



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1272

Date Filmed 6/22/83 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

- 1) Routing Slips
- 2) Memoranda to CMS and to file
- 3) Documents and correspondence pertaining to conciliation

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):

- | | |
|--|---|
| <input type="checkbox"/> (1) Classified Information | <input type="checkbox"/> (6) Personal privacy |
| <input checked="" type="checkbox"/> (2) Internal rules and practices | <input type="checkbox"/> (7) Investigatory files |
| <input checked="" type="checkbox"/> (3) Exempted by other statute | <input type="checkbox"/> (8) Banking Information |
| <input type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input checked="" type="checkbox"/> (5) Internal Documents | |

Signed Jonathan M. Levin
Date 5/16/83

83040404129

BAKER & HOSTETLER

ATTORNEYS AT LAW

616 CONNECTICUT AVE., N.W.

WASHINGTON, D. C. 20006

(202) 661-1800

TELECOPIER (202) 667-0080

IN CLEVELAND, OHIO
3200 NATIONAL CITY CENTER
CLEVELAND, OHIO 44114
(216) 621-0800
TWX 610 481 8378

IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 228-1841

May 31, 1983

Call 2/7
83 JUN 2 8 1:20
DENVER, COLORADO
CAPITOL LIFE CENTER
DENVER, COLORADO 80203
(303) 661-0800
ORLANDO, FLORIDA
850 CNA TOWER
ORLANDO, FLORIDA 32802
(305) 541-1111

WRITER'S DIRECT DIAL NO.:

(202) 661- 1572

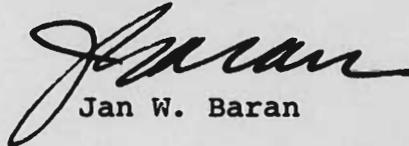
Charles N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1272

Dear Mr. Steele:

Enclosed please find a check in the amount of
Two Thousand Five Hundred Dollars (\$2,500.00) as payment
of the civil penalty by Friends of Alaska pursuant to the
conciliation agreement in the above-captioned matter.

Sincerely,


Jan W. Baran

JWB:gh
Encl.

83040404130

B. J. GOTTSTEIN

3602

09-51
1252

May 24 1983

PAY
TO THE
ORDER OF

Federal Election Commission

\$2,500 ⁰⁰/₁₀₀

Two thousand five hundred and ⁰⁰/₁₀₀

DOLLARS

B. J. GOTTSTEIN

FOURTH AVENUE BRANCH
NATIONAL BANK
OF ALASKA ANCHORAGE

B. J. Gottstein

83040404151

BAKER & HOSTETLER

818 CONNECTICUT AVE., N.W.

WASHINGTON, D. C. 20006

83 JUN 2 9:10
U.S. POSTAGE
0.20

**Charles N. Steele, Esquire
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463**

33040404



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 12, 1983

Charles L. Fishman, Esquire
1575 Eye Street, N.W.
Suite 350
Washington, D.C. 20006

Re: MUR 1272

Dear Mr. Fishman:

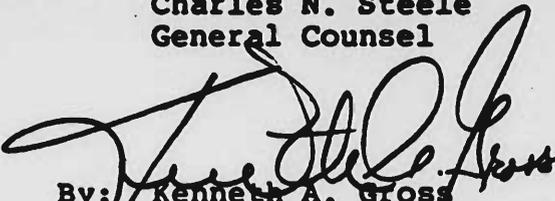
This is in reference to the complaint your client, Robert L. Mitchell of Friends of Mike Gravel, filed with the Commission on August 7, 1980, concerning allegations of violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Friends of Alaska and others.

After conducting an investigation in this matter, the Commission determined there was probable cause to believe that Friends of Alaska violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Act. On May 10, 1983, a conciliation agreement signed by respondent's counsel was accepted by the Commission, thereby concluding the matter. A copy of this agreement is enclosed for your information.

The file number in this matter is MUR 1272. If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202-523-4529.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

830404133



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 12, 1983

Jan W. Baran, Esquire
Baker and Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272
Friends of Alaska

Dear Mr. Baran:

On May 10, 1983, the Commission accepted the conciliation agreement signed by you on behalf of your client, Friends of Alaska (FOA), in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within 30 days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

You are reminded that Paragraphs VII and XI of the agreement require that respondent pay the civil penalty within 30 days after the agreement becomes effective. If such payment is not made in a timely manner, the Commission may institute a civil suit for relief against your client in accordance with Paragraph IX.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

83040404134

BEFORE THE FEDERAL ELECTION COMMISSION

03 APR 82 8:00

In the Matter of)
Friends of Alaska) MUR 1272

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by Robert Mitchell, Treasurer of Friends of Mike Gravel. An investigation has been conducted, and probable cause to believe has been found that Friends of Alaska ("Respondent") violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive in-kind contribution to Alaskans for Gruening.

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i) do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding.

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this Agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Respondent was an unauthorized political committee with a bipartisan composition which registered with the Commission on August 13, 1980 and terminated on October 17, 1980.

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2. In August, 1980, respondent paid \$21,050.39 for radio and newspaper advertisements which criticized Senator Mike Gravel, then a candidate for the Democratic nomination for Senator from Alaska.

3. One of the organizers of respondent prior to its formation had raised funds on a voluntary basis for Alaskans for Gruening, the principal campaign committee of Clark Gruening, Gravel's primary opponent. This individual also attended a meeting with Gruening and AFG campaign staff at which proposed campaign film footage was viewed. The film did not address Gravel's record. For this reason the individual decided to help organize respondent.

4. All reports required by the Act were filed.

V. The Commission has found that the expenditures referred to in paragraph IV 2 constituted an in-kind contribution to Alaskans for Gruening in violation of 2 U.S.C. § 441a(a)(1)(A). However, respondent contends that it did not knowingly and willfully violate § 441a(a)(1)(A) in that, at all times, the members of respondent believed that respondent was engaged in lawful political expression and that its advertisements were proper under the Act.

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VI. Except as provided by paragraph IX below, this agreement constitutes a complete bar to any further action by Commission including the bringing of a civil proceeding.

VII. In order to obviate the need for civil litigation, respondent will pay a civil penalty to the Treasurer of the United States in the amount of two thousand five hundred dollars (\$2,500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VIII. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

IX. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

X. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

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XI. Respondent shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

By: *[Signature]*
Kenneth A. Gross
Associate General Counsel

May 12, 1983
Date

FOR RESPONDENT FRIENDS OF ALASKA:

[Signature], Counsel
(Name)
(Position or Title)

4/20/83
Date

83040404138

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Friends of Alaska)

MUR 1272

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 10, 1983, the Commission decided by a vote of 6-0 to take the following actions in MUR 1272:

1. Approve the conciliation agreement as attached to the General Counsel's undated Memorandum to the Commission in this matter.
2. Close the file.
3. Approve the letter to counsel for respondent as submitted with the undated Memorandum to the Commission.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

5/10/83
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

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Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

5-5-83, 2:03
5-6-83, 2:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 2, 1982

Stanley Reitman, Esquire
Delaney, Wiles, Hayes,
Reitman and Brubaker, Inc.
1007 West Third Avenue
Anchorage, Alaska 99501

Re: MUR 1272
Alaska Advertisers

Dear Mr. Reitman:

This is to advise you that after an investigation was conducted, the Commission concluded on November 30, 1982, that there is no probable cause to believe that your client, Alaska Advertisers, violated the Act. Accordingly the file in this matter has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire file has been closed.

If you have any questions, contact Jonathan Levin at (202) 523-4529.

Sincerely,

A handwritten signature in cursive script, appearing to read "C. N. Steele".

Charles N. Steele
General Counsel

83040404110



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 2, 1982

Charles A. Dunnagan, Esquire
Jermain, Dunnagan & Owens
801 West Fireweed Lane
Suite 201
Anchorage, Alaska 99503

Re: MUR 1272
Alaskans for Gruening

Dear Mr. Dunnagan:

Based on a complaint filed by the Friends of Mike Gravel and information supplied by you, the Commission determined, on January 27, 1981, that there was reason to believe that your client, Alaskans for Gruening, had violated 2 U.S.C. §§ 441a(f) and 441b(a), provisions of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation in this matter.

After an investigation was conducted, the Commission, on November 30, 1982, concluded that there is no probable cause to believe that your client violated section 441b(a). The Commission, on that date, also determined to take no further action with respect to the alleged violation of section 441a(f). Accordingly the file in this matter has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Jonathan Levin at (202) 523-4529.

Sincerely,

Charles N. Steele
General Counsel

8304040411



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 2, 1982

Jan W. Baran, Esquire
William H. Schweitzer, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272
Friends of Alaska

Dear Messrs. Baran and Schweitzer:

On November 30, 1982, the Commission determined there is probable cause to believe that your client, Friends of Alaska, committed a violation of the Federal Election Campaign Act of 1971, as amended, in connection with in-kind contributions to Alaskans for Gruening.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose a conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter. If your client agrees with the provisions of the enclosed agreement, please have it signed and return it along with the civil penalty to the Commission within ten days. I will then recommend that the Commission approve the agreement. Please have the check for the civil penalty made payable to the U.S. Treasurer.

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Letter to Jan Baran & Wm. Schweitzer
Page 2

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please contact Jonathan Levin, the attorney assigned to this matter, at (202)523-4529.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

83040404143



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Stanley Reitman, Esquire
Delaney, Wiles, Hayes,
Reitman and Brubaker, Inc.
1007 West Third Avenue
Anchorage, Alaska 99501

Re: MUR 1272
Alaska Advertisers

Dear Mr. Reitman:

33040404142
This is to advise you that after an investigation was conducted, the Commission concluded on , 1982, that there is no probable cause to believe that your client, Alaska Advertisers, violated the Act. Accordingly the file in this matter has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire file has been closed.

If you have any questions, contact Jonathan Levin at
(202) 523-4529.

Sincerely,

Charles N. Steele
General Counsel

JL 12/2/82



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Charles A. Dunnagan, Esquire
Jermain, Dunnagan & Owens
801 West Fireweed Lane
Suite 201
Anchorage, Alaska 99503

Re: MUR 1272
Alaskans for Gruening

Dear Mr. Dunnagan:

Based on a complaint filed by the Friends of Mike Gravel and information supplied by you, the Commission determined, on January 27, 1981, that there was reason to believe that your client, Alaskans for Gruening, had violated 2 U.S.C. §§ 441a(f) and 441b(a), provisions of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation in this matter.

After an investigation was conducted, the Commission, on , 1982, concluded that there is no probable cause to believe that your client violated section 441b(a). The Commission, on that date, also determined to take no further action with respect to the alleged violation of section 441a(f). Accordingly the file in this matter has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Jonathan Levin at
(202) 523-4529.

Sincerely,

Charles N. Steele
General Counsel

JJ 12/2/82

83040404115



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Jan W. Baran, Esquire
William H. Schweitzer, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272
Friends of Alaska

JZ 12/2/80

Dear Messrs. Baran and Schweitzer:

On _____, 1982, the Commission determined there is probable cause to believe that your client, Friends of Alaska, committed a violation of the Federal Election Campaign Act of 1971, as amended, in connection with in-kind contributions to Alaskans for Gruening.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose a conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter. If your client agrees with the provisions of the enclosed agreement, please have it signed and return it along with the civil penalty to the Commission within ten days. I will then recommend that the Commission approve the agreement. Please have the check for the civil penalty made payable to the U.S. Treasurer.

83040404116

Letter to Jan Baran & Wm. Schweitzer
Page 2

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please contact Jonathan Levin, the attorney assigned to this matter, at (202)523-4529.

JT 12/18

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

33040404117

November 22, 1982

MEMORANDUM TO: Marjorie W. Emmons
FROM: Phyllis A. Kayson
SUBJECT: MUR 1272

Please have the attached General Counsel's Report distributed to the Commission for the agenda of November 30, 1982. Thank you.

Attachment

cc: Levin

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Friends of Alaska)
Alaskans for Gruening)
Alaska Advertisers)

MUR 1272

EXECUTIVE SESSION

82 NOV 22 A10:01

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

GENERAL COUNSEL'S REPORT

NOV 30 1982

I. BACKGROUND

On August 7, 1980, the Commission received a complaint filed by the Friends of Mike Gravel against Friends of Alaska ("FOA"), Alaskans for Gruening ("AFG"), Alaska Advertisers, Barnard J. Gottstein, and Clark Gruening. The complaint included allegations relating to activities by Barnard J. Gottstein and an unauthorized committee, FOA, in either advocating the election of Clark Gruening or the defeat of Mike Gravel in the 1980 Democratic Senatorial primary in Alaska. Among the allegations in the complaint were the claim that Alaska Advertisers made corporate contributions to the Gruening campaign in the form of services for "less than fair market cost" and the claim that FOA's expenditures (totalling \$21,050.39) were excessive in-kind contributions to AFG in violation of 2 U.S.C. § 441a. On January 27, 1981, the Commission found reason to believe that Alaska Advertisers and AFG violated § 441b(a), that FOA violated § 441a(a)(1)(A), and that AFG violated § 441a(f). The Commission conducted an investigation of this matter

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through the use of interrogatories and depositions and, on June 1, 1982, forwarded briefs to the respondents. The briefs indicated that the General Counsel would recommend that the Commission find no probable cause to believe that Alaska Advertisers and AFG violated § 441b(a) and probable cause to believe that FOA violated § 441a(a)(1)(A) and that AFG violated § 441a(f). A reply letter from Alaska Advertiser's counsel concurring with this proposed recommendation was received on June 10, 1982. A reply brief from FOA's counsel was received on July 21 and a reply brief from AFG's counsel was received on July 26. The latter two briefs contested the proposed recommendations with respect to the § 441a violations.

II. LEGAL ANALYSIS

The proposed probable cause recommendation as to in-kind contributions by FOA to AFG is based upon the fact that FOA's expenditures were instigated by Barnard Gottstein who was authorized to raise funds for AFG and who attended a strategy meeting where proposed campaign film footage was viewed. Mr. Gottstein appears to have been involved with AFG at a time that he was planning FOA. The evidence indicates that Mr. Gottstein was involved with the Gruening campaign at least through the last few days of July, 1980, and the

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testimony of Tom Kelly, FOA Chairman, indicates an involvement by Mr. Gottstein in the planing of FOA as early as June, 1980.

In response to the General Counsel's brief, attorneys for FOA presented evidence suggesting that Mr. Gottstein was not involved with AFG while planning or working for FOA. This evidence centered around the testimony that had been given by Tom Kelly in a deposition taken on October 2, 1981. Mr. Kelly had stated that, while he was in Los Angeles in June, 1980, he received a call from Steve Silver, an assistant to Senator Stevens, who informed Mr. Kelly of the existence of FOA and Mr. Gottstein's association with it. However, Mr. Silver stated in a sworn affidavit provided by FOA counsel, dated July 19, 1982, that he informed Mr. Kelly of the existence of FOA and Mr. Gottstein's association with it on August 3, 1980, and that prior to that date, he had no conversation with Mr. Kelly regarding the formation of FOA. In his affidavit, Mr. Silver also stated that he made this phone call pursuant to a request by Mr. Gottstein in late July, 1980, when Mr. Gottstein informed Mr. Silver of his plans to form a committee. Mr. Silver went on to state that he recalls a conversation with Mr. Kelly during June, 1980, when Mr. Kelly was in Los Angeles, but that this conversation pertained to the Free

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Alaska Lands Committee which, according to Mr. Kelly's testimony and Mr. Silver's affidavit, "was active solely in the public debate regarding federal legislation and Alaska's public lands."

Attorneys for FOA have also submitted an affidavit from Joseph Rothstein of the Rothstein-Buckley political consulting firm stating that Mr. Gottstein called him in late July, 1980, expressing "his desire to publicize Senator Gravel's record" and that he suggested that Mr. Gottstein form an independent political committee.

The evidence presented by FOA contradicts the testimony of Mr. Kelly indicating that Mr. Gottstein was planning for FOA in June. However, we have no reason to assume Mr. Silver's recollection is more accurate than Mr. Kelly's. Moreover, aside from this evidence, there still exists the fact that Mr. Gottstein attended the meeting at Mystrom Advertising sometime before the beginning of August, 1980, and viewed proposed film footage for the campaign. According to Clark Gruening, Mr. Gottstein was invited by AFG in order to obtain financial backing for proposed media slots. At the end of the showing, Mr. Gottstein expressed his opinion to the others in attendance that the spots were deficient and inadequate in addressing Mr. Gravel's Senate record. Despite the fact that others present at the meeting also

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believed that the footage was inadequate and thus it was not used, Mr. Gottstein was able to get a sense of what kind of media campaign AFG did or did not wish to conduct. Although Mr. Gottstein claims that he was no longer with the Gruening campaign when he formed Friends of Alaska, his actions occurred only after obtaining important information about the Gruening campaign as a result of direct contact with the campaign. Mr. Gottstein was already participating in the campaign by soliciting funds, and his attendance at the meeting was a part of his role as a fundraising agent. Thus, the expenditures made by FOA through Mr. Gottstein resulted from contact with the Gruening campaign which the Gruening campaign initiated and authorized. Therefore, in the General Counsel's view, FOA's expenditures were not made independently of the Gruening campaign, and we recommend that the Commission find probable cause to believe that FOA violated 2 U.S.C. § 441a(a)(1)(A).

While probable cause should be found that FOA made an excessive in-kind contribution, it is the position of the General Counsel that no further action should be taken against AFG. Although Barnard Gottstein could be viewed as an agent for AFG capable of committing AFG to liability for his actions, 1/ the evidence available indicates that no one

1/ We are referring to general legal theories concerning principal and agent liability, not to the narrower definition of "agent" as set forth in the Commission's regulation at 11 C.F.R. § 109.1(b)(5).

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else at AFG was aware of Mr. Gottstein's plant to form FOA, and no one else at AFG was involved with FOA except Norma Thompson who ceased her work for AFG before working for FOA. Therefore, the General Counsel recommends that no further action be taken against Alaskans for Gruening.

With respect to the § 441b allegation, the brief sent by this office stated that the evidence presented indicated that AFG paid the "usual and normal charge" for Alaska Advertisers services. See 11 C.F.R. § 100.7(a)(1)(iii)(A), formerly § 100.4(a)(1)(iii)(A). None of the reply briefs presented any evidence indicating otherwise. Therefore, the General Counsel recommends that the Commission find no probable cause to believe that AFG and Alaska Advertisers violated 2 U.S.C. § 441b(a).

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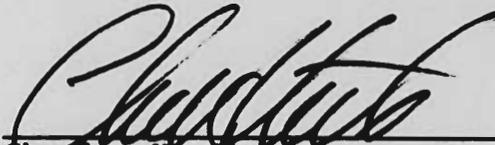
IV. RECOMMENDATIONS

1. Find probable cause to believe that Friends of Alaska violated 2 U.S.C. § 441a(a)(1)(A) and proceed to conciliation.
2. Take no further action with respect to the allegation that Alaskans for Gruening violated 2 U.S.C. § 441a(f).
3. Find no probable cause to believe that Alaska Advertisers and Alaskans for Gruening violated 2 U.S.C. § 441b(a).
4. Approve the attached conciliation agreement.

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5. Approve the attached letters.

19 Nov 1982
Date


Charles N. Steele
General Counsel

Attachments

1. Letter to FOA with conciliation agreement.
2. Letter to AFG.
3. Letter to Alaska Advertisers

33040404157



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Jan W. Baran, Esquire
William H. Schweitzer, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272
Friends of Alaska

Dear Messrs. Baran and Schweitzer:

On _____, 1982, the Commission determined there is probable cause to believe that your client, Friends of Alaska, committed a violation of the Federal Election Campaign Act of 1971, as amended, in connection with in-kind contributions to Alaskans for Gruening.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose a conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter. If your client agrees with the provisions of the enclosed agreement, please have it signed and return it along with the civil penalty to the Commission within ten days. I will then recommend that the Commission approve the agreement. Please have the check for the civil penalty made payable to the U.S. Treasurer.

Attachment 1 - p. 1

330404138

Letter to Jan Baran & Wm. Schweitzer
Page 2

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please contact Jonathan Levin, the attorney assigned to this matter, at (202)523-4529.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

33040404159

1 - p. 2



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Charles A. Dunnagan, Esquire
Jermain, Dunnagan & Owens
801 West Fireweed Lane
Suite 201
Anchorage, Alaska 99503

Re: MUR 1272
Alaskans for Gruening

Dear Mr. Dunnagan:

Based on a complaint filed by the Friends of Mike Gravel and information supplied by you, the Commission determined, on January 27, 1981, that there was reason to believe that your client, Alaskans for Gruening, had violated 2 U.S.C. §§ 441a(f) and 441b(a), provisions of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation in this matter.

After an investigation was conducted, the Commission, on , 1982, concluded that there is no probable cause to believe that your client violated section 441b(a). The Commission, on that date, also determined to take no further action with respect to the alleged violation of section 441a(f). Accordingly the file in this matter has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Jonathan Levin at (202) 523-4529.

Sincerely,

Charles N. Steele
General Counsel

Attachment 2

33040404160



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Stanley Reitman, Esquire
Delaney, Wiles, Hayes,
Reitman and Brubaker, Inc.
1007 West Third Avenue
Anchorage, Alaska 99501

Re: MUR 1272
Alaska Advertisers

Dear Mr. Reitman:

This is to advise you that after an investigation was conducted, the Commission concluded on , 1982, that there is no probable cause to believe that your client, Alaska Advertisers, violated the Act. Accordingly the file in this matter has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire file has been closed.

If you have any questions, contact Jonathan Levin at (202) 523-4529.

Sincerely,

Charles N. Steele
General Counsel

Attachment 3

33040404151

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GCC#8169

JERMAIN, DUNNAGAN & OWENS

ATTORNEYS AT LAW

**801 WEST FIREWEED LANE, SUITE 201
ANCHORAGE, ALASKA 99503**

**WILLIAM K. JERMAIN
CHARLES A. DUNNAGAN
BRADLEY D. OWENS
RANDALL G. SIMPSON
HOWARD S. TRICKEY
JAN HART DEYOUNG
GARY C. SLEEPER**

**TELEPHONE
AREA CODE 907
278-6532**

July 23, 1982

JUL 26 P 4: 20

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JUL 26 1982

**Federal Election Commission
Attention: Jonathan Levin
Washington, D.C. 20463**

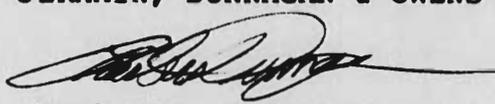
**Re: Alaskans For Gruening Brief
MUR 1272**

Dear Jonathan:

On this day I have mailed copies of the reply brief of Alaskans for Gruening to the FEC. Thank you for your professional courtesies in this matter.

Sincerely,

JERMAIN, DUNNAGAN & OWENS



Charles A. Dunnagan

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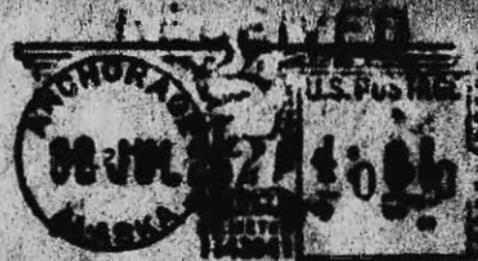
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MAJERMAIN, DUNNAGAN & OWENS

ATTORNEYS AT LAW

**801 WEST FIREWEED LANE, SUITE 301
ANCHORAGE, ALASKA 99503**



**Federal Election Commission
Attention: Jonathan Levin
Washington, D.C. 20463**

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BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of)
ALASKANS FOR GRUENING) MUR 1272

ALASKANS FOR GRUENING BRIEF

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SUMMARY

Alaskans for Gruening (AFG) concurs with the proposed recommendation of the Office of General Counsel (OGC) that the Commission find no probable cause to believe that AFG violated 2 USC §441(b)(a).

AFG vehemently contests the proposed OGC recommendation that the Commission find probable cause to believe that AFG violated 2 USC §441(a)(f). This proposed recommendation is not supported by the weight of the evidence. In fact, this proposed finding flies in the face of the description of the evidence as set out in the General Counsel's Brief. Even taking the OGC's view of the evidence, the Commission cannot find probable cause that AFG violated 2 USC §441(a)(f).

ARGUMENT

AFG does not have copies of any of the depositions, and therefore will base its discussion of the evidence upon the description of the evidence given by the Office of General Counsel.

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The OGC proposes a radical interpretation of what constitutes illegal coordination. The key statutory section against which alleged illegal coordination must be measured is 2 USC §441(a)(4), which provides in pertinent part as follows:

. . . No . . . political committee shall knowingly accept any contributions . . . in violation of the provisions of this section.

There was no direct contribution from Friends of Alaska (FOA) to AFG. There would be a violation of §441(a)(f) only if FOA made expenditures (exceeding §441(a) limitations) "with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of . . ." AFG. (See 11 CFR §109.1(a)).

Where in the OGC description of the evidence can one find any act or acts on the part of AFG, AFG officers or employees of the candidate which either singly, or as a whole, constitute illegal cooperations, consent, or consultation on the part of AFG? There is absolutely no evidence that AFG or any officer or employee of AFG ever requested or suggested, cooperated with or consented to any expenditures or activities on the part of FOA.

The fact that Mr. Gottstein contributed to AFG is not evidence of illegal cooperation. Gottstein was neither an officer or agent of AFG. The OGC cited the fact that before

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participating in the organization of FOA, Gottstein attended a meeting at Mystrom advertising. The meeting took place before the formation of FOA. There is absolutely no evidence that FOA or anything like it was ever discussed.

The evidence establishes that there was a bitter dispute between Senator Gravel and Mr. Gottstein. There was also a feud going on at the same time between Senator Stevens and Senator Gravel. It is of interest to note that the Commission uncovered the fact that Senator Steven's office, through a top aide to Senator Stevens, was involved in the formation of FOA. On the other hand, the Commission found nothing to tie AFG, its officers or employees with the formation or activities of FOA. Nonetheless, the OGC is convinced that some elusive and diabolical plot was afoot.

The standard that the OGC is suggesting is that once a major contributor has been involved with a candidate then that candidate is held accountable for any additional activities by that individual or his committees. With this kind of logic at the OGC, we are lucky that Mr. Gottstein was not in Dallas when Kennedy was shot.

The record, as described by the OGC, shows negligible contact between AFG and Mr. Gottstein during the probable time period between the planning or making of FOA expenditures and the primary election on August 27, 1980. Any contributions or

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contacts by Mr. Gottstein with AFG after the primary election (after Senator Gravel's defeat) are irrelevant.

The two minimal contacts, one by Mr. Hale and one by Mr. Gruening, between the time of the formation of FOA and the primary election, hardly established any element of cooperation with the expenditures or activities of FOA.

Like the Mystrom meeting, there is no evidence that during these two contacts that there was any exchange of information as to the respective activities of AFG and FOA with a view toward having FOA make expenditures.

As the OFG Brief points out, Mr. Gottstein never made any expenditures on behalf of AFG, nor was he ever an officer or employee of AFG. The only basis upon which anyone from AFG approached Mr. Gottstein was to obtain financial contributions directly for AFG activities. In examining each of the five "factual issues" contained in the General Counsel's Brief (p. 8), each issue or question must be, in the light of the evidence, answered in the negative.

The record is devoid of any significant facts tending to show illegal coordination between AFG and FOA, either through Mr. Gottstein or anyone else. Given the absence of facts to support the OFG's proposed recommendation, the Commission ought to consider the chilling precedential impact of adopting the General Counsel's proposed finding.

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AFG respectfully requests that the Office of General Counsel reconsider this proposed recommendation and that the Commission find that there is no probable cause to believe that AFG violated 2 USC §441(a)(f).

RESPECTFULLY SUBMITTED this 23 day of July, 1982, at Anchorage, Alaska.


Charles A. Dunnagan, Esquire
Jermain, Dunnagan & Owens
801 West Fireweed Lane, Suite 201
Anchorage, Alaska 99503
(907) 276-6532

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BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of)
) MUR 1272
ALASKANS FOR GRUENING)

ALASKANS FOR GRUENING BRIEF

SUMMARY

Alaskans for Gruening (AFG) concurs with the proposed recommendation of the Office of General Counsel (OGC) that the Commission find no probable cause to believe that AFG violated 2 USC §441(b)(a).

AFG vehemently contests the proposed OGC recommendation that the Commission find probable cause to believe that AFG violated 2 USC §441(a)(f). This proposed recommendation is not supported by the weight of the evidence. In fact, this proposed finding flies in the face of the description of the evidence as set out in the General Counsel's Brief. Even taking the OGC's view of the evidence, the Commission cannot find probable cause that AFG violated 2 USC §441(a)(f).

ARGUMENT

AFG does not have copies of any of the depositions, and therefore will base its discussion of the evidence upon the description of the evidence given by the Office of General Counsel.

33040404159

The OGC proposes a radical interpretation of what constitutes illegal coordination. The key statutory section against which alleged illegal coordination must be measured is 2 USC §441(a)(4), which provides in pertinent part as follows:

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Where in the OGC description of the evidence can one find any act or acts on the part of AFG, AFG officers or employees of the candidate which either singly, or as a whole, constitute illegal cooperations, consent, or consultation on the part of AFG? There is absolutely no evidence that AFG or any officer or employee of AFG ever requested or suggested, cooperated with or consented to any expenditures or activities on the part of FOA.

The fact that Mr. Gottstein contributed to AFG is not evidence of illegal cooperation. Gottstein was neither an officer or agent of AFG. The OGC cited the fact that before

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participating in the organization of FOA, Gottstein attended a meeting at Mystrom advertising. The meeting took place before the formation of FOA. There is absolutely no evidence that FOA or anything like it was ever discussed.

The evidence establishes that there was a bitter dispute between Senator Gravel and Mr. Gottstein. There was also a feud going on at the same time between Senator Stevens and Senator Gravel. It is of interest to note that the Commission uncovered the fact that Senator Steven's office, through a top aide to Senator Stevens, was involved in the formation of FOA. On the other hand, the Commission found nothing to tie AFG, its officers or employees with the formation or activities of FOA. Nonetheless, the OGC is convinced that some elusive and diabolical plot was afoot.

The standard that the OGC is suggesting is that once a major contributor has been involved with a candidate then that candidate is held accountable for any additional activities by that individual or his committees. With this kind of logic at the OGC, we are lucky that Mr. Gottstein was not in Dallas when Kennedy was shot.

The record, as described by the OGC, shows negligible contact between AFG and Mr. Gottstein during the probable time period between the planning or making of FOA expenditures and the primary election on August 27, 1980. Any contributions or

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contacts by Mr. Gottstein with AFG after the primary election (after Senator Gravel's defeat) are irrelevant.

The two minimal contacts, one by Mr. Hale and one by Mr. Gruening, between the time of the formation of FOA and the primary election, hardly established any element of cooperation with the expenditures or activities of FOA.

Like the Mystrom meeting, there is no evidence that during these two contacts that there was any exchange of information as to the respective activities of AFG and FOA with a view toward having FOA make expenditures.

As the OFG Brief points out, Mr. Gottstein never made any expenditures on behalf of AFG, nor was he ever an officer or employee of AFG. The only basis upon which anyone from AFG approached Mr. Gottstein was to obtain financial contributions directly for AFG activities. In examining each of the five "factual issues" contained in the General Counsel's Brief (p. 8), each issue or question must be, in the light of the evidence, answered in the negative.

The record is devoid of any significant facts tending to show illegal coordination between AFG and FOA, either through Mr. Gottstein or anyone else. Given the absence of facts to support the OFG's proposed recommendation, the Commission ought to consider the chilling precedential impact of adopting the General Counsel's proposed finding.

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AFG respectfully requests that the Office of General Counsel reconsider this proposed recommendation and that the Commission find that there is no probable cause to believe that AFG violated 2 USC §441(a)(f).

RESPECTFULLY SUBMITTED this 23 day of July, 1982, at Anchorage, Alaska.


Charles A. Dunnagan, Esquire
Jermain, Dunnagan & Owens
801 West Fireweed Lane, Suite 201
Anchorage, Alaska 99503
(907) 276-6532

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JERMAIN, DUNNAGAN & OWENS
ATTORNEYS AT LAW
801 W. Fireweed eSuite # 201
Anchorage, Alaska 99503

Federal Election Commission
Attention: Office of General Counsel
Washington, D.C. 20463

BAKER & HOSTETLER

ATTORNEYS AT LAW

616 CONNECTICUT AVE., N. W.

WASHINGTON, D. C. 20006

(202) 661-1500

TELECOPIER (202) 667-0060

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GENERAL COUNSEL

2 JUL 21 P 5: 28

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TWX 610 481 8375

IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 228-1541

IN DENVER, COLORADO
900 CAPITOL LIFE CENTER
DENVER, COLORADO 80203
(303) 661-0600

IN ORLANDO, FLORIDA
850 CNA TOWER
ORLANDO, FLORIDA 32802
(305) 841-1111

July 21, 1982

WRITER'S DIRECT DIAL NO.:

(202) 661-1572

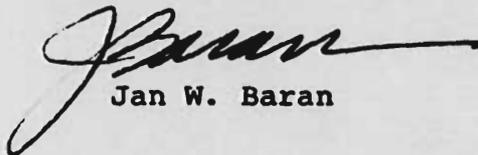
Charles N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D.C. 20463

Re: Matter Under Review 1272

Dear Mr. Steele:

Enclosed please find three (3) copies of
the Brief of Friends of Alaska in the above-captioned
matter filed with you pursuant to 11 C.F.R. §111.16(c).

Sincerely,



Jan W. Baran

JWB:gh
Encl.

8304010417

6cc# 8145

BAKER & HOSTETLER

ATTORNEYS AT LAW

618 CONNECTICUT AVE., N. W.

WASHINGTON, D. C. 20006

(802) 861-1500

TELECOPIER (802) 867-0010

GENERAL COUNSEL

82 JUL 21 P 5: 29

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TWX 810 421 8375

IN COLUMBUS, OHIO
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COLUMBUS, OHIO 43215
(614) 228-1541

IN DENVER, COLORADO
500 CAPITOL LIFE CENTER
DENVER, COLORADO 80203
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IN ORLANDO, FLORIDA
850 CNA TOWER
ORLANDO, FLORIDA 32802
(305) 841-1111

July 21, 1982

WRITER'S DIRECT DIAL NO.:

(202) 861- 1572

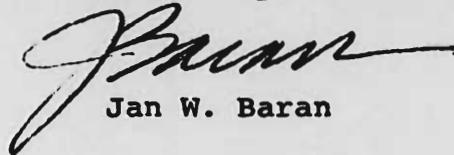
Commission Secretary
Federal Election Commission
1325 K Street, N. W.
Washington, D.C. 20463

Re: Matter Under Review 1272

Dear Madam Secretary:

Transmitted herewith are ten (10) copies of the Brief of Friends of Alaska in the above-captioned matter filed with you pursuant to 11 C.F.R. § 111.16(c).

Sincerely,



Jan W. Baran

JWB:gh
Encls.

cc: Charles N. Steele, Esquire

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The Office of General Counsel has made available to FOA various documents, including deposition transcripts, which are the basis for the legal staff's factual allegations.^{1/} These documents contain over six hundred pages of testimony. The evidence in these documents confirms that FOA's activities were independent of the Gruening campaign, and any other candidate's campaign.

In addition, FOA submits the affidavits of two individuals who were not questioned by FEC staff, Steven W. Silver and Joseph M. Rothstein. See Appendices II and III, respectively. The affidavits of Messrs. Silver and Rothstein further corroborate the testimony of various witnesses with respect to the 1980 activities of FOA.

II. STATEMENT OF FACTS

A. Organization of FOA

Friends of Alaska was formed and registered as a political committee with the Secretary of the Senate on July 30, 1980 (FOA Statement of Organization, FEC Form 1). The organizers were Barnard J. Gottstein; Thomas E. Kelly, Chairman; Dick Green, Treasurer; Norma Thompson, bookkeeper;

^{1/} FOA's Request for Documents and the General Counsel's response are attached as Appendix I.

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and Carolyn "Kelly" Gay (Deposition of Barnard J. Gottstein at 86-89, hereafter cited as "Gottstein Dep."). These individuals participated in FOA for the purpose of communicating to Alaskan citizens the public record of incumbent Senator Mike Gravel (Deposition of Thomas E. Kelly at 19, hereafter cited as "Kelly Dep.;" Deposition of Carolyn "Kelly" Gay at 17, hereafter cited as "Gay Dep.;" Deposition of Richard B. Green at 26, hereafter cited as "Green Dep.;" Deposition of Norma S. Thompson at 26, 34, hereafter cited as "Thompson Dep.;" Gottstein Dep. at 129-31). FOA raised contributions to produce radio and newspaper advertisements that criticized Senator Gravel's record as a legislator (Gottstein Dep. at 110-113).

Gottstein, a wholesale grocery businessman, is a former Democratic National Committeeman from Alaska and was a political supporter of Senator Gravel before they had "a big falling out" (Gottstein Dep. at 6, 46; Kelly Dep. at 21). In May of 1978, Senator Gravel made a personal public attack against Gottstein and made public comments that were construed by Gottstein and members of the Jewish community as anti-Semitic (Gottstein Dep. at 36, 130-32). Since May 1978 Gottstein has been publicly critical of Gravel's performance as a Senator (Kelly Dep. at 21-22).

During the period of 1979 to 1980, Gottstein originally supported the candidacy of Pat Rodey for the Demo-

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cratic nomination for Senator (Gottstein Dep. at 23, 32, 34, 45, 130). When Rodey declined to enter the race in the spring of 1980, Gottstein undertook volunteer activities on behalf of Clark Gruening, as explained in greater detail below (Gottstein Dep. at 34). If Senator Gravel had won the 1980 Democratic nomination, Gottstein would have supported the Republican nominee, Frank Murkowski (Gottstein Dep. at 131). For this reason, Gottstein did not run for reelection as Democratic National Committeeman (Id.).

Tom Kelly is a former Republican state officeholder (Gay Dep. at 21). In 1980 he was a supporter of Republican candidate Frank Murkowski and advised Murkowski on energy issues (Kelly Dep. at 4). He was a critic of Senator Gravel's record as a legislator (Kelly Dep. at 17-18). At no time did Kelly wish to benefit the candidacy of Clark Gruening (Kelly Dep. at 20-21). Kelly became chairman of FOA to demonstrate that criticism of Senator Gravel was bipartisan (Kelly Dep. at 17-18).

Dick Green was a maintenance superintendent for the Alyeska Pipeline Service Co. (Green Dep. at 2). Prior to becoming Treasurer of FOA his experience in election campaigns was limited to occasional contributions (Green Dep. at 17). He was recruited for FOA by his sister, Carolyn "Kelly" Gay (Green Dep. at 3-4). Green opposed Senator Gravel's legislative record on the Alaska lands issue

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(Green Dep. at 26). Green signed all checks for FOA and signed the Committee's FEC reports (Green Dep. at 9).

Norma Thompson is a bookkeeper (Thompson Dep. at 2). Prior to joining FOA she volunteered a couple of evenings a week during June or early July 1980 to conduct telephone canvassing for the Gruening campaign (Thompson Dep. at 4). She ceased all volunteer activities for Gruening in order to join FOA (Thompson Dep. at 17-19, 58). She joined FOA on the basis that it was critical of Senator Gravel (Thompson Dep. at 34). She prepared FOA's reports. (Thompson Dep. at 49).

Carolyn "Kelly" Gay was recruited to join FOA by Gottstein (Gay Dep. at 14). Gay believed that Gravel's performance as Senator was "abominable" (Gay Dep. at 35). She believed "that it was important that people be reminded of how Senator Gravel had voted, how he had conducted himself in office, and his overall performance" (Gay Dep. at 47). She made an unsolicited contribution to the Gruening campaign (Gay Dep. at 48), but had no other association with his campaign prior to the primary election of August 26, 1980 (Gay Dep. at 44). Her main previous political experience was helping to organize a "chicken dinner" for a mayoral race in a volunteer capacity (Gay Dep. at 4).

The activities of FOA were discussed and planned during dinners at Gottstein's house (Thompson Dep. at 49-51).

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Those normally in attendance were Gottstein, Gay and Thompson, and Green when he was in town (Thompson Dep. at 51; Gottstein Dep. at 91). Kelly, who was in Roche Harbor, Washington between mid-July and mid-August (Kelly Dep. at 24), was consulted by telephone on the advertisements (Kelly Dep. at 27-28). FOA raised and spent \$21,050.39 (FEC Termination Report of FOA, Nov. 3, 1980).

B. Chronology of FOA Activities

Friends of Alaska was organized no earlier than July 1980. Gottstein, Gay, Green and Thompson commenced efforts towards an independent committee in late July (Gottstein Dep. at 63, 85; Gay Dep. at 14; Green Dep. at 4; Thompson Dep. at 15-16, 33). Tom Kelly has stated that his first discussion with Gottstein concerning FOA was in late July or early August (Kelly Dep. at 24). Kelly believes that he discussed this effort as early as June with Steve Silver (Kelly Dep. at 16-17). Silver, however, asserts that the discussion with Kelly on the formation of FOA did not occur before August 3 (Affidavit of Steven W. Silver ¶ 7, hereafter cited as "Silver Aff."). Both Judy Parsons and Steve Oien, employees of Alaska Advertisers the firm that placed FOA's ads, testify that their first dealings with FOA occurred in July or perhaps August (Deposition of Judith L.

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Parsons at 16, hereafter cited as "Parsons Dep.;" Deposition of Steve Oien at 23, hereafter cited as "Oien Dep.").

Gottstein initiated the formation of FOA shortly after attending a meeting at Mystrom Advertising Agency in late July (Gottstein Dep. at 63, 85). He called Joseph Rothstein shortly after the meeting (Gottstein Dep. at 85). Rothstein received such a call from Gottstein in "late July, 1980" (Affidavit of Joseph M. Rothstein at ¶ 3, hereafter cited as "Rothstein Aff.").

C. Friends of Alaska Advertising

The radio spots and newspaper cartoons sponsored by FOA criticized Gravel's public positions regarding his proposal to build a domed city on Mount McKinley, his stand on legislation affecting Alaska's public lands, his absenteeism in the Senate and other conduct during his tenure as Senator (Gottstein Dep. at 110-113). The spots and cartoons were produced by Justin Ward Advertising, a Michigan firm (Gottstein Dep. at 111). Justin Ward Advertising had no association with Alaskans for Gruening ("AFG"), Clark Gruening's principal campaign committee (Deposition of John Hale at 71, hereafter cited as "Hale Dep.;" Gottstein Dep. at 105-106).

FOA's advertising was placed by another firm, Alaska Advertisers (Parsons Dep. at 15; Oien Dep. at 26-27).

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Gottstein retained the firm on behalf of FOA (Oien Dep. at 8; Gottstein Dep. at 107). Parsons was the media buyer who placed the ads on the basis of population statewide (Parsons Dep. at 16, 31, 32). Gottstein never suggested locales for the placement of FOA ads and did not reject or modify Parsons's choices for placement (Parsons Dep. at 32).

In the fall of 1979, Alaska Advertisers through Parsons placed a television ad for AFG at the instructions of AFG (Parsons Dep. at 3; Oien Dep. at 22). Gottstein was not consulted by Parsons regarding the AFG placements (Parsons Dep. at 7). Gottstein never discussed with anyone working for Alaska Advertisers the providing of services to AFG (Gottstein Dep. at 48; Oien Dep. at 15, 18; Parsons Dep. at 7).

FOA's advertising was perceived as harmful to the candidacies of Clark Gruening and Frank Murkowski. Gruening was told by his supporters that the FOA ads were hurting his campaign (Deposition of Clark Gruening at 44, hereafter cited as "Gruening Dep.") and were creating a "sympathy vote" for Gravel (Id. at 46). AFG refused to run "negative ads" because they were deemed "counter-productive" (Hale Dep. at 39, 70). If John Hale, Gruening's campaign manager, had known about the FOA ads before they were run, he would have asked FOA "not to do it" because it "didn't do us, I don't think, any good" (Hale Dep. at 48). Gruening did

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request FOA to stop for the same reason (Gruening Dep. at 44-45; Gottstein Dep. at 114-115). FOA refused to stop running the ads (Id.).

Officials of the Murkowski campaign expressed their concern to Tom Kelly that FOA's activities would hurt their campaign (Kelly Dep. at 45). The Murkowski officials, including the campaign manager, believed that Gravel was the weaker potential opponent in the general election (Kelly Dep. at 43-45). They wanted to campaign against Gravel in the general election and not against Gruening (Id.).

D. Contacts Between FOA and AFG

As just noted, Alaska Advertisers placed an ad for AFG in the Fall of 1979 and placed ads for FOA in August of 1980. Neither Parsons nor Oien know of any coordination between FOA and AFG (Oien Dep. at 47; Parsons Dep. at 12, 13, 27). Parsons, who placed the media, did so without being aware of the political plans or strategies of either FOA or AFG (Parsons Dep. at 7, 16-18).

Norma Thompson, as previously noted, performed volunteer services for AFG with respect to telephone canvassing. She ceased her volunteer activities in order to enter FOA (Thompson Dep. at 16). She had no contact with AFG after joining FOA (Thompson Dep. at 58). While volunteering

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for AFG she was not privy to any of AFG's campaign plans (Thompson Dep. at 7).

Barnard Gottstein undertook volunteer fundraising efforts for AFG from approximately May through part of July (Gottstein Dep. at 34 and 40). He had previously declined Gruening's request to be AFG's finance chairman (Gottstein Dep. at 29). His efforts consisted solely of calling fewer than 100 acquaintances (Gottstein Dep. at 38; Hale Dep. at 41-42). Gottstein did not host or assist in any fundraising event for AFG (Hale Dep. at 12; Gottstein Dep. at 47; Gay Dep. at 6; Gruening Dep. at 14). Gottstein did not report to AFG on what he was doing (Gottstein Dep. at 41, 47) nor did AFG provide him with any suggestions or instructions on how to raise funds (Hale Dep. at 14; Gottstein Dep. at 128-129). He made no public speeches for Gruening (Id.), held no position in AFG (Hale Dep. at 15; Gruening Dep. at 15), did not recruit AFG volunteers (Gottstein Dep. at 47), was never in their headquarters (Gottstein Dep. at 131), and never discussed strategy with anyone working on the Gruening campaign (Gottstein Dep. at 43, 57; Hale Dep. at 17, 34; Gruening Dep. at 37-38). As John Hale states, Gottstein "was not involved [with AFG] in any way other than asking his friends to contribute" (Hale Dep. at 15).

Gottstein made a contribution to AFG in 1979 and one during the general election period (Gottstein Dep. at 45-46, 125). He does not recall rendering any fundraising

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assistance to AFG after July 1980 (Gottstein Dep. at 40, 125). He may have made one or two phone calls, but does not know whether he did so, during the general election (Id.). Most of the money that was contributed to AFG in response to Gottstein's volunteer efforts was sent directly to AFG by the contributors (Gruening Dep. at 14). Checks sent to Gottstein were transmitted to AFG by his secretary (Gottstein Dep. at 41). Gottstein does not recall how many checks were sent to him (Id.).

Gottstein attended one meeting with AFG personnel at Hale's invitation (Hale Dep. at 40, 41; Gruening Dep. at 18, 19; Gottstein Dep. at 63). The meeting was at Mystrom Advertising and its purpose was to view a proposed television advertisement prepared by AFG's media producer, Larry Holstrom (Hale Dep. at 36). Hale had invited Gottstein in order to impress him (Hale Dep. at 40-41), and it was hoped that Gottstein would help raise funds to finance the campaign's media (Gruening Dep. at 27-28; Gottstein Dep. at 70).

AFG's plans to impress Gottstein backfired. Gottstein expressed his dissatisfaction with the proposed film because it failed to fully address Gravel's record as Senator (Hale Dep. at 37, 40; Gottstein Dep. at 57-58). The ad did not mention Gravel's record (Gruening Dep. at 32-33). Gottstein was not shown any AFG television ads, brochures, or

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solicitation materials other than the film viewed at Mystrom Advertising (Gottstein Dep. at 69). It is unclear whether the film viewed at Mystrom's was ever used, although portions may have been used to create 30 seconds spots (Hale Dep. at 39-41). There is no evidence of any similarity in content between AFG advertising and FOA ads. The subjects of the FOA spots, such as the domed-city, Gravel's Aspen house and his voting absenteeism, were not discussed at the Mystrom meeting and were not in the film (Gruening Dep. at 32, 35-37, 39).

The meeting at Mystrom's Advertising was the last contact that Gottstein had with AFG until the FOA ads began to appear (Gottstein Dep. at 72). From that date, Gottstein ceased his volunteer solicitations on behalf of AFG and does not recall receiving thereafter any contributions for AFG (Id.). After the FOA ads started to run he received a call from Clark Gruening who complained that the FOA ads were politically harmful to his campaign and asked FOA to stop (Gruening Dep. at 44-45; Gottstein Dep. at 114-115). Gottstein and FOA refused Gruening's plea (Id.).

The only other possible contact between FOA and AFG was a purported visit by John Hale to Gottstein in August (Hale Dep. at 53). Gottstein has no recollection of the visit (Gottstein Dep. at 119). Hale states that he

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delivered at his own initiative to Gottstein at home a copy of the Wall Street Journal containing an article about Gravel (Hale Dep. at 54). There was no discussion of the campaign or of strategy and no exchange of information (Hale Dep. at 59, 61). Gottstein subscribes to the Wall Street Journal and receives his own copy daily at the office (Gottstein Dep. at 119). It was a very short meeting (Hale Dep. at 63). There is no evidence that FOA ever used the newspaper article in any of its ads (Gottstein Dep. at 121-22).

III. DISCUSSION

A. Legal Standards

FOA is accused of violating section 441a(a)(1)(A) by exceeding the Act's limitation on contributions. An expenditure by FOA counts towards a contribution limitation only if it is made "in cooperation, consultation, or concert, with, or at the request or suggestion of, a candidate, his authorized political committees, or their agents." 2 U.S.C. § 441a(a)(7)(B)(i). ^{2/} The Commission has defined this statutory phrase to mean "[a]ny arrangement, coordination or direction by the candidate or his or her agent prior to the publication, distribution, display, or broadcast of

^{2/} Uncoordinated expenditures are not subject to any limitations, and may not be limited. *Buckley v. Valeo*, 424 U.S. 1, 58-59 (1976).

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the communication." 11 C.F.R. § 109.1(b)(4)(i). Coordination will be presumed if the expenditure is based on information regarding campaign plans provided by the candidate, or if the expenditure is made by or through a person authorized to raise or spend the candidate's funds or who was compensated by the campaign. Id. § 109.1(b)(4)(i)(A) and (B).

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The General Counsel's Brief contains a lengthy passage regarding Federal Rule of Evidence 301 and the evidentiary significance of the Commission's presumption. G.C. Brief at 8. The effect of a presumption is that if basic fact "A" is established by evidence, then fact "B" may be presumed.^{3/} In the instant case, if it were established that Mr. Gottstein had been authorized to raise funds for AFG (basic fact), then "coordination" (presumed fact) may be presumed by a jury, but only if contradictory evidence is not offered. Once contradictory evidence is offered, "coordination" may not be presumed.^{4/}

The General Counsel's Brief argues that the legislative history of Rule 301 states that a jury may infer the

^{3/} 21 Wright and Graham, Federal Practice and Procedure: Evidence § 5122 (1977).

^{4/} The staff concedes that no presumptions in this matter can be sustained because of contradicting evidence. G.C. Brief at 17 ("no presumptions of coordination may be made").

presumed fact (coordination) from the basic fact (Gottstein was an authorized fundraiser) even after the presumption has been rebutted by contradicting evidence. This argument implies that the basic fact overshadows all conflicting evidence regarding the absence of coordination.^{5/} The staff is asking the FEC to find that there is coordination, when all that might be proved is that Barnard Gottstein at one time raised funds for AFG. What must be proved is coordination. In attempting to prove coordination, the Commission must satisfy its burden of proof.

^{5/} The General Counsel's Brief at 8, n. 3, cites Legille v. Dann, 544 F.2d 1 (D.C. Cir. 1976). The Legille case, which pertains to a patent claim, does not suggest that inferences can be drawn from rebutted presumptions. To the contrary, the court in Legille noted that rebutted "presumptions . . . may be looked on as the bats of the law, flitting in the twilight, but disappearing in the sunshine of actual facts." 544 F.2d at 6, quoting Mackowik v. Kansas City, St. J. & C.B.R.R., 196 Mo. 550, 94 S.W. 256, 262 (1906). The court further noted that this approach to presumptions, known as the "bursting bubble" theory,

is the prevailing view, to which jurists preponderantly have subscribed; it is the view of the Supreme Court, and of this court as well. It is also the approach taken by the Model Code of Evidence, and, very importantly, by the newly-adopted Federal Rules of Evidence.

Id. at 6-7 (footnotes omitted).

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If this case were before a civil jury, the Commission would have the burden of proving coordination by at least the preponderance of all the evidence.^{6/} The FEC's burden of proof may in fact be higher. In light of the constitutional rights inherent in FOA's political expression, the Commission may have to prove coordination by presenting clear and convincing evidence.^{7/} Under either standard, at

6/ The burden of proof in a civil case ordinarily is one of the preponderance of the evidence. *New York Life Ins. Co. v. Gamer*, 303 U.S. 161, 171 (1938); McCormick, Evidence § 339 (2d ed. 1972).

7/ Like plaintiffs in civil libel cases, the Commission may have to meet a burden of coming forth with clear and convincing evidence that a defendant has committed a violation. See e.g., *New York Times Co. v. Sullivan*, 376 U.S. 254, 285-86 (1964); *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 342 (1974). The first amendment values inherent in independent political expression have been recognized by the Supreme Court. *Buckley v. Valeo*, 424 U.S. 1, 58-59 (1976). The presence of such a substantial constitutional right not only creates a possibly more stringent burden of proof, it casts into doubt the constitutionality of the Commission's use of presumptions to meet this burden. 21 Wright and Graham, Federal Practice and Procedure: Evidence § 5129 at 637, citing New York Times which disapproved a presumption of malice in libel actions by public figures against the press, 376 U.S. 254, 283-284 (1964). "The power to create presumptions is not a means of escape from constitutional restrictions." *Bailey v. Alabama*, 219 U.S. 219, 239 (1911).

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all times the Commission must still meet its burden of proof.^{8/}

Reliance on Rule 301 is further misplaced because the Commission is not a factfinder like a jury. The invocation of Rule 301 implies that a respondent, such as FOA, has had the opportunity to present evidence before a factfinder, when it has not. FOA has presented no witnesses nor has it had an opportunity to cross-examine the witnesses deposed by the Commission staff. The FEC, rather than being present for all evidentiary testimony like a jury would be, has not heard all the evidence. These are serious limitations on the quality of the FEC's decision-making. The FEC is being asked by its staff to utilize legal tools such as presumptions and the Federal Rules of Evidence when the procedure at the Commission is non-adjudicatory.

^{8/} An unrebutted presumption does not mean that a jury must find coordination; an unrebutted presumption would only entitle the FEC to have the judge instruct the jury that it may either accept or ignore the presumption of coordination. 21 Wright and Graham, Federal Practice and Procedure: Evidence, § 5122 at 571 (1977).

A rebutted presumption does not even entitle the FEC to a jury instruction; that is left entirely to the discretion of the judge. Id. at 572. Should the judge decide to instruct the jury that it may "infer" coordination, he "should give an instruction which tells the jury that the inference can be rebutted by contrary evidence and reminds them that the burden of proof is unchanged by the existence of the inference." Id. ¶ 5127 at 620 (emphasis added).

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The staff does not consistently urge the Commission to draw "inferences." In MUR 1333, In the Matter of Stewart R. Mott, the General Counsel's Report of May 28, 1982 details how Mott attended a fundraiser for John Anderson in January 1980; contributed \$1,000 to his campaign; hosted two fundraising events at his New York and Washington residences in February; gave a speech at one of those events; conversed with campaign staff about the campaign's financial needs; and then on March 1 retained the services of two media experts to produce and place television ads in that same month independently of the Anderson campaign. Subsequent to his making these independent expenditures, Mott commenced efforts to place Anderson on state ballots; wrote memoranda to the candidate offering campaign advice; and on August 1 accepted a post as a member of the Anderson national finance committee and raised general election funds. The Anderson campaign also retained the services of Mott Enterprises, Inc., Mott's wholly owned direct mail firm.

In MUR 1333 the FEC was not asked to "infer" coordination from these facts. There was no recommendation to find probable cause. The Commission unanimously voted to take no further action. Rather than calling for an inference, the staff correctly noted that the "evidence must be weighed against the other evidence available without mak-

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ing the presumption that coordination occurred." General Counsel's Report at 14. In MUR 1333, the evidence was "very evenly balanced." Id. There is no valid reason why coordination should be "inferred" from the alleged fact that Gottstein was a Gruening fundraiser, when coordination is not inferred from the admitted fact that Mott was an authorized Anderson fundraiser in both the primary and general elections. If anything, the facts in MUR 1333 reflect that Mott was measurably more active in the Anderson campaign than was Gottstein in the Gruening campaign.

In order to ascertain probable cause in this case, the Commission will have to review all the evidence bearing in mind that it has a burden of proof. A fair decision cannot be arrived at by drawing an "inference" from one fact. The Commission should consider whether at the least the preponderance of the limited evidence deduced from this non-adjudicatory proceeding would convince a genuine trier of fact, such as a jury, that there was coordination between FOA and AFG. A review of the evidence in these terms reveals that the FEC could not hope to meet such a burden, let alone a burden of clear and convincing proof. The FEC should reject the staff's recommendation and find in lieu thereof no probable cause to believe that FOA violated section 441a(a)(1)(A).

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B. The Evidence Does Not Prove Coordination Between FOA and AFG

1. Gottstein Was Not Raising Funds For AFG While Forming FOA.

a. FOA was formed in July 1980. The General Counsel's Brief concedes that no presumption of coordination can be sustained in this matter. G.C. Brief at 16-17. The staff suggests that "taken as a whole, the evidence indicates that FOA's expenditures were not independent." Id. at 17. In support of this conclusion the following evidence is mentioned:

Tom Kelly's testimony indicates an involvement by Mr. Gottstein in the planning of FOA as early as June, i.e., before Mr. Gottstein ceased fundraising for AFG. The fact that a major functionary and organizer of FOA was a fundraiser for AFG while he was working with FOA clearly undercuts FOA's assertion that it was operating independently of AFG. Id.

Tom Kelly says that Steve Silver told him in June 1980 that Barney Gottstein may be involved in forming FOA (Kelly Dep. at 22 and 26).^{9/} Silver states that his con-

^{9/} Tom Kelly's testimony is hearsay. Hearsay is a statement, other than one made by the declarant while testifying at the trial or hearing, offered in evidence to

(Footnote continued)

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versation with Kelly regarding FOA occurred in August (Silver Aff. ¶¶ 5,7). Silver further states that he had a conversation with Kelly in June, but it did not pertain to FOA (Id. ¶ 8). Gottstein has sworn that his efforts for FOA did not commence until July, 1980 and that he ceased any further volunteer work for AFG at that time. (Gottstein Dep. at 40, 72). The first contact between Kelly and Gottstein occurred between July 15 and August 15. (Kelly Dep. at 24). All the other FOA principals have testified that FOA activities commenced in July. (Gay Dep. at 14; Thompson Dep. at 15-16, 33; Green Dep. at 4). Personnel at Alaska Advertisers were not contacted to place FOA ads until July (Parsons Dep. at 16; Oien Dep. at 23). Joe Rothstein the person who suggested the formation of FOA to Gottstein says that this happened in late July. (Rothstein Aff. at ¶¶ 3,5).

There is conflicting testimony as to whether the Mystrom meeting occurred in June or July. John Hale recalls

9/ Footnote continued -

prove the truth of the matter asserted. Fed. R. Evid. 801. In this case, Tom Kelly's testimony concerning a statement by Steve Silver is being offered to prove the proposition that Gottstein was involved in FOA in June. This hearsay testimony, if offered as evidence in a court of law, would be inadmissible. Fed. R. Evid. 802. The reason for excluding hearsay evidence is that it is not subject to cross-examination whereby imperfections of memory, perception and narration may be exposed. The facility with which Kelly's testimony can be contradicted underscores the unreliability of hearsay testimony.

that the meeting occurred in June. (Hale Dep. at 45-46). Gruening says that it occurred in June or July. (Gruening Dep. at 18). Gottstein places the meeting in late July on which day or the next day he called Joe Rothstein. (Gottstein Dep. at 63, 68). Rothstein states that he received this call in "late July, 1980." (Rothstein Aff. at ¶3). The testimony of Gottstein, Rothstein, Green, Gay, Thompson, Parsons, Oien, Silver and even Gruening reflect that the events leading to the formation of FOA occurred in July 1980. In contrast there is the hearsay testimony of Tom Kelly and the testimony of John Hale. The consistent evidence of the deponents demonstrates that Kelly and Hale are mistaken in their recollections of the dates of the Silver telephone call and the Mystrom meeting, respectively.

b. Gottstein Did Not Transmit Or Raise Funds For AFG After The Mystrom Meeting. The staff argues that, after starting FOA, Gottstein may have contacted AFG in order to transmit contributions. G.C. Brief at 15. This representation is based on John Hale's testimony. (Hale Dep. at 46-47). Hale, however, did not testify to a single instance in which Gottstein himself called AFG. To the contrary, Hale says that he did not speak with Gottstein from the time of the Mystrom meeting until his visit to Gottstein's home. (Hale Dep. at 53). Gottstein on the other hand has stated that his secretary arranged for the transmittal of any

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checks and that he is unaware of how they were delivered to AFG (Gottstein Dep. at 41). He does not believe that he received any contributions after the Mystrom meeting (Gottstein Dep. at 72). Gruening stated that most contributions were sent directly to the campaign, that Gottstein may have forwarded a contribution but that he could not recall a "specific instance" in which Gottstein had done so (Gruening Dep. at 14).

Gottstein was asked by FEC attorneys whether he had solicited any of 46 itemized AFG contributors who contributed in the month of August (Gottstein Dep. at 74-82). These contributions were made after Gottstein commenced his efforts for FOA. Of the 46 contributors, Gottstein acknowledged soliciting only two, and each was solicited before FOA was formed. The testimony does not reflect whether the two contributions were sent to Gottstein or to AFG. In sum, the testimony fails to establish any contact between Gottstein and AFG after the formation of FOA with respect to the transmittal of contributions by Gottstein to AFG.

The General Counsel's Brief makes a conclusive statement that "Gottstein raised funds for Gruening in the general election." G.C. Brief at 15. This is not established by the testimony. Gottstein on two separate occasions in his deposition stated that he does not recall

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raising any funds for Gruening in the general election (Gottstein Dep. at 40, 125). He ceased fundraising after attending the Mystrom meeting (Gottstein Dep. at 72). No witness has been able to identify a single contribution solicited by Gottstein after the Mystrom meeting. Hale says Gottstein raised funds in the general election but did not identify any such contribution (Hale Dep. at 66). Gruening, who "thinks" Gottstein raised funds during this period, could recall only one such contribution -- Gottstein's (Gruening Dep. at 53).

2. Gottstein's Association with AFG was Limited.

It is not disputed that Gottstein on his own raised funds for AFG prior to forming FOA mostly by calling his friends^{10/} (Hale Dep. at 15; Gottstein Dep. at 39). However, Gottstein at no time was privy to any AFG campaign strategy (Gottstein Dep. at 43, 57; Hale Dep. at 17, 34; Gruening Dep. at 37-38). Gottstein did not host or assist in any fundraising event for AFG (Hale Dep. at 12; Gottstein Dep. at 47; Gay Dep. at 6; Gruening Dep. at 14). Gottstein did not report to AFG on what he was doing or on the results of his efforts (Gottstein Dep. at 41, 47). AFG did not provide him with any lists, suggestions or instructions on how

^{10/} It is not conceded, however, that Gottstein's actions made him an "authorized" fundraiser for AFG.

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to raise funds (Hale Dep. at 14; Gottstein Dep. at 128-129). Gottstein held no position in AFG (Hale Dep. at 15), never visited their headquarters (Gottstein Dep. at 131) and "was not involved in any way other than asking his friends to contribute" (Hale Dep. at 15). Gottstein's association with AFG did not result in any coordination with respect to FOA activities.

The FEC recently by unanimous action closed a case wherein a candidate's former fundraiser made independent expenditures for that candidate. See MUR 1333. Unlike Gottstein, the fundraiser in MUR 1333, Mr. Stewart Mott, actually sponsored fundraising events on behalf of John Anderson, the candidate for whom Mr. Mott subsequently expended almost \$100,000. Furthermore, Mott was the owner and president of a direct mail firm that was retained by the Anderson campaign. Despite the striking factual similarities between MUR 1333 and this investigation the staff in MUR 1333 did not recommend probable cause. The Commission, accordingly, should reject the staff's inconsistent recommendation in this matter.

3. Neither the Content Nor Placement of FOA Ads Reflects Coordination.

The FOA activities themselves do not manifest any coordination with AFG. The content of the FOA ads were not derived from any AFG ads (Gruening Dep. at 32, 35-37, 39).

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Nor do FOA ads reflect that any knowledge of AFG campaign plans was a necessary predicate to their production. The ads dealt with Gravel's legislative record, a matter of public knowledge (Gottstein Dep. at 98-A, 110-113). The placement of FOA ads was undertaken by Judy Parsons on the basis of population without any knowledge of political plans or strategies (Parsons Dep. at 7, 16-18).^{12/}

4. Friends of Alaska was not formed to Benefit Clark Gruening.

FOA was formed to articulate criticism of an incumbent legislator and not to advance the candidacy of Clark Gruening. Gottstein had been the target of a personal attack by Gravel whom Gottstein believed was anti-Semitic (Gottstein Dep. at 36, 130-132). Dick Green opposed Gravel's stance on the Alaska lands issue (Green Dep. at 26). Norma Thompson was critical of his performance as a legislator (Gottstein Dep. at 92). Carolyn "Kelly" Gay characterized Gravel's legislative record as "abominable" (Gay Dep. at 35). She joined FOA in order to inform Alaskans on

^{12/} The General Counsel's Brief contends that Gottstein was personally involved in placing ads for FOA. G.C. Brief at 3, n. 1 and accompanying text. Although Gottstein retained Alaska Advertisers on behalf of FOA, it is undisputed that all FOA ads were personally placed by Judy Parsons and that she, not Gottstein, selected all the stations on which the ads were placed (Parsons Dep. at 7, 16-18; Gottstein Dep. at 108).

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"how Senator Gravel had voted, how he had conducted himself in office, and his overall performance" (Gay Dep. at 47).

The people that comprised FOA were unambiguously "anti-Gravel," but not necessarily "pro-Gruening." Tom Kelly was an adviser to another candidate (Kelly Dep. at 4). Gay was strongly opposed to Gravel, but "had no opinion on Gruening's campaign" (Gay Dep. at 47). Green does not even know Gruening (Green Dep. at 20) and did not support his candidacy (Green Dep. at 17-18).

5. FOA Activities Were Perceived As Harmful To Gruening and Murkowski.

Clark Gruening, the purported beneficiary of FOA's ads, was convinced that FOA's activities were hurting his campaign and asked Gottstein and FOA to stop. (Gruening Dep. at 44-45; Gottstein Dep. at 114-115). Frank Murkowski, the Republican candidate for whom Kelly had provided advice on energy issues, believed that FOA's ads would adversely affect his campaign. (Kelly Dep. at 43-46). The evidence demonstrates that Gruening was opposed to FOA's activities and expressed his dissatisfaction to FOA (Gruening Dep. at 44-45). The staff nonetheless suggests to the Commission that it should "infer" that Gruening's campaign and FOA were in some undescribed fashion collaborating to produce ads

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that Gruening and his campaign manager believed were counter-productive and harmful to their campaign (Gruening Dep. at 44-46; Hale at 39, 70).

IV. CONCLUSION

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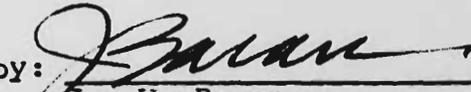
Contrary to the representation made in the General Counsel's Brief, the evidence in this case "taken as a whole" does not support a recommendation to find probable cause that FOA coordinated its activities with AFG and violated section 441a(a)(1)(A). This two year old investigation has failed utterly to produce any direct evidence of collaboration between AFG and FOA. All evidence that might suggest coordination has been credibly explained and/or substantially contradicted by various witnesses. Neither the preponderance of the evidence nor clear and convincing evidence proves coordination. FOA acted independently of Gruening and even against Gruening's own perceived best interest.

For the reasons stated above, the Commission should reject the recommendation contained in the General

Counsel's Brief and in lieu thereof find no probable cause to believe that FOA violated 2 U.S.C. § 441a(a)(1)(A).^{13/}

Respectfully submitted,

BAKER & HOSTETLER

by: 
Jan W. Baran
William H. Schweitzer

July 21, 1982

13/ FOA urges the Commission to find no probable cause, rather than take no further action as it did in MUR 1333. This case has been thoroughly investigated by the staff which interrogated numerous individuals associated with both FOA and the Gruening campaign. In MUR 1333 the Commission refused to authorize questioning of Anderson or his campaign staff.

The reputations of various Alaskan political figures, including Messrs. Gottstein and Gruening, have been impugned by their political opponents who initiated this matter two years ago. This investigation has produced evidence that substantiates the independent nature of FOA's activities. The FEC should provide the persons named in this matter a finding that would vindicate their actions and recognize the propriety of their political expression. The most appropriate finding under these circumstances is one of "no probable cause to believe."

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BAKER & HOSTETLER

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June 11, 1982

WRITER'S DIRECT DIAL NO.:

(202) 861- 1572

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Re: MUR 1272 - Request for Documents
and Extension of Time to File
Respondent's Brief

Dear Mr. Steele:

This office represents Friends of Alaska ("FOA") and Barnard J. Gottstein in Matter Under Review ("MUR") 1272. On June 2, 1982, we received your letter which accompanied the General Counsel's Brief recommending to the Federal Election Commission ("FEC" or "Commission") that it find probable cause to believe that FOA violated 2 U.S.C. §441a(a) (1) (A). In order that FOA may effectively exercise the right to file its own brief pursuant to 2 U.S.C. § 437g(a) (3), FOA hereby requests that certain documents which are referred to in the General Counsel's Brief be provided by your office. Furthermore, FOA requests that the time in which it may file its brief be extended twenty (20) days.

REQUEST FOR DOCUMENTS

The Act requires that any recommendation by the General Counsel regarding probable cause be supported by a "brief stating the position of the general counsel on the legal and factual

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Charles N. Steele, Esquire
June 11, 1982
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issues of the case." 2 U.S.C. § 437g(a)(3). Likewise, a respondent, such as FOA, has a corresponding right to "submit a brief stating the position of such respondent on the legal and factual issues of the case, and replying to the brief of the general counsel." Id. The express congressional purpose of this exchange of briefs is to formalize a respondent's opportunity to demonstrate that the Commission should take no action against him and to require that "the law and facts which support the position of the general counsel" be set forth in a brief. H. Rep. No. 422, 96th Cong., 1st Sess. 21 (1979).

The General Counsel's Brief with respect to FOA in MUR 1272 contains numerous citations and references to testimony transcripts and other documents. These materials form the basis for your position on the legal and factual issues in this case. None of these documents have been provided to FOA or to Mr. Gottstein. Mr. Gottstein up to now has even been denied a transcript of his own deposition.

Our client's statutory right to file a brief on the legal and factual issues of this case and replying to the General Counsel's Brief is illusory if these documents are withheld. It is impossible for FOA to address the facts of this case as represented in the General Counsel's Brief if the documents used in support of those facts are denied to FOA. FOA and Mr. Gottstein are in the dark as to what has been said about them except for selected quotes from depositions constituting perhaps hundreds of pages of transcripts.

There can be no justification for denying FOA access to the evidence proffered by third parties in this matter once the staff investigation is concluded and a recommendation is made to the Commission. Providing to respondents the evidence relied on by the staff in its brief cannot interfere with any investigation because presumably the investigation is completed. If the Commission accepts the staff recommendation, there will be no further investigation, only conciliation negotiations.

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Charles N. Steele, Esquire
June 11, 1982
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For these reasons FOA requests that the following documents be provided to it:

1. The response from Alaskans for Gruening referred to on p. 2 of the General Counsel's Brief.
2. The document in which John Hale made the statement quoted on p. 4.
3. The transcript(s) of the deposition of John Hale cited or referred to on pp. 5, 12, 14 and 15.
4. The transcript(s) of the deposition of Clark Gruening cited or referred to on pp. 5, 9, 10, 11, 12, 14 and 15.
5. The transcript(s) of the deposition of Mr. Gottstein cited or referred to on pp. 5, 9, 10, 11, 12, 13, 14 and 15.
6. The transcript(s) of the deposition of Tom Kelly cited or referred to on pp. 5, 15, 16 and 17.
7. The transcripts of the depositions of Steve Orien, Judy Parsons, Carolyn Gay, Dick Green, and Norma Thompson referred to on p. 5.

REQUEST FOR EXTENSION OF TIME
TO FILE RESPONDENT'S BRIEF

All the principals in this matter appear to reside in the State of Alaska. The difficulty of communicating and corresponding between Washington, D.C. and Alaska suggests that FOA will not be able to file its brief within the statutory 15 day period. Accordingly, FOA requests that the time within which it may file its brief be extended twenty (20) days.

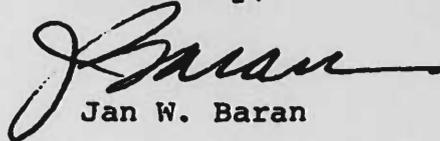
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June 11, 1982
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CONCLUSION

For the above reasons, FOA requests that your office provide the aforementioned documents and that the Commission extend the time for filing of FOA's brief twenty (20) days.

Sincerely,



Jan W. Baran

JWB:gh

cc: Scott Thomas
Jonathan Levin
Dick Green
Barnard J. Gottstein

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rec'd 7/1/82



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 30, 1982

Jan W. Baran, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

Dear Mr. Baran:

In response to your letter of June 11, 1982, requesting documents referred to in the brief sent to you in MUR 1272, the Office of General Counsel is making available the documents described in the requests numbered one through seven.

The documents described will be copied by this office and will be available for you to pick up at the Office of General Counsel at a mutually agreed upon time. The documents number 663 pages and a complete copy will be made available to you for \$33.15, i.e., five cents per page.

In light of your need to review these documents in order to respond to the briefs, this office further grants your request for an extension for filing FOA's brief. It is due on July 17, 1982.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

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AFFIDAVIT OF STEVEN W. SILVER

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STATE OF ALASKA)
FIRST JUDICIAL DISTRICT) ss.

Steven W. Silver for his affidavit deposes and says:

1. I have personal knowledge of the facts contained herein and am competent to testify thereto.

2. In 1980 I was working in Washington, D. C.

3. During late July 1980, I received a telephone call from Barnard J. Gottstein regarding the formation of a committee in Alaska to raise and expend funds for the purpose of communicating to Alaskans the public record of then Senator Mike Gravel. I was informed by Mr. Gottstein that the committee would operate independently of a candidate.

4. Mr. Gottstein requested that I recruit a prominent Alaskan Republican to participate in the committee referred to in paragraph 3. I informed Mr. Gottstein that I would attempt to recruit Thomas E. Kelly.

5. On August 3, 1980, I reached Mr. Kelly at San Juan Island, Washington by telephone. I called Mr. Kelly from a pay telephone located in a restaurant in Arlington, Virginia where my wife and I were having dinner with my friends, Mr. & Mrs. Hiram Bernstein, who retained a daily calendar of social engagements during this period. Mr. Kelly was vacationing on San Juan Island, Washington, on which Roche Harbor is located.

