

SFChronicle

MAY 31 1974

# Nixon Supports Stans' Defiance of Subpoena

Washington

President Nixon yesterday supported former Commerce Secretary Maurice Stans' refusal to release evidence subpoenaed by a grand jury investigating bribery and conspiracy in connection with Mr. Nixon's campaign fund-raising.

Apparently shrugging off a judge's order that most of the subpoenaed materials must be turned over to Watergate prosecutors, Mr. Nixon signed a formal claim of executive privilege, contending it would be "inconsistent with the public interest" for grand jurors to scrutinize any of them.

The claim was not dated, but a spokesman for U.S. District Judge George L. Hart said it was filed yesterday.

The grand jury has subpoenaed various records belonging to Stans, Mr. Nixon's chief fund-raiser for this 1968 and 1972 presidential campaigns. But Stans has refused to supply them, arguing some are his personal papers and others are protected by executive privilege because of his two-year tenure as a cabinet officer.

Stans nonetheless submitted two batches of the sub-

poenaed documents to Hart for his examination. Hart ruled last week that most of the items in the first batch were not Stans' personal records.

Hart has not ruled on the second batch for which Stans has claimed executive privilege.

But Mr. Nixon's formal claim of executive privilege appeared to cover all of the subpoenaed documents, including those Hart has already ordered to be forwarded to the grand jury.

It is now up to Hart to rule on Mr. Nixon's claim of executive privilege.

"The items sought include communications containing recommendations to the President with respect to personnel selections and nominations," Mr. Nixon said. "Accordingly, I have determined that it would be inconsistent with the public interest to produce these items."

He waived the privilege only in connection with four ambassadorial candidates, whose names and gifts to Mr. Nixon's campaigns already have been discussed publicly.

The grand jury is seeking to determine, among other things, whether high federal jobs were promised or given to major campaign contributors. Mr. Nixon's former personal attorney, Herbert W. Kalmbach, already has pleaded guilty to promising an ambassadorship in exchange for a major campaign donation.

United Press