

# Common Cause files suit against Nixon campaign

Common Cause announced that it has filed suit in Federal District Court against the Finance Committee to Re-elect the President, and its branches, charging violation of the Federal Corrupt Practices Act of 1925, and designed to force the disclosure of the financial backers who contributed more than \$10 million to President Nixon's campaign prior to April 7, 1972.

In announcing the action at a press conference, Common Cause Chairman John Gardner said he had informed the President's campaign manager, Clark MacGregor, of legal basis for the suit on August 7, but had received no reply.

"In recent months," Gardner said, "citizens have been treated to several highly questionable instances of huge sums flowing to the President's political campaign while government favors flowed in the other direction. Perhaps the instances were all coincidental. The way to dispel the aura of mystery and suspicion is to bring all the facts out in the open."

Gardner said the President and his advisors apparently "did not read the law very carefully" in taking the position that they did not have to file any reports or reveal any names prior to April 7.

He said the Corrupt Practices Act of 1925 requires periodic disclosure reports from "political committees" which are defined as "any committee which accepts contributions or makes expenditures for the purpose of influencing the election of candidates or presidential and vice-presidential electors in two or more states."

The official report of the President's Finance Committee states they were organized to assist in his re-nomination and re-election. "We believe the evidence is clear that the purpose of these committees was to ac-

cept contributions and make expenditures for the purpose of influencing the election of presidential electors," Gardner said.

While the Federal Corrupt Practices Act was repealed on April 7, 1972, the Common Cause suit is made possible under the General Savings Statute, which preserves suits brought to deal with violations which occurred while a

former law was in effect. "It must be emphasized," Gardner added, "that we are not dealing only with past events. The \$10 million raised before April 7 may profoundly influence events between now and November."

He cited the need for speedy action by the U.S. District Court, because of the shortness of time before the election.

## Presidential campaign: The real issues

by Dr. Benjamin E. Mays

McGovern felt that he had to dump Eagleton because the people would have been discussing Eagleton's health rather than the issues of the campaign if he had kept him. Although I am proud of the choice of Sargent Shriver and believe he is an excellent running mate, I think McGovern should have kept Eagleton.

It is inconceivable that people would have voted against the Democratic ticket if Eagleton had remained. The people in the final analysis are not much concerned about who the Vice President is. The Vice Presidential candidate is the choice of the successful Presidential candidate.

There has been no protest against Agnew and if Nixon is re-elected in November, Agnew will probably be the Republican Presidential nominee in 1976. The opposition against Eagleton would have subsided in a week or two.

Now back to the issues of the campaign. They will be or should be:

The war in Vietnam, unemployment, inflation, an adequate welfare program, guaranteeing sufficiency for all, defense spending, an ever increasing budget deficit, tax reform, revenue sharing, unfortunately busing and crime. These are some of the issues which I hope the candidates will discuss in depth with the American people.

These issues were not discussed much in Mr. Nixon's acceptance speech. I had hoped to hear more about the issues in the President's speech. The President said little about the accomplishments of his administration and he did not tell us how he plans to improve on what he did his first years.

Maybe this was not the time and maybe the President plans to use his accomplishments as ammunition against the Democrats in the campaign. Early in his acceptance speech the President made it clear that he would not deal with the record of his administration.

If the President is so sure of his re-election, I wondered why his speech showed fear of McGovern. The New York Times in an editorial August 25th labeled the President's acceptance speech a "Call to Fear". This writer felt and feels that the President has delivered many speeches that were superior to this one. The speech lacked spark.

It is unlikely that the war will be over prior to Nov. 7. If it is not over before election day, Vietnam will be a major issue in the weeks ahead. Should the war be in full blast during September and October, how can the President answer the charge that even though the ground soldiers are out of Vietnam, we have escalated the war in the air and on the sea.

It is estimated that there are 100,000 pilots, Marines, and Navy forces. There are engineers and technicians estimated at 43,000. Another issue I hope both candidates will meet head on. Nobody argues against jobs for able bodied men rather than welfare. But if there are able bodied men wanting jobs and cannot find them, what then? Right here in Atlanta there are young people who are prepared to each, but we are employing fewer teachers next year than we employed last year. Will Nixon or McGovern create jobs? The public should not allow either candidate to duck this issue.