6. During the telephone conversation referred to in paragraph 5, I asked Mr. Kelly whether he would accept the position of chairman of the committee that was being formed by Mr. Gottstein and others. Mr. Kelly agreed to be chairman.

7. Prior to August 3, 1980, I had no conversation with Mr. Kelly regarding the formation of the independent committee referred to in paragraph 3.

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8. I recall a telephone conversation with Mr. Kelly during June of 1980 at a time he was in Los Angeles, California. This conversation pertained to an organization called the Free Alaska Lands Committee which was active solely in the public debate regarding federal legislation and Alaska's public lands.

Steven W. Silver

STEVEN W. SILVER

SUBSCRIBED and SWORN to before me this 19th day of July 1982.

Patricia J. [Signature]

Notary Public in and for Alaska
My commission expires: 9-28-83

AFFIDAVIT OF JOSEPH M. ROTHSTEIN

DISTRICT OF COLUMBIA

)
)
)

ss.

Joseph M. Rothstein for his Affidavit deposes and says:

1. I have personal knowledge of the facts contained herein and am competent to testify thereto.

2. I am Chairman of the Board and Vice-President of Rothstein-Buckley, a political consulting firm.

3. In late July, 1980, I received a telephone call from Barnard J. Gottstein of Anchorage, Alaska regarding a meeting he had attended at Mystrom Advertising of Anchorage, Alaska.

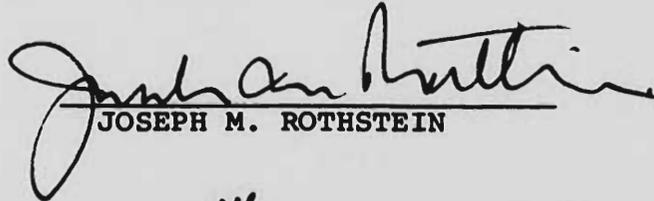
4. During the conversation referred to in paragraph 3, Mr. Gottstein told me that he had viewed a proposed film for the use of Clark Gruening's campaign at Mystrom Advertising and that he had expressed his dissatisfaction with the film because it failed to address the public legislative record of incumbent Senator Mike Gravel.

5. In the conversation referred to in paragraph 3, Mr. Gottstein expressed to me his desire to publicize Senator Gravel's record. I suggested to him that a political committee be formed by him and others who agreed with him, and thereby

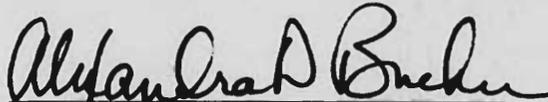
33040404212

publicize Senator Gravel's record independently of any candidate's campaign.

6. On or about August 1, 1980, I contacted Mark Fox of the Michigan advertising firm, Justin Ward Advertising. I did this on behalf of Mr. Gottstein to retain the services of that firm to produce advertising for the political committee, Friends of Alaska.


JOSEPH M. ROTHSTEIN

Subscribed and sworn before me this 14th day of July, 1982.


Notary Public

My Commission expires:

My Commission Expires December 1, 1986

33040404214

BAKER & HOSTETLER 40404215

818 CONNECTICUT AVE. N. W.
WASHINGTON, D. C. 20008

82 JUL 21 P 5:29

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D.C. 20463

207029
Cort 8099

JERMAIN, DUNNAGAN & OWENS
ATTORNEYS AT LAW
801 WEST FIREWEED LANE, SUITE 201
ANCHORAGE, ALASKA 99503

WILLIAM K. JERMAIN
CHARLES A. DUNNAGAN
BRADLEY D. OWENS
RANDALL G. SIMPSON
HOWARD S. TRICKEY
JAN HART DEYOUNG
GARY C. SLEEPER

TELEPHONE
AREA CODE 907
426-6532

JUL 12 P 4: 10

July 7, 1982

Kenneth A. Gross
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1272

Dear Mr. Gross:

This letter concerns the reply brief on behalf of Alaskans For Gruening. In my letter of June 11, 1982, which was sent to the attention of Mr. Jonathan Levin, I explained some of the time problems which we are encountering. Yesterday was my first day in the office since June 11. When I attempted to contact Clark Gruening, I was informed that he would not be returning to town until Sunday, July 18. I will be unable to file a reply without prior consultation with Mr. Gruening. For that reason, it appears that our reply brief will be approximately one week late and that it will not be filed until about Wednesday, July 21.

I apologize for this delay, but it is simply unavoidable. I have been out of town and Mr. Gruening is incommunicado in southeastern Alaska. I assure you that this delay is not the result of intentional dilatory conduct on our part. Please consider the matter as you would if you found yourself in similar difficult circumstances.

Sincerely,

JERMAIN, DUNNAGAN & OWENS



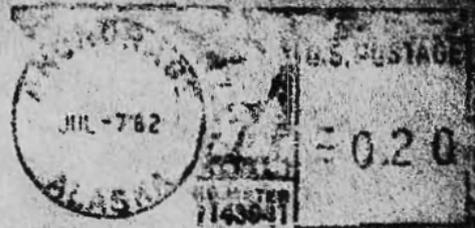
Charles A. Dunnagan

pc
cc: Clark Gruening

33040404216

8304040217
JERMAIN, DUNNAGAN & OWENS
ATTORNEYS AT LAW
801 WEST FIREWEED LANE, SUITE 201
ANCHORAGE, ALASKA 99503

Kenneth A. Gross
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 30, 1982

Jan W. Baran, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

Dear Mr. Baran:

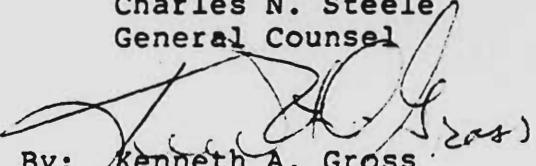
In response to your letter of June 11, 1982, requesting documents referred to in the brief sent to you in MUR 1272, the Office of General Counsel is making available the documents described in the requests numbered one through seven.

The documents described will be copied by this office and will be available for you to pick up at the Office of General Counsel at a mutually agreed upon time. The documents number 663 pages and a complete copy will be made available to you for \$33.15, i.e., five cents per page.

In light of your need to review these documents in order to respond to the briefs, this office further grants your request for an extension for filing FOA's brief. It is due on July 17, 1982.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

83040404218



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Jan W. Baran, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272 *JZ*

Dear Mr. Baran:

In response to your letter of June 11, 1982, requesting documents referred to in the brief sent to you in MUR 1272, the Office of General Counsel is making available the documents described in the requests numbered one through seven.

The documents described will be copied by this office and will be available for you to pick up at the Office of General Counsel at a mutually agreed upon time. The documents number 663 pages and a complete copy will be made available to you for \$33.15, i.e., five cents per page.

In light of your need to review these documents in order to respond to the briefs, this office further grants your request for an extension for filing FOA's brief. It is due on July 17, 1982.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

83040404219

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Friends of Alaska)

MUR 1272

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 29, 1982, the Commission approved by a vote of 6-0 the letter to Mr. Jan W. Baran as submitted with the Memorandum to the Commission dated June 25, 1982.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

6-29-82

Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

830404220

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

6-25-82, 9:30
6-25-82, 2:00

June 25, 1982

MEMORANDUM TO: Marjorie W. Emmons
FROM: Phyllis A. Kayson
SUBJECT: MUR 1272

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

Thank you.

Attachment

cc: Levin

83040404221

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

82 JUN 25 A 9: 30

June 25, 1982

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel *CNS*

SUBJECT: Letter from counsel in MUR 1272
Requesting Documents Not in His Possession

On June 11, 1982, the Office of General Counsel received a request for documents from Jan W. Baran, counsel for respondent Friends of Alaska (FOA) in MUR 1272. (See Attachment 1). Because such a request is a matter of first impression, this office has attached for Commission review a proposed response to Mr. Baran. (See Attachment 2).

The General Counsel's Brief sent to Mr. Baran quotes from or refers to a number of responses or deposition transcripts not in the possession of FOA or Mr. Baran. In light of the fact that the investigation is concluded, our response letter contemplates giving Mr. Baran copies of those documents. This office recommends the approval of the response letter.

Recommendation

Approve the attached letter to Mr. Baran

Attachments

Letter from Jan W. Baran, dated June 11, 1982
Proposed letter to Mr. Baran

83040404222

600#7938

BAKER & HOSTETLER

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TWR 810 481 8375

IN COLUMBUS, OHIO
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COLUMBUS, OHIO 43215
(614) 228-1841

IN DENVER, COLORADO
500 CAPITOL LIFE CENTER
DENVER, COLORADO 80203
(303) 661-0600

IN ORLANDO, FLORIDA
650 CNA TOWER
ORLANDO, FLORIDA 32802
(305) 841-1111

June 11, 1982

WRITER'S DIRECT DIAL NO.:

(202) 661- 1572

12 JUN 11 4:38

GENERAL COUNSEL

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Re: MUR 1272 - Request for Documents
and Extension of Time to File
Respondent's Brief

Dear Mr. Steele:

This office represents Friends of Alaska ("FOA") and Barnard J. Gottstein in Matter Under Review ("MUR") 1272. On June 2, 1982, we received your letter which accompanied the General Counsel's Brief recommending to the Federal Election Commission ("FEC" or "Commission") that it find probable cause to believe that FOA violated 2 U.S.C. §441a(a)(1)(A). In order that FOA may effectively exercise the right to file its own brief pursuant to 2 U.S.C. § 437g(a)(3), FOA hereby requests that certain documents which are referred to in the General Counsel's Brief be provided by your office. Furthermore, FOA requests that the time in which it may file its brief be extended twenty (20) days.

REQUEST FOR DOCUMENTS

The Act requires that any recommendation by the General Counsel regarding probable cause be supported by a "brief stating the position of the general counsel on the legal and factual

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Attachment 1- p. 1

Charles N. Steele, Esquire
June 11, 1982
Page Two

issues of the case." 2 U.S.C. § 437g(a)(3). Likewise, a respondent, such as FOA, has a corresponding right to "submit a brief stating the position of such respondent on the legal and factual issues of the case, and replying to the brief of the general counsel." Id. The express congressional purpose of this exchange of briefs is to formalize a respondent's opportunity to demonstrate that the Commission should take no action against him and to require that "the law and facts which support the position of the general counsel" be set forth in a brief. H. Rep. No. 422, 96th Cong., 1st Sess. 21 (1979).

The General Counsel's Brief with respect to FOA in MUR 1272 contains numerous citations and references to testimony transcripts and other documents. These materials form the basis for your position on the legal and factual issues in this case. None of these documents have been provided to FOA or to Mr. Gottstein. Mr. Gottstein up to now has even been denied a transcript of his own deposition.

Our client's statutory right to file a brief on the legal and factual issues of this case and replying to the General Counsel's Brief is illusory if these documents are withheld. It is impossible for FOA to address the facts of this case as represented in the General Counsel's Brief if the documents used in support of those facts are denied to FOA. FOA and Mr. Gottstein are in the dark as to what has been said about them except for selected quotes from depositions constituting perhaps hundreds of pages of transcripts.

There can be no justification for denying FOA access to the evidence proffered by third parties in this matter once the staff investigation is concluded and a recommendation is made to the Commission. Providing to respondents the evidence relied on by the staff in its brief cannot interfere with any investigation because presumably the investigation is completed. If the Commission accepts the staff recommendation, there will be no further investigation, only conciliation negotiations.

33040404224

Charles N. Steele, Esquire
June 11, 1982
Page Three

For these reasons FOA requests that the following documents be provided to it:

1. The response from Alaskans for Gruening referred to on p. 2 of the General Counsel's Brief.
2. The document in which John Hale made the statement quoted on p. 4.
3. The transcript(s) of the deposition of John Hale cited or referred to on pp. 5, 12, 14 and 15.
4. The transcript(s) of the deposition of Clark Gruening cited or referred to on pp. 5, 9, 10, 11, 12, 14 and 15.
5. The transcript(s) of the deposition of Mr. Gottstein cited or referred to on pp. 5, 9, 10, 11, 12, 13, 14 and 15.
6. The transcript(s) of the deposition of Tom Kelly cited or referred to on pp. 5, 15, 16 and 17.
7. The transcripts of the depositions of Steve Orien, Judy Parsons, Carolyn Gay, Dick Green, and Norma Thompson referred to on p. 5.

REQUEST FOR EXTENSION OF TIME
TO FILE RESPONDENT'S BRIEF

All the principals in this matter appear to reside in the State of Alaska. The difficulty of communicating and corresponding between Washington, D.C. and Alaska suggests that FOA will not be able to file its brief within the statutory 15 day period. Accordingly, FOA requests that the time within which it may file its brief be extended twenty (20) days.

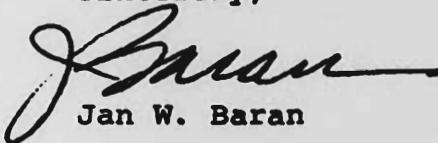
83040404225

Charles N. Steele, Esquire
June 11, 1982
Page Three

CONCLUSION

For the above reasons, FOA requests that your office provide the aforementioned documents and that the Commission extend the time for filing of FOA's brief twenty (20) days.

Sincerely,



Jan W. Baran

JWB:gh

cc: Scott Thomas
Jonathan Levin
Dick Green
Barnard J. Gottstein

83040404226

1-p.4



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Jan W. Baran, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

Dear Mr. Baran:

In response to your letter of June 11, 1982, requesting documents referred to in the brief sent to you in MUR 1272, the Office of General Counsel is making available the documents described in the requests numbered one through seven.

The documents described will be copied by this office and will be available for you to pick up at the Office of General Counsel at a mutually agreed upon time. The documents number 663 pages and a complete copy will be made available to you for \$33.15, i.e., five cents per page.

In light of your need to review these documents in order to respond to the briefs, this office further grants your request for an extension for filing FOA's brief. It is due on July 17, 1982.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Attachment 2

83040404227



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 16, 1982

Charles A. Dunnagan, Esquire
Jermain, Dunnagan & Owens
801 West Fireweed Lane, Suite 201
Anchorage, Alaska 99503

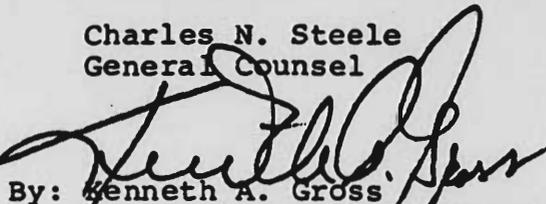
Re: MUR 1272

Dear Mr. Dunnagan:

Pursuant to the request in your letter of June 11, 1982, the Office of General Counsel is granting a twenty day extension of time for you to file a reply brief on behalf of Alaskans for Gruening. Therefore, your response is due on July 14, 1982.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

33040404228

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Bcct# 7939

82 JUN 14 P 1: 32

JERMAIN, DUNNAGAN & OWENS
ATTORNEYS AT LAW
801 WEST FIREWEED LANE, SUITE 201
ANCHORAGE, ALASKA 99503

WILLIAM K. JERMAIN
CHARLES A. DUNNAGAN
BRADLEY D. OWENS
RANDALL G. SIMPSON
HOWARD S. TRICKEY
JAN HART DEYOUNG
GARY C. SLEEPER

TELEPHONE
AREA CODE 907
278-6532

82 JUN 14 P 2: 57

RECEIVED
GENERAL COUNSEL

June 11, 1982

Federal Election Commission
Attention: Jonathan Levin
1325 "K" Street, NW
Washington, D.C. 20463

Re: MUR 1272

Dear Jonathan:

I am writing to confirm our conversation of Friday, June 11, 1982. It is my understanding that the time in which we have to answer the General Counsel's Brief has been extended to Wednesday, July 14. Thank you for your assistance.

As we discussed, I am leaving town today. My wife is scheduled for surgery and I will not be back in the office until July 6. In addition, Clark Gruening has already left for South-east Alaska, where he will be spending four weeks at a rustic lodge which he owns with some friends. His vacation has been planned and coordinated for some time. The lodge is a little short on amenities, and one of the things it doesn't have is a telephone. The end result of all this is that the General Counsel's Brief hit us at the worst possible time.

I assure you we will do everything we can to submit a Reply Brief by the 14th. If we are overcome with travel and communication problems, I will let you know at once. Again, thank you for the professional and courteous manner in which you have handled this matter.

Sincerely,

JERMAIN, DUNNAGAN & OWENS

Charles A. Dunnagan

pc
cc: Clark Gruening, Esquire

830404229

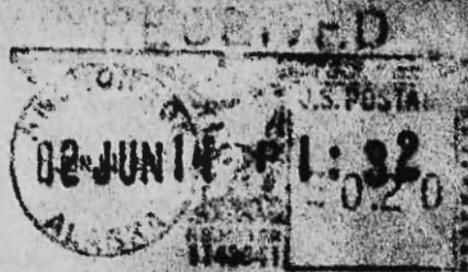
JERMAIN, DUNNAGAN & OWENS

ATTORNEYS AT LAW

801 WEST FIREWEED LANE, SUITE 201

ANCHORAGE, ALASKA 99503

**Federal Election Commission
Attention: Jonathan Levin
1325 "K" Street, NW
Washington, D.C. 20463**



33040404230

600#7938

BAKER & HOSTETLER

ATTORNEYS AT LAW

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WASHINGTON, D. C. 20006

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TWX 610 421 8375

IN DENVER, COLORADO
500 CAPITOL LIFE CENTER
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850 CNA TOWER
ORLANDO, FLORIDA 32802
(305) 841-1111

IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 226-1541

June 11, 1982

WRITER'S DIRECT DIAL NO.:

(202) 661- 1572

12 JUN 11 P 4: 37

COPIES

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Re: MUR 1272 - Request for Documents
and Extension of Time to File
Respondent's Brief

Dear Mr. Steele:

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REQUEST FOR DOCUMENTS

The Act requires that any recommendation by the General Counsel regarding probable cause be supported by a "brief stating the position of the general counsel on the legal and factual

83040404231

Charles N. Steele, Esquire
June 11, 1982
Page Two

issues of the case." 2 U.S.C. § 437g(a)(3). Likewise, a respondent, such as FOA, has a corresponding right to "submit a brief stating the position of such respondent on the legal and factual issues of the case, and replying to the brief of the general counsel." Id. The express congressional purpose of this exchange of briefs is to formalize a respondent's opportunity to demonstrate that the Commission should take no action against him and to require that "the law and facts which support the position of the general counsel" be set forth in a brief. H. Rep. No. 422, 96th Cong., 1st Sess. 21 (1979).

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Charles N. Steele, Esquire
June 11, 1982
Page Three

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5. The transcript(s) of the deposition of Mr. Gottstein cited or referred to on pp. 5, 9, 10, 11, 12, 13, 14 and 15.
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REQUEST FOR EXTENSION OF TIME
TO FILE RESPONDENT'S BRIEF

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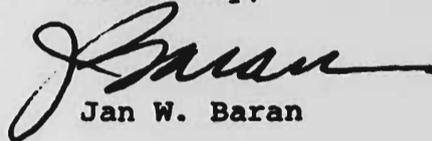
83040404233

Charles N. Steele, Esquire
June 11, 1982
Page Three

CONCLUSION

For the above reasons, FOA requests that your office provide the aforementioned documents and that the Commission extend the time for filing of FOA's brief twenty (20) days.

Sincerely,



Jan W. Baran

JWB:gh

cc: Scott Thomas
Jonathan Levin
Dick Green
Barnard J. Gottstein

83040404234

600 # 7938

BAKER & HOSTETLER

ATTORNEYS AT LAW

818 CONNECTICUT AVE., N. W.

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850 CNA TOWER
ORLANDO, FLORIDA 32802
(305) 841-1111

June 11, 1982

WRITER'S DIRECT DIAL NO.:

(202) 661- 1572

12 JUN 11 P 4: 38

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Re: MUR 1272 - Request for Documents
and Extension of Time to File
Respondent's Brief

Dear Mr. Steele:

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REQUEST FOR DOCUMENTS

The Act requires that any recommendation by the General Counsel regarding probable cause be supported by a "brief stating the position of the general counsel on the legal and factual

83040404243

Charles N. Steele, Esquire
June 11, 1982
Page Two

issues of the case." 2 U.S.C. § 437g(a)(3). Likewise, a respondent, such as FOA, has a corresponding right to "submit a brief stating the position of such respondent on the legal and factual issues of the case, and replying to the brief of the general counsel." Id. The express congressional purpose of this exchange of briefs is to formalize a respondent's opportunity to demonstrate that the Commission should take no action against him and to require that "the law and facts which support the position of the general counsel" be set forth in a brief. H. Rep. No. 422, 96th Cong., 1st Sess. 21 (1979).

The General Counsel's Brief with respect to FOA in MUR 1272 contains numerous citations and references to testimony transcripts and other documents. These materials form the basis for your position on the legal and factual issues in this case. None of these documents have been provided to FOA or to Mr. Gottstein. Mr. Gottstein up to now has even been denied a transcript of his own deposition.

Our client's statutory right to file a brief on the legal and factual issues of this case and replying to the General Counsel's Brief is illusory if these documents are withheld. It is impossible for FOA to address the facts of this case as represented in the General Counsel's Brief if the documents used in support of those facts are denied to FOA. FOA and Mr. Gottstein are in the dark as to what has been said about them except for selected quotes from depositions constituting perhaps hundreds of pages of transcripts.

There can be no justification for denying FOA access to the evidence proffered by third parties in this matter once the staff investigation is concluded and a recommendation is made to the Commission. Providing to respondents the evidence relied on by the staff in its brief cannot interfere with any investigation because presumably the investigation is completed. If the Commission accepts the staff recommendation, there will be no further investigation, only conciliation negotiations.

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Charles N. Steele, Esquire
June 11, 1982
Page Three

For these reasons FOA requests that the following documents be provided to it:

1. The response from Alaskans for Gruening referred to on p. 2 of the General Counsel's Brief.
2. The document in which John Hale made the statement quoted on p. 4.
3. The transcript(s) of the deposition of John Hale cited or referred to on pp. 5, 12, 14 and 15.
4. The transcript(s) of the deposition of Clark Gruening cited or referred to on pp. 5, 9, 10, 11, 12, 14 and 15.
5. The transcript(s) of the deposition of Mr. Gottstein cited or referred to on pp. 5, 9, 10, 11, 12, 13, 14 and 15.
6. The transcript(s) of the deposition of Tom Kelly cited or referred to on pp. 5, 15, 16 and 17.
7. The transcripts of the depositions of Steve Orien, Judy Parsons, Carolyn Gay, Dick Green, and Norma Thompson referred to on p. 5.

REQUEST FOR EXTENSION OF TIME
TO FILE RESPONDENT'S BRIEF

All the principals in this matter appear to reside in the State of Alaska. The difficulty of communicating and corresponding between Washington, D.C. and Alaska suggests that FOA will not be able to file its brief within the statutory 15 day period. Accordingly, FOA requests that the time within which it may file its brief be extended twenty (20) days.

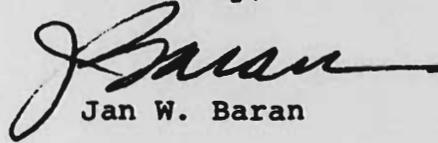
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Charles N. Steele, Esquire
June 11, 1982
Page Three

CONCLUSION

For the above reasons, FOA requests that your office provide the aforementioned documents and that the Commission extend the time for filing of FOA's brief twenty (20) days.

Sincerely,



Jan W. Baran

JWB:gh

cc: Scott Thomas
Jonathan Levin
Dick Green
Barnard J. Gottstein

83040404258

BAKER & HOSTETLER
CONNECTICUT AVE., N. W.
WASHINGTON, D. C. 20006

JONATHAN LEVIN

839404042

BAKER & HOSTETLER

816 CONNECTICUT AVE., N. W.

WASHINGTON, D. C. 20006

830404042

SCOTT THOMAS

83040404241

BAKER & HOSTETLER
818 CONNECTICUT AVE., N. W.
WASHINGTON, D. C. 20006

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

201711 RECEIVED
Dec 7 1983

02 JUN 10 AID: 49

DELANEY, WILES, HAYES, REITMAN & BRUBAKER, INC.

JAMES J. DELANEY
EUGENE F. WILES
GEORGE N. HAYES
STANLEY H. REITMAN
JOHN K. BRUBAKER
RAYMOND E. PLUMMER, JR.
DANIEL A. GERETY
ROBERT L. EASTAUGH
STEPHEN M. ELLIS

ATTORNEYS AT LAW
SUITE 400
1007 WEST 3RD AVENUE
ANCHORAGE, ALASKA 99501-1990
TELEPHONE 279-3581
TELECOPIER 279-3587
AREA CODE 907

CLAY A. YOUNG
KAREN L. HUNT
FRANK S. KOZIOL, JR.
WILLIAM E. MOSELEY
MARC D. BOND
JACQUELINE CARR-AGNI
J. MICHAEL MOXNESS
J. D. CELLA
GREGORY J. OTYKA

June 7, 1982

JUN 10 P12:33

Federal Election Commission
Washington
D. C. 20463

Attn: Charles N. Steele, General Counsel

Re: MUR 1272

Gentlemen:

On behalf of our client, Alaska Advertisers, Inc.,
we hereby:

(1) acknowledge receipt on June 7, 1982
of your letter dated May 28, 1982 under the
signature of Charles N. Steele, General Counsel;

(2) concur in the anticipated recommendation
of the General Counsel that the "Commission find
no probable cause to believe that Alaska Advertisers
violated 2 U.S.C. ¶441b(a); and

(3) state we do not intend to file any brief
or memorandum replying to the Counsel's Brief
enclosed with your May 28, 1982 letter.

Very truly yours,

DELANEY, WILES, HAYES, REITMAN &
BRUBAKER, INC.

Stanley H. Reitman

SHR:jf

cc: B. J. Gottstein
Jonathan Levin, Esq. (FEC)

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DELANEY, WILES, HAYES, REITMAN & BRUBAKER, INC.

ATTORNEYS AT LAW

SUITE 400

1007 WEST 3RD AVENUE

ANCHORAGE, ALASKA 99501-1990

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ANCHORAGE ALASKA
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JUN-7 '82
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**Federal Election Commission
Washington
D. C. 20463**

**Attn: Charles N. Steele, General
Counsel**

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Call# 7924

DELANEY, WILES, HAYES, REITMAN & BRUBAKER, INC. 82 JUN 10 AIO: 49

JAMES J. DELANEY
EUGENE F. WILES
GEORGE N. HAYES
STANLEY H. REITMAN
JOHN K. BRUBAKER
RAYMOND E. PLUMMER, JR.
DANIEL A. GERETY
ROBERT L. EASTAUGH
STEPHEN M. ELLIS

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WILLIAM E. MOSELEY
MARC D. BOND
JACQUELINE CARR-AGNI
J. MICHAEL MOXNESS
J. D. CELLARS
GREGORY J. DOTYKA

June 7, 1982

JUN 10 P12:34

Federal Election Commission
Washington
D. C. 20463

Attn: Charles N. Steele, General Counsel

Re: MUR 1272

Gentlemen:

On behalf of our client, Alaska Advertisers, Inc.,
we hereby:

- (1) acknowledge receipt on June 7, 1982 of your letter dated May 28, 1982 under the signature of Charles N. Steele, General Counsel;
- (2) concur in the anticipated recommendation of the General Counsel that the "Commission find no probable cause to believe that Alaska Advertisers violated 2 U.S.C. §441b(a); and
- (3) state we do not intend to file any brief or memorandum replying to the Counsel's Brief enclosed with your May 28, 1982 letter.

Very truly yours,

DELANEY, WILES, HAYES, REITMAN & BRUBAKER, INC.

Stanley H. Reitman

SHR:jf

cc: B. J. Gottstein
Jonathan Levin, Esq. (FEC)

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DELANEY, WILES, HAYES, REITMAN & BRUBAKER, INC.

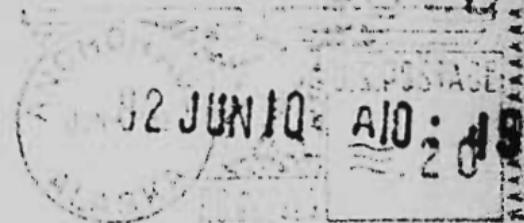
ATTORNEYS AT LAW

SUITE 400

1007 WEST 3RD AVENUE

ANCHORAGE, ALASKA 99501-1990

Jonathan Levis, Esq.
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463



D

May 28, 1982

MEMORANDUM TO: Marjorie Emmons
FROM: Steven Barndollar
SUBJECT: MUR 1272

Please have the attached Memo and Briefs distributed
to the Commission on an informational basis. Thank you.

Attachment

8304 040 1246



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 28, 1982

Stanley Reitman, Esquire
Delaney, Wiles, Hayes, Reitman and
Brubaker, Inc.
1007 West Third Avenue
Anchorage, Alaska 99501

Re: MUR 1272

Dear Mr. Reitman:

Based on a complaint filed with the Commission on August 7, 1980, and information supplied by your client, Alaska Advertisers, the Commission determined on January 27, 1981, that there was reason to believe that your client had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

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 if possible) 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, if possible. The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a

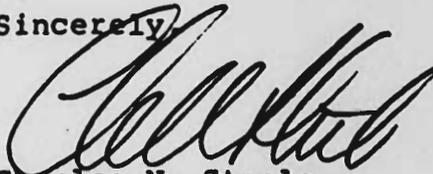
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Letter to: Stanley Reitman, Esq.
Page 2

vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Jonathan Levin at (202) 523-4529.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 28, 1982

Jan W. Baran, Esquire
William H. Schweitzer, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

Dear Messrs. Baran and Schweitzer:

Based on a complaint filed with the Commission on August 7, 1980, and information supplied by you, the Commission determined on January 27, 1981, that there was reason to believe that your client, Friends of Alaska, had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), 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 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 if possible) 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, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

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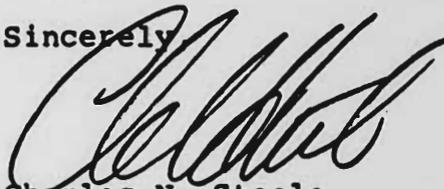
Letter to: Jan W. Baran, Esq.
Page 2

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

Should you have any questions, please contact Jonathan Levin at (202) 523-4529.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 28, 1982

Charles A. Dunnagan, Esquire
Jermain, Dunnagan and Owens
801 West Firewood Lane
Suite 201
Anchorage, Alaska 99503

Re: MUR 1272

Dear Mr. Dunnagan:

Based on a complaint filed with the Commission on August 7, 1980, and information supplied by your client, Alaskans for Gruening ("AFG"), the Commission determined on January 27, 1981; that there was reason to believe that AFG had violated 2 U.S.C. §§ 441a(f) and 441b(a), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"), and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that AFG violated 2 U.S.C. § 441a(f) and no probable cause to believe that AFG violated 2 U.S.C. § 441b(a).

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 if possible) 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, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

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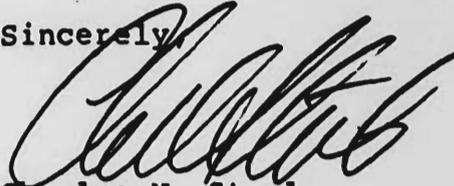
Letter to: Charles A. Dunnagan, Esq.
Page 2

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A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

Should you have any questions, please contact Jonathan Levin at (202) 523-4529.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

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SENSITIVE

May 28, 1982

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel *CNS*

SUBJECT: MUR 1272

Attached for the Commission's review are three briefs stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of the briefs and letters notifying the respondents of the General Counsel's recommendations to the Commission on probable cause to believe was mailed on May 28, 1982. Following receipt of the Respondents' reply to this notice, this Office will make further report to the Commission.

Attachments

- Cover letter and Brief to Alaskans for Gruening
- Cover letter and Brief to Friends of Alaska
- Cover letter and Brief to Alaska Advertisers

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 28, 1982

Charles A. Dunnagan, Esquire
Jermain, Dunnagan and Owens
801 West Firewood Lane
Suite 201
Anchorage, Alaska 99503

Re: MUR 1272

Dear Mr. Dunnagan:

Based on a complaint filed with the Commission on August 7, 1980, and information supplied by your client, Alaskans for Gruening ("AFG"), the Commission determined on January 27, 1981, that there was reason to believe that AFG had violated 2 U.S.C. §§ 441a(f) and 441b(a), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"), and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that AFG violated 2 U.S.C. § 441a(f) and no probable cause to believe that AFG violated 2 U.S.C. § 441b(a).

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 if possible) 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, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

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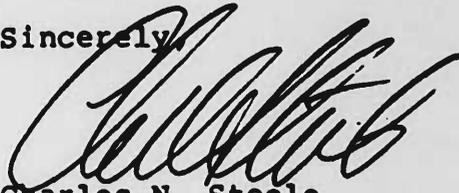
Letter to: Charles A. Dunnagan, Esq.
Page 2

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

Should you have any questions, please contact Jonathan Levin at (202) 523-4529.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Alaskans for Gruening) MUR 1272

GENERAL COUNSEL'S BRIEF

I. BACKGROUND

On August 7, 1980, the Commission received a complaint filed by the Friends of Mike Gravel against the Friends of Alaska ("FOA"), Alaskans for Gruening ("AFG"), Alaska Advertisers, Barnard J. Gottstein, and Clark Gruening. The complaint included allegations relating to activities by Barnard J. Gottstein and an unauthorized committee, Friends of Alaska, in either advocating the election of Clark Gruening or the defeat of Mike Gravel in the 1980 Democratic Senatorial primary in Alaska. Specifically, the complaint included allegations that Alaska Advertisers made corporate contributions to the Gruening campaign in the form of services for "less than fair market cost," that Mr. Gottstein contributed political polls to the Gruening campaign and, thus, violated 2 U.S.C. § 441a(a)(1)(A), that Mr. Gottstein's corporations made various in-kind contributions to the Gruening campaign, and that because of the connection between Mr. Gottstein and FOA and between Mr. Gottstein and AFG and because of the use by both committees of the services of Alaska Advertisers, FOA's expenditures (totalling \$21,050.39) were

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excessive in-kind contributions in violation of 2 U.S.C. § 441a.

During September and October, 1980, all of the respondents replied to the complaint. In response to the allegations as to corporate contributions by Alaska Advertisers, Alaska Advertisers submitted rather complete records with respect to the radio time-buying services it performed for both AFG and FOA. The 1979 Year End Report of AFG listed a refund by Alaska Advertisers for an overpayment of \$634.94. Records submitted by Alaska Advertisers, however, displayed a refund check for only \$466.94. Thus, \$168 remained unaccounted for. Based upon the need for further information with respect to this problem, the Commission found reason to believe that Alaska Advertisers and AFG violated 2 U.S.C. § 441b(a).

In response to the allegation of coordination between AFG and FOA resulting in excessive in-kind contributions by FOA, the responses and enclosed documents indicated that expenditures made by FOA during August, 1980, in opposition to the candidacy of Mike Gravel, were made through Alaska Advertisers, a vendor which had received compensation from AFG in October and November of 1979. Furthermore, it appeared that Mr. Gottstein raised funds for AFG, was involved in FOA's activities, and was associated with Alaska Advertisers. Thus, there appeared to be an opportunity through Mr. Gottstein for AFG or the Gruening campaign to provide direction to or coordinate with FOA. See 11 C.F.R. § 109.1(b)(4)(i).

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The Commission made findings of no reason to believe with respect to the remainder of the allegations.

In response to the finding as to the alleged corporate contribution, AFG campaign manager, John P. Hale, provided an explanation. In a sworn response, he stated that the actual refund from Alaska Advertisers was, indeed, \$466.94 and that the remaining \$168 was received from Michael Carey of Fairbanks in the form of two checks (one for \$162 and one for \$6) as refunds from \$325 in expenses advanced to him to set up a fundraiser. However, the 1979 Year End Report mistakenly omitted to note that \$168 of the \$634.94 refunded was not refunded from Alaska Advertisers. Mr. Hale enclosed a deposit slip illustrating that there were two checks, one for \$162 and one for \$6, drawn from accounts at the same bank, and another check for \$466.94 drawn from an account at another bank.

The responses from Mr. Gottstein, from FOA, and from AFG attempted to negate the allegation of coordination between AFG and FOA. Mr. Gottstein admitted to having communications with the Gruening campaign pertaining to fundraising during the period prior to FOA's registration but stated that he did not "have any records or recollection, regarding specific communications." He stated that he did, however, recall attending a showing of proposed Gruening campaign "television spots" with the candidate and others involved in the Gruening campaign. He stated that, after the showing, he expressed his opinion to the others in

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attendance that the spots were deficient and inadequate in dealing with Mr. Gravel's Senate record. He proceeded to state that a few days after the showing and without any knowledge or suggestion of the Gruening campaign, he decided to "disassociate [himself] from further contacts with the Gruening campaign and to form an independent committee for the purpose of informing Alaskans as to Mr. Gravel's record." He went on to contradict the response of his attorneys to the complaint by stating that he "personally arranged on behalf of FOA, in or about August, 1980, for the placement by Alaska Advertisers of FOA advertisements on the radio and in newspapers at the then going rates." 1/ His response indicates that, although he was not an officer of FOA, 2/ he formed the committee, enlisted two of the other four members of the committee, received contributions on behalf of the committee, and hired producers of advertisements. Mr. Gottstein recalls only one contact between him or his agent and the Gruening campaign pertaining to any plans for or activities of FOA. This was a telephone conversation initiated by Clark

1/ Mr. Gottstein stated in his response dated September 2, 1980, that he was not "personally involved in placing ads for FOA."

2/ In his response to the complaint, Mr. Gottstein's attorney attempts to downplay his role with FOA by stating that Mr. Gottstein was not an officer of FOA, FOA did not make any expenditures through Mr. Gottstein, and Mr. Gottstein did not make any expenditures on behalf of FOA.

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Gruening in which Mr. Gruening requested that FOA withdraw its radio spots and Mr. Gottstein "respectfully declined" his request. Mr. Gottstein also stated that neither he nor any agent of his communicated with the Gruening campaign or with Alaska Advertisers regarding placements of ads by Alaska Advertisers.

Dick Green, FOA treasurer, stated that he had neither a recollection nor records indicating that FOA gained information about the Gruening campaign through FOA's connection with Barnard Gottstein or with Alaska Advertisers.

John Hale stated that the only communications of which he was aware between the Gruening campaign and Barnard Gottstein between 1979 and the time the questions were being answered were calls "to solicit individual campaign donations" from Mr. Gottstein to AFG. He also stated that the only contacts between the Gruening campaign and Alaska Advertisers were two telephone calls for the placement of ads in October and November, 1979. Mr. Hale also denied that there were any contacts between AFG and FOA or between AFG and Barnard Gottstein or Alaska Advertisers during which FOA's activities were discussed.

Upon review of these answers, OGC determined that further investigation in the form of depositions was necessary because of a number of factors. These factors were Mr. Gottstein's extensive involvement with FOA along with communications with and fundraising activities for AFG, the difference between Mr. Gottstein's first and second accounts of his involvement, and the

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perfunctory nature of the responses of Mr. Green and Mr. Hale. On July 2, 1981, the Commission approved the issuance of subpoenas for documents and depositions to personnel of FOA and AFG, to employees of Alaska Advertisers, and to Mr. Gottstein.

Between August 4 and August 7, 1981, OGC attorneys deposed Steve Orien and Judy Parsons of Alaska Advertisers, John Hale and Clark Gruening of AFG, and Carolyn Gay and Dick Green of FOA. On September 14, OGC attorneys deposed Mr. Gottstein and on September 25 and October 2, we deposed FOA record-keeper Norma Thompson and FOA chairman Tom Kelly, respectively.

II. LEGAL ANALYSIS

A. The applicable law

Unlimited independent expenditures by an individual in connection with an election to federal office are permitted pursuant to the United States Supreme Court's decision in Buckley v. Valeo, 424 U.S. 1, 39-51 (1976). Commission regulations define the term "independent expenditure" to mean

an expenditure by a person for a communication expressly advocating the election or defeat of a clearly identified candidate which is not made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of such candidate.

11 C.F.R. § 109.1(a). See also 2 U.S.C. § 431(17).

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According to 11 C.F.R. § 109.1(b)(4)(i), "made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of a candidate or any agent or authorized committee of the candidate" means "[a]ny arrangement, coordination, or direction by the candidate or his or her agent prior to the publication, distribution, display, or broadcast of the communication." Under 11 C.F.R. § 109.1(b)(4)(i), an expenditure will be presumed to be made by such "arrangement, coordination, or direction" if

- (A) [b]ased on information about the candidate's plans, projects, or needs provided to the expending person by the candidate, or by the candidate's agents, with a view toward having an expenditure made;
- (B) [m]ade by or through any person who is, or has been, authorized to raise or expend funds, who is, or has been, an officer of an authorized committee, or who is or has been, receiving any form of compensation or reimbursement from the candidate, the candidate's committee or agent.

11 C.F.R. § 109.1(b)(4)(i).

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Expenditures that are not independent are in-kind contributions subject to the limits of 2 U.S.C. § 441a. See 2 U.S.C. § 441a(a)(7)(B)(i). Contributions by a non-multicandidate committee aggregating in excess of \$1,000 to any candidate and his authorized political committees with respect to any election for federal office are prohibited by 2 U.S.C. § 441a(a)(1)(A).

B. Application of the facts to the law

1. Factual issues

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In seeking to verify whether or not, in fact, FOA's expenditures were independent, this office explored several factual issues: (1) whether Barnard Gottstein was a vehicle for coordination between AFG and FOA; (2) whether Barnard Gottstein was working for or associated with AFG while planning for or operating FOA; (3) whether Alaska Advertisers was used as a vehicle for the conveyance of information between AFG and FOA; (4) whether AFG or its personnel in any way consented to, suggested, or requested FOA's activities against Senator Gravel; and (5) whether AFG exchanged information with FOA as to their respective activities with a view toward having FOA make expenditures.

2. Legal implications

If Mr. Gottstein or an agent of FOA was authorized to expend funds for AFG at the time that FOA was being planned or in operation, it could be argued that he was an agent of AFG and

FOA's expenditures would clearly be non-independent. See 2 U.S.C. § 431(17); 11 C.F.R. § 109.1(b)(4)(i) and (b)(5). If Mr. Gottstein or an agent of FOA had been authorized to raise funds for AFG or had received compensation or reimbursement from AFG, the presumption would arise that FOA's expenditures were non-independent. See 11 C.F.R. § 109.1(b)(4)(i)(B). Furthermore, if FOA's expenditures had been made through Alaska Advertisers, which was compensated by AFG, the presumption would arise that FOA's expenditures were non-independent. Id. 3/

3/ The effect of these presumptions would appear to be governed by Federal Rule of Evidence 301:

In all civil actions and proceedings not otherwise provided for by Act of Congress or by these rules, a presumption imposes on the party against whom it is directed the burden of going forward with evidence to rebut or meet the presumption, but does not shift to such party the burden of proof in the sense of the risk of nonpersuasion, which remains throughout the trial upon the party on whom it was originally cast.

The Conference Committee Report explaining Fed.R.Evid. 301, H.R. Conf. Rep. No. 93-1597, indicates that if a party offers no evidence contradicting the presumed fact, the factfinder may make the presumption if the basic facts supporting the presumption are shown. If the party does offer evidence contradicting the presumed fact, the factfinder cannot make the presumption, though it may infer the existence of the presumed fact if the basic facts are shown. In other words, if a party offers contradicting evidence, the factfinder may only weigh the evidence of the basic facts (that would otherwise support a presumption) against the contradicting evidence. In the present context, this would mean that if a respondent offers evidence contradicting a presumption that his or her expenditures were coordinated, the factfinder may no longer presume there was coordination, though it may weigh evidence that would otherwise support a presumption (for example, evidence that the respondent had been compensated by the candidate) against whatever contradicting evidence the respondent presents. See Leguille v. Dann, 544 F.2d 1 (D.C. Cir. 1976).

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3. Summary of OGC analysis

The evidence obtained does not indicate that Mr. Gottstein was ever authorized to expend funds on behalf of AFG. Thus, there appears to be little basis for categorizing Mr. Gottstein as an "agent" of AFG within the meaning of the statute and regulations when he made FOA's expenditures. Moreover, while it is clear that Mr. Gottstein had been authorized to raise funds for AFG and that Alaska Advertisers was utilized by both AFG and FOA, and while those circumstances each raise the potential presumption that FOA's expenditures were coordinated, we believe there is sufficient contradicting evidence to preclude making such a presumption. Nonetheless, the evidence taken as whole does provide a sufficient predicate, we believe, for determining that FOA's expenditures were not independent within the meaning of 2 U.S.C. § 431(17). A more detailed recitation of that evidence follows.

4. Evidence from the depositions supporting OGC analysis

AFG filed its statement of organization on August 2, 1979, and Clark Gruening announced his candidacy in the autumn of 1979. Mr. Gruening recalled asking for Mr. Gottstein's assistance as a fund raiser and a contributor "several months before [he] filed." Mr. Gruening stated that Mr. Gottstein was "skeptical" and "cool" toward his candidacy. (See Deposition of Gruening, pp. 7-8). Mr. Gottstein recalled that their first meeting with respect to the Gruening candidacy was in the autumn of 1979 and that he

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"rejected his solicitation," but was "pretty noncommittal." (See Deposition of Gottstein, p. 28). Despite Mr. Gottstein's apparent reluctance to support Clark Gruening, Mr. Gottstein contributed \$1,000 to AFG on September 30, 1979. Mr. Gottstein explained that he gave the contribution because he "was Democratic National Committeeman and [he] kind of wanted to encourage [the candidacy]." He went on to say that he "decided [he] was going to try and oppose Gravel because of his what [he] considered anti-semitic position, so [he] was ready to support whoever [he] could that might unseat him in the primary." (See Deposition of Gottstein, p. 46).

Both Mr. Gottstein and Mr. Gruening discussed subsequent contacts. According to Mr. Gottstein, there were a number of subsequent contacts during the primary. Mr. Gottstein claimed that, at first, he continued to reject pleas for support, and turned down an offer to be finance chairman of AFG. He claimed that he was awaiting the entrance of state senator Pat Rodey into the Senate race. Mr. Gottstein eventually became a fundraiser for Gruening stating that his "best estimate" of when he began performing this function was in May of 1980. (See Deposition of Gottstein, p. 35). He stated that he continued to fundraise into July. Mr. Gruening was unable to pinpoint when Mr. Gottstein agreed to become a fundraiser, but Mr. Hale indicated that Mr.

Gottstein "was generally supportive of the Gruening effort" beginning in January. (See Deposition of Hale, p. 41).

The deposition testimony indicates that Mr. Gottstein's activity consisted of telephoning his friends and soliciting contributions to the Gruening campaign, or soliciting their assistance in raising funds and putting Clark Gruening in contact with certain potential donors. It is not clear how many persons he solicited but, according to Mr. Gottstein, fewer than one hundred were solicited. Some of these contributions were sent directly to AFG and some were sent to Mr. Gottstein whose secretary then sent them on to AFG. In addition, Mr. Gottstein stated that he mailed out eight to twelve copies each of an AFG Middle East position paper and a copy of a Senate floor statement by Senator Gravel on the Middle East. According to the deponents' testimony, he did not perform other functions for the campaign such as planning strategy or incurring expenses on behalf of AFG.

Because of the consistency in the testimony among all of the deponents, there appears to be no reason to doubt the above description of the duties performed by Mr. Gottstein for AFG. There is uncertainty as to the date Mr. Gottstein began working for the Gruening campaign, but this may be resolved by reference to other testimony and evidence. Mr. Gruening referred to the fact that Mr. Gottstein put Mr. Gruening in touch with

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Barbara and Larry Weinberg, and Mr. Gottstein referred to the fact that he was in contact with an acquaintance of his, Barbara Weinberg of Los Angeles, to obtain names of people to solicit. The Weinbergs each contributed \$1,000 to the Gruening campaign in late March, 1980. If the Weinberg's contact with the Gruening campaign was initiated through Mr. Gottstein, then Mr. Gottstein began his activities for Gruening well before May.

Mr. Hale, Mr. Gruening, and Mr. Gottstein discussed the above-mentioned viewing of proposed television campaign material by Mr. Gottstein and others associated with AFG. Each of the three men was in attendance at the meeting which took place at the office of Mystrom Advertising in Anchorage. Although Mr. Hale and Mr. Gottstein do not concur on when this meeting took place, Mr. Hale placing it in late May or early June and Mr. Gottstein in late July, both men concur that Mr. Gottstein voiced dissatisfaction with the tapes.

According to Clark Gruening, Mr. Gottstein was invited in order to obtain financial backing for proposed media slots. Mr. Gruening recalled that there was only one other (if any other) non-finance committee member in attendance. 4/

4/ Mr. Gruening said there was no formal finance committee, only an informal group including AFG's treasurer and certain individuals contacted periodically to discuss fundraising plans and progress.

According to Mr. Gottstein, it was after the Mystrom meeting that he decided to start a "campaign" attacking Mike Gravel's record. (See Deposition of Gottstein, p. 90). He stated that he spoke to Joe Rothstein of the Washington, D.C. political consulting firm of Rothstein-Buckley who, according to Mr. Gottstein, suggested that a committee be formed and that ads be produced. He said he also spoke to Steve Silver of Senator Stevens' staff in order to obtain Mr. Silver's support, and to Carolyn Gay, a friend of his, who recruited Norma Thompson 5/ and Dick Green.

Mr. Gottstein approached Alaska Advertisers to place ads for FOA. According to Mr. Gottstein's testimony, Mr. Gottstein had not discussed with the personnel of Alaska Advertisers the services earlier provided by Alaska Advertisers to AFG. He stated that when he contacted Steven Orien of Alaska Advertisers to have FOA ads placed, he had not recalled that Alaska Advertisers had provided services for AFG. During the provision of services by Alaska Advertisers to FOA, it appears that Alaska Advertisers did not communicate in any way with AFG as to FOA's activities.

During the depositions, there was testimony as to two

5/ Norma Thompson, FOA record-keeper, worked for AFG in June and July of 1980 on a volunteer basis. She assisted the campaign in setting up telephone canvassing operations. Specifically, she trained telephone canvassers and wrote scripts for phone canvassers. She stated that she left AFG when she began working for FOA. (Deposition of Norma Thompson, p. 15).

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significant communications between Mr. Gottstein and AFG during the time that FOA's ads were aired or in print. Mr. Gruening elaborated on Mr. Gottstein's account of their conversation with respect to FOA's ads by stating that he informed Mr. Gottstein that FOA's ads were harming the Gruening candidacy in Fairbanks. While, according to Mr. Gruening, he did not specifically tell Mr. Gottstein to cease airing the ads, he believes that there was an implied request that he cease. Mr. Gottstein said that he did not heed this request.

The other communication occurred between Mr. Hale and Mr. Gottstein. On August 8, 1980, the Wall Street Journal published an article critical of Mr. Gravel. Shortly thereafter, Mr. Hale took a copy of the article to Mr. Gottstein's house. Even though Mr. Hale knew that FOA's ads were already appearing, Mr. Hale stated that this visit "was an opportunity for [him] to just touch base with Mr. Gottstein and to just establish some sort of contact with him and heal whatever divisions there might have been..." (Deposition of Hale, p. 60). Mr. Hale went on to say that the "main topic" of their conversation was why they had not had contact and that the reason given by Mr. Gottstein for such lack of contact was "so that we could sit [in the deposition] today under oath and say we had no contact." (Deposition of Hale, p. 61).

Mr. Gottstein stated that he ceased soliciting for the Gruening campaign after the Mstrom meeting but did not remember whether or not he received any checks while FOA ads were being aired which he turned over to AFG. Mr. Hale, however, stated that during this period, Mr. Gottstein was still calling AFG to inform the committee when some contributions to AFG arrived in the mail.

Mr. Hale and Mr. Gruening and Mr. Gottstein stated that Mr. Gottstein raised funds for the Gruening in the general election. Mr. Gottstein stated that during the general election, he may have made one or two phone calls for AFG "but no more than that." (Deposition of Gottstein, p. 40).

According to Tom Kelly, plans for FOA occurred well before the end of July, 1980. He stated that in June while he was in Los Angeles, he received a call from Steve Silver, assistant to Senator Stevens, who informed Mr. Kelly that Senator Stevens wished to form a committee to "acquaint the public with the conduct and the voting record of Senator Gravel." (Deposition of Kelly, p. 17). ^{4/} According to Mr. Kelly, Mr. Silver asked if Mr. Kelly would mind having his name associated with a committee involving Mr. Gottstein. While Mr. Kelly could not state exactly whether or not Mr. Gottstein had already consented to being on the committee, he did have the impression that Mr. Gottstein was to serve on the committee.

^{4/} In his deposition, Mr. Kelly stated that, to receive the phone call, he "was called out of a business meeting in Los Angeles in June, I believe it was, of 1980." (Deposition of Kelly, p. 16). Later in the deposition, he said, "I'm positive I had the meeting in LA in June." (Deposition of Kelly, p. 26).

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Mr. Kelly stated that Mr. Gottstein first contacted him while Mr. Kelly was vacationing in Roche Harbor, Washington, which would be between July 15 and August 15. (Mr. Kelly stated, at first, that he believed Mr. Gottstein contacted him in July but when asked to be more specific could not pinpoint exactly when in July). According to Mr. Kelly, Mr. Gottstein informed Mr. Kelly that the committee was "getting underway," and the two men made arrangements to see copies of the advertisements.

5. Conclusion

While a potential presumption of coordination arises from the fact that FOA made expenditures through Alaska Advertisers, a vendor which had earlier received compensation from AFG, the evidence available indicates that Alaska Advertisers was not in fact used as a vehicle for coordination between AFG and FOA. The testimony and documents obtained demonstrate that Alaska Advertisers merely served as a media time buyer and did not assist in the planning or preparation of the advertisements of either AFG or FOA. Thus, a presumption of coordination arising from this particular circumstance cannot be made; instead, the fact that FOA expended funds through Alaska Advertisers which was earlier compensated by AFG must be weighed with the other evidence available.

A potential presumption of coordination also arises from the fact that FOA's expenditures were made by Barnard Gottstein who also was authorized to raise funds for AFG. In this case, there

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is evidence that Mr. Gottstein had a significant relationship with the Gruening campaign from May (and very possible earlier than that) to July, 1980. In addition to soliciting and receiving funds for the campaign, it appears that he was one of two non-members of the finance committee invited to the Mystem meeting. To counter the evidence associated with the potential presumption, however, is testimony that, other than the contacts specifically listed in the above summary of deposition testimony, there was no contact between AFG and FOA while FOA expenditures were being made and no contact by FOA personnel, other than Gottstein, with AFG.

As stated before, although no presumptions of coordination may be made, the Office of General Counsel nonetheless believes that, taken as a whole, the evidence indicates that FOA's expenditures were not independent within the meaning of 2 U.S.C. § 431(17). Tom Kelly's testimony indicates an involvement by Mr. Gottstein in the planning of FOA as early as June, i.e., before Mr. Gottstein ceased fundraising for AFG. The fact that a major functionary and organizer of FOA was a fundraiser for AFG while he was working with FOA clearly undercuts FOA's assertion that it was operating independently of AFG. While AFG and FOA have presented some evidence contradicting the potential presumption of coordination, the inference of coordination still may be made. Because of the weight of the evidence indicating coordination,

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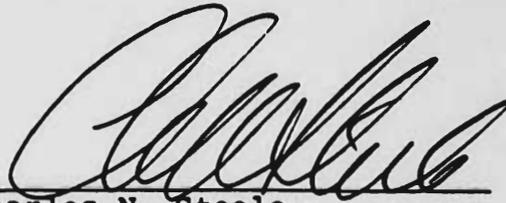
the General Counsel recommends that the Commission find probable cause to believe that Alaskans for Gruening violated 2 U.S.C. § 441a(f).

The evidence presented with respect to the alleged receipt of a corporate contribution by AFG from Alaska Advertisers indicates that AFG paid the "usual and normal charge" for Alaska Advertiser's services. See 11 C.F.R. § 100.7(a)(1)(iii)(A), formerly § 100.4(a)(1)(iii)(A). Therefore, the General Counsel recommends that the Commission find no probable cause to believe that Alaskans for Gruening violated 2 U.S.C. § 441b(a).

III. RECOMMENDATIONS

1. Find probable cause to believe that Alaskans for Gruening violated 2 U.S.C. § 441a(f).
2. Find no probable cause to believe that Alaskans for Gruening violated 2 U.S.C. § 441b(a).

28 May 1992
Date


Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 28, 1982

Jan W. Baran, Esquire
William H. Schweitzer, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

Dear Messrs. Baran and Schweitzer:

Based on a complaint filed with the Commission on August 7, 1980, and information supplied by you, the Commission determined on January 27, 1981, that there was reason to believe that your client, Friends of Alaska, had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), 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 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 if possible) 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, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

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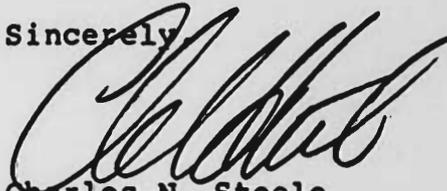
Letter to: Jan W. Baran, Esq.
Page 2

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

Should you have any questions, please contact Jonathan Levin at (202) 523-4529.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Friends of Alaska) MUR 1272

GENERAL COUNSEL'S BRIEF

I. BACKGROUND

On August 7, 1980, the Commission received a complaint filed by the Friends of Mike Gravel against the Friends of Alaska ("FOA"), Alaskans for Gruening ("AFG"), Alaska Advertisers, Barnard J. Gottstein, and Clark Gruening. The complaint included allegations relating to activities by Barnard J. Gottstein and an unauthorized committee, Friends of Alaska, in either advocating the election of Clark Gruening or the defeat of Mike Gravel in the 1980 Democratic Senatorial primary in Alaska. Specifically, the complaint included allegations, inter alia, that FOA failed to timely register and report and that because of the connection between Mr. Gottstein and FOA and between Mr. Gottstein and AFG and because of the use by both committees of the services of Alaska Advertisers, FOA's expenditures (totalling \$21,050.39) were excessive in-kind contributions in violation of 2 U.S.C. § 441a.

During September and October, 1980, all of the respondents replied to the complaint. In response to the allegation of coordination between AFG and FOA resulting in excessive in-kind

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contributions by FOA, the responses and enclosed documents indicated that expenditures made by FOA during August, 1980, in opposition to the candidacy of Mike Gravel, were made through Alaska Advertisers, a vendor which had received compensation from AFG in October and November of 1979. Furthermore, it appeared that Mr. Gottstein raised funds for AFG, was involved in FOA's activities, and was associated with Alaska Advertisers. Thus, there appeared to be an opportunity through Mr. Gottstein for AFG or the Gruening campaign to provide direction to or coordinate with FOA. See 11 C.F.R. § 109.1(b)(4)(i).

The responses from Mr. Gottstein, from FOA, and from AFG attempted to negate the allegation of coordination between AFG and FOA. Mr. Gottstein admitted to having communications with the Gruening campaign pertaining to fundraising during the period prior to FOA's registration but stated that he did not "have any records or recollection, regarding specific communications." He stated that he did, however, recall attending a showing of proposed Gruening campaign "television spots" with the candidate and others involved in the Gruening campaign. He stated that, after the showing, he expressed his opinion to the others in attendance that the spots were deficient and inadequate in dealing with Mr. Gravel's Senate Record. He proceeded to state that a few days after the showing and without any knowledge or suggestion of the Gruening campaign, he decided to "disassociate

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[himself] from further contacts with the Gruening campaign and to form an independent committee for the purpose of informing Alaskans as to Mr. Gravel's record." He went on to contradict the response of his attorneys to the complaint by stating that he "personally arranged on behalf of FOA, in or about August, 1980, for the placement by Alaska Advertisers of FOA advertisements on the radio and in newspapers at the then going rates." 1/ His response indicates that, although he was not an officer of FOA, 2/ he formed the committee, enlisted two of the other four members of the committee, received contributions on behalf of the committee, and hired producers of advertisements. Mr. Gottstein recalls only one contact between him or his agent and the Gruening campaign pertaining to any plans for or activities of FOA. This was a telephone conversation initiated by Clark Gruening in which Mr. Gruening requested that FOA withdraw its radio spots and Mr. Gottstein "respectfully declined" his request. Mr. Gottstein also stated that neither he nor any agent of his communicated with the Gruening campaign or with Alaska Advertisers regarding placements of ads by Alaska Advertisers.

1/ Mr. Gottstein stated in his response dated September 2, 1980, that he was not "personally involved in placing ads for FOA."

2/ In his response to the complaint, Mr. Gottstein's attorney attempts to downplay his role with FOA by stating that Mr. Gottstein was not an officer of FOA, FOA did not make any expenditures through Mr. Gottstein, and Mr. Gottstein did not make any expenditures on behalf of FOA.

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Dick Green, FOA treasurer, stated that he had neither a recollection nor records indicating that FOA gained information about the Gruening campaign through FOA's connection with Barnard Gottstein or with Alaska Advertisers.

John Hale stated that the only communications of which he was aware between the Gruening campaign and Barnard Gottstein between 1979 and the time the questions were being answered were calls "to solicit individual campaign donations" from Mr. Gottstein to AFG. He also stated that the only contacts between the Gruening campaign and Alaska Advertisers were two telephone calls for the placement of ads in October and November, 1979. Mr. Hale also denied that there were any contacts between AFG and FOA or between AFG and Barnard Gottstein or Alaska Advertisers during which FOA's activities were discussed.

Upon review of these answers, OGC determined that further investigation in the form of depositions was necessary because of a number of factors. These factors were Mr. Gottstein's extensive involvement with FOA along with communications with and fundraising activities for AFG, the difference between Mr. Gottstein's first and second accounts of his involvement, and the perfunctory nature of the responses of Mr. Green and Mr. Hale. On July 2, 1981, the Commission approved the issuance of subpoenas for documents and depositions to personnel of FOA and AFG, to employees of Alaska Advertisers, and to Mr. Gottstein.

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Between August 4 and August 7, 1981, OGC attorneys deposed Steve Orien and Judy Parsons of Alaska Advertisers, John Hale and Clark Gruening of AFG, and Carolyn Gay and Dick Green of FOA. On September 14, OGC attorneys deposed Mr. Gottstein and on September 25 and October 2, we deposed FOA record-keeper Norma Thompson and FOA chairman Tom Kelly, respectively.

II. LEGAL ANALYSIS

A. The applicable law

Unlimited independent expenditures by an individual in connection with an election to federal office are permitted pursuant to the United States Supreme Court's decision in Buckley v. Valeo, 424 U.S. 1, 39-51 (1976). Commission regulations define the term "independent expenditure" to mean

an expenditure by a person for a communication expressly advocating the election or defeat of a clearly identified candidate which is not made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of such candidate.

11 C.F.R. § 109.1(a). See also 2 U.S.C. § 431(17).

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According to 11 C.F.R. § 109.1(b)(4)(i), "made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of a candidate or any agent or authorized committee of the candidate" means "[a]ny arrangement, coordination, or direction by the candidate or his or her agent prior to the publication, distribution, display, or broadcast of the communication." Under 11 C.F.R. § 109.1(b)(4)(i), an expenditure will be presumed to be made by such "arrangement, coordination, or direction" if

- (A) [b]ased on information about the candidate's plans, projects, or needs provided to the expending person by the candidate, or by the candidate's agents, with a view toward having an expenditure made;
- (B) [m]ade by or through any person who is, or has been, authorized to raise or expend funds, who is, or has been, an officer of an authorized committee, or who is or has been, receiving any form of compensation or reimbursement from the candidate, the candidate's committee or agent.

11 C.F.R. § 109.1(b)(4)(i).

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Expenditures that are not independent are in-kind contributions subject to the limits of 2 U.S.C. § 441a. See 2 U.S.C. § 441a(a)(7)(B)(i). Contributions by a non-multicandidate committee aggregating in excess of \$1,000 to any candidate and his authorized political committees with respect to any election for federal office are prohibited by 2 U.S.C. § 441a(a)(1)(A).

B. Application of the facts to the law

1. Factual issues

In seeking to verify whether or not, in fact, FOA's expenditures were independent, this office explored several factual issues: (1) whether Barnard Gottstein was a vehicle for coordination between AFG and FOA; (2) whether Barnard Gottstein was working for or associated with AFG while planning for or operating FOA; (3) whether Alaska Advertisers was used as a vehicle for the conveyance of information between AFG and FOA; (4) whether AFG or its personnel in any way consented to, suggested, or requested FOA's activities against Senator Gravel; and (5) whether AFG exchanged information with FOA as to their respective activities with a view toward having FOA make expenditures.

2. Legal implications

If Mr. Gottstein or an agent of FOA was authorized to expend funds for AFG at the time that FOA was being planned or in operation, it could be argued that he was an agent of AFG and

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FOA's expenditures would clearly be non-independent. See 2 U.S.C. § 431(17); 11 C.F.R. § 109.1(b)(4)(i) and (b)(5). If Mr. Gottstein or an agent of FOA had been authorized to raise funds for AFG or had received compensation or reimbursement from AFG, the presumption would arise that FOA's expenditures were non-independent. See 11 C.F.R. § 109.1(b)(4)(i)(B). Furthermore, if FOA's expenditures had been made through Alaska Advertisers, which was compensated by AFG, the presumption would arise that FOA's expenditures were non-independent. Id. 3/

3/ The effect of these presumptions would appear to be governed by Federal Rule of Evidence 301:

In all civil actions and proceedings not otherwise provided for by Act of Congress or by these rules, a presumption imposes on the party against whom it is directed the burden of going forward with evidence to rebut or meet the presumption, but does not shift to such party the burden of proof in the sense of the risk of nonpersuasion, which remains throughout the trial upon the party on whom it was originally cast.

The Conference Committee Report explaining Fed.R.Evid. 301, H.R. Conf. Rep. No. 93-1597, indicates that if a party offers no evidence contradicting the presumed fact, the factfinder may make the presumption if the basic facts supporting the presumption are shown. If the party does offer evidence contradicting the presumed fact, the factfinder cannot make the presumption, though it may infer the existence of the presumed fact if the basic facts are shown. In other words, if a party offers contradicting evidence, the factfinder may only weigh the evidence of the basic facts (that would otherwise support a presumption) against the contradicting evidence. In the present context, this would mean that if a respondent offers evidence contradicting a presumption that his or her expenditures were coordinated, the factfinder may no longer presume there was coordination, though it may weigh evidence that would otherwise support a presumption (for example, evidence that the respondent had been compensated by the candidate) against whatever contradicting evidence the respondent presents. See Leguille v. Dann, 544 F.2d 1 (D.C. Cir. 1976).

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3. Summary of OGC analysis

The evidence obtained does not indicate that Mr. Gottstein was ever authorized to expend funds on behalf of AFG. Thus, there appears to be little basis for categorizing Mr. Gottstein as an "agent" of AFG within the meaning of the statute and regulations when he made FOA's expenditures. Moreover, while it is clear that Mr. Gottstein had been authorized to raise funds for AFG and that Alaska Advertisers was utilized by both AFG and FOA, and while those circumstances each raise the potential presumption that FOA's expenditures were coordinated, we believe there is sufficient contradicting evidence to preclude making such a presumption. Nonetheless, the evidence taken as whole does provide a sufficient predicate, we believe, for determining that FOA's expenditures were not independent within the meaning of 2 U.S.C. § 431(17). A more detailed recitation of that evidence follows.

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"rejected his solicitation," but was "pretty noncommittal." (See Deposition of Gottstein, p. 28). Despite Mr. Gottstein's apparent reluctance to support Clark Gruening, Mr. Gottstein contributed \$1,000 to AFG on September 30, 1979. Mr. Gottstein explained that he gave the contribution because he "was Democratic National Committeeman and [he] kind of wanted to encourage [the candidacy]." He went on to say that he "decided [he] was going to try and oppose Gravel because of his what [he] considered anti-semitic position, so [he] was ready to support whoever [he] could that might unseat him in the primary." (See Deposition of Gottstein, p. 46).

Both Mr. Gottstein and Mr. Gruening discussed subsequent contacts. According to Mr. Gottstein, there were a number of subsequent contacts during the primary. Mr. Gottstein claimed that, at first, he continued to reject pleas for support, and turned down an offer to be finance chairman of AFG. He claimed that he was awaiting the entrance of state senator Pat Rodey into the Senate race. Mr. Gottstein eventually became a fundraiser for Gruening stating that his "best estimate" of when he began performing this function was in May of 1980. (See Deposition of Gottstein, p. 35). He stated that he continued to fundraise into July. Mr. Gruening was unable to pinpoint when Mr. Gottstein agreed to become a fundraiser, but Mr. Hale indicated that Mr.

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Because of the consistency in the testimony among all of the deponents, there appears to be no reason to doubt the above description of the duties performed by Mr. Gottstein for AFG. There is uncertainty as to the date Mr. Gottstein began working for the Gruening campaign, but this may be resolved by reference to other testimony and evidence. Mr. Gruening referred to the fact that Mr. Gottstein put Mr. Gruening in touch with

Barbara and Larry Weinberg, and Mr. Gottstein referred to the fact that he was in contact with an acquaintance of his, Barbara Weinberg of Los Angeles, to obtain names of people to solicit. The Weinbergs each contributed \$1,000 to the Gruening campaign in late March, 1980. If the Weinberg's contact with the Gruening campaign was initiated through Mr. Gottstein, then Mr. Gottstein began his activities for Gruening well before May.

Mr. Hale, Mr. Gruening, and Mr. Gottstein discussed the above-mentioned viewing of proposed television campaign material by Mr. Gottstein and others associated with AFG. Each of the three men was in attendance at the meeting which took place at the office of Mystrom Advertising in Anchorage. Although Mr. Hale and Mr. Gottstein do not concur on when this meeting took place, Mr. Hale placing it in late May or early June and Mr. Gottstein in late July, both men concur that Mr. Gottstein voiced dissatisfaction with the tapes.

According to Clark Gruening, Mr. Gottstein was invited in order to obtain financial backing for proposed media slots. Mr. Gruening recalled that there was only one other (if any other) non-finance committee member in attendance. 4/

4/ Mr. Gruening said there was no formal finance committee, only an informal group including AFG's treasurer and certain individuals contacted periodically to discuss fundraising plans and progress.

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According to Mr. Gottstein, it was after the Mystrom meeting that he decided to start a "campaign" attacking Mike Gravel's record. (See Deposition of Gottstein, p. 90). He stated that he spoke to Joe Rothstein of the Washington, D.C. political consulting firm of Rothstein-Buckley who, according to Mr. Gottstein, suggested that a committee be formed and that ads be produced. He said he also spoke to Steve Silver of Senator Stevens' staff in order to obtain Mr. Silver's support, and to Carolyn Gay, a friend of his, who recruited Norma Thompson 5/ and Dick Green.

Mr. Gottstein approached Alaska Advertisers to place ads for FOA. According to Mr. Gottstein's testimony, Mr. Gottstein had not discussed with the personnel of Alaska Advertisers the services earlier provided by Alaska Advertisers to AFG. He stated that when he contacted Steven Orien of Alaska Advertisers to have FOA ads placed, he had not recalled that Alaska Advertisers had provided services for AFG. During the provision of services by Alaska Advertisers to FOA, it appears that Alaska Advertisers did not communicate in any way with AFG as to FOA's activities.

During the depositions, there was testimony as to two

5/ Norma Thompson, FOA record-keeper, worked for AFG in June and July of 1980 on a volunteer basis. She assisted the campaign in setting up telephone canvassing operations. Specifically, she trained telephone canvassers and wrote scripts for phone canvassers. She stated that she left AFG when she began working for FOA. (Deposition of Norma Thompson, p. 15).

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significant communications between Mr. Gottstein and AFG during the time that FOA's ads were aired or in print. Mr. Gruening elaborated on Mr. Gottstein's account of their conversation with respect to FOA's ads by stating that he informed Mr. Gottstein that FOA's ads were harming the Gruening candidacy in Fairbanks. While, according to Mr. Gruening, he did not specifically tell Mr. Gottstein to cease airing the ads, he believes that there was an implied request that he cease. Mr. Gottstein said that he did not heed this request.

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The other communication occurred between Mr. Hale and Mr. Gottstein. On August 8, 1980, the Wall Street Journal published an article critical of Mr. Gravel. Shortly thereafter, Mr. Hale took a copy of the article to Mr. Gottstein's house. Even though Mr. Hale knew that FOA's ads were already appearing, Mr. Hale stated that this visit "was an opportunity for [him] to just touch base with Mr. Gottstein and to just establish some sort of contact with him and heal whatever divisions there might have been..." (Deposition of Hale, p. 60). Mr. Hale went on to say that the "main topic" of their conversation was why they had not had contact and that the reason given by Mr. Gottstein for such lack of contact was "so that we could sit [in the deposition] today under oath and say we had no contact." (Deposition of Hale, p. 61).

Mr. Gottstein stated that he ceased soliciting for the Gruening campaign after the Mystrom meeting but did not remember whether or not he received any checks while FOA ads were being aired which he turned over to AFG. Mr. Hale, however, stated that during this period, Mr. Gottstein was still calling AFG to inform the committee when some contributions to AFG arrived in the mail.

Mr. Hale and Mr. Gruening and Mr. Gottstein stated that Mr. Gottstein raised funds for the Gruening in the general election. Mr. Gottstein stated that during the general election, he may have made one or two phone calls for AFG "but no more than that." (Deposition of Gottstein, p. 40).

According to Tom Kelly, plans for FOA occurred well before the end of July, 1980. He stated that in June while he was in Los Angeles, he received a call from Steve Silver, assistant to Senator Stevens, who informed Mr. Kelly that Senator Stevens wished to form a committee to "acquaint the public with the conduct and the voting record of Senator Gravel." (Deposition of Kelly, p. 17). ^{4/} According to Mr. Kelly, Mr. Silver asked if Mr. Kelly would mind having his name associated with a committee involving Mr. Gottstein. While Mr. Kelly could not state exactly whether or not Mr. Gottstein had already consented to being on the committee, he did have the impression that Mr. Gottstein was to serve on the committee.

^{4/} In his deposition, Mr. Kelly stated that, to receive the phone call, he "was called out of a business meeting in Los Angeles in June, I believe it was, of 1980." (Deposition of Kelly, p. 16). Later in the deposition, he said, "I'm positive I had the meeting in LA in June." (Deposition of Kelly, p. 26).

Mr. Kelly stated that Mr. Gottstein first contacted him while Mr. Kelly was vacationing in Roche Harbor, Washington, which would be between July 15 and August 15. (Mr. Kelly stated, at first, that he believed Mr. Gottstein contacted him in July but when asked to be more specific could not pinpoint exactly when in July). According to Mr. Kelly, Mr. Gottstein informed Mr. Kelly that the committee was "getting underway," and the two men made arrangements to see copies of the advertisements.

5. Conclusion

While a potential presumption of coordination arises from the fact that FOA made expenditures through Alaska Advertisers, a vendor which had earlier received compensation from AFG, the evidence available indicates that Alaska Advertisers was not in fact used as a vehicle for coordination between AFG and FOA. The testimony and documents obtained demonstrate that Alaska Advertisers merely served as a media time buyer and did not assist in the planning or preparation of the advertisements of either AFG or FOA. Thus, a presumption of coordination arising from this particular circumstance cannot be made; instead, the fact that FOA expended funds through Alaska Advertisers which was earlier compensated by AFG must be weighed with the other evidence available.

