

Senate Urges Ford To Protect Nixon Data

By Richard L. Lyons
Washington Post Staff Writer

The Senate passed a resolution yesterday urging President Ford to assure public access to former President Nixon's tape recordings and papers that bear on Watergate. But it delayed action until today at least on a bill to make certain this happens.

The bill would overturn the agreement between Mr. Nixon and the government which gives him control over his presidential records and provides for destruction of his tapes at his death. The bill orders the government to keep possession and control of the documents and forbids destruction of any except as approved by Congress.

Action was delayed yesterday by Sen. Roman Hruska (R-Neb.), who contended that the bill raised constitutional questions that should be considered at public hearings in the Judiciary Committee. The bill had been approved without hearings by the Senate Government Operations Committee.

Hruska said the government's taking of records that

traditionally have been considered the personal property of Presidents would be an unconstitutional bill of attainder (punishment without trial), would breach an agreement after the fact, would take property (the bill provides for compensation should courts rule that Mr. Nixon owns the documents) and could violate rights of parties to taped conversations who did not know their words were being recorded.

Hruska said he was opposed to destruction of the Nixon records and favored public ownership of presidential papers. But he would broaden the bill to provide that the official papers of all Presidents and members of Congress shall be considered public property.

Many sponsors of the bill would favor legislation making presidential papers public property. But they fear that adding it to this bill would jeopardize what they consider emergency legislation to prevent destruction of Watergate material needed for trials and public knowledge.