FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1028

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PS Form 3811, Aug. 1978

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Mr. Marc E. Jackson
1300-19th St. N.W.
D.C. 20036

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MAR 1028 Tarrant

GPO: 1978-272-369

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Marc E. Lackritz
Wald, Harkrader & Ross
1300 - 19th Street, N.W.
Washington, D.C. 20036

Re: MUR 1028
Council for a Livable World

Dear Mr. Lackritz:

On July 23 , 1980, the Commission determined there was no probable cause to believe that your client had violated 2 U.S.C. § 441a(a)(3) and 11 C.F.R. § 110.6(d)(2). Accordingly, the file has been closed in this matter and it will become part of the public record within thirty days.

If you have any questions, please contact Marybeth Tarrant at (202) 523-4175.

Sincerely,

Charles N. Steele
General Counsel

00040206906

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1028
Council for A Livable World)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on July 23, 1980 the Commission decided by a vote of 5-0 to take the following actions regarding MUR 1028:

1. Find NO PROBABLE CAUSE TO BELIEVE the Council violated 2 U.S.C. §441a(a)(2)(A) and 11 C.F.R. §110.6(d)(2).

2. CLOSE THE FILE.

3. Approve the letter as attached to the General Counsel's July 17, 1980 report.

Voting for this determination were Commissioners Aikens, Friedersdorf, Harris, McGarry, and Reiche.

Attest:

7/23/80
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Report signed: 7-18-80
Received in Office of the Commission Secretary: 7-18-80, 2:44
Circulated on 47 hour vote basis: 7-21-80, 11:00

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BEFORE THE FEDERAL ELECTION COMMISSION

July 17, 1980 80 JUL 18 P2:27

In the Matter of)
) MUR 1028
Council for A Livable World)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter was referred to the Office of General Counsel by the Reports Analysis Division. On February 14, 1980, the Commission found reason to believe that the Council for a Livable World ("Council") had violated 2 U.S.C. § 441a(a)(2)(A) and 11 C.F.R. § 110.6(d). On June 23, 1980, a brief was sent to the respondent's attorney, Marc E. Lackritz, stating the General Counsel's intent to recommend to the Commission a finding of no probable cause to believe against the Council. A letter dated July 10, 1980, from Mr. Lackritz in response to that brief was received and circulated to the Commission.

II. LEGAL ANALYSIS

In his response, Mr. Lackritz supported the position of the General Counsel and cited Advisory Opinion 1980-46, issued on June 25, 1980. (See Attachment 1) In that Advisory Opinion, the Commission advised NCPAC that its proposed fund-raising plan, which was similiar to that now used by the Council, did not indicate "'direction and control' by NCPAC within the meaning of 11 C.F.R. § 110.6(d)." Therefore, the earmarked contributions passed on by NCPAC

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to the identified [illegible] would not [illegible] against NCPAC's contribution limitations under 2 U.S.C. § 441a(a)(2).

In light of the reasons set forth in the General Counsel's Brief dated April 25, 1980, and AO 1980-46, the General Counsel recommends the Commission find no probable cause to believe the Act has been violated.

III. RECOMMENDATION

1. Find no probable cause to believe the Council violated 2 U.S.C. § 441a(a)(2)(A) and 11 C.F.R. § 110.6(d)(2).
2. Close the file.
3. Approve the attached letter.

18 July 1980
Date

Charles N. Steele
General Counsel

Attachments

1. AO 1980-46
2. Proposed letter to Lackritz

6004020461 1

June 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

ADVISORY OPINION 1980-46

J. Curtis Herge
Sedam & Herge
7600 Old Springhouse Road
McLean, Virginia 22102

Dear Mr. Herge:

This responds to your letter dated April 18, 1980, requesting an advisory opinion on behalf of the National Conservative Political Action Committee ("NCPAC") with regard to application of the Federal Election Campaign Act of 1971, as amended, ("the Act") and Commission regulations to a proposed mass mailing by NCPAC.

You state that NCPAC is a multicandidate political committee which as part of its activities makes independent expenditures expressly advocating the election of certain clearly identified candidates. NCPAC proposes to pay the expenses associated with a mass mailing advocating the election of a clearly identified candidate. The contemplated mailing would contain a suggestion that a contribution, presumably in the form of a check drawn to the order of the candidate's campaign committee, be mailed to NCPAC. Upon receiving such contributions, NCPAC proposes to compile a list of names and addresses of the contributors and then forward the contributions to the candidate's principal campaign committee as required by 11 CFR 102.8, as amended at 45 Fed. Reg. 15106 (March 7, 1980), effective April 1, 1980.

Specifically, you ask:

(1) Whether, assuming that no communication occurred between NCPAC and the candidate or his agents and that all other indicia of 11 CFR 109.1 were satisfied, the proposed activity constitutes an independent expenditure by NCPAC?

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(2) Is NCPAC required to report the proposed activity in accordance with 11 CFR 110.6(c)?

(3) Are the provisions of 11 CFR 110.6(d)(1) or 11 CFR 110.6(d)(2) applicable to the proposed activity by NCPAC?

As you are aware, the Act defines the term "independent expenditure" as "an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate which is made without cooperation or consultation with any candidate, or any authorized committee or agent of such candidate, and which is not made in concert with, or at the request or suggestion of, any candidate, or any authorized committee or agent of such candidate." 2 U.S.C. §431(17); see also 11 CFR 109.1, id. at 15118. For an expenditure to be independent, each element of the definition must be satisfied. With respect to your first question, the Commission concludes that expenditures made by NCPAC to pay the expenses of the described mass mailing would not constitute independent expenditures, but rather would constitute in-kind contributions to the candidates. Because NCPAC's proposed solicitation, while directing that the contributions be made in the form of checks payable to the candidates, specifically asks that the checks be forwarded to NCPAC for gathering and transmittal to the candidates, the acceptance of the checks by the candidate constitutes acceptance of the costs incurred by NCPAC in connection with the solicitation. This situation is analogous, for example, to the printing of campaign materials by an individual or multicandidate committee advocating the election or defeat of a candidate.1/ If those materials are distributed by the multicandidate committee, no in-kind contribution results. On the other hand, if the multicandidate committee provides the materials to the campaign committee, acceptance of the materials constitutes an in-kind contribution in the amount of the costs of their production.

The plan as outlined by NCPAC is distinguishable from the situation, under 11 CFR 110.6(c) and (d), in which a conduit or intermediary receives a contribution which has been earmarked for a specific candidate and merely passes on that contribution. Under those circumstances, there is no cost on the part of the

1/An additional analogy is contained in the Commission's regulations on Allocation of polling expenses at 11 CFR 106.4. See in particular §106.4(b).

conduit for a specific solicitation directing that checks be transmitted to the conduit, and, therefore, no in-kind contribution results. In the situation which you have described, the costs of NCPAC's solicitation would be an in-kind contribution limited to $5,000, and reportable as such. 2 U.S.C. §434; 11 CFR Part 104. However, for purposes of transmittal of the checks once NCPAC receives them, NCPAC would be a conduit or intermediary. Thus, the individual contributor's check would not count against NCPAC's $5,000 contribution limitation.

Your second question concerns NCPAC's potential reporting requirements under the provisions of 11 CFR 110.6(c).2/ As an intermediary or conduit with respect to contributions earmarked for a specific candidate, NCPAC would be required to report the original source and intended recipient of the contributions to the Commission in accordance with 11 CFR 110.6(c). That section provides that if the contributions were passed on in the form of the contributor's check, which appears to be the factual situation presented here, the conduit or intermediary must disclose each contribution on a separate schedule attached to the conduit's next report required to be filed after receipt of the contribution. 11 CFR 110.6(c)(1)(ii). Further, the conduit is required by 11 CFR 110.6(c)(2) to report each contribution to the intended recipient candidate when the contribution is passed on to the intended recipient.3/ The conduit's reports to the Commission and to the intended recipient with respect to each earmarked contribution must contain all information contained in 11 CFR 110.6(c)(4)(i), (ii), and (iii).

With regard to your final question concerning the applicability of 11 CFR 110.6(d)(1) and/or 110.6(d)(2) to the proposed activity, the Commission concludes that the cited sections of the regulations do not apply to the factual situation presented by your request. The general rule with regard to the receipt of earmarked contributions by a conduit provides that a conduit's contribution limits are not affected by passing on earmarked contributions, except where the conduit exercises <u>any direction</u> or <u>control</u> over the choice of the recipient candidate. 11

2/Portions of this regulation were amended at 45 Fed. Reg. 15119.

3/The Commission notes that under its recently amended regulations, §102.8(c) at id. 15106, NCPAC would be under a duty as a conduit to forward earmarked contributions for an authorized candidate committee no later than 10 days after receipt.

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CFR 110.6(d)(1); also see Advisory Opinion 1975-10 and the Commission's Response to Advisory Opinion Request 1976-92 4/ (copies enclosed). If the conduit exercises any direction or control over the choice of the recipient candidate, the contribution is considered a contribution by both the original contributor and by the conduit. Moreover, the conduit is required to report each contribution as required by 11 CFR 110.6(d)(2).

It appears that although the proposed mailing contains a clear suggestion that the individual receiving the communication make a contribution to a specific candidate through NCPAC as an intermediary, the individual contributor, not NCPAC, makes the choice whether to make a contribution to the specified candidate. The fact that a potential contributor may decide against making a contribution indicates lack of control over the choice of the recipient candidate by NCPAC. Nor does NCPAC have any significant control over the time when the contributions are forwarded to the candidates, see footnote 3 above. Moreover, it appears that NCPAC would have no control over the amount of the contribution nor the intended recipient of the contribution, since the request contemplates the receipt by NCPAC of contributions in the form of personal checks drawn to the order of the candidate or the candidate's principal campaign committee. Since the factual situation as described does not indicate "direction or control" by NCPAC within the meaning of 11 CFR 110.6(d), contributions (in the form of checks made payable by the original donor to a specific candidate or principal campaign committee thereof) received by NCPAC as a result of the proposed solicitation, and subsequently transmitted to the campaign committee of the intended recipient, would not be considered contributions by NCPAC to the identified candidate; nor would they count against NCPAC's contribution limitations under 2 U.S.C. §441a(a)(2) and 11 CFR 110.2. Such contributions would only count against the contribution limitations of those persons making their contributions through NCPAC as an intermediary. 2 U.S.C. §441a(a) and 11 CFR 110.1.

This response constitutes an advisory opinion concerning application of the Act, or regulations prescribed by the Commission, to the specific transaction or activity set forth in your request. See 2 U.S.C. §437f.

Sincerely yours,

Max L. Friedersdorf

Max L. Friedersdorf
Chairman for the
Federal Election Commission

Enclosures (AO 1975-10, Re: AOR 1976-92)

4/A significant difference in Re: AOR 1976-92 is that the contribution plan there discussed was treated as the separate segregated fund of a corporation. NCPAC is not a separate segregated fund.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

DISSENTING VIEWS

OF

COMMISSIONER MAX L. FRIEDERSDORF

IN

ADVISORY OPINION 1980-46

The National Conservative Political Action Committee (NCPAC) proposes to make independent expenditures in the form of a mass mailing advocating the election of a clearly identified candidate. It is anticipated that this mass mailing will result in contributions to the candidate being returned to NCPAC for subsequent forwarding to the candidate. No communication has occurred between NCPAC and the candidate or his agents and these proposed payments are to be made without the "cooperation, prior consent, coordination, or suggestion of the candidate or any of his agents." See 11 C.F.R. §109.1(a).

The Commission has determined that NCPAC's proposed expenditures do not qualify as independent expenditures but are in-kind contributions. Such determination is without statutory authority.

The characterization of an expenditure as "independent" or an "in-kind contribution" must be based on facts. An independent expenditure is defined as an expenditure for a communication which expressly advocates the election or defeat of a clearly identified candidate which is made without:

- the cooperation,
- the prior consent,
- consultation, or
- the request or suggestion of a candidate or any agent or authorized committee of such candidate. 2 U.S.C. §431(17). 11 C.F.R. §109.1(a).

Expenditures not qualifying under the above factual determinations are not independent expenditures and shall be a contribution in kind to the candidate. 11 C.F.R. §109.1(c).

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The factual submission by NCPAC and the Commission's response assume that payments for the proposed mass mailing are independent expenditures at the time that the mailing occurs. The Commission cites no facts evidencing "cooperation, consultation, or coordination" with the candidate who may benefit from this mass mailing. Yet it concludes that these expenditures, which qualify as independent expenditures at the time they are made, become in-kind contributions only when accepted by the candidate. Such a magical transformation defies logic and is, I believe, completely without statutory or regulatory support.

In this Advisory Opinion, the Commission has established a new requirement which may destroy the "independence" of an independent expenditure. Here the candidate's acceptance of any contributions forwarded to him as a result of NCPAC's uncoordinated and independent mass mailing results in receipt of contributions in kind. Acceptance of the results of independent expenditures transforms those otherwise independent expenditures into in-kind contributions. We do not believe that such a requirement is supported by the statutute, case law, or the regulations that have been approved by the Congress. Certainly the Commission is prohibited from establishing such a new rule of law in an Advisory Opinion. See 2 U.S.C. §437f(b).

For the foregoing reasons, I dissent from this Advisory Opinion.

Max L. Friedersdorf

Max L. Friedersdorf
Commissioner

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Marc E. Lackritz
Ward, Harkrader & Ross
1300 - 19th Street, N.W.
Washington, D.C. 20036

Re: MUR 1028
Council for a Livable World

Dear Mr. Lackritz:

On , 1980, the Commission determined there was no probable cause to believe that your client had violated 2 U.S.C. § 441a(a)(3) and 11 C.F.R. § 110.6(d)(2). Accordingly, the file has been closed in this matter and it will become part of the public record within thirty days.

If you have any questions, please contact Marybeth Tarrant at (202) 523-4175.

Sincerely,

Charles N. Steele
General Counsel

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July 10, 1980

Charles N. Steele, Esq.
General Counsel
Federal Election Commission
7th Floor
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1028

Dear Mr. Steele:

Enclosed are three copies of the Brief of the Council for A Livable World in the above-captioned matter.

Sincerely yours,

Marc E. Lackritz

Marc E. Lackritz
Counsel for Council for A
Livable World

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enclosures

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GENERAL COUNSEL

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In the Matter of)
) MUR 1028
Council for A Livable World)

BRIEF OF THE COUNCIL FOR A LIVABLE WORLD

The Council for a Livable World ("Council") agrees with and fully supports the position of the General Counsel in this matter that the Commission should find no probable cause to believe that the Council violated 2 U.S.C. § 441a(a)(2)(A) and 11 C.F.R. § 110.6(d)(2). In filing this brief, the Council merely wishes to draw the Commission's attention to Advisory Opinion 1980-46, issued on June 25, 1980 (attached hereto). In that Advisory Opinion, the Commission advised NCPAC that its proposed fundraising plan, which is almost identical to that now used by the Council, would not violate 2 U.S.C. § 441a(a)(2) or 11 C.F.R. § 110.6(d)(2). The Commission stated that contributions from individuals receiving NCPAC's mailings:

> would not be considered contributions by NCPAC to the identified candidate; . . . [and] would only count against the contribution limitations of those persons making their contributions through NCPAC as an intermediary. Advisory Opinion 1980-46, p. 4.

Because of Advisory Opinion 1980-46, as well as the reasons set forth in the Brief of the General Counsel, the Council urges the Commission to find no probable cause to believe that the

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Counsel [illegible] 2 U.S.C. § 441a(a)(2)(A) and 11 C.F.R. § 110.6(b)(2).

Respectfully submitted,

Marc E. Lackritz

Marc E. Lackritz
Wald, Harkrader & Ross
1300 Nineteenth Street, N.W.
Washington, D.C. 20036
(202) 828-1200

Counsel to Council for a Livable World

Dated: July 11, 1980.

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

ADVISORY OPINION 1980-46

J. Curtis Herge
Sedam & Herge
7600 Old Springhouse Road
McLean, Virginia 22102

Dear Mr. Herge:

This responds to your letter dated April 18, 1980, requesting an advisory opinion on behalf of the National Conservative Political Action Committee ("NCPAC") with regard to application of the Federal Election Campaign Act of 1971, as amended, ("the Act") and Commission regulations to a proposed mass mailing by NCPAC.

You state that NCPAC is a multicandidate political committee which as part of its activities makes independent expenditures expressly advocating the election of certain clearly identified candidates. NCPAC proposes to pay the expenses associated with a mass mailing advocating the election of a clearly identified candidate. The contemplated mailing would contain a suggestion that a contribution, presumably in the form of a check drawn to the order of the candidate's campaign committee, be mailed to NCPAC. Upon receiving such contributions, NCPAC proposes to compile a list of names and addresses of the contributors and then forward the contributions to the candidate's principal campaign committee as required by 11 CFR 102.8, as amended at 45 Fed. Reg. 15106 (March 7, 1980), effective April 1, 1980.

Specifically, you ask:

(1) Whether, assuming that no communication occurred between NCPAC and the candidate or his agents and that all other indicia of 11 CFR 109.1 were satisfied, the proposed activity constitutes an independent expenditure by NCPAC?

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(2) Is NCPAC required to report the proposed activity in accordance with 11 CFR 110.6(c)?

(3) Are the provisions of 11 CFR 110.6(d)(1) or 11 CFR 110.6(d)(2) applicable to the proposed activity by NCPAC?

As you are aware, the Act defines the term "independent expenditure" as "an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate which is made without cooperation or consultation with any candidate, or any authorized committee or agent of such candidate, and which is not made in concert with, or at the request or suggestion of, any candidate, or any authorized committee or agent of such candidate." 2 U.S.C. §431(17); see also 11 CFR 109.1, id. at 15119. For an expenditure to be independent, each element of the definition must be satisfied. With respect to your first question, the Commission concludes that expenditures made by NCPAC to pay the expenses of the described mass mailing would not constitute independent expenditures, but rather would constitute in-kind contributions to the candidates. Because NCPAC's proposed solicitation, while directing that the contributions be made in the form of checks payable to the candidates, specifically asks that the checks be forwarded to NCPAC for gathering and transmittal to the candidates, the acceptance of the checks by the candidate constitutes acceptance of the costs incurred by NCPAC in connection with the solicitation. This situation is analogous, for example, to the printing of campaign materials by an individual or multicandidate committee advocating the election or defeat of a candidate.1/ If those materials are distributed by the multicandidate committee, no in-kind contribution results. On the other hand, if the multicandidate committee provides the materials to the campaign committee, acceptance of the materials constitutes an in-kind contribution in the amount of the costs of their production.

The plan as outlined by NCPAC is distinguishable from the situation, under 11 CFR 110.6(c) and (d), in which a conduit or intermediary receives a contribution which has been earmarked for a specific candidate and merely passes on that contribution. Under those circumstances, there is no cost on the part of the

1/An additional analogy is contained in the Commission's regulations on Allocation of polling expenses at 11 CFR 106.4. See in particular §106.4(b).

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conduit for a specific solicitation directing that checks be transmitted to the conduit, and, therefore, no in-kind contribution results. In the situation which you have described, the costs of NCPAC's solicitation would be an in-kind contribution limited to $5,000, and reportable as such. 2 U.S.C. §434; 11 CFR Part 104. However, for purposes of transmittal of the checks once NCPAC receives them, NCPAC would be a conduit or intermediary. Thus, the individual contributor's check would not count against NCPAC's $5,000 contribution limitation.

Your second question concerns NCPAC's potential reporting requirements under the provisions of 11 CFR 110.6(c).2/ As an intermediary or conduit with respect to contributions earmarked for a specific candidate, NCPAC would be required to report the original source and intended recipient of the contributions to the Commission in accordance with 11 CFR 110.6(c). That section provides that if the contributions were passed on in the form of the contributor's check, which appears to be the factual situation presented here, the conduit or intermediary must disclose each contribution on a separate schedule attached to the conduit's next report required to be filed after receipt of the contribution. 11 CFR 110.6(c)(1)(ii). Further, the conduit is required by 11 CFR 110.6(c)(2) to report each contribution to the intended recipient candidate when the contribution is passed on to the intended recipient.3/ The conduit's reports to the Commission and to the intended recipient with respect to each earmarked contribution must contain all information contained in 11 CFR 110.6(c)(4)(i), (ii), and (iii).

With regard to your final question concerning the applicability of 11 CFR 110.6(d)(1) and/or 110.6(d)(2) to the proposed activity, the Commission concludes that the cited sections of the regulations do not apply to the factual situation presented by your request. The general rule with regard to the receipt of earmarked contributions by a conduit provides that a conduit's contribution limits are not affected by passing on earmarked contributions, except where the conduit exercises <u>any direction</u> or <u>control</u> over the choice of the recipient candidate. 11

2/Portions of this regulation were amended at 45 Fed. Reg. 15119.

3/The Commission notes that under its recently amended regulations, §102.8(c) at id. 15106, NCPAC would be under a duty as a conduit to forward earmarked contributions for an authorized candidate committee no later than 10 days after receipt.

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CFR 110.6(d)(1); also see Advisory Opinion 1975-10 and the Commission's Response to Advisory Opinion Request 1976-92 (copies enclosed). If the conduit exercises any direction or control over the choice of the recipient candidate, the contribution is considered a contribution by both the original contributor and by the conduit. Moreover, the conduit is required to report each contribution as required by 11 CFR 110.6(d)(2).[4]

It appears that although the proposed mailing contains a clear suggestion that the individual receiving the communication make a contribution to a specific candidate through NCPAC as an intermediary, the individual contributor, not NCPAC, makes the choice whether to make a contribution to the specified candidate. The fact that a potential contributor may decide against making a contribution indicates lack of control over the choice of the recipient candidate by NCPAC. Nor does NCPAC have any significant control over the time when the contributions are forwarded to the candidates, see footnote 3 above. Moreover, it appears that NCPAC would have no control over the amount of the contribution nor the intended recipient of the contribution, since the request contemplates the receipt by NCPAC of contributions in the form of personal checks drawn to the order of the candidate or the candidate's principal campaign committee. Since the factual situation as described does not indicate "direction or control" by NCPAC within the meaning of 11 CFR 110.6(d), contributions (in the form of checks made payable by the original donor to a specific candidate or principal campaign committee thereof) received by NCPAC as a result of the proposed solicitation, and subsequently transmitted to the campaign committee of the intended recipient, would not be considered contributions by NCPAC to the identified candidate; nor would they count against NCPAC's contribution limitations under 2 U.S.C. §441a(a)(2) and 11 CFR 110.2. Such contributions would only count against the contribution limitations of those persons making their contributions through NCPAC as an intermediary. 2 U.S.C. §441a(a) and 11 CFR 110.1.

This response constitutes an advisory opinion concerning application of the Act, or regulations prescribed by the Commission, to the specific transaction or activity set forth in your request. See 2 U.S.C. §437f.

Sincerely yours,

Max L. Friedersdorf

Max L. Friedersdorf
Chairman for the
Federal Election Commission

Enclosures (AO 1975-10, Re: AOR 1976-92)

4/A significant difference in Re: AOR 1976-92 is that the contribution plan there discussed was treated as the separate segregated fund of a corporation. NCPAC is not a separate segregated fund.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 23, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Marc E. Lackritz
Wald, Harkrader & Ross
1300 - 19th Street, N.W.
Washington, D.C. 20036

Re: MUR 1028

Dear Mr. Lackritz:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, and information supplied by your client, the Federal Election Commission, on February 14, 1980, found reason to believe that your client may have violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. § 110.6(d)(2) and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies) stating your position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel. The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Marybeth Tarrant at (202) 523-4175.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

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MUR 1028 A1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 21, 1980

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR 1028

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of no probable cause to believe was mailed on June 23, 1980. Following receipt of the respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments
1. Brief
2. Letter to Respondent

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BEFORE THE FEDERAL ELECTION COMMISSION
April 25, 1983

In the Matter of)
) MUR 1026
Council for A Livable World)

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

This matter was referred to the Office of General Counsel by the Reports Analysis Division. On February 14, 1980, the Commission found reason to believe that the Council for a Livable World (the Council) had violated 2 U.S.C. § 441a(a)(2)(A) and 11 C.F.R. § 110.6(d)(2). Written questions were sent to the Council to which the Council's attorney, Marc E. Lackritz, responded in writing on March 12, 1980. (See Attachment 1)

According to Mr. Lackritz, the Council, which was founded in 1962, is a non-profit voluntary association whose main object is to encourage limitations on the use of nuclear, biological and chemical weapons. The Council has about 10,000 supporters.

In election years, on the basis of its own research of issues and candidates, the Council endorses several candidates for the United States Senate. Prior to this endorsement, the Council obtains biographical data, position papers, and

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pictures from the candidate's committee. The Council also obtains a statement from each candidate authorizing mailings by the Council on the candidate's behalf.

In the election year 1978 mailings were sent to all supporters of the Council. In a typical mailing, profiles of two candidates were enclosed along with a contributor information card which suggested that unless they had a preference to the contrary, contributors with last names beginning with letters from A to G should consider making contributions to one candidate, contributors with last names beginning with letters from H to Q should consider making contributions to the other candidate, and contributors with last names beginning with letters from R to Z should consider making a contribution to the Council. (See Attachment 2) If they wished to contribute to a candidate, contributors were requested to make their checks payable to the candidate's committee, and mail them to the Council. The Council's mailings did not suggest an amount for any of the contributions. Checks received were forwarded on a daily basis to the intended recipient along with a transmittal sheet containing the required contributor information.

The Council, in addition to attaching a separate schedule to its reports disclosing each earmarked contribution, reported the cost of the mailings as in-kind contributions to the

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candidates. 1/ The cost was allocated to the particular candidates involved in a mailing according to the percentage of Council supporters who were asked to consider contributing to that particular candidate. The Council did not make any direct contributions to the candidate.

II. Legal Analysis

11 C.F.R. § 110.6(d)(1) states that a conduit's contribution limits are not affected by passing on earmarked contributions, except where the conduit exercises any direction or control over the choice of the recipient candidate.

Pursuant to 11 C.F.R. § 110.6(d)(2), if a conduit exercises any direction or control over the choice of the recipient candidate, the contribution shall be considered a contribution by both the original contributor and the conduit, and shall be so reported by the conduit to the Commission.

The Council, a multicandidate committee as defined by 2 U.S.C. § 441a(a)(4), is subject to the contribution limitations of 2 U.S.C. § 441a(a)(2)(A) which states that no multicandidate committee shall make contributions to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed $5,000.

1/ Subsequent to an audit of the Council in 1974, the Office of the Secretary of the Senate directed the Council to report these expenditures as in-kind contributions.

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The issue in this matter is whether or not the [illegible] has exercised direction or control over the contributions earmarked by its contributors, and as a result has exceeded its contribution limitations. It is the opinion of the General Counsel that the specific facts of the Council's scheme for delivering earmarked contributions do not indicate direction or control within the meaning of 11 C.F.R. § 110.6.

The absence of control is evident from the fact the individual contributors, not the Council, determine whether or not contributions to candidates will be made. As the contributions are always in the form of the contributors' checks, the Council cannot change the recipients or the amounts. In addition, no amount is suggested by the Council. If a contribution is made out to the Council but intended for a candidate, the check is sent back to the contributor. The Council does not deposit the contributions in its own account, but passes them on, along with the required contributor information, to the intended recipient within 24 hours after receipt.

In terms of direction, the Council does select the candidates for whom it will make mailings and does suggest to its supporters that contributions be made. It is important however, that this activity occurs prior to the time the supporters have made decisions to contribute to candidates. After a supporter has decided whether or not to act on the Council's suggestion, the Council cannot change the recipient or the amount. Thus the

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Council does not have any more influence over the decision to make a contribution than it would have if its mailing advised its supporters to send their contributions directly to the candidates. In that case, the fact the Council suggested the candidates to whom its supporters should make contributions would not result in the contributions being considered contributions by the Council. There does not appear to be any additional action by the Council in its role as a conduit which should be considered as constituting direction or control under 11 C.F.R. § 110.6.

The Commission's decision in AOR 1976-92, which was referred to in the First General Counsel's Report, is distinguishable from this matter. In that request, the Commission determined that a membership organization which was open to certain management employees of the Boeing Company was a political committee and (unlike the Council) a separate segregated fund. Part of the committee's procedures for making contributions included the collection and delivery of contributions designated for specific candidates by its members. The opinion does not contain an analysis of the standards of "direction or control" in then proposed 11 C.F.R. § 110.6(d). However, the opinion indicates that an advisory group of the committee determined what candidates the committee would support and the amount of support to be sought. Also the committee maintained individual accounts for its members upon which contribution checks were

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drawn. In addition, the fact that the administrative and solicitation costs of the committee were paid by a corporation raised potential issues under 2 U.S.C. § 441b which are not relevant to the present matter.

In light of the above reasons, the Office of General Counsel recommends the Commission find no probable cause to believe that the Council has violated 2 U.S.C. § 441a(a)(2)(A) and 11 C.F.R. § 110.6(d)(2).

III. Recommendation

1. Find no probable cause to believe that the Council violated 2 U.S.C. § 441a(a)(3) and 11 C.F.R. § 110.6(d)(2).

2. Close the file.

21 June 1980
Date

Charles N. Steele
General Counsel

Attachments

1. Letter from Lackritz
2. Sample solicitation

8004020463

March 12, 1980

Tarrant

Ms. Marybeth Tarrant
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1028

Dear Ms. Tarrant:

Enclosed are answers to the questions of the Commission directed to "Stephen A. Thomas" (sic) of the Council for a Livable World ("Council") by the Commission on February 14, 1980. Copies of documents requested by the Commission are attached to these answers.

No further action should be taken by the Commission on this matter. First, the Council exercises no control or direction over its supporters' earmarked campaign contributions. Second, the "direction or control" language of 11 C.F.R. § 110.6 (d)(2) of the Regulations is inconsistent with the Congressional intent in enacting the contribution limitations at 2 U.S.C. § 441a(a)(2)(A). Third, if the Commission now plans to delineate the meaning of "direction" in 11 C.F.R. § 110.6(d)(2), the requirements of due process mandate that the Commission proceed by rulemaking, subject to notice and comment by interested parties, rather than by a single enforcement action against the Council. These points are more fully discussed below.

The Council, a non-profit and non-partisan voluntary association, was founded in 1962 by a group of scientists, headed by nuclear physicist Leo Szilard, who were concerned about the proliferation of nuclear weapons and about the need to encourage

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discussions concerning control of such weapons. Ever since its founding, the Council's primary objective has been to encourage sensible limitations on the use of nuclear, biological and chemical weapons by the United States and other nations.

In attempting to focus attention on these arms control issues, the Council has engaged in lobbying, conducted seminars for Congressional members and staff, and compiled and distributed publications on arms control issues. In addition, the Council educates and informs its supporters, on a non-partisan basis, about candidates for the United States Senate and about current legislative initiatives and issues in the area of arms control.

