

Common Cause Suit Asks Names of Donors to Nixon

**Aim of Gardner's Action
Is to Reveal Source of
Estimated \$10-Million**

By BEN A. FRANKLIN

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WASHINGTON, Sept. 6 — President Nixon's national campaign apparatus and 10 of its top officials were sued today in Federal District Court in an effort to force them to disclose the sources of an estimated \$10-million or more in concealed political contributions.

The suit was filed by Common Cause, the 200,000-member reformist "people's lobby," and by its founder and chairman, John W. Gardner. Mr. Gardner is a registered Republican who was Secretary of Health, Education and Welfare under President Johnson.

The suit rests on several interpretations of the old Federal Corrupt Practices Act of 1925, under which there were no successful prosecutions in its 47-year lifetime.

Early Trial Sought

Common Cause lawyers asked for an expedited, pre-election trial. But Mr. Gardner said glumly that there was a "bipartisan tradition" that Attorneys General are more often "political agents" than impartial prosecutors. The Justice Department's role in the dispute could be decisive in causing delays, he said.

The suit was assigned to Judge Joseph C. Waddy, a Democrat appointed by President Johnson in 1967.

There was no comment on the suit today from Mr. Nixon's campaign headquarters.

The White House, it was reported, reacted to advance press notices of the suit late yesterday with overtures to Mr. Gardner, including a letter, delivered to him at 10:35 P.M., seeking "reconsideration" of his "provocative" lawsuit. Mr. Gardner said this proposal had come too late.

Negotiations Asked

At a news conference this morning in the Statler-Hilton Hotel, Mr. Gardner said that until last night, Clark MacGregor, chairman of the Committee for the Re-election of the President, did not respond for more than four weeks to an Aug. 7 letter from Common Cause seeking possible negotiations on the quest for disclosure of contributions made to Mr. Nixon's various campaign



Associated Press

John W. Gardner at his news conference.

treasuries before April 7.

April 7 was the effective date of the Federal Election Campaign Act, which superseded and repealed the Federal Corrupt Practices Act.

The four main Nixon campaign finance committees here have maintained that under the old law—that is, until April 7—they were legally permitted to conceal the names of donors and the amounts of their contributions.

Mr. Nixon's campaign financial aides have filed the contributor disclosure reports required after April 7.

Mr. Gardner said that last night's letter was preceded by two telephone calls from the White House. One of the callers

was Leonard Garment, a special consultant to President Nixon, Mr. Gardner said.

In the letter, which was signed by Stanley Ebner, counsel to the re-election committee, the Republicans argued that the committee "was not a political committee within the meaning of [the old] law because it was solely for the re-nomination of the President, not his election" and also because it was solely for the re-District of Columbia.

"This is a most difficult time for the political process," the letter continued. "Already there have been charges and countercharges as to compliance under the new disclosure law. Your apparent intention to provoke further inquiry into what is now well-settled and non-controversial [The Nixon Non-disclosures] can only add to confusion, which is certainly not needed."

"To my knowledge," the Republican lawyer wrote, "the

Corrupt Practices Act never has been interpreted in the manner you know suggest. It was specifically this failure of the former law to require reporting that led to enactment of the Federal Election Campaign Act."

The Common Cause suit was a class action complaint alleging wide violations of the old law. It contended that the violations were still punishable under the five-year statute of limitations in the expired law and under the so-called general saving statute, a law that permits litigation of some old disputes under expired laws.

The complaint sought an injunction that would compel the disclosure of all Nixon contributions made between Jan. 1, 1971, and April 7, 1972.

The defendants were the Finance Committee to Re-elect the President and its chairman and treasurer, Maurice H. Stans and Paul Barrick; the Victory '72 Dinner Committee and its chairman and treasurer, Lucius D. Clay and Julian O. Kay; the Media Committee to Re-elect the President and its chairman and treasurer, Eveline M. Hyde and Kenneth K. Talmadge; the Television Committee to Re-elect the President and its chairman and treasurer, J. Taylor Washburn and Jane M. Dannenhauer, and the Radio Committee to Re-elect the President and its chairman and treasurer, Yolanda Dorminy and Judith G. Hoback.