## McKissick hits McGovern economics

Tuesday, August 29, should have been a Day of Revelation for the hundreds of thousands of black people who put their faith in the candidacy of George McGovern.

On that day, under political pressure, Mr. McGovern--the so-called Prairie Radical of the primaries--marched off, hat-in-hand, to New York to make his peace with Wall Street. To soothe Wall Street, to save the old plantation, McGovern appears to have sold his black supporters down the river.

The \$6,500 guaranteed income, for which George Wiley and the National Welfare Rights Organization have fought for years, is also the center piece of the Black Caucus' program in the Congress. Before the convention, McGovern had introduced it into the Senate with the cry "In toto or Fight!" he had embraced it by endorsing "in toto" the Black Caucus program; he has endorsed it again when he supported the resolutions of the Gary Convention. But that was in the primaries, when McGovern desperately needed black votes.

On August 29, Mr. McGovern decided his own black supporters were in the bag; that they "had nowhere else to go." So the candidate of Brothers Fauntroy, Clay and Wiley went to New York--and to the applause of the

Wall Street Fat Cats--chopped \$2,500 out of the guaranteed income he had committed himself to in the Black Caucus program, and on the floor of the Senate.

Why are Brothers Clay, Fauntroy and Wiley so silent now?

The answer is because their presidential candidate sold them down the river for a pat on the head from Big Business.

And where is their Vice Presidential candidate? Last week, Shriver was down in Louisiana telling a white audience he was proud that all of his slave-holding ancestors had fought with the Slave states--and proud that none of them had fought with the Union. If Brothers Clay and Fauntroy and Wiley are a little sheepish today, well, that's understandable.

But they've got a plate of crow and humble pie to eat this morning.

Black Americans who believe in jobs rather than welfare; who want a piece of the action, not a part of the dole, who want a political leader who does not promise more than he can deliver, do have somewhere to go. They can get off the ditched bandwagon of George McGovern and get behind the New Majority of the President of the United States, Richard Nixon.

## Committee reports on Army spying

The Senate's Judiciary Subcommittee on Constitutional Rights, headed by Senator Sam J. Ervin, Jr. (D) of North Carolina, has issued a report on the Army's spying on civilians during the 1960s. It is a clear indictment of a program that was "utterly useless" to the Army and, as the report puts it, the program "was merely wasting time, money and manpower, and infringing on the rights of the citizens it was supposed to be safeguarding."

Senator Ervin, in his introduction to the report, states: "The absence of civilian control over this surveillance prior to 1970 has already been established. This report proves the absence of central military control as well."

According to the report the

military maintained 350 separate records centers across the country and each one of them was crammed with raw data on the political activities of hundreds of individuals. It stated: "It would seem that each data bank grew independently, with no close supervision from a central authority on what to store or not to store. Moreover, it appears that none of the agencies paid any attention to the publications or holdings of the others in deciding who or what should be data-banked."

The report continued: "These vast collections of fragmentary, incorrect and irrelevant information, composed of vague conclusions and judgments and of overly detailed descriptions of insignificant facts could not be considered 'intelligence' by any sense of the word."

That these findings have shocked Senator Sam Ervin, who cannot be called a liberal in most matters, indicate to some extent how horrible the Army's program of spying really turned out to be. The revelations of the report gives strong support to all those who fear the development of a police state in our country.



### Fingerprinting the Jobholder

Employees of several stock brokerage firms were up in arms. Under a new state law, they had to be fingerprinted in order to keep their jobs. Taking the matter to court, they claimed this was an invasion of their right of privacy.

But the court could see no grounds for complaint. The judge said this minor invasion of privacy was outweighed by the major benefit to the public in reducing thefts of stocks and bonds.

Laws in a number of states now require the fingerprinting of employees in "sensitive" occupations. Almost always, the courts have overruled the assorted constitutional objections raised by disgruntled individuals.