In election years, on the basis of its own independent research into the issues and the candidates, the Council endorses a number of candidates for the United States Senate. Descriptions of these candidates and their opponents, prepared by the Council staff, are directly mailed to the Council's supporters. In the letter enclosing this material, it is suggested that Council supporters consider making contributions to the endorsed candidates' campaign committees or to the Council according to an alphabetical division of supporters by name. All contributions are mailed back to the Council, which merely forwards them on to the intended recipients.

The Council clearly does not exert control or direction over its supporters' earmarked contributions. Nor does the Council exert control or direction over its supporters' individual choices of recipient candidates for their contributions. Typically, two profiles of Council-endorsed candidates are enclosed in each election-year mailing. The Council supporter receiving the mailing has a myriad of available options: he/she may make a contribution to one Council-endorsed candidate or the other, to both, or to neither. The choice of a recipient candidate for a campaign contribution is thus solely in the control of the Council supporter who receives the mailing.

The Council's supporters are a very diverse group of about 10,000 individuals who are united only by their interests in arms control policy issues. The Council thus can exert no economic or political leverage nor any other means to control or direct the choices of its individual supporters. As a non-partisan, multi-candidate committee organized solely around broad substantive policy issues rather than economic interests, the Council is very different from the more typical corporate and union political action committees and partisan committees organized only for the purpose of affecting the outcomes of federal elections. The Council's interests are much broader and issue-oriented. As a result, the Council exercises no more "control or direction" than does a newspaper or a public figure who endorses a particular candidate.

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The endorsement of a political candidate by a non-partisan, issue-oriented committee such as the Council is an act of free speech constitutionality protected by the First Amendment. Any determination by the Commission of probable cause that the Council has violated 2 U.S.C. § 441a(a)(2)(A) or section 110.6(d)(2) of the Commission's Regulations would seriously impede and abridge the Council's First Amendment rights.

Second, the language in the Regulations at 11 C.F.R. § 110.6(d)(2), upon which the Commission relies, is inconsistent with the Congressional intent in enacting the contribution limitations at 2 U.S.C. § 441a(a)(2)(A). The Commission has noted "reason to believe" that the Council may have violated the contribution limitations of 2 U.S.C. § 441a(a)(2)(A) because the Council "exercised direction over the earmarked contributions of its supporters," as outlined at 11 C.F.R. § 110.6(d)(2). And yet Congress intended for the contribution limitations of 2 U.S.C. § 441a(a)(2)(A) to be applied only when a committee exercised "control" — not "direction" — over the making of a contribution.

Specifically, the Conference Report on the Federal Election Campaign Act Amendments of 1974 stated that:

> It was the understanding of the Committee on House Administration . . . that the following rule would apply with respect to the application of the contribution limitations established by subsection (b) [now subsection (a)]: if a person exercises any direct or indirect control over the making of a contribution, then such contribution shall count toward the limitation imposed with respect to such person under subsection (b), but it will not count toward such a person's contribution limitation when it is demonstrated that such person exercised no direct or indirect control over the making of the contributions involved.
>
> * * *
>
> The conferees agree with the analysis of the House. . . .
>
> Conference Report No. 1237, Senate Report No. 93-689, reprinted in 1974 U.S. Code Congressional and Administrative News 5620-21 (emphasis added).

The term "direction or control" as used in 11 C.F.R. § 110.6(d)(2) is thus broader than and inconsistent with the

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Congressional intent in enacting 2 U.S.C. § 441a(a)(2)(A). It would be anomalous and unlawful for the Commission to use a different standard to apply the contribution limitations [illegible] to the Council than the standard that Congress clearly intended in enacting the law. Since the Council has obviously not exercised "direct or indirect control over the making of the contribution involved," it has not violated 2 U.S.C. § 441a(a)(2)(A).

Finally, if the Commission now plans to delineate the meaning of "direction" at 11 C.F.R. § 110.6(d)(2), it should proceed by rulemaking, subject to notice and comment by all interested parties, rather than by a single enforcement action against the Council. The "Notification of Reason to Believe Finding" states that the Council "exercised direction over the earmarked contributions of its supporters . . . by suggesting to its supporters that they contribute to the candidates whom the Council has selected." (emphasis added.) Although 11 C.F.R. § 110.6(d)(2) uses the term "direction or control," the term "direction" is not defined anywhere in the Commission's regulations, nor has it been defined in any litigated decisions or advisory opinions. */

The Council understands that some other issue-oriented political action committees either send or are considering sending mailings to their supporters similar to those sent by the Council. Moreover, the Council has sent these types of mailings to its supporters since its founding in 1962, and this procedure was approved by the Secretary of the Senate as recently as 1974.

Among the procedural options available to the Commission, rulemaking is the only fair and appropriate mechanism for acting legislatively and adopting new policies or new definitions of regulations. Enforcement proceedings such as this, by their very nature designed only to prescribe specific remedies on the basis of the particular facts in a confined record, cannot provide an adequate framework for formulating a new rule of general applicability. As the Federal Trade Commission has stated:

> The focus in adjudication is on settling a dispute over past practices, and while a rule may be announced in the process, it tends to be done incidentally and without

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*/ AOR 1976-92 dealt with a corporate PAC and did not discuss the issue or definition of "direction." AOR 1975-10(C) was concerned only with "control" by a committee over the "earmarked contributions." The Council is aware of no other advisory opinions on this issue.

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> sufficient concern for laying down clear guidelines for the future. Most often, rules contained in adjudicative decisions, whether judicial or administrative, are not designated as rules or stated in the form of rules. The rule must be inferred from the language of the opinion and the facts of the case; it is implicit rather than explicit; and it may remain controversial and uncertain until many subsequent adjudications have refined and clarified it. It may take a long time for a rule even to be recognized and understood as such. */

In contrast, rulemaking can lead to the establishment of a rule articulated in direct and unambiguous language and supported by evidence and comments in the record. Congress, **/ the courts,***/ academic commentators,****/ and other agencies such as the Federal Trade Commission,*****/ have consistently emphasized the inadequacy of adjudication as compared to rulemaking in the development and promulgation of innovative policies affecting the general public and many parties.

Because many political action committees may be directly affected by the Commission's interpretation of the term "direction" in 11 C.F.R. § 110.6(d)(2), all such parties should have the opportunity to participate in a proceeding to explore such an interpretation before it is adopted. In addition,

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*/ Statement of Basis and Purpose of Trade Regulation Rules [Cigarette Advertising], 29 Fed. Reg. 8325, 8367 (July 2, 1964).

**/ See, e.g., House Comm. on Interstate and Foreign Commerce H.R. Rep. No. 93-1107, 93d Cong., 2d Sess. 32 (1974)

***/ See NLRB v. Wyman-Gordon Co., 394 U.S. 759 (1969); SEC v. Chenery Corp., 332 U.S. 194, 202 (1947); National Nutritional Foods Ass'n v. Weinberger, 512 F.2d 688, 698 (2d Cir. 1975); National Petroleum Refiners Ass'n v. FTC, 482 F.2d 672, 681 (D.C. Cir. 1973), cert. denied, 415 U.S. 951 (1974).

****/ See K. Davis, Administrative Law § 6.15 (1970 Supp.).

*****/ See Statement of Basis and Purpose of Trade Regulation Rules [Cigarette Advertising], 29 Fed. Reg. 8325, 8367 (July 2, 1964); Trade Regulation Rules Embodying Case Law Principles, 41 Fed. Reg. 3322 (1976).

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"rulemaking procedures . . . encourage broad participation on the part of interested parties and . . . result in a bright-line standard of conduct in appropriate cases, [serving] the threefold interest of clarity, uniformity, and fairness to the regulated industry."*/

Only through rulemaking will a new policy take effect on a date certain with ample notice to all affected parties. No political action committee would be penalized or stigmatized for the failure to act in accordance with entirely new principles and new definitions neither announced nor anticipated.

The Supreme Court has twice noted that "there may be situations where [in agencies] reliance on adjudication [rather than rulemaking] would amount to an abuse of discretion," NLRB v. Bell Aerospace Co., 416 U.S. 267, 294 (1974); NLRB v. Wyman-Gordon Co., 394 U.S. 759 (1969). The Commission would exceed the limits of its discretion here in seeking to define the term "direction" as used in 11 C.F.R. § 110.6(d)(2) through an enforcement action rather than a rulemaking proceeding.

For all of the foregoing reasons, the Office of the General Counsel should recommend that no further action on this matter be taken by the Commission. In addition, I would like to request a meeting with you at your earliest convenience to discuss this matter. Thank you for your consideration.

Sincerely yours,

Marc E. Lackritz

Marc E. Lackritz
Counsel to Council for a
Livable World

MEL:omb

Enclosure

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*/ Preservation of Consumers' Claims and Defenses Proceeding, 40 Fed. Reg. 53506, 53522 (1975).

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of:	
	MUR 1028
Council for a Livable World	

Responses to Questions from the FEC

The Council for a Livable World hereby responds to the following questions from the Federal Election Commission:

These questions concern the Council's 1978 activity in regard to the following Senatorial candidates: Baucus (MT), Bradley (NJ), Clark (IA), Fraser (MN), Haskell (CO), Hathaway (ME), Levin (MI), Ravenel (SC) and Roy (KS).

1. Explain in detail your solicitations/mailing system. Include answers to the following:

(a) How an individual comes to receive a solicitation mailing.

ANSWER: Mailings were sent out to all supporters of the Council for a Livable World ("Council"). Supporters of the Council are those individuals who have made a contribution, in any amount, directly to the Council for its support.

(b) Explain the significance of the first letter of a supporter's last name in the fundraising process.

ANSWER: See the sample mailings at Tab B. In the typical mailing, profiles of two candidates are enclosed. On the solicitation card, as an example, it is suggested that, unless they have a preference to the contrary, contributors with last names beginning with letters from A to G should consider making contributions to one candidate, contributors with last names beginning with letters from H to Q should consider making contributions to the

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other candidate, and contributors with last names beginning with letters from R to Z should consider making a contribution to the Council.

(c) How many candidates are involved per mailing?

ANSWER: There are from one to three candidates involved in each mailing. In 1978 there were usually two candidates involved in each mailing.

(d) Set out the reasons for obtaining written authorization from the candidates involved.

ANSWER: The Council obtained written authorizations from the candidates involved on the advice of counsel to ensure compliance with proposed FEC regulations governing the solicitation and receipt of contributions by multi-candidate political committees. Moreover, the Council wanted to comply with 2 U.S.C. § 441(d) which required disclosure in the direct mailing itself of the authorization by a candidate.

(e) Please furnish copies of any

(i) written authorization forms used by the candidates.

ANSWER: See Tab A for a typical authorization form.

(ii) any written correspondence between the Council and the candidates including copies of position papers and biographies supplied by the candidates.

ANSWER: There was no such written correspondence. Contacts between the Council and the candidates' campaigns were made by telephone.

(iii) copies of the solicitations that were used. (If all are identical, please specify and submit a sample solicitation.)

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ANSWER: See Tab 3 for solicitations from the 1978 campaign, and profiles of candidates.

(f) How many individual mailings were sent on behalf of each candidate.

ANSWER: Baucus - 3 mailings to Council supporters were sent.

Bradley - 1 mailing to Council supporters was sent.

Clark - 2 mailings to Council supporters were sent.

Fraser - 1 mailing to Council supporters was sent.

Haskell - 1 mailing to Council supporters was sent.

Hathaway - 1 mailing to Council supporters was sent.

Levin - 1 mailing to Council supporters was sent.

Ravenel - 3 mailings to Council supporters were sent.

Roy - 2 mailings to Council supporters were sent.

(g) Explain how earmarked money is transferred to the intended recipient.

ANSWER: After a mailing was sent out, the contributions to a particular candidate that were sent in were collected every day, and a transmittal sheet was prepared showing individual contributors' names and addresses, and, for contributions over $100, occupations and place of business. Also shown on the transmittal sheet was the date of receipt of the contribution and the date it was being sent to the campaign. The collected checks and the transmittal sheet for each day were then sent out the next day to the individual candidates' campaigns.

(h) How the cost of these mailings is paid and how they are allocated among the candidates.

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ANSWER: The cost of these mailings was paid out of the treasury of the Council and was allocated to the particular candidates involved in the mailing according to the percentage of Council supporters who were asked to consider contributing to the particular campaign.

2. In connection with the Council's obtaining of materials from a candidate's campaign committee, set out

(a) who in each committee was contacted

ANSWER: Baucus - Steve Browning, Administrative Assistant

Bradley - Susan Thomases, Campaign Manager

Clark - Bob Miller, Staff Aide

Fraser - Iric Nathanson, Press Secretary

Haskell - Jill Buckley, Campaign Consultant

Hathaway - Ed King, Administrative Assistant

Levin - Robert Seltzer, Campaign Manager

Ravenel - Bee Gee Truesdale, Campaign Coordinator

Roy - Paul Pendergast, Campaign Manager

(b) who from the Council made such contacts

ANSWER: Steve Thomas

(c) the substance of any conversations with the candidate or campaign committee officials

ANSWER: Steve Thomas asked the individuals at each particular campaign to send him a biography of the candidate, an 8"x10" glossy photograph of the candidate, a list of the candidate's legislative achievements while in office, and any speeches or articles by or about the candidate on issues relating to arms control.

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3. [illegible] state how, if at all, any of the Council's procedures during the 1976 election differ from the procedures followed in 1978.

ANSWER: The Council's procedures during the 1976 election were the same as those followed in 1978.

The foregoing answers are true to the best of my knowledge and belief.

Marc E. Lackritz
Wald, Harkrader & Ross
1300 Nineteenth Street, N.W.
Washington, D.C. 20036
Counsel to Council for a Livable World

Stephen M. Thomas
Former President and Executive Director, Council for a Livable World

Sworn to and subscribed to before me this 12th day of March, 1980.

Mary J. Cullen
Notary Public

My Commission Expires May 14, 1983.

8004020446

December 14, 1979

Mr. Stephen M. Thomas
Council for a Livable World
100 Maryland Avenue, N.E.
Washington, D.C. 20002

Dear Mr. Thomas,

I hereby authorize the Council for a Livable World to spend approximately $2,000.00 for a fundraising letter in behalf of my candidacy for the United States Senate to be mailed to the Council's 12,000 supporters on approximately January 11, 1980.

Pursuant to this authorization, I designate the Riggs National Bank, 9th & F Street, N.W., Washington, D. C. as the depository of the Council.

This authorization is not to be construed as a general authorization of the Council as a subsidiary committee of my campaign pursuant to the provisions of the Federal Election Campaign Act.

Sincerely,

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January 11, 1978

Dear Council Supporter,

In this first mailing of the 1978 election year we urge your early and generous support for two outstanding candidates, Congressman Max Baucus of Montana and former Congressman Bill Roy of Kansas.

Congressman Baucus is seeking the Democratic nomination for the seat being vacated by retiring Senator Lee Metcalf whose own distinguished record earned him Council support in 1966 and again in 1972. Former Congressman Bill Roy is running for the seat being vacated by retiring Senator James Pearson.

Both Montana and Kansas represent fertile ground for serious challenges from the New Right, a growing coalition of right wing national organizations which are expected to move aggressively against progressive candidates in the 1978 elections. The most recent published reports indicate these groups have already amassed over $3.5 million which will be funneled into the Congressional elections.

Well-organized and well-financed, the New Right is certain wherever possible to oppose candidates who have favorable positions on issues of concern to the Council. This alone is an excellent reason for your early support of Max Baucus and Bill Roy. The enclosed profiles provide detailed information on the two candidates and their campaigns.

For those supporters who have recently joined the Council we want to review briefly the Council's method of fundraising for candidates.

In our election appeals we normally ask supporters to make their checks payable either to a candidate's campaign committee or to the Council according to an alphabetical division of supporters by name. For example, in this mailing we ask those of you whose last name begins with the letters A-G to make your check payable to the Council, those whose last name begins with the letters H-Q to make your check payable to Roy for Senate and those whose last name begins with R-Z to make your

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Terry Lenzner, *Counsel*
Maureen Murphy, *Associate Director*

100 Maryland Avenue, N.E., Washington, D.C. 20002. Phone: 202-543-4100. *Founded in 1962 by Leo Szilard*

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78. Supporters who are asked this time to
y offered an opportunity to contribute to
ion appeal.

check payab tionally have other than Council priorities in selecting
contribute the inclusion of the phrase "unless you have a special
Senate ca rary, please make your check payable to..." is to assure
contribution goes to a candidate of whom you fully approve.

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pre
th event you decide to support more than one candidate or wish to support
ncil and a candidate, please make separate checks for each recipient. Checks
s payable to the Council with instructions that the contribution should go to a
mpaign committee are not permitted by law and will have to be returned. Please
return all contributions in the enclosed envelope.

Unlike our lobbying efforts which by their very nature must deal largely with specific legislation on a year to year basis, the election campaigns offer you the opportunity to have a direct impact on the course of legislation for years to come. We hope that you will participate actively in this election year.

Sincerely,

William Doering

William Doering
President

check payable [illegible] Committee '76. [illegible] contribute [illegible] Council are normally [illegible] Senate candidates in the next election appeal.

Supporters will occasionally have other than Council priorities [illegible] candidates to support. The inclusion of the phrase "unless you have a specific preference to the contrary, please make your check payable to..." is to assure that your political contribution goes to a candidate of whom you fully approve.

In the event you decide to support more than one candidate or wish to support the Council and a candidate, please make separate checks for each recipient. Checks made payable to the Council with instructions that the contribution should go to a campaign committee are not permitted by law and will have to be returned. Please return all contributions in the enclosed envelope.

Unlike our lobbying efforts which by their very nature must deal largely with specific legislation on a year to year basis, the election campaigns offer you the opportunity to have a direct impact on the course of legislation for years to come. We hope that you will participate actively in this election year.

Sincerely,

William Doering

William Doering
President

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"There is no greater challenge facing America than the need to eradicate the threat of nuclear war."

Two years ago when former Senate Majority Leader Mike Mansfield announced his retirement, the Council and the country were fortunate to have a strong candidate, John Melcher, who was successful in his bid to win the vacated seat and who shared Mansfield's enlightened approach to foreign affairs.

Despite the sudden death of Senator Lee Metcalf, we are fortunate that once again a strong contender, Congressman Max Baucus, is running for the Metcalf seat. Baucus too shares the enlightened tradition of internationalism that has characterized Montana's representation in the United States Senate for many years.

In two brief terms Baucus has established a record in the House of Representatives which prompted former Senator Mansfield to comment that "Max Baucus is the best Congressman Western Montana ever had," a particularly generous statement coming from Mansfield who once represented the district himself.

A native of Montana, thirty-six year old Max Baucus entered government service in 1967 upon completion of law school, first as an attorney for the Civil Aeronautics Board in Washington and later as legal assistant to the Chairman of the Securities and Exchange Commission.

In 1972 he entered elective politics by winning a seat in the Montana House of Representatives with over 90% of the vote. Two years later he ran and was elected to Congress from Montana's First District. In 1976 he was the top votegetter among Montana's Democrats, winning reelection with 66% of the vote.

In his two terms Max Baucus has clearly established his own concern and understanding of the complex issues of arms control, national security, nuclear proliferation and international cooperation. In key floor votes he has consistently opposed the B-1 bomber and voted against funding for either development or production of enhanced radiation warheads - neutron bombs. He voted for a reduction in funding from $150 to $75 million for the Clinch River breeder reactor, a step that leaves the program alive but forestalls actual construction in the present year.

He voted against the provision, eventually adopted, that requires the Director of ACDA to report to Congress on the prospects for verification of arms control agreements under negotiation. This provision, in effect, places Congressional hardliners in a position to intervene in and even disrupt the ongoing negotiating process.

Max Baucus has had an impact rare for a newcomer to the House of Representatives. As a freshman, he was elected to serve on the powerful Appropriations Committee and, of immediate relevance to Montana, was chosen for the Subcommittee on Agriculture. In early 1977, as the 95th Congress was getting under way, Max Baucus was asked to join the House leadership as Assistant Majority Whip.

In the area of Congressional reform he has established an impressive record. During his first term he was chosen to serve as Chairman of the New Members Caucus Committee for a More Active and Effective Congress. More recently, he played a leading role in the successful effort to oust Congressman Robert Sikes (D-Fla.) from his Chairmanship of Appropriation's Subcommittee on Military Construction following revelations of a serious conflict between the former Chairman's official and private conduct.

Among the qualities which Max Baucus has consistently demonstrated in his work and in his dealings with his constituents are openness and directness. Early in his freshman term in Congress, he walked into a Senate-House Conference Committee meeting which was dealing with major tax legislation. The Conference was closed to the public and, as he soon learned, closed also to Members who were not themselves conferees. Max took the issue to the House leadership, and his persistent efforts

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stemming from this single incident were instrumental in opening House-Senate conferences to the public at large.

A similar openness has characterized his dealings with his constituents. He is the first Congressman in Montana's history to open three district offices, establish a mobile office and provide at his own expense toll-free phone access to his district office for his constituents.

In his bid for the U.S. Senate Max Baucus will need your early and generous support. This is more true in view of recent political developments in Montana following the death of Senator Metcalf. On January 22, Governor Thomas Judge appointed State Supreme Court Justice Paul Hatfield to the Metcalf seat. Hatfield is expected to run for election to a full term and could be a formidable opponent for Baucus in the primary. In 1976 he defeated the incumbent Chief Justice by a margin of 103,000 votes, one of the largest in Montana's political history.

Paul Hatfield is a newcomer to national politics and his views on a broad range of major issues are still unformed. He acknowledged this in an interview with the Montana Associated Press when "he said he has been buried in legal cases so long he probably knows less about national issues facing the Senate than the average citizen." By contrast Max Baucus has established a strong and distinguished record on issues of concern to the Council.

In the general campaign Max Baucus, if nominated, is likely to face determined and heavily financed conservative opposition in the general election. As in 1976, Montana this year will be targeted by national right wing organizations as a prime opportunity to gain a senate seat in 1978. Early Council support can help to prevent that outcome. Please make your check payable to BAUCUS '78 COMMITTEE.

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Unless you have a preference to the contrary, please make your contribution according to this alphabetical arrangement by last name:

A-G, check payable to Baucus '78 Committee
H-Q, check payable to Council for a Livable World
R-Z, check payable to Roy for Senate

If you make more than one contribution, please write separate checks for each.

This solicitation is authorized by Roy for Senate committee and Baucus '78 Committee

A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C.

Please check and correct if necessary, or complete and return.

(10) Occupation

(11) Place of Business

(12) City (13) State

PLEASE CORRECT YOUR MAILING ADDRESS

(01) Name

(03) Address

(04) City (05) State

(07) ZIP

June 21, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Marc E. Lackritz
Wald, Harkrader & Ross
1300 - 19th Street, N.W.
Washington, D.C. 20036

Re: MUR 1028

Dear Mr. Lackritz:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, and information supplied by your client, the Federal Election Commission, on February 14, 1980, found reason to believe that your client may have violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. § 110.6(d)(2) and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies) stating your position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel. The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Marybeth Tarrant at (202) 523-4175.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

8004020464

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/MARGARET CHANEY

DATE: APRIL 1, 1980

SUBJECT: MUR 1028 - Interim Investigative Report #1 dated 3-24-80; Signed 3-28-80; Received in OCS 3-28-80, 1:48

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 11:00, March 31, 1980.

There were no objections to the Interim Investigative Report at the time of the deadline.

8004020465

BEFORE THE FEDERAL ELECTION COMMISSION
March 28, 1980

In the Matter of)
)
Council for A Livable World) MUR 1038

Interim Investigative Report #1

On February 14, 1980, the Commission found reason to believe that the respondent violated 2 U.S.C. § 441a(a)(2)(A) and 11 C.F.R. § 110.6(d)(2) in connection with that committee's exercising direction and control over earmarked contributions. A letter with questions was sent to the committee that day.

On March 12, 1980, Marc E. Lackritz, attorney for the Council, responded to the Commission's finding and our questions.

This office is presently analyzing Mr. Lackritz's response and upon conclusion of our investigation, will make a recommendation to the Commission.

28 March 1980
Date

Charles N. Steele
General Counsel

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RECEIVED
OFFICE OF
GENERAL
COUNSEL

March 12, 1980

Ms. Marybeth Tarrant
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1028

Dear Ms. Tarrant:

Enclosed are answers to the questions of the Commission directed to "Stephen A. Thomas" (sic) of the Council for a Livable World ("Council") by the Commission on February 14, 1980. Copies of documents requested by the Commission are attached to these answers.

No further action should be taken by the Commission on this matter. First, the Council exercises no control or direction over its supporters' earmarked campaign contributions. Second, the "direction or control" language of 11 C.F.R. § 110.6 (d)(2) of the Regulations is inconsistent with the Congressional intent in enacting the contribution limitations at 2 U.S.C. § 441a(a)(2)(A). Third, if the Commission now plans to delineate the meaning of "direction" in 11 C.F.R. § 110.6(d)(2), the requirements of due process mandate that the Commission proceed by rulemaking, subject to notice and comment by interested parties, rather than by a single enforcement action against the Council. These points are more fully discussed below.

The Council, a non-profit and non-partisan voluntary association, was founded in 1962 by a group of scientists, headed by nuclear physicist Leo Szilard, who were concerned about the proliferation of nuclear weapons and about the need to encourage

discussions concerning control of such weapons. Ever since its founding, the Council's primary objective has been to encourage sensible limitations on the use of nuclear, biological and chemical weapons by the United States and other nations.

In attempting to focus attention on these arms control issues, the Council has engaged in lobbying, conducted seminars for Congressional members and staff, and compiled and distributed publications on arms control issues. In addition, the Council educates and informs its supporters, on a non-partisan basis, about candidates for the United States Senate and about current legislative initiatives and issues in the area of arms control.

In election years, on the basis of its own independent research into the issues and the candidates, the Council endorses a number of candidates for the United States Senate. Descriptions of these candidates and their opponents, prepared by the Council staff, are directly mailed to the Council's supporters. In the letter enclosing this material, it is suggested that Council supporters consider making contributions to the endorsed candidates' campaign committees or to the Council according to an alphabetical division of supporters by name. All contributions are mailed back to the Council, which merely forwards them on to the intended recipients.

The Council clearly does not exert control or direction over its supporters' earmarked contributions. Nor does the Council exert control or direction over its supporters' individual choices of recipient candidates for their contributions. Typically, two profiles of Council-endorsed candidates are enclosed in each election-year mailing. The Council supporter receiving the mailing has a myriad of available options: he/she may make a contribution to one Council-endorsed candidate or the other, to both, or to neither. The choice of a recipient candidate for a campaign contribution is thus solely in the control of the Council supporter who receives the mailing.

The Council's supporters are a very diverse group of about 10,000 individuals who are united only by their interests in arms control policy issues. The Council thus can exert no economic or political leverage nor any other means to control or direct the choices of its individual supporters. As a non-partisan, multi-candidate committee organized solely around broad substantive policy issues rather than economic interests, the Council is very different from the more typical corporate and union political action committees and partisan committees organized only for the purpose of affecting the outcomes of federal elections. The Council's interests are much broader and issue-oriented. As a result, the Council exercises no more "control or direction" than does a newspaper or a public figure who endorses a particular candidate.

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The endorsement of a political candidate by a non-partisan, issue-oriented committee such as the Council is an act of free speech constitutionality protected by the First Amendment. Any determination by the Commission of probable cause that the Council has violated 2 U.S.C. § 441a(a)(2)(A) or section 110.6(d)(2) of the Commission's Regulations would seriously impede and abridge the Council's First Amendment rights.

Second, the language in the Regulations at 11 C.F.R. § 110.6(d)(2), upon which the Commission relies, is inconsistent with the Congressional intent in enacting the contribution limitations at 2 U.S.C. § 441a(a)(2)(A). The Commission has noted "reason to believe" that the Council may have violated the contribution limitations of 2 U.S.C. § 441a(a)(2)(A) because the Council "exercised direction over the earmarked contributions of its supporters," as outlined at 11 C.F.R. § 110.6(d)(2). And yet Congress intended for the contribution limitations of 2 U.S.C. § 441a(a)(2)(A) to be applied only when a committee exercised "control" — not "direction" — over the making of a contribution.

Specifically, the Conference Report on the Federal Election Campaign Act Amendments of 1974 stated that:

> It was the understanding of the Committee on House Administration . . . that the following rule would apply with respect to the application of the contribution limitations established by subsection (b) [now subsection (a)]: if a person exercises any direct or indirect control over the making of a contribution, then such contribution shall count toward the limitation imposed with respect to such person under subsection (b), but it will not count toward such a person's contribution limitation when it is demonstrated that such person exercised no direct or indirect control over the making of the contributions involved.
>
> * * *
>
> The conferees agree with the analysis of the House. . . .
>
> Conference Report No. 1237, Senate Report No. 93-689, reprinted in 1974 U.S. Code Congressional and Administrative News 5620-21 (emphasis added).

The term "direction or control" as used in 11 C.F.R. § 110.6(d)(2) is thus broader than and inconsistent with the

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Congressional intent in enacting 2 U.S.C. § 441a(a)(2)(A). It would be anomalous and unlawful for the Commission to use a different standard to apply the contribution limitations section to the Council than the standard that Congress clearly intended in enacting the law. Since the Council has obviously not exercised "direct or indirect control over the making of the contribution involved," it has not violated 2 U.S.C. § 441a(a)(2)(A).

Finally, if the Commission now plans to delineate the meaning of "direction" at 11 C.F.R. § 110.6(d)(2), it should proceed by rulemaking, subject to notice and comment by all interested parties, rather than by a single enforcement action against the Council. The "Notification of Reason to Believe Finding" states that the Council "exercised direction over the earmarked contributions of its supporters . . . by suggesting to its supporters that they contribute to the candidates whom the Council has selected." (emphasis added.) Although 11 C.F.R. § 110.6(d)(2) uses the term "direction or control," the term "direction" is not defined anywhere in the Commission's regulations, nor has it been defined in any litigated decisions or advisory opinions.*/

The Council understands that some other issue-oriented political action committees either send or are considering sending mailings to their supporters similar to those sent by the Council. Moreover, the Council has sent these types of mailings to its supporters since its founding in 1962, and this procedure was approved by the Secretary of the Senate as recently as 1974.

Among the procedural options available to the Commission, rulemaking is the only fair and appropriate mechanism for acting legislatively and adopting new policies or new definitions of regulations. Enforcement proceedings such as this, by their very nature designed only to prescribe specific remedies on the basis of the particular facts in a confined record, cannot provide an adequate framework for formulating a new rule of general applicability. As the Federal Trade Commission has stated:

> The focus in adjudication is on settling a dispute over past practices, and while a rule may be announced in the process, it tends to be done incidentally and without

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*/ AOR 1976-92 dealt with a corporate PAC and did not discuss the issue or definition of "direction." AOR 1975-10(C) was concerned only with "control" by a committee over the "earmarked contributions." The Council is aware of no other advisory opinions on this issue.

