

WXPost SEP 25 1974

Senate Panel Acts to Keep Nixon Papers

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The Senate Government Operations Committee unanimously approved a bill yesterday that would repeal an agreement former President Nixon made with the new administration and would order the government to retain custody of and protect Mr. Nixon's presidential papers and tapes.

In other actions concerning Mr. Nixon:

- The House Appropriations Committee approved \$398,000, less than half the \$850,000 requested by the administration, as the first-year cost of maintaining Mr. Nixon as a former President.

Several Democrats on a House Judiciary subcommittee holding hearings on measures dealing with Mr. Nixon's papers and his pardon by President Ford were irritated by what they considered an unresponsive reply by Mr. Ford to a letter from subcommittee chairman William L. Hungate (D-Mo.) asking how Mr. Ford reached his decision to pardon Mr. Nixon for any crimes he may have committed while President.

The Senate bill, whose principal sponsor is Gaylord Nelson (D-Wis.), would specifically abrogate the agreement negotiated with General Services Administration Sept. 7. That agreement provides that Mr. Nixon's presidential records, including tape-recorded conversations, be shipped to California, near his home, that he have control over access to them and that after five years he be authorized to decide which of the tapes should be destroyed. If he died earlier, all the tapes would be destroyed.

The bill, approved 9 to 0, provides that, "notwithstanding any other agreement," GSA shall obtain and retain complete possession and control over all of Mr. Nixon's presidential records. The bill would forbid any of the records to be destroyed except as provided by Congress, provides that they be kept in Washington except for use in court actions, and would direct GSA to issue regulations for public access to them.

The Senate bill deals only

with the question of custody, not of ownership of Mr. Nixon's records. Since Attorney General William B. Saxbe has rendered an opinion that Mr. Nixon owns his records, the bill provides for payment to him if any court rules that the former President has been deprived of his property without due compensation.

This was the most comprehensive and strongest of three measures approved unanimously by the Senate committee yesterday dealing with the Nixon records and the need to protect them from possible destruction.

Another is a sense of the Senate resolution, without force of law, asking President Ford to take all steps neces-

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sary to assure full legal access to the Nixon papers. A third measure would make this a legal directive to the President. These last two measures were sponsored by Senate Majority Leader Mike Mansfield (D-Mont.).

Hungate and several members of his House subcommittee indicated their support of a bill like Sen. Nelson's.

Rep. Don Edwards (D-Calif.), a subcommittee member, said he felt Congress should act quickly to protect the records before the administration ships them off to California.

Many of the tapes and other materials are needed for the Watergate trials. If Mr. Nixon should obtain control over his records and refused to comply with court subpoenas for them, he could be subject to penalties for contempt of court. His pardon applied only to acts committed as President.

The House Judiciary subcommittee is considering, among other measures, a reso-

lution of inquiry introduced by Rep. Bella Abzug (D-N.Y.) demanding that President Ford answer questions about the pardon, including whether a deal was struck with him before Mr. Nixon resigned.

In an effort to decide how to act on Rep. Abzug's resolution, Hungate sent some of her questions to President Ford and asked for answers. A three-paragraph letter came back stating that the President, in a press conference, and his counsel, Philip W. Buchen, at press briefings, had answered Hungate's questions. Transcripts of the press conferences and other releases were enclosed.

Edwards called the President's response "very close to disrespectful." Rep. Abzug said Mr. Ford's letter "demeans the authority and dignity" of the committee.

Hungate, the committee's humorist, said, "Some members feel this was like asking a fellow a question and he sends you a dictionary and says, 'Look it up, all the words are in there.'"

But Hungate also said the "form of the response" was "unsatisfactory" and said he will ask the White House to send up a witness next Tuesday to fill in details, such as how much did Mr. Nixon's health figure in the decision on his pardon.

Several House members appeared before Hungate's subcommittee to urge passage of some kind of legislation to assure that the full story of Mr. Nixon's involvement in Watergate and other possible illegal conduct while President be told to the public. These range from bills to control Mr. Nixon's papers to a directive to the Watergate special prosecutor to tell Congress all he knows of Mr. Nixon's involvement before leaving office.

Rep. Edward Koch (D-N.Y.) said it is essential to spread the full story of Mr. Nixon's full involvement to put down a myth he already finds building that Mr. Nixon was "driven from office by a small band of radicals" and was not guilty.

The \$398,000 approved for pension, office space, staff and special transition-period aid was the same as voted last week by a House Appropriations subcommittee.