

SEP 9 1972

Dear Js,

This will deal with The Watergate Caper but I'll be filing it under Journal.

I guess that despite everything I don't get depressed easily. Hearing of the Common Cause suit tonight on TV reminded of the story about the closing of the stable door. I think there is absolutely no doubt about the legitimacy of the Common Cause suit and can wonder why it took them or anyone else so long. I tried to interest two domestic papers and a friend on a foreign one who I didn't think could justify the time. I did much work in the Corrupt Practices Act files years ago, and I believe I wrote one of the Post's reporters about a narrow aspect and spoke in person of the broader one. When I limited it, I spoke of the obvious one, a thing so slight in cost nobody would have asked a question, the filings of the Cuban Americans for Nixon-Agnew.

I have never heard of a law that doesn't remain in effect until it is repealed or replaced. In the latter event, it remains in effect until the new statute becomes effective. So what have the Democrats been doing since April 7 when there are so many committees that could have filed, so many taxpayers of means who could have?

With the suit filed in Washington, it goes to federal district court which is controlled by a Nixonian chief judge (also a hack), Sirica. There is no chance, I believe, of anything happening before election, when it will be too late.

The nature of the response indicates the sensitivity of the nerve hit: the committee for the re-election was not for the re-election but for the re-nomination only! And when there was but McCloskey and Ashbrook for opposition, when it was all locked up?

It is in these files that I found the dirty stuff of Father Coughlin and turned it over to Jack Spivack, who wrote a real expose with ~~it~~ that and a considerable amount he dug up and added on his own. There I found the files of Republican payments to an assortment of native fascists of the FDR day. I suspect I was about the only one to use them.

To return to The Caper, can you imagine what could have happened if plain old politics had been played from the first, before the Caper? If such a suit had been filed, say April 8 (and I'd have accepted it as a fine birthday present!)?

And isn't it funny that with the President re-nominated this committee hasn't disbanded, having succeeded in its purposes?

Lincoln need paraphrasing: God must have loved stupid politicians. He made so many of them.

Unless there was a change, the files under the Corrupt Practices Act were under the Clerk of the House of Representatives. In my day, if I remember correctly, he was named Shanks. And I don't think he was every glad to see me. Least of all when I once moved in with three tyoists. In those days, there were no xeroxes and the House had no photostat facilities.

All the Hill and Committee payrolls and expense accounts were on file, too. Can you imagine what I could find in them? And did? Enough to prevent a fraeming of me from working once.

Of course, this is more than commentary on the political ineptness if not stupidity. It is also commentary on the ~~press~~ press. Forget about me reminding. Can you imagine all those correspondents in Washington and not one checked the files to see a) if there was a filing and b) what it showed?

If in your Washington day you had no experience with it, this old law required not only a listing of all income but of all expenditures as I recall, unless amended, of \$10.00 or more. Common Cause focuses, properly for the suit, on the re-elect committee. But the national committees are also covered. As I recall, all but primaries were.

Best,

