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Access Issue Nears Vote

Senate Fight on Tapes

Washington

The Senate pushed toward a final vote yesterday on a bill to assure the public and courts full access to Richard M. Nixon's White House tapes and papers.

By voice vote, senators adopted a resolution urging

President Ford to do what he could do to make public all the facts about the Watergate scandal, including any relevant documents from Mr. Nixon's 5½ years in office.

But the big battle was over the bill giving the federal government custody

and control of the tapes and papers, a measure designed to overturn an arrangement Mr. Nixon worked out with the Ford administration before he was pardoned last month.

The bill, sponsored by Senator Gaylord Nelson (Dem-Wis.), was prompted by a

provision in the Nixon-Ford agreement that would allow the former President to destroy the papers after three years and the tapes after five years. In case of Mr. Nixon's death the tapes would be destroyed immediately.

"Destruction of these materials would conceal forever the truth about the Watergate scandals," Nelson said. "Our generation and future generations would thus be unable to learn exactly what happened and why."

Senator Roman L. Hruska (Rep-Neb.), led the fight against the bill, calling it unconstitutional on grounds it would violate the concept of executive privilege and infringe on Mr. Nixon's freedom of speech and his right to privacy.

"If the President's papers can be seized and disclosed to the world, then surely the private papers of a senator or a congressman or perhaps a corporation president, union leader or other well-known person could be seized and disclosed to all potential litigants and to the curious," Hruska said.

After Hruska ended a two-hour attack on the bill, action was delayed until today. Hruska indicated he will try to block final consideration then by sending the measure to the Judiciary Committee for more study.

Senator Robert Griffin (Rep-Mich.) attempted to require that the official papers of all future Presidents and of members of Congress are public property, but his amendment was killed, 47 to 32.

"What did we have to do with Watergate?" asked Senator Russell B. Long (Dem-La.) in arguing against the Griffin proposal.

Senator Charles Percy (Rep-Ill.), a sponsor of the Nelson bill originally proposed the Griffin amendment but withdrew it for fear it would damage chances of House passage of the bill.

Nelson, Percy and others argue that any President's papers are actually government property, even though former chief executives traditionally have claimed them as their own.

The bill does not touch on the question of ownership of the Nixon tapes and papers.

It deals only with possession, but would allow Mr. Nixon to be paid if a court rules that the bill results in the taking of his property without compensation.

Associated Press