

Justice Dept. Looking Into Times Ad

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A possible violation of the 1971 Election Campaign Act by the New York Times, in connection with an advertisement calling for impeachment of President Nixon, has been referred to the Justice Department "for appropriate action."

Phillip S. Hughes, director of the Office of Federal Elections, said it wasn't enough that The Times printed a notice in its Wednesday edition stating that a disclaimer of candidate financing or authorization was inadvertently omitted from the advertisement.

"When an ad attacks a federal candidate," Hughes said, "the newspaper must obtain a statement in writing from the person placing the ad that no federal candidate authorized the expenditure for the advertisement. The Times did not obtain such a statement . . ."

The two-page advertisement appeared on May 31 under the headline, "A Resolution to Impeach Richard Nixon as President of the United States." It said Mr. Nixon committed "high crimes and misdemeanors" in connection with the war in Vietnam.

A Times spokesman said a

disclaimer was not published with the ad because the employee responsible for such action did not feel it was involved with the President's candidacy or the campaign.

A disclaimer later was obtained from committee chairman Randolph Phillips who said the ad was neither authorized nor paid for by any candidate.

Activist Rennie Davis suggested that the Nixon administration might be trying to "create another Chicago" in Miami Beach next month, hoping to embarrass the Democrats and justify banning demonstrations at the GOP convention in August.

One of the Chicago Seven accused of causing trouble at the tumultuous 1968 Democratic National Convention, Davis is an organizer of protests at both party conventions in Miami Beach this year.

But he said disruption was not the goal of this year's demonstrations. He said in an interview that the Miami Beach city council recently has made "a couple of decisions with respect to permits that have all the trappings of another Chicago" after indicating an initial desire to avoid a confrontation.