

Nader Sues Over U.S. Pay to

By Morton Mintz

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Treasury Secretary George P. Shultz was sued yesterday for allowing White House officials to collect salaries from the taxpayers while reputedly spending most of their working time trying to re-elect President Nixon and Vice President Agnew.

The suit, filed by Ralph Nader and his Public Citizen, Inc., a non-profit organization, asks the U.S. District Court to require Shultz to recover salaries paid to Charles Colson, special counsel to the President; Robert H. Finch, counselor

to the President; Herbert G. Klein, director of communications for the executive branch, and others who devoted "substantially all of their working time to the campaign . . ."

Nader, in a statement, acknowledged that some presidential incumbents in the past have engaged in similar practices on what he called "a small scale," and that a similar "misuse" of personal and even committee staff members is widespread on Capitol Hill.

But, he said, "never before has there been such an open, flagrant and large conversion of taxpayer revenues and government facili-

ties for a re-election campaign."

The basis for the suit is the Constitution, which says in Article I, Section 9, that, "No money shall be drawn from the Treasury, but in consequence of appropriations made by law. . . ."

This constitutional command is reflected in the United States Code, which says in Title 31, Section 628, that appropriations for "the public service shall be applied solely to the objects for which they are respectively made, and for no others."

The complaint says taxpayers, including Nader and Public Citizen, Inc., were picking up the tab for the use of the White House, the Executive Office Building, telephones, transportation and other items for campaign purposes.

The Treasury Department said it has not seen the complaint, which is believed to be the first lawsuit of its

Nixon Aides in Campaign



From left, White House aides Charles W. Colson, Robert H. Finch, Herbert Klein.

kind, and referred questions to the Justice Department. That department had no comment.

Nader released a letter from the State Department acknowledging that the cost of 10,000 mailing labels it

had supplied to the White House "should not be borne by the taxpayer."

The labels had made their way from the White House to Democrats for Nixon, which used them on Nixon campaign materials. After

this was reported on Sept. 27, Alan B. Morrison, who filed yesterday's lawsuit, protested to Secretary of State William P. Rogers that this was "a clear diversion of public moneys for private political purposes."

Acting Assistant Secretary John Richardson Jr., in a letter to Morrison on Oct. 18, agreed. He added that Leo Cherne, vice chairman of Democrats for Nixon and president of the Research Corp. of America, "is reimbursing the Department of State for these costs."

Morrison also wrote to Shultz on Oct. 10 and again on Oct. 24 to ask him to prevent payment of further salaries to Colson and the others, and to recover earlier salaries paid them while they were working on the campaign. Shultz has not replied.

Nader's statement claimed the following additional evidence of campaigning at the taxpayers' expense:

- An Aug. 28 memo, published by The Washington Post, in which Colson told the White House that "every single one" of the remaining 71 days before the Nov. 7 election "is a campaign day . . . every day has 24 hours. . . . Think to yourself at the beginning of each day, 'What

am, I going to do to help the President's re-election today?'"

- A Wall Street Journal article on Sept. 26 about Finch's role as a full-time campaigner.

- Klein's own recognition, on the Dick Cavett Show on ABC-TV on Nov. 2, that the election campaign was making major inroads on his time.

The lawsuit, which was assigned to Judge June Green, asks that Shultz be ordered to investigate how much public money has been spent on salaries for presidential aides while the taxpayers were being deprived of their services.

The suit also asks the court to direct Shultz to file a report within 90 days detailing the nature of his investigation, naming all the salaried persons who devoted substantially all of their working time to reelecting the President, and reciting the steps he has "already undertaken" to recover their salaries.