A potential presumption of coordination also arises from the fact that FOA's expenditures were made by Barnard Gottstein who also was authorized to raise funds for AFG. In this case, there

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is evidence that Mr. Gottstein had a significant relationship with the Gruening campaign from May (and very possible earlier than that) to July, 1980. In addition to soliciting and receiving funds for the campaign, it appears that he was one of two non-members of the finance committee invited to the Mystrom meeting. To counter the evidence associated with the potential presumption, however, is testimony that, other than the contacts specifically listed in the above summary of deposition testimony, there was no contact between AFG and FOA while FOA expenditures were being made and no contact by FOA personnel, other than Gottstein, with AFG.

As stated before, although no presumptions of coordination may be made, the Office of General Counsel nonetheless believes that, taken as a whole, the evidence indicates that FOA's expenditures were not independent within the meaning of 2 U.S.C. § 431(17). Tom Kelly's testimony indicates an involvement by Mr. Gottstein in the planning of FOA as early as June, i.e., before Mr. Gottstein ceased fundraising for AFG. The fact that a major functionary and organizer of FOA was a fundraiser for AFG while he was working with FOA clearly undercuts FOA's assertion that it was operating independently of AFG. While AFG and FOA have presented some evidence contradicting the potential presumption of coordination, the inference of coordination still may be made. Because of the weight of the evidence indicating coordination,

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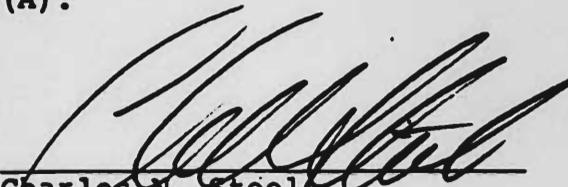
the General Counsel recommends that the Commission find probable cause to believe that Friends of Alaska violated 2 U.S.C.

§ 441a(a)(1)(A).

III. RECOMMENDATIONS

1. Find probable cause to believe that Friends of Alaska violated 2 U.S.C. § 441a(a)(1)(A).

28 May 1982
Date



Charles N. Steele
General Counsel

33040404274



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 28, 1982

Stanley Reitman, Esquire
Delaney, Wiles, Hayes, Reitman and
Brubaker, Inc.
1007 West Third Avenue
Anchorage, Alaska 99501

Re: MUR 1272

Dear Mr. Reitman:

Based on a complaint filed with the Commission on August 7, 1980, and information supplied by your client, Alaska Advertisers, the Commission determined on January 27, 1981, that there was reason to believe that your client had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

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 if possible) 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, if possible. The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a

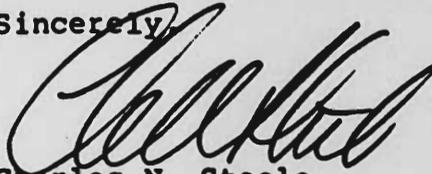
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Letter to: Stanley Reitman, Esq.
Page 2

vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Jonathan Levin at (202) 523-4529.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

83040404296

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Alaska Advertisers) MUR 1272

GENERAL COUNSEL'S BRIEF

I. BACKGROUND

On August 7, 1980, the Commission received a complaint filed by the Friends of Mike Gravel against various respondents including Alaska Advertisers, Alaskans for Gruening ("AFG"), and Friends of Alaska ("FOA"). The complaint included an allegation that Alaska Advertisers had produced and placed advertisements for the Gruening campaign "at less than fair market cost" in violation of 2 U.S.C. § 441b(a).

In response to the allegations as to corporate contributions by Alaska Advertisers, Alaska Advertisers submitted rather complete records with respect to the radio time-buying services it performed for AFG and FOA. The 1979 Year End Report of AFG listed a refund by Alaska Advertisers for an overpayment of \$634.94. Records submitted by Alaska Advertisers, however, displayed a refund check for only \$466.94. Thus, \$168 remained unaccounted for. Because of this apparent discrepancy, the Commission found reason to believe that Alaska Advertisers violated 2 U.S.C. § 441b(a).

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II. FACTUAL AND LEGAL ANALYSIS

Section 441b(a) of Title 2 prohibits corporate contributions in connection with an election for federal office. Commission regulations defining the term "contribution" state that the provision of services for less than "the usual and normal charge" for such services is a contribution. See 11 C.F.R. § 100.7(a)(1)(iii)(A), formerly 11 C.F.R. § 100.4(a)(1)(iii)(A).

The \$168 discrepancy was explained by John Hale, AFG campaign manager. In a sworn response, dated February 23, 1981, he stated that the actual refund from Alaska Advertisers was, indeed, \$466.94 and that the remaining \$168 was received from Michael Carey of Fairbanks in the form of two checks (one for \$162 and one for \$6) as refunds from \$325 in expenses advanced to him to set up a fundraiser. However, the 1979 Year End Report mistakenly omitted to note that \$168 of the \$634.94 refunded was not refunded from Alaska Advertisers. Mr. Hale enclosed a deposit slip illustrating that there were two checks, one for \$162 and one for \$6, drawn from accounts at the same bank, and another check for \$466.94 drawn from an account at another bank.

The evidence thus indicates that AFG paid the "usual and normal charge" for Alaska Advertisers' services. Therefore, the General Counsel recommends that the Commission find no probable cause to believe that Alaska Advertisers violated 2 U.S.C. § 441b(a).

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III. RECOMMENDATION

1. Find no probable cause to believe that Alaska Advertisers violated 2 U.S.C. § 441b(a).

27 May 1992
Date



Charles N. Steele
General Counsel

83040404299



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE
FROM: MARJORIE W. EMMONS / JODY C. RANSOM *JCR*
DATE: MAY 7, 1982
SUBJECT: MUR 1272 - Comprehensive Investigative
Report #2, signed May 6, 1982; Received
in OCS, 5-6-82, 11:20

The above-named document was circulated to the
Commission on a 24 hour no-objection basis at 4:00,
May 6, 1982.

There were no objections to the report at the time
of the deadline.

83040404300

May 6, 1982

ME MEMORANDUM TO: Marjorie W. Emmons
FROM: Phyllis A. Kayson
SUBJECT: MUR 1272

Please have the attached Comprehensive Investigative Report #2 distributed to the Commission on a 24 hour no-objection basis. Thank you.

Attachment

cc: Levin

83040404301

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

In the Matter of)
Friends of Alaska, et al.) MUR 1272

82 MAY 6 All: 20

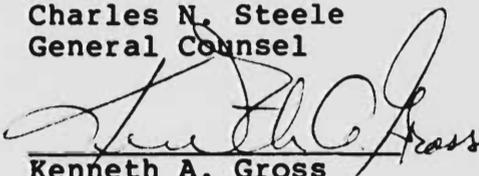
Comprehensive Investigative Report # 2

This matter involves an allegation by the Friends of Mike Gravel that the Friends of Alaska ("FOA"), a committee advocating the defeat of Mike Gravel in the 1980 Alaska Democratic Senatorial primary, did not act independently of Alaskans for Gruening ("AFG"), the principal campaign committee of Democratic primary candidate Clark Gruening, and that, therefore, FOA made an excessive in-kind contribution to AFG. At the Commission meeting of April 14, 1982, staff advised the Commission orally that we anticipated being able to circulate a factual and legal analysis of the case within three weeks, i.e. by May 5.

Due to the amount of evidence that is involved (9 depositions plus voluminous written materials) and the fact that the staff has required several discussions as to what recommendations should be made, we have been unable to circulate our analysis within the time planned. Our revised estimate is that a document will be circulated within two weeks, i.e. by May 19, 1982.

May 6, 1982
Date

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS /JODY CUSTER *jc*
DATE: NOVEMBER 30, 1981
SUBJECT: MUR 1272 - Comprehensive Investigative
Report dated November 24, 1981; Received
in OCS, 11-27-81, 10:14

The above-named document was circulated to the
Commission on a 24 hour no-objection basis at 2:00,
November 27, 1981.

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

83040404302

November 27, 1981

MEMORANDUM TO: Marjorie W. Emmons

FROM: Phyllis A. Kayson

SUBJECT: MUR 1272

Please have the attached Comprehensive Investigative Report #1 distributed to the Commission on a 24 hour no-objection basis. Thank you.

Attachment

cc: Levin

8304040430

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION
November 24, 1981

RECEIVED
NOV 27 1981

81 NOV 27 A10: 14

In the Matter of)
) MUR 1272
Friends of Alaska, et al.)

COMPREHENSIVE INVESTIGATIVE REPORT # 1

This matter involves an allegation by the Friends of Mike Gravel that the Friends of Alaska ("FOA"), a committee advocating the defeat of Mike Gravel in the 1980 Alaska Democratic Senatorial primary, did not act independently of Alaskans for Gruening ("AFG"), the principal campaign committee of Democratic primary candidate Clark Gruening, and that, therefore, FOA made an excessive in-kind contribution to AFG. On January 27, 1981, the Commission found reason to believe that FOA violated 2 U.S.C. § 441a(a)(1)(A) and that AFG violated 2 U.S.C. § 441a(f). The Commission also approved questions to be sent to the committees and to Barnard Gottstein, who was alleged to have been the vehicle for coordination between the committees.

During late February and March, 1981, this office received replies from AFG, FOA, and Mr. Gottstein. Based upon these responses, the General Counsel considered it necessary to obtain more information and, therefore, recommended that the Commission authorize subpoenas for documents and depositions to be sent to Mr. Gottstein and eight other persons involved in the activities of the committees. The Commission authorized the subpoenas on July 2, 1981.

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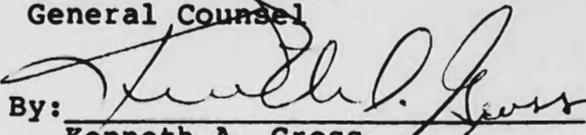
During the week of August 3, 1981, Commission attorneys deposed in the following order: (1) Steve Oien, general manager of Alaska Advrtisers, a company partially owned by Mr. Gottstein which placed advertisements for both committees; (2) Judith L. Parsons, Mr. Oien's assistant; (3) John P. Hale, campaign manager for AFG; (4) Clark Gruening, the candidate; (5) Carolyn M. Gay, whom Mr. Gottstein named as an organizer of FOA; and (6) Dick Green, treasurer of FOA.

Three other persons who were unavailable for deposition at that time were deposed on later dates. Mr. Gottstein, who was in Washington, D.C. on September 14 on other business, was deposed at our offices on that date. Norma Thompson, bookkeeper for FOA and a volunteer for AFG, was deposed by telephone on September 25. Tom Kelly, chairman of FOA, was deposed by telephone on October 2.

At this time, we are reviewing the transcripts of the depositions and the other evidence available with a view toward making an appropriate recommendation to the Commission.

Nov. 25, 1981
Date

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Assistant General Counsel

830404306

AKULAW

700 H Street, Suite 5
Anchorage, Alaska 99501
(907) 274-3242

October 20, 1981

Jan Baran and Bill Schweitzer
Attorneys at Law
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

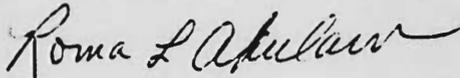
MUR 1272

Re: FRIENDS OF ALASKA, et al

Gentlemen:

The original transcript of the deposition of Barnard Gottstein has been forwarded to my office so that Mr. Gottstein can have the opportunity to examine it and correct any errors therein. We were requested to notify you of the transcript's arrival in our office.

Sincerely,



Roma L. Akulaw

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AKULAW OFF 4308



Scott E. Thomas, Esq.
Assistant General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 25, 1981

Michael Sharon, Esquire
Hartig, Rhodes, Norman & Mahoney
717 K Street
Suite 201
Anchorage, Alaska 99501

RE: MUR 1272

Dear Mr. Sharon:

This letter serves to confirm conversations between you and Jonathan Levin of the Office of General Counsel with regard to the telephone deposition of your client, Thomas Kelly. It is our understanding that this deposition is to take place in your office at Hartig, Rhodes, Norman & Mahoney in Anchorage on October 2, 1981, at 9:00 a.m., Anchorage time. The attorneys from the Commission will not be present in Anchorage and it is our understanding that the Commission attorneys will communicate with Mr. Kelly and you through the means of a speakerphone located in your office.

We have enclosed a copy of the subpoena originally sent to Mr. Kelly.

Sincerely,

Scott E. Thomas
Assistant General Counsel

Enclosure

8304040309

Thom



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 17, 1981

HAND DELIVERED

Jan W. Baran, Esquire
William H. Schweitzer, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

Dear Messrs. Baran and Schweitzer:

This letter serves to confirm conversations between Mr. Baran and Jonathan Levin of the Office of General Counsel with regard to the deposition of your client, Norma Thompson. It is our understanding that this deposition is to take place at the Office of the State Attorney at 150 Fifth Street North, St. Petersburg, Florida, on September 21, 1981, at 2:00 p.m. There is a speakerphone in an office at that location for use during the deposition. These arrangements have been made through Mr. Jack Helinger at the State Attorney's office in St. Petersburg.

We have enclosed copies of letters sent to Mr. Helinger and the reporting firm of Kanabay & Kanabay. Pursuant to your request, we have also enclosed a copy of the subpoena sent to Ms. Thompson.

Sincerely,

Scott E. Thomas
Assistant General Counsel

Enclosures (3)

830404310

September 16, 1981

Mr. Donald Kanabay
Kanabay & Kanabay
County Building
150 Fifth Street North
St. Petersburg, Florida 33701

Dear Mr. Kanabay:

This letter serves to confirm conversations between Kanabay & Kanabay and Jonathan Levin of the Office of General Counsel of the Federal Election Commission with respect to services to be provided by your firm. Our office has scheduled a deposition for 2:00 p.m. on September 21, 1981, at the Office of the State Attorney at 150 Fifth Street North, St. Petersburg, Florida, and it is our understanding that a reporter from your firm will be present.

In accordance with a request made by your firm, we are enclosing a copy of the subpoena sent to the deponent. Please be advised that 2 U.S.C. § 437g(a)(12)(A), a section of the Federal Election Campaign Act of 1971, as amended, prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

Sincerely,

Scott E. Thomas
Assistant General Counsel

cc: Jan W. Baran, Esquire
William H. Schweitzer, Esquire

Enclosure

330404311

September 16, 1981

Mr. Jack Helinger, Esquire
Office of the State Attorney
150 Fifth Street North
St. Petersburg, Florida 33701

Dear Mr. Helinger:

This letter serves to confirm conversations between you and Jonathan Levin of the Office of General Counsel of the Federal Election Commission with regard to the deposition of Ms. Norma Thompson. It is our understanding that this deposition will take place at the Office of the State Attorney at 150 Fifth Street North, St. Petersburg, Florida, on September 21, 1981, at 2:00 p.m. It is also our understanding that there will be a speakerphone set up in an office at your location so that Commission attorneys may depose Ms. Thompson by phone.

For your information, the attorneys for the deponent are Jan W. Baran and William H. Schweitzer of the firm of Baker & Hostetler which is located at 818 Connecticut Avenue in Washington, D.C.

Thank you for the use of your facilities.

Sincerely,

Scott E. Thomas
Assistant General Counsel

cc: Jan W. Baran, Esquire
William H. Schweitzer

33040404312



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 11, 1981

HAND DELIVERED

Jan W. Baran, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

RE: MUR 1272

Dear Mr. Baran:

This letter serves to confirm telephone conversations between you and Jonathan Levin regarding the scheduling of the deposition of your client, Barnard Gottstein, in MUR 1272. The deposition is scheduled to take place on September 14, 1981, at 10:00 A.M. at the Office of General Counsel of the Federal Election Commission.

Sincerely,

Scott E. Thomas
Assistant General Counsel

cc: William H. Schweitzer

33040404312

CC# 5263

Dick Green
2140 Stanford Drive
Anchorage, Alaska 99504

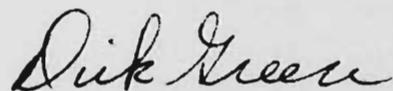
August 1, 1981

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

Re: Subpoena
Matter Under Review 1272

Gentlemen:

In response to the July 8, 1981 Subpoena addressed to the undersigned as Treasurer of the Friends of Alaska, requesting copies of five (5) categories of documents, please be advised that to the best of my knowledge and belief the copies of documents submitted to the Federal Elections Commission in Washington, D. C. on July 31, 1981 by Baker & Hostetler, attorneys at law, on behalf of the undersigned and Friends of Alaska, constitute all of the documents in possession or control of the undersigned and Friends of Alaska, that are described in the July 8, 1981 Subpoena.



Dick Green, Treasurer
Friends of Alaska

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SEP 1 1981

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CCC#5262

BAKER & HOSTETLER

ATTORNEYS AT LAW

818 CONNECTICUT AVE., N.W.

WASHINGTON, D. C. 20006

(202) 861-1800

TELECOPIER (202) 867-0010

IN CLEVELAND, OHIO
3200 NATIONAL CITY CENTER
CLEVELAND, OHIO 44114
(216) 821-0800
TWX 810 481 8378

IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 226-1541

IN DENVER, COLORADO
500 CAPITOL LIFE CENTER
DENVER, COLORADO 80203
(303) 861-0800

IN ORLANDO, FLORIDA
850 CNA TOWER
ORLANDO, FLORIDA 32802
(308) 841-1111

51 JUL 31 P 6:32

WRITER'S DIRECT DIAL NO.:

(202) 861- 1531

July 31, 1981

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

Re: MUR 1272

Dear Mr. Steele:

Enclosed are all documents produced by Dick Green, Treasurer of Friends of Alaska, in response to a subpoena, which is dated July 8, 1981, issued by the Federal Election Commission.

Very truly yours,

William H. Schweitzer

WHS/h
Enc.

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AUG 11 11 30 AM '81

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GENERAL COUNSEL



FRIENDS OF ALASKA COMMITTEE

STATEMENT OF ACCOUNT - As of Sept. 9, 1980

Total Advertising Expenditures		14,620.40
Paid on Account:	8/22	7,903.00
Paid on Account:	8/28	<u>2,500.00</u>
BALANCE DUE		<u>\$4,217.40</u>

4,351.79

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GENERAL COUNCIL

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FRIENDS OF ALASKA COMMITTEE

STATEMENT OF ACCOUNT - As of Sept. 9, 1980

Total Advertising Expenditures		14,620.40
Paid on Account:	8/22	7,903.00
Paid on Account:	8/28	<u>2,500.00</u>
BALANCE DUE		\$4,217.40

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1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

INVOICE DATE 8/31/80

SOLD TO Friends of Alaska Committee

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30 TERMS: 30 DAYS
B

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE No 30387

DESCRIPTION OF SERVICE	AMOUNT										
<p>Radio Advertising, August 6, 1980</p> <table data-bbox="259 766 1250 942"> <tr><td>KBYR Radio</td><td>64.00</td></tr> <tr><td>KNIK Radio</td><td>24.00</td></tr> <tr><td>KIFW Radio</td><td>42.00</td></tr> <tr><td>KVOK Radio</td><td>40.00</td></tr> <tr><td>Alaska Radio Network</td><td><u>150.00</u></td></tr> </table>	KBYR Radio	64.00	KNIK Radio	24.00	KIFW Radio	42.00	KVOK Radio	40.00	Alaska Radio Network	<u>150.00</u>	<p>\$</p> <p>320.00</p>
KBYR Radio	64.00										
KNIK Radio	24.00										
KIFW Radio	42.00										
KVOK Radio	40.00										
Alaska Radio Network	<u>150.00</u>										



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

INVOICE DATE 8/31/80

SOLD TO

Friends of Alaska Committee

040404321

DESCRIPTION OF SERVICE	AMOUNT
<p>Radio Advertising, August 7, 1980</p> <p>KBYR Radio 64.00</p> <p>KHAR Radio 159.00</p> <p>KNIK Radio 24.00</p> <p>KFRB Radio 60.00</p> <p>KIFW Radio 42.00</p> <p>KVOK Radio 40.00</p> <p>Alaska Radio Network <u>225.00</u></p>	<p>\$</p> <p>614.00</p>

3 TERMS: 30 DAYS

INTEREST WILL BE CHARGED ON ALL AMOUNTS NOT PAID WITHIN 30 DAYS.

INVOICE No 30388



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

INVOICE DATE 8/31/80

SOLD TO Friends of Alaska Committee

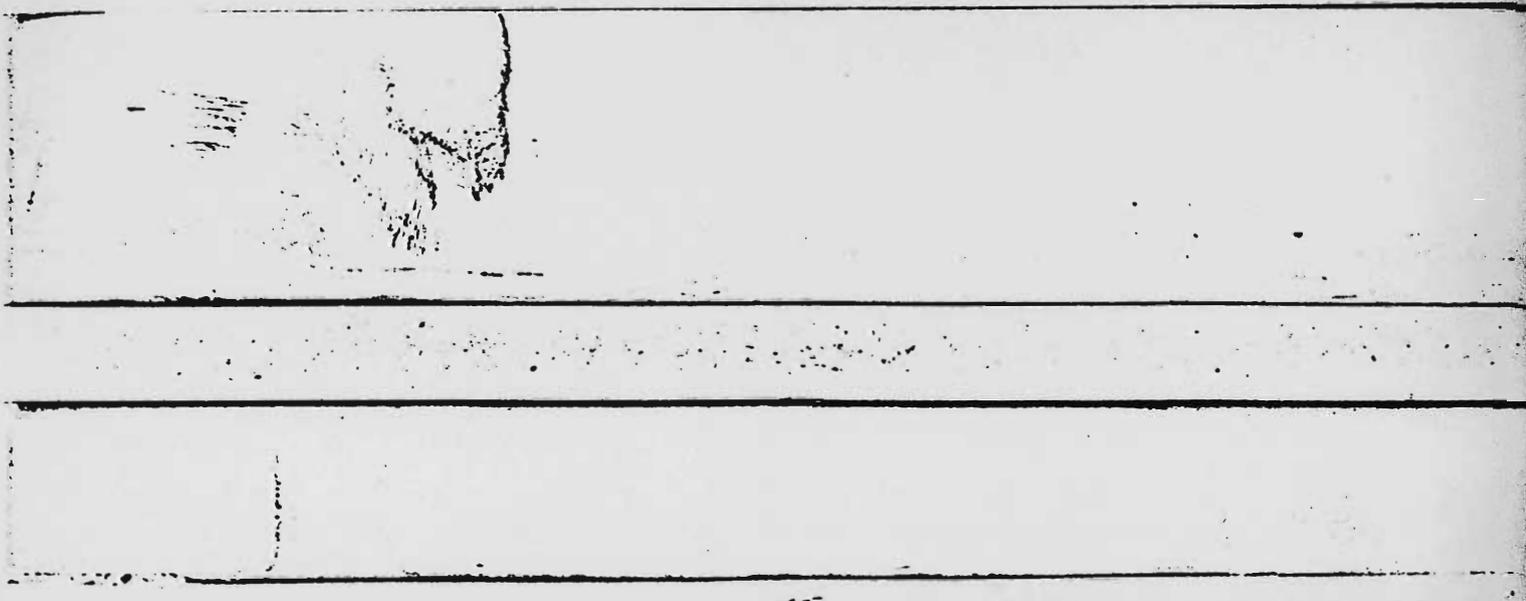
DESCRIPTION OF SERVICE	AMOUNT
<p>Radio Advertising, August 8, 1980:</p> <p>KBYR Radio 64.00</p> <p>KHAR Radio 159.00</p> <p>KNIK Radio 24.00</p> <p>KFRB Radio 60.00</p> <p>KIFW Radio 42.00</p> <p>KVOK Radio 32.00</p> <p>Alaska Radio Network <u>225.00</u></p>	<p>\$</p> <p>606.00</p>

3040404322

TERMS: 30 DAYS

INTEREST WILL BE CHARGED ON ALL AMOUNTS NOT PAID WITHIN 30 DAYS.

INVOICE No 30389





INVOICE
DATE

8/31/80

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

SOLD
TO

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 9, 1980:	\$
KYAK Radio	105.00
KHAR Radio	95.00
KBYR Radio	65.00
KNIK Radio	77.00
KFRB Radio	75.00
KIFW Radio	105.00
KVOK Radio	40.00
KSRM Radio	105.00
Alaska Radio Network	<u>150.00</u>
	817.00

3040404322

8 3040404322
TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE No 30391



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-5942

INVOICE DATE 8/31/80

SOLD TO Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 12, 1980: KYAKRADIO 96.00 KHAR Radio 159.00 KBYR Radio 64.00 KNIK Radio 24.00 KFRB Radio 75.00 KIFW Radio 42.00 KVOK Radio 32.00 Alaska Radio Network <u>150.00</u>	\$ 642.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED ON ALL AMOUNTS NOT PAID WITHIN 30 DAYS.

INVOICE No 30395



040104326

8



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

INVOICE DATE 8/31/80

SOLD TO Friends of Alaska Committee

040404328

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 14, 1980:	\$
KYAK Radio	96.00
KHAR Radio	106.00
KBYR Radio	64.00
KNIK Radio	24.00
KFRB Radio	75.00
KIFW Radio	42.00
KVOK Radio	32.00
Alaska Radio Network	<u>150.00</u>
	589.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED ON ALL AMOUNTS NOT PAID WITHIN 30 DAYS.

INVOICE No 30397

8



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

INVOICE DATE 8/31/80

SOLD TO

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
<p>Radio Advertising, August 15, 1980:</p> <p>KYAK Radio 96.00</p> <p>KHAR Radio 106.00</p> <p>KBYR Radio 64.00</p> <p>KNIK Radio 24.00</p> <p>KFRB Radio 75.00</p> <p>KIFW Radio 42.00</p> <p>KVOK Radio 32.00</p> <p>Alaska Radio Network <u>150.00</u></p>	<p>\$</p> <p>589.00</p>

0404043228

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE No 30398



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-5942

INVOICE DATE 8/31/80

SOLD TO

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 18, 1980: KYAK Radio 96.00 KHAR Radio 106.00 KBYR Radio 64.00 KNIK Radio 24.00 KFRB Radio 42.00 KVOK Radio 32.00 Alaska Radio Network <u>150.00</u>	\$ 589.00

3040404336

8 TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE No 30401



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-5942

INVOICE DATE 8/31/80

SOLD TO

Friends of Alaska Committee

040404333

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 19, 1980: KYAK Radio 96.00 KHAR Radio 106.00 KBYR Radio 64.00 KNIK Radio 24.00 KFRB Radio 60.00 KIFW Radio 42.00 KVOK Radio 32.00 Alaska Radio Network <u>150.00</u>	\$ 574.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE No 30402

8



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-5942

INVOICE DATE 8/31/80

SOLD TO Friends of Alaska Committee

3040404334

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 20, 1980:	\$
KYAK Radio	96.00
KHAR Radio	106.00
KNIK Radio	24.00
KBYR Radio	64.00
KFRB Radio	30.00
KIFW Radio	42.00
KVOK Radio	32.00
Alaska Radio Network	<u>150.00</u>
	544.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE No 30403





1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-5942

INVOICE DATE 8/31/80

SOLD TO

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 21, 1980: KYAK Radio 96.00 KHAR Radio 106.00 KBYR Radio 64.00 KNIK Radio 24.00 KIFW Radio 42.00 KVOK Radio 32.00 Alaska Radio Network <u>300.00</u>	\$ 664.00

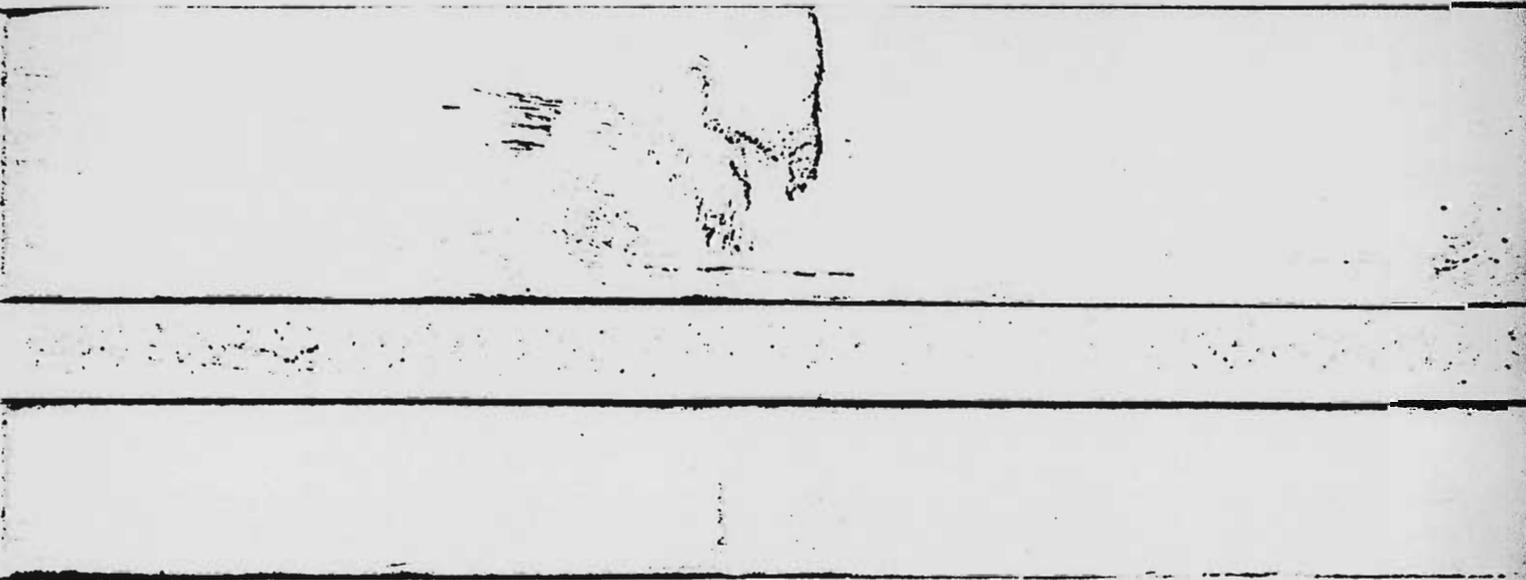
040404332

TERMS: 30 DAYS

INTEREST WILL BE CHARGED ON ALL AMOUNTS NOT PAID WITHIN 30 DAYS.

INVOICE No 30404

8





1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

INVOICE DATE 8/31/80

SOLD TO

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
Radio & Print Advertising, August 24, 1980:	\$
KYAK Radio 90.00	
KHAR Radio 95.00	
KBYR Radio 65.00	
KNIK Radio 77.00	
KIFW Radio 105.00	
KVOK Radio 40.00	
KSRM Radio 90.00	
Alaska Radio Network 300.00	
Anchorage Daily Times 318.80	
	1180.80

040404338

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE No 30408

8



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-5942

INVOICE DATE 8/31/80

SOLD TO

Friends of Alaska Committee

040404339

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 25, 1980: KYAK Radio 96.00 KHAR Radio 106.00 KBYR Radio 64.00 KNIK Radio 24.00 KIFW Radio 42.00 KVOK Radio 32.00 Alaska Radio Network <u>300.00</u>	\$ 664.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE No 30406

8

10/15/80 - 1230PM

Copies of all spec. (D)

Form for expenditures

Dick needs to sign new supplement

(Chg - 7770387) - Jan Bonam.

707-261-1577 - 10/16/80

PIP

83040404340

[# 3507 #74 N U Day - Manuscripts]

8/16/80

Need +

1- ~~SCH B OK Det~~

Complete - SCH E = Main relation of SCH B (used by Dick Chase)

BORNEY Nos AMENDED Copies - ASOT 8/6 - NO GIP-MAN

2 Copies of Job = Script.

CO. NO.	LOC	S/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHK NO.	AMOUNT	DESCRIPTION
090		199.00		52150	Ovrpymt	10/80	2	10	134.39	

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

8 3 0 4 0 4 0 4 3

DATE	CHECK NO.	CHECK ISSUED TO	IN PAYMENT OF	AMOUNT OF CHECK	DATE OF DEPOSIT	AMOUNT OF DEPOSIT	BALANCE
12/31/82	Repat	6012 1/2 E 14TH	Refund - RR News 2140 Alameda 1000 1700112121	134.39	LDHTS N. KATRINA 1000.00	1000.00	1016183. AS DICK \$1000.00

EDWARD C. LEVY, JR. 8800 DIX AVE., DETROIT, MICHIGAN 48209

August 19, 1980
Express Mail

Mr. Barney Gottstein
6441 "C" Street
Anchorage, Alaska 99510

Dear Barney:

Enclosed are three checks in support of your committee. I hope they will be helpful. As to identification, Eric Borman, 3446 Chestnut Street, Philadelphia, Pennsylvania, occupation: student. Edward C. Levy, Jr., 8800 Dix Avenue, Detroit, Michigan, occupation: corporation executive. J. J. Stone, 300 Lowell Court, Bloomfield Hills, occupation: corporation executive.

Best personal wishes.

Sincerely,



Edward C. Levy, Jr.

at
Enclosures

3304040342

8 3 0 4 0 4 0 4 3 4 3



Michigan National Bank Oakland

74-1004
724

PERSONAL MONEY ORDER

NUMBER
767925

SOUTHFIELD, MICHIGAN August 19, 1980

PAY TO THE
ORDER OF

Friends of Alaska

NOT TO EXCEED \$500.00

8800 Dix Ave.
Detroit, Mich. 48209
SENDER'S ADDRESS

Edward C. Levy, Jr.
SIGNATURE

⑈767925⑈ ⑆072410042⑆ 0807⑈0001⑈6⑈ 889
EDW C LEVY JR 8800 DIX AVE - DETROIT MICH - CORP ex.

J. J. STONE
INVESTMENT ACCOUNT

1711

Handwritten scribbles and signatures

8/19 1980 9-33
720

DOLLARS

MANUFACTURERS NATIONAL BANK
OF DETROIT
DETROIT, MICHIGAN

J. J. STONE
INVESTMENT ACCOUNT

J. J. Stone
⑈001711⑈ ⑆072000339⑆ 100 255401⑈

JJ Stone - 300 Lowell CT. Bloomfield Hills Mich
CORP ex.

148

3-5 60
310 60

Aug-18-1980

\$ 500.00

DOLLARS

ERIC ROBERT BORMAN
BOX 0418, 3446 CHESTNUT ST.
PHILADELPHIA, PA. 19101

Five hundred dollars and 00/100



8/25/80

\$1500.00

⑆1701⑆ ⑆19 076 3737 ⑆195⑆00001⑆01⑆

50

From the desk of -
ROBERT H. ASHER

Barney

Hope This helps! 1500

more coming from Detroit

Daniel Asher

2600 N. LaSalle
Chgo 60614

Robert Asher

180 E PEARSON
Chgo

34

34

34

34

34

34

34

34

34

EXEC

my first Corp
Chgo Ill
60643

EXEC

CHILCO HFG
2106 S. KED
Chgo

ASHER
180 E. PEARSON, APT. 6102
CHICAGO, ILL. 60611

1372

2-204
710

8/11 19 70

PAY TO THE
ORDER OF

Friends of Alaska

\$750⁰⁰

Seven Hundred Fifty and no/100

00
11 DOLLARS



Lawndale Bank

3333 WEST 26th STREET CHICAGO, ILLINOIS 60623

MEMO

Robert Asher

① 0710020401 ① 35 356 6

180 E PEARSON - CHI - EXEC.

ROBT
ASHER

DANIEL ASHER

266

PAY TO THE
ORDER OF

Friends of Alaska

8/12 19 80

2-204
710

Seven Hundred Fifty and no/100

\$ 750

100

DOLLARS



Lawndale Bank

3333 WEST 26th STREET CHICAGO, ILLINOIS 60623

MEMO

Daniel

① 0710020401 ① 35 402 3

2650 N LAKEVIEW - CHI 60614

BKSN EX

\$ 1500.00
8/25/82

8304040434

DANIEL
ASHER

From the desk of -
ROBERT H. ASHER

*Delivery
Here This Ledger! 1500
More coming from Detroit*

*Robert Asher
180 E PEARSON
CHGO*

*EXEC
CHILCO MFG
2106 S. LEXING
CHGO*

*Daniel Asher
2650 N. Lakeview
CHGO 60614*

*EXEC
my my Dist Corp
Chgo Ill
60614*

Home

Bus

8 3 4 0 4 0 4 3 4 6

Wapston *CCCH* 32
5262

FOA FORM #1
Wire: Dated _____

TO: U S SENATE
OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECY OF THE SENATE
119 D STREET N. E.
WASHINGTON D C 20510
PH 202 224 0322

EXPENDITURE FOR THE DAY OF 8/15/80 IN THE
AMOUNT OF \$ 752.00 (ESTIMATED AMOUNT) = INFORMATION
1/2 2/10/80
ST TIME OF AIRGRAM

PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR
THE U S SENATE, MIKE GRAVEL, WHOSE ANCHORAGE ADDRESS IS
701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY ' FRIENDS OF ALASKA',
2140 STANFORD DR, ANCHORAGE AK 99504.

THE PAYEE: ALASKA ADVERTISERS, 1341 FAIRBANKS, ANCHORAGE
AK 99501

*977-5539
-231
210*

SIGNED: FRIENDS OF ALASKA
2140 STANFORD DR
ANCHORAGE AK 99504

000

0.00 T

ADV.
8/15-8/16/80

C

ADSCOM - 277-5561

ADVERTISERS - 25-00 (1030 PM = 430 CST)

or Modification	For P/E	TIME /	Rate	Rate of Broadcast	Spots P/E
180	215	10:10 AM - 11:01 AM (EST) (Actual Ch 201. 146.32)	752.00		2/23
180	216	430 PM RJ	248.00		2/24
181	217	10:10 AM N4	698.00		2/25
181	218	11:01 AM K6	690.00		
181	219	✓	887.00		
181	210	✓	887.00		
181	211	✓	744.00		
181	212	✓			
181	213	✓			
181	214	✓			
181	215	✓			
181	216	✓	1909.00	Radio	
181	217	✓	277.00		
181	218	✓	542.00		
181	219	✓	530.00		
181	210	* Billboards Corp Anch 2/10/80	1171.00		
181	211	Carload # from Alex			
181	212				

PAID
8/1/80
CW#T-1

146.00 +
248.00 +
698.00 +
690.00 +
887.00 +
690.00 +
887.00 +
887.00 +
744.00 +
690.00 +
887.00 +
887.00 +
744.00 +
012 7,005.00 T



ADVERTISERS

STEVE OIEN
General Manager

1341 Fairbanks Street
Anchorage, Alaska 99501
(907) 279-5942

FOA FORM #1
Wire: Dated _____

To: U S SENATE REPORTS
OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECY OF THE SENATE
119 D STREET N. E.
WASHINGTON D C 20510
PH 202 224 0322

EXPENDITURE FOR THE DAY OF _____ IN THE
AMOUNT OF \$ _____.

PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR
THE U S SENATE, MIKE GRAVEL WHOSE ANCHORAGE ADDRESS IS
701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY ' FRIENDS OF ALASKA',
2140 STANFORD DR, ANCHORAGE AK 99504.

THE PAYEE: ALASKA ADVERTISERS, 1341 FAIRBANKS, ANCHORAGE
AK 99501

SIGNED: FRIENDS OF ALASKA
2140 STANFORD DR
ANCHORAGE AK 99504

FOA FORM #1

Wire: Dated _____

To: U S SENATE REPORTS
OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECY OF THE SENATE
119 D STREET N. E.
WASHINGTON D C 20510
PH 202 224 0322

EXPENDITURE FOR THE DAY OF _____ IN THE
AMOUNT OF \$ _____.

PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR
THE U S SENATE, MIKE GRAVEL WHOSE ANCHORAGE ADDRESS IS
701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY ' FRIENDS OF ALASKA',
2140 STANFORD DR, ANCHORAGE AK 99504.

THE PAYEE: ALASKA ADVERTISERS, 1341 FAIRBANKS, ANCHORAGE
AK 99501

SIGNED: FRIENDS OF ALASKA
2140 STANFORD DR
ANCHORAGE AK 99504



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

INVOICE DATE 8/13/80

SOLD TO FRIENDS OF ALASKA COMMITTEE

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 11, 1980	\$
KYAK	112.00
KBYR	64.00
KNIK	24.00
KHAR	159.00
KFAR	84.00
KFRB	75.00
KIFW	42.00
KVOK	32.00
ARN	<u>150.00</u>
	742.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED ON ALL AMOUNTS NOT PAID WITHIN 30 DAYS.

INVOICE No 35450

04040433

8



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

INVOICE DATE 8/13/80

SOLD TO

FRIENDS OF ALASKA COMMITTEE

040404356
8

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 12, 1980	\$
KHAR	159.00
KYAK	96.00
KBYR	64.00
KNIK	24.00
KFAR	56.00
KFRB	75.00
KIFW	42.00
KVOK	32.00
ARN	<u>150.00</u>
	698.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED ON ALL AMOUNTS NOT PAID WITHIN 30 DAYS.

INVOICE No 35451

Geddy Parsons

277-6639

art. (237) 210

AK ADV
EXPENSE

8/6/85 11:30 AM

8/5 = 146.00 =

8/6 = 348.00*

8/7 698.00	8/11 747.00
8/8	8/12
8/9 837.00	8/13
8/10	8/14

83040404360

2/11/80 - 11PM

No air budget from
city

Called the bus
out of office

33040404361



83040404366

8/6 - 8/25 ↑)

8/10 - 272.00

1/17 872.00

18 645.00

19 - 630.00

20 - 630.00

21 - 630.00

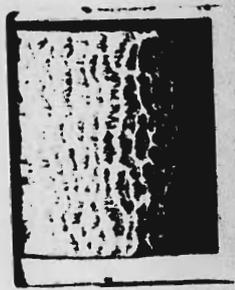
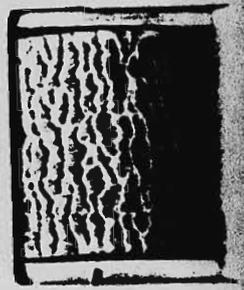
22 - 630

23 857

24 857

25 630

~~XXXX~~
5407



83040404363

To Home
Date 8-8-80 Time 10:05

WHILE YOU WERE OUT
M Judy Parsons
of

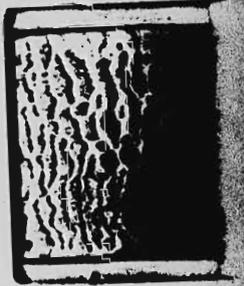
Phone 277-6639 231
Area Code Number Extension

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT	
RETURNED YOUR CALL			

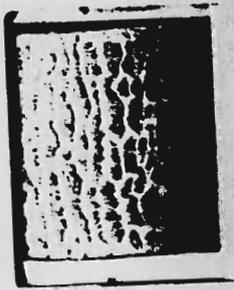
Message Will get message ASDP
and call back
XX
Operator

ACCURACY® No. 64-7204

8/12-	698.00
8/13	645.00
14	6 45.00
15	645.00



9/24



83040404364

MEMO FROM:

Kelly Gay

2180

PUBLIC INFORMATION OFFICER
264-4422

1st Spots - Tues 8/5/80

air route - Judy Parsons.

277 6639

8/15	8/19
8/16	8/20
8/17	8/21
8/18	8/22
	8/23

83040404363

To Nanna
Date 8-7-80 Time 9:35

WHILE YOU WERE OUT
M Judy Parsons
of _____
Phone 277-6639 2312210
Area Code Number Extension

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT	<input type="checkbox"/>
RETURNED YOUR CALL		<input type="checkbox"/>	<input type="checkbox"/>

Message _____

Operator K.L.

ACCURACY® No. 64-7204

83040404366



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

INVOICE DATE 8/1/80

SOLD TO FRIENDS OF ALASKA

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 5 thru 25, 1980 <i>(21) 733.47 per day</i>	\$
KFQD Radio, Anchorage \$2760.00	
KHAR Radio, Anchorage \$2160.00	
KBYR Radio, Anchorage \$1350.00	
KNIK-FM Radio, Anch. \$822.00	
KFAR Radio, Fairbanks \$1260.00	
KFRB Radio, Fairbanks \$1350.00	
KSRM Radio, Soldotna \$570.00	
KVOK Radio, Kodiak \$ 720.00	
KIFW Radio, Sitka \$1260.00	
Alaska Radio Network \$3150.00	15,702.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED ON ALL AMOUNTS NOT PAID WITHIN 30 DAYS.

INVOICE № 35367

3



FRIENDS OF ALASKA

Statewide Radio Schedule (August 5 thru 25)

Anchorage

KFQD Radio

- 2 AM Drive spots Monday thru Friday
- 2 PM Drive spots Monday thru Friday
- 5 Daytime spots Saturday & Sunday

Total 30 spots per week @\$920.00/Week \$2760.00

KHAR Radio

- 2 AM Drive spots Monday thru Friday
- 2 PM Drive spots Monday thru Friday
- 5 Daytime spots Saturday & Sunday

Total 30 spots per week @\$720.00/Week \$2160.00

KBYR Radio

- 2 AM Drive spots Monday thru Friday
- 2 PM Drive spots Monday thru Friday
- 5 Daytime spots Saturday & Sunday

Total 30 spots per week @\$450.00/Week \$1350.00

KNIK-FM Radio

- 2 PM Drive spots Monday thru Friday
- 7 Daytime spots Saturday & Sunday

Total 14 spots per week @\$274.00/Week \$ 822.00

Anchorage Total \$7092.00

830404368



FRIENDS OF ALASKA

Fairbanks

KFAR Radio

- 2 AM Drive spots Monday thru Friday
- 2 PM Drive spots Monday thru Friday
- 5 Daytime spots Saturday & Sunday

Total of 30 spots per week @\$420.00/Week \$1260.00

KFRB Radio

- 2 AM Drive spots Monday thru Friday
- 2 PM Drive spots Monday thru Friday
- 5 Daytime spots Saturday & Sunday

Total of 30 spots per week @\$450.00/Week \$1350.00

Fairbanks Total \$2610.00

Kenai

KSRM Radio

- 10 Daytime spots Saturday & Sunday

Total of 20 spots per week @\$190.00/Week \$570.00

Kodiak:

KVOK Radio

- 2 AM Drive spots Monday thru Friday
- 2 PM Drive spots Monday thru Friday
- 5 Daytime spots Saturday & Sunday

Total of 30 spots per week @\$240.00/Week \$720.00

83040404369



FRIENDS OF ALASKA

Sitka

KIFW Radio

- 1 AM Drive spot Monday thru Friday
- 1 PM Drive spot Monday thru Friday
- 5 Daytime spots Saturday & Sunday

Total 20 spots per week @\$420.00/Week	\$1260.00
--	-----------

Alaska Radio Network

- Stations: KYAK, KANC, KHVN & KGOT-FM, Anchorage
 KIAK, Fairbanks
 KINY, Juneau
 KICY, Nome
 KXRA, Seward
 KLAM, Cordova
 KTKN, Ketchikan
 KJNP, North Pole
 KABN, Wasilla

Petersburg, Wrangel, Haines, Skagway,
and Homer are serviced by translator.

Two Newscasts per day, 7:30 AM and 5:30 PM	<u>\$3150.00</u>
--	------------------

Total Weekly expenditure = \$5234.00	\$15,702.00
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83040404370



FRIENDS OF ALASKA

Statewide Radio Schedule (August 5 thru 25)

Anchorage

KFQD Radio

- 2 AM Drive spots Monday thru Friday
- 2 PM Drive spots Monday thru Friday
- 5 Daytime spots Saturday & Sunday

Total 30 spots per week @\$920.00/Week \$2760.00

KHAR Radio

- 2 AM Drive spots Monday thru Friday
- 2 PM Drive spots Monday thru Friday
- 5 Daytime spots Saturday & Sunday

Total 30 spots per week @\$720.00/Week \$2160.00

KBYR Radio

- 2 AM Drive spots Monday thru Friday
- 2 PM Drive spots Monday thru Friday
- 5 Daytime spots Saturday & Sunday

Total 30 spots per week @\$450.00/Week \$1350.00

KNIK-FM Radio

- 2 PM Drive spots Monday thru Friday
- 7 Daytime spots Saturday & Sunday

Total 14 spots per week @\$274.00/Week \$ 822.00

Anchorage Total.. \$7092.00

830404371



FRIENDS OF ALASKA

Page 2

Fairbanks

KFAR Radio

2 AM Drive spots Monday thru Friday
2 PM Drive spots Monday thru Friday
5 Daytime spots Saturday & Sunday

Total of 30 spots per week @\$420.00/Week \$1260.00

KFRB Radio

2 AM Drive spots Monday thru Friday
2 PM Drive spots Monday thru Friday
5 Daytime spots Saturday & Sunday

Total of 30 spots per week @\$450.00/Week \$1350.00

Fairbanks Total \$2610.00

Kenai

KSRM Radio

10 Daytime spots Saturday & Sunday

Total of 20 spots per week @\$190.00/Week \$570.00

Kodiak

KVOK Radio

2 AM Drive spots Monday thru Friday
2 PM Drive spots Monday thru Friday
5 Daytime spots Saturday & Sunday

Total of 30 spots per week @\$240.00/Week \$720.00

83040404372



FRIENDS OF ALASKA

Sitka

KIFW Radio

1 AM Drive spot Monday thru Friday
 1 PM Drive spot Monday thru Friday
 5 Daytime spots Saturday & Sunday

Total 20 spots per week @\$420.00/Week \$1260.00

Alaska Radio Network

Stations: KYAK, KANC, KHAVN. & KGOT-FM, Anchorage
 KIAK, Fairbanks
 KINY, Juneau
 KICY, Nome
 KXRA, Seward
 KLAM, Cordova
 KTKN, Ketchikan
 KJNP, North Pole
 KABN, Wasilla

Petersburg, Wrangel, Haines, Skagway,
 and Homer are serviced by translator.

Two Newscasts per day, 7:30 AM and 5:30 PM \$3150.00

Total Weekly expenditure = \$5234.00 \$15,702.00

8304040437

FOA FORM #1

Wire: Dated _____

To: U S SENATE REPORTS
OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECY OF THE SENATE
119 D STREET N. E.
WASHINGTON D C 20510
PH 202 224 0322

EXPENDITURE FOR THE DAY OF _____ IN THE
AMOUNT OF \$ _____.

PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR
THE U S SENATE, MIKE GRAVEL WHOSE ANCHORAGE ADDRESS IS
701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY ' FRIENDS OF ALASKA',
2140 STAMFORD DR, ANCHORAGE AK 99504.

THE PAYEE: ALASKA ADVERTISERS, 1341 FAIRBANKS, ANCHORAGE
AK 99501

CONTRIBUTIONS: (TO DATE)

SIGNED: FRIENDS OF ALASKA
2140 STAMFORD DR
ANCHORAGE AK 99504

8304040437

Anti-Gravel group may be in violation

by Ellis E. Conklin
Times Writer

The Friends of Mike Gravel, the senator's re-election committee, today filed a complaint with the Federal Election Commission charging an anti-Gravel group with campaign violations.

The Friends of Alaska Committee, a two-man operation comprised of Barney Gottstein — chief fund-raiser of Clark Gruening, Gravel's Democratic primary challenger — and Tom Kelly, purchased approximately \$5,000 worth of Anchorage radio time Friday to run campaign spots against Gravel.

Three Anchorage radio stations say campaign ads purchased by the group constitute personal attacks on Gravel.

KFQD has refused to run the anti-Gravel spots. And although KBYR and KNIK decided to air the two commercials, owners have granted the Gravel campaign equal time to respond to the charges.

The spots, which delve into Gravel's Aspen, Colo., condominium, his vice presidential bid in 1972, his Mount McKinley domed city proposal and his opposition to the 1978 Alaska lands bill compromise, were scheduled to air today and run through Aug. 25.

The radio time was purchased by Alaska Advertisers, the in-house advertising agency of the Carr-Gottstein company. Steve Oien, who manages the advertising firm, said the group bought the time Friday. He said he was not authorized to say any more. Alaska Advertisers handled a small part of Gruening's media placement last fall.

Gottstein, a wholesale grocer, said the group had filed with the FEC. But a spokesman for the elections agency, Fred Eiland, said the committee had not filed as of 1 p.m. Washington, D.C., time today.

Eiland said the group could be fined up to \$10,000 if the commission finds that Gottstein and Kelly acted illegally.

Any independent expenditure of more than \$250 on behalf of or against a political candidate must be filed with the FEC.

The Gravel campaign today sent telegrams to all Anchorage radio station saying that the Friends of Alaska Committee hadn't filed with the commission, wasn't duly authorized to purchase time and raised funds illegally to air the spots.

Gravel's political director, Charlie Sewell, called the radio spots "smear tactics of a desperate campaign."

"And Gruening is pretending to
(See GRAVEL, Page A-3)

Feature showcase	D-7
Human angle	A-2
Horoscope	A-9
Obituaries	A-2
On the record	A-9
Pattern	B-7
Sports	D-1
TV, Entertainment	D-6
Weather	B-8

2/5/80

Gravel

(Continued from page A-1)
rise above the mudsling. But he's aware of them. His ties with Barney Gottstein are very deep," Sewell said.

Gravel was unavailable for comment.

The Gruening camp denied any involvement with the group. Said Gruening's campaign manger, John Hale: "We never even head of the Friends of Alaska. The Gruening campaign knows absolutely nothing about this. All I can say is that we're running a positive campaign."

Gruening is in Sitka today and was unavailable for comment.

Hale said he had not yet heard the spots and didn't want to comment as to whether they could be construed as personal attacks until he listened to them.

Gottstein refused to say when the committee was formed. "I'm not interested in talking about any of this," he said today.

Gottstein had a falling out with Gravel several years ago after the Alaska Democrat voted to appropriate money for Phantom Jets for Egypt. Gottstein said the Gruening campaign had no knowledge of the radio campaign against Gravel.

"It's a campaign committee, that's all," Gottstein said. Asked whether he felt the radio spots characterized a personal assault on Gravel, Gottstein said he wouldn't comment and hung up.

Kelly is at a fishing resort in the San Juan Islands and could not be reached for comment at press time.

Joe Josephson, who with Kelly is a member of the Free Alaska Lands Committee — a group opposed to Gravel's no-bill posture on the lands issue — said he is not involved with the radio campaign.

He said, "I have strong feeling about what Mike (Gravel) has done on the lands thing. It's been very destructive. But it's not my style to get into negative campaigning like this."

August 1980
 S M T W T F S
 3 4 5 6 7 8 9
 10 11 12 13 14 15 16
 17 18 19 20 21 22 23
 24 25 26 27 28 29 30
 31

4

7-11-89 - 8935

Back - out of town
 5th thru 12
 19th thru 26

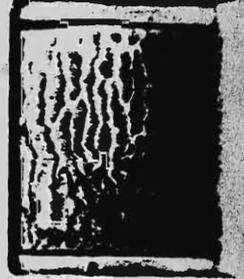
Done -

Banner
 276 6001
 279 8079-off

July	1980	September	1980
S M T W T F S	S M T W T F S	S M T W T F S	S M T W T F S
	1 2 3 4 5	1 2 3 4 5 6	
6 7 8 9 10 11 12	7 8 9 10 11 12 13		
13 14 15 16 17 18 19	14 15 16 17 18 19 20		
20 21 22 23 24 25 26	21 22 23 24 25 26 27		
27 28 29 30 31	28 29 30		
217	Monday, August 4		149

83040404376

62



10:52

CONFIRMATION COPY

PLS SEL

8111"

AUG 06 1046 11465th

REFILE MGM AHG

WU INFOMASTER

#

REFILE MGM AHG

027027M219 1448EST

ZCZC 01002 MGM ANCHORAGE ALASKA 08-06

ZIP

U S SENATE REPORTS OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECY OF THE SENATE 119 D ST NE
WASHINGTON DC 20510

BT

EXPENDITURE FOR THE DAY OF AUGUST 5TH 1980 IN THE AMOUNT OF
DLRS750.00. [2001-10-10 # 1460]

PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE
U S SENATE, MIKE GRAVEL, HIS ANCHORAGE ADDRESS IS 701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA 2140 STANFORD
DRIVE ANCHORAGE 99504.

THE PAYEE: ALASKA ADVERTISERS 104140RBANK ANCHORAGE ALASKA 60
99501.

FRIENDS OF ALASKA

2140 STANDORD DR ANCHORAGE ALASKA 99504

NNNN

#

ACCEPTED

01002

1-PC

CONFIRMATION COPY

PLS SEL

8111"

AUG 06 2153 23565#

REFILE MGM AHG

WU INFOMASTER

#

REFILE MGM AHG

001000M220 0155EST

ZCZC 01006 MGM ANCHORAGE ALASKA 08-06

ZIP 20510

US SENATE REPORTS OFFICE OF PUBLIC RECORDS

OFFICE OF THE SECRETARY OF THE SENATE

119 D STREET NORTHEAST

WASHDC 20510

BT

THE EXPENDITURE FOR THE DAY OF 8-6-80 IN THE AMOUNT OF DLRS348.
PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE
U.S. SENATE MIKE GRAVEL WHOS ANCHORAGE ADDRESS IS 701 C STREET.
THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA 2140 STANFORD
DRIVE ANCHORAGE ALASKA 99504. THE PAYEE: ALASKA ADVERTISORS
1341 FAIRBANKS ANCHORAGE ALASKA 99501

FRIENDS OF ALASKA

2140 STANFORD DRIVE

ANCHORAGE ALASKA 99504

NNNN

August 8, 1980

U S Senate Reports
Office of Public Records
Office of the Secretary of the Senate
119 D Street North East
Washington D C 20510

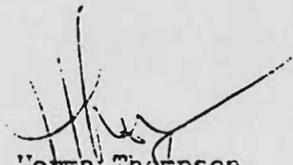
Re: FBO Report Form #3
Addendum to report
dated 8/7/80

Gentlemen:

We have had additional expenditures for the production of our
radio spots. As of this date we have not gotten the cost of
the production.

I will estimate the cost of the productions, thru period ending
August 6, 1980 at the amount of \$500.00

The Payee: Justin Ward Advertising
2277 Science Parkway
Okemo, Michigan 48864

Signed: 
Norma Thompson
Custodian of Records

Friends of Alaska
2140 Stanford Drive
Anchorage, Ak 99504

Dick Green, Treasurer

83040404330

REGISTERED NO. A8054		POSTMARK OF	
POST OFFICE COMPLETION	Reg. Fee \$ 300	Special Delivery \$	
	Handling Charge \$	Return Receipt \$ 45	
	Postage \$ 15	Restricted Delivery \$	
	RECEIVED BY Benson		
			<input checked="" type="checkbox"/> AIRMAIL
FULL VALUE \$ NO			
CUSTOMER COMPLETION (Please Print)	FROM	FRIENDS OF AK	
		2140 STANFORD DR.	
		ANCH AK 99504	
	TO	US SENATE REPORTS	
		119 D ST NE	
		WASH. DC	20510 ZIP CODE

POST OFFICE MUST be in Ball Point Pen or Typed

RECEIPT FOR REGISTERED MAIL (Customer Copy)

FOA FORM #1
Wire: Dated 8/6/80 10:10 am

To: U S SENATE REPORTS
OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECY OF THE SENATE
119 D STREET N. E.
WASHINGTON D C 20510
PH 202 224 0322

EXPENDITURE FOR THE DAY OF 8/5/80 IN THE
AMOUNT OF \$ 750.00 ***.

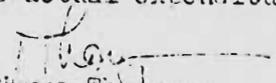
PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR
THE U S SENATE, MIKE GRAVEL WHOSE ANCHORAGE ADDRESS IS
701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY ' FRIENDS OF ALASKA',
2140 STANFORD DR, ANCHORAGE AK 99504.

THE PAYEE: ALASKA ADVERTISERS, 1341 FAIRBANKS, ANCHORAGE
AK 99501

SIGNED: FRIENDS OF ALASKA
2140 STANFORD DR
ANCHORAGE AK 99504

*** This was an estimated amount of our expenditure as our
complete purchase of the day had not been consummated;
the actual expenditure for 8/5/80 was \$116.00


Norma Thiberson
Custodian of Records.

83040404381



Kelly Gay Investments

The Land Company Bldg. Mile 42 Parks Highway
Pouch K
Wasilla, Alaska 99687 • (907) 376 3231
Anchorage, Alaska • (907) 276 2491

2/17/80 - per phone conv
w/ Mr Barron

Re: Fec Reports thru 8/15/80

Malcom bpm - Alaska "RS"

Reporting exp 8/15 thru

8/16/80 \$1903.00

Confirmation mailed \$1400 E
Send copy to Mr Barron

83040140468

2 AUG 1984

CONFIRMATION COPY

RLS SEL

8111"

AUG 12 0942 04805#

ALASKAINFC AHG

WU INFOMASTER

ALASKAINFO AHG

03416M225 1343EST

ZCZC 01002 MGM ANCHORAGE ALASKA 08-12

ZIP

U.S. SENATE REPORTS OFFICE OF PUBLIC RECORDS

OFFICE OF THE SECRETARY OF THE SENATE

119 D ST NORTHEAST

WASHINGTON DC 20510

BT

EXPENDITURE FOR 8-12-80 DLRS698.

EXPENDITURE 8-13-80 DLRS645

EXPENDITURE 8-14-80 DLRS645

EXPENDITURE FOR 8-15-80 DLRS645

TOTALING DLRS2,633.

PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR U.S.

SENATE, MIKE GRAVEL, WHOSE ANCHORAGE ADDRESS IS 701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA, 2140 STANFORD

83040404383

DRIVE ANCHORAGE 99504. THE PAYEE: ALASKA ADVERTISERS 1341 FAIRBANKS

STREET ANCHORAGE 99501

FRIENDS OF ALASKA

2140 STANFORD DR ANCHORAGE AK 99504

NNN

#

83040404384

ACCEPTED

01002

1-PC

27 AUG 1 03 51

4427

CONFIRMATION COPY

PLS SEL

8111"

AUG 27 2126 537015

REFILE MGM AHG

WU INFOMASTER

#

REFILE MGM AHG

000741M241 0127EST

ZCZC 01007 MGM TDA JUNEAU ALASKA 08-27

ZIP 20510

THE US SENATE REPORT OFFICE OF PUBLIC RECORDS OFFICE OF THE
SECRETARY OF THE SENATE

119 D STREET NORTHEAST

WASHDC 20510

BT

TOTAL EXPENDITURES FROM AUGUST 5 THROUGH AUGUST 16 1980
IS DLRS7,903. PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF
CANDIDATE FOR THE U S SENATE MIKE GRAVEL WHOSE ANCHORAGE
ADDRESS IS 701 C STREET. THIS EXPENDITURE WAS AUTHORIZED BY
FRIENDS OF ALASKA 2140 STANFORD DRIVE ANCHORAGE ALASKA 99504.
BY PAYEE: ALASKA ADVERTISING 1341 FAIRBANKS STREET ANCHORAGE

33040404389

ALASKA 99501.

FRIENDS OF ALASKA

2140 STANFORD DR, ANCHORAGE ALASKA 99504

NNNN

#

ACCEPTED

01007

1-PC

63040404386

TIME 002.5

21 JUL 31 P6:32

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

L.W.
006

101726

RECEIVED
Ccc# 5180

81 JUL 31 P12:17

JERMAIN, DUNNAGAN & OWENS

ATTORNEYS AT LAW
801 WEST FIREWEED LANE, SUITE 201
ANCHORAGE, ALASKA 99503

TELEPHONE
AREA CODE 907
276-6532

WILLIAM K. JERMAIN
CHARLES A. DUNNAGAN
BRADLEY D. OWENS
RANDALL G. SIMPSON
HOWARD S. TRICKEY
JAN HART DEYOUNG
ASSOCIATE

July 27, 1981

GAIL ROY FRATIES
OF COUNSEL

Office of General Counsel
Attention: John Leven
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

Re: MUR1272

Dear John:

This letter should serve to confirm our conversation of July 20, 1981 and also as a formal response to your Subpoenas to John Hale and Clark Gruening. I have handled each subject separately in the paragraphs below.

The Subpoenas which were sent to John Hale and to Clark Gruening have been reviewed. I believe the Subpoenas are over-broad. However, controversy over the issue would be pointless since neither Mr. Hale nor Mr. Gruening have anything to give you pursuant to the Subpoenas. By making this straight forward answer I do not waive the right to object to the production of documents at a later date if any are found. Presently, if documents are found they will either be sent to you or you will be notified of our objection to produce them.

The Subpoenas to appear for deposition will be honored. This is with the express understanding that John Hale's round trip ticket to Anchorage plus round trip cab fare from the airport will be paid by the FEC. I understand that the FEC will pay for a standard coach ticket.

I reiterate my request that the FEC respond to the interrogatories which this office sent sometime ago. I understand the FEC's position that it is not required to answer interrogatories such as these. With that in mind, please view them as a simple request for information by citizens to a public agency. If you find the form of the questions offensive, then by all means please ignore the form. My primary interest is simply to obtain information.

If my understanding differs from yours, please contact me at your earliest convenience. I look forward to seeing you in Anchorage early next month.

Sincerely,
JERMAIN, DUNNAGAN & OWENS



Charles A. Dunnagan

CAD/pc

83040404333

JUL 31 P 1:41

8304040439

SERMAIN, DUNNAGAN & OWENS

ATTORNEYS AT LAW

801 WEST FIREWEED LANE, SUITE 201
ANCHORAGE, ALASKA 99503



Office of General Counsel
Attention: John Leven
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1981

HAND DELIVERED

Jan W. Baran, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

Dear Mr. Baran:

This letter is to confirm the substance of our telephone conversation on July 24 with regard to subpoenas for deposition issued to Mr. Dick Green and Mr. Barnard Gottstein in the above-captioned matter. We have received your letter of July 24.

We have agreed that Mr. Gottstein's deposition will be rescheduled to take place on September 14, 1981, in Washington, D.C., at the offices of the Commission. With regard to Mr. Green, you have indicated that his employer may call him away from Anchorage to Prudhoe Bay on or about August 7, the date set forth in the subpoena. While we appreciate the fact that such a request might be made by Mr. Green's employer, we are nonetheless expecting Mr. Green to adhere to the terms of the subpoena, i.e. that the deposition take place in Anchorage on August 7. We will not agree to depose Mr. Green in Prudhoe Bay. As you know, we have offered to pay any travel expenses necessarily incurred by Mr. Green in traveling from Prudhoe Bay to Anchorage for the deposition. We are also willing to conduct Mr. Green's deposition in the afternoon of August 7, if necessary due to his travel requirements.

Sincerely,

Scott E. Thomas
Assistant General Counsel

cc: William H. Schweitzer

83040404390



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1981

MEMORANDUM TO: Scott Thomas
Jonathan Levin
✓ File - MUR 1272

FROM: Charles N. Steele *CS*
General Counsel

SUBJECT: Tom Kelly - Scheduled August 6 Deposition

Kelly contacted Senator Stevens' office to ask that we call his attorney Mike Shannon in Anchorage about rescheduling the August 6 deposition, as he is out of the state on a long-scheduled vacation.

As I indicated to you, I think you should contact Shannon, even though I don't understand why Shannon hasn't contacted us. Also, while it may then require a second trip for depositions, I don't think we would be able to--or should even try to--enforce a subpoena if Kelly will reschedule for a period after the end of his vacation.

830404391

HAND DELIVERED RECEIVED

101202 Ccen# 5154

81 JUL 29 9 11 AM '81

MOA 1212

JUL 29 P 3: 32



July 24, 1981

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

Gentlemen:

Pursuant to your July 8, 1981 Subpoena addressed to Steven Oien, General Manager of Alaska Advertisers, Inc., received in Anchorage on Monday, July 20, 1981, requesting the production of copies of specified categories of documents, enclosed are, to the best of our knowledge and belief, copies of all such documents in our possession or control except for copies of documents we previously sent to you in response to prior requests.

Very truly yours,

ALASKA ADVERTISERS, INC.

By: Steve Oien
Its Gen. Mgr.

1. (a) August 27, 1980, attention Charles N. Steel, General Counsel.
- (b) In or about September, 1980, attention Charles N. Steel, General Counsel.
- (c) February 23, 1981, attention John Warren McGarry, Chairman

83040404392



MEMORANDUM

TO: BARNEY GOTTSTEIN
FROM: JUDY PARSONS, Adv.

Following is a list of the television purchase and dates involved in the October buy for Clark Gruening:

Cable Network	Oct. 14-16	642.00
KATV, Ketchikan	Oct. 12-14	126.00
JATV, Juneau	Oct. 12-14	210.00
KSA-TV, Sitka	Oct. 12-14	90.00
KIFW-TV, Sitka	Oct. 12-14	102.00
KINY-TV, Juneau	Oct. 12-14	85.00
KTVF-TV, FBKS	Oct. 12-14	250.00
KFAR-TV, Fbks.	Oct. 12-14	196.00
KENI-TV, Anch.	Oct. 12-14	420.00
KIMO-TV, Anch.	Oct. 12-14	470.00
KTVA-TV, Anch.	Oct. 12-14	350.00

Judy Parsons

83040404393

8304040437

2 ads

Friends of Alaska

News / Times

Juneau Empire 586-3740

Fairbanks News Mines
456-6661

Madras

Lower House

Mark Fox - Production
517-349-4780

83040404395

News View - 2'18" - 7 col. ^{tot width} 16 1/16"
Series - 2" - 6 col.
tot width - 13"

FOR IMMEDIATE RELEASE

Friday, August 15, 1980

ANCHORAGE: Statement by Mr. B.J. Gottstein on behalf of the Friends of Alaska Committee:

" The charges made by Senator Gravel are absolutely untrue. Documents will be filed with the court that show that the Friends of Alaska Committee have complied with all the requirements under federal law."

" Senator Gravel has a long and unfortunate history of viciously attacking anyone who challenges him. We saw it in 1974, when he ran an outrageous campaign against present Lt. Governor Terry Miller, in which Governor Miller was unfairly accused of wrongdoing. We've seen the same pattern this year with accusations against newspapers and individuals who dared to raise questions about Senator Gravel's record."

" It is incredible that a man such as Senator Gravel, who was quoted last week in the Wall Street Journal gloating over the fact that he was extracting hundreds of thousands of dollars in campaign contributions by using the power of his office, would viciously turn against a few interested citizens who have independently banded together to try to set the record straight."

" Every piece of information used in the Friends of Alaska advertising comes either directly from published newspaper articles or records Senator Gravel himself filed. No reasonable person can consider that unfair."

83040404396



FRIENDS OF ALASKA COMMITTEE

Spot #1 - Scrapbook :60

8 3 0 4 0 4 0 4 3 9 7

YOU KNOW HOW PICTURES AND CLIPPINGS CAN CHANGE AFTER JUST A FEW YEARS. WE LOOK BACK AND SEE HOW FUNNY WE LOOK. WE ALL CHANGE WITH AGE, HOPEFULLY WE GET SMARTER AND MORE RESPONSIBLE. WELL, WE WERE GOING THROUGH THE MIKE GRAVEL SCRAPBOOK THE OTHER DAY AND FOUND SOME OLD CLIPPINGS. HERES ONE...MIKE GRAVEL NOMINATES HIMSELF FOR VICE PRESIDENT. THAT WAS REALLY GOOD FOR A LAUGH. AND THEN WE SAW GRAVEL WANTS TO BUILD A DOMED CITY ON MT. MCKINEEY. GRAVEL PICKETS THE WHITE HOUSE... GRAVEL FIGHTS AGAINST THE 200 MILE LIMIT. THE SCRAPBOOK WAS JUST FILLED TO OVERFLOWING. AND HERES 1978, GRAVEL KILLS LANDS BILL. HE SAYS WE'LL DO BETTER NEXT TIME. GRAVEL SAYS CARTERS' ONLY BLUFFING ON LOCKING UP ALASKA. WELL THE YEARS ROLL ON AND IN THE MIKE GRAVEL SCRAPBOOK THE HEADLINES TODAY LOOK A LOT LIKE THE ONES WE WERE SEING YEARS AGO. MAYBE AGE AND EXPERIENCES HAVEN'T HELPED. MAYBE ITS TIME TO CLOSE THE COVER ON THE GRAVEL YEARS. PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE.



FRIENDS OF ALASKA COMMITTEE

Spot #2 - Aspen :60

3 3 0 4 0 4 0 4 3 7 8

THE SUNNY SLOPES OF ASPEN COLORADO. DEEP POWDER, BEAUTIFUL PEOPLE, BIG HOMES. ONE OF THE BIGGEST HOMES BELONGS TO OUR VERY OWN SENATOR MIKE GRAVEL. THE VALUE OF MIKE GRAVEL'S ASPEN HOUSE IS SAID TO BE MORE THAN A MILLION DOLLARS. BUT MIKE GRAVEL DIDN'T HAVE TO PUT ANY MONEY FOR HIS INTEREST. HE JUST HAD TO INVEST SOME OF HIS TIME. IN HIS SPARE TIME MIKE GRAVEL DESIGNED THE HOUSE. HE EVEN DESIGNED THE FURNITURE. AND MIKE GRAVEL EVEN FOUND THE PEOPLE TO INVEST MONEY IN HIS PROJECT. SOME OF THEM TURNED OUT TO BE LOBBYISTS WHOSE JOB IT IS TO ASK FOR MIKE GRAVEL'S VOTE IN THE SENATE. WHEN SOMEONE ASKED WHETHER THIS KIND OF ARRANGEMENT WAS PROPER MIKE GRAVEL SAID THERE WAS NO LAW AGAINST IT. WHEN SOMEONE ASKED WHY HE NEEDED SUCH A BIG HOUSE IN ASPEN, MIKE GRAVEL SAID IT WAS JUST A PLACE TO STOP ON THE WAY HOME. WELL, THATS PART OF THE ASPEN HOUSE STORY, THERES MORE... PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE.



FRIENDS OF ALASKA COMMITTEE

60-Sec. Radio Copy
"First Class"

8 3 0 4 0 4 0 4 3 9 9

YOU'VE GOT TO HAND IT TO MIKE GRAVEL, HE GOES FIRST CLASS DOESN'T HE. LIKE HIS CAMPAIGN FOR RE-ELECTION...HE'S ON HIS WAY TO RAISING A MILLION DOLLARS AND HE'S GOT THE BEST THAT MONEY CAN BUY. THE BEST PEOPLE IN THE COUNTRY ARE TAKING POLLS AND PRODUCING ADVERTISING, HE EVEN HIRED A WASHINGTON D.C. FIRM TO MAKE PHONE CALLS FOR HIM HERE IN ALASKA. YOU KNOW, PEOPLE WHO ARE PAID TO SAY NICE THINGS ABOUT MIKE GRAVEL OVER THE TELEPHONE. MIKE GRAVEL'S POLITICAL EXPERTS LIVE AND WORK IN MAINE, NEW YOUR, SAN FRANCISCO, MASSACHUSETTE. NOW WE HAVE TO ASK OURSELVES... WHY...WHY DOES MIKE GRAVEL NEED A MILLION DOLLAR CAMPAIGN AND HIRED POLITICAL GUNS FROM AROUND THE COUNTRY. WHY CAN'T MIKE GRAVEL EXPLAIN HIMSELF...THE ANSWER IS SAID, BUT TRUE, BECAUSE WE KNOW THE REAL MIKE GRAVEL AND HE'S NOT SOMEONE WE WOULD SEND BACK TO WASHINGTON. PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE, TOM KELLY CHAIRMAN, 3835 HELVETIA DR., ANCHORAGE 99504.



