

Nixon Agrees to Make Some Of His Old Documents Public

Washington

Former President Richard Nixon has agreed to allow public access to the bulk of 600,000 documents concerning his years in government before he became President, according to documents filed in federal court here yesterday.

The agreement by Nixon represents a major reversal of his position concerning access to such materials. It also ends a lawsuit that has been pending for more than four years, one that sought release of what have come to be known as his vice presidential papers.

In the correspondence filed

here yesterday, U.S. Archivist James B. Rhoads said it was the first time Nixon had allowed public access to materials he had donated to the government, and described it as a "welcome development."

The agreement still blocks access to materials clearly concerning national security or possible invasions of personal privacy, but persons familiar with the documents say few of them should fall into those categories because they were initially screened by Nixon's own staff before he donated them to government in 1968 and 1969.

Nixon's letter to General Services Administrator Joel W. Solomon

proposed the change in the rules of access set forth in the deeds giving possession of the documents to the government.

"I now find that, due to the time elapsed since the date of the conveyances (of the materials), the necessity for total closure of the materials no longer exists, and it is now possible to open the materials in certain respects for research and historical use," Nixon said in the letter, which was dated March 22.

The amendment to the deeds came three months after the U.S. Court of Appeals had ordered U.S. District Judge Joseph C. Waddy to reinstate the suit over the papers, which was brought by Robert M. Brandon, head of the Tax Reform Research Group, a Ralph Nader-connected group. Waddy had dismissed the case, saying the documents were exempt from the Freedom of Information Act.

"Basically, we wanted to free the documents up for scholars," said Brandon's attorney, Alan B. Morrison, Tuesday. He also pointed out that the suit was filed at a time when controversy surrounded Nixon's claim that the donation of the materials was tax-deductible, so the Nader-connected tax group was interested in that aspect.

An investigation in 1974 by the Watergate Special Prosecution force and other investigative bodies showed that a deed used in connection with the donation was backdated so Nixon could receive tax benefits in connection with the gift. Nixon lawyer Edward Morgan was convicted of defrauding the government for his role in backdating the deeds.

At the time of the original donations in 1968 and 1969, Nixon placed detailed restrictions on access to the papers until his terms as President ended. When he resigned from the presidency in August 1974, he signed new deeds extending the restrictions on access to 1985.

In the correspondence filed yesterday, Rhoads said the material should be available to the public within 120 days. Solomon said some of the documents are at the federal record center in Laguna Miguel, Calif., and the others will be sent there soon.

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