FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1045

Date Filmed 1/25/80 Camera No. --- 2

Cameraman GPC

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PS Form 3811, Aug. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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- ☐ Show to whom, date, and address of delivery
- ☐ RESTRICTED DELIVERY
  Show to whom and date delivered
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery. $
  (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Fleming Lee, Esquire

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	943621	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY 11/9/80

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

MUR 1045

☆ GPO: 1978-272-362

Donaldson

FEDERAL ELECTION COMMISSION

Proposed letter to Fleming Fee - objected to by Commission. Letter was revised & appears in closed MUR file.

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

____	(1) Classified Information	____	(6) Personal privacy
____	(2) Internal rules and practices	____	(7) Investigatory files
____	(3) Exempted by other statute	____	(8) Banking Information
____	(4) Trade secrets and commercial or financial information	____	(9) Well Information (geographic or geophysical)
✓	(5) Internal Documents		

Signed Susan T. Donaldson

date 1/8/80

FEC 9-21-77

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 8, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Fleming Lee, Esquire
Liberty Lobby
300 Independence Avenue, S.E.
Washington, D.C. 20003

Re: MUR 1045

Dear Mr. Lee:

This letter is in response to your inquiry dated November 12, 1979, in connection with the Commission's finding in MUR 1045.

Although this office is concerned with the publication of fictitious statements that a Federal investigation is ongoing, such statements do not constitute a violation of the Federal Election Campaign Act of 1971, as amended. We note that complaints filed with the Commission are subject to the provisions of 18 U.S.C. § 1001, which makes false statements contained in a complaint illegal; however, neither the Act nor the Commission regulations make references beyond that context. Any discussions as to broadening the latitude of the Commission's enforcement powers is a matter that is appropriately discussed in considering statutory or regulatory amendments. It is inappropriate for the Commission to discuss these questions with regard to a particular factual situation. However, the Commission notes your concern.

If you have any further questions, please feel free to contact this office.

Sincerely,

Charles N. Steele
General Counsel

8001017315 9

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Fleming Lee, Esquire
Liberty Lobby
300 Independence Avenue, S.E.
Washington, D.C. 20003

1/7/80

Re: MUR 1045

Dear Mr. Lee:

This letter is in response to your inquiry dated November 12, 1979, in connection with the Commission's finding in MUR 1045.

Although this office is concerned with the publication of fictitious statements that a Federal investigation is ongoing, such statements do not constitute a violation of the Federal Election Campaign Act of 1971, as amended. We note that complaints filed with the Commission are subject to the provisions of 18 U.S.C. § 1001, which makes false statements contained in a complaint illegal; however, neither the Act nor the Commission regulations make references beyond that context. Any discussions as to broadening the latitude of the Commission's enforcement powers is a matter that is appropriately discussed in considering statutory or regulatory amendments. It is inappropriate for the Commission to discuss these questions with regard to a particular factual situation. However, the Commission notes your concern.

If you have any further questions, please feel free to contact this office.

Sincerely,

Charles N. Steele
General Counsel

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1-2-80

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1045
Letter to Fleming Lee	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on December 28, 1979, the Commission approved by a vote of 5-0 the letter to Fleming Lee, General Counsel of Liberty Lobby, as submitted in the FEC General Counsel's memorandum report of December 21, 1979.

Commissioners Aikens, Friedersdorf, McGarry, Reiche, and Tiernan voted affirmatively for the approval of the letter.

Attest:

12/31/79
Date

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

8 0 0 1 0 1 7 3 1 6 1

CNS SAYS TO WAIT

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS MWE

DATE: December 28, 1979

SUBJECT: MUR 1045 - Memo from OGC dated 12-21-79; Received in OCS 12-21-79, 1:05

The above-named document was circulated to the Commission at 11:00 on December 26, 1979.

At the normal deadline of 11:00 today, this matter lacked four affirmative votes. Normal procedures call for the matter to be put on the agenda for the next executive session. However, unless you advise us to the contrary, we shall delay putting the matter on the agenda until more Commissioners are present to vote.

If you wish us to proceed differently, please let us know.

80010173162

December 22, 1979

MEMORANDUM TO: Marjorie W. Emmons

FROM: Jane Colgrove

SUBJECT: MUR 1045

Please have the attached Memo to the Commission on MUR 1045 distributed to the Commission on a 48 hour tally basis.

Thank you.

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RECEIVED
OFFICE OF THE
COMMISSION SECRETARY
79 DEC 21 P 1: 05

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 21, 1979

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: Letter to Fleming Lee - MUR 1045

Attached for approval by the Commission is a letter to Fleming Lee, General Counsel of Liberty Lobby. This revised letter includes changes requested by the Commission in Executive Session on December 13, 1979.

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RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

79 DEC 7 P3: 47

December 7, 1979

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
Acting General Counsel

SUBJECT: MUR 1045

The Commission, on November 7, 1979, found no reason to believe that the National Review, et al., violated 2 U.S.C. § 437g(a)(3)(B) as alleged by Fleming Lee, General Counsel of Liberty Lobby. After being notified of the Commission's decision, Mr. Lee responded to the Commission in a letter dated November 12, 1979. (Attachment I).

Attached for approval by the Commission is a letter to Mr. Lee in response to his inquiry. (Attachment II).

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ATTACHMENT I GCC+ 11602

LIBERTY LOBBY

PUBLISHER OF THE SPOTLIGHT

RECEIVED FEDERAL ELECTION COMMISSION

HEADQUARTERS OFFICE:
300 INDEPENDENCE AVENUE, S.E.
WASHINGTON, D. C. 20003
PHONE: 202-LIBERTY 6-5611

WEST COAST OFFICE:
P.O. Box 45302
LOS ANGELES, CALIFORNIA 90045

'79 NOV 13 PM 1:56

Donaldson
CH.

November 12, 1979

Charles N. Steele, Esq.
Acting General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1045

Dear Mr. Steele:

Thank you for your letter of November 9 regarding the National Review's publication of allegations that certain investigations of Liberty Lobby and/or Willis Carto were taking place--and thank you, too, for making it clear in your letter that no such investigations have occurred.

