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Senate Votes Bill On Tapes

U.S. to Keep Control; Fund Cut by Panel

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The Senate passed yesterday a bill to repeal the agreement that would give Richard M. Nixon control of his presidential records. The measure, approved 56 to 7, instead would keep the Nixon documents under government control to prevent their destruction.

Meanwhile, the Senate Appropriations Committee unanimously agreed to cut funds for first-year support of Mr. Nixon as a former President to the $200,000 approved by the House. The administration had asked for $850,000.

The bill to preserve the Nixon tape recordings and papers and assure their availability to courts and history took shape quickly after Mr. Nixon signed an agreement with Arthur Sampson, General Services administrator, by which the government agreed to ship the records to California and give Mr. Nixon a key to the vault.

The agreement provided that Mr. Nixon's tape recordings, which may contain untold parts of the Watergate story, would be destroyed upon his death. Also he could have ordered any materials destroyed in 1979, the year in which the entire collection would revert to government ownership.

The bill orders GSA to keep possession and control of all Mr. Nixon's presidential tapes, papers and other records and forbids destruction of any of them except as approved by Congress. It also stipulates that the documents be made available for trials, and orders GSA to draw up regulations for public access.

The bill does not deal with the question of ownership. But it provides for payment of just compensation if courts should rule that the records belong to Mr. Nixon, as Attorney General William B. Saxbe has said they do.

Sponsors said the bill was emergency legislation that is needed to protect the tapes should Mr. Nixon die soon or refuse to turn them over for court use.

But Sen. Roman Hruska (R-Neb.) fought the measure for two days, contending it raised constitutional questions of punishment without trial, breach of contract, and rights of privacy of unknowing parties to taped conversations.

Minority Leader Hugh Scott (R-Pa.) called it a "political bill, brought here at a political time for political reasons." He backed Hruska's attempts to delay and change the bill, but finally voted to pass it. The House is not expected to take any action on the measure until it returns from the November election recess, which starts Oct. 11.

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Hruska said he favored public ownership of presidential papers and offered a substitute that would make official papers of presidents, as well as members of Congress, public property. Sponsors of the original bill rejected this on the ground that the question of ownership was too large an issue to pass quickly.

Of Washington-area senators, only William L. Scott (R-Va.) voted against the bill and for efforts to delay or change it.

The Senate Appropriations Committee's action not only whittled down taxpayers' support for the former President by more than 75 per cent of the request for the period ending next June 30, but also imposed some limits on how the money can be spent.

The report accompanying the bill directs that federal employees detailed to Mr. Nixon during his first six months out of office be engaged directly in transition duties, such as answering mail and arranging his presidential papers (which he won't receive if the other bill is enacted). The purpose is to stop providing at public expense a butler, maid, three military drivers and a medical corpsman to the Nixons at San Clemente.

Mr. Nixon has received various types of assistance from about 25 federal employees who have been assigned by the White House and other agencies to help him since he resigned on Aug. 9. The Senate committee wrote a provision into the bill limiting the six-month payroll for such help to $220,000.

As reported to the Senate for action next week, the bill also contains a House-passed provision stating that none of the funds could be used to deliver Mr. Nixon's records from federal custody.

The funds approved for Mr. Nixon are broken down this way: $100,000 for his use during the transition period; $55,000 for his pension during the 11 months in the fiscal years that he will be eligible, and $45,000 for staff and office equipment during the five months left in the fiscal year after the transition period ends on Feb. 9.