In fact, the law no longer considers fingerprinting to be any great hardship anyhow. In another case, a used furniture dealer complained about a fingerprint requirement for anyone selling second-hand goods.

"It makes the people in my line of business look like criminals," he said in a court hearing.

But the court disagreed, pointing out that fingerprints are now used routinely in hospitals, schools, and government as a reliable means of identification. As one judge put it:

"The day is long past when fingerprinting carried with it a stigma of criminality."

This does not mean, however, that the police may resort to high-handed methods to obtain fingerprints. Consider the following case:

Officers investigating a burglary took a man into custody even though they had no adequate grounds for arrest. Their reason: to obtain his fingerprints. As it happened, the prints did turn out to be incriminating.

Nevertheless, they were held not admissible against the man in court. The judge said the Constitution forbids "wholesale intrusions upon the personal security of our citizenry."

A public service feature of the American Bar Association and the Oregon State Bar Association. Written by Will Bernard.

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## NOTICE OF FILING

Notice is hereby given that on September 15, 1972 Pacific Northwest Bell Telephone Company filed tariffs with the Oregon Public Utility Commissioner at his offices in Salem, Oregon to effect a general repricing of its services. A portion of said filing is designed to provide said Company with interim rate relief, through increases in certain rates, sufficient to permit it to earn the return on its investment authorized by the Oregon Public Utility Commissioner in Cause No. U-F-2857 December 31, 1971 and approved by the Federal Price Commission March 27, 1972.

Said rates and data in support thereof have been filed with the Oregon Public Utility Commissioner.

Members of the public may request a public proceeding on the matter to the extent permitted by statute and by the rules of practice and procedure of the Oregon Public Utility Commissioner.

DATED this 15th day of September, 1972.

PACIFIC NORTHWEST BELL TELEPHONE COMPANY

By /s/ D. L. Gundersen  
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Vice President and  
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WASHINGTON--At the same time that Congress is moving to enact revenue sharing legislation that will provide \$5.5 billion to help alleviate the financial bankruptcy which is choking our cities and states, nearly twice that amount in money already appropriated is being held in reserve by the Office of Management and Budget.

Much of this \$10-plus billion is (or was) destined to aid cities and states in regional development projects, urban mass transit, water and sewer grants, rural electrification development, and the like.

Now, as a result of the impounding, critical needs such as water and sewage treatment are not being adequately met, and with each passing day of delay the costs for providing these necessary services go up along with the price of everything else.

The surprising thing is that Congress has never acted to prevent impounding, a power which has been misused by Presidents--Republicans and Democrats alike--since World War II. As recently as September 8, Senator Hubert H. Humphrey (D-Minn.), himself a former Presidential candidate, introduced legislation requiring detailed reports on all impounded funds. His modest proposal was rejected, apparently on the somewhat defeatist reasoning that the House wouldn't go along with it anyway, so why bother and possibly jeopardize revenue sharing in the process.

Such an attitude will hardly discourage the OMB from continuing and even stepping up its impounding activities.

Among the funds currently being held captive are:

- \$300 million for urban mass transit;

- \$122 million for airport and airway facilities;
- \$105 million for model cities;
- \$40 million for Appalachian regional development;
- \$550 million for water and sewer grants;
- \$107 million for rural electrification;
- \$21 million for educational support to the National Science Foundation.

These funds were scooped up by the Treasury without so much as a by-your-leave from Congress. It was done without notification and without publication in what Humphrey called "a type of line-item veto on congressional appropriations."

Thus the will of Congress is thwarted and its authority--in this case the responsibility to appropriate public funds--is further eroded. The pendulum of power, already heavily weighted in favor of the executive, swings even further in that direction, and Congress comes off as a loser unwilling to live up to its Constitutional obligations.

But the real losers are those residents of cities and towns who continue to suffer from lack of adequate water and sewer facilities, delapidated housing, critical power shortages, and substandard schools. Both the President and Congress must share responsibility for this situation--the former for using the people's money to build an executive treasure chest, and the latter for letting him get away with it.



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