I assume that the finding of "no reason to believe" was based on the fact that no investigations of the nature described have ever been carried out, but does this mean that the Federal Election Commission will not interest itself in any way in widespread public revelations of fictitious Federal Election Commission investigations? In other words, if our newspaper, The SPOTLIGHT, were to publish a story which claimed that some individual was under investigation by the F.E.C., would the F.E.C. really be powerless to do more than find that The SPOTLIGHT had not violated the law prohibiting such disclosures, on the ground that one cannot be guilty of disclosing an investigation which does not exist?

In short, while I think I understand the technical reason for the Commission's finding, I am puzzled that the law is not interpreted with enough latitude to prevent such a gross violation of its spirit and intent, if not of its letter.

Thank you. I would appreciate hearing from someone about this.

Sincerely,

Fleming Lee

Fleming Lee
General Counsel

'79 NOV 13 P4:43

GENERAL COUNSEL

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Fleming Lee, Esquire
Liberty Lobby
300 Independence Avenue, S.E.
Washington, D.C. 20003

Re: MUR 1045

Dear Mr. Lee:

This letter is in response to your inquiry dated November 12, 1979, in connection with the Commission's finding in MUR 1045.

Although this office is concerned with public revelations of fictitious Federal Election Commission investigations, as we have stated, such revelations do not constitute a violation of the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. § 437g(a)(1) refers to the swearing of false complaints which are subject to the provisions of 18 U.S.C. § 1001, however, neither the Act nor the Commission regulations make references beyond that context. Any discussions as to broadening the latitude of the Commission's enforcement powers is a matter that is appropriately discussed in considering statutory or regulatory amendments, or questions of prosecutorial discretion. It is inappropriate for the Commission to discuss these questions with regard to a particular factual situation. However, the Commission staff notes your concern.

If you have any further questions, please feel free to contact this office.

Sincerely,

Charles N. Steele
Acting General Counsel

8 0 0 4 0 1 7 3 1 6 7

Mr. [illegible] Donaldson,

PS Form 3811 Apr 1977

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     Show to whom and date delivered ..... ____¢
   - ☐ RESTRICTED DELIVERY
     Show to whom, date, and address of delivery . $____
     (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Fleming Lee, General Counsel

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	943262	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. R Dunton
DATE OF DELIVERY 11-10-79

POSTMARK

NOV 10 1979

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

☆GPO 1977 - 0 - 249-595

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MUR 1045

PS Form 3811, Apr. 1977

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  Show to whom and date delivered ..... ¢
- ☐ RESTRICTED DELIVERY
  Show to whom, date, and address of delivery . $
  (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
William F. Buckley, Jr., Editor
National Review Magazine

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	443261	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY | POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

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☆GPO 1977-0-249-[illegible]

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GCC 11602

LIBERTY LOBBY

PUBLISHER OF THE SPOTLIGHT

RECEIVED FEDERAL ELECTION COMMISSION

HEADQUARTERS OFFICE:
300 INDEPENDENCE AVENUE, S.E.
WASHINGTON, D. C. 20003
PHONE: 202-LIBERTY 6-5611

WEST COAST OFFICE:
P.O. Box 45302
LOS ANGELES, CALIFORNIA 90045

'79 NOV 13 PM 1:56

November 12, 1979

Charles N. Steele, Esq.
Acting General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1045

Dear Mr. Steele:

Thank you for your letter of November 9 regarding the National Review's publication of allegations that certain investigations of Liberty Lobby and/or Willis Carto were taking place--and thank you, too, for making it clear in your letter that no such investigations have occurred.

I assume that the finding of "no reason to believe" was based on the fact that no investigations of the nature described have ever been carried out, but does this mean that the Federal Election Commission will not interest itself in any way in widespread public revelations of fictitious Federal Election Commission investigations? In other words, if our newspaper, The SPOTLIGHT, were to publish a story which claimed that some individual was under investigation by the F.E.C., would the F.E.C. really be powerless to do more than find that The SPOTLIGHT had not violated the law prohibiting such disclosures, on the ground that one cannot be guilty of disclosing an investigation which does not exist?

In short, while I think I understand the technical reason for the Commission's finding, I am puzzled that the law is not interpreted with enough latitude to prevent such a gross violation of its spirit and intent, if not of its letter.

Thank you. I would appreciate hearing from someone about this.

Sincerely,

Fleming Lee

Fleming Lee
General Counsel

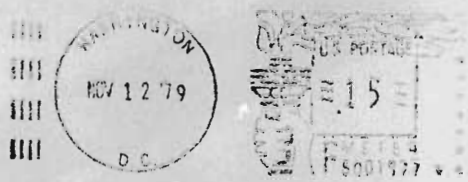
'79 NOV 13 P4:43

GENERAL COUNSEL

Your Influence Counts . . . USE IT!

Fleming Lee, General Counsel

LIBERTY LOBBY
[redacted] INDEPENDENCE AVE., S.E.
WASHINGTON, D. C. 20003



Charles N. Steele, Esq.
Acting General Counsel
Federal Election Commission
1325 K St. NW
Washington, D.C. 20463

8001017317

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 9, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William F. Buckley, Jr., Editor
National Review Magazine
150 East 35th Street
New York, New York 10016

Re: MUR 1045

Dear Mr. Buckley:

On November 7 , 1979, the Commission determined to find no reason to believe that you, the National Review magazine, your publisher, William A. Rusher, or Gregory Rose, violated 2 U.S.C. § 437g(a)(3)(B). Fleming Lee, General Counsel for Liberty Lobby, alleged that National Review, et al., had violated this section of the Act by revealing an FEC investigation of Liberty Lobby and Willis Carto in a March 30, 1979, article.

A review of our files revealed that to this date there is no investigation of Liberty Lobby or Willis Carto in connection with contributions to Lyndon LaRouche's USLP campaign for the Presidency. Accordingly, our file has been closed in this matter.