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> sufficient concern for laying down clear guidelines for the future. Most often, rules contained in adjudicative decisions, whether judicial or administrative, are not designated as rules or stated in the form of rules. The rule must be inferred from the language of the opinion and the facts of the case; it is implicit rather than explicit; and it may remain controversial and uncertain until many subsequent adjudications have refined and clarified it. It may take a long time for a rule even to be recognized and understood as such. */

In contrast, rulemaking can lead to the establishment of a rule articulated in direct and unambiguous language and supported by evidence and comments in the record. Congress, **/ the courts,***/ academic commentators,****/ and other agencies such as the Federal Trade Commission,*****/ have consistently emphasized the inadequacy of adjudication as compared to rulemaking in the development and promulgation of innovative policies affecting the general public and many parties.

Because many political action committees may be directly affected by the Commission's interpretation of the term "direction" in 11 C.F.R. § 110.6(d)(2), all such parties should have the opportunity to participate in a proceeding to explore such an interpretation before it is adopted. In addition,

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*/ Statement of Basis and Purpose of Trade Regulation Rules [Cigarette Advertising], 29 Fed. Reg. 8325, 8367 (July 2, 1964).

**/ See, e.g., House Comm. on Interstate and Foreign Commerce H.R. Rep. No. 93-1107, 93d Cong., 2d Sess. 32 (1974)

***/ See NLRB v. Wyman-Gordon Co., 394 U.S. 759 (1969); SEC v. Chenery Corp., 332 U.S. 194, 202 (1947); National Nutritional Foods Ass'n v. Weinberger, 512 F.2d 688, 698 (2d Cir. 1975); National Petroleum Refiners Ass'n v. FTC, 482 F.2d 672, 681 (D.C. Cir. 1973), cert. denied, 415 U.S. 951 (1974).

****/ See K. Davis, Administrative Law § 6.15 (1970 Supp.).

*****/ See Statement of Basis and Purpose of Trade Regulation Rules [Cigarette Advertising], 29 Fed. Reg. 8325, 8367 (July 2, 1964); Trade Regulation Rules Embodying Case Law Principles, 41 Fed. Reg. 3322 (1976).

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"rulemaking procedures . . . encourage broad participation on the part of interested parties and . . . result in a bright-line standard of conduct in appropriate cases, [serving] the threefold interest of clarity, uniformity, and fairness to the regulated industry."*/

Only through rulemaking will a new policy take effect on a date certain with ample notice to all affected parties. No political action committee would be penalized or stigmatized for the failure to act in accordance with entirely new principles and new definitions neither announced nor anticipated.

The Supreme Court has twice noted that "there may be situations where [in agencies] reliance on adjudication [rather than rulemaking] would amount to an abuse of discretion," NLRB v. Bell Aerospace Co., 416 U.S. 267, 294 (1974); NLRB v. Wyman-Gordon Co., 394 U.S. 759 (1969). The Commission would exceed the limits of its discretion here in seeking to define the term "direction" as used in 11 C.F.R. § 110.6(d)(2) through an enforcement action rather than a rulemaking proceeding.

For all of the foregoing reasons, the Office of the General Counsel should recommend that no further action on this matter be taken by the Commission. In addition, I would like to request a meeting with you at your earliest convenience to discuss this matter. Thank you for your consideration.

Sincerely yours,

Marc E. Lackritz

Marc E. Lackritz
Counsel to Council for a
Livable World

MEL:omb

Enclosure

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*/ Preservation of Consumers' Claims and Defenses Proceeding, 40 Fed. Reg. 53506, 53522 (1975).

00040204643

In the Matter of:

Council for a Livable World

MUR 2028

Responses to Questions from the FEC

The Council for a Livable World hereby responds to the following questions from the Federal Election Commission:

These questions concern the Council's 1978 activity in regard to the following Senatorial candidates: Baucus (MT), Bradley (NJ), Clark (IA), Fraser (MN), Haskell (CO), Mathias (MD), Levin (MI), Ravenel (SC) and Roy (KS).

1. Explain in detail your solicitations/mailing system. Include answers to the following:

(a) How an individual comes to receive a solicitation mailing.

ANSWER: Mailings were sent out to all supporters of the Council for a Livable World ("Council"). Supporters of the Council are those individuals who have made a contribution, in any amount, directly to the Council for its support.

(b) Explain the significance of the first letter of a supporter's last name in the fundraising process.

ANSWER: See the sample mailings at Tab B. In the typical mailing, profiles of two candidates are enclosed. On the solicitation card, as an example, it is suggested that, unless they have a preference to the contrary, contributors with last names beginning with letters from A to G should consider making contributions to one candidate, contributors with last names beginning with letters from H to Q should consider making contributions to the

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other candidates, was [illegible]

with letters from 2 to 4 [illegible]

to the Council.

(c) How many candidates are involved per mailing.

ANSWER: There are from one to three candidates involved in each mailing. In 1978 there were usually two candidates involved in each mailing.

(d) Set out the reasons for obtaining written authorization from the candidates involved.

ANSWER: The Council obtained written authorizations from the candidates involved on the advice of counsel to ensure compliance with proposed FEC regulations governing the solicitation and receipt of contributions by multi-candidate political committees. Moreover, the Council wanted to comply with 2 U.S.C. § 441(d) which required disclosure in the direct mailing itself of the authorization by a candidate.

(e) Please furnish copies of any

(i) written authorization forms used by the candidates.

ANSWER: See Tab A for a typical authorization form.

(ii) any written correspondence between the Council and the candidates including copies of position papers and biographies supplied by the candidates.

ANSWER: There was no such written correspondence. Contacts between the Council and the candidates' campaigns were made by telephone.

(iii) copies of the solicitations that were used. (If all are identical, please specify and submit a sample solicitation.)

0 0 0 4 0 2 0 7 6 5

[illegible] solicitations from [illegible] and profiles of candidates.

(f) How many individual mailings were sent on behalf of each candidate.

ANSWER: Baucus - 3 mailings to Council supporters were sent.

Bradley - 1 mailing to Council supporters was sent.

Clark - 2 mailings to Council supporters were sent.

Fraser - 1 mailing to Council supporters was sent.

Kimball - 1 mailing to Council supporters was sent.

Hathaway - 1 mailing to Council supporters was sent.

Levin - 1 mailing to Council supporters was sent.

Ravenel - 3 mailings to Council supporters were sent.

Roy - 2 mailings to Council supporters were sent.

(g) Explain how earmarked money is transferred to the intended recipient.

ANSWER: After a mailing was sent out, the contributions to a particular candidate that were sent in were collected every day, and a transmittal sheet was prepared showing individual contributors' names and addresses, and, for contributions over $100, occupations and place of business. Also shown on the transmittal sheet was the date of receipt of the contribution and the date it was being sent to the campaign. The collected checks and the transmittal sheet for each day were then sent out the next day to the individual candidates' campaigns.

(h) How the cost of these mailings is paid and how they are allocated among the candidates.

8 0 0 1 0 2 0 4 6 4 4 4

[illegible] Understand these matters are [illegible] of the Council and was allocated to the [illegible] involved in the mailing according to the [illegible] supporters who were asked to consider contributing to the particular campaign.

2. In connection with the Council's obtaining of materials from a candidate's campaign committee, set out

(a) who in each committee was contacted

ANSWER: Baucus - Steve Browning, Administrative Assistant

Bradley - Susan Thomases, Campaign Manager

Clark - Bob Miller, Staff Aide

Fraser - Iric Nathanson, Press Secretary

Haskell - Jill Buckley, Campaign Consultant

Hathaway - Ed King, Administrative Assistant

Levin - Robert Seltzer, Campaign Manager

Ravenel - Bee Gee Truesdale, Campaign Coordinator

Roy - Paul Pendergast, Campaign Manager

(b) who from the Council made such contacts

ANSWER: Steve Thomas

(c) the substance of any conversations with the candidate or campaign committee officials

ANSWER: Steve Thomas asked the individuals at each particular campaign to send him a biography of the candidate, an 8"x10" glossy photograph of the candidate, a list of the candidate's legislative achievements while in office, and any speeches or articles by or about the candidate on issues relating to arms control.

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[illegible] procedures during the 1976 [illegible] the same as [illegible] used in 1978.

The foregoing answers are true to the best of my knowledge and belief.

Marc E. Lackritz
Wald, Harkrader & Ross
1300 Nineteenth Street, N.W.
Washington, D.C. 20036
Counsel to Council for a
Livable World

Stephen M. Thomas
Former President and Executive
Director, Council for a
Livable World

Sworn to and subscribed to before
me this 6th day of March, 1980.

Mary J. Cutler
Notary Public

My Commission Expires May 14, 1983.

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December 14, 1979

Mr. Stephen M. Thomas
Council for a Livable World
100 Maryland Avenue, N.E.
Washington, D.C. - 20002

Dear Mr. Thomas,

I hereby authorize the Council for a Livable World to spend approximately $2,000.00 for a fundraising letter in behalf of my candidacy for the United States Senate to be mailed to the Council's 12,000 supporters on approximately January 11, 1980.

Pursuant to this authorization, I designate the Riggs National Bank, 9th & F Street, N.W., Washington, D. C. as the depository of the Council.

This authorization is not to be construed as a general authorization of the Council as a subsidiary committee of my campaign pursuant to the provisions of the Federal Election Campaign Act.

Sincerely,

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FOCUS

Endorsed Candidates
Montana

"There is no greater challenge facing America than the need to eradicate the threat of nuclear war."

Two years ago when former Senate Majority Leader Mike Mansfield announced his retirement, the Council and the country were fortunate to have a strong candidate, John Melcher, who was successful in his bid to win the vacated seat and who shared Mansfield's enlightened approach to foreign affairs.

Despite the sudden death of Senator Lee Metcalf, we are fortunate that once again a strong contender, Congressman Max Baucus, is running for the Metcalf seat. Baucus too shares the enlightened tradition of internationalism that has characterized Montana's representation in the United States Senate for many years.

In two brief terms Baucus has established a record in the House of Representatives which prompted former Senator Mansfield to comment that "Max Baucus is the best Congressman Western Montana ever had," a particularly generous statement coming from Mansfield who once represented the district himself.

A native of Montana, thirty-six year old Max Baucus entered government service in 1967 upon completion of law school, first as an attorney for the Civil Aeronautics Board in Washington and later as legal assistant to the Chairman of the Securities and Exchange Commission.

In 1972 he entered elective politics by winning a seat in the Montana House of Representatives with over 90% of the vote. Two years later he ran and was elected to Congress from Montana's First District. In 1976 he was the top votegetter among Montana's Democrats, winning reelection with 66% of the vote.

In his two terms Max Baucus has clearly established his own concern and understanding of the complex issues of arms control, national security, nuclear proliferation and international cooperation. In key floor votes he has consistently opposed the B-1 bomber and voted against funding for either development or production of enhanced radiation warheads - neutron bombs. He voted for a reduction in funding from $150 to $75 million for the Clinch River breeder reactor, a step that leaves the program alive but forestalls actual construction in the present year.

He voted against the provision, eventually adopted, that requires the Director of ACDA to report to Congress on the prospects for verification of arms control agreements under negotiation. This provision, in effect, places Congressional hardliners in a position to intervene in and even disrupt the ongoing negotiating process.

Max Baucus has had an impact rare for a newcomer to the House of Representatives. As a freshman, he was elected to serve on the powerful Appropriations Committee and, of immediate relevance to Montana, was chosen for the Subcommittee on Agriculture. In early 1977, as the 95th Congress was getting under way, Max Baucus was asked to join the House leadership as Assistant Majority Whip.

In the area of Congressional reform he has established an impressive record. During his first term he was chosen to serve as Chairman of the New Members Caucus Committee for a More Active and Effective Congress. More recently, he played a leading role in the successful effort to oust Congressman Robert Sikes (D-Fla.) from his Chairmanship of Appropriation's Subcommittee on Military Construction following revelations of a serious conflict between the former Chairman's official and private conduct.

Among the qualities which Max Baucus has consistently demonstrated in his work and in his dealings with his constituents are openness and directness. Early in his freshman term in Congress, he walked into a Senate-House Conference Committee meeting which was dealing with major tax legislation. The Conference was closed to the public and, as he soon learned, closed also to Members who were not themselves conferees. Max took the issue to the House leadership, and his persistent efforts

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stemming from this single incident were instrumental in opening House-Senate conferences to the public at large.

A similar openness has characterized his dealings with his constituents. He is the first Congressman in Montana's history to open three district offices, establish a mobile office and provide at his own expense toll-free phone access to his district office for his constituents.

In his bid for the U.S. Senate Max Baucus will need your early and generous support. This is more true in view of recent political developments in Montana following the death of Senator Metcalf. On January 22, Governor Thomas Judge appointed State Supreme Court Justice Paul Hatfield to the Metcalf seat. Hatfield is expected to run for election to a full term and could be a formidable opponent for Baucus in the primary. In 1976 he defeated the incumbent Chief Justice by a margin of 103,000 votes, one of the largest in Montana's political [illegible]

Paul Hatfield is a newcomer to [illegible] politics and his views on a broad range [illegible] issues are still unformed. He acknowledged in an interview with the Montana [illegible] Press when "he said he has been buried [illegible] cases so long he probably knows [illegible] national issues facing the Senate [illegible] average citizen." By contrast Max Baucus has established a strong and distinguished record on issues of concern to the Council.

In the general campaign Max Baucus, if nominated, is likely to face determined and heavily financed conservative opposition in the general election. As in 1976, Montana this year will be targeted by national right wing organizations as a prime opportunity to gain a Senate seat in 1978. Early Council support can help to prevent that outcome. Please make your check payable to BAUCUS '78 COMMITTEE.

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Dick Clark

Congressional Candidate
Democrat – Iowa

"Clark is extremely hard working.... He takes the job seriously and he has a lot of tenacity."

Clifford Case, ranking Republican on the Senate Foreign Relations Committee

In Iowa first term Senator Dick Clark faces a difficult race for reelection. Carter Administration farm policies, continuing inflation and the issue of government spending have created in Iowa and much of the Midwest an electoral atmosphere which will be hazardous for Democratic incumbents running for reelection to federal office.

Among Republicans in the Iowa senate primary the current front runner and expected winner is former Lt. Gov. Roger Jepson, who is heavily funded by rightwing mail expert Richard Viguerie. Also a popular contender is the equally conservative Chairman of the Iowa Commerce Commission, Maurice Van Nostrand. Either one can be expected to mount a formidable challenge.

Dick Clark was elected to the United States Senate in 1972 after a 1,300 mile walking campaign which took him to every county in the state of Iowa. His 55%-45% victory over former Senator Jack Miller was one of the major senate upsets that year.

Clark is a member of the Senate Foreign Relations Committee and the Committees on Agriculture and Rules. He is chairman of the subcommittees on African Affairs and on Rural Development.

In foreign affairs he has established an outstanding record on issues of immediate concern to the Council. A staunch advocate of the SALT process, Clark voted for the Warnke nominations and opposed funding to produce neutron warheads. He voted with the minority to extend the original jurisdiction of the Senate Intelligence Committee to cover the intelligence agencies of the Department of Defense. He opposed the move to permit private industry to develop and operate nuclear fuel enrichment facilities.

Campaigning in Iowa in April, he noted that "we've gotten to the point where both sides have built so many weapons that each side has the ability to destroy the other for all intents and purposes several times over." He continued that the aim of the SALT talks is to set an "absolute limit" on the number of delivery vehicles, and the key "to get something that can be verified." The benefits of agreement are not limited to a strengthening of our national security. "If we can get something that is verifiable and put a limitation on our defense expenditures, it will have a real effect on our tax money. The congressional budget office has said that without SALT II we will spend an additional $100 billion on strategic weapons during the next fifteen years."

Of direct concern to many of his Iowa constituents are Dick Clark's efforts in the area of agriculture. He has been a prime mover in the Senate for legislation to reform the nation's scandal-ridden commodity futures trade regulation, to eliminate the corruption which has been endemic to the nation's system of grain inspection and weighing and to strengthen and tighten federal packing house regulations. He played a major role in the Senate's unsuccessful effort in the 1977 farm bill to establish price supports adequate to cover farmers' actual production costs.

On the Foreign Relations Committee Dick Clark has been especially active on African issues reflecting his chairmanship of the African Affairs Subcommittee. It was Clark who authored the amendment, frequently cited in recent news reports, that prohibits covert U.S. intervention in the Angolan civil war. He has been an outspoken opponent of white supremacist governments in southern Africa, leading the Congressional effort to ban importation of Rhodesian chrome and urging a shift in U.S. government policy from neutrality to open discouragement of further foreign investment in the Republic of South Africa.

Clark was one of the few members of the Senate to fault the Justice Department publicly

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for its extraordinarily lenient treat[illegible] perjury charge against former C[illegible] Richard Helms who had lied to the [illegible] Foreign Relations Committee regard[illegible] involvement in the overthrow of Chile[illegible] Salvador Allende. In an editorial article in the [illegible] *York Times* Clark wrote:

> "I doubt that the ramifications of Mr. Helms's position are fully appreciated by many who accept it. Every C.I.A. employee has [illegible] a secrecy oath. Is every intelligence [illegible] therefore exempt from testifying truthfully before Congressional Committees that have legitimate jurisdiction? If so, Congressional oversight of the intelligence community has effectively ended and the blueprint has been drawn—in the form of a simple secrecy oath—for a major shift in the balance of executive—legislative power."

Outside the areas of his immediate committee jurisdiction, Dick Clark has been a forceful proponent of Congressional reform. He single-handedly engineered a change in Senate procedures to require that Senate committee chairmanships be decided by election rather than seniority. He has played a major role in efforts to open Senate committee meetings and to modify the filibuster rule. He was a principal proponent of the 1974 campaign reform act, authoring the amendment that reduced contribution limits by a half, and has been a persistent advocate of providing public financing for congressional elections.

Consistent with his efforts for [illegible] reform has been his [illegible] Iowa. Since taking office, Dick Cl[illegible] days a year in Iowa on average, [illegible] a 94% attendance record in the [illegible]

If, as widely expected, Hope[illegible] Republican senate nominee, the [illegible] campaign against Clark can be gl[illegible] quote from a letter which he sent to [illegible] households shortly before he announced his candidacy:

> Dick Clark, according to both the liberal Americans for Democratic Action and the conservative American Conservative Union, is rated as one of the most liberal members of the U.S. Senate.
>
> You and I know that this is not what the people of Iowa want in our U.S. Senator. We want a senator who believes in moral integrity, a strong national defense, and keeping Big Brother Federal Government out of our lives.
>
> You and I don't want our tax money to be used to pay Panama's pro-Castro dictator $50,000,000 for the privilege of taking away our Panama Canal.

Nobody better than Council supporters understands just how much is at stake in our senate elections. In Iowa the lines are drawn. Your help is needed. Please make your check payable to *Dick Clark Senate Committee.*

8 0 0 4 0 2 0 4 4 7 5

Bill Bradley

Council Endorsed Candidate
Democrat — New Jersey

In the June 6th primary, political newcomer Bill Bradley made an outstanding showing in his first bid for elective office by winning more than 60% of the vote, trouncing five other candidates including the party endorsed candidate. In a state where party support is traditionally tantamount to election, Bradley stunned the organization by carrying 20 of the state's 21 counties. New Jersey Democrats overwhelmingly approved of Bradley who possesses unconventional political credentials but offers thoughtfully developed positions on a broad range of issues.

Bradley is a 1965 honors graduate in American history from Princeton University. He spent two years in England as a Rhodes Scholar studying politics, economics and philosophy at Oxford University. Upon his return to the United States, he commenced what became a highly successful 10-year career as a professional athlete with the New York Knickerbockers. During his sports career Bradley actively pursued a variety of outside interests: teaching basic skills to disadvantaged youths in Harlem, working as an assistant to the Director of the Office of Economic Opportunity in Washington, serving as his team's union representative and as a director of numerous non-profit organizations. He is also the author of a highly acclaimed autobiographical book.

As evidenced in a recent campaign speech, Bradley's philosophy on foreign policy clearly reflects the themes and lessons learned as a student of history.

> Having waged war for ten years in Asia, we owe it to ourselves and the world to strengthen our vision and commitment to peace... But, we have to listen and listen with great sensitivity to the vision other countries have of themselves. We must understand the limits of our ability to bring peace. Think for a moment, of how profound the causes of war and discord are in the world: religion in Northern Ireland, race in South Africa, and both—over thousand of years—in the Middle East. (These causes are) very, very deep, requiring much patience and forbearance and empathy, if we are to play a realistic role as peacemaker. So we must be active, but reflective, trusted because we use our power with great restraint.

The practical application of Bradley's philosophy is evident in his support of the ratification of the Panama Canal Treaties as "essential to foster a workable relationship with our Latin American neighbors," and his advocacy of direct negotiations between Israel and her Arab neighbors. On issues of direct concern to the Council, he is a strong proponent of arms control and firmly disapproves of linking the progress of the SALT talks with Soviet activity in other arenas.

> Progress in the strategic arms limitation talks is essential if we are to create a secure and stable world order... We must not allow the ups and downs of superpower relations to impede progress towards a SALT agreement.

Bradley's positions on domestic issues include his support of a comprehensive national energy program that would emphasize the development of alternative power sources, especially solar energy; national environmental standards and controls; and the adoption of a national catastrophic health insurance plan.

Despite his strong showing in the primary, Bradley is only an even favorite to win the general election in November. His opponent will be former Reagan speechwriter Jeffrey Bell. Bell, whose candidacy had been underestimated by most political observers before the primary, surprised the nation by defeating by a narrow margin four-term veteran Senator Clifford Case. The thrust of Bell's primary campaign was two-dimensional. Seizing tax relief and government spending as his major issues, Bell relentlessly publicized his support of the highly controversial Kemp-Roth bill and secondarily attacked Case for his traditional liberalism, especially in the area

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of foreign policy.

Given the publicity attendant on the "taxpayer's revolt" in general and the Kemp-Roth bill in particular, Bell is using this issue as the keystone of his general election campaign, one which may overshadow his position on other important issues. A New Right conservative, Bell is best known as the author of the $50 billion transfer plan advocated by Ronald Reagan in his '76 presidential campaign.

In the area of foreign policy Bell has indicated that he would not support the SALT II agreements in their present form and is in favor of deploying the neutron bomb. He does not support the Senate's ratification of the Panama Canal Treaties and advocates production of the B-1 bomber and increasing our Trident submarine fleet. Bell is also a proponent of the "linkage" theory and favors suspension of the SALT talks in response to recent Soviet activity in Africa. He also favors blockading Cuba for its inv[illegible] in Africa.

Pessimism over the economy, a deep [illegible] with unchecked inflation, disenchantm[illegible] the Carter Administration and the im[illegible] appeal of a call for radical tax cuts are [illegible] frequently encountered in surveys of [illegible] public attitudes. In this regard, New Jer[illegible] exception. The rhetoric of the New Rig[illegible] without doubt captured the attention of a [illegible] audience, one that is eager to support its candidates with contributions, workers and votes. National conservative organizations have promised Bell major support.

Bill Bradley will need your help to win this seat that has long been identified with an enlightened approach to international affairs. Please make your checks payable to *Bill Bradley for U.S. Senate.*

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Don Fraser

Council Endorsed Candidate
Democrat - Minnesota

The Minnesota Senate race offers Council supporters this year an exceptional opportunity to help elect a thoughtful and articulate spokesman for nuclear arms control. Among the present members of the House of Representatives, U.S. Rep. Don Fraser stands out as a skilled and knowledgeable legislator in the area of foreign affairs. In fact, it is likely that Fraser's foreign affairs experience would gain him a seat in 1979 on either the Senate Foreign Relations Committee or the Armed Services Committee. From either position, the Minnesota Representative could be expected to play a major role in the fight for ratification of SALT II next year.

In his election campaign Fraser will have to overcome a difficult primary fight against well-financed Democratic conservative Robert Short and then defeat Republican David Durenberger in the November election. Despite the liberal traditions of Minnesota as exemplified in Hubert Humphrey, Eugene McCarthy and Walter Mondale, Minnesota Republicans are making a determined effort to take advantage of extraordinary Democratic flux and a growing anti-government mood to win the seat.

Don Fraser was first elected to the House of Representatives in 1962, defeating the well-known Republican incumbent and chief of the old China lobby Walter Judd. After 16 years in the House, Fraser has built a substantial following within Minnesota and around the country through his hard-work in Congress, his dedication to principles and his quiet leadership.

Since entering Congress, Fraser has been active in foreign relations and arms control. He has served on the International Relations Committee during his entire tenure, and chairs its Subcommittee on International Organizations.

His voting record and his activities in the arms control field have been especially noteworthy. In a 1973 interview, Fraser listed strategic arms limitations among his major personal priorities in Congress, and today remains a staunch supporter of the SALT negotiating process. In a Minneapolis speech early this year, Fraser praised the UN Special Session on Disarmament as a means "to raise international consciousness about the need for disarmament, focus world wide attention on a range of disarmament issues and provide an opportunity for the United States to advance support for its arms control proposals."

In another portion of the speech, he commented:

> How distorted our emphasis really is, if not our values, seems clear. Our Arms Control and Disarmament Agency has a budget of less than $20 million annually. We spend over $110 billion on military expenditures.

Fraser's voting record has been consistent with his spoken sentiments. He has opposed the B-1 bomber since 1972. He has consistently supported House floor efforts to reduce the size of the military budget. He voted for amendments to limit counterforce programs and to stop development of the neutron bomb. In 1971 he voted to limit the ABM program to two sites. In 1977 he voted to terminate the Clinch River Breeder Reactor, and only this month he voted to kill the latest nuclear aircraft carrier.

Fraser's work on the International Relations Committee has led to the title "architect of human rights." In 1973, he held landmark Congressional hearings on human rights that first brought the subject to public attention. Since then, he has authored provisions to cut off military assistance to violators of human rights; to require yearly reports to Congress on the human rights situation in countries which receive foreign aid; and to establish the position of Human Rights Coordinator in the State Department.

Fraser also initiated the successful effort to reorient American foreign aid toward food, health, nutrition and population planning in the world's poorest countries. He was one of the leaders in the passage of the War Powers Resolution in 1973, the ban on the importation of Rhodesian chrome in 1977 and the cut-off of military aid and sales to Chile.

His leadership ability and his willingness to

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take strong positions—he first publicly opposed the Vietnam war in 1966—have led his House colleagues to choose him for several important positions. He headed the Democratic Study Group and for the last two years has chaired a subcommittee looking into illegal or improper activities of the South Korean Central Intelligence Agency in this country.

He has also been active in leadership positions outside the Congress. He chaired the Democratic Commission on Party Structure and Delegate Selection after Sen. George McGovern resigned to run for President. He then served for three years as national President of the liberal Americans for Democratic Action.

The 6-term Congressman is also known as a staunch environmentalist and an outspoken advocate of woman's rights. It is in these two issue areas that the harshest attack on Fraser is coming in the 1978 campaign. Both Democrat Short and Republican Durenberger are supporting an anti-abortion constitutional amendment, hoping to capitalize on substantial "pro-life" sentiment in the state. In addition, Fraser's outspoken position in favor of preserving a Minnesota wilderness area has cost him a serious loss of support among Democrats in Northeastern Minnesota, a traditional Democratic stronghold.

In June, after an impressive pre-convention campaign that knocked out a series of potential challengers, Fraser was endorsed by the Democratic-Farmer-Labor Party, an endorsement usually tantamount to nomination in a state with a strong party convention tradition. Both Vice President Mondale and Senator Muriel Humphrey are actively supporting his candidacy.

Despite the party's endorsement, millionaire businessman Robert Short is challenging Fraser in the primary. Short will have a heavily funded campaign, attacking Fraser on issues such as abortion and access for [illegible] mobiles in Minnesota's Boundary Waters Area. At question is the amount of d[illegible] such a heavily funded, negative campaign on Fraser's candidacy in the [illegible] election.

The Durenberger campaign is harder to [illegible] He is a newcomer to elective politics [illegible] impressed Republican professionals [illegible] year when campaigning for the governorship. It soon became apparent, however, that Republican Party loyalists were committed to U.S. Representative Albert Quie's campaign for Governor, and Durenberger jumped into the race for the Humphrey senate seat. Durenberger has held a number of appointed positions in state and local governmental bodies, in addition to serving as former Governor Le Vander's chief aide from 1967-71.

Durenberger has been running a conservative campaign, supporting the anti-abortion amendment and calling for less government spending...except for military spending. According to a June 1978 Minnesota newspaper article: "In the area of military expenditures, Durenberger does not believe there should be a limit on spending—especially in weapons research and development."

The most recently published polls show Don Fraser with only a slender majority of the vote in both the primary race with Short and also in the general election with Durenberger. Disenchantment with Minnesota Democrats and the damaging effects of a heated and even bitter primary make Fraser potentially vulnerable to a strong Republican tide.

Your help is needed now to assure that one of the strongest arms control advocates in the House is able to enter the Senate in time for the ratification debate on SALT II. Please make your check payable to Fraser for Senate Committee.

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Floyd Haskell

Endorsed Candidate
– Colorado

Looking back to his military experiences during the Second World War, Floyd Haskell wrote recently:

> I was on the first American ship which landed in Japan after the war and was among a group of fourteen U.S. military personnel who toured Nagasaki - the first Americans to do so.
>
> I shall never forget our approach to the city. We were in trucks. The ground was still too hot with radiation to walk on. We drove up an incline through a protected residential area, but as we crested the ridge before us lay total destruction.
>
> An area of perhaps three by ten miles had been reduced to rubble. We followed the main road through town. The damage was astonishing, even steel girders had been twisted like a child's toy. We were reduced to silence as we viewed mile after mile of utter destruction. At the time, I could not foresee the full implications of the atomic age, but it was clear that something new and terrible had been borne.
>
> As the only member of the Senate who has personally witnessed the devastation of a nuclear attack, I have a unique sensitivity to the issue of arms control. Those who recognize the destructive potential of nuclear weapons do not talk cavalierly of casualty figures in the tens of millions as being acceptable. Rather, I have worked and will continue to work diligently for prudent and verifiable agreements to reduce the threat of nuclear holocaust.

In 1964, Floyd Haskell won election to the Colorado State Legislature as a Republican. Within two years he became the House Majority Leader. He used his position to fight for consumer legislation and more responsible growth policies for Colorado's urban areas.

Confronted with unacceptable Nixon Administration policies on Vietnam, Floyd Haskell guided to passage a resolution of concern directed at the White House. Added to his strong opposition to Nixon's Vietnam policies was a sharp disagreement with Administration economic policies and with the nominations of Haynsworth and Carswell to the U.S. Supreme Court. In 1970 he changed his affiliation to the Democratic Party.

