

House OKs Bill On Nixon Tapes

Washington

The House passed by voice vote yesterday a measure that would nullify an agreement former president Nixon made with a government agency giving him possession of his tapes.

The measure will be sent to the Senate to adjust minor differences before it goes to the White House.

The U.S. District Court here already had issued a temporary restraining order barring any movement of the tapes provided in the September 7 agreement signed by Mr. Nixon and the General Services Administration.

Judge Charles R. Richey, who issued the order last month, has said he would welcome congressional action in the case. The bill, if it is signed into law by President Ford, would give Richey a reference in law for his final ruling.

The bill, however, makes no mention of the ownership of the 42 million records and documents of Mr. Nixon's administration, including his clandestine tape recordings that he could destroy after

five years. Richey will still have to resolve that question.

Mr. Nixon had brought suit in court to enforce the terms of his GSA agreement but it became bogged down in countersuits and interventions by various groups. Part of the agreement states, "the tapes shall be destroyed at the time of Mr. Nixon's death or on Sept. 1, 1984, whichever event shall first occur."

The measure given final congressional approval yesterday would provide that the GSA retain custody of all tapes, papers and other materials which might be historically significant to Mr. Nixon's presidency.

It would bar destruction of any of the material unless provided by law and would be available for use in judicial proceedings, with priority to the special prosecutor's office. Mr. Ford agreed with prosecutor Henry Ruth last month to give him access to the tapes for use in the Watergate coverup trial and the tapes Ruth wanted have been played in open court.

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