Should you have any questions, please call Susan Donaldson at (202) 523-4529.

Sincerely,

Charles N. Steele
Acting General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 9, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Fleming Lee, General Counsel
Liberty Lobby
300 Independence Avenue, S.E.
Washington, D.C. 20003

Re: MUR 1045

Dear Mr. Lee:

On November 7 , 1979, the Commission determined to find no reason to believe that the National Review, et al., violated 2 U.S.C. § 437g(a)(3)(B) as alleged in your complaint dated October 11, 1979. A review of our files revealed that to this date, there is no investigation of Liberty Lobby or Willis Carto in connection with contributions to Lyndon LaRouche's USLP campaign for the Presidency. Accordingly, our file in this matter has been closed.

Should you have any questions, please call Susan Donaldson at 523-4529.

Sincerely,

Charles N. Steele
Acting General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1045
National Review Magazine	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on November 7, 1979, the Commission decided by a vote of 6-0 to take the following actions regarding the above-captioned matter:

1. Find NO REASON TO BELIEVE that the National Review, et al., violated 2 U.S.C. §437g(a)(3)(B).

2. Send the letters to the National Review and Fleming Lee, attachments to the First General Counsel's Report dated November 5, 1979.

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

Attest:

11/8/79
Date

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

Received in Office of the Commission Secretary: 11-5-79, 10:19
Circulated on 48 hour vote basis: 11-5-79, 4:00

8 0 0 4 0 1 7 3 1 7 4

November 5, 1979

MEMORANDUM TO: Marge Emmons

FROM: Elissa T. Garr

SUBJECT: MUR 1045

Please have the attached First GC Report on MUR 1045 distributed to the Commission on a 48 hour tally basis.

Thank you.

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FEDERAL ELECTION COMMISSION

FIRST GENERAL COUNSEL'S REPORT

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

DATE AND TIME OF TRANSMITTAL
BY OGC TO COMMISSION 11-5-79

MUR NO. 1045
DATE COMPLAINT RECIEVED
BY OGC 10/13/79 AM: 19

STAFF MEMBER(S) Donaldson

COMPLAINANT'S NAME: Fleming Lee, General Counsel
Liberty Lobby

RESPONDENT'S NAME: National Review Magazine

RELEVANT STATUTE: 2 U.S.C. § 437g(a)(3)(B)

INTERNAL REPORTS CHECKED: N/A

FEDERAL AGENCIES CHECKED: N/A

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SUMMARY OF ALLEGATIONS

Fleming Lee, General Counsel of Liberty Lobby, Inc., has alleged that the National Review magazine, its editor, publisher, and an author, Gregory Rose, have violated 2 U.S.C. § 437g(a)(3)(B) by revealing that an investigation is being undertaken by the Federal Election Commission without the written consent of the Respondents (Attachment I).

EVIDENCE

Mr. Lee has based his allegation on an article which appeared in the National Review magazine dated March 30, 1979 (Attachment II, page 3). The article states that allegations against Liberty Lobby and its treasurer, Willis Carto, are under investigation by the FEC.

ANALYSIS

2 U.S.C. § 437g(a)(3)(B) states that any FEC investigation shall not be made public by the Commission or by any person without the written consent of the ... person with respect to whom such investigation is made.

A review of the investigations being conducted by the FEC reveals that to this date, there is no investigation of Liberty Lobby or Willis Carto in connection with contributions to LaRouche's USLP campaign for the presidency as stated in the National Review. It appears that there is no reason to believe that the National Review, et al., violated 2 U.S.C. § 437g(a)(3)(B).

RECOMMENDATION

1. Find no reason to believe that the National Review, et al., violated 2 U.S.C. § 437g(a)(3)(B).

2 Send the attached letters to the National Review and Fleming Lee.

Attachments
1. Complaint from Lee
2. National Review article
3. Proposed letter to National Review
4. Proposed letter to Lee

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MUR 1043 ATTACHMENT I 11341

LIBERTY LOBBY PUBLISHER OF THE SPOTLIGHT

HEADQUARTERS OFFICE:
300 INDEPENDENCE AVENUE, S.E.
WASHINGTON, D. C. 20003
PHONE: 202-LIBERTY 6-5611

WEST COAST OFFICE:
P.O. BOX 45302
LOS ANGELES, CALIFORNIA 90045

'79 OCT 10 AM 10:45

MUR 1045

October 11, 1979

904509

COMPLAINT PURSUANT TO 2 U.S.C. 437g(a)(1)

CERTIFIED No. 884331
RETURN RECEIPT REQUESTED

The Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Sirs:

It is our belief that section 437g(a)(3)(B) and perhaps other provisions of the Federal Election Campaign Act have been violated by National Review magazine, by the magazine's editor, William F. Buckley, Jr., by its publisher, William A. Rusher, and by an author named Gregory E. Rose.

In an article written by Rose and published in the National Review of March 30, 1979, the following allegation appears:

> "These sources further report that Carto's Liberty Lobby was a conduit for extremist right-wing contributions to LaRouche's USLP campaign for the Presidency, including part of the more than $90,000 used to purchase a half-hour prime-time commercial on NBC on the eve of the 1976 election. These allegations are under investigation by the Federal Election Commission." (p. 411)

By revealing that an alleged investigation is being undertaken by the F.E.C., without written consent of a proper person, the parties named above have violated the Act.

To make matters worse, either Liberty Lobby nor its treasurer, Willis A. Carto, the man named in the above quoted passage, has received any notification of any such investigation. I telephoned the F.E.C.'s headquarters on May 16, 1979 and was told by both Sharon Snyder of the Press Chief's office and Mr. Litchfield of the General Counsel's office that there was no record of any such investigation. The alleged investigation would have involved allegations that Liberty Lobby had violated the Act in numerous ways by contributing to or acting as a conduit for funds to Lyndon LaRouche's United States Labor Party campaign for the presidency of the United States during the 1976 election campaign. Any such

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OFFICE OF THE
GENERAL COUNSEL

allegations would be totally false.