FRIENDS OF ALASKA COMMITTEE

60-Sec. Radio Copy
"Friends"

8 3 0 4 0 4 0 4 0 0 0

YOU SEE A LOT OF ADVERTISING THESE DAYS, BROUGHT TO YOU BY THE FRIENDS OF MIKE GRAVEL, YOU KNOW, TELEVISION AND RADIO COMMERCIALS, PHONE CALLS, MAIL...ALL FROM THE FRIENDS OF MIKE GRAVEL. DID YOU EVER STOP TO WONDER WHO THOSE FRIENDS ARE? WELL, TO START WITH, THESE FRIENDS DON' LIVE IN ALASKA. OF EVERY THOUSAND DOLLARS MIKE GRAVEL IS SPENDING, MORE THAN \$900 COMES FROM OUTSIDE THE STATE. ONLY 9% OF ALL HIS CAMPAIGN MONEY IS FROM ALASKA. THE FRIENDS OF MIKE GRAVEL ARE ALSO POWERFUL, A QUARTER OF A MILLION DOLLARS COMES FROM INTEREST GROUPS WITH WASHINGTON LOBBYING CONNECTIONS. THE FRIENDS OF MIKE GRAVEL ARE ALSO RICH. TWO-THIRDS OF ALL THE MONEY COMES IN AMOUNTS OF \$500 OR MORE. AND SO THEY LIVE OUTSIDE ALASKA, THEY ARE RICH AND POWERFUL, THE FRIENDS OF MIKE GRAVEL. DO YOU SUPPOSE THEY ARE ALSO FRIENDS OF ALASKA. ASK YOURSELF THAT THE NEXT TIME YOU SEE MIKE GRAVEL'S ADVERTISING. PAID FOR AS A PUBLIC SERVICE BY FRIENDS OF ALASKA COMMITTEE, TOM KELLY, CHAIRMAN, 3835 HELVETIA DR., ANCHORAGE 99504.

A MEMO FROM...

Judy Parsons

*Thursday, 8/21 - new daily
figures on*

*Friends of Alaska
to Barney and Norma.*

83040404401



A MEMO FROM...

July Parsons

Alaska Radio Network - 248-2363

John Nowbray
276-2052

248-2404
Linda
279-0683

*sold out, trying to work into
schedule*

200 KYAK - Skip West - 344-2522

✓ OK call Monday - 8:30 AM

162.00 OK
KFRB - 452-5121

KFAR - 452-2125

KUOK - 486-5159

KIFW - 747-6626

✓ KSRM - 262-5811

↑
386.40 30X ~~12.88~~

160.26 KAREN SLAGLE OK
KBYR / KNIK - 272-1270

RANDY CRUSE KNIK 220

* REDO SPOTS 3+4

18-60
~~58~~ 496 + 38 = 534 OK
KHAR / KKLK - TYPED
COPY FOR SPOTS 3+4
TO KEN FLYNN
MONDAY AT 8 AM.

CONTACT - ANCH TIMES
DAILY NEWS
NEWS-MINER
~~SE AK. EMPIRE~~

BEGIN
8/21
THRU
8/25



83040404402

A MEMO FROM...

Judy Parsons

has tape

*many-times
ad photos*

*KYAK - OK - Thursday PM for
Weekend*

KBYR / KNIK - OK -

Weekend
Fri noon

KSRM -

KHAR / KKLK - Wed AM pickup - noon Fri.

ARN -

KFRB - Jonas Edwards

KFAR - OK ↓

*KYAK - Marshall
check today*

98.06

653.75

\$105 - 15%

87.95

559.69

*Saturday - Sunday
#3, 4*

830404044003



THOMAS E KELLY
3835 HELVETIA DR
ANCHORAGE AK 99504



Mailgram



4-063725S217 08/04/80 ICS IPMRNCZ CSP AHGA
2063782155 MGM TDRN ROCHE HARBOR WA 31 08-04 0751P EST

ALASKA ADVERTISERS INC
ATTN JUDY PARSONS
1341 FAIRBANKS ST
ANCHORAGE AK 99501

THIS AUTHORIZES ALASKA ADVERTISERS TO PURCHASE MEDIA TIME ON BEHALF
OF THE FRIENDS OF ALASKA COMMITTEE.
THOMAS E KELLY

1953 EST

MGMCOMP MGM

TO

KFAR Radio

FROM

Judy Parsons
Alaska Advertisers
1341 Fairbank St/
Anchorage, Ak. 99501

SUBJECT Friends of Alaska Radio schedule

DATE 8 / 1 / 80

MESSAGE

The enclosed tape is to be used for the schedule of Friends of Alaska. I am enclosing a copy of the order which was given to your local representative. If you have any problems or questions, please call me at 277-6639 (x231) or at 248-0869. Thanks

SIGNED

Judy Parsons

REPLY

SIGNED

DATE / /

Rediform 45 471
Poly Pak (50 sets) 4P471

SEND PARTS 1 AND 3 WITH CARBON INTACT - PART 3 WILL BE RETURNED WITH REPLY

DETACH AND FILE FOR FOLLOW-UP

830404104406

TO

KFRB Radio

FROM

Judy Parsons
Alaska Advertisers
1341 Fairbanks St.
Anchorage, Ak. 99501

SUBJECT

Friends of Alaska Radio schedule

DATE

8 / 1 / 80

MESSAGE

The enclosed tape is to be used for the schedule of Friends of Alaska. I am enclosing a copy of the order which was given to your local representative. If you have any problems or questions, please call me at 277-6639 (x231) or at 248-0869. Thanks.

SIGNED

Judy Parsons

REPLY

SIGNED

DATE

/ /

83040404407

Friends of Alaska
Tom Kelly

8/5-8/26 - 5,000/wk.

:60's -

payment - AA send checks
bill immediately

statewide -

AK. Radio Network

drive times > heavy
weekends

Cash 3000

CONFIRMATION: KFRB

FROM: NORTHERN TELEVISION, INC
 P. O. BOX 950
 FAIRBANKS
 ALASKA 99707

CLIENT: FRIENDS OF ALASKA

OUR ORDER NO: 2137 PAGE: 01
 ORDER DATE: 08-04-80
 ORDER RUNS: 08-07-80 THRU 08-25-80
 CONTRACT RUNS: - - THRU - -

BILL TO: ALASKA ADVERTISERS
 1341 FAIRBANKS ST.
 ANCHORAGE
 AK 99501

INTERNAL CODE 919 99 16 P
 COPY BY: AGENCY
 OUR SALESPERS: K SLAGLE
 SCHEDULE FOR: AM

CONTACT JUDY PARSONS

TIME-FRAMES * LNTH	MO	TU	WE	TH	FR	SA	SU	RATE	O. CHGS	TOTALS CY. WK. LINE	
**FOR: FRIENDS OF AK. --TH/F											
6-9AM-4-7PM E	:60	0	0	0	4	4	0	0	15.00	.00	1 8 8
STANDARD YR-WEEK-DAY 80-32-4 TO 80-32-5 ALTERNATE AM & PM DRIVE TIMES											
***FOR: FRIENDS OF AK. -SA/SU											
12N - 7PM E	:60	0	0	0	0	0	5	5	15.00	.00	1 10 10
STANDARD YR-WEEK-DAY 80-32-6 TO 80-32-7											
**FOR: FRIENDS OF ALASKA											
- E	:60	4	4	4	4	4	5	5	15.00	.00	1 30 30
STANDARD YR-WEEK-DAY 80-33-1 TO 80-33-7 ALTERNATE AM/PM DRIVE (12-7 ON WKND)											
- E	:60	4	4	4	4	4	5	5	15.00	.00	1 30 30
STANDARD YR-WEEK-DAY 80-34-1 TO 80-34-7 ALTERNATE AM/PM DRIVE (12-7 ON WKND)											
- E	:60	4	0	0	0	0	0	0	15.00	.00	1 4 4
STANDARD YR-WEEK-DAY 80-35-1 TO 80-35-1 ALTERNATE AM/PM DRIVE (12-7 ON WKND)											
- E	:60	1	1	1	1	1	1	1	15.00	.00	1 7 7
STANDARD YR-WEEK-DAY 80-33-1 TO 80-33-7 MAKEGOODS FOR LATE START (8 TTL)											
- E	:60	1	0	0	0	0	0	0	15.00	.00	1 1 1
STANDARD YR-WEEK-DAY 80-34-1 TO 80-34-1											

SUMMARY: 90 :60 UNITS AT \$ 15.00 IS \$ 1350.00
 TOTAL OTHER CHARGES \$.00
 90 UNITS FOR AN ORDER TOTAL OF \$ 1350.00

ACCEPTED FOR
 NORTHERN TELEVISION, INC

ACCEPTED FOR
 ALASKA ADVERTISERS

ANCHORAGE TIMES PUBLISHING CO., INC.
Publishers of
THE ANCHORAGE TIMES - Daily & Sunday
Box 40 • Anchorage, Alaska 99510

RECEIVED FROM Alaska Advertisers of Friends of Alaska from 8-18-80
FOR \$ - 32.00 ads - paid position ACD 1st section ROUTE # 1456 R0
ANCHORAGE DAILY NEWS
Agent for the

- CASH
- CHECK
- JUNIOR DEALER COLLECTIONS
- INDEPENDENT DEALER
- MAIL SUBSCRIPTIONS
- RETAIL DEALERS

- BILL
- CLASSIFIED ADVERTISING
- DISPLAY ADVERTISING
- LEGAL ADVERTISING
- CIRCULATION SUPPLIES

DEALER RETURNS _____
TIMES _____
NEWS _____
SUNDAY _____
Copies _____ Date _____
Copies _____ Date _____
Copies _____ Date _____
RECEIVED BY [Signature] Date [Signature]

THE STANDARD REGISTER COMPANY, U. S. A. STANBROOK

830404058



FRIENDS OF ALASKA COMMITTEE

STATEMENT OF ACCOUNT - As of Sept. 9, 1980

Total Advertising Expenditures		14,620.40
Paid on Account:	8/22	7,903.00
Paid on Account:	8/28	<u>2,500.00</u>
BALANCE DUE		\$4,217.40

83040404411

ARN - 46.15

Times 2x 4x8 -
23 - 305.20 (7.63")
24 - 318.80 (7.90")

Times \uparrow - 22 + 23
2x 4x8 @ 5.60

33040404412

KFAR 1 DID NOT RUN

KFRB cancelled as of 8/21

2 ARN - 2 x 8/21-22-25^{23 24}

45.16 ea.

Can John to Mowbray re: rates?

4x8

James - 8/23 + 24 (23 = 7.63 (24 = 7.90/inch)
pl. position 1st Sect.

News - 8/22 + 23 (/inch)

News - Mirror - 8/23 (7.00 /inch)

Jonny Kachi Total = 186.59
Gross = 224.00

Rebate = 559.78 -

3
4
4
0
4
0
4
4
1
2

- ANN - 30 60's \$900

KANC

\$30/SPOT

KABN

KYRA - Edward

2510.77

KLAM - Cordova

- ARN - 18 60's

KANC-

46.15/SPOT

KHUN

\$830.70

KABN

KYRA

KLAM

KIAK

KICY

KJNP

KJND

KTKN

830404414



NORTHERN TELEVISION, INC.
THE BROADCAST CENTER

P. O. BOX 2200 ANCHORAGE, ALASKA 99501
KTVA-TV/KBYR-AM/KNIK-FM/MUZAK
(907) 272-3456

P. O. BOX 950 FAIRBANKS, ALASKA 99707
KTVF-TV/KFRB-AM
(907) 452-5121

August 5, 1980

Senator Mike Gravel
c/o Friends of Mike Gravel
PO Box 2420
Anchorage, Alaska 99510
Att'n: Charlie Sewell

Dear Senator Gravel:

We have received and intend to air a time buy on KFRB Radio in Fairbanks made by a group called Friends of Alaska. The contents of this buy meet the FCC criteria for personal attack against you, and I am hereby notifying you of our intention to air the commercials, and offer you an opportunity for rebuttal.

The Friends of Alaska buy consists of ninety (90) one-minute radio commercials scheduled in drive time, about evenly distributed from August 7 through August 25, seven days per week, at a cost of \$15 per commercial. Should you choose to run a rebuttal schedule, it is probable that your cost would be \$13.50 per commercial due to the fact that starting closer to the election date you would have to run more commercials per day to get the 90 commercials allowed to you under the equal time provisions, and thus would qualify for a better frequency rate.

I am enclosing with this letter a copy of the Friends of Alaska commercials on magnetic tape so you may best determine the nature of your rebuttal, should you decide to do so.

If you wish to arrange for equal time on this station, please contact us as soon as possible, as it may prove quite difficult arranging availability for 90 one-minute radio commercials if left too close to election time.

If you have any questions, or require additional information, please contact me at the Fairbanks Broadcast Center.

Sincerely,

Douglas Burnside

Douglas Burnside
KFRB Political Coordinator

cc: Hank Hove, gen'l mgr KFRB/KTVF
A.G. Hiebert, Pres. NTV, Inc.
Edie Russell, Fbks Gravel headquartrs
Gravel public file
Friends of Alaska public file
✓ Judy Parsons, Alaska Advertisers

M.
KTUF KFRB FBK

REFILE NGM FBK
TLX 22

32353 ANCHORAGE ALASKA 87 36-35 1116A ADT
PIS KFRB RADIO ATTN STATION NGR 452-5121
NORTHWOOD BLDG
FAIREBANKS

YOU ARE HEREBY NOTIFIED THAT THE FRIENDS OF ALASKA COMMITTEE IS NOT
A DULY AUTHORIZED COMMITTEE AS REQUIRED BY THE FEDERAL ELECTION LAWS.
IT APPEARS THAT THE FUNDS RAISED AND EXPENDED TO PRODUCE ON AIR THE
RADIO ADVERTISEMENTS PERSONALLY ATTACKING SENATOR GRAVEL HAVE NOT
BEEN RAISED AND EXPENDED ACCORDING TO THE LAW. THEREFORE, ANY FUND
RAISING OR EXPENDITURES BY THE FRIENDS OF ALASKA COMMITTEE ARE
ILLEGAL. A COMPLAINT HAS BEEN FILED WITH THE FEDERAL ELECTION
COMMISSION BY THE FRIENDS OF MIKE GRAVEL ON AUGUST 5 1980.

BILL SHEFFIELD, CHAIRMAN
FRIENDS OF MIKE GRAVEL

*
KTUF KFRB FBK

REFILE NGM FBK

330404416



*KYAK Added
AUG. 9*

FRIENDS OF ALASKA

Statewide Radio Schedule

Anchorage

KFQD Radio

~~2 AM Drive spots Monday thru Friday
2 PM Drive spots Monday thru Friday
5 Daytime spots Saturday & Sunday~~

~~Total 30 spots per week @\$920.00/Week \$2760.00~~

KHAR Radio

2 AM Drive spots Monday thru Friday
2 PM Drive spots Monday thru Friday
5 Daytime spots Saturday & Sunday

Total 30 spots per week @\$720.00/Week \$2160.00

KBYR Radio

2 AM Drive spots Monday thru Friday
2 PM Drive spots Monday thru Friday
5 Daytime spots Saturday & Sunday

Total 30 spots per week @\$450.00/Week \$1350.00

KNIK-FM Radio

2 PM Drive spots Monday thru Friday
7 Daytime spots Saturday & Sunday

Total 14 spots per week @\$274.00/Week \$ 822.00

Anchorage Total \$7092.00

830404417



FRIENDS OF ALASKA

Page 2

Fairbanks

KFAR Radio

2 AM Drive spots Monday thru Friday
2 PM Drive spots Monday thru Friday
5 Daytime spots Saturday & Sunday

Total of 30 spots per week @\$420.00/Week \$1260.00

KFRB Radio

2 AM Drive spots Monday thru Friday
2 PM Drive spots Monday thru Friday
5 Daytime spots Saturday & Sunday

Total of 30 spots per week @\$450.00/Week \$1350.00

Fairbanks Total \$2610.00

Kenai

KSRM Radio

10 Daytime spots Saturday & Sunday

Total of 20 spots per week @\$190.00/Week \$570.00

Kodiak

KVOK Radio

2 AM Drive spots Monday thru Friday
2 PM Drive spots Monday thru Friday
5 Daytime spots Saturday & Sunday

Total of 30 spots per week @\$240.00/Week \$720.00

830404418



FRIENDS OF ALASKA

Page 3

Sitka

KIFW Radio

1 AM Drive spot Monday thru Friday
1 PM Drive spot Monday thru Friday
5 Daytime spots Saturday & Sunday

Total 20 spots per week @\$420.00/Week \$1260.00

Alaska Radio Network

Stations: KYAK, KANC, KHVN & KGOT-FM, Anchorage
KIAK, Fairbanks
KINY, Juneau
KICY, Nome
KXRA, Seward
KLAM, Cordova
KTKN, Ketchikan
KJNP, North Pole
KABN, Wasilla

Petersburg, Wrangel, Haines, Skagway,
and Homer are serviced by translator.

Two Newscasts per day, 7:30 AM and 5:30 PM \$3150.00

Total Weekly expenditure = \$5,340.00 \$15,402.00

83040404419

Anchorage Daily News

Alaska's Only Morning Newspaper

August 18, 1980

Friends of Alaska
c/o Alaska Advertisers
1341 Fairbanks Street
Anchorage, AK 99503

Dear Advertiser:

Enclosed you will find a copy of your advertising contract with the Anchorage Daily News. We thank you for considering us as a part of your advertising plan.

With the support being given the Daily News by the advertising community, we feel a responsibility to provide you with the best possible service. If I or any member of the advertising staff can be of any assistance, please feel free to call.

Sincerely,

David Kuta
David Kuta
Advertising Manager

Enclosure

830404420

3304040421

Advertising Manager

Display Advertising Contract

THIS AGREEMENT, made this 18th day of August, 19 80
between Anchorage Daily News, Inc., Anchorage, Alaska.

and Friends of Alaska. (Phone)
% Alaska Advertisers. (Street Address) (City) Zip Code)



herein designated "Advertiser."

WITNESSETH: That Advertiser agrees to purchase, occupy and pay for certain advertising space in the morning editions of the **Anchorage Daily News** and said Newspaper agrees to sell space and insert therein advertisement of Advertiser under the terms of this agreement. Said advertising space to

but not less than 100" inches to be inserted every 52 weeks

in the morning editions of the **Anchorage Daily News** for a period of 52 weeks commencing 8/21/80

This contract shall then be renewed on the same terms and conditions for successive periods of 52 weeks weeks, each, unless and until either party, at least thirty (30) days prior to the end of any current period, shall notify the other party in writing of the intent to cancel such contract at the end of such current period.

COPY—It is agreed that copy under this contract will be delivered at the Business Office of the **Anchorage Daily News**, 200 Potter Drive, Anchorage, in accordance with the **Anchorage Daily News** deadline schedule.

The price to be paid therefor is \$ 5.10 per single column inch, per insertion, payment to be made monthly for all space used

in preceding month to the **Anchorage Daily News**, Anchorage, Alaska. All advertising to be paid in advance of DATE of Publication

It is agreed that this contract covers only advertising related to the regular retail business owned by Advertiser specified in the Anchorage city zone and it cannot be used directly or indirectly to cover the advertising of any product of which Advertiser may be a distributor or a wholesaler. It does not apply to any advertising classified as general rate by The Anchorage Daily News. It is agreed that the space contracted for will not be sublet to others, not used for other purposes than herein named. Publisher reserves the right to reject or modify any copy offered if deemed by him libelous or otherwise objectionable. It is mutually agreed that the rate herein is given on express consideration of the obligation on the part of Advertiser to use such amount of advertising and pay therefor. Extra space above the minimum shall be at the same rate per inch.

major or other emergency beyond the control of either party preventing performance of this contract, this contract shall be suspended during such period of inability of performance by either party and the terms hereof extended by a like period of time and neither party hereto shall have any liability to the other by reason of such suspension.

Claims of adjustments for any error or omission must be made not later than 30 days after publication date upon which said error omission occurred.

This contract is subject to acceptance by Publisher.

(Firm) Friends of Alaska.
By Steve Deess
Title Gen Mgr. AK Ad.
Anchorage Daily News
By Mal R. Sutherland #12 Salesperson

Publisher reserves the right upon 30 days' notice in writing to change the rates herein listed. Advertiser reserves the right to accept such changes of rate, or in the event of an increase of rate, to cancel said contract without rate adjustment provided cancellation is delivered in writing to Publisher within 30 day notice period. A continuance of advertising after the new rates go into effect will constitute acceptance of them under all other terms of this contract.

In the event of war, flood, fire, strike or other labor dispute, force

ORIGINAL - WHITE • CUSTOMER COPY - YELLOW • SALES COPY - PINK

Accepted: Anchorage Daily News, By

David Kuta



KHAR SERVICE ORDER & INVOICE AND CERTIFICATION OF PERFORMANCE

3900 Seward Hwy/Anchorage, Alaska 99503/272-9591/Better Music Continuously

WO No. 8/80-203 CO-OP _____

START DATE: 8/5 END: 8/25

ADVERTISER: FRIENDS OF ALASKA

AGENCY: ALASKA ADVERTISERS

BILLING ADD: 1341 FAIRBANKS STREET

CITY/STATE: ANCHORAGE, ALASKA 99501

SPECIAL INSTS: LOG 2/60AAAA, 2/60AAA PER DAY MON-FRIDAY

LOG 5/60AA PER DAY SATURDAY & SUNDAY

INSERT/P.O. No. 521

CONTRACT EXPS: _____

LOG: ⁰¹⁴⁷ FRIENDS OF ALASKA 72000

LENGTH: 60 NO: 30AAAA RATE: 31.00
60 30AAA 22.00

LENGTH: 60 NO: 30AA RATE: 19.00

GROSS AMOUNT \$ 2160.00

COMM/DISC: \$ 324.00

NET AMOUNT \$ 1836.00

SALESMAN: BOB PATE

APPROVED TO BE SCHEDULED 8/6. MAKEGOODS APPROVED. 8/6 #1 8/7 ->

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
4 4 0 4	4 4 0 4	5	6	7 640a *750a 950a 315p 430p	8 650a 830a 930a 330p 430p 550p	9 1030a 1130a 1230p 130p 230p
5 5 0 5	11 650a 740a 850a 430p 330p 510p	12 620a 750a 940a 350p 450p 550p	13 610a 930a 350p 510p	14 620a 840a 330p 530p	15 620a 915a 330p 430p	16 1030a 115a 1230p 130p 230p
6 6 0 6	18 620a 915a 350p 550p	19 640a 950a 410p 6p	20 610a 840a 315p 530p	21 640a 950a 350p 550p	22 610a 840a 315p 450p	23 1015a 1115a 1230p 145p 230p
7 7 0 7	25 640a 940a 350p 550p	End				

I hereby attest to the validity of this schedule. The broadcast for the above listed account were made on KHAR on the listed dates and at the listed times.

Sanelia Saulala

Sanelia F. Marsh

Notary Public for Alaska
My commission expires

11/9/83



KSRM

Continuity



Client: ALASKA ADVERTISERS		For: FRIENDS OF ALASKA COMMITTEE	
By: AGENCY	Begin: 8/9/80	End: 8/25/80	Date: 8/6/80

2:50

TAPES PROVIDED BY COMPANY

#1 - SCRAPBOOK

#2 - ASPEN

83040404423

STATION DOCUMENTATION STATEMENT APPROVED BY THE CO-OPERATIVE ADVERTISING
COMMITTEE OF THE ASSOCIATION OF NATIONAL ADVERTISERS

This announcement was broadcast 38 times, as entered in the station's program log. The times this announcement was broadcast were billed to this station's client on our invoice dated _____ at his earned rate of:

\$ 15.00 each for 38 announcements, for a total of \$ 570.00 less 15% - 85.50
 \$ _____ each for _____ announcements, for a total of \$ _____ 484.50
 \$ _____ each for _____ announcements, for a total of \$ _____

NOTARY PUBLIC
SALLY J. EASTRICK
My Commission Expires 6-1-88
Notary

[Signature]
Signature of station official
JOHN DAVIS, GEN MGR.
Typed name and title

KSRM/KQ00T
Station



TIME OR

AUGUST

(BROADCAST CALENDAR)

Alaska Advertisers

For: Friends of Alaska

KQOK

8	5	80	8	25	80	MON	TUE	WED	THUR	FRI	SAT	SUN
			23	29	30					1	2	
	:60											
	AAA		4	5	6	7	8				9:49 8:18 9:00 6:46 2:00 4:22 4:00 11:00 5:10 11:45	9:05 1 8:29 2:00 9:04 4:46 11:00 4:46 11:45
	38 15.00 ea											
	570.00 -85.50 484.50		11	12	13	14	15				8:58 16 9:31 10:04 9:44 2:46 11:18 3:59 1:11 8:56	9:30 1 12:47 7:14 4:09 8:18 5:08
			13	19	20	21	22				9:20 23 9:13 10:35 10:23 5:10 2:22 2:00 4:18 4:00 5:08	9:25 2 12:01 7:13 4:00 5:08
			25	26	27	28	29				30	3

83040404424

STATE OF ALASKA
 NOTARY PUBLIC
 SALLY J. EASTLICK
 My Commission Expires 4-1-84

I hereby attest to the validity of the
 The broadcasts for the above mentioned
 were made on KSRM as follows:

[Signature]

[Signature]
 NOTARY PUBLIC FOR ALASKA



TIME ORIGINAL

AUGUST

(BROADCAST CALENDAR)

Alaska Advertisers

For: Friends of Alaska



KSRM

1000 W. BROADWAY, ANCHORAGE, ALASKA 99509

PHONE (907) 261-1111

8		5		80		8		25		80		CO-OP		NO.		MO.		DAY	
MON		TUE		WED		THUR		FRI		SAT		SUN							
		28		29		30		31		1		2							
:60																			
AAA		4		5		6		7		8		9		10		11		12	
38												6:56 8:14 10:31 11:31 12:55 1:45		5:49 10:44 12:29 1:12 2:35		9:19 10:10 10:44 12:29 1:12 2:35		4:19 4:49	
15.00 ea		11		12		13		14		15		16		17		18		19	
570.00 -85.50												8:22 10:20 4:39 5:36 5:44		10:10 2:00 3:53 4:34 4:52				1	
484.50		13		19		20		21		22		23		24		25		26	
												9:23 9:18 11:19 1:23 2:24 3:23		10:18 12:25 1:14 2:15 3:15 4:12				2	
		25		26		27		28		29		30		31					

83040404425

STATE OF ALASKA
 NOTARY PUBLIC
 SALLY J. EASTLICK
 My Commission Expires 4-1-84

I hereby attest to the validity of the
 The broadcasts for the above advertiser
 were made on KSRM as indicated.

 MAN

 Sally J. Eastlick
 NOTARY PUBLIC FOR ALASKA

33040404426

ANCHORAGE
DAILY NEWS

POUCH 6616 ANCHORAGE, ALASKA 99502

CUSTOMER

Friends of Alaska X01858
Alaska Advertisers
1341 Fairbanks
Anchorage, AK. 99501

BILLING DATE ACCOUNT NO
8/31 1858

Glen Christoph

TO INSURE PROPER CREDIT PLEASE RETURN THIS PORTION WITH YOUR REMITTANCE.

DATE	AD NO.	DESCRIPTION	INCHES	RATE	CHARGES	CREDITS	BALANCE
						249.70	

83040404427

ACCOUNT NO 1341 FALDRANKS
Anchorage, AK. 99501

NAME FRIENDS OF ALASKA
Akaska Advertisers

MEMO C @ 5.10 - 100" year - 8-21-80. TERMS LIMIT ACCOUNT NO. X01858 SHEET NO. 1

DATE	ITEM	Inches	Rate	FOL.	Y	CREDIT	BALANCE
8 22	Key Words	32	5.10	12		2448	
	Friends of AK.						
	ag. comm.						
23	Clark Guening	32	5.10	12		2448	37744
	ag. comm.					52714	24970
20	R.O.A.						
						5306	30464
						52714	30594
							22250
						22250	0

179
N
R.O.A.



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 3/1/80

MEDIA KFQD Radio

ACCOUNT: FRIENDS OF ALASKA

PRODUCT:

DATE OF INSERTION: August 5, 1980

DATE OF EXPIRATION: August 25, 1980

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

2	AAA	60-sec.	Monday thru Friday	@\$44.00	=	\$440.00/Wk.
2	AAA	60-sec.	Monday thru Friday	@\$24.00	=	240.00/Wk.
5	AAA	60-sec.	Saturday & Sunday	@\$24.00	=	280.00/Wk.
						<u>920.00/Wk.</u>

PREFERRED POSITION:

TAPE TO COME.

CLASSIFICATION:

CHECK IN PAYMENT ENCLOSED.

RATE: 2760.00

Less Agency Commission: 414.00

NET TO BE PAID: 2346.00

Authorized By: Judy Parsons

520

DID NOT RUN

330404128



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-8942

INSERTION ORDER

Electric/Print

DATE: 8/1/80

MEDIA KFRB Radio

ACCOUNT: FRIENDS OF ALASKA

PRODUCT:

DATE OF INSERTION: August 5, 1980

DATE OF EXPIRATION: August 25, 1980

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

29
4
4
4
0
4
0
4
3
0
6

2	AAA (AM)	60-sec.	per day, Monday thru Friday	@\$15.00 each =	\$150.00/Week
2	AAA (PM)	60-sec.	per day, Monday thru Friday	@\$15.00 each =	\$150.00/Week
5	AAA	60-sec.	per day, Saturday & Sunday	@\$15.00 each =	<u>\$150.00/Week</u>
					\$450.00/Week

PREFERRED POSITION:

SPOTS TO COME.

CLASSIFICATION:

STARTED AUG. 7
XTRA SPOTS ON
AUG. 81-18

CHECK IN PAYMENT ENCLOSED.

RATE:	1350.00
	1350.00
Less Agency Commission:	202.50
	=
NET TO BE PAID:	<u>1147.50</u>

Authorized By: Judy Pearson

525



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 8/1/80

MEDIA: Alaska Radio Network

ACCOUNT: FRIENDS OF ALASKA

PRODUCT:

DATE OF INSERTION: August 5, 1980

DATE OF EXPIRATION: August 25, 1980

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

30
4
4
0
4
0
4
0
4
3

2 30-sec. spots per day, 7:30 AM and 5:30 PM

14 spots per week ~~\$67.50~~ \$75.00 each = \$1050.00 per week

PREFERRED POSITION:

TYPE ENCLOSED.

CLASSIFICATION:

STARTED AUG. 6
1 XTRA SPOT ON AUG. 7 + 8

CHECK IN PAYMENT ENCLOSED.

RATE: 3150.00

Less Agency Commission: 170.00

NET TO BE PAID: 2977.50

Authorized By: *[Signature]*

500



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 8/1/80

MEDIA: KITW Radio

ACCOUNT: FRIENDS OF ALASKA

PRODUCT:

DATE OF INSERTION: August 5, 1980

DATE OF EXPIRATION: August 25, 1980

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

1
3
4
4
4
0
4
0
4
3
0
4
3
8

- 1 AM Drive 30-sec. per day, Monday thru Friday
- 1 PM Drive 30-sec. per day, Monday thru Friday
- 3 Daytime 30-sec. per day, Saturday & Sunday

10 spots per week @ \$21.00 each = \$420.00 per week

PREFERRED POSITION:

TAPE ENCLOSED.

CLASSIFICATION:

CHECK IN PAYMENT ENCLOSED.

RATE:	<u>1269.00</u>
Less Agency Commission:	<u>100.00</u>
NET TO BE PAID:	<u>1071.00</u>

Authorized By: *[Signature]*



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-8942

INSERTION ORDER

Electric/Print

DATE: 8/1/80

MEDIA WOK Radio

ACCOUNT: FRIENDS OF ALASKA

PRODUCT:

DATE OF INSERTION: August 5, 1980

DATE OF EXPIRATION: August 25, 1980

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

32
4
4
4
0
4
0
4
3
3
8

- 2 AM Drive 60-sec. per day, Monday thru Friday
- 2 PM Drive 60-sec. per day, Monday thru Friday
- 3 Daytime 60-sec. per day, Saturday & Sunday

10 60-sec. per week @ \$24.00 each = \$240.00/Week

PREFERRED POSITION:

COPE ENCLOSED.

CLASSIFICATION:

CHECK IN PAYMENT ENCLOSED.

RATE: 720.00

Less Agency Commission: 100.00

NET TO BE PAID: 620.00

Authorized By: *[Signature]*



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-8942

INSERTION ORDER

Electric/Print

DATE: 8/8/80

MEDIA: TV

ACCOUNT: FRIENDS OF ALASKA

PRODUCT:

DATE OF INSERTION: August 9, 1980

DATE OF EXPIRATION: August 25, 1980

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

Aug. 9 & 10	5 A 60-sec. per day	\$821.00	<u>210.00</u> 125.00
Aug. 11	2 AM & 2 PM AA 60-sec.	\$628.00	112.00
Aug. 12 - 25 Mon. thru Friday	2 AM & 2 PM AA 60-sec. per day	\$624.00	960.00
Aug. 16-17-23 1-24	5 A 60-sec. per day	\$18.00	<u>360.00</u>
			1537.00

PREFERRED POSITION:

TAPE AND CHECK ENCLOSED.

CLASSIFICATION:

RATE:

1642.50

Less Agency Commission:

NET TO BE PAID:

Authorized By: [Signature]

507



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-8942

INSERTION ORDER

Electric/Print

DATE: 8/1/80

MEDIA: KSRM Radio

ACCOUNT: FRIENDS OF ALASKA

PRODUCT:

DATE OF INSERTION: August 5, 1980

DATE OF EXPIRATION: August 25, 1980

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

10 A.A. 60-sec. per day each Saturday & Sunday @ \$9.50 each = \$190.00/Week.

PREFERRED POSITION:

TYPE ENCLOSED.

CLASSIFICATION:

CHECK IN PAYMENT ENCLOSED.

RATE: 170.00

Less Agency Commission: 36.00

NET TO BE PAID: 134.00

Authorized By: [Signature]

527



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 8/1/80

MEDIA: Radio

ACCOUNT: FRIENDS OF ALASKA

PRODUCT:

DATE OF INSERTION: August 3, 1980

DATE OF EXPIRATION: August 25, 1980

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

2 A.M.	60-sec.	Monday thru Friday	\$31.00 = \$310.00/Week
2 P.M.	60-sec.	Monday thru Friday	\$22.00 = \$220.00/Week
5 P.M.	60-sec.	Saturday & Sunday	\$19.00 = \$190.00/Week

PREFERRED POSITION: CARD TO COME.

CLASSIFICATION:

*STARTED AUL. 7
EXTRA SPOTS AUL. 7-8-11-12*

CHECK IN PAYMENT ENCLOSED.

RATE:	<u>2150.00</u>
Less Agency Commission:	<u>224.00</u>
NET TO BE PAID:	<u>1926.00</u>

Authorized By: *July Peters*



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 8/1/80

MEDIA: AFAR Radio

ACCOUNT: FRIENDS OF ALASKA

PRODUCT:

DATE OF INSERTION: August 5, 1980

DATE OF EXPIRATION: August 15, 1980

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

1	30-sec. per day, Monday thru Friday	\$14.00 each = \$140.00/Week
1	30-sec. per day, Monday thru Friday	\$14.00 each = \$140.00/Week
1	60-sec. per day Saturday & Sunday	\$14.00 each = \$140.00/Week
		<u>\$420.00/Week</u>

PREFERRED POSITION:

TYPE TO COME.

CLASSIFICATION:

CHECK IN PAYMENT ENCLOSED.

*STARTED AUG. 6 (PM)
2 XTRA SPOTS AUG. 7-8-11-12*

DID NOT RUN

RATE:	<u>1260.00</u>
	1300.00
Less Agency Commission:	<u>130.00</u>
NET TO BE PAID:	<u>1071.00</u>

Authorized By: *[Signature]*

525



MIDNIGHT SUN BROADCASTERS, INC.

KENI - KENI TV
ANCHORAGE

KFAR - KFAR TV
FAIRBANKS

KINY - KINY TV
JUNEAU

KTKN
KETCHIKAN

Radio: NBC - ABC

Television: NBC

August 8, 1980

Reply To:
KFAR • TV - AM
BOX 910
FAIRBANKS, ALASKA
99707

Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska 99501

Attn: Judy Parsons

Dear Judy:

After listening to the spots for Friends of Alaska, KFAR Radio has decided to turn down this order.

We have several reasons for this decision. If you would like to call me I will be glad to explain our situation to you.

Regards,

Bill Walley
General Manager

enc: Insertion Order
Scripts
Check #4407 - \$1,071.00
Radio Tape

830404437



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 8/1/80

MEDIA: KBYR Radio

ACCOUNT: FRIENDS OF ALASKA

PRODUCT:

DATE OF INSERTION: August 5, 1980

DATE OF EXPIRATION: August 25, 1980

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

1	AAA (AM)	60-sec.	Monday thru Friday	\$16.00 = \$160.00/Week
2	AAA (PM)	60-sec.	Monday thru Friday	\$15.00 = \$150.00/Week
3	AA	60-sec.	Saturday & Sunday	\$13.00 = \$130.00/Week
				<u>\$450.00/Week</u>

PREFERRED POSITION:

TAPE TO COME.

CLASSIFICATION:

CHECK IN PAYMENT ENCLOSED.

RATE: 1350.00

Less Agency Commission: 232.50

NET TO BE PAID: 1117.50

Authorized By: Judy Pearson

830404404436



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 7/27/80

MEDIA: TV-11

ACCOUNT: FRIENDS OF ALASKA

PRODUCT:

DATE OF INSERTION: August 5, 1980

DATE OF EXPIRATION: August 15, 1980

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

2 AM 60-sec. (Afternoons) Monday thru Friday	\$12.00	=	\$120.00
7 AM 60-sec. Saturday & Sunday	\$11.00 each	=	\$154.00
			<u>\$274.00</u>
			per week

PREFERRED POSITION: TAP TO COME.

CLASSIFICATION:

CHECK I. PAYMENT ENCLOSED.

RATE:	<u>322.00</u>
Less Agency Commission:	<u>123.00</u>
NET TO BE PAID:	<u>199.00</u>

Authorized By: Gregory Benson

500



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 8/1/80

MEDIA KFAR Radio

ACCOUNT: **FRIENDS OF ALASKA**

PRODUCT:

DATE OF INSERTION: **August 5, 1980**

DATE OF EXPIRATION: **August 25, 1980**

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

2	AAA (AM)	60-sec. per day, Monday thru Friday	@\$14.00 each = \$140.00/Week
2	AAA (PM)	60-sec. per day, Monday thru Friday	@\$14.00 each = \$140.00/Week
5	AAA	60-sec. per day Saturday & Sunday	@\$14.00 each = \$140.00/Week
			<u>\$420.00/Week</u>

PREFERRED POSITION:

TAPE TO COME.

CLASSIFICATION:

CHECK IN PAYMENT ENCLOSED.

DID NOT RUN

RATE:	<u>1260.00</u>
	1260.00
Less Agency Commission:	<u>189.00</u>
NET TO BE PAID:	<u>1071.00</u>

Authorized By: Judy Parsons

No 525

304040411



(907) 344-2522



(907) 349-2531

THE PROMOTION PEOPLE

2800 East Dowling Anchorage, AK 99507 / (907) 344-2522

INVOICE/STATEMENT

872

AUGUST
FOR
KYAK AM

ALASKA ADV.
1341 FAIRBANKS,
ANCHORAGE, ALASKA 99501

DATE	PAGE	CUSTOMER NO.
8/31/80	1	1915

LISTEN FOR PRIME TIME NEWS.....COMING SOON

AMOUNT ENCLOSED \$ _____

TERMS: NET 10 DAYS. ON ALL ACCOUNTS NOT PAID IN 30 DAYS A FINANCE CHARGE WILL BE CHARGED (SEE * BELOW)

REF. NO.	DATE	DESCRIPTION	LENGTH	QUANTITY	CHARGES	PAYMENTS & CREDITS	BALANCE
		BALANCE FORWARD					.00
	8/18/80	PAYMENT CK # 4419				653.75	653.75-
215	AUG '80	FRIENDS OF ALASKA # 537	60		210.00		443.75-
	8/26/80	PAYMENT CK # 4468				653.75	1097.50-
	8/31/80	CREDIT RE# 250				653.75	1751.25-
216	AUG '80	FRIENDS OF ALASKA # 537	60		112.00		1639.25-
219	AUG '80	FRIENDS OF ALASKA # 537	60		342.00		1297.25-
217	AUG '80	FRIENDS OF ALASKA # 537	60	4	664.00		433.25-
217	AUG '80	FRIENDS OF ALASKA # 537	60	4	96.00		337.25-
		Reverse Trade Credit			653.75		316.50
		LESS: DISCOUNT				316.50	0.00
CURRENT		PAST DUE					BALANCE DUE
		31 TO 60 DAYS	61 TO 90 DAYS		OVER 90 DAYS		
0 337.25		.00	.00		.00		337.25

*A FINANCE CHARGE OF 1% PER MONTH (12% ANNUAL) OR MAXIMUM ALLOWED BY LAW



(907) 344-2522



(907) 349-2531

THE PROMOTION PEOPLE

2800 East Dowling Anchorage, AK 99507

ALASKA ADV.
1341 FAIRBANKS,
ANCHORAGE, ALASKA 99501

AFFIDAVIT FOR: KYAK AM			
PERIOD 8/11/80-- 8/24/80			
1915	537 X	8/24/80	1
CUSTOMER NO.	INVOICE NO.	DATE	PAGE

REF. NO.	SPONSOR DETAIL	DATE	TIME RUN	LENGTH	QUANTITY	TIME CHARGES
216	FRIENDS OF ALASKA	8/11/80	6:50am	60	1	26.00
216	FRIENDS OF ALASKA	8/11/80	8:42am	60	1	26.00
216	FRIENDS OF ALASKA	8/11/80	6:12pm	60	1	26.00
216	FRIENDS OF ALASKA	8/11/80	6:51pm	60	1	26.00
217	FRIENDS OF ALASKA	8/12/80	8:26am	60	1	24.00
217	FRIENDS OF ALASKA	8/12/80	9:26am	60	1	24.00
217	FRIENDS OF ALASKA	8/12/80	5:49pm	60	1	24.00
217	FRIENDS OF ALASKA	8/12/80	6:45pm	60	1	24.00
217	FRIENDS OF ALASKA	8/13/80	7:58am	60	1	24.00
217	FRIENDS OF ALASKA	8/13/80	9:15am	60	1	24.00
217	FRIENDS OF ALASKA	8/13/80	6:13pm	60	1	24.00
217	FRIENDS OF ALASKA	8/13/80	7:42pm	60	1	24.00
217	FRIENDS OF ALASKA	8/14/80	6:35am	60	1	24.00
217	FRIENDS OF ALASKA	8/14/80	7:49am	60	1	24.00
217	FRIENDS OF ALASKA	8/14/80	5:12pm	60	1	24.00
217	FRIENDS OF ALASKA	8/14/80	6:52pm	60	1	24.00
217	FRIENDS OF ALASKA	8/15/80	7:58am	60	1	24.00
217	FRIENDS OF ALASKA	8/15/80	8:54am	60	1	24.00
217	FRIENDS OF ALASKA	8/15/80	6:13pm	60	1	24.00
217	FRIENDS OF ALASKA	8/15/80	6:50pm	60	1	24.00
219	FRIENDS OF ALASKA	8/16/80	7:49am	60	1	16.00
219	FRIENDS OF ALASKA	8/16/80	8:46am	60	1	16.00
219	FRIENDS OF ALASKA	8/16/80	11:17am	60	1	16.00
219	FRIENDS OF ALASKA	8/16/80	3:12pm	60	1	16.00
219	FRIENDS OF ALASKA	8/16/80	4:26pm	60	1	16.00
219	FRIENDS OF ALASKA	8/17/80	9:53am	60	1	18.00
217	FRIENDS OF ALASKA	8/17/80	10:23am	60	1	24.00
219	FRIENDS OF ALASKA	8/17/80	12:42pm	60	1	16.00
219	FRIENDS OF ALASKA	8/17/80	2:50pm	60	1	16.00
219	FRIENDS OF ALASKA	8/17/80	6:29pm	60	1	16.00
217	FRIENDS OF ALASKA	8/18/80	6:36am	60	1	24.00
217	FRIENDS OF ALASKA	8/18/80	8:09am	60	1	24.00
217	FRIENDS OF ALASKA	8/18/80	12:23pm	60	1	24.00
217	FRIENDS OF ALASKA	8/19/80	7:08am	60	1	24.00
217	FRIENDS OF ALASKA	8/19/80	7:40am	60	1	24.00
217	FRIENDS OF ALASKA	8/19/80	6:23pm	60	1	24.00
217	FRIENDS OF ALASKA	8/19/80	6:47pm	60	1	24.00
217	FRIENDS OF ALASKA	8/20/80	7:25am	60	1	24.00

AFFIDAVIT OF PERFORMANCE CERTIFY:

THAT IN ACCORDANCE WITH OFFICIAL STATION PROGRAM LOGS, THE ABOVE BROADCASTS WERE AIRED ON THE DAYS AND HOURS STATED

BY Stacy Helling
SWORN AND SUBSCRIBED BEFORE ME THIS 16th DAY OF Sept 1980

NOTARY PUBLIC [Signature]

TOTALS →

PLEASE PAY THIS AMOUNT

30 4040441



(907) 344-2522



(907) 349-2531

THE PROMOTION PEOPLE

2800 East Dowling Anchorage, AK 99507

ALASKA ADV.
1341 FAIRBANKS,
ANCHORAGE, ALASKA 99501

AFFIDAVIT FOR: KYAK AM			
PERIOD 8/11/80-- 8/24/80			
1515	537 X	8/24/80	2
CUSTOMER NO.	INVOICE NO.	DATE	PAGE

REF. NO.	SPONSOR DETAIL	DATE	TIME RUN	LENGTH	QUANTITY	TIME CHARGES
217	FRIENDS OF ALASKA	8/20/80	8:58am	60	1	24.00
217	FRIENDS OF ALASKA	8/20/80	4:13pm	60	1	24.00
217	FRIENDS OF ALASKA	8/20/80	6:51pm	60	1	24.00
217	FRIENDS OF ALASKA	8/21/80	6:40am	60	1	24.00
217	FRIENDS OF ALASKA	8/21/80	7:39am	60	1	24.00
217	FRIENDS OF ALASKA	8/21/80	5:55pm	60	1	24.00
217	FRIENDS OF ALASKA	8/21/80	6:21pm	60	1	24.00
217	FRIENDS OF ALASKA	8/22/80	7:52am	60	1	24.00
217	FRIENDS OF ALASKA	8/22/80	8:15am	60	1	24.00
217	FRIENDS OF ALASKA	8/22/80	6:12pm	60	1	24.00
217	FRIENDS OF ALASKA	8/22/80	6:39pm	60	1	24.00
219	FRIENDS OF ALASKA	8/23/80	6:41am	60	1	18.00
219	FRIENDS OF ALASKA	8/23/80	8:54am	60	1	18.00
219	FRIENDS OF ALASKA	8/23/80	10:12am	60	1	18.00
219	FRIENDS OF ALASKA	8/23/80	12:43pm	60	1	18.00
219	FRIENDS OF ALASKA	8/23/80	3:43pm	60	1	18.00
219	FRIENDS OF ALASKA	8/24/80	6:45am	60	1	18.00
219	FRIENDS OF ALASKA	8/24/80	10:06am	60	1	18.00
219	FRIENDS OF ALASKA	8/24/80	2:17pm	60	1	18.00
219	FRIENDS OF ALASKA	8/24/80	6:25pm	60	1	18.00
219	FRIENDS OF ALASKA	8/24/80	6:40pm	60	1	18.00

AFFIDAVIT OF PERFORMANCE CERTIFY:

THAT IN ACCORDANCE WITH OFFICIAL STATION PROGRAM LOGS, THE ABOVE BROADCASTS WERE AIRED ON THE DAYS AND HOURS STATED.

BY Shirley J. Allen
SWORN AND SUBSCRIBED BEFORE ME THIS 14th DAY OF Sept 1980

NOTARY PUBLIC [Signature]

TOTALS → 59 1316.00

PLEASE PAY THIS AMOUNT



THE PROMOTION PEOPLE

2800 East Dowling Anchorage, AK 99507

(907) 344-2522

(907) 349-2531

ALICE, ALV.
1001 BROADWAY,
ANCHORAGE, ALASKA 99501

AFFIDAVIT FOR: <u>FM 65</u>			
PERIOD <u>7/20/80 - 7/30/80</u>			
<u>1015</u>	<u>1015</u>	<u>7/29/80</u>	
CUSTOMER NO.	INVOICE NO.	DATE	PAGE

REF. NO.	SPONSOR DETAIL	DATE	TIME RUN	LENGTH	QUANTITY	TIME CHARGES
275	FRIENDS OF ALASKA	7/29/80	5:50 PM	00	1	21.00
275	FRIENDS OF ALASKA	7/29/80	6:14 PM	00	1	21.00
275	FRIENDS OF ALASKA	7/29/80	6:55 PM	00	1	21.00
275	FRIENDS OF ALASKA	7/29/80	7:50 PM	00	1	21.00
275	FRIENDS OF ALASKA	7/29/80	8:15 PM	00	1	21.00
275	FRIENDS OF ALASKA	7/30/80	8:28 PM	00	1	21.00
275	FRIENDS OF ALASKA	7/30/80	12:57 PM	00	1	21.00
275	FRIENDS OF ALASKA	7/30/80	1:54 PM	00	1	21.00
275	FRIENDS OF ALASKA	7/30/80	2:40 PM	00	1	21.00
275	FRIENDS OF ALASKA	7/30/80	6:44 PM	00	1	21.00

304040444

AFFIDAVIT OF PERFORMANCE CERTIFY:

THAT IN ACCORDANCE WITH OFFICIAL STATION PROGRAM LOGS, THE ABOVE BROADCASTS WERE AIRED ON THE DAYS AND HOURS STATED.

BY Shirley Lilly

SWORN AND SUBSCRIBED BEFORE ME THIS 9th DAY OF Sept 19 80

NOTARY PUBLIC Donald K. Kasse

TOTALS →	10	210.00
----------	----	--------





(907) 344-2522



(907) 349-2531

THE PROMOTION PEOPLE

2800 East Dowling Anchorage, AK 99507

ALASKA ADV.
1341 FAIRBANKS,
ANCHORAGE, ALASKA 99501

AFFIDAVIT FOR: KYAK AM			
PERIOD 8/25/80-- 8/31/80			
1915	537 X	9/10/80	1
CUSTOMER NO.	INVOICE NO.	DATE	PAGE

REF. NO.	SPONSOR DETAIL	DATE	TIME RUN	LENGTH	QUANTITY	TIME CHARGES
217	FRIENDS OF ALASKA	8/25/80	6:37am	60	1	24.00
217	FRIENDS OF ALASKA	8/25/80	7:26am	60	1	24.00
217	FRIENDS OF ALASKA	8/25/80	4:09pm	60	1	24.00
217	FRIENDS OF ALASKA	8/25/80	5:47pm	60	1	24.00

3040404415

AFFIDAVIT OF PERFORMANCE CERTIFY:		TOTALS →	4	96.00
--	--	-----------------	---	-------

THAT IN ACCORDANCE WITH OFFICIAL STATION PROGRAM LOGS, THE ABOVE BROADCASTS WERE AIRED ON THE DAYS AND HOURS STATED.

BY Michael Sellen
SWORN AND SUBSCRIBED BEFORE ME THIS 11th DAY OF Sept 19 80

NOTARY PUBLIC Donald W. Brown



MAIL REMITTANCE TO:

NORTHERN TELEVISION - KBYR
 P. O. BOX 2200
 ANCHORAGE, AK
 99510

INVOICE

CLIENT: FRIENDS OF ALASKA

DATE: 08-31-80 INVOICE NO. 3116 PAGE: 1

TO: ALASKA ADVERTISERS
 1341 FAIRBANKS
 ANCHORAGE
 AK 99501

CUSTOMER NO. 64 A AGENCY:
 SALESPERSON SLAGLE PLAN:

CONTACTS: JUDY PARSONS

DATE	DAY DESCRIPTION	T. O. #	TIME	LENGTH	RATE	NO. RUN	OTHER CHGS AND CODE	TIME CHARGES
08-05-80	TU FRIENDS OF ALASKA	2139	742A	:60	.00	1		
08-05-80	TU FRIENDS OF ALASKA	2139	1015A	:60	.00	1		
08-05-80	TU FRIENDS OF ALASKA	2139	315P	:60	.00	1		
08-05-80	TU FRIENDS OF ALASKA	2139	715P	:60	.00	1		
08-06-80	MO FRIENDS OF ALASKA	2139	645A	:60	.00	1		
08-06-80	MO FRIENDS OF ALASKA	2139	946A	:60	.00	1		
08-06-80	MO FRIENDS OF ALASKA	2139	446P	:60	.00	1		
08-06-80	MO FRIENDS OF ALASKA	2139	650P	:60	.00	1		
08-07-80	TH FRIENDS OF ALASKA	2139	742A	:60	.00	1		
08-07-80	TH FRIENDS OF ALASKA	2139	1042A	:60	.00	1		
08-07-80	TH FRIENDS OF ALASKA	2139	215P	:60	.00	1		
08-07-80	TH FRIENDS OF ALASKA	2139	442P	:60	.00	1		
08-08-80	FR FRIENDS OF ALASKA	2139	945A	:60	.00	1		
08-08-80	FR FRIENDS OF ALASKA	2139	242P	:60	.00	1		
08-08-80	FR FRIENDS OF ALASKA	2139	515P	:60	.00	1		
08-08-80	FR FRIENDS OF ALASKA	2139	812P	:60	.00	1		
08-09-80	SA FRIENDS OF ALASKA	2139	742A	:60	.00	1		
08-09-80	SA FRIENDS OF ALASKA	2139	1015A	:60	.00	1		
08-09-80	SA FRIENDS OF ALASKA	2139	145P	:60	.00	1		
08-09-80	SA FRIENDS OF ALASKA	2139	339P	:60	.00	1		
08-09-80	SA FRIENDS OF ALASKA	2139	729P	:60	.00	1		
08-10-80	SU FRIENDS OF ALASKA	2139	845A	:60	.00	1		
08-10-80	SU FRIENDS OF ALASKA	2139	915A	:60	.00	1		
08-10-80	SU FRIENDS OF ALASKA	2139	215P	:60	.00	1		
08-10-80	SU FRIENDS OF ALASKA	2139	427P	:60	.00	1		
08-10-80	SU FRIENDS OF ALASKA	2139	915P	:60	.00	1		
08-11-80	MO FRIENDS OF ALASKA	2139	715A	:60	.00	1		
08-11-80	MO FRIENDS OF ALASKA	2139	145P	:60	.00	1		
08-11-80	MO FRIENDS OF ALASKA	2139	315P	:60	.00	1		
08-11-80	MO FRIENDS OF ALASKA	2139	815P	:60	.00	1		
08-12-80	TU FRIENDS OF ALASKA	2139	815A	:60	.00	1		
08-12-80	TU FRIENDS OF ALASKA	2139	1042A	:60	.00	1		
08-12-80	TU FRIENDS OF ALASKA	2139	415P	:60	.00	1		
08-12-80	TU FRIENDS OF ALASKA	2139	715P	:60	.00	1		
08-14-80	TH FRIENDS OF ALASKA	2139	815A	:60	.00	1		
08-14-80	TH FRIENDS OF ALASKA	2139	1115A	:60	.00	1		
08-14-80	TH FRIENDS OF ALASKA	2139	242P	:60	.00	1		

THE INFORMATION SHOWN IS FROM THE OFFICIAL PROGRAM LOGS OF

CONTINUED ON NEXT PAGE

ALL TIMES SHOWN PLUS OR MINUS EIGHT MINUTES.

TOTALS

**PAY
THIS
SUM**

MAIL REMITTANCE TO:

NORTHERN TELEVISION - KBYR
 P. O. BOX 2200
 ANCHORAGE, AK
 99510

INVOICE

CLIENT: FRIENDS OF ALASKA

DATE: 08-31-80 INVOICE NO. 3116 PAGE: 2

TO: ALASKA ADVERTISERS
 1341 FAIRBANKS
 ANCHORAGE
 AK 99501

CUSTOMER NO. 64 A AGENCY:
 SALESPERSON SLAGLE PLAN:

CONTACTS: JUDY PARSONS

DATE	DAY DESCRIPTION	T. O. #	TIME	LENGTH	RATE	NO. RUN	OTHER CHGS AND CODE	TIME CHARGES
08-14-80	TH FRIENDS OF ALASKA	2139	542P	:60	.00	1		
08-15-80	FR FRIENDS OF ALASKA	2139	845A	:60	.00	1		
08-15-80	FR FRIENDS OF ALASKA	2139	945A	:60	.00	1		
08-15-80	FR FRIENDS OF ALASKA	2139	439P	:60	.00	1		
08-15-80	FR FRIENDS OF ALASKA	2139	515P	:60	.00	1		
08-16-80	SA FRIENDS OF ALASKA	2139	1027A	:60	.00	1		
08-16-80	SA FRIENDS OF ALASKA	2139	1125A	:60	.00	1		
08-16-80	SA FRIENDS OF ALASKA	2139	1145A	:60	.00	1		
08-16-80	SA FRIENDS OF ALASKA	2139	1221P	:60	.00	1		
08-16-80	SA FRIENDS OF ALASKA	2139	145P	:60	.00	1		
08-17-80	SU FRIENDS OF ALASKA	2139	1015A	:60	.00	1		
08-17-80	SU FRIENDS OF ALASKA	2139	1129A	:60	.00	1		
08-17-80	SU FRIENDS OF ALASKA	2139	1227P	:60	.00	1		
08-17-80	SU FRIENDS OF ALASKA	2139	115P	:60	.00	1		
08-17-80	SU FRIENDS OF ALASKA	2139	215P	:60	.00	1		
08-18-80	MO FRIENDS OF ALASKA	2139	745A	:60	.00	1		
08-18-80	MO FRIENDS OF ALASKA	2139	819A	:60	.00	1		
08-18-80	MO FRIENDS OF ALASKA	2139	415P	:60	.00	1		
08-18-80	MO FRIENDS OF ALASKA	2139	645P	:60	.00	1		
08-19-80	TU FRIENDS OF ALASKA	2139	842A	:60	.00	1		
08-19-80	TU FRIENDS OF ALASKA	2139	945A	:60	.00	1		
08-19-80	TU FRIENDS OF ALASKA	2139	315P	:60	.00	1		
08-19-80	TU FRIENDS OF ALASKA	2139	442P	:60	.00	1		
08-21-80	TH FRIENDS OF ALASKA	2139	842A	:60	.00	1		
08-21-80	TH FRIENDS OF ALASKA	2139	915A	:60	.00	1		
08-21-80	TH FRIENDS OF ALASKA	2139	345P	:60	.00	1		
08-21-80	TH FRIENDS OF ALASKA	2139	616P	:60	.00	1		
08-22-80	FR FRIENDS OF ALASKA	2139	845A	:60	.00	1		
08-22-80	FR FRIENDS OF ALASKA	2139	945A	:60	.00	1		
08-22-80	FR FRIENDS OF ALASKA	2139	439P	:60	.00	1		
08-22-80	FR FRIENDS OF ALASKA	2139	515P	:60	.00	1		
08-23-80	SA FRIENDS OF ALASKA	2139	1054A	:60	.00	1		
08-23-80	SA FRIENDS OF ALASKA	2139	1215P	:60	.00	1		
08-23-80	SA FRIENDS OF ALASKA	2139	145P	:60	.00	1		
08-23-80	SA FRIENDS OF ALASKA	2139	339P	:60	.00	1		
08-23-80	SA FRIENDS OF ALASKA	2139	442P	:60	.00	1		
08-24-80	SU FRIENDS OF ALASKA	2139	1015A	:60	.00	1		

THE INFORMATION SHOWN IS FROM THE OFFICIAL PROGRAM LOGS OF

TOTALS

CONTINUED ON NEXT PAGE

**PAY
THIS
SUM**

ALL TIMES SHOWN PLUS OR MINUS EIGHT MINUTES.

MAIL REMITTANCE TO:

NORTHERN TELEVISION - KBYR
P. O. BOX 2200
ANCHORAGE, AK
99510

INVOICE

CLIENT: FRIENDS OF ALASKA

DATE: 08-31-80 INVOICE NO. 3116 PAGE: 3

TO ALASKA ADVERTISERS
1341 FAIRBANKS
ANCHORAGE
AK 99501

CUSTOMER NO. 64 A AGENCY:
SALESPERSON SLAGLE PLAN:

CONTACTS: JUDY PARSONS

DATE	DAY DESCRIPTION	T. O. #	TIME	LENGTH	RATE	NO. RUN	OTHER CHGS AND CODE	TIME CHARGES
08-24-80	SU FRIENDS OF ALASKA	2139	1042A	: 60	. 00	1		
08-24-80	SU FRIENDS OF ALASKA	2139	1129A	: 60	. 00	1		
08-24-80	SU FRIENDS OF ALASKA	2139	148P	: 60	. 00	1		
08-24-80	SU FRIENDS OF ALASKA	2139	215P	: 60	. 00	1		
08-25-80	MO FRIENDS OF ALASKA	2139	745A	: 60	. 00	1		
08-25-80	MO FRIENDS OF ALASKA	2139	815A	: 60	. 00	1		
08-25-80	MO FRIENDS OF ALASKA	2139	442P	: 60	. 00	1		
08-25-80	MO FRIENDS OF ALASKA	2139	645P	: 60	. 00	1		
08-31-80	SU FRIENDS OF ALASKA	2139	600A	01: 00	1350. 00	1		1350. 00

8304040404

My Commission Expires
May 30, 1983

Barbara Krutza

THE INFORMATION SHOWN IS FROM THE OFFICIAL PROGRAM LOGS OF

NORTHERN TELEVISION INC.

ALL TIMES SHOWN PLUS OR MINUS EIGHT MINUTES.

TOTALS	83	. 00	1350. 00
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**PAY
THIS
SUM**

GROSS AMT	1350. 00
COMM @15. 00%	202. 50
AMOUNT DUE	1147. 50

MAIL REMITTANCE TO:

NORTHERN TELEVISION - KBYR
P. O. BOX 2200
ANCHORAGE, AK
99510

INVOICE

CLIENT: FRIENDS OF ALASKA

DATE: 08-31-80 INVOICE NO. 3117 PAGE: 1

TO: ALASKA ADVERTISERS
1341 FAIRBANKS
ANCHORAGE
AK

99501

CUSTOMER NO. 64 B
SALESPERSON SLAGLE

AGENCY:
PLAN:

CONTACTS: JUDY PARSONS

DATE	DAY DESCRIPTION	T. O. #	TIME	LENGTH	RATE	NO. RUN	OTHER CHGS AND CODE	TIME CHARGES
08-15-80	FR FRIENDS OF ALASKA	2139	327P	:60	.00	1		
08-15-80	FR FRIENDS OF ALASKA	2139	629P	:60	.00	1		
08-18-80	MO FRIENDS OF ALASKA	2139	915A	:60	.00	1		
08-18-80	MO FRIENDS OF ALASKA	2139	617P	:60	.00	1		
08-19-80	TU FRIENDS OF ALASKA	2139	642A	:60	.00	1		
08-19-80	TU FRIENDS OF ALASKA	2139	645P	:60	.00	1		
08-20-80	WE FRIENDS OF ALASKA	2139	747A	:60	.00	1		
08-20-80	WE FRIENDS OF ALASKA	2139	848A	:60	.00	1		
08-20-80	WE FRIENDS OF ALASKA	2139	948A	:60	.00	1		
08-20-80	WE FRIENDS OF ALASKA	2139	339P	:60	.00	1		
08-20-80	WE FRIENDS OF ALASKA	2139	415P	:60	.00	1		
08-20-80	WE FRIENDS OF ALASKA	2139	648P	:60	.00	1		
08-21-80	TH FRIENDS OF ALASKA	2139	723A	:60	.00	1		
08-21-80	TH FRIENDS OF ALASKA	2139	442P	:60	.00	1		
08-22-80	FR FRIENDS OF ALASKA	2139	354P	:60	.00	1		
08-22-80	FR FRIENDS OF ALASKA	2139	629P	:60	.00	1		

33040

THE INFORMATION SHOWN IS FROM THE OFFICIAL PROGRAM LOGS OF

NORTHERN TELEVISION INC.

ALL TIMES SHOWN PLUS OR MINUS EIGHT MINUTES.

IN-0304

TOTALS	16	.00	.00
PAY THIS SUM	GROSS AMT		.00
	AMOUNT DUE		.00

MAIL REMITTANCE TO:

K F R B - A M
NORTHERN TELEVISION, INC.
P. O. BOX 950
FAIRBANKS, ALASKA 99707

STATEMENT OF ACCOUNT

CLIENT: FRIENDS OF ALASKA

DATE: 08-31-80 PAGE: 1

TO: ALASKA ADVERTISERS
1341 FAIRBANKS ST.
ANCHORAGE AK 99501

AMOUNT ENCLOSED \$ _____
CUSTOMER NO. 919
AGENCY NO. 99
SALESPERSON K SLAGLE

PLEASE DETACH HERE AND RETURN
TOP PORTION WITH YOUR CHECK

A HANDLING CHARGE OF 1.00 %, (12.00 % ANNUAL RATE) WILL BE CHARGED ON OVER DUE AMOUNTS.

DATE	DESCRIPTION	TOTAL INVOICE	PAYMENTS/ADJUSTMENTS	HANDLING CHG.	INVOICE BALANCE	
08-05-80	0 UNAP CT#2137		1147.50		-1147.50	
08-31-80	32159 INV	841.50			841.50	
*****CREDIT BALANCE - PLEASE DO NOT PAY***** *IGNORE ATTACHED INVOICE IF ANY*						
CURRENT		31 - 60 DAYS	61 - 90 DAYS	91 - 120 DAYS	OVER 120 DAYS	BALANCE DUE
-306.00						(-306.00)

*Karen: 11/25 9/11/80
Refund coming*

MAIL REMITTANCE TO:

NORTHERN TELEVISION - KFRB
 P. O. BOX 950
 FAIRBANKS, AK
 99707

INVOICE

CLIENT: FRIENDS OF ALASKA

DATE: 08-31-80 INVOICE NO. 32159 PAGE: 1

TO: ALASKA ADVERTISERS
 1341 FAIRBANKS ST.
 ANCHORAGE
 AK 99501

CUSTOMER NO. 919 A AGENCY: 99
 SALESPERSON K SLAGLE PLAN:

CONTACTS: JUDY PARSONS

DATE	DAY DESCRIPTION	T. O. #	TIME	LENGTH	RATE	NO. LINES	OTHER CHGS. AND CODE	TIME CHARGES
08-07-80	TH FRIENDS OF AK. --TH/F	2137	634A	:60	15.00	1		15.00
08-07-80	TH FRIENDS OF AK. --TH/F	2137	840A	:60	15.00	1		15.00
08-07-80	TH FRIENDS OF AK. --TH/F	2137	446P	:60	15.00	1		15.00
08-07-80	TH FRIENDS OF AK. --TH/F	2137	644P	:60	15.00	1		15.00
08-08-80	FR FRIENDS OF AK. --TH/F	2137	652A	:60	15.00	1		15.00
08-08-80	FR FRIENDS OF AK. --TH/F	2137	732A	:60	15.00	1		15.00
08-08-80	FR FRIENDS OF AK. --TH/F	2137	438P	:60	15.00	1		15.00
08-08-80	FR FRIENDS OF AK. --TH/F	2137	642P	:60	15.00	1		15.00
08-09-80	SA FRIENDS OF AK. -SA/SU	2137	1240P	:60	15.00	1		15.00
08-09-80	SA FRIENDS OF AK. -SA/SU	2137	240P	:60	15.00	1		15.00
08-09-80	SA FRIENDS OF AK. -SA/SU	2137	340P	:60	15.00	1		15.00
08-09-80	SA FRIENDS OF AK. -SA/SU	2137	440P	:60	15.00	1		15.00
08-09-80	SA FRIENDS OF AK. -SA/SU	2137	640P	:60	15.00	1		15.00
08-10-80	SU FRIENDS OF AK. -SA/SU	2137	1250P	:60	15.00	1		15.00
08-10-80	SU FRIENDS OF AK. -SA/SU	2137	146P	:60	15.00	1		15.00
08-10-80	SU FRIENDS OF AK. -SA/SU	2137	250P	:60	15.00	1		15.00
08-10-80	SU FRIENDS OF AK. -SA/SU	2137	350P	:60	15.00	1		15.00
08-10-80	SU FRIENDS OF AK. -SA/SU	2137	552P	:60	15.00	1		15.00
08-11-80	MO FRIENDS OF ALASKA	2137	644A	:60	15.00	1		15.00
08-11-80	MO FRIENDS OF ALASKA	2137	748A	:60	15.00	1		15.00
08-11-80	MO FRIENDS OF ALASKA	2137	842A	:60	15.00	1		15.00
08-11-80	MO FRIENDS OF ALASKA	2137	450P	:60	15.00	1		15.00
08-11-80	MO FRIENDS OF ALASKA [MG]		552P	:60	15.00	1		15.00
08-12-80	TU FRIENDS OF ALASKA	2137	650A	:60	15.00	1		15.00
08-12-80	TU FRIENDS OF ALASKA	2137	852A	:60	15.00	1		15.00
08-12-80	TU FRIENDS OF ALASKA	2137	454P	:60	15.00	1		15.00
08-12-80	TU FRIENDS OF ALASKA [MG]		528P	:60	15.00	1		15.00
08-12-80	TU FRIENDS OF ALASKA	2137	654P	:60	15.00	1		15.00
08-13-80	WE FRIENDS OF ALASKA	2137	650A	:60	15.00	1		15.00
08-13-80	WE FRIENDS OF ALASKA	2137	758A	:60	15.00	1		15.00
08-13-80	WE FRIENDS OF ALASKA	2137	856A	:60	15.00	1		15.00
08-13-80	WE FRIENDS OF ALASKA	2137	446P	:60	15.00	1		15.00
08-13-80	WE FRIENDS OF ALASKA [MG]		656P	:60	15.00	1		15.00
08-14-80	TH FRIENDS OF ALASKA	2137	624A	:60	15.00	1		15.00
08-14-80	TH FRIENDS OF ALASKA	2137	726A	:60	15.00	1		15.00
08-14-80	TH FRIENDS OF ALASKA [MG]		430P	:60	15.00	1		15.00
08-14-80	TH FRIENDS OF ALASKA	2137	534P	:60	15.00	1		15.00

THE INFORMATION SHOWN IS FROM THE OFFICIAL PROGRAM LOGS OF

CONTINUED ON NEXT PAGE

ALL TIMES SHOWN PLUS OR MINUS EIGHT MINUTES.

TOTALS

**PAY
THIS
SUM**

MAIL REMITTANCE TO:

NORTHERN TELEVISION - KFRB
 P. O. BOX 950
 FAIRBANKS, AK
 99707

INVOICE

CLIENT: FRIENDS OF ALASKA

DATE: 08-31-80 INVOICE NO. 32159 PAGE: 2

TO: ALASKA ADVERTISERS
 1341 FAIRBANKS ST.
 ANCHORAGE
 AK

CUSTOMER NO. 919 A AGENCY: 99
 SALESPERSON K SLAGLE PLAN:

99501

CONTACTS: JUDY PARSONS

DATE	DAY DESCRIPTION	T. O. #	TIME	LENGTH	RATE	NO. RUN	OTHER CHGS AND CODE	TIME CHARGES
08-14-80	TH FRIENDS OF ALASKA	2137	636P	:60	15.00	1		15.00
08-15-80	FR FRIENDS OF ALASKA	[MG]	642A	:60	15.00	1		15.00
08-15-80	FR FRIENDS OF ALASKA	2137	748A	:60	15.00	1		15.00
08-15-80	FR FRIENDS OF ALASKA	2137	452P	:60	15.00	1		15.00
08-15-80	FR FRIENDS OF ALASKA	2137	550P	:60	15.00	1		15.00
08-15-80	FR FRIENDS OF ALASKA	2137	656P	:60	15.00	1		15.00
08-16-80	SA FRIENDS OF ALASKA	[MG]	112P	:60	15.00	1		15.00
08-16-80	SA FRIENDS OF ALASKA	2137	226P	:60	15.00	1		15.00
08-16-80	SA FRIENDS OF ALASKA	2137	322P	:60	15.00	1		15.00
08-16-80	SA FRIENDS OF ALASKA	2137	420P	:60	15.00	1		15.00
08-16-80	SA FRIENDS OF ALASKA	2137	524P	:60	15.00	1		15.00
08-16-80	SA FRIENDS OF ALASKA	2137	616P	:60	15.00	1		15.00
08-17-80	SU FRIENDS OF ALASKA	2137	1214P	:60	15.00	1		15.00
08-17-80	SU FRIENDS OF ALASKA	2137	122P	:60	15.00	1		15.00
08-17-80	SU FRIENDS OF ALASKA	[MG]	220P	:60	15.00	1		15.00
08-17-80	SU FRIENDS OF ALASKA	2137	314P	:60	15.00	1		15.00
08-17-80	SU FRIENDS OF ALASKA	2137	520P	:60	15.00	1		15.00
08-17-80	SU FRIENDS OF ALASKA	2137	618P	:60	15.00	1		15.00
08-18-80	MO FRIENDS OF ALASKA	2137	622A	:60	15.00	1		15.00
08-18-80	MO FRIENDS OF ALASKA	2137	732A	:60	15.00	1		15.00
08-18-80	MO FRIENDS OF ALASKA	2137	844A	:60	15.00	1		15.00
08-18-80	MO FRIENDS OF ALASKA	2137	422P	:60	15.00	1		15.00
08-18-80	MO FRIENDS OF ALASKA	[MG]	516P	:60	15.00	1		15.00
08-19-80	TU FRIENDS OF ALASKA	2137	638A	:60	15.00	1		15.00
08-19-80	TU FRIENDS OF ALASKA	2137	818A	:60	15.00	1		15.00
08-19-80	TU FRIENDS OF ALASKA	2137	418P	:60	15.00	1		15.00
08-19-80	TU FRIENDS OF ALASKA	2137	540P	:60	15.00	1		15.00
08-20-80	WE FRIENDS OF ALASKA	2137	612A	:60	15.00	1		15.00
08-20-80	WE FRIENDS OF ALASKA	2137	720A	:60	15.00	1		15.00

THE INFORMATION SHOWN IS FROM THE OFFICIAL PROGRAM LOGS OF

K F R B RADIO

ALL TIMES SHOWN PLUS OR MINUS EIGHT MINUTES.

IN-0304

TOTALS 66 .00 990.00

PAY THIS SUM	GROSS AMT	990.00
	COMM @15.00%	148.50
	AMOUNT DUE	841.50

30404453

MAIL REMITTANCE TO: K N I K - ' F M '
 NORTHERN TELEVISION INC
 P. O. BOX 2200
 ANCHORAGE, ALASKA 99510

CLIENT: FRIENDS OF ALASKA
 TO: ALASKA ADVERTISERS
 1341 FAIRBANKS
 ANCHORAGE AK 99501

STATEMENT OF ACCOUNT

DATE: 08-31-80 PAGE: 1

AMOUNT ENCLOSED \$ _____
 CUSTOMER NO. 64
 AGENCY NO. SLAGLE
 SALESPERSON

PLEASE DETACH HERE AND RETURN TOP PORTION WITH YOUR CHECK

FOLD A HANDLING CHARGE OF %, (% ANNUAL RATE) WILL BE CHARGED ON OVER DUE AMOUNTS.

