G.O.P. Agrees to Disclose Two New Lists of Donors

NYTimes NOV 2 1972

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Special to The New York Times

WASHINGTON, Nov. 1 — President Nixon's main election finance committees agreed under court and political pressure today to disclose before Election Day the names of some hidden donors.

For months the Republicans had fought efforts to persuade them to disclose voluntarily the names of those who helped raise more than $10-million for the party prior to new legislation making such disclosures mandatory.

One list, covering contributions of $1,000 or more given to the Committee for the Re-election of the President between January, 1971, and March 9, 1972, is to be released before 9 P.M. tomorrow under terms of an out-of-court agreement reached here today and approved by Federal District Judge Joseph C. Waddy.

A second list, reporting contributors of $100 or more over the same time, is to be made public by noon Sunday.

Although both lists together are to cover the 14-month period during which Mr. Nixon's re-election campaign was being geared up, the gap in the forthcoming lists between the March 9, 1972, cut-off date under old legislation and the April 7 effective date of the new and more stringent Federal disclosure provisions is significant.

The period from mid-March to April 6 is believed to have

Continued on Page 34, Column 5

Continued From Page 1, Col. 7

been the time of the heaviest and most potentially controversial Republican contributions. Some experts on campaign spending have estimated the unknown total at nearly $20-million.

Moreover, the Republican disclosure will contain no public information about expenditures.

Under today's settlement, both the contribution and expenditure data for the full period to April 7 are to be filed and locked under unusual security arrangements with the Clerk of the District Court. Only lawyers for the disputants in the suit for disclosure brought by Common Cause, the citizens' lobby, are to have access to them.

This may make it difficult or impossible for other investigators, such as those of Congressional committees, to see the Republicans' finance records until the trial is completed next year.

The contributors to be named reportedly gave Mr. Nixon's re-election campaign more than $6-milion that has never been identified by source.

The Republicans' agreement to publish the first and most politically significant one tomorrow — five days before Election Day—was viewed by critics as an admission that political pressures centering on Mr. Nixon's concealed campaign fund-raising and spending generally had risen to potentially troublesome levels.

Although lawyers for the Republican finance committees denied it today, Common Cause spokesmen said that one important aspect of today's settlement was that it avoided having Maurice H. Stans, Mr. Nixon's former Secretary of Commerce and now his chief fund-raiser, testimy in open court before Election Day.

Stan's Role Cited

In a "victory" statement, John W. Gardner, Common Cause chairman, said the postponement of Mr. Stan's testimony "obviously" had been the Republicans' chief concern.

Mr. Stans has been repeatedly identified both by Democratic critics of the Nixon campaign organization and in official Government reports as the chief chief strategist of the Republican campaign fundraising that took place before April 7, the effective date of the new Federal Election Campaign Act.

His name and that of Hugh W. Sloan, a former Stans aide, have also been linked with the financing of the alleged bugging of the Watergate offices of the Democratic National Committee here and with the concealment in an office safe of $350,000 in cash for which expenditure records apparently were destroyed.

Mr. Stans had been scheduled to be the first witness in the trial which was postponed as a result of the agreement to publish the Republican contributor lists. Mr. Sloan would have been summoned next.

The trial involves a suit brought Sept. 6 by Common Cause, to force an even fuller disclosure than the one agreed to today.

Goals of Common Cause

The Common Cause interest in accepting today's agreement was a partial Republican disclosure—before Election Day.

Had trial of the suit begun today as planned, it almost certainly would have been weeks or months before any Republican disclosures took place, assuming the court had ordered them in the end.

Common Cause retained its right to press its suit for fuller Republican disclosures later, and lawyers said that would probably reach trial early next year.

Senator George McGovern, the Democratic candidate for President, and his principal Democratic opponents in the spring primaries, all have made voluntary contribution disclosures covering the period for which the Republicans until now have not issued disclosures.

In a statement yesterday, the General Accounting Office here said that an investigation of McGovern Financial statements since April 7 by its campaign spending auditors had disclosed errors caused by careless bookkeeping and "significant" discrepancies in internal transfers of money from one McGovern committee to another.

But the G.A.C., said that none was serious enough to warrant a recommendation of criminal prosecution to the Justice Department, as the Government "watchdog" agency did last August following an inquiry on Republican spending. The G.A.O. audit of McGovern records had been demanded by Senator Robert Dole of Kansas, the Republican National Chairman.

Old and New Acts

The March 9 cut-off in the forthcoming Republican disclosures was the date of the last contributor disclosure report under the old Federal Corrupt Practices Act of 1925. It was automatically repealed by the new Federal Election Campaign Act when the new law became effective April 7.

The Republicans did not file a March 9 statement. They maintained that under the old act, contributor reports were required only of candidates in general elections—not in primaries.

The Republican position, challenged in the Common Cause suit, was that President Nixon was merely a candidate for renomination — legally a "primary" candidate—until his can candidate at the Republican candidate at the Relican National Convention in Miami Beach on Aug. 23. Thus, they argued, no disclosure was required until the new act took effect April 7. The new law explicitly covers primary election funding.

In earlier efforts to prevent any pre-April 7 disclosure, Republican lawyers had argued that campaign contribution disclosure, as a concept, was an unconstitutional invasion of the donors' rights to free speech and freedom of association. To disclose, they said, would "betray" Republican contributors' faith in promises of nondisclosure.

In explaining the Republican shift today at a news conference on the steps of the United States Courthouse here, one of their lawyers, Kenneth W. Parkinson, said it was "absolutely incorrect" to assert—as Mr. Gardner had just done—that the switch had been dictated by a Republican necessity to keep Mr. Stans from the witness stand.

The real reasons for the settlement, Mr. Parkinson said, were that Republican lawyers had been 'pressed for time' in preparing a defense during the climax of the Presidential campaign, and also to end 'rather folish thoughts and comments' that Nixon campaign finance records had ben destroyed by placing them all under seal in the courthouse. He did not identify the source of the 'comments.'

In a further statement tonight, Mr. Stans asserted that the more intense interest in the settlement had been Mr. Gardner's.

Common Cause and its leader, the Stans statement said, had indulged in such a 'partisan political' lawsuit that they risked 'heavy personal damages' and the loss of the Common Cause tax exemption should the courts later hold the sult to be 'political harassment.'

Mr. Stans also disclosed that at least some of the Republican contributors to be named tomorrow and over the weekend had given their permission to be identified. The Stans statement said:

"This committee at all times could have derived political advantage from revealing the names of all contributors and ending this phony secrecy issue once and for all. We refused to do so because we refused to break faith with our contributors. Before the compromise was accepted, we polled most of the major contributors affected and I am grateful to them for their willingness to waive the right of privacy in order to get this diversionary lawsuit out of the way."