In addition to pursuing this complaint, please confirm in writing that there has been no investigation by the F.E.C. of the matter described above. We need such a confirmation in order to combat some of the serious consequences of the false report of an investigation having been published in National Review.

Thank you.

Sincerely,

Fleming Lee

Fleming Lee
General Counsel

80010173179

District of Columbia, ss. :

I, Lois Petersen, a notary public in and for the District of Columbia, do hereby certify that Fleming Lee personally appeared before me in said District, the said Fleming Lee being personally well known to me as the person whose name is subscribed to the within instrument, and swore and subscribed to the same before me.

Given under my hand and seal this 11th day of October, 1979.

Lois Petersen

My Commission Expires January 31, 1984

ATTACHMENT II

U.S. LABOR PARTY

GREGORY F. ROSE

THE SWARMY LIFE AND TIMES OF THE NCLC

Gregory Rose, the author of the article below, was a member of the U.S. Labor Party from 1973 to 1975. While a member, however, he began informing the FBI concerning the activities of the party, and he has subsequently been the party's avowed foe. The statements in his article have been checked independently wherever possible and have proved to be true; as to the rest, Mr. Rose's personal experience and knowledge as a member of the party are the chief bases of his article.

YOU MEET THEM at a Republican club meeting, or a Chamber of Commerce luncheon, or a scientific conference. They are young (mid- to late twenties), well-dressed, well-groomed, well-spoken. They present themselves as being in favor of economic growth. They speak of energy produced by controlled thermonuclear fusion as "an absolute necessity if the human race is to survive the next quarter-century." They say that they represent the Fusion Energy Foundation and need contributions from conservative businessmen who understand the need to oppose Ralph Nader and the "eco-freaks who threaten the growth of U.S. industry." They sound good. You give them a check.

What they do not tell you is that the Fusion Energy Foundation (FEF), recently and incredibly granted tax-exempt status, is a front for the National Caucus of Labor Committees (NCLC) and its electoral arm, the United States Labor Party (USLP), a self-styled Marxist organization with intimate ties to groups as disparate as the Soviet Mission to the United Nations, the Palestinian terrorist movement, and Willis Carto's Liberty Lobby.

They also do not tell you that your contribution will fund NCLC/USLP propaganda, as well as some of the group's other, equally dubious, undertakings. Nor do they tell you that, not long ago, the NCLC undertook a major campaign to penetrate and influence conservative organizations nationwide.

Emerging originally as a faction of Students for a Democratic Society (SDS) during the 1968 Columbia University student strike, the NCLC has grown into an international organization with 1,500 to 2,000 members in the U.S., Canada, Western Europe, and Latin America. Another 1,000 to 1,500 NCLC supporters (called "periphery" by the organization) are grouped around various front organizations, including the U.S. Labor Party (and parallel organizations in other countries—the North American LP, European LP, and Latin American LP), the FEF, the National Unemployed and Welfare Rights Organization (NUWRO), the International Workingmen's Association (IWMA), the Labor Organizer's Defense Fund (LODF), the International Press Service (IPS), and the Committee for Fair Elections (CFE). Its newspaper is called *New Solidarity*. The NCLC, along with its fronts, is under the tight control of its chairman, Lyndon H. LaRouche Jr. (also known by his party name, "Lyn Marcus"), a former Trotskyite who has, in his more modest moments, described himself as "the American Lenin."

Discipline in the organization is strict, and dissenters from LaRouche's particular brand of orthodoxy are dealt with severely. Several NCLC members were arrested in New York in January 1974 for allegedly kidnapping a dissident member and holding her against her will. (The woman later dropped the charges.) The personal lives of members are extensively regulated by the organization. Ties with family and former friends are discouraged. "Unauthorized" personal relations are forbidden. Activities as varied as marijuana-smoking and masturbation are expulsion offenses. Any activity that does not serve the NCLC's interest will generally result in the attention of the NCLC's equivalent of the GPU, the Security Staff.

In recent years the NCLC has distinguished itself from the legitimate Left in the U.S. by its ascriptions of all secular evils to the machinations of the Rockefeller family, its periodic predictions of imminent apocalypse (usually in the form of thermonuclear war), and its perfervid invective. Here is a small sample of the NCLC's rhetoric, from the editorial pages of its theoretical journal, *The Campaigner* (July 1975):

> The world stands on the threshold of the greatest dangers and the greatest promise it has faced in decades. Rockefeller will use any political loophole to try to clamp down his police terror regime. His vision is 1946: terror bombing of millions in Japan, massive European Communist Parties doomed to impotence, whole populations starved into submission. Again he aims to be lord of the rubble—the rubble of Brazil, Western Europe, and the United States.

Or from the December 1975 issue:

> At this moment, the human race stands closer to destruction than at any time in its history. The remaining loyal elements of

the 'Rockefeller political-financial machine—which once bestrode the world like a colossus but now rages in the [sic] mortal terror of its impending extinction as a species—are determined to salvage what they can by bringing the world to the brink of nuclear war. Under present military-strategic circumstances, such desperate folly means the total thermonuclear destruction of North America and major destruction in Europe and the Soviet Union.

Among the allegations which have sprinkled the pages of *New Solidarity* are predictions of imminent worldwide famine and epidemics, all courtesy of the alleged Rockefeller "cabal." The means by which this impending doom may be averted have changed with the NCLC's line over the years; what has never changed is the necessity that the NCLC "seize state power within five years."

Those who publicly dissent from this world-view may find themselves, at some point, targets of the NCLC. An NCLC leaflet dated April 4, 1974 attacks various members of the New York AFL-CIO Central Labor Council as "homosexuals," "perverts," and "criminals." These unionists and their families were subjected to a campaign of obscene and threatening phone calls by NCLC cadres, orchestrated by the NCLC Security Staff in New York. Another NCLC leaflet referred to the president of a UAW local in Toledo in terms the mildest of which was "Woodcocksucker." He and his family were also subjected to obscene and harassing phone calls. The father of an NCLC member, who was attempting to persuade his daughter to leave the organization, was greeted one morning by a hearse whose driver and attendant had been told "to pick up the body," an unmistakable threat. I have been repeatedly attacked in the pages of *New Solidarity* and have received threatening phone calls from NCLC members.