At the time he felt that his change in party affiliation would be the end of his active political career. But in 1972, many Democratic Party leaders urged him to take on a campaign that was generally felt to be impossible to win: a challenge to Gordon Allot, who for 18 years had represented Colorado in the United States Senate.

Haskell campaigned as few serious candidates had ever campaigned. In a state where military expenditures are substantial, he was arguing for reduced defense appropriations. In a state where the emphasis for a generation had been the encouragement of industrial expansion he was arguing for limits to growth.

Haskell traveled Colorado extensively, carrying a message of change and reform into large and small communities. What emerged was a grass-roots effort unique in Colorado political history. Most political experts missed the significance of the Haskell campaign, because it was taking place in communities and neighborhoods and not on the front page of the newspapers.

When the votes were counted, Richard Nixon had carried the state with 64% of the vote. Floyd Haskell had narrowly won election to the United States Senate.

Haskell serves on two of the most powerful committees in the Senate: the Finance Committee and the Committee on Energy and Natural Resources. He chairs two major subcommittees, one that oversees the administration of the Internal Revenue Code and the other which deals with questions of energy production and supply. On both parent committees he has been a forceful advocate of solar power, steering through committee and the full Senate on behalf of Colorado's two Senators the Hart-Haskell solar loan program.

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On issues of immediate interest to the Council, Floyd Haskell's record has consistently demonstrated his concern over the dangers of the nuclear arms race and the dangers of nuclear proliferation. This was apparent in his support of the Warnke nominations, in his opposition to neutron weaponry, in his support of the President's successful effort to stop development of the B-1 bomber and finally in his vote to discontinue the controversial Clinch River breeder reactor project.

Floyd Haskell has played an active and constructive part in a broad range of international issues.

He has opposed the burgeoning sale of United States conventional arms with the same vigor that he has sought to control nuclear proliferation. He was a co-sponsor of a major bill to provide Congressional review of major arms sales and has supported all bills and amendments designed to reduce the sale of conventional arms abroad.

He has also opposed individual arms sales, the sale of sophisticated fighter aircraft to Saudi Arabia and the sale of AWACS radar planes to Iran. In addition, he has pressed for more thorough arms control impact statements.

Floyd Haskell has strenuously opposed recent U.S. military operations abroad as unwise and unnecessary. He was an early and effective opponent of America's involvement in Indochina. More recently, he voted to terminate U.S. covert operations in Angola, and he has encouraged efforts to avoid an arms race in the Indian Ocean.

This year, Floyd Haskell faces an difficult race for reelection and has [illegible] Council for help.

In the Republican primary which decided on September 12, two [illegible] candidates are running for the nomi[illegible] expected winner, U.S. Rep. William A[illegible] has such a relentlessly negative rec[illegible] on Council issues but in so many other broad social concern that he stands out among his conservative colleagues. A consistent supporter of the B-1 bomber, he favored the neutron bomb. Congressional intervention in diplomatic initiatives during the course of arms control negotiations and rapid development of the Clinch River breeder.

The expected runner-up in the Republican primary is former astronaut Jack Swigert. During his campaign he has accused the Carter Administration of lacking "the basic understanding of what constitutes effective arms reduction and control" and stated that the current SALT talks "are weakening America and should be discontinued." In their place Swigert proposes a comprehensive review of present arms limitation proposals by the United States Senate. Swigert's proposal would in effect remove any hope of success for the beleaguered arms talks.

Floyd Haskell faces one of the most difficult campaigns for reelection among the 35 senate races this year. He has a pressing need for Council support. Please make your checks payable to *People for Haskell*.

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Senator William D. Hathaway

Council Endorsed Candidate
Democrat - Maine

Oversight was never really effectively accomplished before. There was the 'whisper in the ear' approach to intelligence where only one or two people in Congress were privy to what was going on. Sometimes members who were being briefed even said they 'didn't want to know.' Now all that has changed.

The population of Maine is still small enough that personal campaigning is an essential ingredient in statewide elections. It has been the hallmark of Bill Hathaway's campaigns since he was first elected to the Congress in 1964. It was the key element in 1972 when he visted every one of Maine's 496 cities and towns and won a decisive senate upset by defeating veteran incumbent Margaret Chase Smith.

Once in a small country store in northern Maine Bill Hathaway introduced himself to the owner.

"I don't believe you," she said. "No Senator would ever come way up here."

Senator Hathaway produced his Senate identification card and gave it to the woman. After careful examination she handed it back.

"I still don't believe you," she said.

His years of person to person campaigning may again prove to be the decisive factor in his re-election campaign this year, for Bill Hathaway faces a formidable challenge from three term Republican Congressman William Cohen. The race is currently rated a toss-up by most political observers in Maine.

Senator Hathaway is a member of the Finance Committee, the Committee on Human Resources and the Select Committee on Small Business. He is a charter member of the new select Committee on Intelligence.

Since he first came to Congress in 1965, he has maintained an excellent record on issues of immediate concern to the Council. He supported the nominations of Paul Warnke as chief SALT negotiator and Director of ACDA and supported the Senate resolution favoring continuation of the terms of SALT I pending completion of current negotiations on SALT II. He voted against development of the B-1 bomber and supported Senator Mark Hatfield's amendment prohibiting production of neutron warheads. Senator Hathaway has consistently favored legislation to curb nuclear proliferation. He voted in favor of the Clark Amendment to prohibit U.S. intervention in Angola.

Matching these more recent votes is the earlier record which he established when still a Member of the House. He was a co-sponsor of the War Powers Act which restricts the power of the President to use armed forces in the absence of a declaration of war by Congress. He demonstrated an early and thorough understanding of arms control issues, warning in a 1969 speech to the Bangor chapter of the American Legion that U.S. failure to defer development of MIRV might cause us to lose "a golden opportunity to negotiate some form of arms control with the Russians."

Commenting in a recent campaign speech on his work with the Senate Select Committee on Intelligence, he said:

> The vigilance needed today involves subtle but important issues confronting the Congress—especially those of us who serve on the Intelligence Committees who are trying to come to grips with the very difficult question of writing legislation to insure that the abuses of the past will never, never recur—to make sure that the CIA may never spy on Americans again, that the FBI may never seek to destroy future Martin Luther Kings, and that plumbers will not again be dispatched to do the personal and political biddings of the President of the United States....
>
> Our Committee is now holding a series of hearings on writing legislative charters for all of our intelligence agencies. For the first time in our history, these agencies will be told, by law, what they may and may not do.

In the 1977 debate on reorganization of the Senate, Hathaway drew on the precedent of the

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Intelligence Committee, which limits membership to eight years for any senator. [illegible] an amendment that the same limitation [illegible] to all committee memberships, [illegible] and subcommittee chairmanships. [illegible] 72-15 vote against adoption clearly [illegible] it was not an idea whose time had come. However, in discussing the proposal Hathaway made some noteworthy observations on the operation of the Senate:

> We all know each Senator has one vote and in that way each and every one of us is equal. But at the same time we all recognize that some of us are a little more equal than others, and that those who have committee and subcommittee chairmanships who have established a domain within a certain area tend to be more influential, more powerful than others. This amendment would go a long way to redistribute the jurisdiction, the power, and the influence among the entire Senate membership. . . .
>
> I know that the argument will be made that when a Senator serves on a certain committee over a period of years he developes a certain expertise. . . But I think those of us who have been around for a little while will admit that the learning curve starts to flatten out after 2 to 4 years and certainly by the time that a Member reaches 8 years on a committee the additional amount he will learn from that additional time [illegible] very small.

Hathaway's opponent is Bill Cohen, a moderate Republican who is completing his third term in the House of Representatives. Congressman Cohen's record on Council issues has been mixed. He voted for production of neutron warheads, but he has been an opponent of the B-1 bomber. When the House of Representatives opposed release of the controversial Pike report of its Intelligence Committee, Cohen sided with the majority against disclosure. He voted to discontinue the Clinch River demonstration breeder but favored private development of uranium enrichment facilities. He opposed efforts to defer flight testing of MIRV warheads and favored production of the Airborne Warning and Control System. He is an outspoken critic of the Panama Canal Treaties in contrast to Hathaway who voted for ratification.

Bill Hathaway's record on Council issues has been consistently positive. It is a record of long standing, based on a genuine understanding of the complex problems of arms control. Council Supporters have every reason to anticipate a similar record in the second term. We urge you therefore to contribute generously to the *Committee to Re-Elect Senator Hathaway.*

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[illegible] Endorsed Candidate [illegible] Michigan

We need to make the world a better and safer place for our children. We must try harder to end the arms race which can only end in economic distortion and human destruction.

The Michigan senate race offers one of the few instances this year where arms control advocates have a good opportunity of netting a seat. Six weeks before the election, polling data showed Democratic nominee Carl Levin almost even with incumbent Senator Robert Griffin. Although neck and neck in the polls, the contrast on issues between the two candidates is striking.

A native of Michigan, Carl Levin is a graduate of Swarthmore College and Harvard Law School. Before his election to the City Council of Detroit, Levin served with the Michigan Attorney General's Office, first as General Counsel for the Michigan Civil Rights Commission and subsequently, as Chief Appellate Defender for the City of Detroit. In his eight years as member and four years as President of Detroit's City Council, Levin was responsible for initiating a number of important ordinances, some of which became models for later state legislation.

During his tenure he was particularly active in battling the federal bureaucracy, notably the Department of Housing and Urban Development. Levin was instrumental in exposing HUD's practice of redlining certain Detroit neighborhoods for FHA mortgage insurance, an exposure which forced HUD to reverse its previous policy. In addition, he put pressure on the U.S. Department of Labor to lift arbitrary restrictions on the use of CETA (Comprehensive Employment Training Act) funds in rehiring laid-off workers. If elected to the Senate, one of his domestic priorities would be to seek broad powers of "legislative veto" by Congress over all new rules and regulations promulgated by executive agencies, a position at odds with the Administration.

Other domestic issues of major concern to Levin are inflation, which he addresses with a five-point program, sweeping reform of the Social Security System beginning with the inclusion of Congress in the system, and labor law reform legislation which would encompass enactment of a specific time limit to guarantee speedy union representation elections and repeal of Section 14(b) of the Taft-Hartley Act. On women's issues, Levin is a supporter of the Equal Rights Amendment and sanctions federal funding of abortions on the principle of equity.

Most importantly, Levin is an ardent supporter of arms control efforts. In discussing the impact the Administration's position on human rights is having on our foreign policy, he stated:

> ...the recent trials of Soviet dissidents offend the moral fiber of all Americans. But the United States should not react by withdrawing from the SALT talks in protest because those talks are too important to the future of the whole world to doom them to failure by a protest which is not likely to modify in any way the plight of the dissidents. If the condition for talking to the Russians were the existence of freedom of speech in that country, then we could never even begin to talk with them.

Levin has also stated that while foreign policy must be designed to protect our national security, it must be consistent with our national character and have a broad base of domestic political support, as "any other course of action will be internally inconsistent and externally impotent." Levin also believes that the major emphasis of our foreign aid program should be directed to basic human needs with a primary focus on nutrition, recognizing that "nutrition is not only a humanitarian consideration but is a prerequisite to economic development."

The record of Levin's opponent, Senator Robert Griffin, on arms control issues is relentlessly negative. He has consistently voted for production of the B-1 bomber, and for production of the neutron bomb. He voted against confirmation of Paul Warnke as SALT negotiator and as head of the Arms Control and Disarmament Agency. In 1976 he voted to

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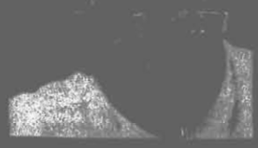
Charles "Pug" Ravenel



Contract Endorsed Candidate
Democrat - South Carolina

The South Carolina senate race offers perhaps the sharpest contrast between candidates in the 1978 senate elections. Seventy-four year old Senator J. Strom Thurmond, a politician commonly regarded as the stereotype of the Old South, is being challenged by 40-year-old Charles D. "Pug" Ravenel, representative of a new political generation in the fashion of Senators Jim Sasser of Tennessee and Dale Bumpers of Arkansas.

Since the beginning, Ravenel's challenge has been an uphill battle. Slowly but steadily he has been closing the gap between himself and Senator Thurmond. Most recently polling shows Thurmond leading by the margin of 49-39, a narrowing gap that can be closed by election day.

In the coming weeks every dollar contributed to the Ravenel campaign will be critically important. Most observors are agreed that if Pug Ravenel is to succeed in unseating "the last pillar of the Confederacy," he will only do so by the narrowest of margins.

Pug Ravenel was born in Charleston, South Carolina in 1938, the son of a metalworker. Upon completion of high school he won a newsboys' scholarship that permitted him to attend Philips Exeter Academy for a year after which he was admitted to Harvard College, again as a scholarship student. He completed college in 1961 and received a Masters Degree in Business Administration from the Harvard Business School in 1964. From 1964 to 1972 he worked in a Wall Street investment banking firm with the exception of one year in Washington in 1966-7 when he served as a White House Fellow in the Office of the Secretary of Treasury. In 1972 Ravenel returned to South Carolina.

Since high school Ravenel had set his sights on the governorship of his home state. His return to Charleston was a first step toward that goal, but the opportunity to run presented itself sooner than he had expected. In 1974 the state's political establishment was split when two establishment candidates, Lt. Gov. Earl Morris and Congressman William Jennings Bryan Dorn, both entered the gubernatorial primary.

With that opening and the assessment of veteran political consultant Marvin Chernoff that the election would be 'wide open', Ravenel entered the fray. Virtually unknown to the voters, his candidacy was not at first taken seriously, but what followed was a whirlwind campaign such as South Carolina had never seen before. He made a frontal assault on the party establishment, referring to "conflict of interest as a way of life" in the state's politics and attacking lawyer-legislators who accepted fees from utilities and other interests while serving in the legislature. He pressed for better education and health care, more vigorous protection of the environment and more and better jobs.

Ravenel led the field in the first primary and won the second primary by a decisive margin.

Former Governor Robert McNair recalled: "I didn't think it could be done, but most of us were wrong. We underestimated the participation by young people, the independence of the black vote and just the general attitude of people here looking for a new face. Pug really taught us something new."

Once nominated, Ravenel seemed certain of election until the State Supreme Court ruled in a suit against him that he did not fully meet the residency requirements for candidacy. Originally, a lower court had ruled on the complaint in his favor, but that decision was now overturned on appeal. The state party was thrown into turmoil. For a time there was talk of a special session of the legislature to enact a constitutional amendment that would enable Ravenel to run. Instead the State Democratic Convention was reconvened and picked Congressman Dorn, the runner-up in the primary, as the party's nominee. Ravenel did not campaign for Dorn who went down to defeat. His refusal to do so may cause Ravenel problems this year, but it underscores the seriousness with which he leveled his attack

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upon the Democratic establishment.

As so often in the case of challengers, there is little in Pug Ravenel's record that particularly speaks to the issues of immediate concern to the Council. In meetings with him, however, the Council's representatives have satisfied themselves that Ravenel would not only represent a vast improvement over Senator Thurmond, but that in his own right he would be a distinguished addition to the United States Senate. In our discussions he demonstrated an awareness and understanding of the issues of direct concern to the Council.

By contrast, Senator Thurmond's record during his twenty four years in the United States Senate is one of unrelieved negativism.

In 1961, the Senate voted to create the Arms Control and Disarmament Agency by a margin of 73-14. Strom Thurmond voted no.

In 1963, the Senate approved the limited nuclear test ban treaty 80-19. Strom Thurmond voted no.

In 1969, the Senate approved the Nuclear Non-proliferation Treaty 83-15. Strom Thurmond voted no.

In 1969, when the Senate split down the middle on whether to build the Safeguard ABM System (50-50 one vote, 49-51 on the other), Strom Thurmond voted for the ABM on both votes.

In 1972, the Senate added the restrictive Jackson amendment to the bill authorizing approval of the SALT I agreement with the Soviet Union. Strom Thurmond voted for the Jackson amendment.

Senator Thurmond has been an ardent proponent of every major new weapons system including the Trident submarine in 1973, counter-force programs in 1974 and 1975 and the B-1 bomber in 1976 and 1977.

Senator Thurmond supported the Vietnam war to the bitter end, voting against every anti-war amendment including Cooper-Church in 1970, McGovern-Hatfield in 1971 and [illegible] amendment in 1972.

Most recently, he opposed the [illegible] Paul Warnke as Director of ACDA [illegible] negotiator for SALT II, favored [illegible] ment of the Clinch River Breeder [illegible] this writing has already voted no on the [illegible] two Panama Canal Treaties.

Thurmond's negative record in foreign affairs is fully matched by his domestic record. He voted against the major civil rights legislation of 1964 and 1965, voted to confirm the Supreme Court nominations of Clement Haynsworth in 1969 and G. Harold Carswell in 1970 and supported construction of the SST in 1971. In 1948 Mr. Thurmond was the "Dixiecrat" candidate for President of the United States.

Despite his age and his inability to come to terms with the twentieth century, Senator Thurmond is a formidable candidate for re-election. He is an active and skilled campaigner, and has proved himself nearly indefatigable in providing constituent services. Although he consistently votes no on such bread and butter legislation as manpower training, full employment and indeed almost the entire gamut of social legislation, he was the first member of the South Carolina delegation to hire a black on his staff. He has been instrumental in establishing scholarships at black institutions of higher learning in South Carolina and may soon be able to take credit for the appointment of the first black federal district judge in the South. His campaign will be heavily financed, much of it through the efforts of right wing mail specialist Richard Viguerie.

South Carolina offers Council Supporters a dramatic opportunity to be active and effective in one of the critical senate races of 1978. Pug Ravenel will need every bit of support that you can give him.

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"There is a job to be done... to wear the world from its course of final and conclusive war."

Dr. Bill Roy will be familiar to supporters who participated through the Council in the 1974 senate elections. In that year the Council provided major support of his challenge of Senator Robert Dole. His campaign narrowly fell short of victory by the heartbreaking margin of 49-51.

This year Bill Roy is running for the senate seat from which Senator James Pearson is retiring. In view of his candidacy Kansas represents one of the best prospects for a major gain among the 1978 senate races.

Bill Roy's record both as a campaigner and, during two terms in the House of Representatives, speaks for itself.

When he first ran for Congress in 1970, he left behind two secure professions - medicine and law - to deal with "world problems for which there are no scientific or military solutions, only social and human solutions."

With no money from the Democratic Party and neither endorsement nor money from the American Medical Association, he won a spectacular upset by a margin of 11,000 votes to become the second Democratic congressman elected in his district in 112 years.

Congressman Roy's record in the House (1971-75) revealed a man of rare stature whose abilities and concerns would add much to the Senate.

On the key military and foreign policy issues of the time Congressman Roy voted to reduce the Safeguard authorization by $100 million to limit the deployment of Anti-Ballistic Missiles; to prohibit the expenditure of new funds in support of U.S. military action in or over North and South Vietnam, Laos and Cambodia; to require Presidential consultation with the Congress before committing U.S. armed forces to conflict and to override the President's veto on the War Powers Resolution.

Consistent with his conviction that negotiation is to be preferred over the use of military force, he voted for the authorization of $22 million to the Arms Control and Disarmament Agency - a substantial increase in the Agency's budget.

During his two terms Congressman Roy's greatest legislative achievement was authoring the Health Maintenance Organizational Act of 1973. The product of three years work, it is still widely regarded as one of the most important contributions to national health legislation passed by Congress in recent years. Proudly, the Kansas *Hutchinson News* described the event as "giving Kansas its first claim to an original sponsor of major nation-wide legislation since the early 1920's."

Another side of Bill Roy was revealed in his refusal to support the Subversive Activities Control Board, or cite CBS President Frank Stanton in contempt of Congress for failure to comply with a subpoena ordering him to deliver unused portions of the documentary, "The Selling of the Pentagon."

The intelligence and integrity apparent in his past public service are no less present in Bill Roy today. Announcing his candidacy for the Senate, he said:

> "The problems and crises we face in Kansas and in the nation are never really solved. They are the problems of human beings living together on an increasingly crowded planet - with only so much space, energy and resources to go around. The ultimate measure of our greatness as a nation is how steadily we work in the midst of these problems to make decent and dignified lives for all of our people..."

The political situation in which Bill Roy finds himself today is in striking contrast to the one he faced in 1974. Then he was a challenger who was relatively unknown outside his own congressional district and was opposed by a well-entrenched incumbent, Senator Robert Dole. Today he is both known and well-liked on a statewide basis.

When Kansas Republican Governor Robert

8004020468

8004020046889

January 12, 1978

Dear Council Supporter,

In this first mailing of the 1978 election year we urge your early and generous support for two outstanding candidates, Congressman Max Baucus of Montana and former Congressman Bill Roy of Kansas.

Congressman Baucus is seeking the Democratic nomination for the seat being vacated by retiring Senator Lee Metcalf whose own distinguished record earned the Council support in 1966 and again in 1972. Former Congressman Bill Roy is running for the seat being vacated by retiring Senator James Pearson.

Both Montana and Kansas represent fertile ground for serious challenges from the New Right, a growing coalition of right wing national organizations which are expected to move aggressively against progressive candidates in the 1978 elections. The most recent published reports indicate these groups have already amassed over $3.5 million which will be funneled into the Congressional elections.

Well-organized and well-financed, the New Right is certain wherever possible to oppose candidates who have favorable positions on issues of concern to the Council. This alone is an excellent reason for your early support of Max Baucus and Bill Roy. The enclosed profiles provide detailed information on the two candidates and their campaigns.

For those supporters who have recently joined the Council we want to review briefly the Council's method of fundraising for candidates.

In our election appeals we normally ask supporters to make their checks payable either to a candidate's campaign committee or to the Council according to an alphabetical division of supporters by name. For example, in this mailing we ask those of you whose last name begins with the letters A-G to make your check payable to the Council, those whose last name begins with the letters H-Q to make your check payable to Roy for Senate and those whose last name begins with R-Z to make your

(over)

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check payable to [illegible] contribute to the Council are normally [illegible] Senate candidates in the next election [illegible]

Supporters will occasionally have other than [illegible] candidates to support. The inclusion of the phrase "Unless you have a special preference to the contrary, please make your check payable to..." is to insure that your political contribution goes to a candidate of whom you fully approve.

In the event you decide to support more than one candidate or wish to support the Council and a candidate, please make separate checks for each recipient. Checks made payable to the Council with instructions that the contribution should go to a campaign committee are not permitted by law and will have to be returned. Please return all contributions in the enclosed envelope.

Unlike our lobbying efforts which by their very nature must deal largely with specific legislation on a year to year basis, the election campaigns offer you the opportunity to have a direct impact on the course of legislation for years to come. We hope that you will participate actively in this election year.

Sincerely,

William Doering

William Doering
President

5004020469 1

Council for a Livable World

February 17, 1978

Dear Council Supporter:

Since our letter to you of January 12th, the Senate race in Montana has changed dramatically due to the recent death of Senator Lee Metcalf. State Supreme Court Chief Justice Paul Hatfield was appointed to Senator Metcalf's seat. Although he is not a declared candidate, he is widely expected to run in the Democratic primary and could prove to be a strong opponent to Max Baucus.

At this time, Senator Hatfield is too much a newcomer to politics and to the national scene to have developed clearly defined positions on any of the issues of concern to the Council. In view of this and the outstanding record which Max Baucus has made in his first three years in Congress, we urge renewed support of Baucus' candidacy, especially now that he is likely to face a significant primary challenge.

The enclosed profile of Max Baucus has been revised to reflect the changes in the Montana race.

We have received many letters about Bill Roy's candidacy. Remembering his 1974 loss to Senator Robert Dole by only half a percentage point, supporters are pleased to see him as a candidate and are pulling hard for him in this year's race.

Both the Montana and Kansas primaries are classic examples of the kind of election in which Council support can make a major difference. Both candidates are from small states - where Council support will go a long way. Both candidates have outstanding records on Council issues and a good chance of winning.

While the initial response we received to the appeals for Baucus and Roy has been excellent, much more is needed for these two campaigns and it is needed now when it can be used most effectively.

Please make your contribution today as follows: A-G Baucus '78 Committee, H-Q Council for a Livable World, R-Z Roy for Senate.

Sincerely,

William Doering

William Doering
President

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00040204692

8 0 0 4 0 2 0 4 6 9 3

Unless you have a preference to the contrary, please make your contribution according to this alphabetical arrangement by last name:

A-G, check payable to Baucus '78 Committee
H-Q, check payable to Council for a Livable World
R-Z, check payable to Roy for Senate

If you make more than one contribution, please write separate checks for each.

This solicitation is authorized by Roy for Senate committee and Baucus '78 Committee

A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C.

Please fold and tape as directed on reverse side

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(11) Place of Business

(12) City

PLEASE CORRECT YOUR MAILING ADDRESS

(01) Name

(02) Address

(04) City

(07) 782

March 10, 1978

Dear Council Supporter,

On February 17 Senator Paul Hatfield (D-MT), recently appointed to the seat of the late Senator Lee Metcalf, announced his candidacy for the United States Senate. For Council endorsed candidate Max Baucus the Democratic senate primary now becomes a major contest.

While Hatfield's candidacy, as we noted in our last mailing to you, was expected, it will have immediate repercussions for the Baucus campaign especially in the area of fundraising. Many traditional Democratic contributors, both in Montana and at the national level, will be reluctant to take sides in a partisan primary, and substantial funds for Baucus, which were previously assured, will now be deferred until after the primary election.

For this reason your support for Max Baucus is urgently needed now. We have carefully examined Senator Hatfield's position on issues of concern to the Council and found in every instance that he is at present unwilling to state his position. By contrast Max Baucus has established a record that speaks eloquently on his behalf.

For those of you who have not contributed to Max Baucus, we ask that you carefully consider his urgent need for support. If you have already made a contribution to his campaign, you should disregard this appeal.

Please make your check payable to Baucus '78 Committee.

Sincerely,

William Doering
President

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Please make your check payable to

Baucus '78 Committee

solicitation is authorized by Baucus '78 Committee

A copy for our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C.

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(03) Address

(04) City (05) State (06) Zip

(07) 783 Federal Election Act Identification Number

April 3, 1978

Dear Council Supporter,

Your generous contributions to Max Mancus (D-Mt) and Bill Roy (D-KS) have put both these candidates in a strong position at an early stage in their campaigns.

In this appeal we ask that you give your attention to Democratic challenger Charles Ravenel who will oppose incumbent Republican Senator Strom Thurmond of South Carolina. As the information in the enclosed profile tells you, Ravenel faces a very difficult, up-hill battle but a battle which can be won. Ravenel's election would be an important progressive victory for the South and a major step toward a Senate that understands and responds to the realities of our nuclear world. We ask that you read his profile carefully and save it for possible future reference.

In other senate races two Council Senators - Floyd Haskell (D-CO) and William Hathaway (D-ME) - contique to face tough reelection battles. Haskell will have a strong Republican challenge whether the nominee is U. S. Rep. William Armstrong or former astronaut Jack Swigert. Hathaway is opposed by U.S. Rep. William Cohen. A third Council Senator, Claiborne Pell (D-R.I.), could also face a formidable challenge if Providence Mayor Vincent "Buddy" Cianci decides to run for the Senate. Cianci is scheduled to announce his intentions on April 7. Finally, Senator Clifford Case (R-N.J.), who faces a strenuous challenge from the Republican right wing in his primary, could also face strong opposition in the general election, although the Democratic nominee is likely to share with Case a common stand on issues of concern to the Council.

Among other races, Council attention is focused at present on three states in particular. In Arkansas the successor to the late Senator John McClellan will be picked from a three man primary field consisting of Governor David Pryor, U.S. Rep. Ray Thornton and U.S. Rep. Jim Guy Tucker. In 1972 the Council supported Pryor in his unsuccessful challenge against McClellan. Arkansas' first primary is on May 30 and the second primary on June 13.

In Michigan Senator Robert Griffin reversed his earlier decision to retire and is now running for reelection. Eight Democrats have already filed for the August 8 primary with no clear front runner emerging yet.

(over)

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Finally, Minnesota will have two senate races in 1978. In the first, Senator Wendell Anderson, who stepped down from the governorship to be appointed to Vice President Mondale's seat, is experiencing a strong negative public reaction to his appointment. In a recent Minneapolis Tribune poll Anderson trailed his Republican opponent by 45-48. The opponent, Rudy Boschwitz, a self-made Minnesota businessman who is a newcomer to elective politics and a candidate with little knowledge of national issues, especially those of concern to the Council. In the Senate, Anderson's record on Council issues has been outstanding.

In Minnesota's other senate race developments have been brought nearly to a standstill pending a decision by Senator Muriel Humphrey whether she will be a candidate for election to the unexpired portion of her late husband's term. The only announced Democratic candidate, U.S. Rep. Donald Fraser, has shown surprising strength in preconvention caucusing despite the Humphrey threat. In the same Minneapolis Tribune poll Fraser was virtually tied with Humphrey (40-41) among potential voters in the Democratic-Farmer-Labor primary. Possible Republican candidates are U.S. Rep. William Frenzel and U.S. Rep. Thomas Hagedorn with Hagedorn considered the more likely candidate. Both Hagedorn and Frenzel have voting records in the House that demonstrate neither an awareness nor concern with Council issues. Either Fraser or Humphrey would be likely recipients of Council endorsement in the general election.

In future letters we will be writing to you on developments in these and other senate races. At this time we urge that you read the enclosed profile on Charles Ravenel and the South Carolina election and make your contribution according to the instructions on the enclosed card.

Sincerely,

Steve Thomas

Steve Thomas
National Director

00040204697

May 1, 1978

Dear Council Supporter,

Since our last letter events in the South Carolina senate race have been moving at a rapid pace. Throughout the spring Charles Ravenel has been steadily narrowing the lead which incumbent Senator Strom Thurmond earlier enjoyed.

The very latest survey results show Ravenel within five percentage points. Thurmond's support has dropped below the half way mark to 49%, while Ravenel's has climbed to 44%.

Pug Ravenel called our Washington office earlier this week to express his own gratitude for the Council's support, "the closest I can come," as he expressed it, "to thanking each of your supporters who has made a contribution to my campaign."

A victory in South Carolina would be an unexpected and important gain in this year's senate races. The response to our first appeal for Pug Ravenel was excellent. We ask those of you who were not offered the opportunity in our previous letter to make your contribution now to Ravenel for U.S. Senate.

Though less exciting perhaps, your contributions to the Council are also sorely needed.

With best wishes,

Steve Thomas
National Director

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Unless you have a preference to the contrary, please make your contribution according to this alphabetical arrangement by last name:

A-I, check payable to Council for a Livable World

J-Z, check payable to Ravenel for U.S. Senate

If you make more than one contribution, please write separate checks for each.

