

Nixon Bars Release Of Stans Documents

By Lawrence Meyer
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President Nixon formally invoked executive privilege yesterday on communications between himself and former Commerce Secretary Maurice H. Stans concerning persons under consideration for federal jobs.

In a three-paragraph statement filed before Chief U.S. District Judge George L. Hart Jr., President Nixon said he was invoking "the constitutional privilege to refuse to disclose confidential information when disclosure would be contrary to the public interest."

The documents, which actually were in Stans' possession, were subpoenaed by the Watergate special prosecutor as part of a federal grand jury investigation into allegations of job-buying by political contributors to President Nixon's re-election campaign.

At the same time, however, President Nixon said that "as a result of certain unusual circumstances," he was waiving the privilege in connection with four candidates for ambassadorial nominations — Dr. Ruth Farkas, Vincent de Roulet, C. V. Whitney and J. Fife Symington. The names of Mrs. Farkas, de Roulet and Symington all were misspelled in the presidential statement.

Stans invoked a personal privilege, which Hart overruled, against turning over personal papers from his file during a hearing on May 17. Hart asked the special prosecutor and Stans' lawyers to file briefs with him on the separate question of whether correspondence between Stans and Mr. Nixon should be turned over to the grand jury.

After inspecting Stans' personal papers, Hart ruled on May 24 that they would be turned over to the grand jury. He has not yet ruled on the

question of executive privilege.

In a brief accompanying President Nixon's invocation of executive privilege, Stans' lawyers argued that courts have consistently upheld the right of a President to withhold from other branches of government information that would reveal "advisory and deliberative communications."

"The more subjective and potentially embarrassing an executive communication is," the brief of Stans' lawyers argued, "the more deserving it is of executive privilege . . . Surely, recommendations by Cabinet officers to the President to appoint or not appoint a certain person are highly subjective, and, politics being what they are, of great potential embarrassment to the adviser, if unfavorable and disclosed."

No explanation has been given by the White House concerning why executive privilege has not been invoked concerning Mrs. Farkas, Symington, de Roulet and Whitney.

President Nixon's former

personal lawyer, Herbert W. Kalmbach, has pleaded guilty to campaign financing law violations involving millions of dollars and the peddling of ambassadorships. Kalmbach also pleaded guilty to a misdemeanor in promising a European ambassadorship to Symington, a Maryland Republican, in return for a \$100,000 contribution.

Mrs. Farkas gave \$300,000 to the Nixon re-election drive and subsequently was appointed U.S. ambassador to Luxembourg. She has denied any connection between the contributions and the appointment.

Whitney, according to Senate sources, told the Senate select Watergate committee that he made a secret \$250,000 contribution to the Nixon re-election campaign when he was expected to be named U.S. ambassador to Spain. Whitney did not get the nomination and his contribution was returned to him.

De Roulet, who is ambassador to Jamaica, donated \$52,000 to the Nixon re-election campaign.