The father of an NCLC member, who was attempting to persuade his daughter to leave the organization, was greeted one morning by a hearse whose driver and attendant had been told 'to pick up the body'

This world-view did not spring into being full-blown at the moment when the NCLC split from SDS. The NCLC was originally a New Left-dilettante study group; it first adopted violent tactics in the spring of 1973 with a series of physical attacks on the Communist Party U.S.A. and other left groups in an effort to prove itself more left than the Left. In the summer of 1973, the NCLC began organizing the now-defunct Revolutionary Youth Movement (RYM) among ghetto youth-gangs, primarily in New York, Newark, and Detroit. In 1974-75 the violence was extended to attacks on trade unionists. Local leaders of the United Auto Workers, United Steelworkers, United Mine Workers, and United Farm Workers, to name a few, were harassed and beaten.

In the summer of 1974 the NCLC held a military training school for selected members at a farm near the villages of Argyle and Salem in upstate New York. Among the subjects covered were explosives and demolition, small arms, small unit tactics, and military history. The explosives and demolition classes were taught by an NCLC technical expert who had been a member of the Puerto Rican terrorist organization MIRA.

Also beginning in 1974, the NCLC cultivated contacts with Palestinian terrorist organizations, particularly the Popular Front for the Liberation of Palestine (PFLP). A close liaison with the Iraqi Mission to the United Nations culminated in LaRouche's trip to Baghdad in the spring of 1975 at the invitation of the Iraqi Ba'ath Party (IBP) to meet with IBP and PFLP officials.

In the spring of 1975 the NCLC's focus began to shift from terrorist contacts to an interest in extremist right-wing organizations and, eventually, in responsible conservative organizations.

As early as September 1974 the NCLC was in contact with Ken Duggan, publisher of *The Illuminator* and head of a radical rightist organization in New York known as the Provisional National Government. An NCLC "Security Memorandum" from the spring of 1975 sets out the rationale for this turn:

> Our success in beating back the Fang's [i.e., Nelson Rockefeller's] Endgame Scenario [another NCLC prediction of thermonuclear war] shows the potential impact we can have among previously unpenetrated strata. Operations reports from our organizers in the field indicate growing sympathy for our "Impeach Rocky" campaign among right-wing circles. We must move to take advantage of this situation.
>
> Right-wing organizations offer four opportunities: 1) sources for fund-raising (especially related to our organizing); 2) political contacts to circulate our perspective in anti-Rocky political-financial-military circles; 3) opportunity to expose and discredit Rocky's Buckley-FBI-CIA penetration of the Right; 4) potential USLP members and periphery.
>
> Cadres should be firmly fixed on the politics underlying this move: the real enemy is Rocky's fascism with a democratic face, the liberals, and social fascists. We can cooperate with the Right to defeat this common enemy. Once we have won this battle, eliminating our right-wing opposition will be comparatively easy.
>
> This project will be given top priority. No one can be permitted to block on it. Locals and regions with existing right-wing contacts should TWX names to Security Staff as soon as possible, unless threat of harassment is too great. Scott [Thompson, an NCLC security officer] will coordinate this operation.

Thompson moved quickly to implement this "Security Memorandum." NCLC organizers in Delaware had made contact with Leroy Jones, an American Party leader who had run on that ticket for state senator in 1972 and state representative in 1974. While an article in the June 2, 1975 issue of *New Solidarity* emphasized Jones's alleged connections with the Socialist Party in the 1940s, it failed to mention his current (as of 1975) affiliation with the John Birch Society.* Jones was brought to New York to meet with members of the NCLC Security Staff, and a plan was hatched whereby Jones became the USLP candidate for governor of Delaware and a source of entrée into right-wing circles.

* The John Birch Society has since strongly repudiated the NCLC.

In the June 16, 1975 issue of *New Solidarity*, Jones's call to "his former comrades in the American Party and other right-wing organizations to join with the Labor Party in its drive to impeach Vice President Nelson Rockefeller and to endorse the Labor Party's reconstruction program" was published. It read in part:

> I came into the U.S. Labor Party for action. The Right is divided. It has no national program. All I did while a member of the American Party was go from meeting to meeting. There was never discussion of what really had to be done. . . . We must take our foreign and military policy out of the hands of the insane Rockefeller cabal and put it back in the hands of the people and their elected representatives. Rockefeller has already bankrupted the capitalist system. Now, he is bringing us to the brink of nuclear war with the Soviet Union. We must follow the USLP's programmatic lead. . . .

Jones's appeal met with limited success. Mary Kangas, identified in the article as the Oregon state chairwoman of the Women's Federation of the American Party, joined in his call.

Contacts with Roy Frankhouser, an officer of the Pennsylvania Ku Klux Klan and an activist in the Minutemen and the American Nazi Party, were initially fruitful. However, disclosure of Frankhouser's role as an FBI informant temporarily took the NCLC aback. Regrouping, the organization proceeded to give extensive publicity to the Frankhouser case, claiming it as evidence of the alleged "FBI-CIA-Rockefeller-Buckley" control of the extremist Right.

Vastly more useful to the NCLC, in any case, was a series of contacts provided by Ken Duggan. Duggan introduced the NCLC's Scott Thompson to Willis Carto of the Liberty Lobby. Thompson met regularly with Carto through 1975 and 1976. Sources close to the NCLC report that these meetings centered on joint anti-Rockefeller actions and Carto's use of his connections to procure funding for these operations. These sources further report that Carto's Liberty Lobby was a conduit for extremist right-wing contributions to LaRouche's USLP campaign for the Presidency, including part of the more than $90,000 used to purchase a half-hour prime-time commercial on NBC on the eve of the 1976 election. These allegations are under investigation by the Federal Election Commission.