This solicitation is authorized by Ravenel for U.S. Senate committee.

A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission Washington, D.C.

(10) Occupation

(11) Place of Business

(12) City (13) State

PLEASE CORRECT YOUR MAILING ADDRESS

(01) Name

(03) Address

(04) City (05) State

(07) 785 Age

May 1, 1978

Dear Council Supporter,

As a newcomer to the Council, you will find in this letter your first opportunity to participate actively through the Council in the 1978 senate elections. We are urging you to support Democrat Charles Ravenel of South Carolina who is challenging Senator Strom Thurmond, the Republican incumbent.

Throughout the spring Ravenel has been steadily narrowing the lead which Thurmond earlier enjoyed. The very latest survey results show Ravenel within five percentage points. Thurmond's support has dropped below the half way mark to 49%, while Ravenel's has climbed to 44%.

Pug Ravenel called our Washington office earlier this week to express his gratitude for the Council support already received, "the closest I can come," as he expressed it, "to thanking each of your supporters who has made a contribution to my campaign."

A victory in South Carolina would be an unexpected and important gain for arms control in this year's senate races. We ask that you read the enclosed profile on Charles Ravenel and the South Carolina election carefully and make your contribution payable directly to Ravenel for U.S. Senate.

With best wishes,

Steve Thomas
National Director

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Washington, D.C. 20002

Please make your check payable to

Ravenel for U.S. Senate

The solicitation is authorized by Ravenel for U.S. Senate committee.

A copy for our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission Washington D.C.

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(12) City

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(03) Address

(04) City

(07) 000

Mailed

June 1, 1978

Dear Council Supporter,

This letter is written on behalf of Senators Dick Clark of Iowa and William Hathaway of Maine. Each incumbent faces a serious challenge, and both need immediate financial assistance.

In Iowa Senator Clark's reelection campaign began with the threat of a formidable challenge by Republican Governor Robert Ray. When Ray declined to enter the senate race, Clark's position seemed secure. In recent months, however, the political climate in Iowa has undergone a profound change, quite independently of developments in the senate race. Voter disenchantment with the national administration and especially with its farm policies, in addition to a growing concern about economic uncertainties and continued inflation, has produced a highly volatile political atmosphere. The Iowa senate race will be hotly contested, and Dick Clark will need your help.

In Maine Senator Hathaway has faced a serious challenge by Republican Congressman William Cohen since late last year. The election is a classic confrontation between two well-known political figures which is expected to be close and to remain undecided until the last votes are counted. To help meet a sharp increase in the projected budget for the remaining months of the Hathaway campaign, the Council is urging your support.

In recent years Council efforts in senate elections have been concentrated, as a matter of policy, on non-incumbent candidates. This has been done to offset the relative disadvantage, in contrast to incumbent fundraising, which less well-known challengers commonly encounter in raising campaign funds. Our calculated bias toward non-incumbents, however, does not preclude major support for an incumbent if a special need arises. This year both the Iowa and the Maine races present such a need. Details on these races are provided in the accompanying profiles.

(over)

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(04) City (05) State (99) Zip

(07) 736

Federal Election Campaign
Act Identification Number C00029165

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June 8, 1978

Dear ,

Because of an oversight at the firm which handles Council mailings many Supporters living abroad have not been regularly receiving the Council's appeals on behalf of Senate candidates this year. To cover any mailings that you may have missed and to bring you up to date on our election activities, I have enclosed profiles on all the candidates which the Council has so far endorsed.

Our most recent mailing was on behalf of incumbent Senators Dick Clark and Bill Hathaway. Since the Iowa profile was written, former Lt. Governor Roger Jepsen has won the Republican primary and will be Dick Clark's opponent. In other senate races Max Baucus won a resounding primary victory over Senator Paul Hatfield, while in Kansas and South Carolina there has been no recent major change.

In a related race, Senator Clifford Case was defeated by former Reagan speech writer Jeffrey Bell. Bell will be opposed by Democrat Bill Bradley whom the Council is considering for endorsement.

I have enclosed a return envelope with the senate profiles. Any contributions to candidates will be sent on to them immediately. Our apologies to those of you who have not received timely reports on the senate races. We will try to keep you better posted in the future.

With best wishes,

Steve Thomas
National Director

P.S. If any Council supporter residing abroad has ceased to be a U.S. citizen, you should notify us promptly. Federal law prohibits us from receiving contributions from other than U.S. citizens.

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[illegible] strong preference to [illegible]
[illegible] in accordance with [illegible] to the
[illegible]

Sincerely,

William Boeing

William Boeing
President

8004020470 5

June 20, 1978

Dear Council Supporter,

Since our letter to you of June 1, the Iowa senate campaign has emerged as a head-on confrontation with the New Right. Former Lt. Gov. Roger Jepsen easily won his party's nomination despite charges by Republican moderates that he is an extremist outside the mainstream traditions of Iowa Republicanism.

Dick Clark will face a tough opponent with close ties to the ultra-conservative fundraising network that has unleashed a nationwide campaign to capture and dominate the Republican Party by 1980. Jepsen's success in Iowa was accompanied on the same day by the upset victory of Ronald Reagan's former speechwriter Jeffrey Bell over Council-backed Senator Clifford Case in New Jersey's Republican primary.

While the response from Council Supporters to our first appeal for Dick Clark is clear evidence of the national respect that he has earned through his work in the Senate on arms control and foreign policy, Clark needs additional help.

With political developments crystallizing unusually late in many states this year, the Council also needs your contributions. We are actively exploring our potential involvement in several politically volatile states, notably Massachusetts, Michigan, Minnesota, New Jersey and Virginia. At a time when rightwing political activity has reached an unprecedented level across the country, the Council needs your support.

Please make your contribution according to the instructions on the enclosed card.

Sincerely,

William Doering

William Doering
President

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8004020470 6

June 30, 1978

Dear Council Supporter,

Recent primaries in Montana and South Carolina resulted in the nomination of Council supported candidates Max Baucus and Charles "Pete" Ravenel. In this letter, we urge your support of incumbent Senator Dick Clark of Iowa.

The Iowa senate campaign has emerged as a head-on confrontation with the New Right. Despite charges by Republican moderates that he is an extremist outside the mainstream traditions of Iowa Republicanism, former Lt. Gov. Roger Jepsen easily won his party's nomination in the June 6th senate primary.

Dick Clark now faces a tough opponent with close ties to the ultra-conservative fundraising network that has unleashed a nationwide campaign to capture and dominate the Republican Party by 1980. The same rightwing forces helped to bankroll the upset victory of Ronald Reagan's former speechwriter Jeffrey Bell over liberal Senator Clifford Case in New Jersey's Republican primary on the same day that Jepsen captured the nomination in Iowa.

At a time when rightwing political activity has reached an unprecedented level across the country, candidates with an outstanding record on arms control issues such as Dick Clark need and deserve your help. Please read the accompanying profile on Dick Clark and the Iowa senate election and make your contribution payable directly to Dick Clark Senate Committee.

Sincerely,

William Doering

William Doering
President

P.S. On the same day it is received your contribution will be tallied and forwarded directly to the Clark campaign in Iowa.

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D.C. 20002

your check payable to

Sec. Clerk, Senate Committee

Sec. Clerk, Senate Committee

Committee
Sec. for Future Election

Please tear and return in envelope provided

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(04) City (05) State (99) Zip

(07) 901

Federal Election Campaign
Act Identification Number C00029165

8 0 0 4 0 2 0 4 7 0 8

July 28, 1978

Dear Council Supporter,

In this mailing we urge your support of Bill Bradley, Democratic nominee for the Senate from New Jersey. The New Jersey race has unexpectedly developed into a critical political contest, the outcome of which is of special importance to the Council.

The surprising primary defeat of incumbent Senator Clifford Case by conservative challenger Jeffrey Bell has created the potential of a serious loss for arms control in the Senate. Bill Bradley needs your support to oppose the coalition of ultra-conservative groups that have pledged Bell major support. New Jersey offers them the chance for an unexpected and important political gain.

Bradley is an excellent candidate for Council endorsement. Young and aggressive, he is an unusually attractive political newcomer. Bradley's position on issues of concern to the Council is excellent. A detailed description of the Bradley campaign is provided in the accompanying Profile.

Given the uncertain political climate this election year, it would be unwise to make any assumption regarding the outcome of the New Jersey senate race. It is crucial that every effort be made to save this Senate seat as a vote for arms control. Please make your contribution payable according to the instructions on the enclosed card.

With best wishes,

Steve Thomas
National Director

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100 Maryland Avenue, N.E., Washington, D.C. 20002. Phone: 202-543-4100. *Founded in 1962 by Leo Szilard*

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[illegible] to the contrary, [illegible] according to [illegible] by last name:

[illegible] payable to Bill Bradley for U.S. [illegible]

[illegible] 2, check payable to Council for a Livable [illegible]

[illegible] make checks payable only to the [illegible] recipient. If you make more than one [illegible], please write separate checks for [illegible]

[illegible] is authorized by Bill Bradley for U.S. Senate [illegible]

[illegible] to filed with the Federal Election Commission [illegible] available for purchase from the Federal Election [illegible], Washington, D.C.

Please tell us your new address

(10) Occupation

(11) Place of Business

(12) City (13) State (14) Zip Code

PLEASE CORRECT YOUR MAILING ADDRESS:

(01) Name

(03) Address

(04) City (05) State (99) Zip

(07) Tel

Federal Election Campaign
Act Identification Number C00029165

8 0 0 4 0 2 0 4 7 1 0

August 29, 1978

Dear Council Supporter,

With less than ten weeks remaining on the election calendar we urge your prompt support of two candidates - Congressman Don Fraser of Minnesota and incumbent Senator Floyd Haskell of Colorado.

Don Fraser is seeking the Democratic nomination for the unexpired term of the late Hubert Humphrey. Fraser leads his primary opponent, millionaire businessman Robert Short, with a bare majority of the votes and faces potentially an even more difficult contest with Republican candidate David Durenberger in the general election. During his 16 years of House tenure, Fraser has compiled an impeccable record on issues of direct concern to the Council. His long experience and skill in the area of foreign policy would make him a formidable spokesman for arms control in the Senate.

As seen elsewhere in the country this year, the Colorado race offers yet another example of an incumbent Democrat facing a serious challenge from conservative Republicans. Floyd Haskell will face either Congressman William Armstrong or former astronaut Jack Swigert in his bid for reelection this November. Both Armstrong and Swigert have waged highly visible campaigns in their fight for the Republican nomination. As a result, Haskell has been subject to a well-publicized, steady flow of attacks from each during Colorado's long primary season.

Further details on both the Minnesota and Colorado races are contained in the accompanying Profiles.

Although we do not like to ask for help for the Council this close to the elections, we must regrettably include such an appeal with this letter because of an unusually stringent financial situation. Please make your contributions payable according to the instructions on the enclosed card.

Sincerely,

Steve Thomas

Steve Thomas
National Director

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Unless you have a preference to the contrary, we will make your contribution according to the alphabetical arrangement by last name:

A-K, check payable to Council for a Livable World

L-N, check payable to People for Haskell

O-Z, check payable to Fraser for Senate Committee

Please make checks payable only to the intended recipient. If you make more than one contribution, please write separate checks for each.

This solicitation is authorized by People for Haskell committee and Fraser for Senate Committee.

A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C.

Please fold, seal and return in enclosed envelope

(10) Occupation

(11) Place of Business

(12) City (13) State (14) Zip Code

PLEASE CORRECT YOUR MAILING ADDRESS:

(01) Name

(03) Address

(04) City (05) State (99) Zip

(07) 789

Federal Election Campaign
Act Identification Number C00029165

6 0 0 4 0 2 0 4 7 1 2

September 15, 1978

Dear Council Sponsor,

Advocates of arms control suffered a serious setback on September 12th with the tragic defeat of Don Fraser by multi-millionaire businessman Bob Short in the Minnesota primary. One of the most aggressive proponents of arms control in the House, Fraser was expected to play a critical role in the anticipated debate on SALT II in the Senate next year.

An unexpected but offsetting development is the strong showing State Senator Donald Stewart made against Senator Maryon Allen, widow of the late Senator James Allen, in the Alabama Democratic primary. Stewart, whose position on Council issues is excellent, has forced Allen into a run-off election on September 26th. Because of the critical time shortage, the Council has been raising funds for Stewart by telephone.

In this letter we are asking your support for Pug Ravenel of South Carolina to whom many of you have already contributed earlier this year.

Ravenel has been consistently making gains in his challenge to unseat Senator Strom Thurmond but needs additional help in order to close the gap by election day. An updated Profile on the South Carolina campaign is enclosed.

Please make your contribution payable to Ravenel for U.S. Senate.

With best wishes,

Steve Thomas
National Director

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Maureen Murphy, *Associate Director*

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8004020473

(10) Occupation

(11) Place of Business

(12) City (13) State (14) Zip Code

PLEASE CORRECT YOUR MAILING ADDRESS:

(01) Name

(02) Address

(04) City (05) State (06) Zip

Federal Election Campaign
Act Identification Number C00029165

(07) 904

Please make your check payable to

Nominee for U.S. Senate

Contribution to Nominee for U.S. Senate

Contributions to Nominee for U.S. Senate are not tax deductible.

Please fold and return in envelope provided.

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September 19, 1978

Dear Council Supporter,

Advocates of arms control suffered a serious setback on September 12th with the tragic defeat of Don Fraser by multi-millionaire businessman Bob Short in the Minnesota primary. One of the most aggressive proponents of arms control in the House, Fraser was expected to play a critical role in the anticipated debate on SALT II in the Senate next year.

An unexpected but offsetting development is the strong showing State Senator Donald Stewart made against Senator Maryon Allen, widow of the late Senator James Allen, in the Alabama Democratic primary. Stewart, whose position on Council issues is excellent, has forced Allen into a run-off election on September 26th. Because of the critical time shortage, the Council has been raising funds for Stewart by telephone.

In this letter we are asking your support for Andy Miller of Virginia for whom we are sending our first appeal and for Pug Ravenel of South Carolina to whom many of you have already contributed earlier this year.

Miller's opponent is former Secretary of the Navy, John Warner. Adequate funding will be critical to the success of the Miller campaign. Details on the Virginia race are contained in the accompanying Profile.

Pug Ravenel has been consistently making gains in his challenge to Senator Strom Thurmond but needs additional help in order to close the gap by election day. An updated Profile on the South Carolina campaign is also enclosed.

Please make your contributions payable according to the instructions on the enclosed card.

With best wishes,

Steve Thomas
National Director

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(10) Occupation

(11) Place of Business

(12) City (13) State (14) Zip Code

PLEASE CORRECT YOUR MAILING ADDRESS:

(01) Name

(02) Address

(04) City (05) State (99) Zip

(07) 780

Federal Election Campaign
Act Identification Number C00029165

R00403047116

Council for a Livable World

#78A 7613 Mark

October 10, 1978

Dear Council Supporter,

A surprise victory in one of the two senate races held in Alabama this year has brought us one giant step toward an important gain for arms control.

In the September 5th primary State Senator Don Stewart succeeded in forcing incumbent Senator Maryon Allen into a run-off election. On two separate occasions Stewart has met with representatives of the Council, and his position on Council issues is uniformly excellent. With the run-off scheduled for September 26th there was no time for us to mail an appeal on his behalf. However, we were able to raise $5,000 by telephone and these funds were rushed to Alabama. In the second election Stewart scored an upset victory by the dramatic margin of 57-43.

At this writing Republican James D. Martin has jumped from Alabama's other senate race into the campaign against Stewart. As Martin would be a formidable opponent, the legality of this switch will be challenged in the courts.

In this letter, our last appeal for a candidate in the 1978 elections, we urge your support of Michigan Democrat Carl Levin whose chance of upsetting incumbent Senator Robert Griffin appears very good. A Profile on the Michigan senate race is enclosed.

If you decide to respond to this appeal, we urge that you do so promptly. With only a few weeks remaining all supporter contributions to Levin will be sent to his committee on the same day that they are received by us.

Please make your contribution according to the instructions on the enclosed card. Some of you are asked to give directly to the Council. That is to help us through the last few weeks of what has been an exceptionally intense drive by the Council.

With best wishes,

Steve Thomas
National Director

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Maureen Murphy, *Associate Director*

00 Maryland Avenue, N.E., Washington, D.C. 20002. Phone: 202-543-4100. *Founded in 1962 by Leo Szilard*

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FROM

LAW OFFICES
WALD, HARKRADER & ROSS
1300 NINETEENTH STREET, N. W.
WASHINGTON, D. C. 20036

Ms. Marybeth Tarrant
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

February 27, 1980

Ms. Marybeth Tarrant
Office of the General Council
Federal Election Commission
1325 K St., N.W.
Washington, D.C. 20463

Re: Council for a Livable World - MUR 1028

Dear Ms. Tarrant:

As I advised you yesterday on the telephone, I am representing the Council for a Livable World before the Commission in reference to MUR #1028.

As I also advised you, The Council for a Livable World has recently moved its main office from Washington, D.C. to:

11 Beacon Street
Boston, Mass. 02108

As a result of this move and the transfer of all of the Council's files and documents, it will take a little time to collect the documents that you have requested in your letter of February 14,1980, which the Council received on February 22, 1980. As a result, I will send you the answers to the Commission's questions as well as the documents that have been requested as soon as I receive the documents from the Boston office, which I expect not later than March 7, 1980. At that time, The Council will also submit legal materials which, I believe, are very relevant to the Commission's analysis of this matter.

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Because we are already in the midst of another election campaign, the Council is very eager to resolve the questions raised by this matter as soon as possible. Your assistance in resolving these issues quickly will be greatly appreciated.

Sincerely yours,

Marc E. Lackritz

Marc E. Lackritz
Counsel for Council for a Livable World

MEL:vrj
cc: Mr. Jerome Grossman

8004020472 0 1

LAW OFFICES
WALD, HARKRADER & ROSS
1300 NINETEENTH STREET, N. W.
WASHINGTON, D. C. 20036

Ms. Marybeth Tarrant
Office of the General Council
Federal Election Commission
1325 K St., N.W.
Washington, D.C. 20463

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 14, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Stephan A. Thomas
Acting Treasurer
Council for a Livable World
100 Maryland Avenue, N.E.
Washington, D.C. 20002

Re: MUR 1020

Dear Mr. Thomas:

The Federal Election Commission notified you in a request for additional information letter dated September 29, 1978, that your committee may have violated certain sections of the Commission's Regulations.

Upon further review of the information available to the Commission and information supplied by you, the Commission determined, on February 14, 1980, that there is reason to believe that your committee may have violated section 441a (a)(2)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act") and section 110.6(d)(2) of the Commission's Regulations. A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

Your response to the Commission's initial notification of the possible violation did not provide complete information regarding the matters in question. Please submit answers to the enclosed questions within 10 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

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you wish

If you have any questions, please contact
the staff member assigned to this matter at 523-6175.

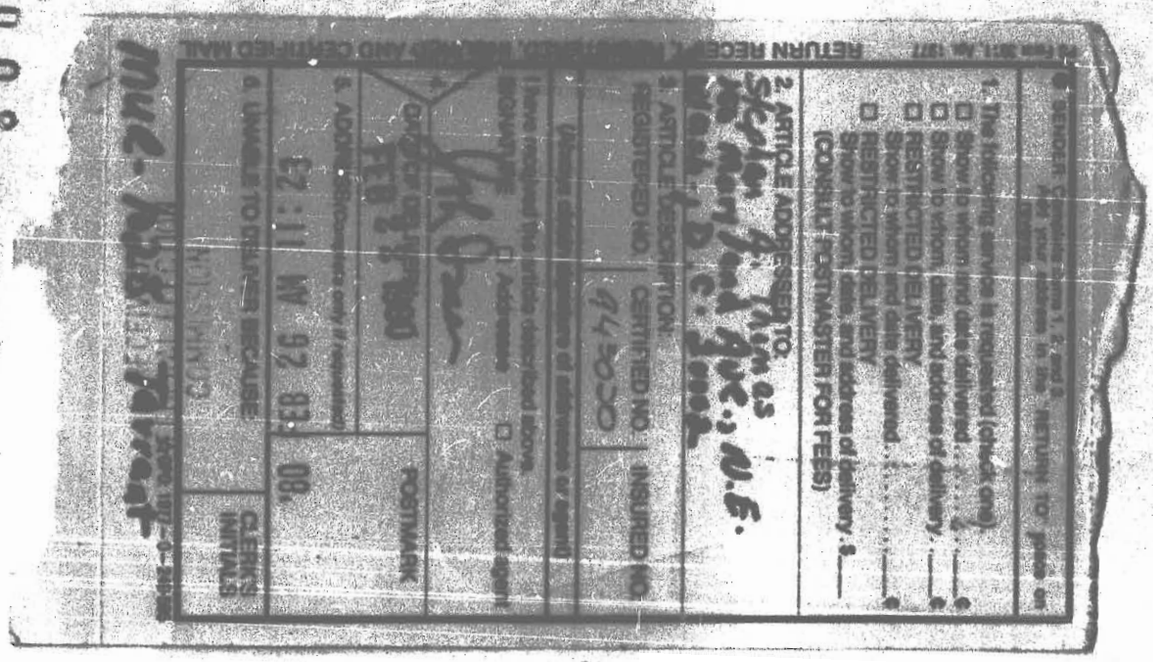
Sincerely,

Robert O. Tiernan

ROBERT O. TIERNAN
Chairman

Enclosures

1. Summary of reason to believe finding
2. Re: AOR 1976-92
3. Procedures
4. Questions



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[illegible]

[illegible]

[illegible]

[illegible]

[illegible] Council for a Livable World

[illegible] (202) 523-4175

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

BACKGROUND

The Council for a Livable World (the Council) was referred to the Office of General Counsel by the Reports Analysis Division (RAD). The referral alleged possible violations of 2 U.S.C. §441a(a)(2)(A) and 11 C.F.R. §110.6(d)(2) by the Council.

FACTUAL BASIS AND LEGAL ANALYSIS

On September 29, 1978, a request for additional information was sent out by RAD concerning the relationship between in-kind contributions made by the Council to certain senatorial candidates and the subsequent earmarked contributions received by the Council from individuals which were intended for those same candidates.

On November 15, 1978, the Council responded claiming it is a non-partisan association whose main goal is to encourage sensible arms control limitations. Part of the Council's resources is devoted to educating its 8,000 supporters. The Council informs its supporters of the U.S. Senatorial candidates whom it has decided takes favorable policy positions with regard to arms control.

The Council does contact the committees of the candidates involved to obtain pictures, biographies and issue papers, etc. The mailing itself is written by Council staff. In the mailing it is "... suggested that ... the supporter could consider making a contribution to the Council itself or to a particular candidate by making out a check payable to the Council or to the candidate's campaign committee ... The Council then acted merely as a conduit or intermediary ..." in passing on these contributions to the intended recipient.

Pursuant to 2 U.S.C. §441a(a)(2)(A), a multicandidate committee, as defined by §441a(a)(4), has a contribution limitation of $5,000 per candidate per election. The Council qualifies as such a committee.

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11 C.F.R. §110.6(d)(3) states that if a conduit exerts direction or control over the choice of the recipient candidate, the contribution shall be considered a contribution by both the contributor and the conduit, and shall be so reported. Here, the Council, which claimed it was a conduit and qualified as [illegible], exercised direction over the earmarked contributions of its supporters. It did this by suggesting to its supporters that they contribute to the candidates whom the Council had selected. (See Re: AOR 1976-[illegible]). The earmarked contributions of Council supporters are therefore to be considered as contributions from the Council itself. These contributions put the Council in excess of the limit allowed by §441a(a)(2)(A). Furthermore, as the Council has failed to report these contributions as its own, it may also have violated 11 C.F.R. §110.6(d)(2).

Based on the foregoing analysis, the Federal Election Commission has found: Reason to believe that the Council for a Livable World may have violated 2 U.S.C. §441a(a)(2)(A) and 11 C.F.R. §110.6(d)(2).

The Federal Election Commission has approved the sending of a letter with questions.

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ATTACHMENT

Re: AOR 1976-92

Re: AOR 1976-32

Mr. Graham W. Fernald
Perkins, Coie, Stone, Olsen and Williams
1900 Washington Building
Seattle, Washington 98101

Dear Mr. Fernald:

This is in response to your letter dated September 24, 1976, in which you request the Commission's opinion as to the status, under the Federal Election Campaign Act of 1971, as amended ("the Act"), of the Boeing Company's Civic Pledge Program ("CPP"). Your question appears to be whether or not the CPP constitutes a separate segregated fund pursuant to Part 114 of the Commission's proposed regulations.

As described in your letter, the CPP is a membership organization composed of the employees of the Boeing Company. Such members make contributions to candidates whom they select, in amounts determined by them, and at times they choose. The program is open to each management employee of the Boeing Company whose base annual salary is $26,000 or more.1/ Most members of this class who participate do so through a payroll deduction plan.

There is a self perpetuating advisory group which has overall responsibility for its day-to-day functions. The Boeing Company apparently bears any solicitation expenses directly from its treasury. The administrator from time to time receives requests for political contributions. He prepares a data sheet on the candidate with particular reference to his or her position on such issues as are

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1/ For purposes of this response we assume that management employees would qualify as "executive or administrative personnel" under 2 U.S.C. §441b(b)(7) and §114.1(c) of the proposed regulations.

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likely to be of concern to Boeing management employees. This data sheet goes to the advisory group, which makes its decision as to whether the candidate will have the group support and, if so, the amount thereof. If the candidate obtains such support, the program administrator solicits contributions by sending some members (selected by the administrator on the basis of potential interest in the particular candidate) a copy of the data sheet and a request for a contribution. The member is advised that he need not accept the advisory group recommendation or make a contribution. If the member decides to support the candidate, he or she either directs the bank to write a check on the member's program account at the bank (if the member is on the payroll deduction plan) or the member draws a personal check. All checks are drawn on individual accounts and all are made payable to the candidate's campaign committee. The checks are collected by the administrator for forwarding to the campaign committee.

As is more fully developed below, it appears that contributions in excess of $1,000 in a calendar year will be made by CPP; thus, the Commission concludes that CPP is indeed a political committee and a separate segregated fund whose activities must be conducted in accordance with the Act including, in particular, 2 U.S.C. §441b and Part 114 of the Commission's proposed regulations (copy enclosed). Under the circumstances, the Commission would consider any amount disbursed to a candidate as a contribution to that candidate by CPP.2/ Each contribution to a candidate made through CPP would, of course, be subject to the limits of 2 U.S.C. §441a. Whether that limit is $1,000 or $5,000 depends on whether CPP qualifies as a multi-candidate committee. 2 U.S.C. §441a(a)(4). Moreover, because of the method by which CPP solicits contributions, those contributions designated for particular candidates, as described above, by the individual contributors would also be regarded as contributions by those individuals to the candidates designated by such contributors. See §110.6(d) of the Commission's proposed regulations; see also Advisory Opinion 1975-10 (copy enclosed). CPP itself would be required

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2/ The Commission held in Advisory Opinion 1976-51 (copy enclosed) that a group of individuals who act in concert to raise and deliver contributions aggregating over $1,000 in a calendar year to any candidate (or political committee) will be regarded as a political committee.

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to report such contributions pursuant to §110.6 of the proposed regulations; also the candidate recipients are required to report the receipt of such contributions in their next required report. See 2 U.S.C. §434 and §104 of the proposed regulations for the applicable reporting requirements.

This response relates to your opinion request but may be regarded as informational only and not as an advisory opinion since it is based in part on proposed regulations of the Commission. These proposed regulations were formally adopted by the Commission and serve as interpretative rules of the Commission as to the meaning of the pertinent statutory language. The proposed rules were transmitted to the Congress on August 3, 1976. See 2 U.S.C. §438(c). For your information we enclose a copy of a recent Commission policy statement regarding those rules.

Sincerely yours,

Vernon W. Thomson

Vernon W. Thomson
Chairman for the
Federal Election Commission

Enclosures

8004020047728

These questions concern the Council's 1978 activity in support of the following congressional candidates: Baucus (MT), [illegible] (IA), Frasser (MN), Haskell (CO), Hathaway (ME), [illegible] (AZ), [illegible] (SC) and Roy (KS).

1. Explain in detail your solicitation/mailing system. Include answers to the following:

   a) How an individual comes to receive a solicitation mailing.

   b) Explain the significance of the first letter of a supporter's last name in the fundraising process.

   c) How many candidates are involved per mailing?

   d) Set out the reasons for obtaining written authorization from the candidates involved.

   e) Please furnish copies of any

      i) written authorization forms used by the candidates

      ii) any written correspondence between the Council and the candidates including copies of position papers and biographies supplied by the candidates.

      iii) copies of the solicitations that were used. (If all are identical, please specify and submit a sample solicitation).

   f) How many individual mailings were sent on behalf of each candidate.

   g) Explain how earmarked money is transferred to the intended recipient.

   h) How the cost of these mailings is paid and how they are allocated among the candidates.

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2. In connection with [illegible]
a campaign [illegible]

a) When is each [illegible]

b) Who from the Council [illegible] each contacts

c) The substance of any conversations with the candidate or campaign committee officials.

3. Please state how, if at all, any of the Council's procedures during the 1976 election differed from the procedures followed in 1978.

8004020047730

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1[illegible]
Council for A Livable World)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on February 14, 1980, the Commission decided by a vote of 4-0 to take the following actions regarding the above-captioned matter:

1. Find REASON TO BELIEVE that the Council for a Livable World may have violated 2 U.S.C. §441a(a)(2)(A) and 11 C.F.R. §110.6(d)(2).

2. Send the letter and questions as attached to the First General Counsel's Report dated February 11, 1980.

Voting for this determination were Commissioners Friedersdorf, Harris, Reiche, and Tiernan. Commissioner McGarry abstained on this matter.

Attest:

2/14/80
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Received in Office of the Commission Secretary: 2-11-80, 10:40
Circulated on 48 hour vote basis: 2-11-80, 4:00

6004020475

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENT'S NAME: Council for A Livable World
Washington, D.C.

RELEVANT STATUTE: 2 U.S.C. §441a(a)(2)(A), §441d, §434(a)(2)
11 C.F.R. §100.14(b)(1), §110.6(d)(2),
§101.2(b), §109.1

INTERNAL REPORTS CHECKED: Council for A Livable World

FEDERAL AGENCIES CHECKED: None

80 FEB 11 A10:
RECEIVED
OFFICE OF THE
GC WMS

GENERATION OF MATTER

On September 7, 1979, the Council for A Livable World (the Council) was referred to the Office of General Counsel by the Reports Analysis Division (RAD).

The referral concerns two aspects of the Council's fundraising activity. The first involves whether the Council, a multicandidate committee acting as a conduit for earmarked contributions, exceeded its §441a contribution limits. The second involves the question of whether the Council was acting as an authorized committee of the candidates it supported.