DATE	DESCRIPTION	TOTAL INVOICE	PAYMENTS/ADJUSTMENTS	HANDLING CHG.	INVOICE BALANCE	
08-31-80	31249 INV	636.65	698.70		636.65	
08-31-80	31250 INV	40.80			40.80	
THANK YOU FOR YOUR BUSINESS. =>PAYMENTS AFTER AUG 31 WILL APPEAR NEXT MONTH<=						
CURRENT		31 - 60 DAYS	61 - 90 DAYS	91 - 120 DAYS	OVER 120 DAYS	BALANCE DUE
677.45						677.45 (21.25)

MAIL REMITTANCE TO:

NORTHERN TELEVISION - KNIK
 P. O. BOX 2200
 ANCHORAGE, AK
 99510

INVOICE

CLIENT: FRIENDS OF ALASKA

DATE: 08-31-80 INVOICE NO. 31249 PAGE: 1

TO: ALASKA ADVERTISERS
 1341 FAIRBANKS
 ANCHORAGE,
 AK 99501

CUSTOMER NO. 64 A AGENCY:
 SALESPERSON SLAGLE PLAN:

CONTACTS: JUDY PARSONS

DATE	DAY DESCRIPTION	T. O. #	TIME	LENGTH	RATE	NO. RUN	OTHER CHGS AND CODE	TIME CHARGE
08-15-80	FR FRIENDS OF ALASKA	2138	1229P	:60	.00	1		
08-18-80	MO FRIENDS OF ALASKA	2138	427P	:60	.00	1		
08-19-80	TU FRIENDS OF ALASKA	2138	1214P	:60	.00	1		
08-20-80	WE FRIENDS OF ALASKA	2138	1213P	:60	.00	1		
08-20-80	WE FRIENDS OF ALASKA	2138	313P	:60	.00	1		
08-21-80	TH FRIENDS OF ALASKA	2138	1227P	:60	.00	1		
08-21-80	TH FRIENDS OF ALASKA	2138	427P	:60	.00	1		
08-22-80	FR FRIENDS OF ALASKA	2138	1229P	:60	.00	1		
08-09-80	SA FRIENDS OF ALASKA	2138	714A	:60	11.00	1		11.00
08-09-80	SA FRIENDS OF ALASKA	2138	1142A	:60	11.00	1		11.00
08-09-80	SA FRIENDS OF ALASKA	2138	114P	:60	11.00	1		11.00
08-09-80	SA FRIENDS OF ALASKA	2138	543P	:60	11.00	1		11.00
08-09-80	SA FRIENDS OF ALASKA	2138	656P	:60	11.00	1		11.00
08-09-80	SA FRIENDS OF ALASKA	2138	1012P	:60	11.00	1		11.00
08-16-80	SA FRIENDS OF ALASKA	2138	642A	:60	11.00	1		11.00
08-16-80	SA FRIENDS OF ALASKA	2138	714A	:60	11.00	1		11.00
08-16-80	SA FRIENDS OF ALASKA	2138	742A	:60	11.00	1		11.00
08-16-80	SA FRIENDS OF ALASKA	2138	843A	:60	11.00	1		11.00
08-16-80	SA FRIENDS OF ALASKA	2138	943A	:60	11.00	1		11.00
08-16-80	SA FRIENDS OF ALASKA	2138	1043A	:60	11.00	1		11.00
08-23-80	SA FRIENDS OF ALASKA	2138	714A	:60	11.00	1		11.00
08-23-80	SA FRIENDS OF ALASKA	2138	742A	:60	11.00	1		11.00
08-23-80	SA FRIENDS OF ALASKA	2138	843A	:60	11.00	1		11.00
08-23-80	SA FRIENDS OF ALASKA	2138	943A	:60	11.00	1		11.00
08-23-80	SA FRIENDS OF ALASKA	2138	1043A	:60	11.00	1		11.00
08-23-80	SA FRIENDS OF ALASKA	2138	1112A	:60	11.00	1		11.00
08-23-80	SA FRIENDS OF ALASKA	2138	1142A	:60	11.00	1		11.00
08-05-80	TU FRIENDS OF ALASKA	2138	321P	:60	12.00	1		12.00
08-05-80	TU FRIENDS OF ALASKA	2138	955P	:60	12.00	1		12.00
08-06-80	MO FRIENDS OF ALASKA	2138	1253P	:60	12.00	1		12.00
08-06-80	MO FRIENDS OF ALASKA	2138	428P	:60	12.00	1		12.00
08-07-80	TH FRIENDS OF ALASKA	2138	913A	:60	12.00	1		12.00
08-07-80	TH FRIENDS OF ALASKA	2138	412P	:60	12.00	1		12.00
08-08-80	FR FRIENDS OF ALASKA	2138	1013A	:60	12.00	1		12.00
08-08-80	FR FRIENDS OF ALASKA	2138	656P	:60	12.00	1		12.00
08-10-80	SU FRIENDS OF ALASKA	2138	714A	:60	12.00	1		12.00
08-10-80	SU FRIENDS OF ALASKA	2138	913A	:60	12.00	1		12.00

THE INFORMATION SHOWN IS FROM THE OFFICIAL PROGRAM LOGS OF

CONTINUED ON NEXT PAGE

ALL TIMES SHOWN PLUS OR MINUS EIGHT MINUTES.

TOTALS

**PAY
THIS
SUM**

MAIL REMITTANCE TO:

NORTHERN TELEVISION - KNIK
 P. O. BOX 2200
 ANCHORAGE, AK
 99510

INVOICE

CLIENT: FRIENDS OF ALASKA

DATE: 08-31-80 INVOICE NO. 31249 PAGE: 2

TO: ALASKA ADVERTISERS
 1341 FAIRBANKS
 ANCHORAGE,
 AK 99501

CUSTOMER NO. 64 A AGENCY:
 SALESPERSON SLAGLE PLAN:

CONTACTS: JUDY PARSONS

DATE	DAY DESCRIPTION	T. O. #	TIME	LENGTH	RATE	NO. RUN	OTHER CHGS AND CODE	TIME CHARGES
08-10-80	SU FRIENDS OF ALASKA	2138	1055A	:60	12.00	1		12.00
08-10-80	SU FRIENDS OF ALASKA	2138	943P	:60	12.00	1		12.00
08-12-80	TU FRIENDS OF ALASKA	2138	155P	:60	12.00	1		12.00
08-12-80	TU FRIENDS OF ALASKA	2138	955P	:60	12.00	1		12.00
08-14-80	TH FRIENDS OF ALASKA	2138	913A	:60	12.00	1		12.00
08-14-80	TH FRIENDS OF ALASKA	2138	412P	:60	12.00	1		12.00
08-15-80	FR FRIENDS OF ALASKA	2138	156P	:60	12.00	1		12.00
08-15-80	FR FRIENDS OF ALASKA	2138	655P	:60	12.00	1		12.00
08-16-80	SA FRIENDS OF ALASKA	2138	1142A	:60	12.00	1		12.00
08-17-80	SU FRIENDS OF ALASKA	2138	644A	:60	12.00	1		12.00
08-17-80	SU FRIENDS OF ALASKA	2138	714A	:60	12.00	1		12.00
08-17-80	SU FRIENDS OF ALASKA	2138	742A	:60	12.00	1		12.00
08-17-80	SU FRIENDS OF ALASKA	2138	827A	:60	12.00	1		12.00
08-17-80	SU FRIENDS OF ALASKA	2138	913A	:60	12.00	1		12.00
08-17-80	SU FRIENDS OF ALASKA	2138	943A	:60	12.00	1		12.00
08-17-80	SU FRIENDS OF ALASKA	2138	1055A	:60	12.00	1		12.00
08-18-80	MO FRIENDS OF ALASKA	2138	1229P	:60	12.00	1		12.00
08-18-80	MO FRIENDS OF ALASKA	2138	525P	:60	12.00	1		12.00
08-19-80	TU FRIENDS OF ALASKA	2138	128P	:60	12.00	1		12.00
08-19-80	TU FRIENDS OF ALASKA	2138	613P	:60	12.00	1		12.00
08-20-80	WE FRIENDS OF ALASKA	2132	543P	:60	12.00	1		12.00
08-20-80	WE FRIENDS OF ALASKA	2138	644P	:60	12.00	1		12.00
08-21-80	TH FRIENDS OF ALASKA	2138	142P	:60	12.00	1		12.00
08-21-80	TH FRIENDS OF ALASKA	2138	412P	:60	12.00	1		12.00
08-22-80	FR FRIENDS OF ALASKA	2138	156P	:60	12.00	1		12.00
08-22-80	FR FRIENDS OF ALASKA	2138	655P	:60	12.00	1		12.00
08-24-80	SU FRIENDS OF ALASKA	2138	644A	:60	12.00	1		12.00
08-24-80	SU FRIENDS OF ALASKA	2138	714A	:60	12.00	1		12.00
08-24-80	SU FRIENDS OF ALASKA	2138	742A	:60	12.00	1		12.00
08-24-80	SU FRIENDS OF ALASKA	2138	827A	:60	12.00	1		12.00
08-24-80	SU FRIENDS OF ALASKA	2138	913A	:60	12.00	1		12.00
08-24-80	SU FRIENDS OF ALASKA	2138	943A	:60	12.00	1		12.00
08-24-80	SU FRIENDS OF ALASKA	2138	1055A	:60	12.00	1		12.00
08-25-80	MO FRIENDS OF ALASKA	2138	1229P	:60	12.00	1		12.00
08-25-80	MO FRIENDS OF ALASKA	2138	525P	:60	12.00	1		12.00

Paid

THE INFORMATION SHOWN IS FROM THE OFFICIAL PROGRAM LOGS OF

NORTHERN TELEVISION INC.

ALL TIMES SHOWN PLUS OR MINUS EIGHT MINUTES.

My Commission Expires
 May 30, 1983

Barbara Knutson

IN-0304

TOTALS	72	00	749.00
--------	----	----	--------

PAY THIS SUM	GROSS AMT	749.00
	COMM @15.00%	112.35
	AMOUNT DUE	636.65

MAIL REMITTANCE TO:

NORTHERN TELEVISION - KNIK
P. O. BOX 2200
ANCHORAGE, AK
99510

INVOICE

CLIENT: FRIENDS OF ALASKA

DATE: 08-31-80 INVOICE NO. 31250 PAGE: 1

TO: ALASKA ADVERTISERS
1341 FAIRBANKS
ANCHORAGE,
AK

99501

CUSTOMER NO. 64 C
SALESPERSON SLAGLE

AGENCY:
PLAN:

CONTACTS: JUDY PARSONS

DATE	DAY DESCRIPTION	T. O. #	TIME	LENGTH	RATE	NO. RUN	OTHER CHGS AND CODE	TIME CHARGES
08-21-80	FR FRIENDS OF ALASKA	2282	513P	:60	12.00	1		12.00
08-21-80	FR FRIENDS OF ALASKA	2282	656P	:60	12.00	1		12.00
08-22-80	FR FRIENDS OF ALASKA	2282	112P	:60	12.00	1		12.00
08-22-80	FR FRIENDS OF ALASKA	2282	512P	:60	12.00	1		12.00

33040404456

Paid

THE INFORMATION SHOWN IS FROM THE OFFICIAL PROGRAM LOGS OF

NORTHERN TELEVISION INC.

My Commission Expires May 30, 1993
Barbara Knutson

ALL TIMES SHOWN PLUS OR MINUS EIGHT MINUTES.

IN-0304

TOTALS	4	.00	48.00
PAY THIS SUM	GROSS AMT	48.00	
	COMM @15.00%	7.20	
	AMOUNT DUE	40.80	

330404437

BILLS VOIDED,
NOT SENT.

8
3
0
4
0
3
0
4
0
4
4
5
8

INVOICE DATE 8/22/80



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
8 Display Advertising, Anchorage Daily News, August, 1980	\$ 620.16

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE 35473

4160
4040
4040
38



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

INVOICE DATE 8/22/80

SOLD TO Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
8 Display Advertising, Anchorage Times, August, 1980	\$ 1713.93

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE 35471

Norma Johnson 0-4 0-4 4 0-1 CC

333-4989

~~Norma Aug 5~~

KBYC - 4 @ 16.00 64.00

KNIK - 2 @ 12.00 24.00

~~KIFW~~

KIFW - 2 @ 21.00 42.00

KVOK - 2 @ 8.00 16.00

5 = 146.00

~~Norma Aug 6~~

KBYC 4 @ 16.00 64.00

KNIK - 2 @ 12.00 24.00

KIFW - 2 @ 21.00 42.00

KVOK - 5 @ 8.00 40.00

KFAR - 2 @ 14.00 28.00

APR Network 2 @ 75.00 150.00

6 = 348.00

Norma
Aug 7 + 8

KBYC 4 @ 16.00 64.00

3 @ 31.00 93.00

KHAR 3 @ 22.00 66.00

KNIK 2 @ 12.00 24.00

KFRB 4 @ 15.00 60.00

KIFW 2 @ 21.00 42.00

KVOK 7 - 5 @ 8.00 40.00

KFRB Ed 8 @ 4.00 32.00

KFRB Ed 6 @ 14.00 84.00

APR - 3 @ 75.00 225.00

7 = 698.00

8 = 690.00

No 30 404-0-404-276-6266
333 4900

Aug 9410 .
KYAK - 5 @ 21.00 = 105.00
KHAR - 5 @ 19.00 = 95.00
KBYR - 5 @ 13.00 = 65.00
KNIK - 7 @ 11.00 = 77.00
KFAR - 5 @ 14.00 = 70.00
KFRB - 5 @ 15.00 = 75.00
KIFW - 5 @ 21.00 = 105.00
KVOK - 5 @ 8.00 = 40.00
ARN - 2 @ 75.00 = 150.00
KSRM - 7 @ 15.00 = 105.00
Aug 9410 = 887.00

Aug 11
KYAK - 4 @ 28.00 = 112.00
KBYR - 4 @ 16.00 = 64.00
KNIK - 2 @ 12.00 = 24.00
KHAR - 3 @ 31.00 = 93.00
KHAR - 3 @ 22.00 = 66.00
KFAR - 6 @ 14.00 = 84.00
KFRB - 5 @ 15.00 = 75.00
KIFW - 2 @ 21.00 = 42.00
KVOK - 4 @ 8.00 = 32.00
ARN - 2 @ 75.00 = 150.00
742.00

Aug 12
KHAR - 3 @ 31.00 = 93.00
KHAR - 3 @ 22.00 = 66.00
KBYR - 4 @ 16.00 = 64.00
KNIK - 2 @ 12.00 = 24.00
KFAR - 4 @ 14.00 = 56.00
KFRB - 5 @ 15.00 = 75.00
KIFW - 2 @ 21.00 = 42.00
KVOK - 4 @ 8.00 = 32.00
ARN - 2 @ 75.00 = 150.00
KYAK - 4 @ 24.00 = 96.00
698.00

Aug 13-14-15
7184

KYAK - 4C 24.00 = 96.00
 2C 31.00 = 62.00
 KHAK - 2C 22.00 = 44.00
 KBYE - 4C 16.00 = 64.00
 KNJK - 2C 12.00 = 24.00
 KFAR - 4C 14.00 = 56.00
 KFRB - 5C 15.00 = 75.00
 KIFW - 2C 21.00 = 42.00
 KVOK - 4C 8.00 = 32.00
 ARN - 2C 75.00 = 150.00
645.00

Aug 16-17
735

KYAK - 5C 18.00 = 90.00
 KHAK - 5C 19.00 = 95.00
 KBYR - 5C 13.00 = 65.00
 KNJK - 7C 11.00 = 77.00
 KFAR - 5C 14.00 = 70.00
 KFRB - 6C 15.00 = 90.00
 KIFW - 5C 21.00 = 105.00
 KVOK - 5C 8.00 = 40.00
 ARN - 2C 75.00 = 150.00
 KSRM - 6C 15.00 = 90.00
872.00

Aug 19-20-21-22
735

KHAR - 2C 31.00 = 62.00
 2C 22.00 = 44.00
 KBYR - 4C 16.00 = 64.00
 KNJK - 2C 12.00 = 24.00
 KFAR - 4C 14.00 = 56.00
 KFRB - 4C 15.00 = 60.00
 KIFW - 2C 21.00 = 42.00
 KVOK - 4C 8.00 = 32.00
 ARN - 2C 75.00 = 150.00
 KYAK - 4C 24.00 = 96.00
630.00

Aug 23[✓] 24[✓]

KBYR - 5 @ 13.50 = 65.00
 KHAZ - 5 @ 19.00 = 95.00
 KVIK - 7 @ 11.00 = 77.00
 KZAK - 5 @ 14.00 = 70.00
 KZBB - 5 @ 15.00 = 75.00
 KIFW - 5 @ 21.00 = 105.00
 KVOK - 5 @ 8.50 = 42.50
 ARU - 2 @ 75.00 = 150.00
 KSPM - 6 @ 15.00 = 90.00
 KYAK - 5 @ 18.00 = 90.00

 857.50

 \$14,284.00

Exchange

KFQA

~~10 MAR @ 44.00 (AM) 440.00
 10 MAR @ 37.00 (PM) 370.00
 10 MAR @ 24.00 (S+S) 240.00~~

~~920.00~~

~~125.00~~

~~782.00~~

KHAR

10 MAR @ 31.00 (AM) 310.00
 10 MAR @ 22.00 (PM) 220.00
 10 MAR @ 19.00 (S+S) 190.00

720.00

100.00

612.00

Starts at 7
 10 MAR - 100.00

KBYR

10 MAR @ 16.00 (AM) 160.00 (2)
 10 MAR @ 16.00 (PM) 160.00 (2)
 10 MAR @ 13.50 (S+S) 135.00 (1)

450.00

67.50

382.50

KNSK

15 MAR @ 12.00 (PM) 120.00 (2x)
 14 MAR @ 11.00 (S+S) 154.00

274.00

41.10

232.90

2364.00

Fairbanks

KFRB - 452-2125

10AAA
P.M. Aug 10
2x 720A - Aug 7-8-11-12

10AAA @ 14.00 (AM)

10AAA @ 14.00 (PM)

10AAA @ 14.00 (S/S)

420.00

69.00

351.00

KFRA ↓ 452-5121

10AAA
Alaska
KFRB SPOTSON
AUG. 11-18

10AAA @ 15.00 (AM)

10AAA @ 15.00 (PM)

10AAA @ 15.00 (S/S)

450.00

67.50

970.00

382.50

~~SPOTSON~~

KINY

~~10AAA @ 12.00 (AM) 120.00~~

~~10AA @ 11.00 (PM) 110.00~~

~~10AA @ 11.00 (S/S) 110.00~~

~~340.00~~

Setka

KIPW

Steve Rhymer 747-6626
Bob Barker

started
avg 5
←

5 AM

5 PM

10 S.S.

20 @ 21.00

420.00

63.00

357.00

Kaliak

Steve Rhymer 486-5157

K.VOK

started
avg 5
1.00

30 AAA @ 8.00

240.00

36.00

204.00

Alaska Public Television

Seegerman 243-1300

started
avg 6

2 x 10.00

14/wk @ 75.00

1050.00

159.50

7:30 AM / 5:30 PM

892.50

52.34.00

1.00
won
avg 7 + 8

KSRM 262-5874 given

7 ADA (Sat) @ 15.00 Aug. 9+10
7 ADA (Sun) @ 15.00 Aug. 9+10
210.00

6 ADA (Sat) @ 15.00 Aug 16+23
6 ADA (Sun) @ 15.00 Aug 17+24
360.00
570.00
85.50
484.50

COMMERCIAL ADVERTISING STATEMENT ACCOUNT NO. 76036 MONTH OF 10/80
 FOR AK ADVERTISING

PAGE

AD NUMBER	DESCRIPTION	PAGE/CLASS	DATE	INCHES/LINES	NO. TIMES	CONTRACT RATE	GROSS AMOUNT	CONTRACTUAL NET	
	*** BALANCE FORWARD ***							774.00	
	REFUND		10/39					774.00	
TOTAL INCHES							.00	TOTAL LINES INSERTED	0
TOTAL \$.00	
DISCOUNT IF PAID BY 11/17								.00	
NET AMOUNT DUE ▶								.00	

DETACH AND RETURN THIS STUB WITH YOUR REMITTANCE

The Anchorage Times

BOX 40 • ANCHORAGE, ALASKA 99510

ACCOUNT NO. 76036

MONTH OF 10/80

PAGE

COMMERCIAL ADVERTISING STATEMENT

AK ADVERTISING
 FREINDS OF AK COMMITTEE
 1341 FAIRBANKS ST
 ANCHORAGE

AK 99501

TOTAL DUE .00
 DISCOUNT IF PAID BY 11/17 .00
 NET DUE .00

United States District Court

FOR THE
District of Alaska

Mike Gravel, et. al.

vs.

Bernard Gottstein, et. al.

CIVIL ACTION FILE NO.

No. 80-258

To

Alaska Advertisers, Inc./Steve Oien

YOU ARE HEREBY COMMANDED to appear in the United States District Court for the

District of Alaska
at 701 C Street in the city of Anchorage on
the 15th day of August 19 80 at 1:30 o'clock P. M. to
testify on behalf of Plaintiffs

in the above entitled action and bring with you any and all records relating to receipts and expenditures made by or on behalf of Friends of Alaska; any and all records relating to receipts and expenditures and production costs made on behalf of Friends of Alaska with any and all radio and television stations in the State of Alaska; any and all records relating to receipts and expenditures and production costs made by or on behalf of Friends of Alaska with Visions Studios, and any and all records relating to receipts and expenditures made on behalf of Alaskans for Gruening.

-----, 19-----
Plaintiffs
Attorney for
360 K Street, Suite 236
Address

JoAnn Myres

By *Joanna J. Coker* Clerk.
Deputy Clerk.

RETURN ON SERVICE

Received this subpoena at _____ on _____
and on _____ at _____
served it on the within named _____
by delivering a copy to h _____ and tendering to h _____ the fee for one day's attendance and the mileage
allowed by law.¹

Dated: _____
_____, 19____ By _____

Service Fees
Travel _____ \$
Services _____
Total _____ \$

Subscribed and sworn to before me, a _____ this
day of _____, 19 ____

¹ Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the United States or an officer or agency thereof. 28 USC 1826.

NOTE.—Affidavit required only if service is made by a person other than a United States Marshal or his deputy.

For: Friends of Alaska Committee

INDEPENDENT COMMITTEE FORMED

The formation of an independent committee to discuss Mike Gravel's public record as a United States Senator was announced today by Tom Kelly and B. J. Gottstein, both of Anchorage.

The Committee will be known as The Friends of Alaska Committee. Kelly, a Republican, is a former State Commissioner of Natural Resources who ran as an Independent Candidate for Governor of Alaska in 1978.

Gottstein is a former Democratic Party National Committeeman for Alaska. He is a former member of the State Human Rights Commission.

In their joint statement, Kelly and Gottstein said that the Committee would discuss only Gravel's public record--information that already has been in newspapers and which exists in public files.

Money will be raised to disseminate this information, primarily through radio advertising, they said.

Kelly, the Committee Chairman, said he felt an independent committee such as this was necessary "to make certain that Alaska's voters know all of the facts before making a selection in the August primary."

"Mike Gravel is buying so much advertising and is so clever at dominating news stories," said Kelly, "that voters may not have a complete picture of his record when they go to the polls. Yet, they will have to live with the results for six years."

Kelly said that many Alaskans had urged him to head such a committee and that he expects contributions from a large number of people who share his concerns about Mike Gravel.

"All of us share a common belief that Mike Gravel has been destructive for Alaska and will cost Alaska credibility and influence if he remains in office."

Independent committees, such as The Friends of Alaska are authorized by the Federal Election Act. "We are following the letter of the law in every last detail," said

Kelly, "this is no unsigned smear campaign. This is a totally above-board effort by responsible Alaskans to lay the public record on the table. Any attempt by Mike Gravel to characterize this as unfair is a continuation of his campaign so far--his effort to keep people from taking a hard look at the dismal record he has written."

July 1980

8-15-80

Steve:

For your information, we have done no production at all for Friends of Alaska.

All of our radio tapes have come from Justin Ward Political/Media Services, 2277 Science Parkway, Okemos, Michigan 48864, phone 517-349-4780.

We have done nothing that I am aware of with Visions Alaska.

Brenda is pulling copies of all checks in payment on the Gruening buy in November, as well as a listing of receipts from his committee.

July



Mark Fox Justin Ward

517-349-4780

Home 517-351-2225

Thomas E. Kelly, chair.

206-378-2155

Rock Harbor, Wa.

277-0382

SENATOR, THERE'S AN IMPORTANT VOTE ON THE FLOOR AND YOU'VE ALREADY MISSED 1,636 VOTES...

DON'T BOTHER ME! I'D RATHER PLAY MY OWN HAND.



mav'er · ick (mav'er · ik), n. 1. Don't vote. 2. Don't go to Committee meetings. 3. Don't do your homework. 4. Make everybody mad. 5. Dream up your own projects like a Dome City. 6. And when people say what's going on here, just smile and call yourself a maverick.





"I don't know what all the fuss is about--it's just a little place for me to stop on the way home."

"During his first five years in the Senate, Sen. Gravel's net worth more than doubled—to \$528,030—according to documents he made public in 1974.

Today, Sen. Gravel shares the extravagant life style of his many millionaire friends. . . He has a lavish house on the Potomac River south of Washington, with a swimming pool and a tennis court. He estimated the house's value last year at \$250,000 to \$500,000."

The Wall Street Journal
August 8, 1980

**Pd. for by the Friends of Alaska Committee,
Tom Kelly, Chairman, 3835 Helvetia Drive,
Anchorage, Alaska. 99504.**

KBYR/KNIK -

RUN SPOT #1 ONLY - "FAILURE" -
(THURSDAY + FRIDAY, 8/21 + 8/22)

FRIENDS OF ALASKA
Radio Spots

ok

Needs tag
"*KNIK*"

- 1. Failure :60
- 2. Votes :60
- 3. Million Dollar Baby :30

LOCAL TAG:

NOT AUTHORIZED BY THE
CANDIDATE

NO SCRIPTS

30404476



KYAK

Justin Ward political  media services

2277 Science Parkway
Okemos, Michigan 48864
517-349-4780

FRIENDS OF ALASKA
Radio Spots

1. First class :60
2. Friends :60

#1 - Scrapbook :60
#2 - Aspen :60

KBYE

KNIK

* Spot 1 - Aug. 5 & 6 exclusively
Spot #2- Aug. 7 & 8 exclusively
then rotate spots evenly

FRIENDS OF ALASKA

RETURN TAPE TO:
ALASKA ADVERTISERS

BAKER & HOSTETLER

ATTORNEYS AT LAW

616 CONNECTICUT AVE., N. W.

WASHINGTON, D. C. 20006

(202) 861-1500

TELECOPIER (202) 867-0050

101184
GCC#5136

IN CLEVELAND, OHIO
3200 NATIONAL CITY CENTER
CLEVELAND, OHIO 44114
(216) 821-0200
TWX 610 481 8375

IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 226-1541

IN DENVER, COLORADO
500 CAPITOL LIFE CENTER
DENVER, COLORADO 80203
(303) 861-0600

IN ORLANDO, FLORIDA
850 CNA TOWER
ORLANDO, FLORIDA 32802
(305) 841-1111

July 24, 1981

WRITER'S DIRECT DIAL NO.:
(202) 861-1572

Scott Thomas, Esquire
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Re: MUR 1272

Dear Mr. Thomas:

This letter confirms our telephone conversation regarding my clients, Barnard J. Gottstein and Dick Green, treasurer of Friends of Alaska. Messrs. Gottstein and Green have been subpoenaed to produce documents and to appear for deposition in connection with the above-referenced investigation. My clients intend to comply with these subpoenas subject to certain changes in dates for the reasons set forth below.

With respect to document production, the subpoenas contain a production date of July 24, 1981. Although my clients have assembled and mailed relevant documents to me, they have not arrived in this office as of this date. As I mentioned to you, we shall attempt to produce relevant documents by July 29, provided that all materials are received in this office at that time. You will be apprised if production cannot be achieved by that date.

The subpoenas further call for the appearances of Messrs. Gottstein and Green for depositions in Anchorage, Alaska on August 7, 1981. As I informed you during our discussion, I shall be on vacation from July 25 through August 8. Additionally I shall be attending the annual meeting of the American Bar Association in New Orleans from August 8 through August 12. For these reasons I will be unable to represent my clients on the scheduled deposition date. Mr. Gottstein insists on my presence at his deposition. Accordingly, I notified you that Mr. Gottstein will not be

8304044131

JUL 27 11:37
GOTTSTEIN & GREEN

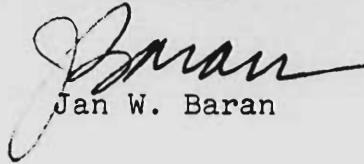
Scott Thomas, Esquire
July 24, 1981
Page Two

available for deposition on August 7. Mr. Gottstein will appear for a deposition in Washington, D. C. on Monday, September 14. You have indicated to me that this new date is acceptable.

With respect to Mr. Green, he expects to be available for a deposition in Anchorage on August 7. However, Mr. Green, a construction superintendent, may be called away by his employer to the North Slope of Alaska, Prudhoe Bay, at any time. If this were to occur on or about August 7, Mr. Green will seek his employer's permission to travel to Anchorage, at the expense of the Federal Election Commission, in order to appear for deposition on that date. Every effort will be made by Mr. Green to appear on that date or to make himself available to you for deposition either in Anchorage or at Prudhoe Bay.

During my absence, my colleague, William Schweitzer, will be in this office to handle any inquiries that you may have.

Sincerely,


Jan W. Baran

JWB:gh

cc: Barnard J. Gottstein
Dick Green

3304404432

101080

RECEIVED
GCC # 5056

BAKER & HOSTETLER

81 JUL 14 PM 2:36

ATTORNEYS AT LAW

618 CONNECTICUT AVE., N. W.

WASHINGTON, D. C. 20006

(202) 661-1500

TELECOPIER (202) 667-0010

IN DENVER, COLORADO
500 CAPITOL LIFE CENTER
DENVER, COLORADO 80203
(303) 661-0800

IN ORLANDO, FLORIDA
850 CNA TOWER
ORLANDO, FLORIDA 32802
(305) 841-1111

IN CLEVELAND, OHIO
3200 NATIONAL CITY CENTER
CLEVELAND, OHIO 44114
(216) 621-0200
TWX 610 481 6378

IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 228-1541

July 10, 1981

WRITER'S DIRECT DIAL NO.:
(202) 661- 1572

Jonathan Levin, Esquire
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

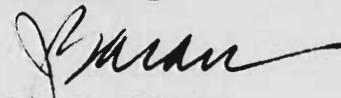
Re: MUR 1272

Dear Mr. Levin:

I am in receipt of copies of subpoenas issued by the Federal Election Commission to my clients, Mr. Bernard J. Gottstein and Mr. Dick Green, in connection with Matter Under Review ("MUR") 1272. I understand from a telephone conversation with you that the original subpoenas will be delivered to me shortly. The subpoenas call for the production of certain documents by July 24, 1981 and the appearances by Mr. Gottstein and Mr. Green for depositions in Anchorage, Alaska on August 7, 1981.

I have transmitted photocopies of the subpoenas to my clients by mail. I will notify you of my clients' ability to meet the return dates of the various subpoenas after they have received them and after I have conferred with my clients.

Sincerely,


Jan W. Baran

JWB:gh

cc: Mr. Barnard J. Gottstein
Mr. Dick Green

81 JUL 14 PM 1:47

8304040434

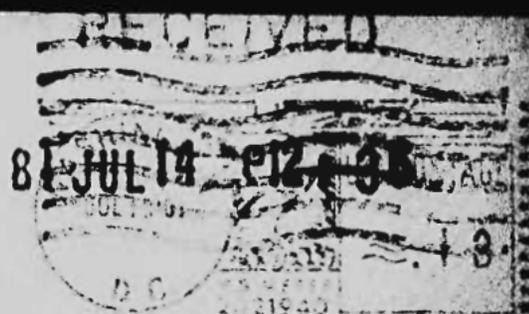
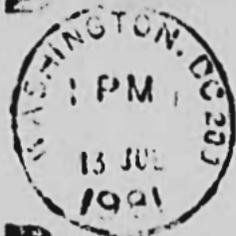
TELETYPE UNIT
COMMUNICATIONS SECTION
U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C. 20530

BAKER & HOSTETLER

816 CONNECTICUT AVE., N. W.

WASHINGTON, D. C. 20006

8
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8



Jonathan Levin, Esquire
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 10, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jan W. Baran, Esquire
William H. Schweitzer, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

Dear Messrs. Baran and Schweitzer:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In connection with an investigation being conducted by the Commission, the attached subpoenas which require your client, Mr. Barnard Gottstein, to produce copies of certain documents by July 24, 1981, and to appear and give sworn testimony on August 7, 1981, at 9:00 a.m. have been issued.

Since the document copies and testimony are being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to Mr. Gottstein in the amount of \$35.00. If the estimated mileage is incorrect, please advise this office.

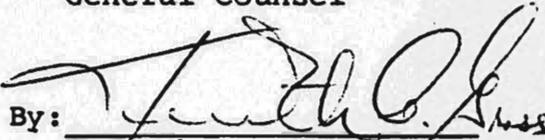
83040404186

Letter to: Baran & Schweitzer
Page 2

Please confirm Mr. Gottstein's scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or 202-523-4039 within ten days of your receipt of this notification. If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosures

Subpoena for Copies of Documents
Subpoena to Appear for Deposition

83040404487

44-1872 Levin

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

The following article is requested (check one):
 State to whom and date delivered.....
 State to whom, date and address of delivery.....
 UNDELIVERED MAIL
State to whom and date delivered.....
 UNDELIVERED MAIL
State to whom, date, and address of delivery.....

(CHECKLY FURNISHING FOR FILING)

Article is addressed to:
Jan W. Baran, Esq.
818 Conn. Ave. N.W.
D.C. 20006

ARTICLE'S IDENTIFICATION:
POSTAL NO. RECEIVED NO. RETURNED NO.
00585H

(Always obtain signature of addressee or agent)

I have received the article described above.
INITIALS DATE TIME DELIVERED agent

AKI
7/12/72

RECEIVED

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jan W. Baran, Esquire
William H. Schweitzer, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272 JJ 7/10/81

Dear Messrs. Baran and Schweitzer:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In connection with an investigation being conducted by the Commission, the attached subpoenas which require your client, Mr. Farnard Cottstein, to produce copies of certain documents by _____, 1981, and to appear and give sworn testimony on _____, 1981, at _____ have been issued.

Since the document copies and testimony are being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to Mr. Cottstein in the amount of \$ _____. If the estimated mileage is incorrect, please advise this office.

83040404133

Letter to: Baran & Schweitzer
Page 2

Please confirm Mr. Gottstein's scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or 202-523-4039 within ten days of your receipt of this notification. If you have any questions please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

Subpoena for Copies of Documents
Subpoena to Appear for Deposition

8304040448

DO NOT FOLD, SPINLE OR MUTILATE
KNOW YOUR ENDORSEES • KNOW YOUR IDENTIFICATION

1 NEW YORK
FISCAL SERVICE
DIVISION OF
DISBURSEMENT



0 4 0 4 4 9 C
WASHINGTON, D. C.

Check No. 84,740,366
SYMBOL 3004

United States Treasury ¹⁵⁻⁵¹/₀₀₀

PAYTO THE
ORDER OF BARNARD J GOTTSTEIN
07 08 81
95350001

DOLLARS CTS
\$####35 00

F E C
WASH DC
W1256

FE1AW454 WITNESS FEE
MUR 1272

⑈ 3004 ⑈

⑈ 000000518⑈ 847403667⑈

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

SUBPOENA

TO: Barnard J. Gottstein
1400 E Street
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to provide copies of the following documents to the Commission which pertain to the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska (hereinafter "FOA") and a possible violation of 2 U.S.C. § 441a(f) by Alaskans for Gruening (hereinafter "AFG").

(a) All correspondence or other written communication between you or your agents and Clark Gruening, AFG, or any agent, employee, or volunteer of Clark Gruening, AFG, or the Gruening campaign from January 1, 1979, to the present.

(b) All correspondence or other written communication, including letters, memoranda, or notes, among you and your agents or your employees, including, but not limited to, any communication between you and any employee, manager, director, or officer of Alaska Advertisers, pertaining to or making reference to services provided for Clark Gruening, AFG, or the Gruening campaign from January 1, 1979, to the present.

8304044421

(c) All correspondence or other written communication between you, your agents, or your employees and any agent, officer, employee, or volunteer of FOA or any other committee other than AFG, that worked for the defeat of Mike Gravel or the election of Clark Gruening in the 1980 Senate primary campaign.

(d) All correspondence or other written communication, including letters, memoranda, or notes, among you and your agents or your employees, including, but not limited to, any communication between you and any employee, manager, director, or officer of Alaska Advertisers, pertaining to or making reference to services provided for FOA.

(e) All other documents in your possession pertaining to or making reference to the plans for or activities of AFG or the Gruening campaign or the establishment, plans, or activities of FOA.

Notice is hereby given that these materials must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. by the close of business July 24, 1981.

83040404492

WHEREFORE, the Vice-Chairman of the Federal Election
Commission has hereunto set his hand at Washington, D.C.,
on this *8th* day of *July*, 1981.

Frank P. Reiche

Frank P. Reiche, Vice-Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

83040404493

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: Barnard J. Gottstein
1400 E Street
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to appear for deposition as a witness in connection with the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska and 2 U.S.C. § 441a(f) by Alaskans for Gruening.

Notice is hereby given that the deposition is to be taken at the New Anchorage Federal Building, 701 C St., Anchorage, Alaska, Room C 105 at 9:00 a.m. on August 7, 1981, and any and all dates adjourned to by the Commission.

WHEREFORE, the Vice-Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this *8th* day of *July*, 1981.

Frank P. Reiche

Frank P. Reiche, Vice-Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

83040404494



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 10, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles A. Dunnagan, Esquire
Jermain, Dunnagan & Owens
801 West Fireweed Lane
Suite 201
Anchorage, Alaska 99503

Re: MUR 1272

Dear Mr. Dunnagan:

Pursuant to the investigation being conducted with respect to possible violations of 2 U.S.C. § 441a(a)(1)(A) by your client, Alaskans for Gruening, the Commission has issued the attached subpoenas which require Mr. John Hale to produce copies of certain documents by July 24, 1981, and to appear and give sworn testimony on August 5, 1981.

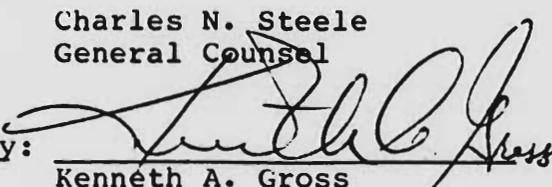
According to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to Mr. Hale in the amount of \$35.00. If the estimated mileage is incorrect, please advise this office.

Please confirm Mr. Hale's scheduled deposition appearance with Jonathan Levin on our toll free line (800-424-9530) or 202-523-4039 within ten days of your receipt of this notification.

If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter, at 202-523-4039.

Sincerely,

Charles N. Steele
General Counsel

By: 

Kenneth A. Gross
Associate General Counsel

Enclosures

Subpoena for Copies of Documents
Subpoena to Appear for Deposition

830404495

83040404196

MUR 1272 Lewis

PS Form 3811, Jan. 1978

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

- Show to whom and date delivered.....
- 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:
Chas. A. Duvivier
801 West Furewood
Muskogee, AL 36506

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	12582h	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

4. DATE OF DELIVERY

5. ADDRESS (Complete or "N" if required)

6. UNABLE TO DELIVER BECAUSE:

REASON

DETAILS

7-10-81

★GPO : 1979-000-000



CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles A. Dunnagan, Esquire
Jermain, Dunnagan & Owens
801 West Fireweed Lane
Suite 201
Anchorage, Alaska 99503

Re: MUR 1272

jj 7/10/81

Dear Mr. Dunnagan:

Pursuant to the investigation being conducted with respect to possible violations of 2 U.S.C. § 441a(a)(1)(A) by your client, Alaskans for Gruening, the Commission has issued the attached subpoenas which require Mr. John Hale to produce copies of certain documents by July 24, 1981, and to appear and give sworn testimony on August 5, 1981.

According to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to Mr. Hale in the amount of \$. If the estimated mileage is incorrect, please advise this office.

Please confirm Mr. Hale's scheduled deposition appearance with Jonathan Levin on our toll free line (800-424-9530) or 202-523-4039 within ten days of your receipt of this notification.

If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter, at 202-523-4039.

Sincerely,

Charles N. Steele
General Counsel

By: _____
Kenneth A. Cross
Associate General Counsel

Enclosures

Subpoena for Copies of Documents
Subpoena to Appear for Deposition

8 3 0 4 0 4 0 4 9 7

3 0 4 0 4 0 4 4 9 8

TREASURY
FISCAL SERVICE
DIVISION OF
DISBURSEMENT



WASHINGTON, D. C.

Check No. 84,740,367

SYMBOL 3004

United States Treasury ¹⁵⁻⁵¹/₀₀₀

PAY TO THE

ORDER OF JOHN HALE

MONTH DAY YEAR
07 08 81

95350001

DOLLARS	CENTS
\$\$\$35	00

F E C
WASH DC
WI256

James W. Hale
CASHIER, DISBURSING OFFICER

FE1AH454 WITNESS FEE
MUR 1272

DO NOT FOLD, SPINLE OR MUTILATE
KNOW YOUR ENDORSER - REQUIRE IDENTIFICATION

FORM 107 (1-78)

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

SUBPOENA

TO: John Hale, Campaign Manager
Alaskans for Gruening
P.O. Box 1757
Anchorage, Alaska 99510

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to provide copies of the following documents to the Commission which pertain to the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska (hereinafter "FOA") and a possible violation of 2 U.S.C. § 441a(f) by your committee, Alaskans for Gruening (hereinafter "AFG").

- (a) All correspondence or other written communication, including letters, memoranda, and notes, between you or any agent, officer, employee, or volunteer of AFG, Clark Gruening, or the Gruening campaign and Barnard Gottstein or his agent.
- (b) All correspondence or other written communication between you or any agent, officer, employee, or volunteer of AFG, Clark Gruening or the Gruening campaign and Alaska Advertisers.
- (c) All correspondence or other written communication between you or any agent, officer, employee, or volunteer for AFG, Clark Gruening or the Gruening campaign and any agent, officer, employee, or volunteer of FOA.
- (d) All correspondence or other written communication, including letters, memoranda, or notes, among any agents,

83040404199

officers, employees, or volunteers of AFG or the Gruening campaign pertaining to or making reference to Barnard Gottstein, Alaska Advertisers, or the establishment, plans, or activities of FOA.

(e) Transcripts of all radio and television advertisements and texts of all newspaper and periodical advertisements paid for by AFG.

Notice is hereby given that these materials must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. by the close of business July 24, 1981.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this *8th* day of *July*, 1981.

Frank P. Reiche
Frank P. Reiche, Vice-Chairman
Federal Election Commission

ATTEST:

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

83040404500

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: John Hale, Campaign Manager
Alaskans for Gruening
P.O. Box 1757
Anchorage, Alaska 99510

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to appear for deposition as a witness in connection with the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska and 2 U.S.C. § 441a(f) by your committee, Alaskans for Gruening.

Notice is hereby given that the deposition is to be taken at the New Anchorage Federal Building, 701 C St., Anchorage, Alaska, Room C 117 at 9:00 a.m. on August 5, 1981, and any and all dates adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this *8th* day of *July* 1981.

Frank P. Reiche

Frank P. Reiche, Vice-Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

83040104501



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 10, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jan W. Baran, Esquire
William H. Schweitzer, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

Dear Messrs. Baran and Schweitzer:

Pursuant to the investigation being conducted with respect to a possible violation of 2 U.S.C. § 441a(f) by your client, Friends of Alaska, the Commission has issued the attached subpoenas which require Mr. Dick Green to produce copies of certain documents by July 24, 1981, and to appear and give sworn testimony on August 7, 1981.

According to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to Mr. Green in the amount of \$35.00. If the estimated mileage is incorrect, please advise this office.

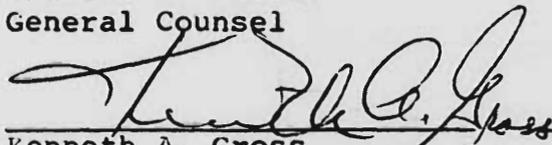
Please confirm Mr. Green's scheduled deposition appearance with Jonathan Levin on our toll free line (800-424-9530) or 202-523-4039 within ten days of your receipt of this notification.

If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter, at 202-523-4039.

Sincerely,

Charles N. Steele
General Counsel

By:


Kenneth A. Gross
Associate General Counsel

Enclosures

Subpoena for Copies of Documents
Subpoena to Appear for Deposition

830404502

63040404503

MUR1272 Levin

Form 3811, Jan. 1975

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
 Show to whom and date delivered.....
 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:
 Jan. Kagan
 J.M. Schweitzer
 818 Conn. Ave. N.W.
 D.C. 20006

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURANCE NO.
 1E582H
 (Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY POSTMARK
 7/13/81

5. ADDRESS (Complete only if requested)

6. RETURN TO DELIVERER'S OFFICE: 5440 15th St N.W.
 7. CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

☆GPO : 1975-000-000

RECEIVED

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jan W. Baran, Esquire
William H. Schweitzer, Esquire
Baker & Hostetler
816 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

7/10/81

Dear Messrs. Baran and Schweitzer:

Pursuant to the investigation being conducted with respect to a possible violation of 2 U.S.C. § 441a(f) by your client, Friends of Alaska, the Commission has issued the attached subpoenas which require Mr. Dick Green to produce copies of certain documents by July 24, 1981, and to appear and give sworn testimony on August 7, 1981.

According to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to Mr. Green in the amount of \$. If the estimated mileage is incorrect, please advise this office.

Please confirm Mr. Green's scheduled deposition appearance with Jonathan Levin on our toll free line (800-424-9536) or 202-523-4039 within ten days of your receipt of this notification.

If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter, at 202-523-4039.

Sincerely,

Charles W. Steele
General Counsel

By: _____
Kenneth A. Cross
Associate General Counsel

Enclosures

Subpoena for Copies of Documents
Subpoena to Appear for Deposition

8304040450

4 40404505
FISCAL SERVICE
DIVISION OF
DISBURSEMENT

WASHINGTON, D. C.

Check No. 84,740,368
SYMBOL 3004



United States Treasury

15-51
000

PAY TO THE

ORDER OF

DICK GREEN

07 09 81

95350001

DOLLARS	CENTS
35	00

F E C
WASH DC
W1256

FE1A W454 WITNESS FEE
MUR 1272

DO NOT FOLD, SPINDLE OR MUTILATE
KNOW YOUR ENDORSEMENT REQUIRE IDENTIFICATION

⑈ 3004 ⑈

⑈ 0000005181: 847403689⑈

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

SUBPOENA

TO: Dick Green, Treasurer
Friends of Alaska
2140 Stanford Drive
Anchorage, Alaska 99504

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to provide copies of the following documents to the Commission which pertain to the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by your committee, Friends of Alaska (hereinafter "FOA"), and a possible violation of 2 U.S.C. § 441a(f) by Alaskans for Gruening (hereinafter "AFG").

(a) All correspondence or other written communication between you or any agent, officer, employee or volunteer of FOA and AFG, Clark Gruening, or any agent, officer, employee or volunteer of AFG, Clark Gruening, or the Gruening campaign.

(b) All correspondence or other written communication between you or any agent, officer, employee, or volunteer of FOA and Barnard Gottstein or his agent.

(c) All correspondence or other written communication, including letters, memoranda, or notes, among any agents, officers, employees, or volunteers of FOA pertaining to or making reference to Barnard Gottstein, Alaska Advertisers, or AFG, Clark Gruening, or the Gruening campaign.

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(d) All correspondence or other written communication between you or any agent, officer, employee or volunteer of FOA and Alaska Advertisers pertaining to or making reference to AFG or the Gruening campaign.

(e) Copies of transcripts of all radio and television advertisements and texts of all newspaper and periodical advertisements paid for by FOA.

Notice is hereby given that these materials must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. by the close of business July 24, 1981.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this *8th* day of *July*, 1981.

Frank P. Reiche

Frank P. Reiche, Vice-Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

83040404507

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: Dick Green, Treasurer
Friends of Alaska
2140 Stanford Drive
Anchorage, Alaska 99504

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to appear for deposition as a witness in connection with the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by your committee, Friends of Alaska and 2 U.S.C. § 441a(f) by Alaskans for Gruening.

Notice is hereby given that the deposition is to be taken at the New Anchorage Federal Building, 701 C St., Anchorage, Alaska, Room C 105 at 1:00 p.m. on August 7, 1981, and any and all dates adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this *8th* day of *July*, 1981.

Frank P. Reiche

Frank P. Reiche, Vice-Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

8304040450E



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 10, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles A. Dunnagan, Esquire
Jermain, Dunnagan & Owens
801 West Fireweed Lane, Suite 201
Anchorage, Alaska 99503

Re: MUR 1272

Dear Mr. Dunnagan:

8 3 0 4 0 4 0 4 5 0 9
The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoenas which require your client, Mr. Clark Gruening, to produce copies of certain documents by July 24, 1981, and to appear as a witness and give sworn testimony on August 5, 1981, at 1:00 p.m. have been issued.

Since the document copies and testimony are being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to Mr. Gruening in the amount of \$35.00. If the estimated mileage is incorrect, please advise this office.

Letter to: Charles A. Dunnagan
Page 2

Please confirm Mr. Gruening's scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosures

- Subpoena for Copies of Documents
- Subpoena to Appear for Deposition

83040404510

MR 1272 Denis

Complete Form 1, 2, and 3.
Add price indicated in the "RETURN TO" space on Form 1.

The following methods are suggested (check one):

- Deliver to whom and date delivery.....
- Deliver to whom, date and address of delivery.....
- REGISTERED MAIL, RETURN RECEIPT REQUESTED

(CONSULT POSTMASTER FOR FEES)

DELIVER TO:

Chas. A. Dunnagan
801 West Fireweed Lane
Anchorage, Alaska

DATE OF DELIVERY: 7/15/81

RECEIVED

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles A. Dunnagan, Esquire
Jermain, Dunnagan & Owens
801 West Fireweed Lane, Suite 201
Anchorage, Alaska 99503

Re: MUR 1272 *7/10/81*

Dear Mr. Dunnagan:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoenas which require your client, Mr. Clark Gruening, to produce copies of certain documents by _____, 1981, and to appear as a witness and give sworn testimony on _____, 1981, at _____ have been issued.

Since the document copies and testimony are being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney who may assist you in submitting the documents and accompany you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of deposition.

Pursuant to 11 C.F.P. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to Mr. Gruening in the amount of \$ _____. If the estimated mileage is incorrect, please advise this office.

83040404511

Letter to: Charles A. Dunnagan
Page 2

Please confirm Mr. Gruening's scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

Subpoena for Copies of Documents
Subpoena to Appear for Deposition

83040404512

Check No. 84,740,369
SYMBOL 3004

WASHINGTON, D. C.

40451

United States Treasury

15-51
000

PAY TO THE

ORDER OF CLARK GRUENING

MONTH DAY YEAR
07 09 81

95350001

FE1AW454 WITNESS FEE
MUR 1272

DOLLARS CTS.
\$000035 00

F E C
WASH DC
W1256

U.S. GOVERNMENT
FISCAL SERVICE
DIVISION OF
DISBURSEMENT



DO NOT FOLD, SPINDE OR MUTILATE
KNOW YOUR ENDORSER... REQUIRE IDENTIFICATION

⑈ 3004 ⑈ ⑆ 000000518⑆ 84740369⑈

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

SUBPOENA

TO: Clark Gruening
940 Tyonek Drive
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to provide copies of the following documents to the Commission which pertain to the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska (hereinafter "FOA") and a possible violation of 2 U.S.C. § 441a(f) by Alaskans for Gruening (hereinafter "AFG").

(a) All correspondence or other written communication between you or your agent and Barnard Gottstein during the period of January 1, 1979, through the present.

(b) All correspondence or other written communication, including memoranda and notes, between you or your agent and any agent, officer, employee, or volunteer of AFG or the Gruening campaign referring to Barnard Gottstein or the establishment, plans, or activities of FOA.

(c) All correspondence or other written communication between you or your agent and any agent, officer, employee, or volunteer of FOA pertaining to or making reference to the plans for or activities of AFG, or the Gruening campaign, or the establishment, plans, or activities of FOA.

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Notice is hereby given that these materials must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. by the close of business July 24, 1981.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this *8th* day of *July*, 1981.

Frank P. Reiche
Frank P. Reiche, Vice-Chairman
Federal Election Commission

ATTEST:

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

83040404513

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: Clark Gruening
940 Tyonek Drive
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to appear for deposition as a witness in connection with the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska and 2 U.S.C. § 441a(f) by Alaskans for Gruening.

Notice is hereby given that the deposition is to be taken at the New Anchorage Federal Building, 701 C St., Anchorage, Alaska, Room C 117 at 1:00 p.m. on August 5, 1981, and any and all dates adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this *8th* day of *July*, 1981.

Frank P. Reiche

Frank P. Reiche, Vice-Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

63040404516



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 10, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Steve Oien, General Manager
Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska

Re: MUR 1272

Dear Mr. Oien:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoenas which require you to produce copies of certain documents by July 24, 1981, and to appear as a witness and give sworn testimony on August 4, 1981, at 9:00 a.m. have been issued.

Since the document copies and testimony are being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney who may assist you in submitting the documents and accompany you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to you in the amount of \$35.00. If the estimated mileage is incorrect, please advise this office.

83040404517

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Steve Oien, General Manager
Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska

Re: NUR 1272 7/10/81

Dear Mr. Oien:

8 3 0 4 0 4 5 1 9
The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoenas which require you to produce copies of certain documents by _____, 1981, and to appear as a witness and give sworn testimony on _____, 1981, at _____ have been issued.

Since the document copies and testimony are being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney who may assist you in submitting the documents and accompany you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to you in the amount of \$ _____. If the estimated mileage is incorrect, please advise this office.

Letter to: Steve Oien
Page 2

Please confirm your scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

Subpoena for Copies of Documents
Subpoena to Appear for Deposition

83040404520

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

SUBPOENA

TO: Steve Oien, General Manager
Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to provide copies of the following documents to the Commission which pertain to the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska (hereinafter "FOA") and a possible violation of 2 U.S.C. § 441a(f) by Alaskans for Gruening (hereinafter "AFG").

(a) All correspondence or other written communication, including letters, memoranda or notes, among officers, directors, managers, or employees of or volunteers for Alaska Advertisers, pertaining to or making reference to any services provided for AFG.

(b) All correspondence or other written communication, including letters, memoranda, or notes, among officers, directors, managers, or employees of or volunteers for Alaska Advertisers pertaining to or making reference to any services provided for FOA.

(c) All correspondence or other written communication, including letters, memoranda, and notes, between any officer, director, manager, or employee of or volunteer for Alaska Advertisers and Barnard Gottstein or his agent

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pertaining to or making reference to any services provided for AFG.

(d) All correspondence or other written communication, including letters, memoranda, and notes, between any officer, director, manager, or employee of or volunteer for Alaska Advertisers and Barnard Gottstein or his agent pertaining to or making reference to any services provided for FOA.

(e) All correspondence or other written communication between any officer, director, manager, or employee of or volunteer for Alaska Advertisers and any agent, officer, or employee of or volunteer for FOA pertaining to or making reference to any services provided for AFG.

(f) All correspondence or other written communication between any officer, director, manager, or employee of or volunteer for Alaska Advertisers and any agent, officer, or employee of or volunteer for AFG pertaining to or making reference to any services provided for FOA.

Notice is hereby given that these materials must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. by the close of business July 24, 1981.

83040404523

WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand at Washington, D.C., on this *8th*
day of *July*, 1981.

Frank P. Reiche

Frank P. Reiche, Vice-Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

83040404524

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: Steve Oien, General Manager
Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to appear for deposition as a witness in connection with the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska and 2 U.S.C. § 441a(f) by Alaskans for Gruening.

Notice is hereby given that the deposition is to be taken at the New Anchorage Federal Building, 701 C St., Anchorage, Alaska, Room C 105 at 9:00 a.m. on August 4, 1981, and any and all dates adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this *8th* day of *July*, 1981.

Frank P. Reiche
Frank P. Reiche, Vice-Chairman
Federal Election Commission

ATTEST:

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

83040404523



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 10, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Judith L. Parsons
Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska 99501

Re: MUR 1272

Dear Ms. Parsons:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoena which requires you to appear as a witness and give sworn testimony on August 4, 1981, at 1:00 p.m. has been issued.

Since the testimony is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney who may assist you in submitting the documents and accompany you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to you in the amount of \$35.00. If the estimated mileage is incorrect, please advise this office.

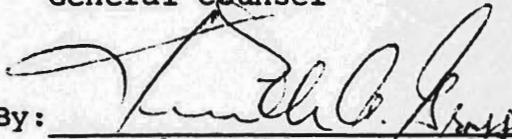
33040404526

Letter to: Judith L. Parsons
Page 2

Please confirm your scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosures
Subpoena to Appear for Deposition

83040404527

MUR 1272 Levin

ADD YOUR ADDRESS TO THE "RETURN TO" SPACE ON FRONT

Postage and fees guaranteed (check one)
 Return to return and postmaster
 Return to return, date, and address of delivery
 REGISTERED MAIL
Return to return and date of delivery
 REGISTERED MAIL
Return to return, date, and address of delivery

CONSULT POSTMASTER FOR FEES

*Judith Parsons
201 Fairbanks Street
Anchorage, Alaska*

REGISTERED NO. CERTIFIED NO. REGISTERED NO.
8085H

(Always obtain duplicate of address or agent)

I have read the article described above.
REMARKS: *Thomas J. David*

DATE OF DELIVERY

U.S. MAIL SERVICE
MAY 15 1981
ANCHORAGE, ALASKA

7-10-81

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Judith L. Parsons
Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska 99501

Re: HUR 1272

7/10/81

Dear Ms. Parsons:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoena which requires you to appear as a witness and give sworn testimony on , 1981, at has been issued.

Since the testimony is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney who may assist you in submitting the documents and accompany you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to you in the amount of \$. If the estimated mileage is incorrect, please advise this office.

83040404518

Letter to: Judith L. Parsons
Page 2

Please confirm your scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures
Subpoena to Appear for Deposition

83040404529

83040404530

Check No. 84,740,371
SYMBOL 3004

WASHINGTON, D. C.

TREASURY
FISCAL SERVICE
DIVISION OF
DISBURSEMENT

United States Treasury ¹⁵⁻⁵¹/₀₀₀



PAY TO THE
ORDER OF
MONTH DAY YEAR
07 08 81
95350001

JUDITH L PARSONS

DOLLARS	CENTS
\$****35	00

F E C
WASH DC
W1256

Handwritten signature

FE1A454 WITNESS FEE
PUR 1272

DO NOT FOLD, SPINDLE OR MUTILATE
KNOW YOUR ENDORSER... REOUIRE IDENTIFICATION

000000518: 847403711

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: Ms. Judith L. Parsons
Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to appear for deposition as a witness in connection with the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska and 2 U.S.C. § 441a(f) by Alaskans for Gruening.

Notice is hereby given that the deposition is to be taken at the New Anchorage Federal Building, 701 C St., Anchorage, Alaska, Room C 105 at 1:00 p.m. on August 4, 1981, and any and all dates adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this *8th* day of *July*, 1981.

Frank P. Reiche

Frank P. Reiche, Vice-Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

83040404531



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 10, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Carolyn M. Gay
2160 Stanford Drive
Anchorage, Alaska 99501

Re: MUR 1272

Dear Ms. Gay:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoena which requires you to appear as a witness and give sworn testimony on August 6, 1981, at 1:00 p.m. has been issued.

Since the testimony is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney who may assist you in submitting the documents and accompany you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to you in the amount of \$35.00. If the estimated mileage is incorrect, please advise this office.

8 3 0 4 0 4 0 4 5 3 2

Letter to: Carolyn M. Gay
Page 2

Please confirm your scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel


Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena to Appear for Deposition

83040404533

442 1277

RECEIVED BY		
DATE		
TIME		
BY		
ADDRESS		
CITY		
STATE		
ZIP		
FEE		
REMARKS		
REGISTERED MAIL	CERTIFIED MAIL	REGISTERED MAIL
	943021	
I have examined the article described above.		
RECEIVED	CLAIMED	DELIVERED
DATE OF DELIVERY		POSTAGE
7-31-81		1981
SIGNATURE OF DELIVERER		DELIVERER'S INITIALS
L. Levin		1-23

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Carolyn M. Gay
2160 Stanford Drive
Anchorage, Alaska 99501

Re: MUR 1272

7/10/81

Dear Ms. Gay:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoena which requires you to appear as a witness and give sworn testimony on _____, 1981, at _____ has been issued.

Since the testimony is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney who may assist you in submitting the documents and accompany you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to you in the amount of \$ _____. If the estimated mileage is incorrect, please advise this office.

83040404533

Letter to: Carolyn M. Gay
Page 2

Please confirm your scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures
Subpoena to Appear for Deposition

8304040453

8 3 0 4 0 4 0 4 5 3 6

TREASURY
FISCAL SERVICE
DIVISION OF
DISBURSEMENT

WASHINGTON, D. C.

Check No. 84,740,372

SYMBOL 3004



United States Treasury ¹⁵⁻⁵¹/₀₀₀

PAY TO THE
ORDER OF CAROLYN L GAY

MONTH DAY YEAR
07 08 81

95350001

DOLLARS	CTS.
*****35	00

F E C
WASH DC
W1256

FE1AW454 WITNESS FEE
MUR 1272

Henry H. ...
SECRETARY OF THE TREASURY

DO NOT FOLD, SPINDLE OR MUTILATE
KNOW YOUR ENDORSER - REQUIRE IDENTIFICATION

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: Ms. Carolyn M. Gay
2160 Stanford Drive
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to appear for deposition as a witness in connection with the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska and 2 U.S.C. § 441a(f) by Alaskans for Gruening.

Notice is hereby given that the deposition is to be taken at the New Anchorage Federal Building, 701 C St., Anchorage, Alaska, Room C 117 at 1:00 p.m. on August 6, 1981, and any and all dates adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this *8th* day of *July*, 1981.

Frank P. Reiche

Frank P. Reiche, Vice-Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

83040404537



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 10, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Thomas Kelly
225 Cordova Street
Anchorage, Alaska 99501

Re: MUR 1272

Dear Mr. Kelly:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoena which requires you to appear as a witness and give sworn testimony on August 6, 1981, at 9:00 a.m. has been issued.

Since the testimony is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney who may assist you in submitting the documents and accompany you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to you in the amount of \$35.00. If the estimated mileage is incorrect, please advise this office.

83040404538

Letter to: Thomas Kelly
Page 2

Please confirm your scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

By: *Kenneth A. Gross*
Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena to Appear for Deposition

83040404539

11/13/92 Levin

TO: Thomas Kelly
215 Crawford Street
Washington, D.C. 20001

6035h

DATE OF DELIVERY: Feb 1993

18-OCT 1992

RECEIVED

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Thomas Kelly
225 Cordova Street
Anchorage, Alaska 99501

Re: MUR 1272

7/10/81

Dear Mr. Kelly:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoena which requires you to appear as a witness and give sworn testimony on _____, 1981, at _____ has been issued.

Since the testimony is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney who may assist you in submitting the documents and accompany you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to you in the amount of \$ _____. If the estimated mileage is incorrect, please advise this office.

83040404510

Letter to: Thomas Kelly
Page 2

Please confirm your scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures
Subpoena to Appear for Deposition

83040404511

8 3 0 4 0 4 0 4 5 4 2

WASHINGTON, D. C.

Check No. 84,740,373
SYMBOL 3004

TREASURY
FISCAL SERVICE
DIVISION OF
DISBURSEMENT

United States Treasury ¹⁵⁻⁵¹/₀₀₀

DOLLARS	CENTS
8474035	00

DO NOT FOLD, SPINDLE OR MUTILATE
KNOW YOUR ENDORSE - REQUIRE IDENTIFICATION



PAY TO THE
ORDER OF THOMAS KELLY

MONTH	DAY	YEAR
07	08	81

95350001

F E C
WASH DC
W1256

Henry J. Carter
SECRETARY OF THE TREASURY

FE1AW454 WITNESS FEE
MUR 1272

3004 110

000000518 847403733

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: Mr. Thomas Kelly
225 Cordova Street
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to appear for deposition as a witness in connection with the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska and 2 U.S.C. § 441a(f) by Alaskans for Gruening.

Notice is hereby given that the deposition is to be taken at the New Anchorage Federal Building, 701 C St., Anchorage, Alaska, Room C 117 at 9:00 a.m. on August 6, 1981, and any and all dates adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this *8th* day of *July*, 1981.

Frank P. Reiche

Frank P. Reiche, Vice-Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

83040404543



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 10, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Norma S. Thompson
P.O. Box 4 1611
Anchorage, Alaska 99509

Re: MUR 1272

Dear Ms. Thompson:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoena which requires you to appear as a witness and give sworn testimony on August 6, 1981, at 3:00 p.m. has been issued.

Since the testimony is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney who may assist you in submitting the documents and accompany you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to you in the amount of \$ 35.00. If the estimated mileage is incorrect, please advise this office.

83040404514

Letter to: Norma S. Thompson
Page 2

Please confirm your scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

By: *Kenneth A. Gross*
Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena to Appear for Deposition

83040404545

AUG 12 72

15-01-61

1. The following articles are enclosed:
 First class postage and delivery
State to which, date, and address of delivery
 REGISTERED MAIL DELIVERY
State to which and date of delivery
 REGISTERED MAIL DELIVERY
State to which, date, and address of delivery

CONSULT POSTMASTER FOR FEES

2. ARTICLES ADDRESSED TO
Mrs. Norma S. Thompson
P.O. Box 41611
Anchorage, Alaska

3. REGISTERED MAIL NO. 50535H

(Always obtain signature of addressee or agent)

I have checked the articles described above.
RECEIVED BY: [Signature] DATE OF DELIVERY: [Blank]

4. ADDRESS CORRECTED ONLY IF NECESSARY

5. UNABLE TO DELIVER ENCLOSES

PINE BLUFF, FL

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Norma S. Thompson
P.O. Box 4 1611
Anchorage, Alaska 99509

Re: HUR 1272

7/10/81

Dear Ms. Thompson:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoena which requires you to appear as a witness and give sworn testimony on _____, 1981, at _____ has been issued.

Since the testimony is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney who may assist you in submitting the documents and accompany you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to you in the amount of \$ _____. If the estimated mileage is incorrect, please advise this office.

83040404516

Letter to: Norma S. Thompson
Page 2

Please confirm your scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles H. Steele
General Counsel

Enclosures
Subpoena to Appear for Deposition

83040404547

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: Ms. Norma S. Thompson
P.O. Box 4 1611
Anchorage, Alaska 99509

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to appear for deposition as a witness in connection with the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska and 2 U.S.C. § 441a(f) by Alaskans for Gruening.

Notice is hereby given that the deposition is to be taken at the New Anchorage Federal Building, 701 C St., Anchorage, Alaska, Room C 117 at 3:00 p.m. on August 6, 1981, and any and all dates adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this *8th* day of *July*, 1981.

Frank P. Reiche

Frank P. Reiche, Vice-Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

83040404549

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Friends of Alaska)
Alaska Advertisers)
Alaskans for Gruening)
Bernard Gottstein)

MUR 1272

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 2, 1981, the Commission decided by a vote of 6-0 to take the following actions regarding MUR 1272:

1. Authorize issuance of the subpoenas, as attached to the General Counsel's June 30, 1981 memorandum, to Bernard Gottstein, John Hale, Dick Green, Clark Gruening, Steve Oien, Judith Parsons, Carolyn Gay, Tom Kelly, and Norma Thompson.
2. Approve the letters (Attachments to the General Counsel's memorandum dated June 30, 1981) to Jan Baran and William Schweitzer, attorneys for Gottstein and FOA; Charles Dunnagan, the attorney for AFG and Clark Gruening, Steve Oien, Judith Parsons, Carolyn Gay, Tom Kelly, and Norma Thompson.

Commissioners Aikens, Harris, McGarry, Reiche, Thomson, and Tiernan voted affirmatively.

Attest:

7-2-81

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of the Commission Secretary: 6-30-81, 3:09
Circulated on 48 hour vote basis: 7- 1-81, 11:00

83040404550

June 30, 1981

MEMORANDUM TO: Marjorie W. Emmons
FROM: Phyllis A. Kayson
SUBJECT: MUR 1272

Please have the attached Memo to the Commission distributed to the Commission on a 48 hour tally basis.
Thank you.

Attachment

cc: Levin

83040404551



SENSITIVE

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
JUN 30 1981
COMMUNICATIONS SECTION

81 JUN 30 P 3: 09

June 30, 1981

MEMORANDUM TO: The Commission
FROM: Charles N. Steele
General Counsel *CNS*
SUBJECT: Authorization to Issue Subpoenas in
Connection with MUR 1272

9304040433

This matter involves allegations by the Friends of Mike Gravel as to a failure to register and report by Friends of Alaska ("FOA"), the making of corporate contributions by Alaska Advertisers to Alaskans for Gruening ("AFG"), the making of excessive contributions by Bernard Gottstein to AFG, the making of in-kind contributions by Mr. Gottstein's corporations to AFG, and the making of excessive in-kind contributions by FOA to AFG. On January 27, 1981, the Commission found reason to believe that FOA violated 2 U.S.C. § 441a(1)(A) and that AFG violated § 441a(f) in connection with the allegation as to excessive in-kind contributions. The Commission also found reason to believe that Alaska Advertisers and AFG violated 2 U.S.C. § 441b(a) in connection with Alaska Advertiser's alleged contribution. In addition, reason to believe was found that FOA violated 2 U.S.C. § 433(a) by failing to register in a timely manner, but the Commission determined that no further action should be taken with respect to this allegation. The Commission made findings of no reason to believe with respect to the other allegations.

At the time of these findings, the Commission approved questions to be sent to FOA and AFG. Questions for Mr. Gottstein were also approved because of the possibility that he was the vehicle for coordination between FOA and AFG.

During late February and March, 1981, this office received replies from AFG, FOA, and Mr. Gottstein. The answers varied in their completeness and responsiveness.

The responses from FOA and Mr. Gottstein indicate that Mr. Gottstein was involved to a great extent in organizing FOA and in arranging for the development and placement of FOA advertisements. This is contrary to Mr. Gottstein's original assertion, in response to the complaint, that he was not personally involved in placing advertisements for FOA.

In his interrogatory response, Mr. Gottstein, in addition to detailing an extensive involvement with and leadership of FOA, states that he had communications with the candidate, Clark Gruening, and with AFG staff. These communications involved discussions of fund raising for AFG and a discussion of television "'spots'" produced for the Gruening campaign. While Mr. Gottstein claims that, after viewing the spots, he decided to "disassociate" himself from the Gruening campaign and to form FOA, Mr. Gottstein's relationship with the candidate, AFG, and FOA raises questions as to the independence of the expenditures made by FOA. This along with the inconsistency between Mr. Gottstein's reply to the complaint and his reply to our questions, necessitates further investigation through the use of depositions.

To further explore the relationship between AFG and FOA, this office must depose the persons to whom the interrogatories were addressed, i.e., Mr. Gottstein, AFG campaign manager John Hale, and FOA treasurer Dick Green. This office should also depose Clark Gruening, the candidate, who was in periodic contact with Mr. Gottstein. Because of the fact that Alaska Advertisers, a corporation owned by Mr. Gottstein, provided services for both AFG and FOA and because of Mr. Gottstein's admitted involvement in the placing of advertisements for FOA and possible involvement in the placing of advertisements for AFG, this office should depose the general manager of Alaska Advertisers, Steve Oien, and his assistant, Judith L. Parsons, who was in communication with Barnard Gottstein with respect to the AFG advertisement placement. Depositions should also be taken from three other persons involved with FOA. They are Carolyn M. Gay, whom Gottstein named as an organizer of FOA, Tom Kelly, who was FOA chairman and who, according to the complainants, was involved in the formation of other anti-Gravel committees, and Norma Thompson, who according to Mr. Gottstein, was FOA's "volunteer bookkeeper or record custodian." The General Counsel, therefore, recommends that the Commission approve the issuance of the attached subpoenas for depositions to the above-named persons.

In order to obtain further information as a basis for questions, this office considers it necessary to have certain documents produced for inspection prior to the taking of depositions.

33040104552

Subpoenas for such documents should be sent to Mr. Gottstein, Mr. Hale, Mr. Green, Mr. Gruening, and Mr. Oien. The documents requested may provide us with further information as to direct and indirect contacts among AFG, FOA, and Barnard Gottstein. Therefore, the General Counsel recommends that the Commission approve the issuance of the attached subpoenas for documents to the above named persons.

Recommendations

1. Authorize the attached subpoenas to Barnard Gottstein, John Hale, Dick Green, Clark Gruening, Steve Oien, Judith Parsons, Carolyn Gay, Tom Kelly, and Norma Thompson.
2. Approve the attached letters to Jan Baran and William Schweitzer, attorneys for Gottstein and FOA; Charles Dunnagan, the attorney for AFG and Clark Gruening, Steve Oien, Judith Parsons, Carolyn Gay, Tom Kelly, and Norma Thompson.

Attachments

1. Letter and subpoenas to counsel for Barnard Gottstein
2. Letter and subpoenas to counsel for Alaskans for Gruening and John Hale
3. Letter and subpoenas to counsel for Friends of Alaska and Dick Green
4. Letter and subpoenas to counsel for Clark Gruening
5. Letter and subpoenas to Steve Oien
6. Letter and subpoena to Judith Parsons
7. Letter and subpoena to Carolyn Gay
8. Letter and subpoena to Tom Kelly
9. Letter and subpoena to Norma Thompson

83040404554



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jan W. Baran, Esquire
William H. Schweitzer, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

Dear Messrs. Baran and Schweitzer:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In connection with an investigation being conducted by the Commission, the attached subpoenas which require your client, Mr. Barnard Gottstein, to produce copies of certain documents by , 1981, and to appear and give sworn testimony on , 1981, at have been issued.

Since the document copies and testimony are being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to Mr. Gottstein in the amount of \$. If the estimated mileage is incorrect, please advise this office.

83040404553

Attachment 1 - p. 1 of 6

Letter to: Baran & Schweitzer
Page 2

Please confirm Mr. Gottstein's scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or 202-523-4039 within ten days of your receipt of this notification. If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

Subpoena for Copies of Documents
Subpoena to Appear for Deposition

83040404556

1 - p. 2 of 6

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

SUBPOENA

TO: Barnard J. Gottstein
1400 E Street
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to provide copies of the following documents to the Commission which pertain to the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska (hereinafter "FOA") and a possible violation of 2 U.S.C. § 441a(f) by Alaskans for Gruening (hereinafter "AFG").

(a) All correspondence or other written communication between you or your agents and Clark Gruening, AFG, or any agent, employee, or volunteer of Clark Gruening, AFG, or the Gruening campaign from January 1, 1979, to the present.

(b) All correspondence or other written communication, including letters, memoranda, or notes, among you and your agents or your employees, including, but not limited to, any communication between you and any employee, manager, director, or officer of Alaska Advertisers, pertaining to or making reference to services provided for Clark Gruening, AFG, or the Gruening campaign from January 1, 1979, to the present.

33040404557

(c) All correspondence or other written communication between you, your agents, or your employees and any agent, officer, employee, or volunteer of FOA or any other committee other than AFG, that worked for the defeat of Mike Gravel or the election of Clark Gruening in the 1980 Senate primary campaign.

