

COURT TO GET PLEA ON G.O.P.'S RECORDS

Common Cause to Demand
That Financial Papers Be
Produced in 72 Hours

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WASHINGTON, April 21 —

Common Cause plans to ask the Federal District Court Monday to force production of missing Republican financial records within 72 hours.

The step will be one more in a long struggle, full of twists and turns, to produce detailed contribution and spending records of President Nixon's re-election campaign for the period before April 7, 1972.

After that date, detailed records were required by new election campaign laws. Last Sept. 6, Common Cause filed suit seeking disclosure before April 7 under the old Federal Corrupt Practices Act.

Maurice H. Stans, chief fund raiser for the re-election campaign, said that the records in question had gone from Washington to a New York warehouse, then back to one of the committees in Washington and then to another, according to testimony before Federal Judge Joseph C. Waddy.

The suit was an outgrowth of a campaign started in February, 1972, by Common Cause to get all candidates to disclose their sources of contributions. Democratic candidates for the Presidency protested and "grudgingly" produced the figures, according to Mitchell Rogovin, one of the lawyers for Common Cause.

Class Action Suit

He said that the Republicans had refused, and that after letters and meetings brought no results, a class action suit was filed to enforce the criminal provisions of the Corrupt Practices Act. Citizens may file suits for enforcement of laws if a prosecutor fails to act.

In this case, Mr. Rogovin said, the Justice Department ruled that any action to enforce the law could come only after

a complaint from the Clerk of the House of Representatives, who is a custodian of campaign records, and that there had been no such complaint.

Mr. Rogovin said that Common Cause was seeking only records of gifts to the campaign, not expenses, but that the Corrupt Practices Act required that expenses be included.

He said that Common Cause had offered to drop its demand for disclosure of expenses if the Republicans would completely disclose contributions. He said that they had refused to do this, so expenses were still an issue.

Mr. Stans has said that the Republican position is that

many gifts were given to the party's campaign with the understanding that the sources would never be disclosed, and that to disclose them would be an invasion of privacy.

On Nov. 1, lawyers for the re-election campaign signed an interim consent order and a stipulation to turn over by last Nov. 6 "all records, documents, communications and other writings belonging to the committees . . . for the period from Jan. 1, 1971, through April 6, 1972, pertaining to contributions and expenditures for such period."

Few Records Turned Over

Kenneth J. Guido, lawyer for Common Cause, said that only a few contributions records and hardly any expense records had been turned over under the interim consent order.

The records in question may cover such things as the financial arrangements made for the Watergate affair, since the records thus far turned over do not reflect such spending, according to Mr. Guido.

They may also shed light on what one expert on campaign financing estimates is \$10-million in unreported spending on the part of the President's backers.

Last Wednesday, Mr. Stans met with John W. Gardner, chairman of Common Cause. He was attempting to settle the lawsuit out of court, but Mr. Gardner said that he would not do so.

At that time, Mr. Gardner said, he mentioned to Mr. Stans that the records had not been turned over as agreed, and that 5½ months had passed.

Mr. Guido, who also attended the meeting, said that Mr. Stans had indicated that the records had gone to the accounting office of Henry M. Buchanan in Bethesda, Md. Mr. Guido identified Mr. Buchanan as the brother of a White House speechwriter, Patrick J. Buchanan.

Wanted as Witnesses

Common Cause has attempted to subpoena Mr. Buchanan, who is in Florida, and his partner, George F. Lynch Jr., in its search for the records. Last Thursday, a Washington lawyer, Peter H. Wolf, said that an anonymous client had received eight cartons of documents from the White House complex on the day after the Watergate break-in last June and had hidden them until after Election Day, when they were turned over to the Committee for the re-election of the President.

Mr. Guido, asked if the records that Common Cause was seeking might be the same ones, said, "They may be, or there may be two sets of records."