EVIDENCE

On September 29, 1978, a request for additional information was sent out by RAD concerning the relationship between in-kind contributions made by the Council to certain senatorial candidates and the subsequent earmarked contributions received by the Council from individuals which were intended for those same candidates.

On November 15, 1978, the Council responded claiming it is a non-partisan association whose main goal is to encourage sensible arms control limitations. Part of the Council's resources is devoted to educating its 8,000 supporters. The Council informs its supporters of the U.S. Senatorial candidates whom it has decided takes favorable policy positions with regard to arms control.

The Council does contact the committees of the candidates involved to obtain pictures, biographies and issue papers, etc. The mailing itself is written by Council staff. In the mailing it is "... suggested that ... the supporter could consider making a contribution to the Council itself

or to [illegible] candidates by mailing [illegible] candidate's campaign [illegible] as a conduit or in [illegible] these contributions to the intended [illegible]

Prior to the mailings, written [illegible] the candidates. For purposes of complying with [illegible] and other costs incurred in preparing these [illegible] are reported as in-kind contributions to the particular [illegible] involved. These expenditures are allocated among the candidates involved according to a percentage formula devised by the Council.

The Council itself does make some direct contributions to campaigns, however most of its activity involves the passing on of earmarked contributions. The attached chart illustrates the Council's 1978 activity.

PRELIMINARY ANALYSIS

A. Direction and Control Over Contributions

Pursuant to 2 U.S.C. §441a(a)(2)(A), a multicandidate committee, as defined by §441a(a)(4), has a contribution limitation of $5,000 per candidate per election. The Council qualifies as such a committee.

The method by which the Council passes on contributions to candidates indicates that it serves as a "conduit" within the meaning of §110.6 of the Regulations. In this connection, §110.6(d)(2) states that if a conduit exercises any direction or control over the choice of the recipient committee, the contribution shall be considered a contribution by both the original contributor and the conduit, and shall be so reported. The question of whether the Council exercised "direction and control" over the contributions of its members is central to a determination of whether the Council may have exceeded its §441a limits.

In Re: AOR 1976-92, the Commission dealt with the "direction and control" issue in connection with the solicitation method used by the Boeing Company's Civic Pledge Program (CPP). The Commission found that CPP did exercise direction and control over members' contributions within the meaning of §110.6(d), and that decision can serve as guidance here. In the AOR, as here, the CPP sent written solicitations to its members suggesting that they contribute to certain candidates. However the facts of the AOR also show that CPP exercised even less direction and control over contributions than does the Council in this MUR. First, CPP awaits candidates to request its support prior to deciding whom to support, while the Council appears to seek out potential candidates. 1/ Next, CPP specifically advises its members that they need not contribute to the recommended candidates, while there is no indication that the Council does this. Since the Commission found that the facts of Re: AOR 1976-92 indicated sufficient direction and control by CPP, it should be prepared to pursue the Council on the basis of its exercise of direction and control, and certainly at a reason to believe stage.

1/ Indeed, as we point out in Section B, the Council appears to have gone so far as to have coordinated its expenditures with the candidates.

8004020734

Based on the Council's method of solicitation, the earmarked contributions of its members should be considered as contributions from the Council itself. These contributions put the Council in excess of the limit allowed by §441a(a)(2)(A). Furthermore, as the Council has failed to report these contributions as its own, it may have violated 11 C.F.R. §110.6(d)(2).

In regard to any possible liability by the candidate committees involved, this office feels more information is needed from the Council before any findings can be made.

B. The "Authorized Committee" Issue

Next, the Council's obtaining of statements of authorization from candidates to comply with 2 U.S.C. §441d does not place it within the category of "authorized committee." Section 441d(1) of the 1976 Amendments refers to notices on mailings which are to state whether the communication was authorized by the candidate or "his authorized political committees or agents." If the Council was itself an authorized committee, it would be pointless for it to be required to state that the communication was authorized by still another authorized committee. Section 441d of the 1979 Amendments makes this clearer. Subsection (a)(2) requires that "other persons" who pay for a communication insert a statement of authorization from a candidate or authorized committee. The fact that a notice of authorization is inserted on political literature therefore does not make the publishing committee an authorized one.

Section 101.2(b) of the Regulations provides that a candidate shall file a Statement of Authorization on FEC Form 2a for any authorized committees other than a principal campaign committee. None of the candidates involved have filed any statements on behalf of the Council. Furthermore, §434(a)(2) of the 1976 Act states that authorized committees shall file reports with the candidate's principal campaign committee. There is no indication that the Council has done this. (This specific provision was deleted from the 1979 Amendments.)

The Council has also claimed that "... there was no coordination whatsoever ..." with the candidates in the procedure by which it obtained candidate literature (see Nov. 15, 1978 letter from Stephen M. Thomas, part of attachment II), however its description of this procedure indicates otherwise. The procedure, especially when combined with the candidates' authorizations for §441d notices, would place the solicitation costs outside the definition of independent expenditures. See 2 U.S.C. §431(17) of the 1979 Amendment, 11 C.F.R. §109.1(b)(4)(i)(A). Therefore, the Council's reporting of these costs as in-kind contributions was correct. 11 C.F.R. §109.1(c).

RECOMMENDATION

1. Find reason to believe that the Council for a Livable World may have violated 2 U.S.C. §441a(a)(2)(A) and 11 C.F.R. §110.6(d)(2).

2. Send the attached letter and attached questions.

ATTACHMENTS

1. Chart
2. Referral
3. Re: AOR 1976-92
4. Proposed Letter and Report

00040047735

COMMITTEE	EXPENDITURES IN-KIND CONTRIBUTIONS Primary	General	EAR-MARKED CONTRIBUTIONS 1/ Primary	
Baucus '78 Committee	$3,180.00	0	909 $19,123	Number of Contrib. Total Dollar [illegible]
Bill Bradley for U.S. Senate	0	$1,687.00	21 $924.00	"
Bill Roy for Senate - 1978 Comm.	$1,447.00	0	796 $17,355.00	"
Comm. to Re-Elect Senator Hathaway	$659.00	0	270 $5,379.00	"
Dick Clark for U.S. Senate	$659.00	$1,549.00	792 $14,703.00	"
Fraser Senate Committee	$1,909.00	0	236 $6,705.00	"
Levin for Senate	0	$2,173.00	396 $8,010.00	"
People for Haskell	0	$722.00	215 $4,877.00	"
Ravenel for Senate	$2,044.00	$1,958.00	1454 $26,954.00	"

1/ passed on in form of contributors' checks

All figures according to "C" [illegible]

TO: [illegible]

THROUGH: STAFF DIRECTOR

FROM: ASSISTANT STAFF DIRECTOR [illegible] ATTACHMENT

CANDIDATE/COMMITTEE: Council For A Livable World

TREASURER: Mr. Stephen A. Thomas

ADDRESS: 100 Maryland Avenue, N.E.
Washington, D.C. [illegible]

AFFILIATE(S): None

ALLEGATION(S):	CITE:	ATTACHMENT(S)
If operating as an authorized committee, excessive contributions were received, otherwise committee also exercised direction and control of earmarked contributions by limiting the field of recipient candidates.	2 U.S.C. 441a(a)(1)(A) 11 CFR 100.10(b)(1) 11 CFR 110.6(d)	#4 #5

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE:

Normal Review initiated 9-29-78 ATTACHMENT

REPORTS: All reports within the dates listed below have received audit base review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM 1-1-78 TO 3-31-78

TOTAL RECEIPTS $ 57795 TOTAL EXPENDITURES $ 60820

CASH ON HAND $ 37175 DEBTS $ 696

HISTORY:

RESULTS OF REVIEW: ATTACHMENT

Request For Additional Information Sent 9-29-78 #2

Response Received 11-15-78 See Attachment #4

COMMUNICATIONS WITH CANDIDATE/COMMITTEE: ATTACHMENT

Telecon 10-17-78 #3

REASON(S) FOR REFERRAL: See above allegations. In the response received 11-15-78, the committee indicated that they were authorized by candidates and that direction was provided in the mailings regarding the choice of candidates and methods involved in forwarding on the contributions. ATTACHMENT

OTHER PENDING ACTIONS INITIATED BY RAD: ATTACHMENT

None

OTHER RELEVANT INFORMATION:

Referrals may be made regarding candidate acceptance of excessive contributions pending decision on allegations above.

RAD Form 1
August 1978

8004020447337

FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

29 SEP 1978

Stephen M. Thomas, Acting Treasurer
Council For A Livable World
100 Maryland Avenue, N.E.
Washington, D.C. 20002

Dear Mr. Thomas:

This letter is prompted by our interest in assisting committees who wish to comply with the Federal Election Campaign Act.

During review of the April 10 Quarterly Report of Receipts and Expenditures, we noted that you omitted certain information or made apparent mathematical errors in certain entries. Attached is an itemization of the information requested.

While we recognize the difficulties you may have experienced in filling out the reporting forms, we must ask that you supply the Commission with the missing information within fifteen (15) days from the date of this letter. If you have any questions, please do not hesitate to contact Mark Kleinman in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4048.

Sincerely,

Orlando B. Potter

Orlando B. Potter
Staff Director

Attachment
FEC Form 12

9 0 0 0 1 4 0 3 0 7 4 9 0 4

Please clarify the nature of the in-kind contributions. It would seem that by the description of the in-kind contributions as "Printing" to the candidates as indicated by your report, and the subsequent earmarked contributions by individuals to these same candidates, that there was a relationship between the in-kind contributions and the earmarked contributions.

In addition, please clarify if there was any coordination between your committee and the applicable candidates and/or candidate committees in preparing the content of the "Printing" costs. If this was the case, then under Section 110.6(d)(2) of the Federal Election Commission Regulations, all of the subsequent earmarked contributions may be attributable to your committee, as having exercised direction or control over the recipient candidate and/or committee.

Please respond accordingly.

Also note, that the above also refers to any other report filed by your committee with a similair reporting pattern.

7 8 0 3 0 0 4 0 0 4 6 7 0 3 5 9 9 7

TELECON TO THE FILES: COUNCIL FOR A LIVABLE WORLD

FROM: MARK KLEINMAN

DATE: 10-17-78

RE: RFAI

I spoke with Mr. Terry Lenzner 296-2121, an attorney. I explained that there was some concern regarding the relationship between the in-kind contributions and earmarked contributions. He indicated that this was due to the mailings which they sent.

I stated that if the mailings were sent with the knowledge of the relevant candidates that they should be regarded as in-kind contributions and if no consultation had taken place as independent expenditures.

He indicated that he would ascertain the precise facts and respond accordingly.

296-2121

80040204740

Council for a Livable World

'78 NOV 15 PM 3:

November 15, 1978

Orlando B. Potter
Staff Director
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Potter:

This letter is in response to your letter of September 29, 1978, and its request for more information about the "in-kind contributions" listed at Schedule B for Line 20A in the Council for a Livable World ("Council") Report for the Quarter Ending March 31, 1978 (ID #C00029165). The request for additional information (attached hereto) asked for a clarification of the relationship between the Council's "in-kind" contributions and the earmarked contributions by individuals to candidates, and also asked for a clarification of whether there was any coordination between the Council and the applicable candidates in preparing the content of the printing distributed by the Council. This letter responds to both of these concerns and, I hope, will clarify any questions that the Commission may have concerning the Council's method of operation.

The Council for a Livable World, a non-profit and non-partisan association, was founded in 1962 by a group of scientists headed by nuclear physicist Leo Szilard, the discoverer of the nuclear chain reaction, who were concerned about the proliferation of nuclear weapons and about the need to encourage discussions regarding control of such weapons. The Council's primary objective has been to encourage sensible limitations on the use of nuclear, biological and chemical weapons by the United States and other nations. In attempting to focus Government attention on these arms control issues, the Council has engaged in lobbying efforts, conducted seminars for Congressional members and staff, and compiled and distributed publications on relevant issues. As a part of its activities to establish sensible arms control limitations policies, the Council for a Livable World has expended part of its resources and energy in educating and informing its supporters, by mail, on a non-partisan basis, about candidates in elections to the United States Senate. This activity is part of the multi-faceted Council strategy intended to initiate and encourage discussions in the executive and legislative branches concerning arms control issues.

BOARD OF DIRECTORS

William Doering, *President*
Bernard T. Feld, *Vice-President*
Eli Sagan, *Treasurer*
George Kistiakowsky, *Chairman*
Steve Thomas, *National Director*
Daniel Aaron
Ruth Adams
Michael L. Allen
Charles C. Price
Donald Eldridge
Roger Fisher
Maurice S. Fox
Jerome D. Frank
Matthew Meselson
James G. Patton
George W. Rathjens
Enid C.B. Schoettle
Herbert Scoville, Jr.
Kosta Tsipis
Joyce Fordham, *Office Manager*
John Isaacs, *Legislative Director*
Terry Lenzner, *Counsel*
Maureen Murphy, *Associate Director*

100 Maryland Avenue, N.E., Washington, D.C. 20002. Phone: 202-543-4100. *Founded in 1962 by Leo Szilard*

The Council for a Livable World also attempts to educate its [illegible] about the implications of the use of nuclear, biological, and [illegible] weapons and to research the policies of candidates for the United States Senate. Individual supporters of the Council's activities are a very diverse group of about 8,000 individuals, united only by their interest in these policy issues. There is no economic leverage or any other means of control that the Council can use to influence the actions of its individual supporters. Thus, the Council for a Livable World is basically a non-partisan, multi-candidate committee organized around substantive policy issues, which makes it very distinct from the more usual partisan committees organized solely for the purpose of affecting the outcomes of federal elections.

In election years, on the basis of its own independent research into the issues involved, the Council selects a few Senate candidates about whom it distributes material to Council supporters suggesting that they consider sending checks payable to clearly identified campaign committees of the selected candidates. The selection of candidates by the Council is non-partisan and is done wholly independently, based primarily on research by Council staff into the policy positions advocated by the various candidates.

The "in-kind contributions", reported at Line 20A and listed on Schedule B of the Council's April 10, 1978 report were to the printing of material mailed to Council supporters about Dr. William Roy, Democratic candidate for the Senate from Kansas, and Congressman Max Baucus, Democratic candidate for the Senate from Montana.

This material was compiled, written, and produced solely by the staff of the Council for a Livable World. The contacts between the Council and the candidates' campaigns were quite minimal in these circumstances. The Council staff obtained from each candidate's campaign office a copy of the candidate's biography, a picture of the candidate, and copies of any issue papers of the candidate that had been prepared in the ordinary course of the campaign. On the basis of this information and other public information, the Council staff by itself wrote the material and prepared the mailings to Council supporters. The campaign staffs did not assist in either the writing or the production of the literature. The mailings explained the significance of the election and the candidates' positions on various issues raised. They also suggested that, depending on the part of the alphabet in which the first letter of the supporter's last name was, the supporter could consider making a contribution to the Council itself or to a particular candidate by making out a check payable to the Council or the candidate's campaign committee. Supporters were advised to return any checks payable to the Council or to a candidate in the envelope provided. The Council then acted merely as a conduit or intermediary and passed on the contributions to the relevant candidate for whom they were intended.

The other contact between the Council and the relevant candidates' campaigns was a pro forma authorization signed by the candidates authorizing the Council to send the mailings. This pro forma authorization was

0 70 84 00 32 00 94 67 04 52 0 1

merely for purposes of [illegible] 2 U.S.C. [illegible], and [illegible] not constitute any [illegible] in connection with the candidates' campaigns concerning the [illegible] of the mailing itself.

There was no "coordination" whatsoever between the Council and the applicable candidates and/or candidate committees in preparing the content of these mailings.

In addition, I should mention that the Council has reported portions of its printing expenditures as "in-kind contributions" only because an audit of the Council in 1974 by the Office of the Secretary of the Senate directed the Council that "the cost of these mailings should be reported as contributions in kind which should be apportioned on a reasonable basis among the candidates whose election is advocated therein by the Council." (Letter to Mr. Stephen M. Thomas from Orlando B. Potter, October 25, 1974.) */

If the Commission or staff now believe that these mailing expenses should be reported instead as "independent expenditures", the Council will of course fully comply with that determination.

Moreover, if the Commission or the staff intend to make findings of fact or law that are adverse to the present status or procedures of the Council, the Council respectfully requests an opportunity to present a legal memorandum on the relevant issues of fact and law prior to any such adverse finding being made. Please let me know in advance if the Commission or staff intend to make any such adverse finding.

Thank you very much for your cooperation in this matter.

Sincerely yours,

Stephen M. Thomas
Acting Treasurer

Enclosure

cc: The Honorable J. Stanley Kimmitt, Secretary of the Senate
Mr. Mark Kleinman, Reports Analysis Division, Federal Election Commission

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*/ The portions of the printing expenditures reported as "in-kind contributions" to a particular candidate are directly proportional to the percentage of Council supporters in the section of the alphabet that is to consider contributing to a particular candidate.

0 0 9 4 0 1 0 4 0 9

CANDIDATE	IN - KIND CONTRIBUTIONS	EARMARKED CONTRIBUTIONS
1. BAUCUS(MT)	$3180	$19183
2. ROY(KS)	1271	17455
3. RAVENEL(SC)	4002	32012

* Note due to enormous volume, it was decided to only show the above candidate totals, however the committee had the same type of activity with the following candidates.

1. BRADLEY(NJ)
2. CLARK(IA)
3. HASKELL(CO)
4. LEVIN(MI)
5. HATHAWAY(ME)
6. FRASER(MN)

TOTAL EARMARKED CONTRIBUTIONS IS OVER $200,000.

8004020744

Schedule B
Itemized Expenditures
Campaign Fundraising, Loans, and Transfers
for Lines 20, 21, 22, and/or 23 of FEC Form 3

Name of Committee (in full)
Council for a Livable World

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Clements Printing (781) 1365 H Street, N.E. Washington, D.C.	Printing	2/15/78	$257.25
C00078865 $77.17 of the above $257.25 expenditure is a contribution in kind to Roy for Senate, (D-Ks-Primary) $77.17 of the above $257.24 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) C00078865			
Clements Printing (781) 1365 H. Street, N.E. Washington, D.C.	Printing	2/15/78	$365.40
$109.62 of the above $365.40 expenditure is a contribution in kind to Roy for Senate (D-Ks-Primary) C00078865 $109.62 of the aobve $365.40 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) C00078865			
Clements Printing (781) 1365 H Street, N.E. Washington, D.C.	Printing	1/31/78	$570.15
$171.04 of the above $570.15 expenditure is a contribution in kind to Roy for Senate (D-Ks-Primary) C00078865 $171.04 of the aobve $570.15 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) C00078865			
S & S Mailing (781) 5171 Lawrence St. Hyattsville, Md 20781	Mailing House/Postage	1/31/78	$1,257.27
C00087203 $377.18 of the above $1,257.27 expenditure is a contribution in kind to Roy for Senate (D-Ks-Primary) $377.18 of the above $1,257.27 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) C00078865			
Subtotal of expenditures this page (optional) ▶			$
Total this period (last page this line number only) ▶			$

Page

Schedule B

(of Lines 20, 21, 22, and for Line 23 of Form 3)

Name of Candidate or Committee in full

Council for a Livable World

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Professional Litho (781) 1012 Sixth Street, NW Washington, D.C. 20001	Printing/Graphics Layout etc.	2/28/78	$350.65
$89.84 of the above $350.65 expenditure is a contribution in kind to Roy for Senate (D- Ks-Primary) $89.84 of the above $350.65 expenditure is a contribution in kind to Baucus'78 Committee (D-Mt-Primary)			
Aztech Corporation (781) 1621 Connecticut Ave, N.W. Washington, D.C. 20019	Computer Services	3/31/78	$237.02
$13.82 of the above $237.02 expenditure is a contribution in kind to Roy for Senate (D-Ks -Primary) $13.82 of the above $237.02 expenditure is a contribution in kind to Baucua'78 Committee (D-Mt-Primary)			
Envelopes Unlimited (781) 649 North Horners Lane Rockville, Maryland 20850	Printing		
$31.75 of a prepaid expenditure dated 6/17/77 in the amount of $330.75 is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) $31.75 of a prepaid expenditure dated 6/17/77 in the amount of $330.75 is a contribution in kind to Roy for Senate (D-Ks-Primary)			
Oles Envelopes (781) 532 East 25th Street Baltimore, Md 21218	Printing		
$37.42 of a prepaid expenditure dated 4/27/77 in the amount of $855.19 is a contribution in kind to Baucus '78 Committee (D- Mt-Primary) $37.42 of a prepaid expenditure dated 4/27/77 in the amount of $855.19 is a contribution in kind to Roy for Senate (D- Ks-Primary)			
Subtotal of expenditures this page (optional) ▶			$
Total this period (last page this line number only) ▶			$

Page

Schedule B
Page 2 of 2
Name of Committee or Candidate
Council for a Livable World

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Envelopes Unlimited (782) 649 North Bornars Lane Rockville, Maryland 20850	Printing		
$37.04 of a prepaid expenditure dated 6/17/77 in the amount of $330.75 is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) $27.78 of a prepaid expenditure dated 6/17/77 in the amount of $330.75 is a contribution in kind to Roy for Senate (D-Ks-Primary)			
Oles Envelopes (782) 532 East 25th Street Baltimore, Md 21218	Printing		
$32.74 of a prepaid expenditure dated 4/27/77 in the amount of $855.19 is a contribution in kind to Roy for Senate (D-Ks-Primary) $43.65 of a prepaid expenditure dated 4/27/77 in the amount of $855.19 is a contribution in kind to Baucus '78 Committee (D-Mt-Primary)			
Cantrell/Cutter Printing, Inc. (782) 200 Third Street, S.E. Washington, D.C. 20003	Printing	2/28/78	$547.26
$73.31 of the above $547 .26 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) $122.15 additionally of the above $547.26 for 5,000 profiles sent to the Baucus Committee is a contribution in kind to Baucus '78 Committee (D-Mt-Primary)			
$54.98 of the above $547.26 expenditure is a contribution in kind to Roy for Senate (D- Ks-Primary) C00087205			
Aztech Corporation (782) 1621 Connecticut Ave, N.W. Washington, D.C. 20019	Computer Services	3/31/78	$123.15
Subtotal of expenditures this page (optional) ▶			$
Total this period (last page this line number only) ▶			$

Page

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$18.00 of the above $123.15 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) C00078565 $13.50 of the above $123.15 expenditure is a contribution in kind to Roy for Senate (D-Ks-Primary) C00128571			
S & S. Mailing (782) 5171 Lawrence St. Hyattsville, Md 20781	Mailing House/Postage	2/28/78	$1,279.53
$511.81 of the above $1,279.53 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) C00078565 $383.86 of the above $1,279.53 expenditure is a contribution in kind to Roy for Senate (D-Ks-Primary) C00128571			
S & S. Mailing (783) 5171 Lawrence St. Hyattsville, Md 20781	Mailing House/Postage	3/31/78	$1,011.52
$1,011.52 of the above $1,011.52 expenditured is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) C00078565			
Oles Envelopes (783) 532 East 25th Street Baltimore, Md 21218	Printing		
$96.66 of a prepaid expenditure dated 4/27/77 in the amount of $855.19 is a contribution in kind to Baucus '78 Committee (D-Mo-Primary) C00078565			
The Baltimore Envelope Company (783) 1020 W. Pratt St. Baltimore, Md 21223	Printing	2/28/78	$429.57
Subtotal of expenditures this page (optional) ▶			$
Total this period (last page this line number only) ▶			$

Page

Name of Committee or Candidate

Council for a Liberal World

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$48.36 of the above $492.57 expenditure is a contribution in kind to Ericus '78 (D-Mt-Primary) C00078665			
Cantrell/Cutter Printing, Inc. 200 Third Street, S.E. Washington, D.C. 20003	Printing/Business Cards Off. Memo Pads	2/1/78 2/15/78	$21.21 $33.82
Xerox Corp. P. O. Box 360488M Pittsburg, Pa 15250	Xerox rental Xerox supplies	2/15/78 2/28/78 3/31/78	$162.75 $230.50 $ 54.34
Boise Cascade Envelope Division 1 Cascade Drive Allentown, Pennsylvania 18103	Printing/Envelopes	2/15/78 2/15/78 2/15/78 2/28/78	$806.83 $880.34 $ 41.19 $ 54.00
D. C. Lithographers 7974 Forbes Place Springfield, Va 22151	Printing/Letters, Brochures/Cards/Neg.	2/16/78	$2,850.10
Charlene Divoky 8 Norwood Street Winchester, Ma 01890	Consultants Fee Direct Mail Program	3/7/78	$792.00
Internal Revenue Service 11601 Roosevelt Blvd Philadelphia, Pa 19155	U.S. Income Taxes	3/10/78	$4,664.28
C & P Telephone P. O. Box 2123 Washington, D.C. 20053	Office Phones	1/31/78 2/28/78 3/31/78	$302.71 $438.70 $355.31
Subtotal of expenditures this page (optional) ▶			$
Total this period (last page this line number only) ▶			$

Page

247

C00040047

100 Maryland Avenue, N.E., Washington, D.C. 20002 Phone: 202 [illegible]

Council for a Livable World

7 0 0 2 7 0 0 0 2 2

Contributions received by the Council for a Livable World, as conduit, intended for receipt by BAUCUS '78 COMMITTEE. The contributor's occupation and principal place of business is included for contributions exceeding $100.00. All contributions were passed on in the form of the contributor's check unless otherwise noted.

Name & Address of Contributor	Amount of Contribution	Date Received By Council	Date Passed on to Intended Recipient	Occupation & Principal Place of Business
[illegible] Robinson [illegible] Massachusetts Ave, [illegible], MD 20016	$10.00	1/26/78	1/26/78	
Mrs. Larry H. Westphal [illegible]	$30.00	1/25/78	1/26/78	
[illegible]	$10.00	1/25/78	1/26/78	
[illegible]	$20.00	1/25/78	1/26/78	
[illegible]	$5.00	1/26/78	1/26/78	
[illegible]	$5.00	1/26/78	1/26/78	
[illegible]	$5.00	1/26/78	1/26/78	
[illegible]	$20.00	1/26/78	1/26/78	
[illegible]	$10.00	1/26/78	1/26/78	

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Council for a Livable World

780307000023

Name	Amount of Contribution	Date Received By Council	Date Passed on to Intended Recipient	Occupation & Principal Place of Business
Mrs. Michael Quail Apt. 84 SE Utica, NY 13143	$10.00	1/26/78	1/26/78	
[illegible]	$5.00	1/26/78	1/26/78	
[illegible]	$10.00	1/26/78	1/26/78	
[illegible]	$25.00	1/26/78	1/26/78	
[illegible]	$5.00	1/26/78	1/26/78	
[illegible]	$50.00	1/26/78	1/26/78	
[illegible]	$10.00	1/26/78	1/26/78	
[illegible]	$10.00	1/26/78	1/26/78	
[illegible]	$8.00	1/26/78	1/26/78	
[illegible]	$10.00	2/2/78	2/2/78	

80040204751

100 Maryland Avenue, N.E., Washington, D.C. 20002 · Phone

Council for a Livable World

7 8 0 3 0 7 0 0 0 9 2

Address	Amount of Contribution	Date Received By Council	Date Passed on to Intended Recipient	Occupation & Principal Place of Business
[illegible] Ave., Los Angeles, Ca 90064	$10.00	3/31/78	3/31/78	
[illegible] Cherry Lane, Walnut Creek, Ca 94596	$2.00	"	"	
[illegible] Middletown, NJ 08846	$10.00	"	"	
[illegible], Ca 90206	$10.00	"	"	

8 0 0 4 0 2 0 4 7 5 2

Council for a Livable World

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Contributions received by the Council for a Livable World, as conduit, intended for receipt by ROY FOR SENATE. The contributor's occupation and principal place of business is included for contributions exceeding $100.00. All contributions were passed on in the form of the contributor's check unless otherwise noted.