Other NCLC/Liberty Lobby cooperation included Carto's selling of NCLC literature through his radical rightist network, and prominently displayed endorsements of the NCLC program in the Liberty Lobby newspaper, *Spotlight*. Similar entrée was provided by Duggan into Carto's National Youth Alliance and C. B. Baker's Youth Action.

Duggan also facilitated an NCLC operation undertaken at the behest of the Iraqi Mission to the United Nations, which asked the NCLC Security Staff in May 1975 to investigate the National Renaissance Party (NRP). Some time earlier the NRP had published an antisemitic and pro-Iraqi tract, and the Iraqis, who could not afford the potential embarrassment of an open contact with the NRP, were interested in the group as a possible conduit for propaganda. After some investigation, the NCLC reported back to the Iraqis that the NRP was too small and unstable to be of any real use.

A corollary interest of the NCLC's in this period was, as suggested above, the Buckley family, NATIONAL REVIEW, and responsible conservative organizations, which were seen by the NCLC as instruments of the Rockefeller-CIA conspiracy. Agreements were made with Carto and Baker to exchange information on the Buckleys, YAF, the ACU, *NR*, and others. The offices of NATIONAL REVIEW and Buckley residences in New York City, Stamford, Conn., and Sharon, Conn. were placed under periodic surveillance by the NCLC Security Staff. NCLC security officers visited Robert Yoakum, a freelance writer in Lakeville, Conn., a few miles from Sharon, who opened his extensive files on the Buckley family to the NCLC. This material was used in a series of *New Solidarity* articles on the Buckleys, but the files were also intended, according to sources around the NCLC, for use in planned clandestine harassment operations against the Buckleys. In addition, NCLC security officers purporting to be journalists and conservative activists placed calls to *NR*, YAF, the ACU, *Human Events*, and others to gain current information on various conservative figures.

LaRouche's decision to run a presidential campaign in 1976 marked a turning point in the NCLC's overtures to the Right. For the first time, a serious campaign would be mounted to penetrate, influence, and finally exploit those conservative circles that had previously been dismissed as

under control of the "FBI-CIA-Rockefeller-Buckley" cabal. In late 1975 and early 1976, the NCLC focused its attentions on the Republican Party and responsible conservative activists. These operations came to be known as "building the Whig Coalition."

The bizarre twists and turns of the NCLC line during the 1976 presidential campaign are difficult to catalogue. The assassination attempts upon President Ford by Sara Jane Moore and Lynette Fromme were described in *New Solidarity* as attempts by Vice President Rockefeller and Secretary of State Kissinger to remove Ford and replace him with Rockefeller. Somewhat later, the Reagan candidacy was characterized by *New Solidarity* as a move by the Rockefeller cabal to dislodge the allegedly anti-Rockefeller Ford forces by a sally from the Right. Finally, the Carter candidacy was heralded by the NCLC as the final blow by the Rockefeller cabal against the "Whig-constitutionalist" Ford. The basis for these theorizings is, to put it charitably, obscure.

However, the increasingly pro-Ford disposition of the NCLC formed the basis for the "Whig Coalition" operations. NCLC field organizers presented Ford, during their campaigning for LaRouche, as the lesser of two evils and the candidate most worthy of support after LaRouche. This line was repeated in a nationally broadcast prime-time paid commercial in which LaRouche spoke for half an hour on the eve of the election. According to informed sources, slightly less than half the $90,000 spent on the commercial came from Republican Party circles; the remainder, according to these same sources, came from right-wing Texas oil interests through Willis Carto and the Liberty Lobby. Precisely why members of the Republican Party should contribute funds to a campaign as bizarre as LaRouche's is a question which deserves an answer.

It was after the 1976 presidential election that the NCLC openly began trying to work jointly with Republicans and responsible conservative groups. This new "Whig Coalition" operation was centered in the Committee for Fair Elections, an NCLC front organization, which charged the Carter campaign and the Democratic Party with massive vote fraud and challenged Carter's election in the courts on that basis. CFE-originated suits were filed in New York, Pennsylvania, Ohio, and Wisconsin and listed as complainants in the various litigations electors from the LaRouche campaign, the Ford campaign, and the American Party. In each of the cases where litigation has been completed, the challenges to Carter's election have been dismissed.

In connection with the CFE lawsuits, the NCLC mounted a major fund-raising drive among conservative and Republican organizations and congressmen. A staff member of a moderate-conservative Republican congressman from the Midwest revealed an extensive effort by the NCLC to entangle Republican legislators in these litigations and to use their staffs for fund-raising contacts. The NCLC made use of the International Press Service to gain entrée to the offices of conservative members of Congress. While posing as an independent news service, the IPS is under the control of the NCLC, is funded and staffed by NCLC members, and operates out of the NCLC national headquarters on West 29th Street in New York City. NCLC members, particularly security officers, use IPS credentials to gain admission to various functions as accredited members of the press. An NCLC "Security Memorandum," dated April 28, 1975, reports:

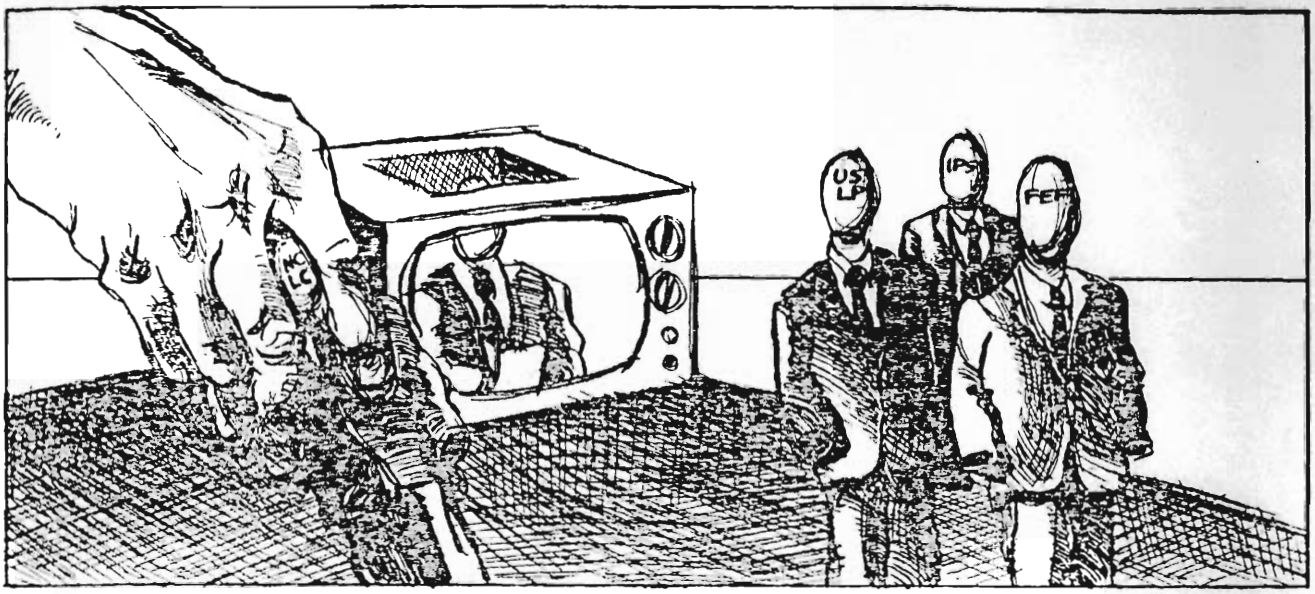
> . . . our contact network on Capitol Hill has been firmly established, and the legitimacy of IPS as a press service is now generally recognized. Under these conditions our briefing operations have already begun to pay off. . . . Bernard [Greene, an NCLC member] and Laura [Chasen, an NCLC member] have accomplished our first phase tasks. However, with Sue [Wagner, an NCLC member on the national staff] now in Washington and Art [Leaderman, a leader in the NCLC Washington local] now taking a more vigorous role we can begin to cultivate more specific contacts in targeted congressional offices through IPS. . . . Our attack on Rocky's Endgame Scenario in Congress will provide us with an in into [*sic*] conservative congressmen. "How Rocky Got Control of the Button" [a 16-page NCLC "intelligence" briefing" used for propaganda purposes] will especially appeal to anti-Rocky conservatives. . . . Special emphasis will be given to the offices and staffs of Senators Helms, Thurmond, and Stennis. A full list of targeted offices is being prepared by the National Security Staff. . . .

These IPS congressional contacts included not merely propaganda and lobbying activities, but also the rifling of files and unauthorized procurement of documents.

Another major thrust of the "Whig Coalition" is the NCLC's attempt to make conservative contacts through the Fusion Energy Foundation. Founded at the prompting of and under the auspices of the NCLC, the FEF remains firmly under NCLC control. Chuck Stevens, Dr. Morris Levitt (both long-time NCLC members), and Uwe Henke (an NCLC National Executive Committee member, also known by his party name, "Uwe Parpart") direct FEF activities on a day-to-day basis. The FEF's main activity is fund-raising. Most of the contributions it takes in go to the NCLC war-chest. Estimates of the NCLC's annual budget range from $1 million to $3 million, with the higher figure the more reliable.

The entrée the NCLC has sought into conservative organizations provides an opportunity for circulating Soviet propaganda in circles where a direct Soviet overture would be impossible

A more recent "Whig Coalition" development has been a growing alliance between the NCLC/USLP and Colonel Thomas A. McCrary's National Coalition of Independents on Issues. (McCrary is a leader of the Independent Party of Georgia.) A September 27, 1977 *New Solidarity* article suggests a motive behind this alliance which goes beyond mere "discussion of issues": "The afternoon session of the [Sep-



tember 25 Whig Policy Conference] closed with a spirited fund-raising session that demonstrated in dollars the degree of support for the American system. The group raised $2,000. . . ." Once again, the politics of the quick buck.

Three plausible explanations can be given for the web of contacts the NCLC has maintained with the radical Right and sought to build with the responsible Right:

1. The NCLC has a pecuniary interest in cultivating funding sources on the Right. Contributions to the CFE and FEF, for example, help considerably to reduce the NCLC's operating deficit.

2. The NCLC has an obvious ideological affinity with the extreme Right. Radical rightist organizations such as the Liberty Lobby share the NCLC's conspiratorial *Weltanschauung*. The paranoid fascination with the Rockefeller family which characterizes the NCLC also characterizes much of the radical Right.

3. The NCLC's approach to responsible conservative organizations could be part of a campaign to penetrate these groups in the interests of the Soviet Union and its intelligence apparatus. The NCLC is avowedly pro-Soviet, as even a cursory examination of *New Solidarity* will show. The entrée the NCLC has sought into conservative organizations provides an opportunity for circulating Soviet propaganda in circles where a direct Soviet overture would be impossible. This hypothesis is reinforced by the NCLC's close relationship with the Soviet Mission to the United Nations.

In January 1974 the first NCLC contact with the Soviet Mission was established. After an initial meeting with a Soviet diplomat who identified himself as Nikolai Logiunov, Soviet liaison with the NCLC was handled by Gennady Nikolayevich Serebreyakov. While Serebreyakov was officially listed as a press officer of the Mission, he has been identified as a KGB official.

The NCLC representative in this liaison was Konstandinos Kalimtgis (a.k.a. "Gus Axios"), a former Greek CP member, heavily involved, as he has told me, in Soviet-sponsored underground activities during the reign of the Colonels. Kalimtgis met regularly with Serebreyakov through 1974-75. NCLC Chairman LaRouche met with Serebreyakov on at least two occasions, once at the Mission and, later, at the NCLC national headquarters in New York. It is not known who replaced Serebreyakov after his return to the Soviet Union, but informed sources suggest that a more clandestine form of contact has been established. The full range of discussions undertaken in these contacts is unknown. But after 1974, the NCLC's Trotskyist line was replaced by a pro-Soviet line.