(d) All correspondence or other written communication, including letters, memoranda, or notes, among you and your agents or your employees, including, but not limited to, any communication between you and any employee, manager, director, or officer of Alaska Advertisers, pertaining to or making reference to services provided for FOA.

(e) All other documents in your possession pertaining to or making reference to the plans for or activities of AFG or the Gruening campaign or the establishment, plans, or activities of FOA.

Notice is hereby given that these materials must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. by the close of business , 1981.

8304040404558

1- p. 4 of 6

WHEREFORE, the Chairman of the Federal Election
Commission has hereunto set his hand at Washington, D.C.,
on this day of , 1981.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

83040404559

1 - p. 5 of 6

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: Barnard J. Gottstein
1400 E Street
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission,
pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered
to appear for deposition as a witness in connection with
the Commission's investigation of a possible violation of
2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska and 2 U.S.C.
§ 441a(f) by Alaskans for Gruening.

Notice is hereby given that the deposition is to be
taken at

at _____ on _____, 1981, and any and all dates
adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand at Washington, D.C., on this
day of _____, 1981.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

1 - p 6 of 6

83040404560



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles A. Dunnagan, Esquire
Jermain, Dunnagan & Owens
801 West Fireweed Lane
Suite 201
Anchorage, Alaska 99503

Re: MUR 1272

Dear Mr. Dunnagan:

Pursuant to the investigation being conducted with respect to possible violations of 2 U.S.C. § 441a(a)(1)(A) by your client, Alaskans for Gruening, the Commission has issued the attached subpoenas which require Mr. John Hale to produce copies of certain documents by , 1981, and to appear and give sworn testimony on , 1981.

According to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to Mr. Hale in the amount of \$. If the estimated mileage is incorrect, please advise this office.

Please confirm Mr. Hale's scheduled deposition appearance with Jonathan Levin on our toll free line (800-424-9530) or 202-523-4039 within ten days of your receipt of this notification.

If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter, at 202-523-4039.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

- Subpoena for Copies of Documents
- Subpoena to Appear for Deposition

83040404561

Attachment 2 - p. 1 of 4

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

SUBPOENA

TO: John Hale, Campaign Manager
Alaskans for Gruening
P.O. Box 1757
Anchorage, Alaska 99510

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to provide copies of the following documents to the Commission which pertain to the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska (hereinafter "FOA") and a possible violation of 2 U.S.C. § 441a(f) by your committee, Alaskans for Gruening (hereinafter "AFG").

(a) All correspondence or other written communication, including letters, memoranda, and notes, between you or any agent, officer, employee, or volunteer of AFG, Clark Gruening, or the Gruening campaign and Barnard Gottstein or his agent.

(b) All correspondence or other written communication between you or any agent, officer, employee, or volunteer of AFG, Clark Gruening or the Gruening campaign and Alaska Advertisers.

(c) All correspondence or other written communication between you or any agent, officer, employee, or volunteer for AFG, Clark Gruening or the Gruening campaign and any agent, officer, employee, or volunteer of FOA.

(d) All correspondence or other written communication, including letters, memoranda, or notes, among any agents,

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officers, employees, or volunteers of AFG or the Gruening campaign pertaining to or making reference to Barnard Gottstein, Alaska Advertisers, or the establishment, plans, or activities of FOA.

(e) Transcripts of all radio and television advertisements and texts of all newspaper and periodical advertisements paid for by AFG.

Notice is hereby given that these materials must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. by the close of business , 1981.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this day of , 1981.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

2 - p. 3 of 4

33040404560

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: John Hale, Campaign Manager
Alaskans for Gruening
P.O. Box 1757
Anchorage, Alaska 99510

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to appear for deposition as a witness in connection with the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska and 2 U.S.C. § 441a(f) by your committee, Alaskans for Gruening.

Notice is hereby given that the deposition is to be taken at _____ at _____ on _____, 1981, and any and all dates adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this _____ day of _____, 1981.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

2- p. 4 of 4

8304040454



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jan W. Baran, Esquire
William H. Schweitzer, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

Dear Messrs. Baran and Schweitzer:

Pursuant to the investigation being conducted with respect to a possible violation of 2 U.S.C. § 441a(f) by your client, Friends of Alaska, the Commission has issued the attached subpoenas which require Mr. Dick Green to produce copies of certain documents by , 1981, and to appear and give sworn testimony on , 1981.

According to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to Mr. Green in the amount of \$. If the estimated mileage is incorrect, please advise this office.

Please confirm Mr. Green's scheduled deposition appearance with Jonathan Levin on our toll free line (800-424-9530) or 202-523-4039 within ten days of your receipt of this notification.

If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter, at .. 202-523-4039.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

Subpoena for Copies of Documents
Subpoena to Appear for Deposition

Attachment 3 - p. 1 of 4

8304040456

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

SUBPOENA

TO: Dick Green, Treasurer
Friends of Alaska
2140 Stanford Drive
Anchorage, Alaska 99504

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to provide copies of the following documents to the Commission which pertain to the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by your committee, Friends of Alaska (hereinafter "FOA"), and a possible violation of 2 U.S.C. § 441a(f) by Alaskans for Gruening (hereinafter "AFG").

(a) All correspondence or other written communication between you or any agent, officer, employee or volunteer of FOA and AFG, Clark Gruening, or any agent, officer, employee or volunteer of AFG, Clark Gruening, or the Gruening campaign.

(b) All correspondence or other written communication between you or any agent, officer, employee, or volunteer of FOA and Barnard Gottstein or his agent.

(c) All correspondence or other written communication, including letters, memoranda, or notes, among any agents, officers, employees, or volunteers of FOA pertaining to or making reference to Barnard Gottstein, Alaska Advertisers, or AFG, Clark Gruening, or the Gruening campaign.

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(d) All correspondence or other written communication between you or any agent, officer, employee or volunteer of FOA and Alaska Advertisers pertaining to or making reference to AFG or the Gruening campaign.

(e) Copies of transcripts of all radio and television advertisements and texts of all newspaper and periodical advertisements paid for by FOA.

Notice is hereby given that these materials must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. by the close of business _____, 1981.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this day of _____, 1981.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. EMMONS
Secretary to the Commission

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UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: Dick Green, Treasurer
Friends of Alaska
2140 Stanford Drive
Anchorage, Alaska 99504

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to appear for deposition as a witness in connection with the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by your committee, Friends of Alaska, and 2 U.S.C. § 441a(f) by Alaskans for Gruening.

Notice is hereby given that the deposition is to be taken at _____ at _____ on _____, 1981, and any and all dates adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this _____ day of _____, 1981.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

3- p. 4 of 4

83040404538



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles A. Dunnagan, Esquire
Jermain, Dunnagan & Owens
801 West Fireweed Lane, Suite 201
Anchorage, Alaska 99503

Re: MUR 1272

Dear Mr. Dunnagan:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoenas which require your client, Mr. Clark Gruening, to produce copies of certain documents by , 1981, and to appear as a witness and give sworn testimony on , 1981, at have been issued.

Since the document copies and testimony are being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to Mr. Gruening in the amount of \$. If the estimated mileage is incorrect, please advise this office.

Attachment 4 - p. 1 of 5

83040404569

Letter to: Charles A. Dunnagan
Page 2

Please confirm Mr. Gruening's scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

Subpoena for Copies of Documents
Subpoena to Appear for Deposition

83040404570

4 - p. 2 of 5

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

SUBPOENA

TO: Clark Gruening
940 Tyonek Drive
Anchorage, Alaska 99501

RE: Matter Under Review R272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to provide copies of the following documents to the Commission which pertain to the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska (hereinafter "FOA") and a possible violation of 2 U.S.C. § 441a(f) by Alaskans for Gruening (hereinafter "AFG").

(a) All correspondence or other written communication between you or your agent and Barnard Gottstein during the period of January 1, 1979, through the present.

(b) All correspondence or other written communication, including memoranda and notes, between you or your agent and any agent, officer, employee, or volunteer of AFG or the Gruening campaign referring to Barnard Gottstein or the establishment, plans, or activities of FOA.

(c) All correspondence or other written communication between you or your agent and any agent, officer, employee, or volunteer of FOA pertaining to or making reference to the plans for or activities of AFG, or the Gruening campaign, or the establishment, plans, or activities of FOA.

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4- p. 3 of 5

Notice is hereby given that these materials must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. by the close of business , 1981.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this day of , 1981.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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4 - p. 4 of 5

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: Clark Gruening
940 Tyonek Drive
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to appear for deposition as a witness in connection with the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska and 2 U.S.C. § 441a(f) by Alaskans for Gruening.

Notice is hereby given that the deposition is to be taken at

at _____ on _____, 1981, and any and all dates adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this day of _____, 1981.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

4 - p. 5 of 5

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Steve Oien, General Manager
Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska

Re: MUR 1272

Dear Mr. Oien:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoenas which require you to produce copies of certain documents by _____, 1981, and to appear as a witness and give sworn testimony on _____, 1981, at _____ have been issued.

Since the document copies and testimony are being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney who may assist you in submitting the documents and accompany you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to you in the amount of \$ _____. If the estimated mileage is incorrect, please advise this office.

Attachment 5 - p. 1 of 6

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Letter to: Steve Oien
Page 2

Please confirm your scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

Subpoena for Copies of Documents
Subpoena to Appear for Deposition

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5 - p. 2 of 6

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

SUBPOENA

TO: Steve Oien, General Manager
Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to provide copies of the following documents to the Commission which pertain to the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska (hereinafter "FOA") and a possible violation of 2 U.S.C. § 441a(f) by Alaskans for Gruening (hereinafter "AFG").

(a) All correspondence or other written communication, including letters, memoranda or notes, among officers, directors, managers, or employees of or volunteers for Alaska Advertisers, pertaining to or making reference to any services provided for AFG.

(b) All correspondence or other written communication, including letters, memoranda, or notes, among officers, directors, managers, or employees of or volunteers for Alaska Advertisers pertaining to or making reference to any services provided for FOA.

(c) All correspondence or other written communication, including letters, memoranda, and notes, between any officer, director, manager, or employee of or volunteer for Alaska Advertisers and Barnard Gottstein or his agent

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5 - p. 3 of 6

pertaining to or making reference to any services provided for AFG.

(d) All correspondence or other written communication, including letters, memoranda, and notes, between any officer, director, manager, or employee of or volunteer for Alaska Advertisers and Barnard Gottstein or his agent pertaining to or making reference to any services provided for FOA.

(e) All correspondence or other written communication between any officer, director, manager, or employee of or volunteer for Alaska Advertisers and any agent, officer, or employee of or volunteer for FOA pertaining to or making reference to any services provided for AFG.

(f) All correspondence or other written communication between any officer, director, manager, or employee of or volunteer for Alaska Advertisers and any agent, officer, or employee of or volunteer for AFG pertaining to or making reference to any services provided for FOA.

Notice is hereby given that these materials must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. by the close of business , 1981.

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5-p. 4 of 6

Subpoena to: Steve Oien
Page 3

WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand at Washington, D.C., on this
day of , 1981.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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5-p. 5 of 6

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: Steve Oien, General Manager
Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to appear for deposition as a witness in connection with the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska and 2 U.S.C. § 441a(f) by Alaskans for Gruening.

Notice is hereby given that the deposition is to be taken at

at _____ on _____, 1981, and any and all dates adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this day of _____, 1981.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

5-p 6 of 6

830404579



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Judith L. Parsons
Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska 99501

Re: MUR 1272

Dear Ms. Parsons:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoena which requires you to appear as a witness and give sworn testimony on _____, 1981, at _____ has been issued.

Since the testimony is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney who may assist you in submitting the documents and accompany you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to you in the amount of \$ _____. If the estimated mileage is incorrect, please advise this office.

Attachment 6 - p 1 of 3

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Letter to: Judith L. Parsons
Page 2

Please confirm your scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures
Subpoena to Appear for Deposition

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G - p. 2 of 3

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: Ms. Judith L. Parsons
Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to appear for deposition as a witness in connection with the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska and 2 U.S.C. § 441a(f) by Alaskans for Gruening.

Notice is hereby given that the deposition is to be taken at _____ at _____ on _____, 1981, and any and all dates adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this day of _____, 1981.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

6 - p. 3 of 3

330404040453



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Carolyn M. Gay
2160 Stanford Drive
Anchorage, Alaska 99501

Re: MUR 1272

Dear Ms. Gay:

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The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoena which requires you to appear as a witness and give sworn testimony on _____, 1981, at _____ has been issued.

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Since the testimony is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney who may assist you in submitting the documents and accompany you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to you in the amount of \$ _____. If the estimated mileage is incorrect, please advise this office.

Attachment 7 - p. 1 of 3

Letter to: Carolyn M. Gay
Page 2

Please confirm your scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures
Subpoena to Appear for Deposition

8304040453

7- p 2 of 3

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: Ms. Carolyn M. Gay
2160 Stanford Drive
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to appear for deposition as a witness in connection with the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska and 2 U.S.C. § 441a(f) by Alaskans for Gruening.

Notice is hereby given that the deposition is to be taken at _____ at _____ on _____, 1981, and any and all dates adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this day of _____, 1981.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

7- p. 3 of 3

83040458



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Thomas Kelly
225 Cordova Street
Anchorage, Alaska 99501

Re: MUR 1272

Dear Mr. Kelly:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoena which requires you to appear as a witness and give sworn testimony on _____, 1981, at _____ has been issued.

Since the testimony is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney who may assist you in submitting the documents and accompany you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to you in the amount of \$ _____. If the estimated mileage is incorrect, please advise this office.

Attachment 8 - p. 1 of 3

8304040500

Letter to: Thomas Kelly
Page 2-

Please confirm your scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures
Subpoena to Appear for Deposition

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8-p. 2 of 3

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: Mr. Thomas Kelly
225 Cordova Street
Anchorage, Alaska 99501

RE: Matter Under Review 1272

At the instance of the Federal Election Commission,
pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered
to appear for deposition as a witness in connection with
the Commission's investigation of a possible violation of
2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska and 2 U.S.C.
§ 441a(f) by Alaskans for Gruening.

Notice is hereby given that the deposition is to be
taken at
at _____ on _____, 1981, and any and all dates
adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand at Washington, D.C., on this
day of _____, 1981.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

8-p. 3 of 3

8304010453



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Norma S. Thompson
P.O. Box 4 1611
Anchorage, Alaska 99509

Re: MUR 1272

Dear Ms. Thompson:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In accordance with an investigation being conducted by the Commission, the attached subpoena which requires you to appear as a witness and give sworn testimony on _____, 1981, at _____ has been issued.

Since the testimony is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney who may assist you in submitting the documents and accompany you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30, plus mileage at the rate of 22.5 cents per mile. Enclosed is a money order made payable to you in the amount of \$ _____. If the estimated mileage is incorrect, please advise this office.

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Attachment 9 - p. 1 of 3

Letter to: Norma S. Thompson
Page 2

Please confirm your scheduled appearance with Jonathan Levin on our toll free line (800-424-9530) or at 202-523-4039 within ten days of your receipt of this notification. If you have any questions, please direct them to Mr. Levin, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures
Subpoena to Appear for Deposition

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9- p. 2 of 3

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

Subpoena to Appear for Deposition Upon Oral Examination

TO: Ms. Norma S. Thompson
P.O. Box 4 1611
Anchorage, Alaska 99509

RE: Matter Under Review 1272

At the instance of the Federal Election Commission, pursuant to 2 U.S.C. § 437d(a)(4), you are hereby ordered to appear for deposition as a witness in connection with the Commission's investigation of a possible violation of 2 U.S.C. § 441a(a)(1)(A) by Friends of Alaska and 2 U.S.C. § 441a(f) by Alaskans for Gruening.

Notice is hereby given that the deposition is to be taken at _____ at _____ on _____, 1981, and any and all dates adjourned to by the Commission.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., on this _____ day of _____, 1981.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

9- p 3 of 3

83040104501



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *mwe*
FROM: MARJORIE W. EMMONS/JODY CUSTER *jc*
DATE: MARCH 30, 1981
SUBJECT: MUR 1272 - Interim Investigative Report #2,
dated March 25, 1981; Received in OCS, 3-26-81,
5:01

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 2:00, March 27, 1981.

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

83040404592

March 26, 1981

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 1272

Please have the attached Interim Invest Report
distributed to the Commission. Thank you.

8304 040 4593

BEFORE THE FEDERAL ELECTION COMMISSION
March 25, 1981

RECEIVED
OFFICE OF THE
COMMISSIONARY

In the Matter of
Friends of Alaska, et al.

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MUR 1272 81 MAR 26 P 5: 01

INTERIM INVESTIGATIVE REPORT #2

83040404524

This matter involves allegations as to a failure to register and report by Friends of Alaska ("FOA"), the making of excessive in-kind contributions by FOA to Alaskans for Gruening ("AFG"), the making of corporate contributions by Alaska Advertisers to AFG, the making of excessive contributions by Barnard Gottstein to AFG, and the making of in-kind contributions by Mr. Gottstein's corporations to AFG. On January 27, 1981, the Commission found reason to believe that FOA violated 2 U.S.C. §441a(a)(1)(A) and that AFG violated §441a(f) in connection with the allegation as to excessive in-kind contributions. The Commission also found reason to believe that Alaska Advertisers and AFG violated 2 U.S.C. §441b(a) in connection with Alaska Advertiser's alleged contribution. The Commission made findings of no reason to believe with respect to the other allegations.

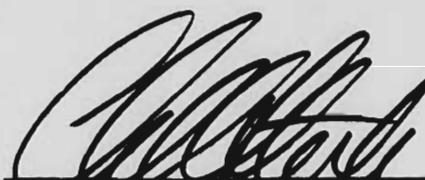
At the time of these findings, the Commission approved questions to be sent to FOA and AFG. Questions for Mr. Gottstein were also approved because of the possibility that he was the vehicle for coordination between FOA and AFG.

This office has received responses from AFG, FOA, and Barnard Gottstein. Because of Mr. Gottstein's absence from the country, this office did not receive his responses until

March 23. Upon review of these responses, we will report to the Commission with appropriate recommendations.

26 March 1951

Date



Charles N. Steele
General Counsel

83040404595

912679 ACC # 1224

BAKER & HOSTETLER

ATTORNEYS AT LAW

616 CONNECTICUT AVE., N.W.

WASHINGTON, D. C. 20006

(202) 661-1500

TELECOPIER (202) 667-0060

IN CLEVELAND, OHIO
3200 NATIONAL CITY CENTER
CLEVELAND, OHIO 44114
(216) 621-0200
TWX 810 421 6375

IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 226-1541

IN DENVER, COLORADO
500 CAPITOL LIFE CENTER
DENVER, COLORADO 80203
(303) 661-0600

IN ORLANDO, FLORIDA
550 CNA TOWER
ORLANDO, FLORIDA 32802
(305) 641-1111

March 20, 1981

WRITER'S DIRECT DIAL NO.:
861-1572

Jonathan Levin, Esquire
Federal Election Commission
1325 K Street, N. W.
Washington, D.C. 20463

Re: MUR 1272

Dear Mr. Levin:

Enclosed please find the signed and sworn responses of Mr. Barnard J. Gottstein to the interrogatories of the Federal Election Commission in connection with Matter Under Review ("MUR") 1272.

Sincerely,


Jan W. Baran

JWB:gh
Encl.

cc: Barnard J. Gottstein
Stanley H. Reitman, Esq.

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MAR 22 1981
FBI - WASH DC

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11-23-68

RESPONSE OF B. J. GOTTSTEIN
TO
INTERROGATORIES

To: FEDERAL ELECTION COMMISSION
Washington, D. C. 20463

B. J. GOTTSTEIN, also known as BARNARD J. GOTTSTEIN
and as BARNEY GOTTSTEIN, hereby answers Interrogatories 1-9
inclusive, directed to

Mr. Barnard Gottstein
MUR 1272

attached hereto as Exhibit A.

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(1) Neither I nor any agent of mine had any
communications with (i) AFG, (ii) Clark Gruening, (iii) any
volunteer or employee of or volunteer for AFG, (iv) the
Gruening campaign, or Clark Gruening, or (v) any agent or
employee of Alaska Advertisers, regarding the placement of
advertisements by Alaska Advertisers for Alaskans for Gruening
(AFG).

(2) I was personally involved on behalf of Friends
of Alaska (FOA) in a number of communications regarding the
placement of advertisements by Alaska Advertisers for FOA.
I did not create or maintain records of nor can I presently
recall each and every such communication or the specifics
thereof. To the best of my present recollections:

(a) As to communications with FOA, its
agents, its employees, its volunteers or
any persons involved in the planning or
formation of FOA.

I do not recall communications with specific individuals. In or about August, 1978 I am reasonably sure I discussed with (i) Norma Thompson (book-keeper of FOA) and (ii) Carolyn M. Gay, a volunteer for FOA and one of its principal organizers, the placement by Alaska Advertisers of FOA advertisements.

- (b) As to Alaska Advertisers, its agents or employees.

I personally arranged on behalf of FOA, in or about August, 1980, for the placement by Alaska Advertisers of FOA advertisements on the radio and in newspapers at the then going rates. My contacts were with Steve Oien and his assistant at Alaska Advertisers. Mr. Oien in addition to placing the advertisements made suggestions to me of specific times and stations to employ, and assisted in working out a "time-buy" program (essentially a budget) for FOA.

(3) From January, 1979 to approximately July 30, 1980, I personally had communications with (i) Clark Gruening, and (ii) one or more agents, employees or volunteers for AFG, the Gruening campaign or Clark Gruening, pertaining to fund raising for AFG. I do not have any records or recollections regarding specific communications.

I do recall, however, being invited to and being present at a "showing" of a number of Gruening television spots that were about to be released, plus additional film footage. I cannot pinpoint the date of such showing--I recall it being held at the Anchorage advertising office of Rick Mystrom. In attendance were Clark Gruening, his wife Melinda, John Hale, Rick Mystrom, Larry Holstrom, plus one or more AFG staff persons.

After the showing, I remember stating to the gathering that in my opinion the subject Gruening television spots failed to address or deal with Mike Gravel's tenure as U.S. Senator and thus were deficient and inadequate in not bringing the then incumbent Senator's record and philosophy before the Alaskan voters.

Upon further reflection, I decided, as I recall, a few days after the above-described showing (and without the knowledge of, suggestions from or concurrence of Clark Gruening, or any of his employees or agents) to (i) disassociate myself from any further contacts with the Gruening campaign, and (ii) take steps to form an independent and separate group of persons (who shared my views on Mike Gravel's record and performance as a U.S. Senator) for the purpose of communicating with Alaskans via radio and newspapers concerning Mike Gravel's record.

(4) From August 1, 1979, and more particularly from on or about July 30, 1980, to the present I had numerous communications with FOA, and the volunteers involved in the planning or formation of FOA pertaining to plans and activities of FOA. In responding to this query I am relying on my present recollections as I did not create nor maintain written records of each and every communication, conversation, contact or the like on this subject matter.

To the best of my present recollections, my contacts with and on behalf of FOA, pertaining to any plans for and activities of FOA, essentially were as follows:

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(a) Planning and Formation of FOA.

On or about July 30, 1980, having become personally convinced an advertisement campaign directed specifically at incumbent Mike Gravel would be helpful in defeating Mr. Gravel, I determined to form a committee or group of people with a similar view or attitude toward Mike Gravel's role as a U.S. Senator.

On or about July 30, 1980 I discussed the foregoing with Carolyn (Kelly) M. Gay of Anchorage. Kelly, with a similar attitude to Mr. Gravel brought in as additional organizers (i) Norma Thompson as the volunteer bookkeeper or record custodian and (ii) Dick Green (a brother of Kelly) as the volunteer Treasurer. Subsequently I enlisted the help of Tom Kelly as the volunteer Chairman.

(b) Fund Raising.

In addition to my personal money contribution to FOA I transmitted to FOA money contributions of various contributors who were supportive of the objectives of FOA.

(c) Development of Radio Spots and Newspaper Ads.

On behalf of FOA I contacted (i) Mr. Joe Rothstein of the Washington, D. C. organization, Rothstein/Buckley, and (ii) Marc Fox of the Okemos, Michigan firm of Justin Ward Political Media to procure their services on a commercially reasonable basis in developing or producing radio spots and newspaper advertisements for FOA.

(d) Placement of Advertisements for FOA.

I personally contacted Steve Oien of Alaska Advertisers to arrange on commercially reasonable terms for Alaska Advertisers to place the radio spots on the air, and the newspaper advertisements in newspapers.

(5) From August, 1979 to the present, neither I nor any agent of mine, had any communications with AFG,

Clark Gruening, or any agent or employee of or volunteer for AFG, Clark Gruening or the Gruening campaign pertaining to the placing of advertisements by Alaska Advertisers for FOA.

(6) From August 1, 1979 to the present, I had a number of contacts or communications to and with Norma Thompson regarding the (i) invoicing of FOA by Alaska Advertisers in placement of the radio spots and newspaper ads, and (ii) the invoicing of FOA by Justin Ward for developing the radio spots and newspaper advertisements.

(7) From August 1, 1979 to the present, the only communication or contact I presently recollect with AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign or Clark Gruening pertaining to any plans for FOA or any activities of FOA was the communication described below:

- (a) telephone conversation with Clark Gruening initiated by Mr. Gruening;
- (b) date was shortly after the radio spots produced by FOA were released to the media;
- (c) Mr. Gruening essentially requested the FOA radio spots be withdrawn;
- (d) In response to Mr. Gruening's request I respectfully declined.

(8) From August 1, 1979 to the present, neither I nor my agent had any communications with FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA, pertaining to any plans for or activities of AFG, the Gruening campaign, or Clark

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FEDERAL ELECTION COMMISSION

TO: Mr. Barnard Gottstein
MUR 1272

INTERROGATORIES

1. With regard to any transactions involving the placement of advertisements by Alaska Advertisers for Alaskans for Gruening ("AFG"), did you or your agent have any communications with:

(a) AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening?

(b) Any agent or employee of Alaska Advertisers?

If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to AFG, the Gruening campaign, or Clark Gruening, or to Alaska Advertisers, and the purpose and content of the communication.

2. With regard to any transactions involving the placement of advertisements by Alaska Advertisers for Friends of Alaska ("FOA"), did you or your agent have any communications with:

(a) FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA?

(b) Any agent or employee of Alaska Advertisers?

If so, in regard to each such communication, state the date,

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the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the names of each person involved in the communication, the relationship of such persons to you, or to FOA, or to Alaska Advertisers, and the purpose and content of the communication.

3. From January 1, 1979 to the present, did you or your agent have any communications, other than ones described in answer to Interrogatory #1 above, with AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening pertaining to any plans for or activities of AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to AFG, the Gruening campaign, or Clark Gruening, and the purpose and content of the communication.

4. From August 1, 1979, to the present, did you or your agent have any communications, other than ones described in response to Interrogatory #2 above, with FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA pertaining to any plans for

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FOA or any activities of FOA? If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you or to FOA, and the purpose and content of the communication.

5. From August 1, 1979, to the present, did you or your agent have any communications with AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, Clark Gruening, or the Gruening campaign pertaining to the placing of advertisements by Alaska Advertisers for FOA? If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to AFG, the Gruening campaign, or Clark Gruening, and the purpose and content of the communication.

6. From August 1, 1979, to the present, did you or your agent have any communications with FOA, its agents, its employees, its volunteers, or any persons involved in the planning for or formation of FOA pertaining to the placing of advertisements by Alaska Advertisers for AFG? If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation,

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face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to FOA, and the purpose and content of the communication.

7. From August 1, 1979, to the present, did you or your agent have any communications, other than ones described in response to Interrogatory #5 above, with AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening pertaining to any plans for FOA or any activities of FOA?

If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to AFG, the Gruening campaign, or Clark Gruening, and the purpose and content of the communication.

8. From August 1, 1979, to the present, did you or your agent have any communications, other than ones described in response to Interrogatory #6 above, with FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA pertaining to any plans for or activities of AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such communication, state the date, the method of communication (e.g.,

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telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to FOA, and the purpose and content of the communication.

9. From January 1, 1979, to the present, did you or your agent have any communications with AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening regarding any plans for or activities of any committee, other than FOA, which would or did engage in any activity in support of the election of Clark Gruening or in opposition to the election of Senator Gravel? If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to AFG, the Gruening campaign, or Clark Gruening, and the purpose and content of the communication.

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BAKER & HOSTETLER
818 CONNECTICUT AVE., N. W.
WASHINGTON, D. C. 20006

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Jonathan Levin, Esquire
Federal Election Commission
1325 K Street, N. W.
Washington, D.C. 20463

BAKER & HOSTETLER

ATTORNEYS AT LAW

818 CONNECTICUT AVE., N.W.

WASHINGTON, D. C. 20006

(202) 661-1500

TELECOPIER (202) 667-0010

917605
81 MAR 16 10:37
4007
1182

IN CLEVELAND, OHIO
3200 NATIONAL CITY CENTER
CLEVELAND, OHIO 44114
(216) 621-0200
TWX 810 421 8375

IN DENVER, COLORADO
500 CAPITOL LIFE CENTER
DENVER, COLORADO 80203
(303) 661-0800

IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 228-1841

IN ORLANDO, FLORIDA
850 CNA TOWER
ORLANDO, FLORIDA 32802
(305) 841-1111

March 16, 1981

WRITER'S DIRECT DIAL NO.:

(202) 661-1572

Jonathan Levin, Esquire
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Re: MUR 1272

Dear Mr. Levin:

Enclosed please find the sworn responses of Mr. Dick Green to interrogatories of the Federal Election Commission in connection with Matter Under Review ("MUR") 1272. As I mentioned to you on the telephone on Friday, March 13, 1981, similar responses will be forthcoming from Mr. Barnard Gottstein. Delays have been caused by logistical problems. Mr. Green works and spends most of his time in Prudhoe Bay which is difficult to reach during winter months. Mr. Gottstein has been traveling out of the state of Alaska.

Sincerely,


Jan W. Baran

JWB:gh
Encl.

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MAR 17 10:24

RESPONSE OF DICK GREEN
TO
INTERROGATORIES

To: FEDERAL ELECTION COMMISSION
Washington, D. C. 20463

DICK GREEN hereby answers Interrogatories 1
through 6 inclusive, directed to

Mr. Dick Green, Treasurer
Friends of Alaska
MUR 1272

attached hereto as Exhibit A.

(1) From August 1, 1979 to the present I am not
personally aware of, nor do the records of Friends of Alaska
(FOA) indicate, any communications with Alaskans for Gruening
(AFG), except for the two (2) personal contacts involving
myself described below:

First

- (a) August 15, 1980 in the hallway outside of U.S. District Judge James Fitzgerald courtroom when Mike Gravel's Complaint against FOA and others was dismissed by the Judge.
- (b) Face to face conversation.
- (c) Myself and John Hale.
- (d) John Hale introduced himself to me as the manager of AFG.
- (e) We exchanged for a brief few minutes pleasantries while we and numerous other persons awaited the commencement of court proceedings. No campaign matters were discussed.

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Second

- (a) Evening of the Primary, on August 26, 1980, at the Capt. Cook Hotel Ballroom in Anchorage.
- (b) Face to face conversation.
- (c) Myself and John Hale.
- (d) John Hale, the manager of AFG.
- (e) We met for the second time in a brief change meeting in the Capt. Cook Ballroom primary election night and again basically exchanged pleasantries for a few minutes at most in the midst of the milling crowds, victory celebrations and the like then in process.

(2) I personally had no contacts with Alaska Advertisers, other than signing the checks to pay the approved invoices of Alaska Advertisers. It is my understanding communications between FOA and Alaska Advertisers were handled by Norma Thompson, the bookkeeper of FOA and by Mr. Barney Gottstein.

(3) It is my understanding, as indicated in the response to query (2) above, that Barney (Barnard) Gottstein and Norma Thompson were the persons, who on behalf of FOA, were in communication with Alaska Advertisers with regard to the placement of FOA's radio spots and newspaper ads in the media pertaining to the 1980 primary election for U.S. Senate involving Mike Gravel.

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(4) From August 1, 1979 to the present FOA had numerous contacts with Barney Gottstein regarding plans for and activities of FOA, arising, as I understand it, out of Mr. Gottstein's personal role in (a) helping to organize FOA, (b) in developing on behalf of FOA, FOA's radio spots and newspaper ads and in placing on behalf of FOA of such FOA materials on the radio and in newspapers. I personally have no distinct recollections, nor does FOA have records that will reasonably pinpoint each and every such contact or communication to and from Mr. Gottstein.

(5) From August 1, 1979 to the present I have no personal knowledge of, nor do the records of FOA indicate any communications of FOA or any of its agents, employees, volunteers or other persons involved in the planning or formation of FOA, with Alaska Advertisers pertaining to any plans for, or activities of AFG, the Gruening campaign, or Clark Gruening.

(6) From August 1, 1979 to the present, I have no personal knowledge of, nor do the records of FOA indicate that FOA, its agents, employees, volunteers or any persons involved in the planning or formation of FOA, had any communication with Barney Gottstein, or his agent, pertaining to any plans for or activities of AFG, the Gruening campaign, or Clark Gruening.

DATED:

23 Feb 81

Dick Green
DICK GREEN

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

DICK GREEN in his capacity as Treasurer of Friends of Alaska, being duly sworn on oath says that to the best of his knowledge and belief the foregoing responses to the interrogatories set out in Exhibit A attached hereto are true and correct.

Dick Green
DICK GREEN

SUBSCRIBED AND SWORN to before me this 23rd day of February, 1981.

June F. Franco
Notary Public in and for Alaska
My commission expires: 8-12-81

33040404613

FEDERAL ELECTION COMMISSION

TO: Mr. Dick Green, Treasurer
Friends of Alaska
MUR 1272

INTERROGATORIES

1. From August 1, 1979, to the present did Friends of Alaska ("FOA"), its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA have any communications with Alaskans for Gruening ("AFG"), Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such contact, state the following:

(a) The date on which each such communication occurred.

(b) The method by which each such communication was made (e.g. telephone conversation, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication.

(d) The relationship of each person listed in response to (c) above to FOA or to AFG, the Gruening campaign, or Clark Gruening.

(e) The subject, purpose, and content of each such communication.

2. With regard to communications between Alaska Advertisers and FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA pertaining to Alaska Advertisers' transactions with FOA, please state the following:

EXHIBIT A

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(a) The date on which each such communication occurred.

(b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication.

(d) The relationship of each person listed in response to (c) above to Alaska Advertisers or to FOA.

(e) The purpose and content of each such communication.

3. With regard to the transactions between Alaska Advertisers and FOA, did FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA have any communication with Barnard Gottstein or his agent? If so, in regard to each such communication, state the following:

(a) The date on which each such communication occurred.

(b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication.

(d) The relationship of each person listed in response to (c) above to FOA or to Barnard Gottstein.

(e) The purpose and content of each such communication.

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4. From August 1, 1979, to the present, did FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA have any other communication with Barnard Gottstein, his employee, or his agent pertaining to any plans for FOA or any activities of FOA? If so, in regard to each such communication, state the following:

(a) The date on which each such communication occurred.

(b) The method by which each such communication was made (e.g. telephone conversation, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication.

(d) The relationship of each person listed in response to (c) above to FOA, or to Barnard Gottstein.

(e) The subject, purpose, and content of each such communication.

5. From August 1, 1979, to the present time, did FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA have any communications with Alaska Advertisers pertaining to any plans for or activities of AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such communication, state the following:

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(a) The date on which each such communication occurred.

(b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication.

(d) The relationship of each person listed in response to (c) above to FOA or to Alaska Advertisers.

(e) The purpose and content of each such communication.

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6. From August 1, 1979, to the present, did FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA have any communication with Barnard Gottstein or his agent pertaining to any plans for or activities of AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such communication, state the following:

(a) The date on which each such communication occurred.

(b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication.

(d) The relationship of each person listed in response to (c) above to FOA or to Barnard Gottstein.

(e) The purpose and content of each such communication.

BAKER & HOSTETTLER
818 CONNECTICUT AVE., N. W.
WASHINGTON, D. C. 20006

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Jonathan Levin, Esquire
Federal Election Commission
1325 K Street, N. W.
Washington, D.C. 20463

91279

4091

31 MAR 3

PI2: 22



February 23, 1981

John Warren McGarry, Chairman
Federal Elections Commission
Washington, D.C. 20463

Re: MUR 1272

Dear Mr. McGarry:

I received your letter dated January 29, 1981, referring to the complaint against Alaska Advertisers.

The letter mentions an apparent discrepancy in refunds made to the Alaskans for Gruening Committee by Alaska Advertisers, in which the committee notes refunds totalling \$634.94, while Alaska Advertisers lists refunds totalling \$466.94, a difference of \$168.00.

In reviewing our records, some of which have already been supplied to the FEC, we note a radio buy on behalf of Alaskans for Gruening on Station KFRB in November, 1979, in the amount of \$168. This appears to be the only instance where a \$168 discrepancy in reported refunds could have occurred.

The attached information shows that (1) a \$168 radio buy was placed on KFRB by Alaska Advertisers for Alaskans for Gruening, (2) that Alaska Advertisers was billed for that amount by KFRB, and that the spot did run as scheduled, (3) that Alaska Advertisers did bill Alaskans for Gruening for the schedule, and (4) that Alaskans for Gruening did pay the bill in full, with no refund indicated, and (5) that Alaska Advertisers did pay KFRB for the schedule.

Since receiving your letter, I have been unable to contact anyone connected with the Alaskans for Gruening campaign to inquire about their records of refunds during the campaign. However, Alaska Advertisers' records indicate that the original statement of refunds made to Alaskans for Gruening is correct as stated to the FEC.

Let me know if I can be of further assistance with this.

Sincerely,

Steve Oien

Steve Oien,
General Manager

MAR 4 10:20 AM

83040404619

MAIL REMITTANCE TO:

NORTHERN TELEVISION - KFBB
P.O. BOX 950
FAIRBANKS, AK
99707

DUPLICATE 22

INVOICE

CLIENT: GRUENING, CLARK

DATE: 11-25-79 INVOICE NO. 23101

PAGE: 1

TO: ALASKA ADVERTISERS
1341 FAIRBANKS ST.
ANCHORAGE,
AK 99501

CUSTOMER NO. 914 A
SALESPERSON HOUSE->FKS

AGENCY:
PLAN:

CONTACTS: DICK ANGELL

DATE	DAY DESCRIPTION	T. O. #	TIME	LENGTH	RATE	NO. RUN	OTHER CHGS. AND CODE	TIME CHARGES
11-15-79	TH ALASKAN FOR GRUENING	9087	214P	:30	7.00	1		7.00
11-15-79	TH ALASKAN FOR GRUENING	9087	336P	:30	7.00	1		7.00
11-15-79	TH ALASKAN FOR GRUENING	9087	458P	:30	7.00	1		7.00
11-15-79	TH ALASKAN FOR GRUENING	9087	620P	:30	7.00	1		7.00
11-15-79	TH ALASKAN FOR GRUENING	9087	822P	:30	7.00	1		7.00
11-15-79	TH ALASKAN FOR GRUENING	9087	948P	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	644A	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	720A	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	742A	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	820A	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	854A	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	1020A	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	1054A	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	1120A	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	1140A	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	1220P	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	1240P	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	130P	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	152P	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	206P	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	240P	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	308P	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	348P	:30	7.00	1		7.00
11-15-79	FR ALASKAN FOR GRUENING	9087	404P	:30	7.00	1		7.00

THE INFORMATION SHOWN IS FROM THE OFFICIAL PROGRAM LOGS OF

K F R B RADIO

ALL TIMES SHOWN PLUS OR MINUS EIGHT MINUTES.

TOTALS 24 .00 168.00

PAY THIS SUM

GROSS AMT 168.00

AMOUNT DUE 168.00

MAIL REMITTANCE TO:

WORLDWIDE TELEVISION INC.
 P.O. BOX 504
 FAIRBANKS, ALASKA 99707

STATEMENT OF ACCOUNT

CLIENT: GRUENING, CLARK

DATE: 10-08-79 PAGE: 1

TO: ALASKA ADVERTISERS
 1141 FAIRBANKS ST
 RICHDFRAGE, AK 99801

AMOUNT ENCLOSED \$ _____

CUSTOMER NO. 914
 AGENCY NO.
 SALESPERSON HOUSE-OF-RENS

PLEASE DETACH HERE AND RETURN
 TOP PORTION WITH YOUR CHECK

83040804621

A HANDLING CHARGE OF % (% ANNUAL RATE) WILL BE CHARGED ON OVER DUE AMOUNTS.

DATE	DESCRIPTION	TOTAL INVOICE	PAYMENTS ADJUSTMENTS	HANDLING CHG.	INVOICE BALANCE
11-29-79	22161 INV	198.00	192.00 25.00		00
YOUR ACCOUNT IS NOW CURRENT - THANK YOU! HAVE A HAPPY AND PROSPEROUS NEW YEAR!					
CURRENT	31 - 60 DAYS	61 - 90 DAYS	91 - 120 DAYS	OVER 120 DAYS	BALANCE DUE
					00

83040404613

ALASKANS FOR GRUENING
 P. O. BOX 1757
 ANCHORAGE, ALASKA 99510

ALASKA BANK
 OF COMMERCE
 BANK OFFICE, ANCHORAGE

1054

Dec. 5 10 79

TO THE ORDER OF

Alaska Advertisers

One hundred sixty eight & 00/100

Dollars \$168.00

Paula Gruening

#001054# 012520036 11: 57015 512*

HERE



812 1/2 EAST FOURTEEN AVENUE
SUITE 5
ANCHORAGE, ALASKA 99501

CHECK No. 3794
ANCHORAGE, ALASKA
SECURITY NATIONAL BANK
DATE: 12/12/79 AMOUNT: \$ 215.05

PAY

Northern Television
P.O. Box 950
Fairbanks, Ak. 99707

TO THE ORDER OF

NON NEGOTIABLE

CO. NO.	LOC	S/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHG MO	AMOUNT	DESCRIPTION
090		110.00		76275	31097	11/79	2	11	168.00	KFRB Gruening
090		468.00		76275	disc	11/79	2	11	(25.20)	
090		135.04		76275	31145	11/79	2	11	85.00	KTVF Foodland
090		468.00		76275	disc	11/79	2	11	(12.75)	

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

11-16-79	FR ALASKAN FOR GRUENING 9087	318P	:30	7.00	1	7.
11-16-79	FR ALASKAN FOR GRUENING 9087	340P	:30	7.00	1	7.
11-16-79	FR ALASKAN FOR GRUENING 9087	434P	:30	7.00	1	7.

THE INFORMATION SHOWN IS FROM THE OFFICIAL PROGRAM LOGS OF

K F R B RADIO

ALL TIMES SHOWN PLUS OR MINUS EIGHT MINUTES.

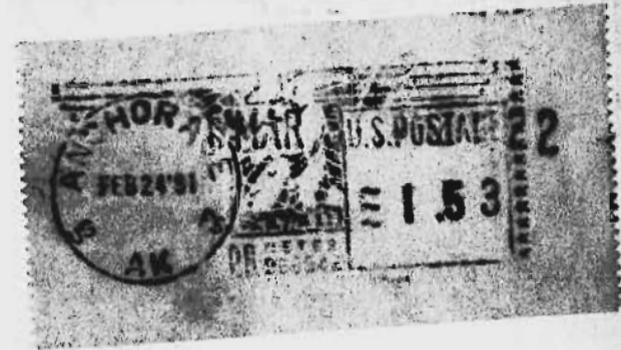
IN-0304

TOTALS	24	.00	168.
PAY THIS SUM	GROSS AMT.	157. DISC	168. 25.
	AMOUNT DUE		142

2
2
6
4
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0
3
0
4
0
8



**RETURN RECEIPT
REQUESTED**



Mr. John Warren McGarry
Federal Elections Commission
Washington, D.C. 20463

1341 FAIRBANKS STREET • ANCHORAGE, ALASKA 99501



1272

912348

CC#4060

MAR 2 12:36

JERMAIN, DUNNAGAN & OWENS
ATTORNEYS AT LAW
801 WEST FIREWEED LANE, SUITE 201
ANCHORAGE, ALASKA 99503

WILLIAM K. JERMAIN
CHARLES A. DUNNAGAN
BRADLEY D. OWENS
RANDALL G. SIMPSON
HOWARD S. TRICKEY
JAN HART DEYOUNG
ASSOCIATE
GAIL ROY FRATIES
OF COUNSEL

TELEPHONE
AREA CODE 907
276-6532

February 27, 1981

Mr. Jonathan Levin
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Levin:

Mr. John Hale sent to the Commission on February 23, 1981 the interrogatories addressed to him. I trust the answers and the material attached clearly demonstrate that no further action should be taken against Alaskans for Gruening.

You will note that the questions raised by John McGarry have been answered. There never was any coordination between the committees. AFG used the services of Alaska Advertisers only briefly and in a very limited way in the very beginning of the campaign in 1979. The \$168.00 discrepancy in the refund amount was merely a clerical error since Alaska Advertisers only refunded AFG \$466.94. The remaining \$168.00 was a refund from Michael Carey.

I always considered the original complaint filed by Friends of Mike Gravel to be spurious and intended only for its public relations effect on the August 1980 primary election. Bare allegations should not carry this matter any further, and in light of Mr. Hale's reponse, I expect the Commission will close the file on this matter. However, should the Commission intend to carry the matter further, I have enclosed some interrogatories to Mr. McGarry. The answers to the interrogatories will be necessary and relevant to a proper defense against the allegations should the Commission proceed any further.

If you have any questions, please don't hesitate to contact me.

Sincerely,

JERMAIN, DUNNAGAN & OWENS



Charles A. Dunnagan

/kj
Enc.

83040404626

MAR 2 13:00

GENERAL INVESTIGATIVE DIVISION

MARCH 2 1981

INTERROGATORIES

TO: Mr. John Warren McGarry
 Chairman, Federal Election Commission
 1235 K Street, N.W.
 Washington, D.C. 20463

1 MAR 2 1981
 11:33:00
 GENERAL INVESTIGATIVE
 DIVISION

1. Please state what the letters "MUR" signify in the FEC case designation "MUR 1272" and how this designation came to be assigned a matter arising out of allegations made by Friends of Mike Gravel.

2. In your letter of January 29, 1981 you state on Page 1 that ". . . the evidence available to us, including the fact that both committees used the services of Alaska Advertisers and the appearance of a connection between the committees through Barnard Gottstein, indicates that there may have been coordination between the two committees . . ."

a. Please describe specifically each and every fact that you believe supports or which has been submitted to the Commission to support the allegation that there was or may have been coordination between the two committees;

b. The date on which each fact was submitted to you or the Commission;

c. The name and address of the person, persons, agency, or committee by which such facts became known to you or the Commission;

d. The method by which each fact was communicated to you or the Commission (e.g., telephone conversation, face-to-face conversation, written correspondence);

e. For each fact described, please provide copies of any documentation, documents, or writings available to support your answer or which constitute evidence available to the Commission.

FEDERAL ELECTION COMMISSION

John Parker
Hale hereby answers
in writing and under
oath the following
interrogatories:

TO: Mr. John Hale, Campaign Manager
Alaskans for Gruening
MUR 1272

INTERROGATORIES

1. From August 1, 1979, to the present, did Alaskans for Gruening ("AFG"), Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any communications with Friends of Alaska ("FOA"), its agents, its employees its volunteers, or any persons involved in the planning or formation of FOA? *No* If so, in regard to each such communication, state the following: *NA*

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening, or to FOA.
- (e) The subject, purpose, and content of each such communication.

2. With regard to communications between Alaska Advertisers and AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening pertaining to Alaska Advertisers' transactions with AFG, please state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was

Answer: (a) The only communications which took place were two telephone calls to place one TV ad on various television stations in Alaska during a four day period in October, 1979 and a two day period in November, 1979. After this date, no further contact or communications were made since AFG employed another ad agency, Mystrom Advertising, to do all ad placements or time buying for the candidate
(b) telephone

Interrogatories
Page 2

made (e.g., telephone conversation, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication. *John Hale, Judy Parsons*

(d) The relationship of each person listed in *John Hale, AFG* response to (c) above to Alaska Advertisers *campaign mgrs.,* or to *Judy Parsons* AFG, the Gruening campaign, or Clark Gruening. *Al. Advertisers*
Turne buyer

(e) The purpose and content of each such communication. *time for one TV ad or spot produced by AFG To buy*

3. With regard to the transactions between Alaska Advertisers

and AFG, did AFG, Clark Gruening, or any agent or employee of

or volunteer for AFG, the Gruening campaign, or Clark Gruening

have any communications with Barnard Gottstein or his agent? *No* If

so, in regard to each such communication, state the following: *NA*

(a) The date on which each such communication occurred.

(b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication.

(d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening or to Barnard Gottstein.

(e) The purpose and content of each such communication.

4. From January 1, 1979, to the present, did AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any ~~other~~ communications with Barnard Gottstein, his employee, or his agent pertaining to

any plans for or activities of AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such communication,

state the following: *The only communications I'm aware of were calls to solicit individual campaign donations from Mr. Gottstein to AFG at various times during the campaign. I can recall no specific dates and no written records.*

(a) The date on which each such communication occurred.
(b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence). *Contributions were recorded.*

telephone

(c) The name of each person involved in each such communication. *John Hale & Clark Gruening*

(d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening, or to Barnard Gottstein. *John Hale was the campaign manager for AFG. Mr. Gottstein had no relationship with AFG or the campaign except as stated.*

(e) The subject, purpose, and content of each such communication. *Campaign donations*

5. From August 1, 1979, to the present time, did AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any communications with Alaska Advertisers pertaining to any plans for FOA or any activities of FOA? *No* If so, in regard to each such communication,

state the following: *NA*

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.

Interrogatories
Page 4

(d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening, or to Alaska Advertisers.

(e) The purpose and content of each such communication.

6. From August 1, 1979, to the present time, did AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any communications with Barnard Gottstein or his agent pertaining to any plans for FOA or any activities of FOA? NO If so, in regard to each such communication, state the following: NA

(a) The date on which each such communication occurred.

(b) The method by which each such communication was made (e.g., telephone conversation,, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication.

(d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening or to Barnard Gottstein.

(e) The purpose and content of each such communication.

7. From January 1, 1979, to the present, did AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any communications

with Barnard Gottstein or his agent regarding any plans for or activities of any committee, other than FOA, which would or did engage in any activity in support of the election of Clark Gruening or in opposition to the election of Senator Gravel? If so, in regard to each

such communication, state the following: *The only communications are those stated in my answer to interrogatory #4*

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening, or to Barnard Gottstein.
- (e) The subject, purpose, and content of each such communication.

8. With regard to the \$634.94 refund from Alaska Advertisers, state the reason for the refund and provide any documentation available to support your answer.

The actual refund from Alaska Advertisers was \$466.94 as reported by them and was a refund for paid airtime for TV spots for AFG which were not actually aired. Ad Mr. McGarry stated in his letter of January 29, 1981 to Mr. Rannagan, documents received from Alaska Advertisers account for \$466.94. The balance of \$168.00 was received from Michael Carey of Fairbanks in the form of two checks (one for \$162 and one for \$6.00) as refunds from \$325 in expenses advanced to him to set up a fundraiser. The January 31 AFG annual report for 1979 to the FEC omitted to note that \$168 of the \$634.94 was for an unrelated refund. A copy of the original deposit slip and an explanation from the bookkeeper is attached.

Dated this 20th day of February 1981

John Parker Gale

Subscribed and sworn before me this 20th day of February, 1981
cc Charles Rannagan

*Betty J. Michael
Notary for the State of Alaska*

83040104634

Repayment from Mike
Carey (\$162 + \$6)
from AK Advertisers (\$466.94)

PLEASE BE SURE THAT ALL ITEMS ARE PROPERLY
ENDORSED. LIST EACH CHECK SEPARATELY.

ITEMS ARE RECEIVED BY THIS BANK FOR PURPOSES OF COLLECTION
ARE SUBJECT TO PROVISIONS OF THE UNIFORM COMMERCIAL CODE.
CREDITS FOR ITEMS ARE PROVISIONAL UNTIL COLLECTED

DATE 11/27/79



MAIN OFFICE: ANCHORAGE

01:252003611: 57015 61211

	DOLLARS	CENTS
CURRENCY		
COIN		
CHECKS		
1 29-7	6	00
2 89-7	162	00
3 89-83	466	94
4		
5		
6		
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28		
29		
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31		
32		
33		
34		
35		
36		
TOTAL	634	94

TOTAL ITEMS 3

TOTAL DEPOSIT 634 94

ALASKANS FOR GREENING

PLEASE ENTER TOTAL HERE 634 94

FOR DEPOSIT TO CHECKING ACCOUNT SUBJECT
TO VERIFICATION AND THE PROVISIONS OF THE
UNIFORM COMMERCIAL CODE.

THE BANK SYMBOL, TRANSACTION NUMBER,
DATE AND AMOUNT OF DEPOSIT ARE
SHOWN BELOW.

5

THIS IS YOUR
CHECKING ACCOUNT
DEPOSIT RECEIPT

DEPOSITED
WITH

ALASKA BANK-COMMERCE



634-940

-3869- N027 79 074



ALASKANS FOR

Gruening

February 19, 1981

John,

Regarding the difference reported in the FEC report-- Alaska Advertisers did only refund us \$466.94. The other \$168.00 that I included was refunded to us by Michael Carey. (We had sent him an advance for a caterer's license and advertising. He returned the amount he did not spend--\$168.)

It's my mistake.

*Best,
Lou Ann*

83040404635

Box 22
Quke Bay, AK 99821



ANCH, AK 995
FEB 23
PM
1991

ANCH, AK 995
FEB 23
PM
1991

ANCH, AK 995

83040104636

John Warren Mc Garry
Chairman
Federal Election Commission
1325 K St. NW
Washington, DC 20463

712260
GCC#4031

FEB 23 10:23

JERMAIN, DUNNAGAN & OWENS
ATTORNEYS AT LAW
801 WEST FIREWEED LANE, SUITE 201
ANCHORAGE, ALASKA 99503

TELEPHONE
AREA CODE 907
276-8532

WILLIAM K. JERMAIN
CHARLES A. DUNNAGAN
BRADLEY D. OWENS
RANDALL G. SIMPSON
HOWARD S. TRICKEY
JAN HART DEYOUNG
ASSOCIATE
GAIL ROY FRATIES
OF COUNSEL

February 18, 1981

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
1 FEB 23 10:43

Mr. Jonathan Levin
Federal Election Commission
Washington D.C. 20463

Re: MUR 1272

Dear Mr. Levin:

Please be advised that a response is being prepared to the letter of John Warren McGarry, dated January 29, 1981. Because of the distances involved it is possible that this response may not reach you within 15 days of my receipt of your letter (February 10, 1981.) If you have any questions, don't hesitate to contact me at your convenience.

Sincerely,

JERMAIN, DUNNAGAN & OWENS



Charles A. Dunnagan

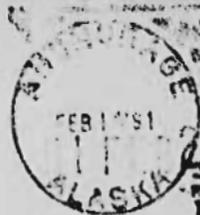
/kj
cc: Clark Gruening
Alaskans for Gruening

83040404637

JERMAIN, DUNNAGAN & OWENS

ATTORNEYS AT LAW

**801 WEST FIREWEED LANE, SUITE 201
ANCHORAGE, ALASKA 99503**



U.S. POSTAGE

3.025

7163047

**Mr. Jonathan Levin
Federal Election Commission
Washington DC 20463**

83040404638

912150
GX 3960
FEB 11 12:31

BAKER & HOSTETLER

ATTORNEYS AT LAW

818 CONNECTICUT AVE., N. W.

WASHINGTON, D. C. 20006

(202) 861-1500

TELECOPIER (202) 867-0010

IN CLEVELAND, OHIO
3200 NATIONAL CITY CENTER
CLEVELAND, OHIO 44114
(216) 831-0200
TWX 810 481 8378

IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 228-1541

IN DENVER, COLORADO
500 CAPITOL LIFE CENTER
DENVER, COLORADO 80203
(303) 861-0800

IN ORLANDO, FLORIDA
850 CNA TOWER
ORLANDO, FLORIDA 32802
(308) 841-1111

February 10, 1981

WRITER'S DIRECT DIAL NO.:
(202) 861-1572

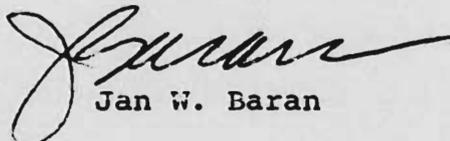
Charles N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Re: MUR 1272

Dear Mr. Steele:

Please be advised that I am in receipt of your correspondence of January 29, 1981, and attached interrogatories to Mr. Dick Green in regards to Matter Under Review ("MUR") 1272. Your letter and interrogatories have been mailed to Mr. Gottstein in Alaska in order that he may prepare written responses. Such responses will be forwarded to you as soon as possible.

Sincerely,


Jan W. Baran

cc: Dick Green

83040404639

FEB 11 11:38

861-1500
867-0010

BAKER & HOSTETLER
818 CONNECTICUT AVE., N. W.
WASHINGTON, D. C. 20006

81 FEB 11 12:31

Charles N. Steele, Esquire
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

830404046

92148

ccc-3957

81 FEB 11 12:34

BAKER & HOSTETLER

ATTORNEYS AT LAW

616 CONNECTICUT AVE., N.W.

WASHINGTON, D. C. 20006

(202) 661-1500

TELECOPIER (202) 667-0060

IN CLEVELAND, OHIO
3200 NATIONAL CITY CENTER
CLEVELAND, OHIO 44114
(216) 821-0200
TWX 810 481 8375

IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 228-1541

IN DENVER, COLORADO
500 CAPITOL LIFE CENTER
DENVER, COLORADO 80203
(303) 661-0600

IN ORLANDO, FLORIDA
850 CNA TOWER
ORLANDO, FLORIDA 32802
(305) 841-1111

February 10, 1981

WRITER'S DIRECT DIAL NO.:

(202) 661- 1572

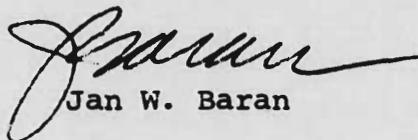
Charles N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D.C. 20463

Re: MUR 1272

Dear Mr. Steele:

Please be advised that I am in receipt of your correspondence of January 29, 1981, and attached interrogatories to Mr. Barnard Gottstein in regards to Matter Under Review ("MUR") 1272. Your letter and interrogatories have been mailed to Mr. Gottstein in Alaska in order that he may prepare written responses. Such responses will be forwarded to you as soon as possible.

Sincerely,


Jan W. Baran

JWB:gh

cc: Barnard J. Gottstein

83040404641

St:2e 118331

TELETYPE UNIT

RECEIVED

BAKER & HOSTETLER

618 CONNEDTICUT AVE., N. W.

WASHINGTON, D. C. 20006

81 FEB 11 12:34

**Charles N. Steale, Esquire
General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463**

8 6 0 4 0 4 0 4 0 4 4



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 29, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jan W. Baran, Esq.
William H. Schweitzer, Esq.
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

Dear Messrs. Baran and Schweitzer:

The Federal Election Commission notified your client, Friends of Alaska ("FOA"), on August 12, 1980, of a complaint which alleges that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on January 27, 1981, made a number of determinations with respect to your client.

As to the allegation that FOA made excessive in-kind contributions to Alaskans for Gruening ("AFG"), the Commission found reason to believe that FOA violated section 441a(a)(1)(A) of the Act. This section states that no person (including a non-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 \$1,000. Specifically, the evidence available to us, including the fact that both committees used the services of Alaska Advertisers and the appearance of a connection between the committees through Barnard Gottstein, indicates that there may have been coordination between the two committees and that, therefore, FOA's expenditures, which exceeded \$1,000, were not made independently of AFG. Such expenditures would be in-kind contributions subject to the limits of the Act.

In order to further ascertain the circumstances pertaining to the above allegation, we have enclosed questions. The answers to these questions and any other factual and legal materials which your client believes are relevant to the Commission's analysis of this matter should be submitted within fifteen days of receipt of this letter. All responses should be submitted under oath.

830404643

Letter to: Jan Baran, Esq.
William H. Schweitzer, Esq.

Page 2

In the absence of any additional information which demonstrates that no further action should be taken against your client, 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 your client so desires.

As to the allegation that FOA failed to register, the Commission also found reason to believe that FOA violated section 433 of the Act by failing to file a timely statement of organization. However, in view of the circumstances of this matter, including the evidence of FOA's willingness to comply with section 433 and the slowness of the mails from Alaska to Washington, D.C., the Commission decided to take no further action with respect to this violation.

For your information, as to the allegation that FOA failed to comply with the reporting requirements of the Act, the Commission found no reason to believe that FOA failed to comply with either the pre-election and quarterly reporting requirements of section 434(a) of the Act or the independent expenditure reporting requirements of section 434(c)(2) of the Act or section 104.4 of the Commission Regulations.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that your client wishes the matter to be made public.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202-523-4039.

Sincerely,



JOHN WARREN MCGARRY
Chairman

Enclosure
Interrogatories

83040404644

8 3 0 4 0 4 0 4 6 4 5

PS Form 3811, Aug. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):
 Show to whom and date delivered.
 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:**
Jan W. Rouse
J.W.M. Schweitzer
818 Conn, Ave, N.W.
D.C.

3. **ARTICLE DESCRIPTION:**

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>948072</i>	

(Always obtain signature of addressee or agent)

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

4. **DATE OF DELIVERY** *2/3/78* **POSTMARK**

5. **ADDRESS (Complete only if requested)**

6. **UNABLE TO DELIVER BECAUSE:**

CLIENT'S INITIALS

MR 1272 Lewis ☆ GPO: 1977-272-244

FEDERAL ELECTION COMMISSION

TO: Mr. Dick Green, Treasurer
Friends of Alaska
MUR 1272

INTERROGATORIES

1. From August 1, 1979, to the present did Friends of Alaska ("FOA"), its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA have any communications with Alaskans for Gruening ("AFG"), Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such contact, state the following:

(a) The date on which each such communication occurred.

(b) The method by which each such communication was made (e.g. telephone conversation, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication.

(d) The relationship of each person listed in response to (c) above to FOA or to AFG, the Gruening campaign, or Clark Gruening.

(e) The subject, purpose, and content of each such communication.

2. With regard to communications between Alaska Advertisers and FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA pertaining to Alaska Advertisers' transactions with FOA, please state the following:

83040404616

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to Alaska Advertisers or to FOA.
- (e) The purpose and content of each such communication.

3. With regard to the transactions between Alaska Advertisers and FOA, did FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA have any communication with Barnard Gottstein or his agent? If so, in regard to each such communication, state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to FOA or to Barnard Gottstein.
- (e) The purpose and content of each such communication.

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4. From August 1, 1979, to the present, did FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA have any other communication with Barnard Gottstein, his employee, or his agent pertaining to any plans for FOA or any activities of FOA? If so, in regard to each such communication, state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g. telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to FOA, or to Barnard Gottstein.
- (e) The subject, purpose, and content of each such communication.

5. From August 1, 1979, to the present time, did FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA have any communications with Alaska Advertisers pertaining to any plans for or activities of AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such communication, state the following:

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- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to FOA or to Alaska Advertisers.
- (e) The purpose and content of each such communication.

6. From August 1, 1979, to the present, did FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA have any communication with Barnard Gottstein or his agent pertaining to any plans for or activities of AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such communication, state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to FOA or to Barnard Gottstein.
- (e) The purpose and content of each such communication.

33040404649

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jan W. Laran, Esq.
William H. Schweitzer, Esq.
Paker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

JS 1/29/81

Dear Messrs. Laran and Schweitzer:

The Federal Election Commission notified your client, Friends of Alaska ("FOA"), on August 12, 1980, of a complaint which alleges that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on January 27, 1981, made a number of determinations with respect to your client.

As to the allegation that FOA made excessive in-kind contributions to Alaskans for Greening ("AFG"), the Commission found reason to believe that FOA violated section 441a(a)(1)(A) of the Act. This section states that no person (including a non-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 \$1,000. Specifically, the evidence available to us, including the fact that both committees used the services of Alaska Advertisers and the appearance of a connection between the committees through Farnard Cottstein, indicates that there may have been coordination between the two committees and that, therefore, FOA's expenditures, which exceeded \$1,000, were not made independently of AFG. Such expenditures would be in-kind contributions subject to the limits of the Act.

In order to further ascertain the circumstances pertaining to the above allegation, we have enclosed questions. The answers to these questions and any other factual and legal materials which your client believes are relevant to the Commission's analysis of this matter should be submitted within fifteen days of receipt of this letter. All responses should be submitted under oath.

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Letter to: Jan Baran, Esq.
William H. Schweitzer, Esq.

Page 2

In the absence of any additional information which demonstrates that no further action should be taken against your client, 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 your client so desires.

As to the allegation that FOA failed to register, the Commission also found reason to believe that FOA violated section 433 of the Act by failing to file a timely statement of organization. However, in view of the circumstances of this matter, including the evidence of FOA's willingness to comply with section 433 and the slowness of the mails from Alaska to Washington, D.C., the Commission decided to take no further action with respect to this violation.

For your information, as to the allegation that FOA failed to comply with the reporting requirements of the Act, the Commission found no reason to believe that FOA failed to comply with either the pre-election and quarterly reporting requirements of section 434(a) of the Act or the independent expenditure reporting requirements of section 434(c)(2) of the Act or section 104.4 of the Commission Regulations.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that your client wishes the matter to be made public.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202-523-4039.

Sincerely,

Enclosure
Interrogatories

JL:rlid

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 29, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Steve Oien, General Manager
Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska 99501

Re: MUR 1272

Dear Mr. Oien:

The Federal Election Commission notified you on August 8, 1980, of a complaint which alleges that your company may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on January 27, 1981, determined that there is reason to believe that Alaska Advertisers violated section 441b(a) of the Act which prohibits contributions by corporations in connection with any election for federal office. While the 1979 Year End Report of Alaskans for Gruening ("AFG") discloses that your company refunded \$634.94 to AFG, documents received from your company account for only \$466.94 of this refund. If Alaska Advertisers sent an excessive refund to AFG, then it would have performed services at less than the usual and normal charge. The provision of services on such a basis is a contribution according to section 100.7(a)(1)(iii)(A), formerly section 100.4(a)(1)(iii)(A), of the Commission Regulations.

You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please submit such materials within fifteen days of receipt of this letter. All responses should be submitted under oath.

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Letter to: Mr. Steve Oien
Page 2

In the absence of any additional information which demonstrates that no further action should be taken against your company, 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.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

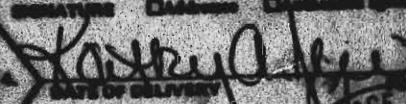
If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202-523-4039.

Sincerely



JOHN WARREN MCGARRY
Chairman

8 2 0 4 0 4 0 4

1. The following article is requested (check one.)		
<input type="checkbox"/>	Show to whom and date delivered.....	0
<input type="checkbox"/>	Show to whom, date and address of delivery.....	0
<input type="checkbox"/>	RESTRICTED DELIVERY	
<input type="checkbox"/>	Show to whom and date delivered.....	0
<input type="checkbox"/>	RESTRICTED DELIVERY.	
<input type="checkbox"/>	Show to whom, date, and address of delivery.....	0
DO NOT FOLD FOR POSTMASTER FOR PERM		
2. ADDRESS OF ADDRESSEE (TO)		
Steve Oien 1341 Fairbanks Street Auburn, Alabama		
3. ARTICLE DESCRIPTION		
QUANTITY	DESCRIPTION	UNIT PRICE
	948069	
[Always check signature of addressee or agent]		
I have received the article described above.		
SIGNATURE	ADDRESS	DATE OF DELIVERY
		
4. ADDRESSEE'S CHECKS ONLY (if any)		
PF: 8V 81001V		
5. UNABLE TO DELIVER BECAUSE		
MUR1272 Levin		



CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Steve Oien, General Manager
Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska 99501

Re: MUR 1272 *JJ*
1/29/81

Dear Mr. Oien:

The Federal Election Commission notified you on August 8, 1980, of a complaint which alleges that your company may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on January 27, 1981, determined that there is reason to believe that Alaska Advertisers violated section 441b(a) of the Act which prohibits contributions by corporations in connection with any election for federal office. While the 1979 Year End Report of Alaskans for Cruening ("AFC") discloses that your company refunded \$634.94 to AFC, documents received from your company account for only \$466.94 of this refund. If Alaska Advertisers sent an excessive refund to AFC, then it would have performed services at less than the usual and normal charge. The provision of services on such a basis is a contribution according to section 100.7(a)(1)(iii)(A), formerly section 100.4(a)(1)(iii)(A), of the Commission Regulations.

You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please submit such materials within fifteen days of receipt of this letter. All responses should be submitted under oath.

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Letter to: Mr. Steve Oien
Page 2

In the absence of any additional information which demonstrates that no further action should be taken against your company, 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.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(D) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter at 202-523-4039.

Sincerely,

JL:rld

8304040465



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 29, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles A. Dunnagan, Esq.
Jermain, Dunnagan & Owens
801 West Firewood Lane, Suite 201
Anchorage, Alaska 99503

Re: MUR 1272

Dear Mr. Dunnagan:

The Federal Election Commission notified your clients, Alaskans for Gruening ("AFG") and Clark Gruening, on August 8, 1980, of a complaint which alleges that your clients may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your clients at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on January 27, 1981, made a number of determinations with respect to your clients.

As to the allegation that AFG accepted excessive in-kind contributions from Friends of Alaska ("FOA"), the Commission found reason to believe that AFG violated section 441a(f) of the Act. This section prohibits candidates and their authorized political committees from knowingly accepting contributions by a person (including a non-multi-candidate committee) with respect to any election for federal office which, in the aggregate, exceed \$1,000. Specifically, the evidence available to us, including the fact that both committees used the services of Alaska Advertisers and the appearance of a connection between the committees through Barnard Gottstein, indicates that there may have been coordination between the two committees and that, therefore, FOA's expenditures, which exceeded \$1,000, were not made independently of AFG. Such expenditures would be in-kind contributions subject to the limit of the Act.

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Letter to: Charles A. Dunnagan, Esq.
Page 2

As to the allegation that AFG received the services of Alaska Advertisers at less than the usual and normal charge for such services, the Commission found reason to believe that AFG violated section 441b(a) of the Act. This section prohibits the receipt of corporate contributions in connection with an election for federal office. While AFG's 1979 Year End Report discloses that Alaska Advertisers refunded \$634.94 to AFG, documents received from Alaska Advertisers account for only \$466.94 of this refund. If AFG received an excessive refund, then it would have received services from Alaska Advertisers at less than the usual and normal charge. The provision of services on such a basis is a contribution according to section 100.7(a)(1)(iii)(A), formerly section 100.4(a)(1)(iii)(A), of the Commission Regulations.

In order to further ascertain the circumstances pertaining to the above allegations, we have enclosed questions. The answers to these questions and any other factual and legal materials which your clients believe are relevant to the Commission's analysis of this matter should be submitted within fifteen days of receipt of this letter. All responses should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against AFG, 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 AFG so desires.

For your information, as to the allegations of receipt by AFG and Clark Gruening of other in-kind contributions from Barnard Gottstein's corporations, the Commission found no reason to believe that AFG or Clark Gruening violated 2 U.S.C. § 441b(a). Furthermore, as to the allegations of receipt by AFG and Clark Gruening of in-kind contributions from Barnard Gottstein which, when added together or added to Mr. Gottstein's other contribution, exceeded \$1,000, the Commission found no reason to believe that AFG or Clark Gruening violated 2 U.S.C. § 441a(f).

83040104657

Letter to: Charles A. Dunnagan, Esq.
Page 3

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that your clients wish the matter to be made public.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202-523-4039.

Sincerely,



JOHN WARREN MCGARRY
Chairman

Enclosure
Interrogatories

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SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

The following service is requested (check one):

Show to whom and date delivered. _____

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:
*Chas. A. Dunnagan
510 2nd Sty Suite 105
Anchorage, Alaska*

3. ARTICLE DESCRIPTION:
REGISTERED NO. _____ CERTIFIED NO. *99501* INSURED NO. _____
948068

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE: Addressee Authorized agent
S. Watson

DATE OF DELIVERY
2/10/81

4. ADDRESS (Complete only if necessary)

5. UNABLE TO DELIVER BECAUSE:
41:210 8183118

CLERK'S INITIALS: _____

MUR1272 Levin

U.S. MAIL 1030-870-000

FEDERAL ELECTION COMMISSION

TO: Mr. John Hale, Campaign Manager
Alaskans for Gruening
MUR 1272

INTERROGATORIES

1. From August 1, 1979, to the present, did Alaskans for Gruening ("AFG"), Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any communications with Friends of Alaska ("FOA"), its agents, its employees its volunteers, or any persons involved in the planning or formation of FOA? If so, in regard to each such communication, state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening, or to FOA.
- (e) The subject, purpose, and content of each such communication.

2. With regard to communications between Alaska Advertisers and AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening pertaining to Alaska Advertisers' transactions with AFG, please state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was

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made (e.g., telephone conversation, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication.

(d) The relationship of each person listed in response to (c) above to Alaska Advertisers or to AFG, the Gruening campaign, or Clark Gruening.

(e) The purpose and content of each such communication.

3. With regard to the transactions between Alaska Advertisers and AFG, did AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any communications with Barnard Gottstein or his agent? If so, in regard to each such communication, state the following:

(a) The date on which each such communication occurred.

(b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication.

(d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening or to Barnard Gottstein.

(e) The purpose and content of each such communication.

4. From January 1, 1979, to the present, did AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any other communications with Barnard Gottstein, his employee, or his agent pertaining to

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any plans for or activities of AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such communication, state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening, or to Barnard Gottstein.
- (e) The subject, purpose, and content of each such communication.

5. From August 1, 1979, to the present time, did AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any communications with Alaska Advertisers pertaining to any plans for FOA or any activities of FOA? If so, in regard to each such communication, state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.

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(d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening, or to Alaska Advertisers.

(e) The purpose and content of each such communication.

6. From August 1, 1979, to the present time, did AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any communications with Barnard Gottstein or his agent pertaining to any plans for FOA or any activities of FOA? If so, in regard to each such communication, state the following:

(a) The date on which each such communication occurred.

(b) The method by which each such communication was made (e.g., telephone conversation,, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication.

(d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening or to Barnard Gottstein.

(e) The purpose and content of each such communication.

7. From January 1, 1979, to the present, did AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any communications

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with Barnard Gottstein or his agent regarding any plans for or activities of any committee, other than FOA, which would or did engage in any activity in support of the election of Clark Gruening or in opposition to the election of Senator Gravel? If so, in regard to each such communication, state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening, or to Barnard Gottstein.
- (e) The subject, purpose, and content of each such communication.

8. With regard to the \$634.94 refund from Alaska Advertisers, state the reason for the refund and provide any documentation available to support your answer.

83040404663

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles A. Dunnagan, Esq.
Jernain, Dunnagan & Owens
801 West Firewood Lane, Suite 201
Anchorage, Alaska 99503

Re: MUP 1272 JJ 1/29/81

Dear Mr. Dunnagan:

The Federal Election Commission notified your clients, Alaskans for Gruening ("AFG") and Clark Gruening, on August 8, 1980, of a complaint which alleges that your clients may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your clients at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on January 27, 1981, made a number of determinations with respect to your clients.

