

Hoffa Sues Nixon for Free Role in Union

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Special to The New York Times

WASHINGTON, March 13—James R. Hoffa, the former president of the International Brotherhood of Teamsters, filed a lawsuit today against President Nixon and Attorney General William B. Saxbe, charging that they had illegally prevented him from holding union office.

The suit is an effort to remove the major obstacle to Mr. Hoffa's proclaimed goal of winning anew the union presidency, a post he held before serving prison terms for mail fraud and jury tampering.

Depositions, testimony and other documents related to the lawsuit filed today could produce more of the explosive disclosures that have deepened the crisis of Mr. Nixon's Presidency since the Watergate burglary on June 17, 1972.

The legal action today, filed in the United States District Court here, is a civil rather than a criminal suit. However, some of its allegations accuse Government officials of activities that could be construed as criminal.

Among the allegations is the charge that the Government barred union activity by Mr. Hoffa in return for favors from the current teamster president, Frank E. Fitzsimmons.

The stipulation in President Nixon's grant of clemency prohibiting union activity by Mr. Hoffa for 10 years was designed to protect Mr. Fitzsimmons from being forced out of office by Mr. Hoffa, the suit alleges. In return, the suit contends, Mr. Fitzsimmons contributed political aid, campaign donations and other services for Mr. Nixon and certain of his assistants.

Many of the charges listed

in Mr. Hoffa's suit are being looked into by the special Watergate prosecutor's office and by the Senate Watergate committee.

Mr. Hoffa was released from a Federal prison in Lewisburg, Pa., on Dec. 22, 1971, after Mr. Nixon granted executive clemency. Mr. Hoffa had been in prison since March 7, 1967.

The order releasing Mr. Hoffa stipulated that he "not engage in direct or indirect management of any labor organization prior to March 6, 1968."

Today's suit contends that the restriction on Mr. Hoffa's activities is without precedent among Presidential grants of clemency and is illegal. It also asserts that Mr. Hoffa was not informed of these restrictions until some time after his release and that he personally had never accepted any conditions for the clemency granted him.

The suit contends that neither the Attorney General at the time, John N. Mitchell, nor the pardon attorney involved, nor any member of the Justice Department recommended to Mr. Nixon that the restriction be placed in the commutation of sentence.

But the suit charges that Charles W. Colson, former special counsel to Mr. Nixon, caused the conditions to be added to the clemency order "pursuant to an agreement and conspiracy by and between said Colson, Frank Fitzsimmons, general president of the International Brotherhood of Teamsters, and other persons whose identity is not presently known."

According to the charges, Mr. Fitzsimmons' purpose in entering the alleged conspiracy was to keep Mr. Hoffa from challenging him for the presidency of the union.

In return, the suit alleges Mr. Fitzsimmons performed or

caused the performance of a number of services for Mr. Colson and Mr. Nixon.

One of these, according to the suit, was the appointment of Mr. Colson, or his law firm, as general counsel to the teamsters' union. Mr. Colson recently left the firm, Colson & Shapiro, after his indictments by two grand juries.

Another was Mr. Fitzsimmons' endorsement of Mr. Nixon's re-election in 1972 and his efforts in persuading the teamsters' union to endorse Mr. Nixon, the suit contended.

It also said that Mr. Fitzsimmons gave financial support and sought to have his union provide financial support for Mr. Nixon's 1972 campaign. Contributions reported by the teamsters in 1972 were relatively small. However, Mr. Hoffa and others have stated they were told that campaign contributions funneled through Mr. Fitzsimmons and his union were very high with some reports putting the total over \$600,000. Mr. Fitzsimmons and the union have denied these reports.

Finally, the suit alleges that Mr. Fitzsimmons and his union supported the policies of Mr. Nixon and his Administration as part of its payment for keeping Mr. Hoffa from holding union office.

The suit does not list Mr. Fitzsimmons or Mr. Colson as defendants, nor does it ask the court for any penalties.

It does ask relief for Mr. Hoffa from the restrictions of his holding union office. It notes that Mr. Hoffa plans to run for the presidency of Teamsters Local 299 in Detroit this year. Mr. Hoffa has made it clear that he plans to run against Mr. Fitzsimmons for the union presidency.