The NCLC is in a position to promote a pro-Soviet line on such issues as U.S. defense posture within certain conservative circles, whereas the Soviets could not make such an approach directly. It is equally obvious that information on conservative attitudes and personalities gained from NCLC contacts would be helpful to Soviet intelligence.

THE NCLC's ability to move in conservative circles rests not merely on the failure of conservatives to perceive the true character of such fronts as the Committee for Fair Elections and the Fusion Energy Foundation, but, more, on a fundamental misunderstanding of the parent organization. The NCLC's posture of political independence, its advocacy of positions on issues that are tangential to its own primary political program but important to conservative activists (e.g., opposition to the decriminalization of marijuana), and the forcefulness of its criticisms of prominent Left and liberal leaders have led many on the Right to buy its pitch—and pay for it.

Responsible leftists and liberals, the victims of NCLC violence and harassment, have long harbored serious suspicions of the NCLC's methods and aims. Much of the Left regards the NCLC as a police-provocateur organization. There is little evidence, if any, to support such a hypothesis. However, the evidence of a Soviet connection is extensive and well-founded. Conservatives should regard the NCLC with hostility and should warn and, if necessary, repudiate those on the Right whom it has ensnared. □

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William F. Buckley, Jr., Editor
National Review Magazine
150 East 35th Street
New York, New York 10016

Re: MUR 1045

Dear Mr. Buckley:

On , 1979, the Commission determined to find no reason to believe that you, the National Review magazine, your publisher, William A. Rusher, or Gregory Rose, violated 2 U.S.C. § 437g(a)(3)(B). Fleming Lee, General Counsel for Liberty Lobby, alleged that National Review, et al., had violated this section of the Act by revealing an FEC investigation of Liberty Lobby and Willis Carto in a March 30, 1979, article.

A review of our files revealed that to this date there is no investigation of Liberty Lobby or Willis Carto in connection with contributions to Lyndon LaRouche's USLP campaign for the Presidency. Accordingly, our file has been closed in this matter.

Should you have any questions, please call Susan Donaldson at (202) 523-4529.

Sincerely,

Charles N. Steele
Acting General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Fleming Lee, General Counsel
Liberty Lobby
300 Independence Avenue, S.E.
Washington, D.C. 20003

Re: MUR 1045

Dear Mr. Lee:

On , 1979, the Commission determined to find no reason to believe that the National Review, et al., violated 2 U.S.C. § 437g(a)(3)(B) as alleged in your complaint dated October 11, 1979. A review of our files revealed that to this date, there is no investigation of Liberty Lobby or Willis Carto in connection with contributions to Lyndon LaRouche's USLP campaign for the Presidency. Accordingly, our file in this matter has been closed.

Should you have any questions, please call Susan Donaldson at 523-4529.

Sincerely,

Charles N. Steele
Acting General Counsel

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GCC 11341

LIBERTY LOBBY

PUBLISHER OF THE SPOTLIGHT

HEADQUARTERS OFFICE:
300 INDEPENDENCE AVENUE, S.E.
WASHINGTON, D. C. 20003
PHONE: 202-LIBERTY 6-5611

WEST COAST OFFICE:
P.O. Box 45302
LOS ANGELES, CALIFORNIA 90045

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October 11, 1979

904509

COMPLAINT PURSUANT TO 2 U.S.C. 437g(a)(1)

CERTIFIED No. 884331
RETURN RECEIPT REQUESTED

The Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Sirs:

It is our belief that section 437g(a)(3)(B) and perhaps other provisions of the Federal Election Campaign Act have been violated by National Review magazine, by the magazine's editor, William F. Buckley, Jr., by its publisher, William A. Rusher, and by an author named Gregory E. Rose.

In an article written by Rose and published in the National Review of March 30, 1979, the following allegation appears:

> "These sources further report that Carto's Liberty Lobby was a conduit for extremist right-wing contributions to LaRouche's USLP campaign for the Presidency, including part of the more than $90,000 used to purchase a half-hour prime-time commercial on NBC on the eve of the 1976 election. These allegations are under investigation by the Federal Election Commission." (p. 411)

By revealing that an alleged investigation is being undertaken by the F.E.C., without written consent of a proper person, the parties named above have violated the Act.

To make matters worse, either Liberty Lobby nor its treasurer, Willis A. Carto, the man named in the above quoted passage, has received any notification of any such investigation. I telephoned the F.E.C.'s headquarters on May 16, 1979 and was told by both Sharon Snyder of the Press Chief's office and Mr. Litchfield of the General Counsel's office that there was no record of any such investigation. The alleged investigation would have involved allegations that Liberty Lobby had violated the Act in numerous ways by contributing to or acting as a conduit for funds to Lyndon LaRouche's United States Labor Party campaign for the presidency of the United States during the 1976 election campaign. Any such

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GENERAL COUNSEL
OFFICE OF THE
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allegations would be totally false.

In addition to pursuing this complaint, please confirm in writing that there has been no investigation by the F.E.C. of the matter described above. We need such a confirmation in order to combat some of the serious consequences of the false report of an investigation having been published in National Review.

Thank you.

Sincerely,

Fleming Lee

Fleming Lee
General Counsel

District of Columbia, ss. :

I, Lois Petersen, a notary public in and for the District of Columbia, do hereby certify that Fleming Lee personally appeared before me in said District, the said Fleming Lee being personally well known to me as the person whose name is subscribed to the within instrument, and swore and subscribed to the same before me.

Given under my hand and seal this 11th day of October, 1979.

Lois Petersen

My Commission Expires January 31, 1984

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Fleming Lee

LIBERTY LOBBY
300 INDEPENDENCE AVE., S.E.
WASHINGTON, D. C. 20003

RETURN RECEIPT REQUESTED

Federal Election Commission
1325 K Street, NW
Washington, D.C. 20463

FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1045

Date Filmed 1/25/80 Camera No. --- 2

Cameraman bPC

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