, 1974, my counsel received a request from the Judiciary Committee's counsel for the production of tapes of more than 140 additional Presidential conversations—of which 76 were alleged to relate to Watergate—together with a request for additional Presidential diaries for extended periods of time in 1972 and 1973.

## May 15 Subpoenas

The subpoenas dated May 15 call for the tapes of the first 11 of the conversations that were requested on April 19, and for all of the diaries that were requested on April 19. My counsel has informed me that the intention of the committee is to also issue a series of subpoenas covering all 76 of the conversations requested on April 19 that are thought to relate to Watergate. It is obvious that the subpoenaed diaries are intended to be used to identify even more Presidential conversations, as a basis for yet additional subpoenas.

Thus, it is clear that the continued succession of demands for additional Presidential conversations has become a never-ending process, and that to continue providing these conversations in response to the constantly escalating requests would constitute such a massive invasion into the confidentiality of Presidential conversations that the institution of the Presidency itself would be fatally compromised.

The committee has the full story of Watergate, in so far as it relates to Presidential knowledge and Presidential actions. Production of these additional conversations would merely prolong the in-

quiry without yielding significant additional evidence. More fundamentally, continuing ad infinitum the process of yielding up additional conversations in response to an endless series of demands would fatally weaken this office not only in this Administration but for future Administrations as well.

Accordingly, I respectfully decline to produce the tapes of Presidential conversations and Presidential diaries referred to in your request of April 19, 1974, that are called for in part in the subpoenas dated May 15, 1974, and those allegedly dealing with Watergate that may be called for in such further subpoenas as may hereafter be issued.

## Further Information

However I again remind you that if the committee desires further information from me about any of these conversations or other matters related to its inquiry, I stand ready to answer, under oath, pertinent written interrogatories, and to be interviewed under oath by you and the ranking minority member at the White House.

Sincerely,  
 RICHARD NIXON

## St. Clair Letter on I.T.T.

Dear Mr. Doar:

With respect to your letter of April 19, 1974, relating to the I.T.T. matter, a review has been made of the material heretofore furnished you relating thereto. As you know, voluminous documents have been made available to you from the files of the Department of Justice and the White House relating to the I.T.T. matter. In addition, you have been furnished tapes

# From St. Clair to Doar

of the conversations that were recorded that comprised the President's participation in the decision whether or not to prosecute an appeal from an adverse lower court decision in this litigation.

It would appear, however, judging from the inclusive dates of Feb. 29, 1972, and April 5, 1972, that the focus of your inquiry has now shifted to that period of time during which the Kleindienst confirmation hearings were in progress. From this we can only infer that you are inquiring into what, if any, participation the President had in connection with those hearings. We are not aware of any allegation that the President had anything to do with these hearings or the preparation of testimony before the Senate Judiciary Committee.

With the exception of the conversation among the President, Haldeman and Mitchell on April 4, 1972, there is no evidence that this subject matter was discussed during any of the conversations covered in your request.

## Review to be Made

A review of the tape of this conversation of April 4, 1972, will be made and a transcript of the pertinent portion thereof, if any, will be furnished to you in a few days.

As you know, the President has published a definitive paper that he believes accurately and completely discloses his participation in the I.T.T. matter; in case you do not have a copy, one is enclosed for your information.

Sincerely yours,

JAMES D. ST. CLAIR  
Special Counsel  
to the President

## St. Clair Letter on Milk Support Price

Dear Mr. Doar:

With respect to your letter of April 19, 1974, relating to the milk support price for 1971-72, a review has been made of the material heretofore furnished you relating thereto.

This review discloses that you have already been furnished voluminous documents from the Department of Agriculture and from the White House relating to this matter. In addition, you have been provided with tapes of the operative discussions during the course of which the decision to increase the support price was reached. The President does not believe that any further production of materials would serve any useful purpose.

In this regard you should be advised that many of the conversations you inquire about were not recorded since they predate the installation of recording systems on White House telephones and in the President's office in the Executive Office Building.

A review of the tapes that have been furnished you should satisfy you that they are comprehensive in scope and, in fact, do constitute the operative discussions in this matter.

As you know, the President has published a definitive paper on this subject that he believes accurately and completely discloses his participation in the decision to set the milk price support at 85 percent for 1971-72. In case you do not have a copy, one is enclosed for your information.

Sincerely,

JAMES D. ST. CLAIR  
Special Counsel to the  
President