As to the allegation that AFG accepted excessive in-kind contributions from Friends of Alaska ("FOA"), the Commission found reason to believe that AFG violated section 441a(f) of the Act. This section prohibits candidates and their authorized political committees from knowingly accepting contributions by a person (including a non-multi-candidate committee) with respect to any election for federal office which, in the aggregate, exceed \$1,000. Specifically, the evidence available to us, including the fact that both committees used the services of Alaska Advertisers and the appearance of a connection between the committees through Bernard Cottstein, indicates that there may have been coordination between the two committees and that, therefore, FOA's expenditures, which exceeded \$1,000, were not made independently of AFG. Such expenditures would be in-kind contributions subject to the limit of the Act.

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As to the allegation that AFG received the services of Alaska Advertisers at less than the usual and normal charge for such services, the Commission found reason to believe that AFG violated section 441b(a) of the Act. This section prohibits the receipt of corporate contributions in connection with an election for federal office. While AFG's 1979 Year End Report discloses that Alaska Advertisers refunded \$634.94 to AFG, documents received from Alaska Advertisers account for only \$466.94 of this refund. If AFG received an excessive refund, then it would have received services from Alaska Advertisers at less than the usual and normal charge. The provision of services on such a basis is a contribution according to section 100.7(a)(1)(iii)(A), formerly section 100.4(a)(1)(iii)(A), of the Commission Regulations.

In order to further ascertain the circumstances pertaining to the above allegations, we have enclosed questions. The answers to these questions and any other factual and legal materials which your clients believe are relevant to the Commission's analysis of this matter should be submitted within fifteen days of receipt of this letter. All responses should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against AFG, 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 AFG so desires.

For your information, as to the allegations of receipt by AFG and Clark Gruening of other in-kind contributions from Barnard Gottstein's corporations, the Commission found no reason to believe that AFG or Clark Gruening violated 2 U.S.C. § 441b(a). Furthermore, as to the allegations of receipt by AFG and Clark Gruening of in-kind contributions from Barnard Gottstein which, when added together or added to Mr. Gottstein's other contribution, exceeded \$1,000, the Commission found no reason to believe that AFG or Clark Gruening violated 2 U.S.C. § 441a(1).

83040404653

Letter to: Charles A. Dunnagan, Esq.
Page 3

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that your clients wish the matter to be made public.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202-523-4039.

Sincerely,

Enclosure
Interrogatories

JL:rld

83040104656



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 29, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jan W. Baran, Esq.
William H. Schweitzer, Esq.
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

Dear Messrs. Baran and Schweitzer:

The Federal Election Commission notified your client, Barnard Gottstein, on August 8, 1980, of a complaint which alleges that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

The complaint alleges that Mr. Gottstein and his corporations made in-kind contributions to the Gruening campaign in the forms of poll results, access to corporate computers, unpaid for fundraising services, use of the time of corporate employees, and payment of funds to private investigators to secure information for negative newspaper articles on Senator Gravel. If such contributions were made by Mr. Gottstein and if such contributions, when added together or added to Mr. Gottstein's already known contribution, exceed \$1,000, then Mr. Gottstein would be in violation of section 441a(a)(1)(A) of the Act, the section prohibiting a person from contributing in excess of \$1,000 to a candidate and his authorized committees with respect to any election for federal office. If such contributions were made by Mr. Gottstein's corporations, then the corporations would be in violation of section 441b(a) of the Act, the section prohibiting contributions by corporations in connection with an election for federal office. Upon further review of the complaint and information supplied by you, the Commission, on January 27, 1981, determined that there is no reason to believe that Barnard Gottstein violated section 441a(a)(1)(A) and no reason to believe that Barnard Gottstein's corporations violated section 441b(a) with respect to the above described allegations.

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Letter to: Jan W. Baran, Esq.
William H. Schweitzer, Esq.

Page 2

Pursuant to the Commission's investigation of other allegations in this matter involving other respondents, however, we have enclosed questions. The responses to these questions should be submitted within fifteen days of receipt of this letter. All responses should be submitted under oath.

Since your responses are being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202-523-4039.

Sincerely



JOHN WARREN MCGARRY
Chairman

Enclosure
Interrogatories

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DATE OF DELIVERY 7/3/72		POSTMARK	
I have received the article described above. SIGNATURE J. E. P.		I address authorized agent	
5. UNABLE TO DELIVER BECAUSE		REGISTERED NO. 94802	
CLIENT'S INITIALS		INSURED NO.	

NR 1272
Buss

FEDERAL ELECTION COMMISSION

TO: Mr. Barnard Gottstein
MUR 1272

INTERROGATORIES

1. With regard to any transactions involving the placement of advertisements by Alaska Advertisers for Alaskans for Gruening ("AFG"), did you or your agent have any communications with:

(a) AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening?

(b) Any agent or employee of Alaska Advertisers?

If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to AFG, the Gruening campaign, or Clark Gruening, or to Alaska Advertisers, and the purpose and content of the communication.

2. With regard to any transactions involving the placement of advertisements by Alaska Advertisers for Friends of Alaska ("FOA"), did you or your agent have any communications with:

(a) FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA?

(b) Any agent or employee of Alaska Advertisers?

If so, in regard to each such communication, state the date,

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the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the names of each person involved in the communication, the relationship of such persons to you, or to FOA, or to Alaska Advertisers, and the purpose and content of the communication.

3. From January 1, 1979 to the present, did you or your agent have any communications, other than ones described in answer to Interrogatory #1 above, with AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening pertaining to any plans for or activities of AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to AFG, the Gruening campaign, or Clark Gruening, and the purpose and content of the communication.

4. From August 1, 1979, to the present, did you or your agent have any communications, other than ones described in response to Interrogatory #2 above, with FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA pertaining to any plans for

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FOA or any activities of FOA? If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you or to FOA, and the purpose and content of the communication.

5. From August 1, 1979, to the present, did you or your agent have any communications with AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, Clark Gruening, or the Gruening campaign pertaining to the placing of advertisements by Alaska Advertisers for FOA? If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to AFG, the Gruening campaign, or Clark Gruening, and the purpose and content of the communication.

6. From August 1, 1979, to the present, did you or your agent have any communications with FOA, its agents, its employees, its volunteers, or any persons involved in the planning for or formation of FOA pertaining to the placing of advertisements by Alaska Advertisers for AFG? If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation,

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face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to FOA, and the purpose and content of the communication.

7. From August 1, 1979, to the present, did you or your agent have any communications, other than ones described in response to Interrogatory #5 above, with AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening pertaining to any plans for FOA or any activities of FOA?

If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to AFG, the Gruening campaign, or Clark Gruening, and the purpose and content of the communication.

8. From August 1, 1979, to the present, did you or your agent have any communications, other than ones described in response to Interrogatory #6 above, with FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA pertaining to any plans for or activities of AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such communication, state the date, the method of communication (e.g.,

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telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to FOA, and the purpose and content of the communication.

9. From January 1, 1979, to the present, did you or your agent have any communications with AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening regarding any plans for or activities of any committee, other than FOA, which would or did engage in any activity in support of the election of Clark Gruening or in opposition to the election of Senator Gravel? If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to AFG, the Gruening campaign, or Clark Gruening, and the purpose and content of the communication.

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jan W. Baran, Esq.
William H. Schweitzer, Esq.
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUP 1272

98 1/29/81

Dear Messrs. Baran and Schweitzer:

The Federal Election Commission notified your client, Barnard Gottstein, on August 8, 1980, of a complaint which alleges that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

The complaint alleges that Mr. Gottstein and his corporations made in-kind contributions to the Gruening campaign in the forms of poll results, access to corporate computers, unpaid for fundraising services, use of the time of corporate employees, and payment of funds to private investigators to secure information for negative newspaper articles on Senator Gravel. If such contributions were made by Mr. Gottstein and if such contributions, when added together or added to Mr. Gottstein's already known contribution, exceed \$1,000, then Mr. Gottstein would be in violation of section 441a(a)(1)(A) of the Act, the section prohibiting a person from contributing in excess of \$1,000 to a candidate and his authorized committees with respect to any election for federal office. If such contributions were made by Mr. Gottstein's corporations, then the corporations would be in violation of section 441b(a) of the Act, the section prohibiting contributions by corporations in connection with an election for federal office. Upon further review of the complaint and information supplied by you, the Commission, on January 27, 1981, determined that there is no reason to believe that Barnard Gottstein violated section 441a(a)(1)(A) and no reason to believe that Barnard Gottstein's corporations violated section 441b(a) with respect to the above described allegations.

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Letter to: Jan W. Baran, Esq.
William H. Schweitzer, Esq.

Page 2

Pursuant to the Commission's investigation of other allegations in this matter involving other respondents, however, we have enclosed questions. The responses to these questions should be submitted within fifteen days of receipt of this letter. All responses should be submitted under oath.

Since your responses are being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202-523-4039.

Sincerely,

Enclosure
Interrogatories

JL:rld

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Friends of Alaska, et al.)

MUR 1272

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission's Executive Session on January 27, 1981, do hereby certify that the Commission decided by a vote of 4-1 to take the following actions in MUR 1272:

1. Find reason to believe that Friends of Alaska violated 2 U.S.C. §433, but take no further action on the allegation.
2. Find no reason to believe that Friends of Alaska violated 2 U.S.C. §434(a).
3. Find no reason to believe that Friends of Alaska violated 2 U.S.C. §434(c) (2) or 11 C.F.R. §104.4.
4. With respect to services provided to Alaskans for Gruening, find reason to believe that Alaska Advertisers violated 2 U.S.C. §441b(a).
5. With respect to services provided by Alaska Advertisers, find reason to believe that Alaskans for Gruening violated 2 U.S.C. §441b(a).
6. With respect to the allegation that poll results were contributed, find no reason to believe that Barnard Gottstein violated 2 U.S.C. §441a(a) (1) (A).
7. With respect to the allegation that poll results were contributed, find no reason to believe that Barnard Gottstein's corporations violated 2 U.S.C. §441b(a).
8. With respect to the allegation that poll results were contributed, find no reason to believe that Alaskans for Gruening or Clark Gruening violated 2 U.S.C. §441a(f) or 2 U.S.C. §441b(a).
9. With respect to the allegation that contributions were made in the form of access to corporate computers, unpaid for fundraising services, use of the time of corporate employees, and payment to private investigators, find no reason to believe that Barnard Gottstein violated 2 U.S.C. §441a(a) (1) (A).

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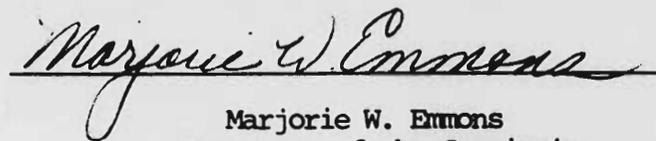
10. With respect to the allegation that contributions were made in the form of access to corporate computers, unpaid for fundraising services, use of the time of corporate employees, and payment to private investigators, find no reason to believe that Barnard Gottstein's corporations violated 2 U.S.C. §441b(a).
11. With respect to the allegation that contributions were made in the form of access to corporate computers, unpaid for fundraising services, use of the time of corporate employees, and payment to private investigators, find no reason to believe that Alaskans for Gruening or Clark Gruening violated 2 U.S.C. §441a(f) or 2 U.S.C. §441b(a).
12. With respect to the allegation that Friends of Alaska made in-kind contributions to Alaskans for Gruening, find reason to believe that Friends of Alaska violated 2 U.S.C. §441a(a) (1) (A).
13. With respect to the allegation that Friends of Alaska made in-kind contributions to Alaskans for Gruening, find reason to believe that Alaskans for Gruening violated 2 U.S.C. §441a(f).
14. Approve the letters with questions attached to the General Counsel's December 15, 1980 report in this matter.

Commissioners Harris, McGarry, Thomson, and Tiernan voted affirmatively for the decision. Commissioner Reiche dissented. Commissioner Aikens abstained on the vote.

Attest:

1/28/81

Date



Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *MWE*
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *mc*
DATE: JANUARY 21, 1981
SUBJECT: OBJECTION - MUR 1272 - General Counsel's
Report dated 12-15-81; Signed 1-5-81;
Received in OCS 1-15-81, 4:03

The above-named document was circulated on a 48
hour vote basis at 2:00, January 16, 1981.

Commissioner Reiche submitted an objection at 10:16,
January 21, 1981. A copy of his vote sheet is provided.

This matter will be placed on the Executive Session
Agenda for Tuesday, January 27, 1981.

ATTACHMENT:
Copy of Vote Sheet

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January 15, 1981

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 1272

Please have the attached General Counsel's Report
distributed to the Commission on a 48 hour tally basis.

Thank you.

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BEFORE THE FEDERAL ELECTION COMMISSION
December 15, 1980

In the Matter of)
Friends of Alaska, et al.) MUR 1272

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On August 7, 1980, the Commission received a complaint filed by the Friends of Mike Gravel against the Friends of Alaska ("FOA"), Alaskans for Gruening ("AFG"), Alaska Advertisers, Barnard J. Gottstein, and Clark Gruening. (See Attachment 1). The complaint does not specify which section of the Act or Regulations the respondents are alleged to have violated, but instead makes factual assertions which are, for the most part, unsupported by any independent documentation or testimony. We have divided the allegations into the following five sets:

1. FOA placed "substantial orders" for radio advertising time on August 1, 1980. The purpose of the advertisements was to advocate the defeat of Senator Gravel and the election of his opponent in the August 26 Democratic primary. (Attached to the complaint are the texts of two advertisements criticizing Senator Gravel's conduct while in office). FOA thus raised funds and made payments for the advertisements but failed to register with the Commission in violation of 2 U.S.C. § 433. (Implicit also is an allegation that FOA failed to meet the reporting requirements of 2 U.S.C. § 434).

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2. Alaska Advertisers, a firm controlled by an authorized fundraiser for AFG named Bernard (sic) Gottstein, has produced and placed advertisements for the Gruening campaign "at less than fair market cost" in violation of 2 U.S.C. § 441b(a).

3. Mr. Gottstein has "commissioned and had one of his corporations pay for political polls that were then contributed as an in-kind contribution" to the Gruening campaign in violation of 2 U.S.C. § 441a(a)(1)(A) or § 441b(a).

4. Gottstein and his corporations have made other in-kind contributions to the Gruening campaign in violation of 2 U.S.C. §§ 441a(a)(1)(A) and 441b(a), including access to corporate computers, unpaid for fundraising services, use of the time of corporate employees, and the payment of funds to private investigators to secure information for negative newspaper articles on Senator Gravel.

5. Because of the connection between Mr. Gottstein and FOA and between Mr. Gottstein and AFG and because of the use by both committees of the services of Alaska Advertisers, expenditures by FOA were not independent, but, instead, were excessive in-kind contributions to AFG made in violation of 2 U.S.C. § 441a(a)(1)(A).

On August 8, the Office of General Counsel (OGC) notified all of the above-named respondents, except FOA, that a complaint had been filed against them. After FOA's address was discovered,

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OGC notified it on August 12.

On August 13, OGC received a "supplemental memorandum" prepared by the complainant's attorney. (See Attachment 2). This memorandum repeats much of the complaint and the text of FOA's advertisement and contains a few details supporting the above-listed allegations.

In discussing the purpose of FOA's advertisements, the memorandum adds that they were scheduled to continue through August 25, the day before the primary, and that they were placed at stations in Anchorage and Fairbanks, locations in which Senator Gravel was ahead or the election was close. In discussing Mr. Gottstein's connection with FOA, the memorandum labels him as one of its "officials." The memorandum also clarifies the complainant's concept of control of Alaska Advertisers by asserting that Mr. Gottstein is the principal stockholder. Finally, the memorandum discusses the nature of alleged in-kind contributions by Mr. Gottstein by stating that he hired private investigator Paul Sakwa to provide research on Senator Gravel for a Wall Street Journal article. 1/

On August 25, OGC sent a copy of this memorandum to each respondent.

1/ The memorandum also states that "there are rumors" that "Mr. Gottstein's corporations have retained Mr. Gruening without requiring Mr. Gruening to provide services for the retainer" and thus have provided in-kind contributions. The statement that "there are rumors" to this effect does not constitute an allegation and will not be treated as such for purposes of this report.

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On September 2, 1980, OGC received a letter from the attorney for AFG and Clark Gruening. Accompanying this letter was an affidavit containing the responding statement of John Parker Hale, the "campaign manager" of AFG. This affidavit was sworn to by Mr. Hale and Mr. Gruening. (See Attachment 3). On September 3, 1980, OGC received a response from Alaska Advertisers. The response contained what appeared to be rather complete documentation with respect to the transactions involving AFG but much less documentation with respect to the transactions involving FOA. (See Attachment 4). Subsequently, on November 12, 1980, Alaska Advertisers sent a supplemental response with documentation regarding the FOA transactions. (See Attachment 5). On September 3, OGC received a letter from Mr. Gottstein's attorneys containing his responses. (See Attachment 6). On October 6, OGC received a letter from FOA's attorneys responding on behalf of FOA. (See Attachment 7).

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II. DISCUSSION

A. First Set of Allegations

A discussion of this set of allegations principally involves an analysis of whether FOA filed a Statement of Organization within the required time, whether it satisfied the pre-primary and quarterly reporting requirements, and whether it was required to file 24-hour independent expenditures reports. In response to the allegations of a § 433 violation by FOA, FOA states that it sent a

completed Statement of Organization to the Secretary of the Senate on August 5, 1980. It also states that, on August 6, its custodian of records informed a Commission Public Communications Branch staff member that it had mailed the registration form and asked for a Form 3X to report its activity.

As to the § 434 allegation, FOA states that it did not receive the reporting form until August 13 but that prior to that time, the records custodian, "in the spirit of disclosure," sent mailgrams notifying the Secretary of the Senate of FOA's expenditures and letters notifying the Secretary of contributions to FOA and estimated costs of production owed to Justin Ward Advertising. FOA explains that "[a]lthough the mailgrams use the term 'expenditures,' they actually refer to estimated obligations owed by the Committee to Alaska Advertisers for radio placement." FOA also points to the 12 Day Pre-Primary Reports filed by it and states that while the original report characterized the obligations to Alaska Advertisers and Justin Ward Advertising as expenditures, the amended report filed on September 15, 1980, reports them as estimated obligations on Schedule D (Debts and Obligations Excluding Loans). (See Attachment 7).

A review of documents received by the Reports Analysis Division (RAD) and Public Information verifies most of these statements. On August 13, the Secretary of the Senate received the

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Statement of Organization, and the envelope containing the Statement appears to have an August 5 postmark. The phone call requesting the Form 3X was verified by the fact that the Public Communications Branch had a request form in its file. (See Attachment 8). Furthermore, RAD received copies of the mailgrams filed with the Secretary of the Senate. These mailgrams were dated from August 6 to August 12 and listed "expenditures" for each date from August 5 to August 15 totalling over \$7,000. The next mailgram sent by FOA was mailed on August 27 and stated that the total expenditures for the period from August 5 to August 16 was \$7,903. RAD also received a copy of the letter referring to contributions received by FOA and a copy of the letter referring to estimated costs of production owed to Justin Ward Advertising, dated August 7 and August 8 respectively. Neither letter set a precise date for these contributions or estimated costs but both stated that the coverage period was the "period ending August 6, 1980."

RAD also received a 12 Day Pre-Primary Report dated August 13 and received by the Secretary of the Senate on August 18. An amended report received by the Secretary on September 15 contained the changes referred to in FOA's response. In accordance with the calendar of reporting dates sent out by the Public Communications Branch, these reports cover activity up to August 6. The original report

disclosed "independent expenditures" on Schedule E of \$494 to Alaska Advertisers and \$500 to Justin Ward Advertising, while the amended report disclosed these figures as "estimated obligations" on Schedule D. The original report also contained an itemization of the contributions originally listed in the letter of August 7. According to this report, FOA received two \$1,000 contributions on July 30, 1980.

The extent of funds actually paid out by FOA was fully revealed in its October 15 Quarterly Report which was timely filed. Schedule B (Itemized Disbursements) of the original report and Schedule E of the amended Report revealed the disbursement to Alaska Advertisers on August 21, 1980, of \$7,903, the figure stated on the August 27 mailgram. Payments to Alaska Advertisers of \$2,500 on August 25 and \$4,351.79 on September 26 were also revealed. Schedule D of the Report also revealed an obligation of \$6,242.26 to Justin Ward Advertising.

Under 2 U.S.C. § 433(a), a political committee must file a Statement of Organization within ten days after becoming a political committee within the meaning of 2 U.S.C. § 431(4). The latter provision defines a political committee as a committee which receives contributions or makes expenditures aggregating in excess of \$1,000 during a calendar year. According to 11 C.F.R. § 100.19, a statement is "timely filed upon delivery" to the Secretary of the Senate unless the document is sent by registered or certified mail and postmarked no later than midnight of the filing date, in which case the statement is timely filed upon deposit. In this matter, the Committee

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received in excess of \$1,000 in contributions on July 30, 1980 and, thus, became a political committee on that date. The Statement of Organization was mailed by regular mail, unregistered and uncertified, on August 5 and was not received by the Secretary of the Senate until August 13. The Statement thus was filed four days after the statutory deadline. Therefore, the General Counsel recommends that the Commission find reason to believe that the Friends of Alaska violated 2 U.S.C. § 433. However, because of the fact that the registration form was mailed on August 5 and, but for the slowness of the mails from Alaska to Washington, D.C., might have arrived at the Office of the Secretary of the Senate in a timely manner, and because of the evidence of FOA's apparent willingness to comply with § 433, the General Counsel recommends that the Commission take no further action on this violation.

The statute, at 2 U.S.C. § 434(a)(4)(A)(ii), requires unauthorized political committees to file a pre-election report, complete as of the 20th day before the election, in any election in which the committee makes a contribution to or expenditure on behalf of a candidate. Thus, FOA would have had to file such a report covering the period through August 6, 1980, if it had made any contributions to or expenditures on behalf of a candidate. As mentioned before, FOA maintains that the figures reported on the mailgrams and letters covering August 5 to August 15 were not "expen-

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ditures," but estimated obligations.

Under 2 U.S.C. § 431(9)(A) the term "expenditure" includes a purchase or payment of money for the purpose of influencing any election for Federal office and "a written contract, promise, or agreement to make an expenditure." The Commission's regulations, at 11 C.F.R. § 100.8(a)(2), further provide that, "a written contract, including a media contract, promise, or agreement to make an expenditure is an expenditure as of the date such contract, promise, or obligation is made." Although FOA may have caused some advertising to take place prior to August 6, we have no evidence that any written contracts were entered into before August 6 and that "expenditures" were thereby made which triggered the pre-election reporting requirement. The first actual payment for FOA's activities was made on August 21, 1980, well after the August 6 cut-off date. The expenditures appear to be accurately and timely reported on the committee's October 15 Quarterly Report in accordance with 2 U.S.C. § 434(a)(4)(A)(i). We therefore see no basis for finding reason to believe FOA violated the pre-election or quarterly reporting requirements of 2 U.S.C. § 434(a).

There remains the question of whether FOA should have filed 24-hour reports required with regard to independent expenditures under 2 U.S.C. § 434(c)(2). That provision states, in relevant part:

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Any independent expenditure (including those described in subsection (b)(6)(B)(iii) of this section) aggregating \$1,000 or more made after the 20th day, but more than 24 hours, before any election shall be reported within 24 hours after such independent expenditure is made. Such statement shall be filed with the Clerk, the Secretary, or the Commission and the Secretary of State and shall contain the information required by subsection (b)(6)(B)(iii) of this section indicating whether the independent expenditure is in support of, or in opposition to, the candidate involved.

See also 11 C.F.R. § 104.4.

While there is no evidence that "expenditures" were made before August 21, it is clear that an expenditure of \$7,903 was made on that date in the form of a payment to Alaska Advertisers. However, FOA filed no 24-hour report for this expenditure. It maintains that the funds spent by it were not "independent expenditures" within the meaning of the statute because the advertisements, as contained in the text of the supplemental memorandum, while critical of Senator Gravel, did not constitute express advocacy of Senator Gravel's defeat. (See Attachment 7).

Under 2 U.S.C. § 431(17), an independent expenditure is defined 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.

11 C.F.R. § 109.1(b)(2) defines "expressly advocating" as

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any communication containing a message advocating election or defeat, including but not limited to the name of the candidate, or expressions such as "vote for," "elect," "support," "cast your ballot for," and "Smith for Congress," or "vote against," "defeat," or "reject."

Both the complaint and the subsequent memorandum contain the text of two advertisements paid for by FOA. Because of the fact that FOA reported that all of its disbursements or obligations were directed to Alaska Advertisers and Justin Ward Advertising, it appears that the Committee's activities consisted entirely of paying for the placement and production of advertisements. We do not know of any advertisement texts other than the ones listed by the complainant. If either one of these advertisements expressly advocated the defeat of Gravel, we can assume that an independent expenditure exceeding \$1,000 was made but was not reported in a timely manner.

The text of the first advertisement is critical of Senator Gravel but does not contain the "expressly advocating" language described in 11 C.F.R. § 109.1(b)(2). The text of the second advertisement is also critical of Senator Gravel and concludes with the phrase, "Maybe it's time to close the cover on the Gravel years." This concluding sentence might imply that voters should "reject" Gravel. However, the United States Court of Appeals for the Second Circuit, in considering the question of defining "independent expenditures" for reporting purposes, rejected

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the position that "expressly advocating the election or defeat" means "for the purpose, express or implied, of encouraging election or defeat." Federal Election Commission v. Central Long Island Tax Reform Immediately Committee, 616 F.2d 45, 53 (2d Cir. 1980). The court, in analyzing the communication made by the defendant in that case, set out several indicia of "express advocacy." Such indicia include references to the party of the officeholder mentioned in the communication, "to whether he is running for re-election, [or] to the existence of an election, or the act of voting in any election." Id. The court indicated that "an unambiguous statement in favor of or against the election of [the officeholder]" was required. Id. The second advertisement contained none of the four indicia set forth above, and it is only with great difficulty that we could interpret the last sentence of the advertisement as an unambiguous statement against the re-election of Senator Gravel.

While it is true that the original 12 Day Pre-Primary Report and the amended October Quarterly Report used Schedule E, the schedule for "Itemized Independent Expenditures," to disclose FOA's "estimated obligations" and disbursements, it may be argued that FOA's use of Schedule E was its way of reporting expenditures that were not made in coordination with any candidate or his committee. While it is also true that the mailgrams and letters sent by FOA stated that expenditures were made "in opposition of candidate for the U.S. Senate,

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Mike Gravel," and that the Statement of Organization stated that the committee "opposes only one candidate, Mike Gravel," these statements do not necessarily imply an intention to make expenditures expressly advocating Senator Gravel's defeat; they may imply an intention to make payments "for the purpose of influencing" an election for federal office, i.e., mere expenditures. In any event, neither the use of schedule E nor the statements on the mailgrams, letters, and registration statement alter the actual language of the media communications.

The evidence presented to us does not indicate that the Committee made independent expenditures within the meaning of the Act. Therefore, the General Counsel recommends that the Commission find no reason to believe that the Friends of Alaska violated 2 U.S.C. § 434(c)(2) or 11 C.F.R. § 104.4.

B. Second Set of Allegations

With respect to the allegation that Alaska Advertisers placed and produced political advertisements for the Gruening campaign "at less than fair market cost," Mr. Hale replies that Alaska Advertisers did not produce advertisements for the Gruening campaign. He states, however, that "[i]n October, 1979, Alaska Advertisers, the in-house advertising agency for the Carr-Gottstein organization, 2/ did purchase time on

2/ According to the Corporations Division of the Alaska Department of Commerce and Economic Development, Alaska Advertisers is owned totally by Carr-Gottstein Properties, Inc.

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television stations throughout Alaska on behalf of the Gruening campaign" but that Alaska Advertisers "was paid fair market value for this service." (See Attachment 3).

In his response Mr. Gottstein similarly states that Alaska Advertisers, "an advertising firm owned in part by Mr. Gottstein," did not produce advertisements for AFG or FOA. He states that the firm placed advertisements for AFG in late 1979 and also for FOA and that the advertisements for both committees were placed "at the usual and normal fee, including standard commissions." (See Attachment 6).

Alaska Advertisers responds in like fashion that it placed advertisements for the two committees at fair market value but did not produce advertisements for either. The responses of the company include: (1) the invoices for the advertisements purchased by AFG and FOA; (2) insertion orders reflecting the rates for advertisements minus Alaska Advertiser's commission; (3) checks made out to the media stations reflecting the rates for the advertisements minus Alaska Advertiser's commission; 3/ (4) a list of the advertisements to be aired for FOA reflecting, on a daily basis, the media stations used, the number of spots aired, the cost of each spot, and the total

3/ It appears from the insertion orders that the rate for the airing of an advertisement includes the commission (15 per cent) to be paid to the advertising agency. While the payment by the purchaser reflects the full cost of the media spots, the payment by the agency to the stations reflects the full cost minus the commission. This was verified in a phone conversation with Steve Oien, the General Manager of Alaska Advertisers, on November 7, 1980.

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cost for all of the advertisements; and (5) checks from AFG and FOA in payment for the advertisements. 4/ (See Attachments 4 and 5).

The documents pertaining to the advertisements for AFG show that advertisements were aired in October, 1979, that AFG was billed for what appears to be the entire cost of the airing (which also included the agency commission as explained in footnote 3 above), and that AFG paid Alaska Advertisers by a check for the amount billed, \$3,297.68. The documents suggest that advertisements were also aired in November, 1979, that the cost of these advertisements including agency commission was \$168, and that AFG paid the firm by a check for that amount. Furthermore, the

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4/ The complaint does not allege that any of Mr. Gottstein's corporations provided services to FOA at less than fair market cost. Rather, the complaint asserts only that such services were provided to the Gruening campaign.

The documents pertaining to the advertisements for FOA reveal that the advertisements were aired in August, 1980, that FOA was billed for what appears to be the entire cost of the airing, and that, by checks drawn on three separate dates, FOA paid Alaska Advertisers the amount billed, \$14,759.79. (See Attachment 5). FOA's 1980 October Quarterly Report discloses the three payments to Alaska Advertisers totalling \$14,759.79.

documents reveal that the firm refunded \$466.94 to AFG by check to cover air time not used. (See Attachment 4).

The 1979 Year End Report of AFG lists the payments of \$3,297.68 and \$168 but also lists a refund by Alaska Advertisers for an overpayment of \$634.94. Although most of this may be accounted for through the above-mentioned refund check, the response does not account for the remaining \$168 apparently refunded. While the \$168 may be explained by the possibility that the advertisements scheduled for November, 1979, were not aired, there is no indication of this in the evidence received. Furthermore, according to AFG's 1979 Year End Report, the \$168 for the November advertisements was paid after the refund.

2 U.S.C. § 441b(a) prohibits the making and acceptance of corporate contributions in connection with an election for federal office. The regulation defining the term "contribution" in effect at the time of the AFG transactions, 11 C.F.R. § 100.4(a)(1)(iii)(A), and the regulation defining the term "contribution" in effect at the time of the FOA transactions, 11 C.F.R. § 100.7(a)(1)(iii)(A), both state that the provision of services for less than "the usual and normal charge" for such services is a contribution.

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Based on the information presented to us, it appears that Alaska Advertisers may have provided its services to AFG for less than the usual and normal charge for such services by refunding \$168 to AFG when services were actually provided. Therefore, the General Counsel recommends that the Commission find reason to believe that Alaska Advertisers and Alaskans for Gruening violated 2 U.S.C. § 441b(a).

C. Third Set of Allegations

In response to the allegation that Mr. Gottstein "commissioned and had one of his corporations" pay for polls which were then contributed to the Gruening campaign, Mr. Gottstein denies the existence of such a contribution. Mr. Gottstein states that one of his firms, Sandelson Surveys, was commissioned by the Gruening campaign to do polling fieldwork for Walter DeVries Assoc., Inc., a political consulting firm, that "[i]nitial fieldwork" was conducted in March and April, 1980, and that the services were billed to the campaign on May 1, 1980.

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According to him, "[s]imilar fieldwork was performed in July and will be similarly billed after telephone expenses are calculated." Finally, he maintains that he was not personally involved in the polling conducted by Sandelson Surveys and that he is not personally involved in the "general management" of the firm. (See Attachment 6).

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Mr. Hale states that the Gruening campaign has never received any political polls from Mr. Gottstein or from any agency controlled by Mr. Gottstein. He goes on to state that Mr. Gottstein commissioned polls but that the ones he knew of were commissioned early in 1979 before Mr. Gruening was a candidate and "long before" Alaskans for Gruening was formed. 5/ He states that the polls were published long before AFG was formed and maintains that "since the polls were public knowledge, they had no value as an in kind contribution." (See Attachment 3).

The complaint is unspecific as to what firm the complainant had in mind in alleging a possible corporate contribution. The

5/ Alaskans for Gruening filed its Statement of Organization on August 7, 1979 and Clark Gruening filed a Statement of Candidate on August 28, 1979.

results in a contribution by the purchaser. The regulation proceeds to state that poll results are "accepted" by a candidate or a committee if the candidate or committee (1) "[r]equested the poll results before their receipt, (2) [u]ses the poll results, or (3) [d]oes not notify the contributor that the results are refused." However, § 106.4(c) states that "[t]he acceptance of any part of a poll's results which part, prior to receipt has been made public without any request, authorization, prearrangement, or coordination by the candidate-recipient or political committee-recipient shall not be treated as a contribution in-kind."

From Mr. Hale's response that Mr. Gottstein commissioned polls that were made public knowledge, it is difficult to ascertain: (1) whether or not such polls were conducted to determine if Gruening should run; (2) whether or not such polls were ever given by Gottstein or a firm commissioned by him to Gruening or agents of Gruening, and (3) whether or not the poll results were given to Gruening or agents of Gruening before the results were made public. This difficulty, coupled with the lack of specificity in the complaint, creates little basis for believing that a contribution was made.

2 U.S.C. § 441a(a)(1)(A) provides that "no person shall make contributions to any candidate and his authorized political committees with respect to any election for Federal

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office which, in the aggregate, exceed \$1,000. 2 U.S.C. § 441a(f) prohibits a candidate or committee from knowingly accepting a contribution in violation of the provisions of 2 U.S.C. § 441a. Mr. Gottstein contributed \$1,000 to AFG in September, 1979. If it were determined that Mr. Gottstein contributed polls as well, he would be in violation of the Act. However, the evidence presented does not indicate such a contribution. Therefore, the General Counsel recommends that, in connection with the third set of allegations, the Commission find no reason to believe that Barnard Gottstein violated 2 U.S.C. § 441a(a)(1)(A) and no reason to believe that Alaskans for Gruening or Clark Gruening violated 2 U.S.C. § 441a(f).

As to allegations that Mr. Gottstein's corporations contributed polls, the evidence presented similarly does not indicate any contribution of poll results by any corporations. Therefore, the General Counsel recommends that, in connection with the third set of allegations, the Commission find no reason to believe that Mr. Gottstein's corporations violated 2 U.S.C. § 441b(a) and no reason to believe that Alaskans for Gruening or Clark Gruening violated 2 U.S.C. § 441b(a).

D. Fourth Set of Allegations

In response to the fourth set of allegations and related information contained in the supplemental memorandum, Mr. Gottstein and Mr. Hale, between them, provide responses with respect to all of the violations alleged.

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As to the allegation that Mr. Gottstein provided the Gruening campaign with access to corporate computers for less than the usual and normal charge, Mr. Gottstein replies that his firms have never provided such access without charge. (See Attachment 6). Mr. Hale states that the allegation is untrue. He states that, on one occasion, AFG purchased a computer tape from the state of Alaska with information on registered voters. He states that Carr-Gottstein Computer Services made a printout of the tape and was paid \$256, the "fair market value" for the printout. According to Mr. Hale, this was the only time that Carr-Gottstein Computer Services worked on behalf of the campaign. (See Attachment 3).

AFG's 1980 April Quarterly Report reveals a payment of \$265.50 on March 31, 1980 to J.B. Gottstein Co., Inc. for "computer services." Presumably, this was for the printout referred to by Mr. Hale.

As to the allegation that Mr. Gottstein provided fundraising services that were not paid for, Mr. Gottstein replies that he has "no idea" what the allegation means. Referring to the complainant's statement that he was a fundraiser, he states that he specifically declined to be the campaign's finance chairman, that he has never been an official of AFG, and that he has not been an agent of the campaign. (See Attachment 6). Mr. Hale states that, while Mr. Gottstein has raised money for AFG, "he has not been employed as a fund raiser and has rendered no services for which payment should have been made." He maintains

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that there has never been an agreement between the campaign and Mr. Gottstein whereby, Mr. Gottstein was employed in a fund raising capacity or otherwise. (See Attachment 3).

As to the allegation that time was contributed by corporate employees, Mr. Gottstein states that "he was unaware of any instance" in which his corporations reimbursed employees for political services for any candidate. (See Attachment 6). Mr. Hale states that the campaign and Mr. Gruening are unaware of any illegal in-kind contributions by employees and that, if Carr-Gottstein employees have contributed their time, they have done so as volunteers. He maintains that he is "totally unaware of any instance wherein an individual claimed to be volunteering his services and was in fact paid to be serving in the campaign." (See Attachment 3).

As to the allegation that Mr. Gottstein paid for private investigators to secure information for negative newspaper articles on Senator Gravel, Mr. Gottstein denies such payment and Mr. Hale states that no funds were "expended or directed by Alaskans for Gruening or the candidate" for such a purpose. (See Attachment 6).

Once again, the allegations presented have named no particular firms and have been fairly general in nature. The responses have been more specific in their denials of the allegations. As to the services provided by the corporations, such services have been stated to be purchased by AFG, and there is no evidence that such services have been

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provided at less than the "usual and normal charge" required in 11 C.F.R. § 100.7(a)(1)(iii)(B). Furthermore, as to the allegation of unpaid for fundraising services, 2 U.S.C. § 431(8)(B)(i) states that the term "contribution" does not include "the value of services provided without compensation by an individual who volunteers on behalf of a candidate or political committee." The responses have maintained that Mr. Gottstein's services were voluntary, and there is no evidence in the complaint indicating otherwise. As to the allegations pertaining to time contributed by corporate employees and to payments to a private investigator, there is similarly no evidence to indicate the truth of these claims.

Based on the above analysis, the General Counsel recommends that, with respect to the fourth set of allegations, the Commission find no reason to believe that Barnard Gottstein violated 2 U.S.C. § 441a(a)(1)(A) and no reason to believe that Alaskans for Gruening or Clark Gruening violated 2 U.S.C. § 441a(f). Furthermore, the General Counsel recommends that, with respect to the fourth set of allegations, the Commission find no reason to believe that Mr. Gottstein's corporations violated 2 U.S.C. § 441b(a) and no reason to believe that Alaskans for Gruening or Clark Gruening violated 2 U.S.C. § 441b(a).

E. Fifth Set of Allegations

In response to the allegation that FOA made excessive in-kind contributions to AFG, FOA replied that its expenditures were made "independently of any candidate." The committee

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states that its Treasurer, Richard Green, who signed the checks for the advertisements, was not involved in any way with candidate Gruening. (See Attachment 7).

Barnard Gottstein, in addressing the assertion that FOA is not independent of AFG because of Mr. Gottstein's association with both of the committees, discusses the extent of his relationship with each committee. As to AFG, Mr. Gottstein admits havng made a \$1,000 contribution to the committee but states that he has never been an officer or agent for the committee, that he specifically declined to be finance chairman, and that he has not had any "real or apparent authority to make expenditures on behalf of the Gruening campaign." As to FOA, Mr. Gottstein states that he is not an officer of the Committee. He maintains that FOA does not make expenditures through him and that he does not make any expenditures on behalf of FOA. While admitting that he "supports" FOA's activities, he states that such support is not only not the result of any suggestion by a candidate or candidate's committee or agent, but that Mr. Gruening specifically requested him not to support or promote FOA. He further responds that his support

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of FOA "was not made in cooperation, consultation, or concert with any candidate, committee or agent." 6/

In order to address the question of his association with both committees through Alaska Advertisers, Mr. Gottstein states that he is a part owner of the corporation but that "he was not personally involved in placing ads" for either committee. (See Attachment 6).

As mentioned before, Mr. Hale, in discussing Mr. Gottstein's association with the Gruening campaign, admits that Mr. Gottstein raised money for AFG. (See Attachment 3).

As to Mr. Gottstein's support for both committees, AFG's 1979 October Quarterly Report discloses the \$1,000 contribution mentioned by Gottstein, and FOA's 1980 October Quarterly Report discloses a \$950 contribution from Mr. Gottstein on September 26, 1980, three weeks after Mr. Gottstein's reply was sent to this office. Furthermore, regarding Mr. Gottstein's involvement with Alaska Advertisers and its activities, the Corporations Office of the Alaska Department of Commerce and Economic Development informed this office that Alaska Advertisers was owned totally by Carr-Gottstein Properties, Inc. Carr-Gottstein Properties,

6/ On August 14, the Gravel campaign filed a motion for a temporary restraining order and injunctive relief in United States District Court for the District of Alaska in order to prevent further election activity by FOA, Barnard Gottstein, and Thomas Kelly, who was associated with FOA. The motion was denied on August 15. In the complaint accompanying the motion, it was alleged that Mr. Gottstein and Mr. Kelly "have set up other similar committees, including the Alaska Free Lands Committee, that have raised and expended funds without registering or reporting to the FEC."

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Inc. is owned totally by J.B. Gottstein, Inc., and Barnard Gottstein is the President of J.B. Gottstein, Inc. In addition, despite Mr. Gottstein's contention that "he was not personally involved in placing ads" for either committee, the response from Alaska Advertisers includes a memo to Mr. Gottstein on Alaska Advertisers stationery listing for him the media stations, dates, and amounts spent "in the October buy for Clark Gruening." (See Attachment IV, p. 24).

Unlimited independent expenditures by a person relative to a clearly identified candidate for federal office are permitted pursuant to the United States Supreme Court's decision in Buckley v. Valeo, 424 U.S.1, 39-51(1976). Section 431(17), referred to above in section IIA of this report, defines "independent expenditure." The Commission's regulations, at 11 C.F.R. § 109.1(a), use substantially the same wording in defining "independent expenditure" as:

an expenditure by a person for a communication expressly advocating the election or defeat of a clearly identified candidate which is not made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of such candidate.

According to 11 C.F.R. § 109.1(b)(1), the definition of person includes a "committee."

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Under 11 C.F.R. § 109.1(b)(4)(i), "made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of a candidate or any agent or authorized committee of the candidate" means "[a]ny arrangement, coordination, or direction by the candidate or his or her agent prior to the publication, distribution, display, or broadcast of the communication." According to 11 C.F.R. § 109.1(b)(4)(i)(B), an expenditure will be presumed to be made by such "arrangement, coordination, or direction" if "[m]ade by or through any person who is, or has been, ... receiving any form of compensation or reimbursement from the candidate, the candidate's committee or agent."

In AO 1979-80, the Commission applied these regulations in analyzing the issue of the independence of committees using a common vendor. Included among the criteria for determining whether or not an unauthorized committee making expenditures could use the same vendor as that used by a candidate's authorized committee and remain independent was whether the expenditure is made by or through a person receiving compensation or reimbursement from the candidate or the candidate's committee or agent. The fact that a candidate had already been the client of a particular vendor at the time that the vendor was hired by an unauthorized committee

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was viewed as raising the presumption of non-independence as to any subsequent expenditures made by an unauthorized committee through that vendor in support of the candidate or in opposition to his opponent.

In this matter, it appears that expenditures made by Friends of Alaska in opposition to Senator Gravel were made through Alaska Advertisers, a vendor which had received compensation from Alaskans for Gruening. This raises the presumption that FOA's expenditures were made by an arrangement, coordination, or direction by Mr. Gruening or his agent prior to the broadcasts of the advertisements. See 11 C.F.R. § 109.1(b)(4)(i)(B). The existence of such an arrangement, coordination, or direction would destroy the independence of FOA's expenditures.

While FOA has asserted that the expenditures were made independently of any candidate and that its Treasurer was not "involved in any way" with Clark Gruening, such statements are not sufficient, in our view, to warrant no further action. The first assertion is merely a legal conclusion with no supporting factual statement. The second assertion leaves open questions as to what is meant by the concept of "involvement, whether this assertion precludes involvement by the Treasurer with the candidate's committee, AFG, and whether other officials or agents of FOA were "involved" with the candidate or AFG.

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Furthermore, a connection between AFG and FOA through Mr. Gottstein may exist. Mr. Gottstein appears to have been a contributor to and a supporter of both committees. In and of itself, this fact is not sufficient to establish a connection. However, it is apparent that Mr. Gottstein was in communication with AFG in that he raised funds for the committee and had at least one contact with Clark Gruening himself. At the same time, he was associated with Alaska Advertisers which provided services for both committees. Therefore, through Mr. Gottstein, there was an opportunity for AFG or the Gruening campaign to provide direction to or coordinate with FOA. Only an investigation would resolve the question of whether or not such direction or coordination occurred.

Expenditures on behalf of a candidate which are not made independently of the candidate or his agent or authorized committee are in-kind contributions subject to the limits of 2 U.S.C. § 441a. As mentioned before 2 U.S.C. § 441a(a)(1)(A) prohibits any person from making contributions aggregating in excess of \$1,000 to any candidate and his authorized political committees with respect to any election for federal office. According to 2 U.S.C. § 431(11), the term "person" includes a committee. It appears from the evidence available that Friends of Alaska may have made in-kind contributions to Alaskans for Gruening and that such

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contributions exceeded \$1,000. Therefore, the General Counsel recommends that the Commission find reason to believe that Friends of Alaska violated 2 U.S.C. § 441a (a)(1)(A).

As mentioned before, the acceptance of contributions in excess of the § 441a(a)(1)(A) limitations is a violation of 2 U.S.C. § 441a(f). It appears that Alaskans for Gruening may have received over \$1,000 in in-kind contributions from Friends of Alaska. Therefore, the General Counsel recommends that the Commission find reason to believe that Alaskans for Gruening violated 2 U.S.C. § 441a(f).

Because of the need to ascertain whether or not there was coordination between AFG and FOA, the General Counsel recommends that the Commission approve questions attached to the letters to the attorneys for the committees. In addition, because of the need to examine the possibility of coordination through Barnard Gottstein, the General Counsel recommends that the Commission approve questions attached to the letter to Barnard Gottstein's attorneys.

III. RECOMMENDATIONS

1. Find reason to believe that Friends of Alaska violated 2 U.S.C. § 433, but take no further action on the allegation.
2. Find no reason to believe that Friends of Alaska violated 2 U.S.C. § 434(a).

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3. Find no reason to believe that Friends of Alaska violated 2 U.S.C. § 434(c)(2) or 11 C.F.R. § 104.4.
4. With respect to services provided to Alaskans for Gruening, find reason to believe that Alaska Advertisers violated 2 U.S.C. § 441b(a).
5. With respect to services provided by Alaska Advertisers, find reason to believe that Alaskans for Gruening violated 2 U.S.C. § 441b(a).
6. With respect to the allegation that poll results were contributed, find no reason to believe that Barnard Gottstein violated 2 U.S.C. § 441a(a)(1)(A).
7. With respect to the allegation that poll results were contributed, find no reason to believe that Barnard Gottstein's corporations violated 2 U.S.C. § 441b(a).
8. With respect to the allegation that poll results were contributed, find no reason to believe that Alaskans for Gruening or Clark Gruening violated 2 U.S.C. § 441a(f) or 2 U.S.C. § 441b(a).
9. With respect to the allegation that contributions were made in the form of access to corporate computers, unpaid for fundraising services, use of the time of corporate employees, and payment to private investigators, find no reason to believe that Barnard Gottstein violated 2 U.S.C. § 441a(a)(1)(A).

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10. With respect to the allegation that contributions were made in the form of access to corporate computers, unpaid for fundraising services, use of the time of corporate employees, and payment to private investigators, find no reason to believe that Barnard Gottstein's corporations violated 2 U.S.C. § 441b(a).

11. With respect to the allegation that contributions were made in the form of access to corporate computers, unpaid for fundraising services, use of the time of corporate employees, and payment to private investigators, find no reason to believe that Alaskans for Gruening or Clark Gruening violated 2 U.S.C. § 441a(f) or 2 U.S.C. § 441b(a).

12. With respect to the allegation that Friends of Alaska made in-kind contributions to Alaskans for Gruening, find reason to believe that Friends of Alaska violated 2 U.S.C. § 441a(a)(1)(A).

13. With respect to the allegation that Friends of Alaska made in-kind contributions to Alaskans for Gruening, find reason to believe that Alaskans for Gruening violated 2 U.S.C. § 441a(f).

14. Approve the attached letters with questions.

83040404712
15 January 1981
Date



Charles N. Steele
General Counsel

Attachments

- I. Complaint of Friends of Mike Gravel
- II. Supplemental memorandum to complaint
- III. Response of Alaskans for Gruening and Clark Gruening
- IV. First response of Alaska Advertisers
- V. Second response of Alaska Advertisers
- VI. Response from attorneys for Barnard Gottstein
- VII. Response from attorneys for Friends of Alaska
- VIII. Public Communications Branch request form for Friends of Alaska
- IX. Letter to Alaska Advertisers
- X. Letter to Charles A. Dunnagan, attorney for Alaskans for Gruening and Clark Gruening, with attached questions
- XI. Letter to Jan W. Baran and William H. Schweitzer, attorneys for Friends of Alaska, with attached questions
- XII. Letter to Jan W. Baran and William H. Schweitzer, attorneys for Barnard Gottstein, with attached questions

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FRIENDS OF MIKE GRAVE
P.O. Box 2420
Anchorage, Alaska 99510

DISTRICT OF COLUMBIA, S.S.

Robert L. Mitchell being duly sworn deposes as and says:

- 1) he is the moving party in the above complaint to the Federal Election Commission;
- 2) he has read the foregoing letter and knows the contents thereof;
- 3) he believes that the information contained therein is true and correct.

Robert L. Mitchell
Robert L. Mitchell

Subscribed and sworn to before me on the 7th day of August 1980.

Donna E. Wood
Notary Public

My commission expires on the 7th day of August 1980.
1-1-82

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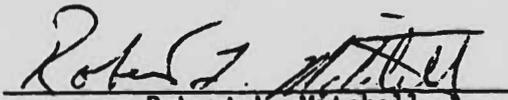
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OFFICE OF THE
GENERAL COUNSEL

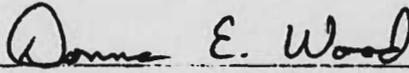
Attachment I - p. 1 of 6

FRIENDS OF MIKE GRAVEL
P.O. Box 2420
Anchorage, Alaska 99510

The Friends of Mike Gravel Committee has retained Charles L. Fishman as counsel to represent the Friends Committee before the Federal Elections Commission in all matters pertaining to its complaint filed against the Friends of Alaska Committee.


Robert L. Mitchell

Subscribed and sworn to, before
me, this 7th day of August, 1980


Notary Public, P.C.

My Commission Expires 1-1, 1982

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I-p. 2 of 6

FRIENDS OF MIKE GRAVEL
P.O. Box 2420
Anchorage, Alaska 99510

August 5, 1980

Mr. Robert O. Tiernan
Chairman
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Dear Mr. Chairman:

33040404716
The purpose of this letter is to invoke the jurisdiction of and to seek the immediate aid of the Federal Election Commission (hereinafter FEC) to enjoin a continuing violation of the Federal Election Act. On Monday, August 4, 1980, we were notified by several radio stations in Alaska that a committee identifying itself as "Friends of Alaska" had placed substantial orders for advertising time on August 1, 1980 and that those advertisements were construed to be "personal attacks" upon Senator Gravel. A review of the advertisements (copies of which are attached as Exhibits A and B) clearly disclose that their purpose is to influence Alaskan voters to vote against U.S. Senator Mike Gravel and for his opponent in the August 26, 1980 primary. We contacted the FEC on Tuesday, August 5, 1980, and determined that the "Friends of Alaska Committee" is not a registered Committee under the Act. However, the radio stations have received payment for the advertisements placed by this Committee which means the Committee has raised and expended funds.

Additionally, the Friends of Alaska Committee has employed a firm named "Alaska Advertisers" to place and we believe produce the illegal advertisements. That company is controlled by Bernard Gottstein, an authorized fundraiser for the Alaskans for Gruening Committee. Earlier, the same firm produced and placed advertisements for Senator Gravel's Democratic opponent Clark Gruening. Moreover, Mr. Gottstein has commissioned and had one of his corporations pay for political polls that were then contributed as an in kind contribution to Mr. Gruening's campaign. Mr. Gottstein has made additional illegal in kind contributions to Mr. Gruening's campaign including but not limited to access to corporate computers for political purposes; fundraising services that were not paid for; time contributed by corporate employees of Mr. Gottstein; the use of corporate facilities to produce and place political advertisements at less than fair market cost; and the payment of funds to private investigators to secure information for negative newspaper articles on Senator Gravel.

I - p. 3 of 6

It is apparent that Mr. Gottstein, who is a political opponent of Senator Gravel, has engaged in a systematic plan to violate the Act. The new advertisements are but the most recent incident in a long line of incidents. Mr. Gottstein simply does not wish to abide by the law and apparently will stop at nothing to spend his personal and corporate resources to defeat Senator Gravel.

For the above reasons we urge the Federal Election Commission to invoke its powers under the Act and to seek an immediate injunction to prevent these ongoing violations of the Act. We also request that the Commission commence an immediate investigation of the relationship between "Friends of Alaska" and "Alaskans for Gruening" and Barney Gottstein and Clark Gruening to determine if illegal contributions have been made by Mr. Gottstein to Mr. Gruening's campaign.

Sincerely,



Robert Mitchell
Treasurer
Friends of Mike Gravel

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Enclosures

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I-p. 4 of 6

ATTACHMENT ONE
RADIO SPOT ONE

The sunny slopes of Aspen, Colorado...deep powder, beautiful people, big homes. One of the biggest homes belongs to our very own Senator Mike Gravel. The value of Mike Gravel's Aspen house is said to be more than a million dollars. But Mike Gravel didn't have to put any money for his interest. He just had to invest some of his time. In his spare time, Mike Gravel designed the house. He even designed the furniture. And Mike Gravel even found the people to invest money in his project. ...Some of them turned out to be lobbyists whose job it is to ask for Mike Gravel's vote in the Senate. When someone asked whether this kind of arrangement was proper, Mike Gravel said that there was no law against it. When someone asked why he needed such a big house in Aspen, Mike Gravel said it was just a place to stop on the way home. Well that's part of the Aspen house story, there's more.

PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE
TOM KELLY, CHAIRMAN
NOT AUTHORIZED BY CANDIDATE

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I - p. 5 of 6

ATTACHMENT TWO
RADIO SPOT TWO

You know how pictures and clippings can change after just a few years? We look back and see how funny we look. We all change with age. Hopefully we get smarter and more responsible. Well, we were going through the Mike Gravel scrapbook the other day, and found some old clippings. Here's one... Mike Gravel nominates himself for Vice President. That was really good for a laugh. And then, we saw Gravel wants to build a Dome City on Mt. McKinley; Gravel pickets the White House; Gravel fights against the 200 mile limit. The scrapbook was just filled to overflowing. And here's 1978, Gravel kills lands bill. He says he will do better next time. Gravel says Carter is only bluffing about locking up Alaska. Well the years roll on, and in the Mike Gravel scrapbook, the headlines today look alot like the ones we were seeing years ago. Maybe age and experience hasn't helped. Maybe its time to close the cover on the Gravel years.

PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE
TOM KELLY, CHAIRMAN
NOT AUTHORIZED BY CANDIDATE

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I - p. 6 of 6

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2311-
CHARLES L. FISHMAN, P.C.

1575 I Street, N.W.
Suite 350
Washington, D.C. 20006

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August 11, 1980

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RECEIVED
GENERAL INVESTIGATIVE
DIVISION

MEMORANDUM TO: Kenneth Gross
Federal Election Commission

FROM : Charles L. Fishman

SUBJECT : Friends of Alaska Committee

As I mentioned on the phone Friday, this is a supplemental memorandum to our complaint letter giving you some background on the matter.

Senator Gravel is a candidate for re-election to the United States Senate. The Alaskan primary will be held on August 26, 1980. According to all polls, public and private, Senator Gravel holds a narrow statewide lead in the election. He is trailing in certain parts of the state, but the election is close in Anchorage -- the state's largest city where 60 percent of the voters reside. In Fairbanks, the state's second largest city, Senator Gravel holds a commanding lead.

On or about August 1, 1980, a group identifying itself as the "Friends of Alaska Committee" ordered and paid for extensive advertising time on various radio stations in Anchorage and on one station in Fairbanks, Alaska. The Anchorage stations include KHAR, KBYR, KNIK and KFQD. The Fairbanks station is KFRB. The actual tapes for the two(2) spots were not delivered to the Anchorage stations until late afternoon on Monday, August 4, 1980. They were scheduled to begin playing during drive time on the next day, Tuesday, August 5, 1980. According to the time-buy order, the ads were scheduled to continue through Monday, August 25, 1980 -- the day before the Federal primary in Alaska.

No advertisements have been placed on any stations in any area of the state where Senator Gravel's primary opponent, Clark Gruening, holds a lead in the polls. The "officials" of the "Friends of Alaska Committee" include Bernard Gottstein, the principal political fundraiser for Clark Gruening. Moreover, the advertisements were produced and placed through a corporation named Alaska Advertisers. That corporation's principal stockholder is Bernard Gottstein and that corporation has purchased and placed prior advertisements for Clark Gruening's campaign.

Attachment II - p. 1 of 4

830404720

Inquiry to the Federal Elections Commission on Tuesday, August 5, 1980, revealed that the "Friends of Alaska Committee" has failed to register as a political committee as required by federal law.

As soon as the stations reviewed the contents of the advertisements, the stations notified representatives of Senator Gravel. The contents of the two(2) spots are as follows:

The sunny slopes of Aspen, Colorado...deep powder, beautiful people, big homes. One of the biggest homes belongs to our very own Senator Mike Gravel. The value of Mike Gravel's Aspen house is said to be more than a million dollars. But Mike Gravel did not have to put any money for his interest. He just had to invest some of his time. In his spare time, Mike Gravel designed the house. He even designed the furniture. And Mike Gravel even found the people to invest money in his project. Some of them turned out to be lobbyists whose job it is to ask for Mike Gravel's vote in the Senate. When someone asked whether this kind of arrangement was proper, Mike Gravel said that there was no law against it. When someone asked why he needed such a big house in Aspen, Mike Gravel said it was just a place to stop on the way home. Well, that's part of the Aspen house story, there's more.

PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE
TOM KELLY, CHAIRMAN
NOT AUTHORIZED BY CANDIDATE

* * *

You know how pictures and clippings can change after just a few years? We look back and see how funny we look. We all change with age. Hopefully, we get smarter and more responsible. Well, we were going through the Mike Gravel scrapbook the other day, and found some old clippings. Here's one...Mike Gravel nominates himself for Vice President. That was really good for a laugh. And then, we saw Gravel wants to build a Dome City on Mt. McKinley; Gravel pickets the White House; Gravel fights against the 200 mile limit. The scrapbook was just filled to overflowing. And here's 1978,

II- p. 2 of 4

83040404721

Gravel kills lands bill. He says he will do better next time. Gravel says Carter is only bluffing about locking up Alaska. Well, the years roll on, and in the Mike Gravel scrapbook, the headlines today look alot like the ones we were seeing years ago. Maybe age and experience hasn't helped. Maybe its time to close the cover on the Gravel years.

PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE
TOM KELLY, CHAIRMAN
NOT AUTHORIZED BY CANDIDATE

Senator Gravel maintains that under the facts as outlined above, the "Friends of Alaska Committee" is in violation of the law because: 1) the Committee failed to register; and 2) because the Committee cannot be independent since one of its principals is so closely related to the campaign of Clark Gruening.

In summary, counsel believes that:

1. The advertisements constitute a blatant attempt to attach Senator Gravel's honesty, integrity and character.
2. The advertisements are obviously politically motivated in a crude attempt to influence the outcome of the August 26, 1980, primary.
3. The timing of the ads (from August 5 to August 25, 1980); the locations of the stations (only in areas where Senator Gravel is ahead or the election is close); and the nexus between the principals of the "Friends of Alaska Committee" -- especially Mr. Gottstein -- and the campaign of Senator Gravel's primary opponent demonstrate the purpose of the advertisements is to smear Senator Gravel and to illegally influence the outcome of the primary election.
4. This is just another incident in an ongoing effort by supporters of Clark Gruening, especially Mr. Gottstein to avoid the contribution limits of the Federal election laws. Other examples include Mr. Gottstein hiring a private investigator named Paul Sakwa to provide research on Senator Gravel to the Wall Street Journal in order to secure an unfavorable article about Senator Gravel which was published on Friday, August 8, 1980; polls paid for by Mr. Gottstein's corporations that were given to Mr. Gruening as in-kind contributions;

II - p. 3 of 4

83040404722

corporate computers provided to Mr. Gruening by Mr. Gottstein's corporations and fund-raising done by Mr. Gottstein without cost to Mr. Gruening. Additionally, there are rumors that Mr. Gottstein's corporations have retained Mr. Gruening without requiring Mr. Gruening to provide services for the retainer. If these allegations are true, it amounts to Mr. Gottstein using a fiction to provide funds to Mr. Gruening to sustain his personal finances so that more time may be devoted to his campaign.

33040404723

II- p. 4 of 4

win 909908

Jermain, Dunnagan & Owens
Attorneys at Law
510 L Street, Suite 105 Anchorage, Alaska

RECEIVED
ACC #2494

20 SEP 20 1980 AID: 33

Telephone
(907) 276-6532

William H. Jermain
Charles A. Dunnagan
Bradley D. Owens
Randall J. Simpson

Sail Roy Frates
Of Counsel

August 25, 1980

20 SEP 2 11: 21

RECEIVED
GENERAL COUNSEL

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

Re: MUR 1272 (80)

Dear Mr. Steele:

I represent Clark Gruening and the Alaskans for Gruening in the above-referenced complaint. You will find enclosed an affidavit which addresses the allegations made by Robert Mitchell in his letter of August 5, 1980. You will also find enclosed a letter of representation which authorizes me to receive any notifications and other communications from the Commission, should that be necessary.

If I may be of any further service, don't hesitate to contact me at your convenience.

Sincerely,

JERMAIN, DUNNAGAN & OWENS

Charles A. Dunnagan
Charles A. Dunnagan

/kj
Enc.

83040404724

Attachment III - p. 1 of 6

Jermain, Dunnagan & Owens
Attorneys at Law

510 L Street, Suite 105 Anchorage, Alaska 99501

William H. Jermain
Charles A. Dunnagan
Bradley D. Owens
Randall S. Simpson

Telephone
(907) 276-6532

Sail Roy Trout
Of Counsel

August 25, 1980

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

Re: MUR 1272 (80), Letter of Representation

Dear Mr. Steele:

By this letter the below signed, Clark Gruening and the Alaskans for Gruening, wish to notify the F.E.C. that they shall be represented in Complaint No. MUR 1272 (80) by the following:

Charles A. Dunnagan
JERMAIN, DUNNAGAN & OWENS
801 West Fireweed Lane, Suite 201
Anchorage, Alaska 99503
(907) 276-6532

By our signatures below, we authorize Charles Dunnagan to receive any notifications and other communications from the Commission.

DATED: 8/28/80

8/28/80

Clark Gruening
Clark Gruening

DATE: 8/26/80

8/26/80

John T. Hale
John Hale, Alaskans for Gruening

30 SEP 2 11: 21

RECEIVED
GENERAL COUNSEL

83040404725

including but not limited to access to corporate computers for political purposes.

Response. This is not true. On one occasion, Alaskans for Gruening purchased from the state of Alaska a computer tape giving information on registered voters in Alaska. Carr-Gottstein Computer Services Division was then employed to make a printout from this tape. The printout was paid for at fair market value. The sum of money paid was \$256.00. Alaskans for Gruening can produce the receipts and will do so upon request. We made especially sure to pay fair market value because we expected this kind of inquiry to come up in the future. This was the only time that Carr-Gottstein Computer Services worked on behalf of the Gruening campaign.

c. The use of corporate facilities to produce and place political advertisements at less than fair market cost.

Response. This is not true. Mr. Gottstein and the businesses controlled by him have produced no ads whatever for Clark Gruening or the Clark Gruening campaign. In October of 1979, Alaska Advertisers, the in house advertising agency for the Carr-Gottstein organization, did purchase time on television stations throughout Alaska on behalf of the Gruening campaign. However, Alaska Advertisers was paid fair market value for this service. Again, the receipts have been kept and will be produced upon request.

d. Fund raising services that were not paid for.

Response. It is virtually impossible to respond to this since the allegation has no specifics. While

Jermain, Dunnagan & Owens
Attorneys at Law
510 L Street, Suite 105 - Anchorage, Alaska 99501
(907) 276-6532

Mr. Gottstein has raised money for Alaskans for Gruening, he has not been employed as a fund raiser at any time and he has rendered no services for which payment should ever have been made. There has never been any agreement between the campaign and Mr. Gottstein whereby Mr. Gottstein was employed by the campaign in any capacity as a fund raiser or otherwise.

e. Time contributed by corporate employees of Mr. Gottstein.

Response. Where services have been purchased, fair market value has been given. The campaign and Clark Gruening are unaware of any situation where illegal in kind contributions of the services of corporate employees have been made or received. If employees of Carr-Gottstein have contributed their time to the campaign they have been volunteers. I am totally unaware of any instance wherein an individual claimed to be volunteering his services and was in fact paid to be serving in the campaign.

f. The payment of funds to private investigators to secure information for negative newspaper articles on Senator Gravel.

Response. No funds were expended or directed by Alaskans for Gruening or the candidate. Mr. Gravel has accused the newspapers extensively along this line and nothing has ever come of it.

3. I believe the action taken by Mike Gravel against Clark Gruening and the Alaskans for Gruening is totally without foundation and is simply harassment. I am at the service of the Federal Election Commission should any additional inquiries be necessary.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Germain, Dunnagan & Owens
Attorneys at Law
510 L. Street, Suite 105, Anchorage, Alaska 99501
(907) 276-6532

DATED this 26TH day of August, 1980 at Anchorage, Alaska.

John Parker Hale
John Parker Hale

SUBSCRIBED AND SWORN to before me this 26 day of August, 1980.

Kendra Johnson
Notary Public in and for Alaska
My commission expires: 4/18/83

STATEMENT BY CANDIDATE

I, CLARK GRUENING, hereby swear and affirm that I have read the foregoing affidavit and that to the best of my knowledge and belief the facts therein stated are true.

DATED this 28th day of August, 1980 at Anchorage, Alaska.

Clark Gruening
Clark Gruening

SUBSCRIBED AND SWORN to before me this 28th day of August.

Kevin P. ...
Notary Public in and for Alaska
My commission expires: 12/31/82

Germain, Dunningan & Owens
Attorneys at Law
510 L Street, Suite 105 - Anchorage, Alaska 99501
(907) 276-6532

GCC # 2531

Levin



August 27, 1980

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

Dear Mr. Steele:

I am in receipt of correspondence dated August 8, 1980, received here August 14, 1980, referring to MUR 1272(80).

Regarding Alaska Advertisers, the question appears to relate to the "use of corporate facilities to produce and place political advertisements at less than fair market cost."

Alaska Advertisers has placed advertisements for Friends of Alaska and for the Alaskans For Gruening Committee. Information is attached. Alaska Advertisers has never been employed to produce any advertising for either group, however.

Regarding the matter of providing placement services at less than fair market cost, I believe the attached statements will show that each committee was billed the full amount charged by various media for purchase of advertising time and space.

I hope this assists in clearing up the matter of MUR 1272(80).

Sincerely,

Steve Oien

Steve Oien,
 General Manager

40 SEP 3 10 23 AM '80

1341 FAIRBANKS STREET • ANCHORAGE, ALASKA 99501 • (907) 279-5942

Attachment IV - p. 1 of 39

830404730



612 1/2 EAST FOURTEENTH AVENUE
SUITE 5
ANCHORAGE, ALASKA 99501

RECEIVED

80 SEP 3 AIO: 52

CHECK
No. 3711
ANCHORAGE, ALASKA
SECURITY NATIONAL BANK
DATE: 11/13/79 AMOUNT: \$ 466.94

PAY

Alaskans for Gruening Committee

TO THE ORDER OF

NON NEGOTIABLE

CO. NO.	LOC	C/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHK NO	AMOUNT	DESCRIPTION
090		110.00		32190	31038/31018	11/79	2	11	466.94	

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

40404731

3



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-8942

33
 VOICE
 DATE
 10/31/79
 404
 SOLD
 404
 040

10/31/79

Gruening for Senate Committee

DESCRIPTION OF SERVICE	AMOUNT
<p>8 Additional Charges, KSA-TV, Sitka (Borough tax)</p>	<p>\$ 3.06</p>

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE No 31018
 IV - p. 4 of 39



612 1/2 EAST FOURTEEN AVENUE
 SUITE 5
 ANCHORAGE, ALASKA 99501

No. 3727
 SECURITY NATIONAL BANK ANCHORAGE, ALASKA
 89-83 1252

DATE: 11/14/79 AMOUNT: \$ 3.06

PAY

TO THE ORDER OF
 Sitka Alaska Television (KSA)
 P.O. Box 439
 Sitka, Ak. 99835

NON NEGOTIABLE

CO. NO.	LOC	G/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHK NO	AMOUNT	DESCRIPTION
090		110.00		64372	31018	10/79	2	10	3.06	Gruening Balance

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

830

Balance

(3.06) OK

79.56

*(Note: we have a foreign tax of 4% which was not included.)
 Thank you*

ATTEST: *Michael White*
 ATTEST: *Manning*

SITKA, ALASKA

SCENIC, HISTORIC SITKA BY THE SEA

IV - p. 5 of 39

STATEMENT

Phone (907) 747-3535

P.O. Box 439

SITKA ALASKA TELEVISION INC.

(KSA-Cable-TV)

Channels 2, 3, 4, 5, 6, & 11

SITKA, ALASKA 99835

Date Oct 20, 1979

- Alaska Advertisers -
 1341 Fairbanks St.
 Anchorage, Alaska 99501 -

PREVIOUS BALANCE

83040109475	Evening TV spots	90.00
	- 15%	13.50
		76.50
090-110.00 - 31018	4% TAX	3.06
		79.56
	Payment Rec'd	- 76.50
	Balance	(3.06) OK

(Note: we have a prorated tax of 4% which was not included.)
 Thank you

SITKA ALASKA TELEVISION INC.

(KSA-TV) CHANNEL 4

SITKA, ALASKA 99835

CERTIFICATE OF PERFORMANCE

AGENCY ACCOUNT: *Alaska Advertisers*

IT IS HEREBY CERTIFIED THAT

WERE PRESENTED FOR THE ABOVE ACCOUNT OVER SITKA ALASKA TELEVISION INC. ON DATES LISTED, AS PER INSTRUCTION FROM THE ABOVE AGENCY.

SIGNATURES OF EMPLOYEES OF SITKA ALASKA TELEVISION, INC. WHO ARE RESPONSIBLE FOR THE PRESENTATION OF THE TRANSMISSIONS APPEAR BELOW.

