

Nixon Is Planning to Donate Some Papers to U.S.

WASHINGTON, Feb. 17 (AP) —Former President Richard M. Nixon has declared his intention to offer 1,300 cubic feet of pre-Presidential papers to the United States, the General Services Administration said today.

The papers and historical materials have not been previously donated by Mr. Nixon, a G.S.A. spokesman said. They are in addition to previous donations of pre-Presidential papers.

Arthur F. Sampson, head of the administration, said that on behalf of the Government he had accepted Mr. Nixon's declaration of intent to offer the materials from the 1946-68 period and they would be stored at a National Archives facility at Laguna Niguel, Calif.

The declaration of intent was accepted under terms of the 1955 law on Presidential libraries, by which papers of other Presidents have also been accepted.

In his letter declaring his intentions, the former President asked that the materials be kept at a facility "reasonably accessible" to his San Clemente, Calif., home.

Papers and other materials dealing with Mr. Nixon's year as President remain in Washington under court order.

A special three-judge court is to consider ownership of the Presidential papers, which have been the subject of legal action. A lower court ruled that the Presidential Papers was the property of the country and not Mr. Nixon, but that order was stayed pending a decision by the special panel.

In his letter to Mr. Sampson, Mr. Nixon wrote that the offer of the materials to which the agreement was applicable "is conditioned upon the United States, acting by and through the Administrator of General Services, seeking by all lawful means, the eventual creation of a Richard Nixon Library, and accepting it as a Presidential

archival depository from such foundation, university or other organization which constructs, furnishes, equips and offers it to the United States for such use."

The Nixon Foundation, set up by Nixon in 1969 with the goal of creating a Presidential library and museum, has been dissolved. Patricia Reily Hitt, vice chairman of the group, said on Feb. 1 that its trustees approved a plan to dissolve and turn the assets of the foundation over to Whittier College, Nixon's alma mater, which is collecting Nixon materials and papers.

New Law Passed

The foundation had not drawn up plans for a library at the time it was dissolved. Its assets are not known.

A previous Nixon donation of pre-Presidential papers became one of the centers of controversy while he was still in the White House.

On his 1969 income tax return, Mr. Nixon claimed a large deduction for the earlier donation.

A new law covering such donations carried a July 26, 1969, cutoff date. Income tax materials indicating that the donation was made before that time were submitted.

However, those materials were later determined to have been illegally back-dated, since Mr. Nixon did not formally relinquish the papers until after the cutoff.

Edward L. Morgan, the lawyer who back-dated the deed, has since pleaded guilty to attempting to obtain more Federal income tax deductions than were legally due to Mr. Nixon.

Mr. Morgan was sentenced to four months in prison and 20 months probation.

Mr. Nixon's 1969 tax return stated that he had given the Government papers and other materials valued at \$576,000. He claimed a deduction of \$95,298.45 that year and said the balance would be carried over to be used as a deduction in future years. This was disallowed.