& Address ributor	Amount of Contribution	Date Received By Council	Date Passed on to Intended Recipient	Occupation & Principal Place of Business
Rushin Glencrest Ln. ington, MD 20795	$25.00	1-25-78	1-26-78	
	20.00	1-25-78	1-26-78	
	25.00	1-26-78	1-26-78	
	5.00	1-25-78	1-26-78	
	10.00	1-26-78	1-26-78	
	50.00	1-26-78	1-26-78	
	2.00	1-26-78	1-26-78	
	5.00	1-26-78	1-26-78	
	25.00	1-26-78	1-26-78	

8 0 0 4 0 2 0 4 7 5 3

PAGE ____ OF ____

100 Maryland Avenue, N.E., Washington, D.C. 20002. Phone: 202-543-4100. Founded in 1962 by Leo Szilard

Council for a Livable World

7 8 0 3 0 7 0 0 1 7

PAGE _____ OF _____

Amount of Contribution	Date Received By Council	Date Passed on to Intended Recipient	Occupation & Principal Place of Business
$ 20.00	3-30-78	3-31-78	
50.00	3-30-78	3-31-78	
25.00	"	"	
2.00	3-31-78	3-31-78	

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SCHEDULE B
REVISED
January, 1978
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

(Operating Expenditures to Other Than Committee Members, Employees, or Vendors Reimbursed)
Supplying Lines 23a, 23b, and 23c, and 23d of FEC FORM 3

Page ___ of ___
Subtotal
Sum Subtotals from this page and previous pages

Name of Candidate or Committee in Full
Council for a Livable World

Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Professional Litho (782) 1012 Sixth Street, N.W. Washington, D.C. 20001	Printing Expenditure for: ☐ Primary ☐ General ☐ Other	4/14/78	$86.29
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
212 $34.52 of the above $ 86.29 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) P C00078865 148 $25.89 of the above $86.29 expenditure is a contribution in kind to Roy for Senate (D-Ks-Primary) P C00087205	☐ Primary ☐ General ☐ Other	4/14	
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Professional Litho (784) 1012 Sixth Street, N.W. Washington, D. C. 20001	Printing Expenditure for: ☐ Primary ☐ General ☐ Other	4/14/78	$92.51
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$46.25 of the above $92.51 expenditure is a contribution in kind to Ravenel for U.S. Senate (D- SC-Primary) P C00079251	Expenditure for: ☐ Primary ☐ General ☐ Other	4/14	
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Professional Litho (783) 1012 Sixth Street, N.W. Washington, D.C. 20001	Printing Expenditure for: ☐ Primary ☐ General ☐ Other	4/14/78	$32.08
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
150 $12.83 of the above $32.08 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) C00078865 152 P $9.62 of the above $32.08 expenditure is a contribution in kind to Roy for Senate (D-Ks-Primary) C00087205	Expenditure for: ☐ Primary ☐ General ☐ Other	4/14	
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Cantrell/Cutter Printing, Inc. (784) 200 Third St, S.E. Washington, D.C. 20003	Printing Expenditure for: ☐ Primary ☐ General ☐ Other	4/14/78	$568.73
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
42 $284.37 of the above $568.73 expenditure is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary) P C00079251	Expenditure for: ☐ Primary ☐ General ☐ Other	4/14	

SUBTOTAL of expenditures this page (optional) . . . . . $

TOTAL this period (last page this line number only) . . . . . $

SCHEDULE B
(Page 2)
Name of Candidate or Committee in Full
Council for a Livable World

Full Name, Mailing Address and ZIP Code	Particulars of Expenditure / Expenditure for:	Date (month, day, year)	Amount of each expenditure this period
Cantrell/Cutter Printing, Inc. (783) 200 Third Street, S.E. Washington, D.C. 20003	Printing ☐ Primary ☐ General ☐ Other	4/14/78	$226.30
$226.30 of the above $226.30 is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) P C00078865	☐ Primary ☐ General ☐ Other	4/14	
Aztech (783) 1621 Connecticut Ave, N.W. Washington, D.C. 20019	Computer Services ☐ Primary ☐ General ☐ Other	4/14/78	$204.13
$45.00 of the above $204.13 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) P C00078865	Expenditure for: ☐ Primary ☐ General ☐ Other	4/14	
S & S Mailing (784) 5171 Lawrence Street Hyattsville, Md 20781	Postage/Mail House Handling ☐ Primary ☐ General ☐ Other	4/28/78	$1,243.90
$621.95 of the above $1,243.90 expenditure is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary) P C00079251	Expenditure for: ☐ Primary ☐ General ☐ Other	4/28	
Aztech (784) 1621 Connecticut Ave, N.W. Washington, D.C. 20019	Computer Services ☐ Primary ☐ General ☐ Other	5/15/78	$110.76
$22.84 of the above $110.76 expenditure is a contribution in kind to Ravenel for U.S. Senate (D- SC-Primary) P C00079251	Expenditure for: ☐ Primary ☐ General ☐ Other	5/15	
SUBTOTAL of expenditures this page (optional)			$
TOTAL this period (last page this line number only)			$

SCHEDULE B
REVISED
January, 1975
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Name of Candidate or Committee in Full
Council for a Livable World

Full Name, Mailing Address and ZIP Code	Particulars of Expenditure / Expenditure for:	Date (month, day, year)	Amount of each expenditure this period
Cantrell/Cutter Printing, Inc. (785) 200 Third Street, S.E. Washington, D.C. 20003	Printing ☐ Primary ☐ General ☐ Other	5/15/78	$437.13
($218.57 of the above $437.13 expenditure is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary) P C00079251	☐ Primary ☐ General ☐ Other	5/15	
Professional Litho 1012 Sixth Street, N.W. Washington, D.C. 20001	Printing ☐ Primary ☐ General ☐ Other	5/15/78	$21.00
$10.50 of the above $21.00 expenditure is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary(P C00079251	☐ Primary ☐ General ☐ Other	5/15	
S & S. Mailing (785) 5171 Lawrence Street Hyattsville, Md 20781	Postage/Mailing House ☐ Primary ☐ General ☐ Other	5/15/78	$1,208.34
$604.17 of the above $1,208.34 expenditure is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary) P C00079251	☐ Primary ☐ General ☐ Other	5/15	
Oles Envelopes (784) 532 East 25th Street Baltimore, Md 21218	Printing ☐ Primary ☐ General ☐ Other		
$60.02 of a prepaid expenditure dated 4/27/77 in the amount of $855.19 is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary) P C00079251	☐ Primary ☐ General ☐ Other	4/27	

SUBTOTAL of expenditures this page (optional) . . . . . $

TOTAL this period (last page this line number only) . . . . . $

Name of Candidate or Committee in Full

Council for a Livable World

Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
The Baltimore Envelope Co. (784) 1020 W. Pratt Street Baltimore, Md 21223	Printing Expenditure for: ☐ Primary ☐ General ☐ Other		
$50.94 of a prepaid expenditure dated 2/28/78 in the amount of $429.57 is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary) P C00079251	Expenditure for: ☐ Primary ☐ General ☐ Other	2/28	
Oles Envelopes (785) 532 East 25th Street Baltimore, Md 21218	Printing Expenditure for: ☐ Primary ☐ General ☐ Other		
$56.13 of a prepaid expenditure dated 4/27/77 in the amount of $855.19 is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary) P C00079251	Expenditure for: ☐ Primary ☐ General ☐ Other	4/27	
The Baltimore Envelope Co. (785) 1020 W. Pratt Street Baltimore, Md 21223	Printing Expenditure for: ☐ Primary ☐ General ☐ Other		
$47.63 of a prepaid expenditure dated 2/28/78 in the amount of $429.57 is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary) P C00079251	Expenditure for: ☐ Primary ☐ General ☐ Other	2/28	
J. J. Mailing Inc. 41 Commerce Ave. St. Mary's Industrial Park Hollywood, Md 20636	Postage/Direct Mail Expenditure for: ☐ Primary ☐ General ☐ Other	4/7/78 5/8/78 4/24/78	$7,500.00 $1,000.00 $2,000.00
J J Mailing, Inc 41 Commerce Ave St. Mary's Industrial Park Hollywood, Md 20636	Postage /Mail House Expenditure for: ☐ Primary ☐ General ☐ Other	4/14/78 4/14/78 4/14/78	$69.64 $41.71 $83.58

SUBTOTAL of expenditures this page (optional) . . . . . $

TOTAL this period (last page this line number only) . . . . . $

Council for a Livable World

Contributions received by the Council for a Livable World, as conduit, intended for receipt by Charles Ravenel. The contributor's occupation and principal place of business is included for contributions exceeding $100.00. All contributions were passed on in the form of the contributor's check unless otherwise noted.

Address Contributor	Amount of Contribution	Date Received By Council	Date Passed on to Intended Recipient	Occupation & Principal Place of Business
[illegible] Brown [illegible] Valley Lane [illegible] Spring, MD 20904	$ 10.00	4-13-78	4-13-78	
[illegible]	5.00	4-13-78	4-13-78	
[illegible]	25.00	4-13-78	4-13-78	
[illegible]	10.00	4-14-78	4-14-78	
[illegible]	50.00	"	"	
[illegible]	10.00	"	"	
[illegible]	10.00	"	"	
[illegible]	25.00	4-17-78	4-17-78	
[illegible]	20.00	4-17-78	4-17-78	

P C000 9251

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Council
Treable

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PAGE _____ OF _____

Amount of Contribution	Date Received By Council	Date Passed on to Intended Recipient	Occupation & Principal Place of Business
$25.00	5/22/78	5/23/78	
[illegible] NY 10101 P [illegible] 79201			
$30.00	"	"	
[illegible] St, San Diego, Ca 92109			
$20.00	"	"	
[illegible], Ca 90039			
$10.00	"	"	
$15.00	"	"	
$10.00	"	"	
$10.00	"	"	
[illegible], W. Chester, Pa 19380			

8 0 0 4 0 2 0 4 7 6 0

Re: AOR 1976-92

Mr. Graham H. Fernald
Perkins, Coie, Stone, Olsen and Williams
1900 Washington Building
Seattle, Washington 98101

Dear Mr. Fernald:

This is in response to your letter dated September 24, 1976, in which you request the Commission's opinion as to the status, under the Federal Election Campaign Act of 1971, as amended ("the Act"), of the Boeing Company's Civic Pledge Program ("CPP"). Your question appears to be whether or not the CPP constitutes a separate segregated fund pursuant to Part 114 of the Commission's proposed regulations.

As described in your letter, the CPP is a membership organization composed of the employees of the Boeing Company. Such members make contributions to candidates whom they select, in amounts determined by them, and at times they choose. The program is open to each management employee of the Boeing Company whose base annual salary is $26,000 or more.1/ Most members of this class who participate do so through a payroll deduction plan.

There is a self perpetuating advisory group which has overall responsibility for its day-to-day functions. The Boeing Company apparently bears any solicitation expenses directly from its treasury. The administrator from time to time receives requests for political contributions. He prepares a data sheet on the candidate with particular reference to his or her position on such issues as are

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1/ For purposes of this response we assume that management employees would qualify as "executive or administrative personnel" under 2 U.S.C. §441b(b)(7) and §114.1(c) of the proposed regulations.

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likely to be of concern to Boeing management employees. This data sheet goes to the advisory group, which makes its decision as to whether the candidate will have the group support and, if so, the amount thereof. If the candidate obtains such support, the program administrator solicits contributions by sending some members (selected by the administrator on the basis of potential interest in the particular candidate) a copy of the data sheet and a request for a contribution. The member is advised that he need not accept the advisory group recommendation or make a contribution. If the member decides to support the candidate, he or she either directs the bank to write a check on the member's program account at the bank (if the member is on the payroll deduction plan) or the member draws a personal check. All checks are drawn on individual accounts and all are made payable to the candidate's campaign committee. The checks are collected by the administrator for forwarding to the campaign committee.

As is more fully developed below, it appears that contributions in excess of $1,000 in a calendar year will be made by CPP; thus, the Commission concludes that CPP is indeed a political committee and a separate segregated fund whose activities must be conducted in accordance with the Act including, in particular, 2 U.S.C. §441b and Part 114 of the Commission's proposed regulations (copy enclosed). Under the circumstances, the Commission would consider any amount disbursed to a candidate as a contribution to that candidate by CPP.2/ Each contribution to a candidate made through CPP would, of course, be subject to the limits of 2 U.S.C. §441a. Whether that limit is $1,000 or $5,000 depends on whether CPP qualifies as a multi-candidate committee. 2 U.S.C. §441a(a)(4). Moreover, because of the method by which CPP solicits contributions, those contributions designated for particular candidates, as described above, by the individual contributors would also be regarded as contributions by those individuals to the candidates designated by such contributors. See §110.6(d) of the Commission's proposed regulations; see also Advisory Opinion 1975-10 (copy enclosed). CPP itself would be required

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2/ The Commission held in Advisory Opinion 1976-51 (copy enclosed) that a group of individuals who act in concert to raise and deliver contributions aggregating over $1,000 in a calendar year to any candidate (or political committee) will be regarded as a political committee.

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to report such contributions pursuant to §110.6 of the proposed regulations, also the candidate recipients are required to report the receipt of such contributions on their next required report. See 2 U.S.C. §434 and Part 104 of the proposed regulations for the applicable reporting requirements.

This response relates to your opinion request but may be regarded as informational only and not as an advisory opinion since it is based in part on proposed regulations of the Commission. These proposed regulations were formally adopted by the Commission and serve as interpretative rules of the Commission as to the meaning of the pertinent statutory language. The proposed rules were transmitted to the Congress on August 3, 1976. See 2 U.S.C. §438(c). For your information we enclose a copy of a recent Commission policy statement regarding those rules.

Sincerely yours,

Vernon W. Thomson

Vernon W. Thomson
Chairman for the
Federal Election Commission

Enclosures

3004020476 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Stephan A. Thomas
Acting Treasurer
Council for a Livable World
100 Maryland Avenue, N.E.
Washington, D.C. 20002

Re: MUR 1028

Dear Mr. Thomas:

The Federal Election Commission notified you in a request for additional information letter dated September 29, 1978, that your committee may have violated certain sections of the Commission's Regulations.

Upon further review of the information available to the Commission and information supplied by you, the Commission determined, on , 1980, that there is reason to believe that your Committee may have violated section 441a (a)(2)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act") and section 110.6(d)(2) of the Commission's Regulations. A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

Your response to the Commission's initial notification of the possible violation did not provide complete information regarding the matters in question. Please submit answers to the enclosed questions within 10 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

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[illegible]

[illegible]

public.

If you have any questions, please contact Marybeth Tarrant, the staff member assigned to this matter at 521-4275.

Sincerely,

Enclosures

1. Summary of reason to believe finding
2. Procedures
3. Questions

6 0 0 4 0 2 0 4 7 6 5

FEDERAL ELECTION COMMISSION

NOTIFICATION OF [illegible]

DATE _____ MUR NO. 1028
STAFF MEMBER(S) & TEL. NO.
Elizabeth Tarrant

RESPONDENT Council for a Livable World (202) 523-4175

SOURCE OF MUR: INTERNALLY GENERATED

BACKGROUND

The Council for a Livable World (the Council) was referred to the Office of General Counsel by the Reports Analysis Division (RAD). The referral alleged possible violations of 2 U.S.C. §441a(a)(2)(A) and 11 C.F.R. §110.6(d)(2) by the Council.

FACTUAL BASIS AND LEGAL ANALYSIS

On September 29, 1978, a request for additional information was sent out by RAD concerning the relationship between in-kind contributions made by the Council to certain senatorial candidates and the subsequent earmarked contributions received by the Council from individuals which were intended for those same candidates.

On November 15, 1978, the Council responded claiming it is a non-partisan association whose main goal is to encourage sensible arms control limitations. Part of the Council's resources is devoted to educating its 8,000 supporters. The Council informs its supporters of the U.S. Senatorial candidates whom it has decided takes favorable policy positions with regard to arms control.

The Council does contact the committees of the candidates involved to obtain pictures, biographies and issue papers, etc. The mailing itself is written by Council staff. In the mailing it is "... suggested that ... the supporter could consider making a contribution to the Council itself or to a particular candidate by making out a check payable to the Council or to the candidate's campaign committee ... The Council then acted merely as a conduit or intermediary ..." in passing on these contributions to the intended recipient.

Pursuant to 2 U.S.C. §441a(a)(2)(A), a multicandidate committee, as defined by §441a(a)(4), has a contribution limitation of $5,000 per candidate per election. The Council qualifies as such a committee.

3 0 0 4 0 2 0 4 7 6 6

11 C.F.R. §110.6(d)(2) states that if a conduit exercises any direction or control over the choice of the recipient candidate, the contribution shall be considered a contribution by both the original contributor and the conduit, and shall be so reported. Here it appears the Council, which claimed it was a conduit and qualified as such, exercised direction over the earmarked contributions of its supporters. It did this by suggesting to its supporters that they contribute to the candidates whom the Council had selected. (See Re: AOR 1976-92) The earmarked contributions of Council supporters are therefore to be considered as contributions from the Council itself. These contributions put the Council in excess of the limit allowed by §441a(a)(2)(A). Furthermore, as the Council has failed to report these contributions as its own, it may also have violated 11 C.F.R. §110.6(d)(2).

Based on the foregoing analysis, the Federal Election Commission has found: Reason to believe that the Council for a Livable World may have violated 2 U.S.C. §441a(a)(2)(A) and 11 C.F.R. §110.6(d)(2).

The Federal Election Commission has approved the sending of a letter with questions.

0004047767

ATTACHMENT

Re: AOR 1976-92

Mr. Douglas A. [illegible]

[illegible]

These questions concern the Council's 1978 [illegible] in response to the following questionnaires: [illegible] (IA), Fraser (MN), Marshall (CO), [illegible] (NC), [illegible] (SC) and Roy (KS).

1. Explain in detail your solicitation/mailing system. Include answers to the following:

   a) How an individual comes to receive a solicitation mailing.

   b) Explain the significance of the first letter of a supporter's last name in the fundraising process.

   c) How many candidates are involved per mailing?

   d) Set out the reasons for obtaining written authorization from the candidates involved.

   e) Please furnish copies of any

      i) written authorization forms used by the candidates

      ii) any written correspondence between the Council and the candidates including copies of position papers and biographies supplied by the candidates.

      iii) copies of the solicitations that were used. (If all are identical, please specify and submit a sample solicitation).

   f) How many individual mailings were sent on behalf of each candidate.

   g) Explain how earmarked money is transferred to the intended recipient.

   h) How the cost of these mailings is paid and how they are allocated among the candidates.

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2. In [illegible] a candidate [illegible]

a) Who in each candidate was contacted

b) Who from the Council made such contacts

c) The substance of any conversations with the candidate or campaign committee officials.

3. Please state how, if at all, any of the Council's procedures during the 1976 election differed from the procedures followed in 1978.

8004020476 9

RAD 499 92L-144

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

Attachment 2

REPORTS ANALYSIS REFERRAL SHEET

DATE 9-7-79 ANALYST Mark Kleinman

TO: William Oldaker TEAM CHIEF Steve Mims

THROUGH: STAFF DIRECTOR COMPLIANCE REVIEW CB/PS

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS MUR 1028

CANDIDATE/COMMITTEE: Council For A Livable World

TREASURER: Mr. Stephen A. Thomas

ADDRESS: 100 Maryland Avenue, N.E.
Washington, D.C. 20002

AFFILIATE(S): None

ALLEGATION(S):	CITE:	ATTACHMENT(S)
If operating as an Authorized committee, excessive contributions were received, otherwise committee also exercised direction and control of earmarked contributions by limiting the field of receipient candidates.	2 U.S.C. 441a(a)(1)(A) 11 CFR 100.14(b)(1) 11 CFR 110.6(d)	 #4 #5

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE:

Normal Review initiated 9-29-78

ATTACHMENT

80040204770

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM 1-1-78 **TO** 3-31-78

TOTAL RECEIPTS $ 57795 **TOTAL EXPENDITURES** $ 60320

CASH ON HAND $ 37175 **DEBTS** $ 696

HISTORY:

RESULTS OF REVIEW: *ATTACHMENT*

Request For Additional Information Sent 9-29-78 #2

Response Received 11-15-78 See Attachment #4

COMMUNICATIONS WITH CANDIDATE/COMMITTEE: *ATTACHMENT*

Telecon 10-17-78 #3

REASON(S) FOR REFERRAL: *ATTACHMENT*

See above allegations. In the response received 11-15-78, the committee indicated that they were authorized by candidates and that direction was provided in the mailings regarding the choice of candidates and methods involved in forwarding on the contributions.

OTHER PENDING ACTIONS INITIATED BY RAD: *ATTACHMENT*

None

OTHER RELEVANT INFORMATION:

Referrals may be made regarding candidate acceptance of excessive contributions pending decision on allegations above.

00040204771

RAD 9-2-79

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE 9-2-79 ANALYST Mark Kleiman

TO: William Oldaker TEAM CHIEF Steve Mims

THROUGH: STAFF DIRECTOR COMPLIANCE REVIEW

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS MUR 1028

CANDIDATE/COMMITTEE: Council For A Livable World

TREASURER: Mr. Stephen A. Thomas

ADDRESS: 100 Maryland Avenue, N.E.
Washington, D.C. 20002

AFFILIATE(S): None

ALLEGATION(S):	CITE:	ATTACHMENT(S)
If operating as an Authorized committee, excessive contributions were received, otherwise committee also exercised direction and control of earmarked contributions by limiting the field of receipient candidates.	2 U.S.C. 441a(a)(1)(A) 11 CFR 100.14(b)(1) 11 CFR 110.6(d)	 #4 #5

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE:

Normal Review initiated 9-29-78

ATTACHMENT

0004020477 2

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM 1-1-78 TO 3-31-78

TOTAL RECEIPTS $ 57795 TOTAL EXPENDITURES $ 60820

CASH ON HAND $ 37175 DEBTS $ 696

HISTORY:

RESULTS OF REVIEW: ATTACHMENT

Request For Additional Information Sent 9-29-78 #2

Response Received 11-15-78 See Attachment #4

COMMUNICATIONS WITH CANDIDATE/COMMITTEE: ATTACHMENT

Telecon 10-17-78 #3

REASON(S) FOR REFERRAL: See above allegations. In the response received 11-15-78, the committee indicated that they were authorized by candidates and that direction was provided in the mailings regarding the choice of candidates and methods involved in forwarding on the contributions. ATTACHMENT

OTHER PENDING ACTIONS INITIATED BY RAD: ATTACHMENT

None

OTHER RELEVANT INFORMATION:

Referrals may be made regarding candidate acceptance of excessive contributions pending decision on allegations above.

RAD Form 1
August 1978

00040047773

ATTACHMENT #1

8004020477 4

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS PRIMARY	RECEIPTS GENERAL	EXPENDITURES PRIMARY	EXPENDITURES GENERAL	COVERAGE DATES
COUNCIL FOR A LIVABLE WORLD						
CONNECTED ORGANIZATION: NONE						
1978	STATEMENT OF ORGANIZATION- AMENDMENT					[illegible]
	STATEMENT OF ORGANIZATION- AMENDMENT					[illegible]
	STATEMENT OF ORGANIZATION- AMENDMENT					17APR78
	STATEMENT OF ORGANIZATION- AMENDMENT					30MAY78
	STATEMENT OF ORGANIZATION- AMENDMENT					24JUN78
	STATEMENT OF ORGANIZATION- AMENDMENT					17JUL78
	STATEMENT OF ORGANIZATION- AMENDMENT					24AUG78
	STATEMENT OF ORGANIZATION- AMENDMENT					15SEP78
	STATEMENT OF ORGANIZATION- AMENDMENT					[illegible]
	MISCELLANEOUS TRANSACTION TO F.E.C.					2OCT78
	STATEMENT OF ORGANIZATION- AMENDMENT					[illegible]
1979	MISCELLANEOUS TRANSACTION TO F.E.C.					[illegible]
1977	APRIL 10 QUARTERLY	77,204		44,014		1JAN77 [illegible]
	REQUEST FOR ADDITIONAL INFORMATION					1JAN77 [illegible]
	APRIL 10 QUARTERLY - AMENDMENT					1JAN77 [illegible]
	JULY 10 QUARTERLY	45,452		37,089		[illegible]
	JULY 10 QUARTERLY - AMENDMENT	45,577		37,089		[illegible]
	OCTOBER 10 QUARTERLY	39,201		33,702		1JUL77 [illegible]
	REQUEST FOR ADDITIONAL INFORMATION					1JUL77 [illegible]
	OCTOBER 10 QUARTERLY - AMENDMENT					1JUL77 [illegible]
	OCTOBER 10 QUARTERLY - AMENDMENT	39,076		33,702		1JUL77 [illegible]
	YEAR END REPORT	41,535		33,231		1OCT77 [illegible]
1978	APRIL 10 QUARTERLY	57,795		60,820		1JAN78 [illegible]
	REQUEST FOR ADDITIONAL INFORMATION					1JAN78 [illegible]
	APRIL 10 QUARTERLY - AMENDMENT					1JAN78 [illegible]
	APRIL 10 QUARTERLY - AMENDMENT	57,795		60,820		1JAN78 [illegible]
	APRIL 10 QUARTERLY - AMENDMENT					1JAN78 [illegible]
	10 DAY PRE-PRIMARY	39,704		48,914		[illegible]
	10 DAY PRE-PRIMARY	3,810		1,000		23[illegible]
	10 DAY PRE-PRIMARY	8,312		9,729		[illegible]
	10 DAY PRE-PRIMARY - AMENDMENT	8,312		9,679		[illegible]
	10 DAY PRE-PRIMARY - AMENDMENT	39,704		48,914		[illegible]
	10 DAY PRE-PRIMARY - AMENDMENT					[illegible]
	10 DAY PRE-PRIMARY - AMENDMENT	3,810		1,000		23MAY78 [illegible]
	10 DAY PRE-PRIMARY - AMENDMENT					23MAY78 -30MAY78
	10 DAY PRE-PRIMARY - AMENDMENT	8,312		9,679		4JUL78 [illegible]
	10 DAY PRE-PRIMARY - AMENDMENT					4JUL78 [illegible]
	30 DAY POST-PRIMARY	15,414		20,554		30MAY78 [illegible]
	30 DAY POST-PRIMARY	1,593		0		1JUL78 [illegible]
	30 DAY POST-PRIMARY	23,351		25,508		18JUL78 [illegible]
	30 DAY POST-PRIMARY	2,190		0		1OCT78 [illegible]
	30 DAY POST-PRIMARY	11,810		9,563		30OCT78 [illegible]
	30 DAY POST-PRIMARY - AMENDMENT	15,485		20,554		30MAY78 [illegible]
	30 DAY POST-PRIMARY - AMENDMENT					18JUL78 [illegible]
	30 DAY POST-PRIMARY - AMENDMENT	23,401		25,508		18JUL78 [illegible]
	REQUEST FOR ADDITIONAL INFORMATION					18JUL78 [illegible]
	30 DAY POST-PRIMARY - AMENDMENT	15,485		20,554		30MAY78 [illegible]

8004020477 6

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS PRIMARY	RECEIPTS GENERAL	EXPENDITURES PRIMARY	EXPENDITURES GENERAL	COVERAGE DATES	PAGES
COUNCIL FOR A LIVABLE WORLD							
CONNECTED ORGANIZATION: NONE							
1978	STATEMENT OF ORGANIZATION- AMENDMENT						
	STATEMENT OF ORGANIZATION- AMENDMENT						
	STATEMENT OF ORGANIZATION- AMENDMENT						
	STATEMENT OF ORGANIZATION- AMENDMENT						
	STATEMENT OF ORGANIZATION- AMENDMENT						
	STATEMENT OF ORGANIZATION- AMENDMENT						
	STATEMENT OF ORGANIZATION- AMENDMENT						
	STATEMENT OF ORGANIZATION- AMENDMENT						
	STATEMENT OF ORGANIZATION- AMENDMENT						
	MISCELLANEOUS TRANSACTION TO F.E.C.						
	STATEMENT OF ORGANIZATION- AMENDMENT						
1977	APRIL 10 QUARTERLY	77,204		44,014			
	REQUEST FOR ADDITIONAL INFORMATION						
	APRIL 10 QUARTERLY - AMENDMENT						
	JULY 10 QUARTERLY	45,452		37,089			
	JULY 10 QUARTERLY - AMENDMENT	45,577		37,089			
	OCTOBER 10 QUARTERLY	39,201		33,702			
	REQUEST FOR ADDITIONAL INFORMATION						
	OCTOBER 10 QUARTERLY - AMENDMENT						
	OCTOBER 10 QUARTERLY - AMENDMENT	39,076		33,702			
	YEAR END REPORT	41,525		33,231			
1978	APRIL 10 QUARTERLY	57,795		60,020			
	REQUEST FOR ADDITIONAL INFORMATION						
	APRIL 10 QUARTERLY - AMENDMENT						
	APRIL 10 QUARTERLY - AMENDMENT	57,795		60,020			
	APRIL 10 QUARTERLY - AMENDMENT						
	10 DAY PRE-PRIMARY	39,704		40,914			
	10 DAY PRE-PRIMARY	3,810		1,000			
	10 DAY PRE-PRIMARY	8,312		9,729			
	10 DAY PRE-PRIMARY - AMENDMENT	8,312		9,679			
	10 DAY PRE-PRIMARY - AMENDMENT	39,704		40,914			
	10 DAY PRE-PRIMARY - AMENDMENT						
	10 DAY PRE-PRIMARY - AMENDMENT	3,810		1,000			
	10 DAY PRE-PRIMARY - AMENDMENT						
	10 DAY PRE-PRIMARY - AMENDMENT	8,312		9,679			
	10 DAY PRE-PRIMARY - AMENDMENT						
	30 DAY POST-PRIMARY	15,414		20,554			
	30 DAY POST-PRIMARY	1,593		0			
	30 DAY POST-PRIMARY	23,351		25,500			
	30 DAY POST-PRIMARY	2,190		0			
	30 DAY POST-PRIMARY	11,810		9,563			
	30 DAY POST-PRIMARY - AMENDMENT	15,485		20,554			
	30 DAY POST-PRIMARY - AMENDMENT						
	30 DAY POST-PRIMARY - AMENDMENT	23,401		25,500			
	REQUEST FOR ADDITIONAL INFORMATION						
	30 DAY POST-PRIMARY - AMENDMENT	15,485		20,554			
	30 DAY POST-PRIMARY - AMENDMENT						

8004020477 7

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

NON-PARTY RELATED

COMMITTEE	DOCUMENT		RECEIPTS PRIMARY	RECEIPTS GENERAL	EXPENDITURES PRIMARY	EXPENDITURES GENERAL	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
	30 DAY POST-PRIMARY	- AMENDMENT	1,593		0		1JUL78 - 3JUL78	3	78FEC/123/[illegible]
	30 DAY POST-PRIMARY	- AMENDMENT	23,401		25,508		18JUL78 -21AUG78	8	78FEC/123/[illegible]
	JULY 10 QUARTERLY		1,759		9,059		27JUN78 -30JUN78	14	78FEC/[illegible]
	JULY 10 QUARTERLY	- AMENDMENT					26JUN78 -30JUN78	1	78FEC/123/[illegible]
	JULY 10 QUARTERLY	- AMENDMENT	1,759		9,059		26JUN78 -30JUN78	8	78FEC/123/[illegible]
	OCTOBER 10 QUARTERLY		59,144		61,712		22AUG78 -30SEP78	110	78FEC/[illegible]
	OCTOBER 10 QUARTERLY	- AMENDMENT	59,144		61,786		22AUG78 -30SEP78	4	78FEC/[illegible]
	OCTOBER 10 QUARTERLY	- AMENDMENT	59,144		61,786		28AUG78 -30SEP78	3	78FEC/[illegible]
	OCTOBER 10 QUARTERLY	- AMENDMENT					28AUG78 -30SEP78	1	[illegible]
	10 DAY PRE-GENERAL		5,268		0		17OCT78 -31OCT78	[illegible]	
	30 DAY POST-GENERAL		13,686		17,488		3NOV78 -[illegible]	[illegible]	
	YEAR END REPORT		27,329		34,114		[illegible]	[illegible]	
	YEAR END REPORT	- AMENDMENT	27,329		34,604		[illegible]	[illegible]	
	YEAR END REPORT	- AMENDMENT					[illegible]	[illegible]	
		TOTAL	605,748	0	420,728	0		[illegible]	

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS PRIMARY	RECEIPTS GENERAL	EXPENDITURES PRIMARY	EXPENDITURES GENERAL	COVERAGE DATES
COUNCIL FOR A LIVABLE WORLD						
CONNECTED ORGANIZATION: NONE						
1979 MISCELLANEOUS TRANSACTION TO F.E.C.						
	APRIL 10 QUARTERLY	95,744		92,810		[illegible]
	JULY 10 QUARTERLY	70,193		42,683		[illegible]
	TOTAL	165,937	0	135,493	0	

ALL REPORTS HAVE RECEIVED BASIC REVIEW.

ATTACHMENT #2

1 0004020477 9

FEDERAL ELECTION COMMISSION

999 E STREET N.W.
WASHINGTON, D.C. 20463

13 SEP 86

Stephen M. Thomas, Acting Treasurer
Council For A Livable World
100 Maryland Avenue, N.E.
Washington, D.C. 20002

Dear Mr. Thomas:

This letter is prompted by our interest in assisting committees who wish to comply with the Federal Election Campaign Act.

During review of the April 10 Quarterly Report of Receipts and Expenditures, we noted that you omitted certain information or made apparent mathematical errors in certain entries. Attached is an itemization of the information requested.

