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NIXON TO CHALLENGE CONGRESS ON TAPES

WASHINGTON, Dec. 16 (Reuters)—Former President Richard M. Nixon plans to challenge the constitutional right of Congress to provide public access to his White House tape recordings and documents, his lawyers disclosed today.

Congress approved legislation last week to bar Mr. Nixon from taking possession of his Presidential recordings and papers and to permit access to the records of his Administration under the Freedom of Information Act.

President Ford has yet to sign the bill into law, Mr. Nixon's chief lawyer, Herbert Miller, told a Federal District Court. The former President "will undoubtedly file suit to enjoin the effect of the statute on constitutional grounds," he said.

In papers filed with Judge Charles Richey, Mr. Miller said that Mr. Nixon would challenge the right of Congress to deprive a former President of the right to keep his Presidential records confidential by arbitrarily confiscating his papers without due process of law.

The suit will also challenge the bill as an invasion of privacy "in a manner abhorrent to the traditions of this nation."

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