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GAO Sees New Violation In Ad by Nixon Committee

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The General Accounting Office accused President Nixon's re-election committee yesterday of an "apparent violation" of federal law in publishing a newspaper ad that purported to show citizens' support for the President's decision to mine Haiphong harbor last May.

The GAO report was the fifth since August charging the Committee for the Re-election of the President with apparent violations of campaign finance or other federal laws. The report was referred to the Justice Department for possible prosecution.

The ad, which appeared in The New York Times last May 17, criticized a May 10 Times' editorial opposing the Haiphong mining. It was headed "The People Vs. The New York Times" and was signed by 14 persons. Nowhere was the re-election committee mentioned in the ad, which the GAO cited as an apparent violation of the federal law.

The Washington Post first reported on the ad April 25.

The GAO, the investigative arm of Congress, is not itself authorized to bring criminal charges. It can cite "apparent violations" of the law and bring such matters to the attention of the Justice Department, as it did yesterday.

The report, prepared by GAO's Office of Federal Elections, states GAO found that:

- The ad was prepared by the November Group, the advertising arm of the re-election committee.

- Charles W. Colson, who at the time the ad appeared was special counsel to President Nixon, "informed us that he reviewed the draft and probably made changes in it." (November Group officials told The Post last week that Colson initiated the idea and wrote the copy for the ad.)

- The ad was paid for with \$4,400 in cash supplied by the re-election committee's finance unit. None of

the 14 signers contributed to the cost of the ad.

- The ad did not contain the name of either the re-election committee or finance committee, or any officers of either committee, as required by law.

- Seven of the signers were personal friends or relatives of the November Group staff.

The same ad had been cited in the fourth GAO report last week as being in apparent violation of another law, the Federal Election Campaign Act, in that the \$4,400 expenditure to pay for the ad was not reported to the Office of Federal Elections.

Phillip S. Hughes, director of the Office of Federal Elections, said yesterday that GAO had been unable to determine "which individuals involved may be considered liable" for the apparent law violations and asked that Justice investigate this aspect further to determine whether any individuals should be charged.

So far, the re-election committee has pleaded no contest to eight counts of violations of campaign law and was fined \$8,000 in January. On Wednesday, the Justice Department followed up another earlier GAO report and filed criminal charges against the re-election committee for failing to report publicly a \$200,000 cash contribution from Robert L. Vesco, an alleged international swindler.

Among the GAO reports pending before the Justice Department is one from last week accusing the re-election committee of two other apparent law violations in failing to report expenditures that were used to spy on radical groups and to drum up support for the Haiphong mining.

The GAO last August also asked the Justice Department to investigate a secret committee fund that, investigative sources told The Post, fluctuated between \$350,000 and \$700,000. The fund was located in the office of Maurice Stans, the finance committee chairman. The Justice Department has never responded to that request.

A Justice Department spokesman said yesterday that the latest report would be reviewed, but had no other comment.