While we recognize the difficulties you may have experienced in filling out the reporting forms, we must ask that you supply the Commission with the missing information within fifteen (15) days from the date of this letter. If you have any questions, please do not hesitate to contact Mark Kleirman in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4048.

Sincerely,

Orlando B. Potter

Orlando B. Potter
Staff Director

Attachment
FEC Form 12

09040270409

Please clarify the nature of the in-kind contributions. It would seem that by the description of the in-kind contributions as "Printing" to the candidates as indicated by your report, and the subsequent earmarked contributions by individuals to these same candidates, that there was a relationship between the in-kind contributions and the earmarked contributions.

In addition, please clarify if there was any coordination between your committee and the applicable candidates and/or candidate committees in preparing the content of the "Printing" costs. If this was the case, then under Section 110.6(d)(2) of the Federal Election Commission Regulations, all of the subsequent earmarked contributions may be attributable to your committee, as having exercised direction or control over the recipient candidate and/or committee.

Please respond accordingly.

Also note, that the above also refers to any other report filed by your committee with a similair reporting pattern.

8 0 0 4 0 3 0 0 4 6 7 0 5 1 9 7

ATTACHMENT #3

8004020476 2

TELECON TO THE FILES: COUNCIL FOR A LIVABLE WORLD

FROM: MARK LEINWAN

DATE: 10-17-78

RE: RFAI

I spoke with Mr. Terry Lenzner 296-2121, an attorney. I explained that there was some concern regarding the relationship between the in-kind contributions and earmarked contributions. He indicated that this was due to the mailings which they sent.

I stated that if the mailings were sent with the knowledge of the relevant candidates that they should be regarded as in-kind contributions and if no consultation had taken place as independent expenditures.

He indicated that he would ascertain the precise facts and respond accordingly.

296-2121

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ATTACHMENT #4

8004020477 84

Council for a Livable World

'78 NOV 15 PM 3:23

November 15, 1978

Orlando B. Potter
Staff Director
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Potter:

This letter is in response to your letter of September 29, 1978, and its request for more information about the "in-kind contributions" listed at Schedule B for Line 20A in the Council for a Livable World ("Council") Report for the Quarter Ending March 31, 1978 (ID #C00029165). The request for additional information (attached hereto) asked for a clarification of the relationship between the Council's "in-kind" contributions and the earmarked contributions by individuals to candidates, and also asked for a clarification of whether there was any coordination between the Council and the applicable candidates in preparing the content of the printing distributed by the Council. This letter responds to both of these concerns and, I hope, will clarify any questions that the Commission may have concerning the Council's method of operation.

The Council for a Livable World, a non-profit and non-partisan association, was founded in 1962 by a group of scientists headed by nuclear physicist Leo Szilard, the discoverer of the nuclear chain reaction, who were concerned about the proliferation of nuclear weapons and about the need to encourage discussions regarding control of such weapons. The Council's primary objective has been to encourage sensible limitations on the use of nuclear, biological and chemical weapons by the United States and other nations. In attempting to focus Government attention on these arms control issues, the Council has engaged in lobbying efforts, conducted seminars for Congressional members and staff, and compiled and distributed publications on relevant issues. As a part of its activities to establish sensible arms control limitations policies, the Council for a Livable World has expended part of its resources and energy in educating and informing its supporters, by mail, on a non-partisan basis, about candidates in elections to the United States Senate. This activity is part of the multi-faceted Council strategy intended to initiate and encourage discussions in the executive and legislative branches concerning arms control issues.

BOARD OF DIRECTORS

William Doering, *President*
Bernard T. Feld, *Vice-President*
Eli Sagan, *Treasurer*
George Kistiakowsky, *Chairman*
Steve Thomas, *National Director*
Daniel Aaron
Ruth Adams
Michael L. Allen
Charles C. Price
Donald Eldridge
Roger Fisher
Maurice S. Fox
Jerome D. Frank
Matthew Meselson
James G. Patton
George W. Rathjens
Enid C.B. Schoettle
Herbert Scoville, Jr.
Kosta Tsipis
Joyce Fordham, *Office Manager*
John Isaacs, *Legislative Director*
Terry Lenzner, *Counsel*
Maureen Murphy, *Associate Director*

100 Maryland Avenue, N.E., Washington, D.C. 20002. Phone: 202-543-4100. *Founded in 1962 by Leo Szilard*

The Council for a Livable World also attempts to educate [illegible] about the implications of the use of nuclear, biological, and [illegible] weapons and to research the policies of candidates for the [illegible] Senate. Individual supporters of the Council's activities are a diverse group of about 8,000 individuals, united only by their [illegible] in these policy issues. There is no economic leverage or any [illegible] means of control that the Council can use to influence the acti[illegible] its individual supporters. Thus, the Council for a Livable World [illegible] basically a non-partisan, multi-candidate committee organized [illegible] substantive policy issues, which makes it very distinct from the [illegible] usual partisan committees organized solely for the purpose of affecting the outcomes of federal elections.

In election years, on the basis of its own independent research into the issues involved, the Council selects a few Senate candidates about whom it distributes material to Council supporters suggesting that they consider sending checks payable to clearly identified campaign committees of the selected candidates. The selection of candidates by the Council is non-partisan and is done wholly independently, based primarily on research by Council staff into the policy positions advocated by the various candidates.

The "in-kind contributions", reported at Line 20A and listed on Schedule B of the Council's April 10, 1978 report were to the printing of material mailed to Council supporters about Dr. William Roy, Democratic candidate for the Senate from Kansas, and Congressman Max Baucus, Democratic candidate for the Senate from Montana.

This material was compiled, written, and produced solely by the staff of the Council for a Livable World. The contacts between the Council and the candidates' campaigns were quite minimal in these circumstances. The Council staff obtained from each candidate's campaign office a copy of the candidate's biography, a picture of the candidate, and copies of any issue papers of the candidate that had been prepared in the ordinary course of the campaign. On the basis of this information and other public information, the Council staff by itself wrote the material and prepared the mailings to Council supporters. The campaign staffs did not assist in either the writing or the production of the literature. The mailings explained the significance of the election and the candidates' positions on various issues raised. They also suggested that, depending on the part of the alphabet in which the first letter of the supporter's last name was, the supporter could consider making a contribution to the Council itself or to a particular candidate by making out a check payable to the Council or the candidate's campaign committee. Supporters were advised to return any checks payable to the Council or to a candidate in the envelope provided. The Council then acted merely as a conduit or intermediary and passed on the contributions to the relevant candidate for whom they were intended.

The other contact between the Council and the relevant candidates' campaigns was a pro forma authorization signed by the candidates authorizing the Council to send the mailings. This pro forma authorization was

merely for purposes of [illegible] and [illegible] not constitute any [illegible] campaigns concerning the [illegible] results.

There was no "coordination" whatsoever between the Council [illegible] applicable candidates and/or candidates committees in preparing the [illegible] of these mailings.

In addition, I should mention that the Council has reported portions of its printing expenditures as "in-kind contributions" only because an audit of the Council in 1974 by the Office of the Secretary of the Senate directed the Council that "the cost of these mailings should be reported as contributions in kind which should be apportioned on a reasonable basis among the candidates whose election is advocated therein by the Council." (Letter to Mr. Stephen M. Thomas from Orlando B. Potter, October 25, 1974.) */

If the Commission or staff now believe that these mailing expenses should be reported instead as "independent expenditures", the Council will of course fully comply with that determination.

Moreover, if the Commission or the staff intend to make findings of fact or law that are adverse to the present status or procedures of the Council, the Council respectfully requests an opportunity to present a legal memorandum on the relevant issues of fact and law prior to any such adverse finding being made. Please let me know in advance if the Commission or staff intend to make any such adverse finding.

Thank you very much for your cooperation in this matter.

Sincerely yours,

Stephen M. Thomas
Acting Treasurer

Enclosure

cc: The Honorable J. Stanley Kimmitt, Secretary of the Senate
Mr. Mark Kleinman, Reports Analysis Division, Federal Election Commission

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*/ The portions of the printing expenditures reported as "in-kind contributions" to a particular candidate are directly proportional to the percentage of Council supporters in the section of the alphabet that is to consider contributing to a particular candidate.

80944043732

ATTACHMENT #5

R00402017 00

CANDIDATE	IA - KIND CONTRIBUTIONS	EARMARKED CONTRIBUTIONS
1. BAUCUS(MT)	$3500	$10200
2. ROY(KS)	1271	17485
3. RAVENEL(SC)	4002	32012

* Note due to enormous volume, it was decided to only show the above candidate totals, however the committee had the same type of activity with the following candidates.

1. BRADLEY(NJ)
2. CLARK(IA)
3. HASKELL(CO)
4. LEVIN(MI)
5. HATHAWAY(ME)
6. FRASER(MN)

TOTAL EARMARKED CONTRIBUTIONS IS OVER $200,000.

8 0 0 4 0 6 7 9

Schedule B
Expenditures
for Lines 20, 21, 22

Name of Candidate or Committee in full
Council for a Livable World

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Clements Printing (781) 1365 H Street, N.E. Washington, D.C.	Printing	2/15/78	$257.25
C00076 12 $77.17 of the above $257.25 expenditure is a contribution in kind to Roy for Senate (D-Ks-Primary) $77.17 of the above $257.24 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) C00078865			
Clements Printing (781) 1365 H. Street, N.E. Washington, D.C.	Printing	2/15/78	$365.40
$109.62 of the above $365.40 expenditure is a contribution in kind to Roy for Senate (D-Ks-Primary) C00076 30 $109.62 of the aobve $365.40 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) C00078865			
Clements Printing (781) 1365 H Street, N.E. Washington, D.C.	Printing	1/31/78	$570.15
$171.04 of the above $570.15 expenditure is a contribution in kind to Roy for Senate (D-Ks-Primary) C00047 02 $171.04 of the aobve $570.15 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) C00078865			
S & S Mailing (781) 5171 Lawrence St. Hyattsville, Md 20781	Mailing House/Postage	1/31/78	$1,257.27
C00087203 $377.18 of the above $1,257.27 expenditure is a contribution in kind to Roy for Senate (D-Ks-Primary) $377.18 of the above $1,257.27 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) C00078865			

Subtotal of expenditures this page (optional) ▶ $

Total this period (last page this line number only) ▶ $

Schedule B
Itemized Expenditures

For Lines 28, 29, 30

Name of Candidate or Committee in full

Council for a Livable World

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Professional Litho (781) 1012 Sixth Street, NW Washington, D.C. 20001	Printing/Graphics Layout, etc.	2/28/78	$350.65
Full Name, mailing address and ZIP code $89.84 of the above $350.65 expenditure is a contribution in kind to Roy for Senate (D- Ks-Primary) $89.84 of the above $350.65 expenditure is a contribution in kind to Baucus'78 Committee (D-Mt-Primary)	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Astech Corporation (781) 1621 Connecticut Ave, N.W. Washington, D.C. 20019	Computer Services	3/31/78	$237.02
Full Name, mailing address and ZIP code $13.82 of the above $237.02 expenditure is a contribution in kind to Roy for Senate (D-Ks -Primary) $13.82.of the above $237.02 expenditure is a contribution in kind to Baucus'78 Committee (D-Mt-Primary)	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Envelopes Unlimited (781) 649 North Horners Lane Rockville, Maryland 20850	Printing		
Full Name, mailing address and ZIP code $31.75 of a prepaid expenditure dated 6/17/77 in the amount of $330.75 is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) $31.75 of a prepaid expenditure dated 6/17/77 in the amount of $330.75 is a contribution in kind to Roy for Senate (D- Ks-Primary)	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Oles Envelopes (781) 532 East 25th Street Baltimore, Md 21218	Printing		
Full Name, mailing address and ZIP code $37.42 of a prepaid expenditure dated 4/27/77 in the amount of $855.19 is a contribution in kind to Baucus '78 Committee (D- Mt-Primary) $37.42 of a prepaid expenditure dated 4/27/77 in the amount of $855.19 is a contribution in kind to Roy for Senate (D- Ks-Primary)	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Subtotal of expenditures this page (optional) ▶			$
Total this period (last page this line number only) ▶			$

Page

Council for a Livable World

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Envelopes Unlimited (782) 649 North Horners Lane Rockville, Maryland 20850	Printing		
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$37.04 of a prepaid expenditure dated 6/17/77 in the amount of $330.75 is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) $27.78 of a prepaid expenditure dated 6/17/77 in the amount of $330.75 is a contribution in kind to Roy for Senate (D-Ks-Primary)			
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Olee Envelopes (782) 532 East 25th Street Baltimore, Md 21218	Printing		
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$32.74 of a prepaid expenditure dated 4/27/77 in the amount of $855.19 is a contribution in kind to Roy for Senate (D-Ks-Primary) $43.65 of a prepaid expenditure dated 4/27/77 in the amount of $855.19 is a contribution in kind to Baucus '78 Committee (D-Mt-Primary)			
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Cantrell/Cutter Printing, Inc. (782) 200 Third Street, S.E. Washington, D.C. 20003	Printing	2/28/78	$547.26
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$73.31 of the above $547 .26 expenditure is a contribution in kind to Baucus '78 Committee (D- Mt-Primary) $122.15 additionally of the above $547.26 for 5,000 profiles sent to the Baucus Committee is a contribution in kind to Baucus '78 Committee (D-Mt-Primary)			
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$54.98 of the above $547.26 expenditure is a contribution in kind to Roy for Senate (D- Ks-Primary) C00087205			
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Aztech Corporation (782) 1621 Connecticut Ave, N.W. Washington, D.C. 20019	Computer Services	3/31/78	$123.15
Subtotal of expenditures this page (optional) ▶			$
Total this period (last page this line number only) ▶			$

Name of Candidate or Committee, and address

Council for a Liveable World

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$13.00 of the above $123.15 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) C00078485 $13.50 of the above $123.15 expenditure is a contribution in kind to Roy for Senate (D-Ks-Primary) C00028481			
S & S. Mailing (782) 5171 Lawrence St. Hyattsville, Md 20781	Mailing House/Postage	2/28/78	$1,279.53
$511.81 of the above $1,279.53 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) C00078485 $383.86 of the above $1,279.53 expenditure is a contribution in kind to Roy for Senate (D-Ks-Primary) C00028481			
S & S. Mailing (783) 5171 Lawrence St. Hyattsville, Md 20781	Mailing House/Postage	3/31/78	$1,011.52
$1,011.52 of the above $1,011.52 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) C00078485			
Oles Envelopes (783) 532 East 25th Street Baltimore, Md 21218	Printing		
$96.66 of a prepaid expenditure dated 4/27/77 in the amount of $855.19 is a contribution in kind to Baucus '78 Committee (D-Mo-Primary) C00078485			
The Baltimore Envelope Company (783) 1020 W. Pratt St. Baltimore, Md 21223	Printing	2/28/78	$429.57
Subtotal of expenditures this page (optional) ▶			$
Total this period (last page this line number only) ▶			$

Name of Candidate or Committee

Council for a Liberal Vote

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$48.36 of the above $[illegible].57 expenditure is a contribution in kind to Benson '78 (D-Ht-Primary) C00078665			Committee
Cantrell/Cutter Printing, Inc. 200 Third Street, S.E. Washington, D.C. 20003	Printing/Business Cards Off. Memo Pads	2/1/78 2/15/78	$21.21 $33.82
Xerox Corp. P. O. Box 360488M Pittsburg, Pa 15250	Xerox rental Xerox supplies	2/15/78 2/28/78 3/31/78	$162.75 $230.50 $ 54.34
Boise Cascade Envelope Division 1 Cascade Drive Allentown, Pennsylvania 18103	Printing/Envelopes	2/15/78 2/15/78 2/15/78 2/28/78	$806.83 $880.34 $ 41.19 $ 54.00
D. C. Lithographers 7974 Forbes Place Springfield, Va 22151	Printing/Letters, Brochures/Cards/Neg.	2/16/78	$2,850.10
Charlene Divoky 8 Norwood Street Winchester, Ma 01890	Consultants Fee Direct Mail Program	3/7/78	$792.00
Internal Revenue Service 11601 Roosevelt Blvd Philadelphia, Pa 19155	U.S. Income Taxes	3/10/78	$4,664.28
C & P Telephone P. O. Box 2123 Washington, D.C. 20053	Office Phones	1/31/78 2/28/78 3/31/78	$302.71 $438.70 $355.31
Subtotal of expenditures this page (optional) ▶			$
Total this period (last page this line number only) ▶			$

Page

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Council for a Livable World

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Contributions received by the Council for a Livable World, as conduit, intended for receipt by BAUCUS '78 COMMITTEE. The contributor's occupation and principal place of business is included for contributions exceeding $100.00. All contributions were passed on in the form of the contributor's check unless otherwise noted.

Address	Amount of Contribution	Date Received By Council	Date Passed on to Intended Recipient	Occupation & Principal Place of Business
[illegible] Massachusetts Ave, [illegible], DC 20016	$10.00	1/26/78	1/26/78	
[illegible], Larry H. Westphal	$30.00	1/25/78	1/26/78	
[illegible]	$10.00	1/25/78	1/26/78	
[illegible]	$20.00	1/25/78	1/26/78	
[illegible]	$5.00	1/26/78	1/26/78	
[illegible]	$5.00	1/26/78	1/26/78	
[illegible]	$5.00	1/26/78	1/26/78	
[illegible]	$20.00	1/26/78	1/26/78	
[illegible] Pl. [illegible]	$10.00	1/26/78	1/26/78	

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Council for a Livable World

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ıe & Address Contributor	Amount of Contribution	Date Received By Council	Date Passed on to Intended Recipient	Occupation & Principal Place of Business
r. & Mrs. Michael Saeli ox 134, Rd #2 ad Creek, NY 13143	$10.00	1/26/78	1/26/78	
illy Ishida 37 E. Fairground Rd. , Ohio 43302	$5.00	1/26/78	1/26/78	
ruce M. Brown 015 Copley Lane ilver Spring, Md 20904	$10.00	1/26/78	1/26/78	
ma Shelton 610 Westmont Terr ethesda, Md 20034	$25.00	1/26/78	1/26/78	
bert Parsh 130 Parker Box 25, #517 etroit, Mi 48214	$5.00	1/26/78	1/26/78	
M Wilfrid Rall 1420 Luxmanor Rd. ville, Md 20852	$50.00	1/26/78	1/26/78	
uart R. Sheedy Schoolhouse Lane osset, NY 11791	$10.00	1/26/78	1/26/78	
on Bramson 3 Vassar Ave. arthmore, Pa 19081	$10.00	1/26/78	1/26/78	
bert Hoefeld 3100 Sunburst St. leta, Ca 91331	$8.00	1/26/78	1/26/78	
. Randel 505 Post Oak Dr. est Bloomfield, Mi 48033	$10.00	2/2/78	2/2/78	

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Council for a Livable World

me & Address Contributor	Amount of Contribution	Date Received By Council	Date Passed on to Intended Recipient	Occupation & Principal Place of Business
rton Rokaw 59 Manning Ave, Los Angeles, Ca 90064	$10.00	3/31/78	3/31/78	
ck Kamzan 07 Glen Garry Lane, Walnut Creek, Ca 94596	$2.00	"	"	
[illegible]an A. Cosentino 5 [illegible]land Rd, Middlesex, NJ 08846	$10.00	"	"	
rgie J. Chancey 33 Madison, Denver, Co 80206	$10.00	"	"	

Council for a Livable World

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Contributions received by the Council for a Livable World, as conduit, intended receipt by ROY FOR SENATE. The contributor's occupation and principal place of business is included for contributions exceeding $100.00. All contributions were passed on in the form of the contributor's check unless otherwise noted.

ne & Address Contributor	Amount of Contribution	Date Received By Council	Date Passed on to Intended Recipient	Occupation & Principal Place of Business
alle Ruskin 508 Glencrest Ln. ensington, MD 20795	$25.00	1-25-78	1-26-78	
al[illegible] B. Hoffman 122[illegible] St., N.W. ashington, DC 20037	20.00	1-25-78	1-26-78	
r. H.B. Pinkerton 39 Bidwell Pky uffalo, NY 14222	25.00	1-26-78	1-26-78	
r. Robert T. Hart 404 Corning Ave. #101 t. Washington, MD 20022	5.00	1-25-78	1-26-78	
array D. Lewis 5 Fonthill Park ochester, NY 14618	10.00	1-26-78	1-26-78	
[illegible]bert R. Kohn as[illegible]estern Reserve Univ. ast. Pathology leveland, OH 44106	50.00	1-26-78	1-26-78	
rs. J.L. Orrick lliston, VA 24087	2.00	1-26-78	1-26-78	
rances A. Kleeman 006 N. Hilton St. altimore, MD 21216	5.00	1-26-78	1-26-78	
lement L. Henshaw 1 University Ave. amilton, NY 13346	25.00	1-26-78	1-26-78	

100 Maryland Avenue, N.E., Washington, D.C. 20002. Phone: [illegible]

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Council for a Livable World

PAGE _____ OF _____

& Address contributor	Amount of Contribution	Date Received By Council	Date Passed on to Intended Recipient	Occupation & [illegible] Please
N.K. Tripp Pattee Rd. Harvard, MA 01451	$ 20.00	3-30-78	3-31-78	
[illegible]y L. Ruehr [illegible]imber Trail Oak Brook, IL 60521	50.00	3-30-78	3-31-78	
Paul A. Woke 7213 Beacon Ter. Bethesda, MD 20034	25.00	"	"	
Jack Kamzav 1107 Glen Garry Ln. Walnut Creek, CA 94596	2.00	3-31-78	3-31-78	

SCHEDULE B
REVISED
January, 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Name of Candidate or Committee in Full
Council for a Livable World

Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Professional Litho (782) 1012 Sixth Street, N.W. Washington, D.C. 20001	Printing Expenditure for: ☐ Primary ☐ General ☐ Other	4/14/78	$86.29
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$34.52 of the above $ 86.29 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) P C00078865 $25.89 of the above $86.29 expenditure is a contribution in kind to Roy for Senate (D-Ks-Primary) P C00087205	☐ Primary ☐ General ☐ Other	4/14	
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Professional Litho (784) 1012 Sixth Street, N.W. Washington, D. C. 20001	Printing Expenditure for: ☐ Primary ☐ General ☐ Other	4/14/78	$92.51
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$46.25 of the above $92.51 expenditure is a contribution in kind to Ravenel for U.S. Senate (D- SC-Primary) P C00079251	Expenditure for: ☐ Primary ☐ General ☐ Other	4/14	
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Professional Litho (783) 1012 Sixth Street, N.W. Washington, D.C. 20001	Printing Expenditure for: ☐ Primary ☐ General ☐ Other	4/14/78	$32.08
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$12.83 of the above $32.08 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) C00078865 $9.62 of the above $32.08 expenditure is a contribution in kind to Roy for Senate (D-Ks-Primary) C00087205	☐ Primary ☐ General ☐ Other	4/14	
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Cantrell/Cutter Printing, Inc. (784) 200 Third St, S.E. Washington, D.C. 20003	Printing Expenditure for: ☐ Primary ☐ General ☐ Other	4/14/78	$568.73
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$284.37 of the above $568.73 expenditure is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary) P C00079251	Expenditure for: ☐ Primary ☐ General ☐ Other	4/14	

SUBTOTAL of expenditures this page (optional)	$
TOTAL this period (last page this line number only)	$

Name of Candidate or Committee in Full

Council for a Livable World

Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Gantrell/Cutter Printing, Inc. (783) 200 Third Street, S.E. Washington, D.C. 20003	Printing Expenditure for: ☐ Primary ☐ General ☐ Other	4/14/78	$226.30
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$226.30 of the above $226.30 is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) P C00078865	Expenditure for: ☐ Primary ☐ General ☐ Other	4/14	
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Aztech (783) 1621 Connecticut Ave, N.W. Washington, D.C. 20019	Computer Services Expenditure for: ☐ Primary ☐ General ☐ Other	4/14/78	$204.13
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$45.00 of the above $204.13 expenditure is a contribution in kind to Baucus '78 Committee (D-Mt-Primary) P C00078865	Expenditure for: ☐ Primary ☐ General ☐ Other	4/14	
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
S & S Mailing (784) 5171 Lawrence Street Hyattsville, Md 20781	Postage/Mail House Handling Expenditure for: ☐ Primary ☐ General ☐ Other	4/28/78	$1,243.90
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$621.95 of the above $1,243.90 expenditure is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary) P C00079251	Expenditure for: ☐ Primary ☐ General ☐ Other	4/28	
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Aztech (784) 1621 Connecticut Ave, N.W. Washington, D.C. 20019	Computer Services Expenditure for: ☐ Primary ☐ General ☐ Other	5/15/78	$110.76
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
$22.84 of the above $110.76 expenditure is a contribution in kind to Ravenel for U.S. Senate (D- SC-Primary) P C00079251	Expenditure for: ☐ Primary ☐ General ☐ Other	5/15	

SUBTOTAL of expenditures this page (optional) . . . . . $

TOTAL this period (last page this line number only) . . . . . $

Name of Candidate or Committee in Full

Council for a Livable World

Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Cantrell/Cutter Printing, Inc. (785) 200 Third Street, S.E. Washington, D.C. 20003	Printing Expenditure for: ☐ Primary ☐ General ☐ Other	5/15/78	$437.13
2142 $216.57 of the above $437.13 expenditure is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary) P C00079251	Expenditure for: ☐ Primary ☐ General ☐ Other	5/15	
Professional Litho 1012 Sixth Street, N.W. Washington, D.C. 20001	Printing Expenditure for: ☐ Primary ☐ General ☐ Other	5/15/78	$21.00
2142 $10.50 of the above $21.00 expenditure is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary(P C00079251	Expenditure for: ☐ Primary ☐ General ☐ Other	5/15	
S & S. Mailing (785) 5171 Lawrence Street Hyattsville, Md 20781	Postage/Mailing House Expenditure for: ☐ Primary ☐ General ☐ Other	5/15/78	$1,208.34
2142 $604.17 of the above $1,208.34 expenditure is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary) P C00079251	Expenditure for: ☐ Primary ☐ General ☐ Other	5/15	
Oles Envelopes (784) 532 East 25th Street Baltimore, Md 21218	Printing Expenditure for: ☐ Primary ☐ General ☐ Other		
2142 $60.02 of a prepaid expenditure dated 4/27/77 in the amount of $855.19 is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary) P C00079251	Expenditure for: ☐ Primary ☐ General ☐ Other	4/27	
SUBTOTAL of expenditures this page (optional)			$
TOTAL this period (last page this line number only)			$

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SCHEDULE B
FORM 3
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Name of Candidate or Committee in Full

Council for a Livable World

Full Name, Mailing Address and ZIP Code	Particulars of Expenditure / Expenditure for:	Date (month, day, year)	Amount of each expenditure this period
The Baltimore Envelope Co. (784) 1020 W. Pratt Street Baltimore, Md 21223	Printing ☐ Primary ☐ General ☐ Other		
$50.94 of a prepaid expenditure dated 2/28/78 in the amount of $429.57 is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary) P C00079251	☐ Primary ☐ General ☐ Other	2/28	
Oles Envelopes (785) 532 East 25th Street Baltimore, Md 21218	Printing ☐ Primary ☐ General ☐ Other		
$56.13 of a prepaid expenditure dated 4/27/77 in the amount of $855.19 is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary) P C00079251	☐ Primary ☐ General ☐ Other	4/27	
The Baltimore Envelope Co. (785) 1020 W. Pratt Street Baltimore, Md 21223	Printing ☐ Primary ☐ General ☐ Other		
$47.63 of a prepaid expenditure dated 2/28/78 in the amount of $429.57 is a contribution in kind to Ravenel for U.S. Senate (D-SC-Primary) P C00079251	☐ Primary ☐ General ☐ Other	2/28	
J. J. Mailing Inc. 41 Commerce Ave. St. Mary's Industrial Park Hollywood, Md 20636	Postage/Direct Mail ☐ Primary ☐ General ☐ Other	4/7/78 5/8/78 4/24/78	$7,500.00 $1,000.00 $2,000.00
J J Mailing, Inc 41 Commerce Ave St. Mary's Industrial Park Hollywood, Md 20636	Postage /Mail House ☐ Primary ☐ General ☐ Other	4/14/78 4/14/78 4/14/78	$69.64 $41.71 $83.58

SUBTOTAL of expenditures this page (optional) . . . . . $

TOTAL this period (last page this line number only) . . . . . $

Council for a Livable World

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Contributions received by the Council for a Livable World, as conduit, in [illegible] receipt by Charles Ravenel. The contributor's [illegible] and principal place of business is included for contributions exceeding $100.00. All contributions were passed on in the form of the contributor's check unless otherwise noted.

e & Address Contributor	Amount of Contribution	Date Received By Council	Date Passed on to Intended Recipient	Occupation & Principal Place of Business
ıce M. Brown 15 Copley Lane lver Spring, MD 20904	$ 10.00	4-13-78	4-13-78	
ıd J. Grimani 15 Barton St. #256 lington, VA 22204	5.00	4-13-78	4-13-78	
ınche N. Cohen 03 Van Ness St. N.W. #307 shington, DC 20008	25.00	4-13-78	4-13-78	
ıert I. Owen ; Wall Street ıt Long Br, NJ 07764	10.00	4-14-78	4-14-78	
ıert N. Greenberg .2 Braeburn Rd. :hesda, MD 20034	50.00	"	"	
ıert S. Rochlin 09 [illegible]s Road ıvy Chase, MD 20015	10.00	"	"	
ımas B. Winston 17 Livingston St. shington, DC 20015	10.00	"	"	
. Alan K. Severn 1 N. Delaware Ave. :dley, PA 19067	25.00	4-17-78	4-17-78	
ıs Louisa R. Alger Landgon St. nbridge, MA 02138	20.00	4-17-78	4-17-78	

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Council for a Livable World

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PAGE _____ OF _____

Address :ributor	Amount of Contribution	Date Received By Council	Date Passed on to Intended Recipient	Occupation & Employer
ert A. May 15E Norrie Dr, Carson City, NV 89701	$25.00	5/22/78	6/23/78	
M D. C. Knott 24E 5 Pendleton St, San Diego, Ca 92109	$30.00	"	"	
ı. Richard J. Neutra 0 Silverlake Blvd, Los Angeles, Ca 90039	$20.00	"	"	
T. S. Montgomery 19th St, Huntsville, Tx 77340	$10.00	"	"	
Gerald Diamant 393, Elephant Butte, NM 87935	$15.00	"	"	
D. Lakin Scott, Ft. Collins, Co 80521	$15.00	"	"	
ı Witonsky ıtchester St. College, Dept Chemistry, W. Chester, Pa 19380	$10.00	"	"	

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1828

Date Filmed 9/10/80 Camera No. — 2

Cameraman SPC

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