MONTH	DAY	TIME	ADJACENCY	RATE
<i>Oct</i>	<i>12</i>	<i>6:21</i>	<i>News</i>	<i>15.00</i>
"	<i>12</i>	<i>8:01</i>	<i>MOVIE</i>	<i>15.00</i>
"	<i>13</i>	<i>7:59</i>	<i>CHIPS</i>	<i>15.00</i>
"	<i>13</i>	<i>8:59</i>	<i>Love Boat</i>	<i>15.00</i>
"	<i>14</i>	<i>9:31</i>	<i>MOVIE</i>	<i>15.00</i>
"	<i>14</i>	<i>7:59</i>	<i>MORIS & MINDY</i>	<i>15.00</i>

90.00
15% *13.50*

76.50
4% TAX *3.06*

79.56

ATTEST: *Michael White*
 ATTEST: *M. M. M.*

SITKA, ALASKA

SCENIC, HISTORIC SITKA BY THE SEA

8304010475



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-5942

INVOICE DATE 10/11/79

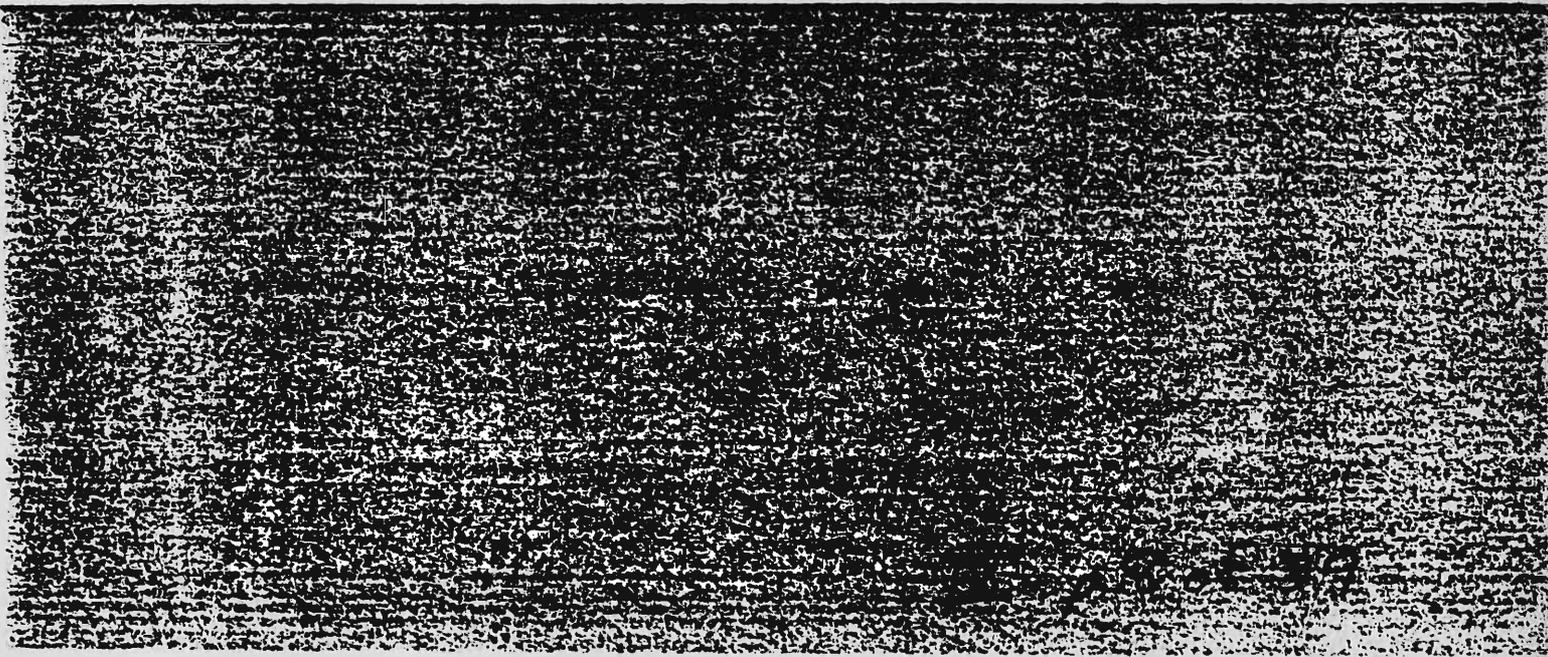
SOLD TO
 ALASKANS FOR GRUENING
 CLARK GRUENING FOR U. S. SENATE

DESCRIPTION OF SERVICE	AMOUNT
KENI-TV, Anchorage	420.00
KTVR-TV, Anchorage	350.00
KING-TV, Anchorage	470.00
KEAR-TV, Fairbanks	196.00
KVFF-TV, Fairbanks	250.00
KINY-TV, Juneau	85.00
KITV-TV, Sitka	102.00
CABLE NETWORK	642.00
JATV, Cable, Juneau	210.00
KATV, Cable, Ketchikan	126.00
KSA-TV, Cable, Sitka	90.00
OR-TV, Production	150.00
Gold Streak Service,	
Alaska Airlines	161.00
Express Mail to Seattle	8.90
Statewide Phone Calls	36.78
	3091
	PAID IN FULL
	3297.68

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE # 89435



ALASKANS FOR GRUENING

P. O. BOX 1757

ANCHORAGE, ALASKA 99510



1012

10/10 1979

89-361
1252

PAY Three thousand two hundred DOLLARS \$ 3,297.68
ninety seven & 68/100

Alaska Advertisers

TO
THE
ORDER
OF

Clark Gruening

⑈001012⑈ ⑆⑆125200361⑆ 57015 612⑈

ALASKANS FOR GRUENING

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

DELUXE - FORM WVC-3 V-2

DATE	DESCRIPTION	AMOUNT
		090-110.00



612 1/2 EAST FOURTEENTH AVENUE
SUITE 5
ANCHORAGE, ALASKA 99501

ALASKA
ADVERTISERS

CHECK

No. 3590

SECURITY
NATIONAL
BANK

ANCHORAGE, ALASKA

88-83
1988

DATE: 10/10/79 AMOUNT: \$ 399.50

10/10/79 \$ 399.50

PAY

TO THE ORDER OF KIMO-TV

NON NEGOTIABLE

CO. NO.	LOC	C/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHE MO	AMOUNT	DESCRIPTION
090		110.00		30650	Gruening	10/79	2	10	470.00	
090		468.00		30650	Gruening	10/79	2	10	(70.50)	

ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

3
3

IV - p. 10 of 39



612 1/2 EAST FOURTEENTH AVENUE
 SUITE 5
 ANCHORAGE, ALASKA 99501

CHECK
No. 3591
 SECURITY NATIONAL BANK ANCHORAGE, ALASKA 69-53
 1252

DATE: 10/10/79 AMOUNT: \$ 166.60

PAY

XFAR-TV

TO THE ORDER OF

NON NEGOTIABLE

CO. NO.	LOC	S/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHEG MO	AMOUNT	DESCRIPTION
090		110.00		64120	Crueing	10/79	2	10	196.00	
090		468.00		"	"	10/79	2	10	(29.40)	

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

IV - p. 11 of 39



612 1/2 EAST FOURTEENTH AVENUE
SUITE 5
ANCHORAGE, ALASKA 99501

SECURITY
NATIONAL
BANK

No. 3592

ANCHORAGE, ALASKA

89-43
1288

DATE: 10/10/79 AMOUNT: \$ 357.00

10/10/79 \$ 357.00

PAY

TO THE ORDER OF

KENI-TV

NON NEGOTIABLE

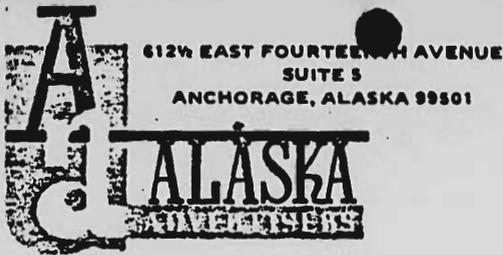
CO. NO.	LOC	G/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHK NO	AMOUNT	DESCRIPTION
090		110.00		72180	Gruening	10/79	2	10	420.00	
090		468.00		"	"	10/79	2	10	(63.00)	

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. CASH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

700 ✓

IV - p. 12 of 39



612W EAST FOURTEENTH AVENUE
 SUITE 5
 ANCHORAGE, ALASKA 99501

SECURITY NATIONAL BANK
 No. 3593
 ANCHORAGE, ALASKA
 82-83 1252
 DATE: 10/10/79 AMOUNT: \$ 212.50

PAY

KIVP-TV

TO THE ORDER OF

NON NEGOTIABLE

CO. NO.	LOC	G/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHK NO.	AMOUNT	DESCRIPTION
090		110.00		64380	Gruening	10/79	2	10	250.00	
090		468.00		"	"	10/79	2	10	(37.50)	

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

33 70 - - -

IV p. 13 of 39



612 1/2 EAST FOURTEENTH AVENUE
 SUITE 5
 ANCHORAGE, ALASKA 99501

SECURITY
 NATIONAL
 BANK

CHECK
 No. 3594
 ANCHORAGE, ALASKA 99-93
 1282

DATE: 10/10/79 AMOUNT: \$72.25

PAY

KINY-TV

TO THE
 ORDER
 OF

NON NEGOTIABLE

CO. NO.	LOC	S/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHEG MO	AMOUNT	DESCRIPTION
090		110.00		72180	Gruening	10/79	2	10	85.00	
090		468.00		"	"	10/79	2	10	(12.75)	
4040471										

THE ATTACHED CHECK IS IN PAYMENT
 OF THE ITEMS LISTED ABOVE.
 DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

IV - p. 14 of 39



612 1/2 EAST FOURTEENTH AVENUE
SUITE 5
ANCHORAGE, ALASKA 99501

ALASKA
ADVERTISERS

SECURITY
NATIONAL
BANK

CHECK
No. 3595

ANCHORAGE, ALASKA

89-82
1252

DATE: 10/10/79 \$ AMOUNT: 86.70

PAY

TO THE ORDER OF KIPW-TV

NON NEGOTIABLE

CO. NO.	LOC	G/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHEQ MO	AMOUNT	DESCRIPTION
090		110.00		64260	Gruening	10/79	2	10	102.00	
090		468.00		64260	"	10/79	2	10	(15.30)	
4040471										

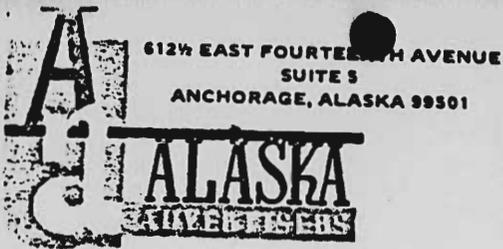
THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

700

Kemp

IV - p 15 of 39



612 1/2 EAST FOURTEENTH AVENUE
 SUITE 3
 ANCHORAGE, ALASKA 99501

CHECK
No. 3596
 ANCHORAGE, ALASKA 99-53
 1252
 SECURITY NATIONAL BANK
 DATE: 10/10/79 AMOUNT: \$ 76.50

PAY

TO THE ORDER OF KSA-TV

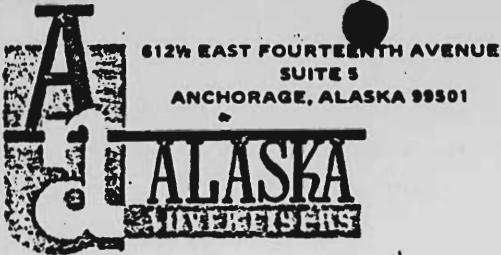
NON NEGOTIABLE

CO. NO.	LOC	O/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHK MO	AMOUNT	DESCRIPTION
090		110.00		64372	Gruening	10/79	2	10	90.00	
090		468.00		64372	"	10/79	2	10	(13.50)	

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

IV p. 16 of 39



CHECK
No. 3597
 ANCHORAGE, ALASKA
 SECURITY NATIONAL BANK
 DATE: 10/10/79 AMOUNT: \$ 178.50

PAY

TO THE ORDER OF **JATV, Juneau**

NON NEGOTIABLE

CO. NO.	LOC	S/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHG NO	AMOUNT	DESCRIPTION
090		110.00		62162	Gruening	10/79	2	10	210.00	
		468.00		"	"	10/79	2	10	(31.50)	

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

IV - p. 17 of 39



612 1/2 EAST FOURTEENTH AVENUE
SUITE 3
ANCHORAGE, ALASKA 99501

ALASKA
ADVERTISERS

SECURITY
NATIONAL
BANK

No. 3598

ANCHORAGE, ALASKA

89-83
1252

DATE: 10/10/79 AMOUNT: \$ 107.10

10/10/79 \$ 107.10

PAY

TO THE ORDER OF

KATV, Ketchikan

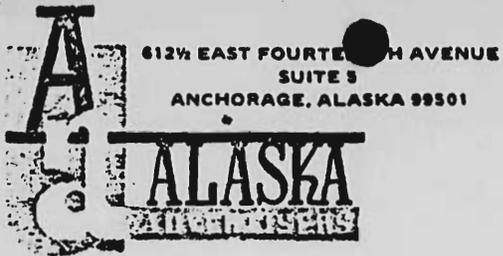
NON NEGOTIABLE

CO. NO.	LOC	G/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHK NO	AMOUNT	DESCRIPTION
090		110.00		64075	Gruening	10/79	2	10	126.00	
090		468.00		"	"	10/79	2	10	(18.90)	
4040471										

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

IV - p. 18 of 39



CHECK No. 3599
 SECURITY NATIONAL BANK ANCHORAGE, ALASKA
 DATE: 10/10/79 AMOUNT: \$ 491.13

PAY

North Star Communications

TO THE ORDER OF

NON NEGOTIABLE

CO. NO.	LOC	G/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHK NO	AMOUNT	DESCRIPTION
090		110.00		75370	Gruening	10/79	2	10	642.00	
090		468.00		"	"	10/79	2	10	(150.87)	

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

333

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612 1/2 EAST FOURTH AVENUE
SUITE
ANCHORAGE, ALASKA 99501

ALASKA
ADVERTISERS



NO. 5003
ANCHORAGE, ALASKA

89-83
1282

DATE: 10/9/79 AMOUNT: \$ 447.50

10/9/79 \$ 447.50

PAY

TO THE ORDER OF Northern Television - KTVA

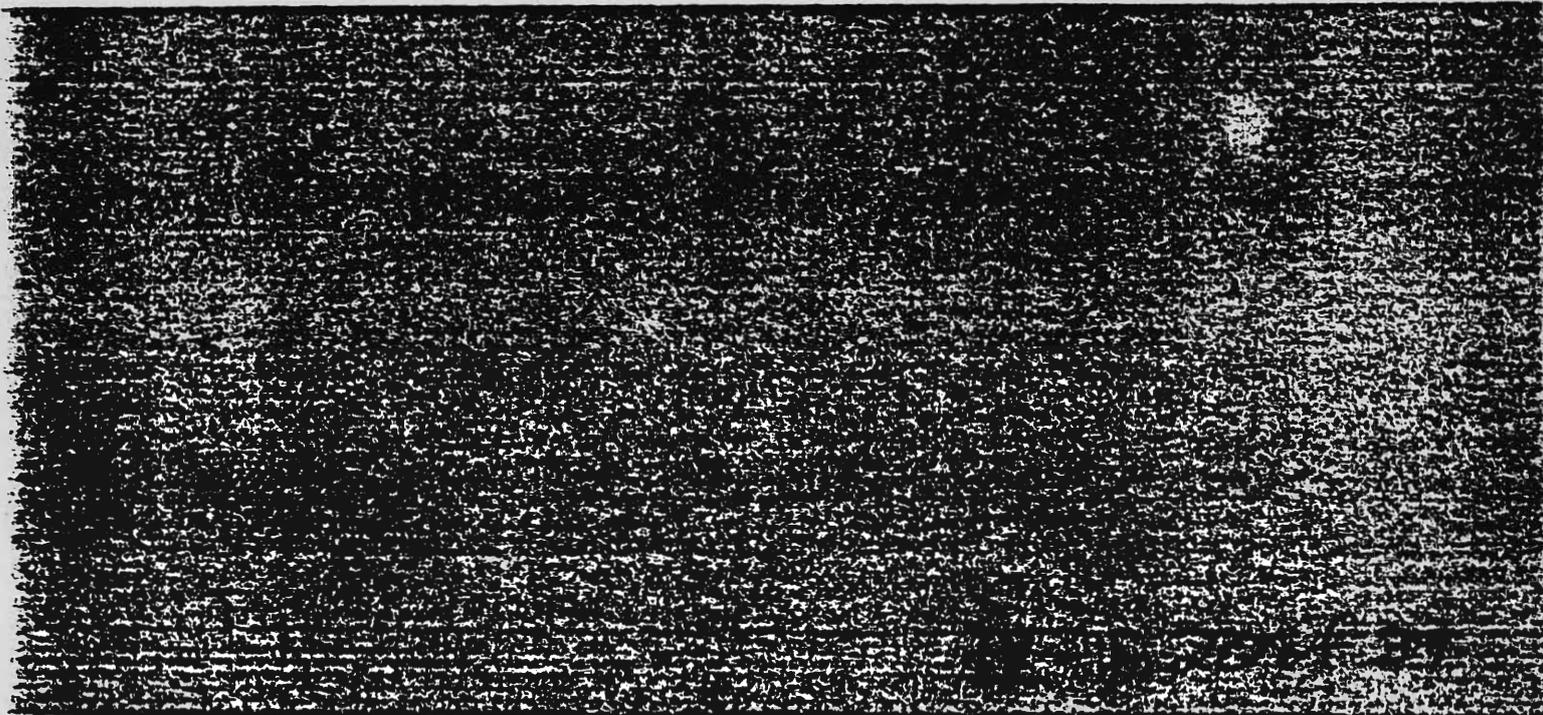
NON NEGOTIABLE

CO. NO.	LOC	G/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHK NO	AMOUNT	DESCRIPTION
090		110.00		76275	Gruening	10/79	2	10	500.00	
090		468.00		76275	"	10/79	2	10	(52.50)	
										Air Time 297.50
										Prod. 150.00
										<u>447.50</u>

040704719

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.



TELEVISION CHANNEL 13-KIMD-TV
 CENTRAL ALASKA BROADCASTING, INC.
 3910 BEWARD HIGHWAY
 ANCHORAGE, ALASKA 99503

2840

PAY TO THE ORDER OF

Alaska Advertisers

\$ 399.50

KIMD-TV 399.50 DOLLARS

DOLLARS

NATIONAL BANK OF ALASKA
 FOURTH AVE BRANCH
 ANCHORAGE, ALASKA 99501

Richard Burge

⑆002840⑆ ⑆125200057⑆ 01⑆ 250876⑆

CENTRAL ALASKA BROADCASTING, INC.

DETACH AND RETAIN THIS STATEMENT
 THE ATTACHED CHECK IS VALID FOR CASHING AT ANY BANK OR CHECK CASHING SERVICE.
 IF NOT CASHED, PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

DELUXE - FORM DVC-3 V-5 B

DATE	DESCRIPTION	AMOUNT	DISTRIBUTIONS	
			ACCT. NO.	AMOUNT
	Re: Refund check for Clark Gruenting, Political.	399.50	106	
		090-110.00		

EMPLOYEE

PERIOD ENDING	TOTAL EARNINGS	DEDUCTIONS				TOTAL DEDUCTIONS	NET PAY
		Soc. Sec. Tax	Withholding U.S. Inc. Tax	State Inc. Tax			

01240404038



No. - 3794
SECURITY NATIONAL BANK
ANCHORAGE, ALASKA
DATE: 12/12/79 AMOUNT: \$ 215.05

PAY
Northern Television
P.O. Box 950
Fairbanks, Ak. 99707

NON NEGOTIABLE

CO. NO.	LOC	G/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHG MO	AMOUNT	DESCRIPTION
090		110.00		76275	31097	11/79	2	11	168.00	KFBS Gruening
090		468.00		76275	disc	11/79	2	11	(25.20)	
090		135.04		76275	31145	11/79	2	11	85.00	KTVP Foodland
090		468.00		76275	disc	11/79	2	11	(12.75)	

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

11-16-79	FR ALASKAN FOR GRUENING 9087	310P	:30	7.00	1	7.
11-16-79	FR ALASKAN FOR GRUENING 9087	340P	:30	7.00	1	7.
11-16-79	FR ALASKAN FOR GRUENING 9087	434P	:30	7.00	1	7.

THE INFORMATION SHOWN IS FROM THE OFFICIAL PROGRAM LOGS OF

K F R B RADIO

ALL TIMES SHOWN PLUS OR MINUS EIGHT MINUTES.

TOTALS	24	.00	168
PAY THIS SUM	GROSS AMT	157.00	168
	15% DISC		25.
	AMOUNT DUE		142

IN-0304

IV-p.22 of 39

83040404752

ALASKANS FOR GRUENING
 P. O. BOX 1787
 ANCHORAGE, ALASKA 99518

TO THE ORDER OF
 Alaska Advertisers

Pay One hundred sixty eight & 00/100 Dollars \$168.00

Dec. 5 1979

ALASKA BANK
 MEMBER FEDERAL RESERVE SYSTEM
 COMMERCIAL BANK

1054

88-311
 1989

#001054# @:1252003611: 57015 612#

Paula Ann Deming

IV - p. 23 of 39



MEMORANDUM

TO: BARNEY GOTTSTEIN

FROM: JUDY PARSONS, Adv.

Following is a list of the television purchase and dates involved in the October buy for Clark Gruening:

Cable Network	Oct. 14-16	642.00
KATV, Ketchikan	Oct. 12-14	126.00
JATV, Juneau	Oct. 12-14	210.00
KSA-TV, Sitka	Oct. 12-14	90.00
KIFW-TV, Sitka	Oct. 12-14	102.00
KINY-TV, Juneau	Oct. 12-14	85.00
KTVF-TV, FEKS	Oct. 12-14	250.00
KFAR-TV, Fbks.	Oct. 12-14	196.00
KENI-TV, Anch.	Oct. 12-14	420.00
KIMO-TV, Anch.	Oct. 12-14	470.00
KTVA-TV, Anch.	Oct. 12-14	350.00

Judy Parsons

83040404753



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA CABLE SYSTEM

North Star Communications

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: Oct. 14, 1979

DATE OF EXPIRATION: Oct. 16, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE: 1 30-sec. spot Prime per night per channel

2 Channel cost per night = \$214.00 x 3 = \$642.00

PREFERRED POSITION:

VTR, POLITICAL BROADCAST FORM AND CHECK ENCLOSED.

CLASSIFICATION:

RATE:	642.00
Less Agency Commission:	<u>96.30</u>
NET TO BE PAID:	545.70
	<u>54.57</u>
	491.13

Authorized By: *Janey Brown*

Dec 10 90
894

30400473



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA KATV

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: Oct. 12, 1979

DATE OF EXPIRATION: October 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

3	October 12	30-sec.	1 Prime each Channel
0	October 13	30-sec.	1 Prime each Channel
4	October 14	30-sec.	1 Prime each Channel
7			

PREFERRED POSITION: 6 30-sec. @ \$21.00 each = \$ 126.00

CLASSIFICATION: CASSETTE. POLITICAL BROADCAST FORM AND CHECK ENCLOSED.

LETTER OF AUTHORIZATION TO FOLLOW.

RATE:	<u>126.00</u>
Less Agency Commission:	<u>18.00</u>
NET TO BE PAID:	<u>107.10</u>

Authorized By: *Carol Jensen*

391

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alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA JATV, Juneau

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: Oct. 12, 1979

DATE OF EXPIRATION: Oct. 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

Oct. 12	30-sec.	1 Prime on each Channel
Oct. 13	30-sec	1 Prime on each Channel
Oct. 14	30-sec.	1 Prime on each Channel

6 30-sec. @ \$35.00 each = \$210.00

PREFERRED POSITION:

CASSETTE, POLITICAL BROADCAST FORM AND CHECK ENCLOSED.

CLASSIFICATION:

Letter of Authorization to follow.

RATE:	<u>210.00</u>
Less Agency Commission:	<u>31.50</u>
NET TO BE PAID:	<u>178.50</u>

Authorized By: *Andy Persons*

393

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alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA KSA-TV, Sitka

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: October 12, 1979

DATE OF EXPIRATION: October 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:	October 12	30-sec.	7PM NBC News	15.00
		30-sec.	8-10 PM ABC	15.00
	October 13	30-sec.	8-9 CHIPS	15.00
		30-sec.	9-10 Love Boat	15.00
	October 14	30-sec.	8-10 Movie	15.00
		30-sec.	8-8:30-Mork & Mindy	15.00

PREFERRED POSITION:

CLASSIFICATION:

CASSETTE, POLITICAL BROADCAST FORM AND CHECK ENCLOSED.

Letter of Authorization to follow.

RATE:	<u>90.00</u>
Less Agency Commission:	<u>13.50</u>
NET TO BE PAID:	<u>76.50</u>

Authorized By: [Signature]

802

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alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA KIMO-TV

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: Oct. 12, 1979

DATE OF EXPIRATION: Oct. 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:	October 12	30-sec.	7:00 PM	130.00
	October 13	30-sec.	8-9 PM	170.00
	October 14	30-sec.	9-11 PM	170.00
				<u>470.00</u>

PREFERRED POSITION:

VTR, Political Broadcast Form, Letter of Authorization and check enclosed.

CLASSIFICATION:

DID NOT RUN.

RATE:	<u>470.00</u>
Less Agency Commission:	<u>70.50</u>
NET TO BE PAID:	<u>399.50</u>

Authorized By: *George Pearson*

333

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alaska advertisers

1241 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA: KTVA-TV

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: October 12, 1979

DATE OF EXPIRATION: October 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

October 12	30-sec.	6:00 PM	30.00
October 13	30-sec.	8-9 PM	95.00
October 14	30-sec.	7-8 PM	175.00
			<u>350.00</u>

PREFERRED POSITION:

VTR, Political Broadcast Form, letter of authorization and check enclosed.

CLASSIFICATION:

RATE:	<u>350.00</u>
Less Agency Commission:	<u>52.50</u>
NET TO BE PAID:	<u>297.50</u>

Authorized By: *Judy Pearson*

832

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30400475



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5542

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA: KIPW-TV

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: October 12, 1979

DATE OF EXPIRATION: October 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:	October 12	30-sec.	In: World Series	35.00
	October 13	30-sec.	6:30 PM	32.00
	October 14	30-sec.	7-8 PM	35.00
				<u>102.00</u>

PREFERRED POSITION:

VTR, Political Broadcast Form, Letter of Authorization and check enclosed.

CLASSIFICATION:

RATE:	<u>102.00</u>
Less Agency Commission:	<u>15.30</u>
NET TO BE PAID:	<u>86.70</u>

Authorized By: Cathy Parsons

390

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alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-3942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA KINY-TV

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: October 12, 1979

DATE OF EXPIRATION: October 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:	October 12	30-sec.	In: World Series	25.00
	October 13	30-sec.	8-9 PM	30.00
	October 14	30-sec.	8-10 PM	30.00
				<u>85.00</u>

PREFERRED POSITION:

VTR, Political Broadcast form, Letter of Authorization and check enclosed.

To Come

CLASSIFICATION:

RATE:	<u>85.00</u>
Less Agency Commission:	<u>12.75</u>
NET TO BE PAID:	<u>72.25</u>

Authorized By: *Chris [Signature]*

339

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30475
30404
30403



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-8942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA: KTVP-TV

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: October 12, 1979

DATE OF EXPIRATION: October 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:	October 12	30-sec.	7:00 PM	80.00
	October 13	30-sec.	9-9:30 PM	85.00
	October 14	30-sec.	7-8 PM	35.00
				<u>250.00</u>

PREFERRED POSITION:

VTR. Political Broadcast Form, Letter of Authorization and check enclosed.

To Come

CLASSIFICATION:

RATE:	<u>250.00.</u>
Less Agency Commission:	<u>37.50</u>
NET TO BE PAID:	<u>212.50</u>

Authorized By: *Greg P...*

336

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alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA: KFAR-TV

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: October 12, 1979

DATE OF EXPIRATION: October 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

October 12	30-sec.	7:00 PM	65.00
October 13	30-sec.	3-9 PM	59.00
October 14	30-sec.	3-10 PM	72.00
			<u>196.00</u>

PREFERRED POSITION:

CLASSIFICATION:

VTR, Political Broadcast Form, Letter of authorization and check enclosed.

To Come

RATE:	<u>196.00</u>
Less Agency Commission:	<u>20.40</u>
NET TO BE PAID:	<u>175.60</u>

Authorized By: *Chad Person*

335

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304030475



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA: KENI-TV

ACCOUNT: CLARK GRUENINGFOR U.S. SENATE

PRODUCT:

DATE OF INSERTION: Oct. 12, 1979

DATE OF EXPIRATION: Oct.ber 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:	October 12	30-sec.	6:00 PM	100.00 (#1)
	October 13	30-sec.	7-3 PM	160.00 (#2)
	October 14	30-sec.	8-10 PM	160.00 (#2)

PREFERRED POSITION:

VTR, Political Broadcast Form, Letter of Authorization and check enclosed.

to come

CLASSIFICATION:

RATE:	<u>420.00</u>
Less Agency Commission:	<u>63.00</u>
NET TO BE PAID:	<u>357.00</u>

Authorized By: *Carol Olson*

381

IV - p. 35 of 39

6
7
0
4
0
3
0
4
0
3

Norma Johnson 40 = 1247.00

333-4989 RECEIVED

80 SEP 3 AIO: 52

~~Norma Aug 5~~ - KBYR - 4 @ 16.00 64.00

KNIK - 2 @ 12.00 24.00

~~KFAR~~

KIFW - 2 @ 21.00 42.00

KVOK - 2 @ 8.00 16.00

5 = 146.00

~~Norma Aug 6~~ KBYR 4 @ 16.00 64.00

KNIK - 2 @ 12.00 24.00

KIFW - 2 @ 21.00 42.00

KVOK - 5 @ 8.00 40.00

~~KFAR - 2 @ 14.00 28.00~~

APR Network 2 @ 75.00 150.00

6 = ~~948.00~~

320.00

64.00

93.00

66.00

Aug 7 + 8 KBYR 4 @ 16.00

3 @ 31.00 93.00

3 @ 22.00 66.00

KNIK 2 @ 12.00 24.00

KFRB 4 @ 15.00 60.00

KIFW 2 @ 21.00 42.00

7 - 5 @ 8.00 40.00

KVOK 8 - 4 @ 8.00 32.00

~~KFAR 6 @ 14.00 84.00~~

ARN - 3 @ 75.00 225.00

7 = 695.00 614.00

8 = 695.00 606.00

No 3047040495816 6660
333.4989

Aug 9+10

KYAK - 5 @ 21.00 = 105.00
 KHAR - 5 @ 19.00 = 95.00
 KBYR - 5 @ 13.00 = 65.00
 KNIK - 7 @ 11.00 = 77.00
~~KFAR - 5 @ 14.00 = 70.00~~
 KFRB - 5 @ 15.00 = 75.00
 KIFW - 5 @ 21.00 = 105.00
 KVOK - 5 @ 8.00 = 40.00
 ARN - 2 @ 75.00 = 150.00
 KSRM - 7 @ 15.00 = 105.00

Aug 9+10 = ~~887.50~~
817.50

Aug 11

KYAK - 4 @ 28.00 = 112.00
 KBYR - 4 @ 16.00 = 64.00
 KNIK - 2 @ 12.00 = 24.00
 KHAR - 3 @ 31.00 = 93.00
 KHAR - 3 @ 22.00 = 66.00
~~KFAR - 6 @ 14.00 = 84.00~~
 KFRB - 5 @ 15.00 = 75.00
 KIFW - 2 @ 21.00 = 42.00
 KVOK - 4 @ 8.00 = 32.00
 ARN - 2 @ 75.00 = 150.00 ~~658.00~~
742.00

Aug 12

KHAR - 3 @ 31.00 = 93.00
 KHAR - 3 @ 22.00 = 66.00
 KBYR - 4 @ 16.00 = 64.00
 KNIK - 2 @ 12.00 = 24.00
~~KFAR - 4 @ 14.00 = 56.00~~
 KFRB - 5 @ 15.00 = 75.00
 KIFW - 2 @ 21.00 = 42.00
 KVOK - 4 @ 8.00 = 32.00
 ARN - 2 @ 75.00 = 150.00
 KYAK - 4 @ 24.00 = 96.00

~~698.50~~
642.50

Aug 13-14-15
+184

KYAK - 4C 24.00 = 96.00
 2 @ 31.00 = 62.00
 KHAR - 2 @ 22.00 = 44.00
 KBYR - 4 @ 16.00 = 64.00
 KNIX - 2 @ 12.00 = 24.00
~~KFAR - 4 @ 14.00 = 56.00~~
 KFRB - 5 @ 15.00 = 75.00
 KIFW - 2 @ 21.00 = 42.00
 KVOK - 4 @ 8.00 = 32.00
 ARN - 2 @ 75.00 = 150.00

589.00
645.00

Aug 16-17

KYAK - 5 @ 18.00 = 90.00
 KHAR - 5 @ 19.00 = 95.00
 KBYR - 5 @ 13.00 = 65.00
 KNIX - 7 @ 11.00 = 77.00
~~KFAR - 5 @ 14.00 = 70.00~~
 KFRB - 6 @ 15.00 = 90.00
 KIFW - 5 @ 21.00 = 105.00
 KVOK - 5 @ 8.00 = 40.00
 ARN - 2 @ 75.00 = 150.00
 KSRM - 6 @ 15.00 = 90.00

802.00
872.00

Aug 19-20-21-22-23-24-25

20 = ~~30.00~~ 544.00
 21 = 664.00
 22 = ~~544.00~~ 843.20
 23 = 664.00
 25 = 664.00

KFRB 2 @ 15.00
 KHAR 2 @ 31.00 = 62.00
 KHAR 2 @ 22.00 = 44.00
 KBYR 4 @ 16.00 = 64.00
 KNIX 2 @ 12.00 = 24.00
~~KFAR 4 @ 14.00 = 56.00~~
 * KFRB 4 @ 15.00 = 60.00
 KIFW 2 @ 21.00 = 42.00
 KVOK 4 @ 8.00 = 32.00
 ** ARN 2 @ 75.00 = 150.00
 KYAK 4 @ 24.00 = 96.00

194.00
574.00
630.00

* CANCELLED AS OF 8/20 PM

** ADD 2 SPOTS ON 8/21-22-23-24-25
 150.50 PER DAY

Aug 23 + 24

KBYR - 5 @ 13.50 = 65.00

KHAR - 5 @ 19.00 = 95.00

KVIR - 7 @ 11.00 = 77.00

~~KFAR - 5 @ 14.00 = 70.00~~

~~KFAR - 5 @ 15.00 = 75.00~~

23 = 1570.40

KIFW - 5 @ 21.00 = 105.00

24 = 1880.80

KVOK - 5 @ 8.00 = 40.00

ARN - 2 @ 75.00 = 150.00

KSPM - 6 @ 15.00 = 90.00

KYAK - 5 @ 18.00 = 90.00

ARN = 150.00 DAY ✓

23 = 305.20 ✓ ~~857.00~~

ANCH TIMES (23+24)

24 = 318.90 ✓

23 = 7.40 ✓
24 = 7.40 ✓

ANCH NEWS (23+24)

179.20 ✓

5.60 ✓

\$14,284.00

NEWS-MINER (23)

224.50 ✓

~~14,284.00~~

14,620.40

Leven

911269



GCC# 3336

30 NOV 17 AII: 07

GENERAL COUNSEL

Mr. Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street N.W.
Washington, D. C. 20463

Re: MUR 1272 (80)

Dear Mr. Steele:

With regard to the telephone call from your office last week, we are enclosing copies of all invoices submitted to the Friends of Alaska Committee. We are also enclosing copies of their checks in payment to Alaska Advertisers. You will note that their final check was in the amount of \$4,351.79 which overpaid their account by a figure of \$134.39. We are enclosing a copy of our check back to the Committee in that amount.

You had requested copies of insertion orders on our media placement, but we feel that these would be of little use to you since there were so many changes made on the schedule after the insertion orders were given to the various media. I am however enclosing a copy of my daily listing of stations or newspapers, with many changes and notations noted. I hope that this will suffice.

I hope that the enclosed will show that this committee was billed the full amount charged by various media for the purchase of advertising time and space, and that this matter will be cleared up finally.

Sincerely,

Judith L. Parsons
Judith L. Parsons
Media Placement

encls.

1341 FAIRBANKS STREET • ANCHORAGE, ALASKA 99501 • (907) 279-5942

83040404769

Attachment V - p. 1 of 30

INVOICE
DATE

3/31/80



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-8942

4771
4771
4040
4040
4040
4040

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
8308 Radio Advertising, August 6, 1980	\$
KBYR Radio	64.00
KZIA Radio	24.00
KIPW Radio	42.00
KVAZ Radio	40.00
Alaska Radio Network	<u>190.00</u>
	320.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE 22 00337

V - p. 3 of 30



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-5942

INVOICE
 DATE

8/31/80

SOLD
 TO

Friends of Alaska Committee

830	DESCRIPTION OF SERVICE	AMOUNT
833	Radio advertising, August 7, 1980	\$
	KDIR Radio	64.00
	KAKR Radio	139.00
	KLIK Radio	24.00
	KTRB Radio	60.00
	KIPW Radio	42.00
	KWCN Radio	40.00
	Alaska Radio Network	<u>225.00</u>
		614.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE 80 0033

V - p. 4 of 30

INVOICE
DATE

8/31/88



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-5942

477
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SOLD TO

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
830 Radio Advertising, August 9, 1988:	\$
KYYK Radio	105.00
KNSR Radio	95.00
KLYR Radio	65.00
KNIK Radio	77.00
KTTD Radio	75.00
KITY Radio	105.00
KXAK Radio	40.00
KSRV Radio	105.00
Alaska Radio Network	<u>150.00</u>
	317.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE # 80391

V - p. 6 of 30



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-8942

INVOICE DATE 8/31/80

8304047
 SOLD TO

Friends of Alaska Committee

	DESCRIPTION OF SERVICE	AMOUNT
8304047	Radio Advertising, August 10, 1980:	\$
	KIIM Radio	105.00
	KPRM Radio	95.00
	KDYR Radio	65.00
	KNTY Radio	77.00
	KFRB Radio	75.00
	KIPW Radio	105.00
	KVOK Radio	40.00
	KSRM Radio	105.00
	Alaska Radio Network	<u>150.00</u>
		617.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE # 89782

V - p. 7 of 30

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INVOICE
DATE

8/31/80



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

Friends of Alaska Committee

	DESCRIPTION OF SERVICE	AMOUNT
8	Radio Advertising, August 11, 1980:	\$
	KIAK Radio	112.00
	KIBK Radio	159.00
	KBYR Radio	64.00
	KVIK Radio	24.00
	KTVR Radio	75.00
	KATK Radio	42.00
	KTVK Radio	32.00
	Alaska Radio Network	<u>150.00</u>
		658.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE 8 20893

IV - p. 8 of 30



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-5942

83040477
 INVOICE DATE
 SOLD TO

8/31/80

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 12, 1980:	\$
KILIKVADSO	26.00
KINR Radio	159.00
KURR Radio	64.00
KWER Radio	24.00
KPRR Radio	75.00
KIDV Radio	12.00
KVGK Radio	32.00
Alaska Radio Network	150.00
	042.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE 00896

V - p. 9 of 30

8

INVOICE
DATE

3/31/89

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SOLD

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1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 13, 1980:	\$
KYNK Radio	96.00
KULP Radio	106.00
KBYT Radio	84.00
KATK Radio	24.00
KFRB Radio	75.00
KFTW Radio	42.00
KVOK Radio	22.00
Alaska radio network	<u>150.00</u>
	599.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE 20035

IV - p. 10 of 30

83040404779
 INVOICE DATE
 SOLD TO

8/31/80



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-5942

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
830 Radio Advertising, August 14, 1980:	\$
KATK Radio	05.00
KATK Radio	106.00
KATK Radio	64.00
KATK Radio	24.00
KATK Radio	75.00
KATK Radio	42.00
KATK Radio	32.00
Alaska Radio Network	<u>150.00</u>
	308.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE 10197

V - p. 11 of 30

830
INVOICE
DATE

8/31/30



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

4780
SOLD
TO
4040
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Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
830 Radio Advertising, August 15, 1980:	\$
KNAK Radio	96.00
KIMB Radio	106.00
KSWR Radio	64.00
KTHK Radio	24.00
KTVB Radio	75.00
KITY Radio	42.00
KVOK Radio	32.00
Alaska Radio Network	<u>150.00</u>
	599.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE NO: 80333

V-p. 12 of 30

INVOICE
DATE

3/31/80



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

4781
4040
4040

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
8 Radio Advertising, August 16, 1980:	\$
KYYA Radio	90.00
KBAR Radio	95.00
KBYE Radio	65.00
KATK Radio	77.00
KFTB Radio	90.00
KFTW Radio	195.00
KVOX Radio	80.00
KSPN Radio	90.00
Alaska Radio Network	<u>150.00</u>
	302.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE # 90799

V - p. 13 of 30

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INVOICE
 DATE

3/31/80



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-5942

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 17, 1980:	\$
WYAK Radio	90.00
KUPR Radio	25.00
KBYR Radio	65.00
KLIH Radio	77.00
KPSB Radio	90.00
KITH Radio	105.00
KFAK Radio	40.00
KSTW Radio	90.00
Alaska Radio Network	<u>150.00</u>
	902.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE # 10400

V-p. 14 of 30

830
INVOICE
DATE

8/31/80



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

4780
4040
4040

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 18, 1980:	\$
WAAA Radio	36.00
KSNR Radio	106.00
KBYR Radio	64.00
KMHK Radio	24.00
KVRD Radio	42.00
KVOX Radio	32.00
Alaska Radio Network	<u>150.00</u>
	509.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE 1000

V-p. 15 of 30

83040473
 INVOICE
 DATE
 SOLD
 TO

8/31/80



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-8942

Friends of Alaska Committee

830	DESCRIPTION OF SERVICE	AMOUNT
	Radio Advertising, August 13, 1980:	\$
	KYUK Radio	96.00
	KHAK Radio	106.00
	KBYR Radio	64.00
	KATH Radio	24.00
	KFRS Radio	60.00
	KATN Radio	42.00
	KYUK Radio	32.00
	Alaska Radio Network	<u>150.00</u>
		374.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE 00402

V-p. 16 of 30

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INVOICE
DATE

8/31/89



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 20, 1989:	\$
KINW Radio	96.00
KNER Radio	106.00
KMER Radio	24.00
KNTZ Radio	64.00
KTPA Radio	30.00
KINW Radio	42.00
KVOX Radio	32.00
Alaska Radio Network	<u>150.00</u>
	544.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE 8 00503

V-p.17 of 30

830404796
 INVOICE DATE
 SOLD TO

9/31/80



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-5942

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 21, 1980:	\$
KZIA Radio	96.00
KHAR Radio	105.00
KBYR Radio	64.00
KVIK Radio	34.00
KIVL Radio	42.00
KVOA Radio	32.00
Alaska Radio Network	<u>200.00</u>
	664.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE 80104

V-p. 18 of 30

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INVOICE
DATE

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1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-8942

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT	
Radio & Print Advertising, August 23, 1980:	\$	
KAKR Radio		90.00
KHMN Radio		95.00
KBYR Radio		65.00
KLNK Radio		77.00
KIFW Radio		105.00
KVOX Radio		40.00
KSRJ Radio		30.00
Alaska Radio Network		300.00
Anchorage Daily News		179.20
Anchorage Daily Times		305.30
Fairbanks News-Times		224.00
	1570.40	

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE # 80407

V - p. 20 of 30

8304789
 INVOICE
 DATE
 3/31/80
 4789
 4040
 4040



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-5942

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
Radio & Print Advertising, August 24, 1980:	\$
KPAK Radio	20.00
KMAR Radio	25.00
KBYR Radio	65.00
KATK Radio	77.00
KTVU Radio	105.00
KVOX Radio	40.00
KSPN Radio	30.00
Alaska Radio Network	390.00
Anchorage Daily Times	210.00
	1100.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE 80103

IV - p. 21 of 30

83040470
 INVOICE
 DATE
 SOLD
 TO

8/31/66



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-8942

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
830 Radio Advertising, August 25, 1966:	\$
KIAA Radio	96.00
KUAL Radio	106.00
KSNR Radio	64.00
KATK Radio	24.00
KTVU Radio	42.00
KVOY Radio	22.00
Alaska Radio Network	<u>300.00</u>
	564.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE 80-00

V-p.22 of 30



612 1/2 EAST FOURTEENTH AVENUE
SUITE 5
ANCHORAGE, ALASKA 99501

SECURITY
NATIONAL
BANK

CHECK
No. 4584

ANCHORAGE, ALASKA 99501

10/3/80 9 134.39

PAY

Friends of Alaska

ORDER

NOT NEGOTIABLE

CO. NO.	LOC	QTY	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHK NO	AMOUNT	DESCRIPTION
090		199.00		52150	Overpymt	10/80	2	10	134.39	

THE ATTACHED CHECK IS IN PAYMENT
OF THE ITEMS LISTED ABOVE.
DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC 0 2 8

Page 23 of 30

83040404792

RESIDUOS OF ALASKA

PAY TO THE ORDER OF

Alfred Anderson
Pay to the order of Mrs. M. J. Moore

DOLLARS

9/25 1080
\$4357.24

No. 3

89-6/01
1252



THE FIRST NATIONAL BANK
OF ANCHORAGE
ANCHORAGE, ALASKA 99501

⑆125200060⑆ 011106 2003⑈

W. P. Green

V-24 of 30

FRIENDS OF ALASKA
2140 STANFORD DR
DUE M ALC 99504

T-NO. 2

PAY TO THE ORDER OF Alaska Adventurists

8/25 1980 89-6/01 1252

Twenty Five Thousand 00 No. 10103

\$2500.00

DOLLARS

 THE FIRST NATIONAL BANK
OF ANCHORAGE
ANCHORAGE, ALASKA 99501

on dc

Dick Green

⑆125200060⑆ 01110662003⑈

CGP-12
88-13

page 25 of 30

Friends of Alaska Committee
2140 Stanford Dr.
Anch AK 99504

No. 1

8-21 1980 89.6/01
1252

PAY TO THE ORDER OF Alaska Advertisers

Seven Thousand Nine Hundred Twelve 4,200.00 DOLLARS



THE FIRST NATIONAL BANK
OF ANCHORAGE
ANCHORAGE, ALASKA 99501

Radio Spots

8-5-80 thru 8-16-80

⑆125200060⑆ 01116623⑈

Rich Green

8 3 0 4 0 4 0 4 7 2 6

~~Normal~~ Aug 5 - KBYR - 4 @ 16.00 64.00

KNIK - 2 @ 12.00 24.00

~~KFRB~~ -

KIFW - 2 @ 21.00 42.00

KVOK - 2 @ 8.00 16.00

5 = 146.00

~~Normal~~ Aug 6 KBYR 4 @ 16.00 64.00

KNIK - 2 @ 12.00 24.00

KIFW - 2 @ 21.00 42.00

KVOK - 5 @ 8.00 40.00

~~KFRB 2 @ 14.00 28.00~~

APR Network 2 @ 75.00 150.00

6 = 348.00

~~Normal~~
Aug 7 + 8 KBYR 4 @ 16.00 64.00

KHAR 3 @ 31.00 93.00
3 @ 22.00 66.00

KNIK 2 @ 12.00 24.00

KFRB 4 @ 15.00 60.00

KIFW 2 @ 21.00 42.00

KVOK 7 - 5 @ 8.00 40.00

8 - 4 @ 8.00 32.00

~~KFRB 6 @ 14.00 84.00~~

ARR - 3 @ 75.00 225.00

7 = 695.00 614.00

8 = 695.00 606.00

Aug 9+10

KYAK - 5 @ 21.00 = 105.00
 KHAR - 5 @ 19.00 = 95.00
 KBYR - 5 @ 13.00 = 65.00
 KNIK - 7 @ 11.00 = 77.00
~~KFAR - 5 @ 14.00 = 70.00~~
 KFRR - 5 @ 15.00 = 75.00
 KIFW - 5 @ 21.00 = 105.00
 KVOK - 5 @ 8.00 = 40.00
 ARN - 2 @ 75.00 = 150.00
 KSRM - 7 @ 15.00 = 105.00

Aug 9+10 = ~~889.50~~
 817.50

Aug 11

KYAK - 4 @ 28.00 = 112.00
 KBYR - 4 @ 16.00 = 64.00
 KNIK - 2 @ 12.00 = 24.00
 KHAR - 3 @ 31.00 = 93.00
 KHAR - 3 @ 22.00 = 66.00
~~KFAR - 6 @ 14.00 = 84.00~~
 KFRR - 5 @ 15.00 = 75.00
 KIFW - 2 @ 21.00 = 42.00
 KVOK - 4 @ 8.00 = 32.00
 ARN - 2 @ 75.00 = 150.00 658.00
~~742.00~~

Aug 12

KHAR - 3 @ 31.00 = 93.00
 KHAR - 3 @ 22.00 = 66.00
 KBYR - 4 @ 16.00 = 64.00
 KNIK - 2 @ 12.00 = 24.00
~~KFAR - 4 @ 14.00 = 56.00~~
 KFRR - 5 @ 15.00 = 75.00
 KIFW - 2 @ 21.00 = 42.00
 KVOK - 4 @ 8.00 = 32.00
 ARN - 2 @ 75.00 = 150.00
 KYAK - 4 @ 24.00 = 96.00

~~698.50~~
 642.00

Aug 13-14-15
+184

KYAK - 4C 24.00 = 96.00
 2 @ 31.00 = 62.00
 KHAR - 2 @ 22.00 = 44.00
 KBYR - 4C 16.00 = 64.00
 KNJK - 2 @ 12.00 = 24.00
~~KFAR - 4C 14.00 = 56.00~~
 KFRB - 5C 15.00 = 75.00
 KIFW - 2 @ 21.00 = 42.00
 KVOK - 4C 8.00 = 32.00
 ARN - 2 @ 75.00 = 150.00

589.00
~~645.00~~

Aug 16-17

KYAK - 5C 18.00 = 90.00
 KHAR - 5C 19.00 = 95.00
 KBYR - 5C 13.00 = 65.00
 KNJK - 7C 11.00 = 77.00
~~KFAR - 5C 14.00 = 70.00~~
 KFRB - 6C 15.00 = 90.00
 KIFW - 5C 21.00 = 105.00
 KVOK - 5C 8.00 = 40.00
 ARN - 2 @ 75.00 = 150.00
 KSRM - 6C 15.00 = 90.00

802.00
~~872.00~~

Aug 19-20-21-22
~~23-24-25~~

20 = 30.00 / 544.00
 21 = 664.00
 22 = ~~544.00~~ 843.20
 25 = 664.00

2 @ 31.00 = 62.00
 KHAR - 2 @ 22.00 = 44.00
 KBYR - 4C 16.00 = 64.00
 KNJK - 2 @ 12.00 = 24.00
~~KFAR - 4C 14.00 = 56.00~~
~~KFRB - 4C 15.00 = 60.00~~
 KIFW - 2 @ 21.00 = 42.00
 KVOK - 4C 8.00 = 32.00
 ARN - 2 @ 75.00 = 150.00
 KYAK - 4C 24.00 = 96.00

194.00
~~630.00~~

* CANCELLED AS OF 8/20

** ADD'D 2 SPOTS ON 8/21-22-23-24-25
 150.00 PER DAY

ANCH NEWS (22) 179.20 V-p. 29 of 30

Aug 23 + 24

KBYR - 5 @ 13.50 = 65.00
 KHAR - 5 @ 19.00 = 95.00
 KVIK - 7 @ 11.00 = 77.00
~~KFAR - 5 @ 14.00 = 70.00~~
~~KFAR - 5 @ 15.00 = 75.00~~
 KIFW - 5 @ 21.00 = 105.00
 KVK - 5 @ 8.00 = 40.00
 ARN - 2 @ 75.00 = 150.00
 KSPM - 6 @ 15.00 = 90.00
 KYR - 5 @ 18.00 = 90.00

23 = 1570.40
 24 = 1880.80

ARN = 150.00 DAY V
 ANCH TIMES (23 + 24) 23 = 905.20 V 857.50
 24 = 318.90 V
 23 = 7.60 V
 24 = 7.40 V

ANCH NEWS (23 + 24) 179.20 V
 5.60 V
 \$14,284.00

NEWS-MINER (23) ~~23~~
 224.50 V

~~XXXXXXXXXXXXXXXXXXXX~~

14,620.40

BAKER & HOSTETLER

ATTORNEYS AT LAW

818 CONNECTICUT AVE., N.W.

WASHINGTON, D. C. 20006

(202) 861-1500

TELEX: 197640 BAKHOST

TELECOPIER: (202) 857-0010

IN CLEVELAND, OHIO
1956 UNION COMMERCE BUILDING
CLEVELAND, OHIO 44115
(216) 621-0200
TWX 810 421 8375

IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 228-1841

IN DENVER, COLORADO
500 CAPITOL LIFE CENTER
DENVER, COLORADO 80203
(303) 861-0800

IN ORLANDO, FLORIDA
850 CNA TOWER
ORLANDO, FLORIDA 32802
(305) 841-1111

WRITER'S DIRECT DIAL NO.:
(202) 861-

September 2, 1980

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1272

Dear Mr. Steele:

This office represents Barnard J. Gottstein in Federal Election Commission ("FEC") Matter Under Review ("MUR") 1272. Mr. Gottstein was named in a complaint filed by Robert Mitchell, Treasurer of Friends of Mike Gravel. By letter dated August 8, 1980, you notified Mr. Gottstein of the complaint and enclosed a copy. This response is made on behalf of Mr. Gottstein pursuant to 2 U.S.C. § 437g (a)(1) and 11 C.F.R. § 111.6. For the reasons stated below, the FEC should take no action on this complaint other than to dismiss it and find no reason to believe that Mr. Gottstein has violated any provision of the Federal Election Campaign Act, as amended ("Act").

ALLEGATIONS AND RESPONSES

The complaint makes numerous allegations against Mr. Gottstein. There appear to be two general classes of accusations. First, the complaint alleges that Mr. Gottstein is associated with Friends of Alaska, a committee which has sponsored radio advertisements opposing the nomination of Senator Gravel, and that such alleged association violates the Act. Second, the complaint alleges that Mr. Gottstein has made unlawful corporate in-kind contributions to the campaign of Senator Gravel's primary opponent. Mr. Gottstein admits that he has publicly supported the activities and

Attachment VI - p. 1 of 5

83040404799

00 SEP 3 9:49

RECEIVED
GENERAL COUNSEL
FEDERAL ELECTION COMMISSION

Charles N. Steele, Esquire
September 2, 1980
Page 2

political objectives of Friends of Alaska, but denies that such support is in any way unlawful. Mr. Gottstein denies having made any unlawful, in-kind contributions corporate or otherwise, to Alaskans for Gruening Committee.

Mr. Gottstein's specific responses to the allegations are as follows:

1. Alaska Advertisers: Alaska Advertisers is an advertising firm owned in part by Mr. Gottstein. Alaska Advertisers has not produced advertising for Friends of Alaska nor for Alaskans for Gruening Committee. Alaska Advertisers has placed radio advertisements for Friends of Alaska at the usual and normal fee, including standard commissions. Alaska Advertisers placed media advertisements for Alaskans for Gruening Committee in late 1979 at the usual and normal fee, including standard commissions. Mr. Gottstein was not and is not involved in the management of Alaska Advertisers. Mr. Gottstein was not personally involved in placing ads for either Friends of Alaska or Alaskans for Gruening Committee.

2. Friends of Alaska: Mr. Gottstein is not an officer of Friends of Alaska. Friends of Alaska does not make any expenditures through Mr. Gottstein. Conversely, Mr. Gottstein does not make any expenditures on behalf of Friends of Alaska. Mr. Gottstein supports the activities of Friends of Alaska. Mr. Gottstein's support of Friends of Alaska is not the result of any request or suggestion of any candidate or any candidate's committee or agent. To the contrary, Mr. Gottstein was personally and specifically requested by Mr. Clark Gruening, a candidate, not to support or promote the activities of Friends of Alaska. Furthermore, Mr. Gottstein's support of the activities of Friends of Alaska was not made in cooperation, consultation or concert with any candidate, committee or agent.

VII - p. 2 of 5

83040404800

3. Fundraising: In late 1979, Mr. Gottstein specifically declined a request by Mr. Clark Gruening to be the finance chairman for his campaign. Mr. Gottstein has made a contribution to the Gruening campaign of \$1,000. Mr. Gottstein has never been an officer of, nor is he in any manner an official of Alaskans for Gruening Committee. Mr. Gottstein is not and has not been an agent of the Gruening campaign. Mr. Gottstein does not and has not had real or apparent authority to make any expenditures on behalf of the Gruening campaign.

4. Political Polling: Mr. Gottstein denies that any of his firms have contributed a poll to Mr. Gruening's campaign. One of Mr. Gottstein's firms, Sandelson Surveys, was commissioned by the Gruening campaign to do certain polling fieldwork for Walter DeVries Assoc., Inc., a political consulting firm. Initial fieldwork was performed in March/April, 1980 and the services were billed to the campaign on May 1, 1980. Similar fieldwork was performed in July and will be similarly billed after telephone expenses are calculated. Mr. Gottstein was not personally involved in any of the polling conducted by Sandelson Survey, and is not personally involved in the general management of that firm.

5. Corporate Computers: Mr. Gottstein's firms have never provided the Gruening campaign with access to corporate computers without charge.

6. Unpaid fundraising services: Mr. Gottstein has no idea what this allegation means.

7. Corporate employees: Mr. Gottstein is unaware of any instance in which any person employed by any of his companies was reimbursed by the corporation for political services rendered on behalf of any candidate.

8. Private investigators: Mr. Gottstein denies paying funds to private investigators to secure information for negative newspaper articles on Senator Gravel.

ARGUMENT

The accusations lodged against Mr. Gottstein are groundless, unsubstantiated and false. With respect to the allegations against Mr. Gottstein regarding his support of Friends of Alaska, the complaint fails to demonstrate that he has done anything illegal. Assuming that Mr. Gottstein has made an expenditure for a communication expressly advocating the defeat of Senator Gravel (in fact the expenditures were made by Friends of Alaska, and not Mr. Gottstein) such an expenditure is an independent expenditure, not made in cooperation or at the suggestion or request of any candidate.

As we have noted, Mr. Gruening actively discouraged the expenditures made by Friends of Alaska and personally asked Mr. Gottstein not to support that committee's activities. Under these circumstances, Mr. Gottstein has not made any unlawful expenditures. Rather he has supported the independent expenditure activity of Friends of Alaska.

With respect to the various allegations concerning corporate political contributions, Mr. Gottstein denies that any of his companies have made any such contributions. As noted above, any services to the Gruening campaign rendered by any company owned by Mr. Gottstein were charged to the campaign. Furthermore, Mr. Gottstein was not personally involved in the performance of any of these services.

All other allegations are false as noted above.

8304040802

Charles N. Steele, Esquire
September 2, 1980
Page 5

CONCLUSION

For the reasons stated herein, the FEC should take no action against Mr. Gottstein in MUR 1272, other than to dismiss the complaint and find no reason to believe that he has violated any provision of the Act.

Respectfully submitted,
BAKER & HOSTETLER

By: Jan W. Baran
Jan W. Baran

William H. Schweitzer
William H. Schweitzer

83040404803

VI - p. 5 of 5

BAKER & HOSTETLER

Levin

ATTORNEYS AT LAW

818 CONNECTICUT AVE., N.W.

WASHINGTON, D. C. 20006

(202) 861-1500

TELECOPIER (202) 867-0010

IN DENVER, COLORADO
500 CAPITOL LIFE CENTER
DENVER, COLORADO 80203
(303) 861-0800

IN ORLANDO, FLORIDA
850 CNA TOWER
ORLANDO, FLORIDA 32802
(305) 841-1111

IN CLEVELAND, OHIO
3200 NATIONAL CITY CENTER
CLEVELAND, OHIO 44114
(216) 621-0200
TWX 810 421 6375

IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 228-1541

WRITER'S DIRECT DIAL NO.:
(202) 861-

October 6, 1980

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1272 - Friends of Alaska

Dear Mr. Steele:

This office represents Friends of Alaska ("FOA") in Federal Election Commission ("FEC") Matter Under Review ("MUR") 1272. This office also represents Barnard J. Gottstein in MUR 1272. By letter dated August 12, 1980, you notified FOA of a complaint filed with the FEC by Robert Mitchell, Treasurer of Friends of Mike Gravel. This response is made on behalf of FOA pursuant to 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.6. For the reasons stated below, the FEC should take no action on this complaint other than to dismiss it and find no reason to believe that FOA has violated any provision of the Federal Election Campaign Act, as amended ("Act").

ALLEGATIONS AND RESPONSES

There are two general categories of allegations made by Mr. Mitchell against FOA. First, it is alleged that FOA has failed to register under the Act as a political committee. Second, it is alleged that FOA's expenditures for radio advertisements, which are critical of Senator Mike Gravel, during the Alaska Democratic Primary for United States Senator were contributions to Mr. Clark Gruening, Senator Gravel's primary opponent.

67:32 9 130 02

Attachment VII - p. 1 of 21

8304040480

A. Registration and Reporting by FOA.

FOA is a committee registered with the FEC pursuant to 2 U.S.C. § 433. FOA registered by sending a completed FEC Form 1 to the Secretary of the Senate on August 5, 1980. (Copy of FOA registration attached). On August 6, 1980, Ms. Norma Thompson, custodian of FOA's records, called the FEC and spoke with Mr. Larry Boyle, an FEC staff member. Ms. Thompson informed Mr. Boyle that FOA's registration form had been mailed the previous day and requested that Boyle send FOA an FEC Form 3x so that FOA could file a pre-primary election report. FOA did not receive a Form 3x until August 13, 1980, at which time the report was completed, signed by the treasurer and mailed to the Secretary of the Senate. (Copy of FOA pre-primary election report attached).

Prior to receiving the necessary forms, Ms. Thompson, in the spirit of disclosure, sent mailgrams which notified the Secretary of the Senate of FOA's activities. (Copies of mailgrams attached.) Although these mailgrams use the term "expenditures," they actually refer to estimated obligations owed by FOA to Alaska Advertisers for radio placement. Ms. Thompson also sent a separate letter by registered mail to the Secretary of the Senate along with a copy of a mailgram and a list of contributors in an attempt to fulfill the Act's disclosure requirements prior to receipt of the necessary form. (Copy of letter to Secretary of Senate attached.) Both the letter and the completed Form 3x characterize FOA's estimated obligations to Alaska Advertisers as "expenditures". These estimated obligations were correctly reported by amendment filed September 15, 1980. (Copy of amended report attached.) Ms. Thompson also sent a registered letter to the Secretary of the Senate dated August, 8, 1980, which disclosed estimated costs of production owed to Justin Ward Advertising and subsequently included this item in the completed FEC Form 3x and the amendment.

FOA has, therefore, filed the necessary reports and registration statement and has made a substantial effort to disclose its activities prior to the receipt of the FEC forms. FOA intends to file a third quarter report this month pursuant to 2 U.S.C § 434.

B. FOA Radio Advertising.

FOA acknowledges that it has raised and spent funds for the production and placement of radio advertising which was critical of Senator Gravel's record as a United States Senator. The texts of two radio spots are contained in a memorandum dated August 11, 1980, from Senator Gravel's

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attorney and chief fundraiser, Charles Fishman, to Kenneth Gross of the FEC staff. Neither spot expressly advocates the defeat of Senator Gravel. 11 C.F.R. § 109.1(b)(2); Advisory Opinion 1980-9 (March 13, 1980). One spot addresses Senator Gravel's previously publicized involvement in the purchase of a residence in Aspen, Colorado. The other spot discusses the Senator's efforts to block passage of legislation affecting Alaskan lands and a 200 mile limit on United States Territorial waters. The latter spot also mentions Senator Gravel's proposal to build a domed city on Mt. McKinley.

The failure of these spots to expressly advocate the defeat of Senator Gravel, places them outside the definition of "independent expenditure," 2 U.S.C. § 431(17); see Advisory Opinion 1980-9 (March 13, 1980). The expenditures, however, were made independently of any candidate, and therefore were not contributions. See 2 U.S.C. § 441a(a)(7)(B)(i). Mr. Richard Green, FOA's Treasurer, signed the checks which paid for the radio spots. Mr. Green has not been involved in any way with any candidate, including Clark Gruening.

CONCLUSION

On the basis of the above factual and legal materials, the FEC should take no action against FOA in MUR 1272, other than to dismiss the complaint and find no reason that FOA has violated the Act.

Respectfully submitted,
BAKER & Hostetler

By: 
Jan W. Baran

By: 
William H. Schweitzer

Enclosures

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7632001

Wash. DC 20510

28

80

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153



83040404807

Name of Committee (in Full)

Friends of D. LARA

Report Covering the Period:

From: To:

I. RECEIPTS

11. CONTRIBUTIONS (other than loans) FROM:

(a) Individuals/Persons Other Than Political Committees

(Memo Entry Unitemized \$)

(b) Political Party Committees

(c) Other Political Committees

(d) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b and 11c)

12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES

13. ALL LOANS RECEIVED

14. LOAN REPAYMENTS RECEIVED

15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)

16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES

17. OTHER RECEIPTS (Dividends, Interest, etc.)

18. TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17)

II. DISBURSEMENTS

19. OPERATING EXPENDITURES

20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES

21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES

22. INDEPENDENT EXPENDITURES (Use Schedule E)

23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. §41a(d)) (Use Schedule F)

24. LOAN REPAYMENTS MADE

25. LOANS MADE

26. REFUNDS OF CONTRIBUTIONS TO:

(a) Individuals/Persons Other Than Political Committees

(b) Political Party Committees

(c) Other Political Committees

(d) TOTAL CONTRIBUTION REFUNDS (add 26a, 26b and 26c)

27. OTHER DISBURSEMENTS

28. TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27)

III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES

29. TOTAL CONTRIBUTIONS (other than loans) from Line 11d

30. TOTAL CONTRIBUTION REFUNDS from Line 26d

31. NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29)

32. TOTAL OPERATING EXPENDITURES from Line 19

33. OFFSETS TO OPERATING EXPENDITURES from Line 15

34. NET OPERATING EXPENDITURES (subtract Line 33 from Line 32)

	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees	7,500.00	7,500.00
(Memo Entry Unitemized \$)		
(b) Political Party Committees		
(c) Other Political Committees		
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b and 11c)	7,500.00	7,500.00
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES		
13. ALL LOANS RECEIVED		
14. LOAN REPAYMENTS RECEIVED		
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		
17. OTHER RECEIPTS (Dividends, Interest, etc.)		
18. TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17)	7,500.00	7,500.00
II. DISBURSEMENTS		
19. OPERATING EXPENDITURES	4,000.00	4,000.00
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES		
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		
22. INDEPENDENT EXPENDITURES (Use Schedule E)		
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. §41a(d)) (Use Schedule F)		
24. LOAN REPAYMENTS MADE		
25. LOANS MADE		
26. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees		
(b) Political Party Committees		
(c) Other Political Committees		
(d) TOTAL CONTRIBUTION REFUNDS (add 26a, 26b and 26c)		
27. OTHER DISBURSEMENTS		
28. TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27)	4,000.00	4,000.00
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES		
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11d	7,500.00	7,500.00
30. TOTAL CONTRIBUTION REFUNDS from Line 26d		
31. NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29)	7,500.00	7,500.00
32. TOTAL OPERATING EXPENDITURES from Line 19	4,000.00	4,000.00
33. OFFSETS TO OPERATING EXPENDITURES from Line 15		
34. NET OPERATING EXPENDITURES (subtract Line 33 from Line 32)	4,000.00	4,000.00

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Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

A. Full Name, Mailing Address and ZIP Code

CONYER EQUIPMENT
 4450 W. 17th Ave
 Denver, CO 80202

Name of Employer

Date (month, day, year)

Amount of Each Receipt this Period

Occupation

Aggregate Year-to-Date-S

7/20/20

1000.00

Receipt For: Primary General
 Other (specify):

B. Full Name, Mailing Address and ZIP Code

CONYER EQUIPMENT
 4450 W. 17th Ave
 Denver, CO 80202

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-S

7/20/20

1000.00

Receipt For: Primary General
 Other (specify):

C. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-S

Receipt For: Primary General
 Other (specify):

D. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-S

Receipt For: Primary General
 Other (specify):

E. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-S

Receipt For: Primary General
 Other (specify):

F. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-S

Receipt For: Primary General
 Other (specify):

G. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-S

Receipt For: Primary General
 Other (specify):

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

7000.00

83040104810

ITEMIZED INDEPENDENT EXPENDITURES

(See Reverse Side for Instructions)

Name of Committee (in Full)				I.D. No.	
Full Name, Mailing Address & ZIP Code of Each Payee	Purpose of Expenditure	Date (month, day, year)	Amount	Name of Federal Candidate supported or opposed by the expenditure & office sought	
JUSTIN HARRIS 1201 1/2 BIRCHWOOD ST ANN ARBOR, MICHIGAN 48104	Reps Adv. Production	2/1/73	\$500.00	HIRE COUNCIL <input type="checkbox"/> Support <input type="checkbox"/> Oppose	
ANN ARBOR COMMUNITY 1201 1/2 BIRCHWOOD ST ANN ARBOR, MICHIGAN 48104	Support Reps Adv.	2/1/73	-200.00	<input type="checkbox"/> Support <input type="checkbox"/> Oppose	
				<input type="checkbox"/> Support <input type="checkbox"/> Oppose	
				<input type="checkbox"/> Support <input type="checkbox"/> Oppose	
				<input type="checkbox"/> Support <input type="checkbox"/> Oppose	
				<input type="checkbox"/> Support <input type="checkbox"/> Oppose	
(a) SUBTOTAL of Itemized Independent Expenditures			\$ 294.10		
(b) SUBTOTAL of Unitemized Independent Expenditures			\$ _____		
(c) TOTAL Independent Expenditures			\$ 294.10		

Under penalty of perjury I certify that the independent expenditures reported herein were not made in cooperation, consultation, concert with, or at the request or suggestion of any candidate or any authorized committee or agent of such candidate or authorized committee. Furthermore, these expenditures did not involve the financing of dissemination, distribution, or republication in whole or in part of any campaign materials prepared by the candidate, his campaign committee, or their agent.

Subscribed and sworn to before me this _____ day of _____, 19____
My Commission expires _____

Signature Date

NOTARY PUBLIC

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WU INFOMASTER

4

REFILE MGM AHG

027027M21P 1448EST

ZCZC 01002 MGM ANCHORAGE ALASKA 08-06

ZIP

U S SENATE REPORTS OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECY OF THE SENATE 119 D ST NE
WASHINGTON DC 20510

BT

EXPENDITURE FOR THE DAY OF AUGUST 5TH 1980 IN THE AMOUNT OF

DLRS750.00. Estimate - [Actual Expenditure \$ 146.00]

PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE
U S SENATE, MIKE GRAVEL, HIS ANCHORAGE ADDRESS IS 701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA 2140 STANFORD
DRIVE ANCHORAGE 99504.

THE PAYEE: ALASKA ADVERTISERS 1341 FAIRBANKS ST ANCHORAGE ALASKA
99501.

FRIENDS OF ALASKA

2140 STANDORD DR ANCHORAGE ALASKA 99504

NNNN

VII - p 10 of 21

33040404810

CONFIRMATION COPY

PLS SEL

8111"

AUG 06 2153 23565#

REFILE MGM AHG

WU INFOMASTER

#

REFILE MGM AHG

001000M220 0155EST

ZCZC 01006 MGM ANCHORAGE ALASKA 08-06

ZIP 20510

US SENATE REPORTS OFFICE OF PUBLIC RECORDS

OFFICE OF THE SECRETARY OF THE SENATE

119 D STREET NORTHEAST

WASHDC 20510

BT

THE EXPENDITURE FOR THE DAY OF 8-6-80 IN THE AMOUNT OF DLRS348.

PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE

U.S. SENATE MIKE GRAVEL WHOS ANCHORAGE ADDRESS IS 701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA 2140 STANFORD

DRIVE ANCHORAGE ALASKA 99504. THE PAYEE: ALASKA ADVERTISORS

1341 FAIRBANKS ANCHORAGE ALASKA 99501

FRIENDS OF ALASKA

2140 STANFORD DRIVE

ANCHORAGE ALASKA 99504

NNNN

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REGISTERED NO. AS036

POSTMARK OF

POST OFFICE COMPLETION	Reg. Fee \$ <u>300</u>	Special Delivery \$
	Handling Charge \$	Return Receipt \$ <u>45</u>
	Postage \$ <u>78</u>	Restricted Delivery \$
	RECEIVED BY <u>Benson</u>	<input checked="" type="checkbox"/> AIRMAIL



MAILING OFFICE

All Entries MUST be in Ball Point Pen or Typed

CUSTOMER COMPLETION <small>(Please Print)</small>	FULL VALUE \$ <u>NV</u>	
	FROM	<u>FRIENDS OF JK.</u>
TO	<u>2140 STANFORD DR.</u>	
	<u>WASH DC</u>	<u>20504</u>
	<u>US Senate Reports - Form #3</u>	
	<u>119 D ST NE</u>	<u>WASH DC</u>

PS FORM 3806 RECEIPT FOR REGISTERED MAIL (Customer Copy)
Oct. 1978

August 7, 1980

U.S. Senate Reports
Office of Public Records
Office of the Secretary of the Senate
119 D Street North East
Washington, D.C.

Re: FEC Report Form #3
Disclosure of Expenditures
and Contributions.

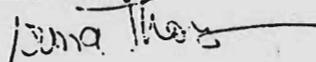
Gentlemen:

On August 6, 1980 we requested, from The Office of Public
Communication, Washington D.C. , that the above report form be
forwarded to our office.

In order to conform with timeliness of reporting please accept this
substitute report form. We will complete the proper form, when it
arrives and mail it to your office.

I have attached a separate list of our contributors also a separate
list of the expenditures thru closing date of August 6, 1980.

Yours truly,



Norma Thompson
Custodian of Records
Friends of Alaska
2110 Stanford Drive
Anchorage, Alaska 99501

Dick Green, Treasurer

Encl: 3

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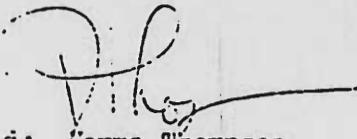
August 7, 1980

Friends of Alaska
2120 Stanford Drive
Anchorage, Alaska 99504

Schedule of Expenditures
Thru Period ending 8/6/80

Radio Advertising;
Payee; Alaska Advertisers Phone (907) 279 5942
1341 Fairbanks Street
Anchorage, Alaska 99501

August 5, 1980	\$146.00
August 6, 1980	348.00

Signed: 
Norma Thompson
Custodian of Records

83040404817

FOA FORM #1
Wire: Dated

3/6/80

10:10 am

To: U S SENATE REPORTS
OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECY OF THE SENATE
119 D STREET N. E.
WASHINGTON D C 20510
PH 202 224 0322

EXPENDITURE FOR THE DAY OF 3/5/80 IN THE
AMOUNT OF \$ 750.00 ***.

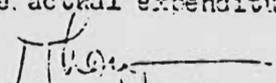
PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR
THE U S SENATE, MIKE GRAVEL WHOSE ANCHORAGE ADDRESS IS
701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY ' FRIENDS OF ALASKA',
2110 STANFORD DR, ANCHORAGE AK 99504.

THE PAYEE: ALASKA ADVERTISERS, 1341 FAIRBANKS, ANCHORAGE
AK 99501

SIGNED: FRIENDS OF ALASKA
2110 STANFORD DR
ANCHORAGE AK 99504

*** This was an estimated amount of our expenditure as our
complete purchase of the day had not been consumated;
the actual expenditure for 3/5/80 was \$116.00


Norma Thiboson
Custodian of Records.

August 7, 1980

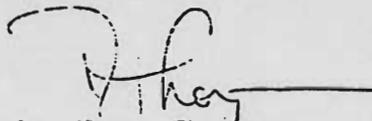
Friends of Alaska
2110 Stanford Drive
Anchorage, Alaska 99501

Dick Green, Treasurer

Schedule of Contributors;
Thru Period ending 8/6/80

Gordon Godfred, 2200 West 36th Avenue, Anchorage, Ak 99501 \$1000.00
Businessman

Carolyn H. Gay 2160 Stanford Drive, Anchorage, Alaska 99501 \$1000.00
Realtor



Signed: Norma Thomason
Custodian of Records

83040404819

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

<p>1. Name of Committee (in Full)</p> <p align="center">FRIENDS OF ALASKA</p> <hr/> <p>Address (Number and Street)</p> <p align="center">2140 Stanford Drive</p> <hr/> <p>City, State and ZIP Code</p> <p align="center">Anchorage, Alaska 99504</p> <hr/> <p><input type="checkbox"/> Check if address is different than previously reported.</p>	<p>4. TYPE OF REPORT (check appropriate boxes)</p> <p>(a) <input type="checkbox"/> April 15 Quarterly Report</p> <p><input type="checkbox"/> July 15 Quarterly Report</p> <p><input type="checkbox"/> October 15 Quarterly Report</p> <p><input type="checkbox"/> January 31 Year End Report</p> <p><input type="checkbox"/> July 31 Mid Year Report (Non-election Year Only)</p> <p><input type="checkbox"/> Monthly Report for _____</p> <p><input checked="" type="checkbox"/> Twelfth day report preceding <u>Primary</u> (Type of Election) election on <u>3/26/80</u> in the State of <u>AK</u></p> <p><input type="checkbox"/> Thirtieth day report following the General Election on _____ in the State of _____</p> <p><input type="checkbox"/> Termination Report</p> <p>(b) Is this Report an Amendment? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>2. FEC Identification Number</p>	
<p>3. <input type="checkbox"/> This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)</p>	

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SUMMARY		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period	<u>7/30/80</u> Through <u>8/6/80</u>		
6. (a) Cash on Hand January 1, 19_____			\$ 0
(b) Cash on Hand at Beginning of Reporting Period		\$ 0	
(c) Total Receipts (from Line 18)		\$ 2000	\$ 2000
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)		\$ 2000	\$ 2000
7. Total Disbursements (from Line 28)		\$ 0	\$ 0
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))		\$ 2000	\$ 2000
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)		\$ 0	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		\$ 994	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

Dick Green
Type or Print Name of Treasurer

Dick Green
SIGNATURE OF TREASURER

9 Sept 80
Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

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**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)**

Name of Committee (in Full)
FRIENDS OF ALASKA

Report Covering the Period:
From: **7/30** To: **8/6/80**

	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
I. RECEIPTS		
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees	2000	2000
(Memo Entry Unitarized \$ _____)		
(b) Political Party Committees		
(c) Other Political Committees		
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b and 11c)	2000	2000
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES		
13. ALL LOANS RECEIVED		
14. LOAN REPAYMENTS RECEIVED		
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		
17. OTHER RECEIPTS (Dividends, Interest, etc.)		
18. TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17)	2000	2000
II. DISBURSEMENTS		
19. OPERATING EXPENDITURES		
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES		
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		
22. INDEPENDENT EXPENDITURES (Use Schedule E)		
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. §441a(d)) (Use Schedule F)		
24. LOAN REPAYMENTS MADE		
25. LOANS MADE		
26. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees		
(b) Political Party Committees		
(c) Other Political Committees		
(d) TOTAL CONTRIBUTION REFUNDS (add 26a, 26b and 26c)		
27. OTHER DISBURSEMENTS		
28. TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27)	-0-	-0-
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES		
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11d	2000	2000
30. TOTAL CONTRIBUTION REFUNDS from Line 26d	0	0
31. NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29)	2000	2000
32. TOTAL OPERATING EXPENDITURES from Line 19	0	0
33. OFFSETS TO OPERATING EXPENDITURES from Line 15	0	0
34. NET OPERATING EXPENDITURES (subtract Line 33 from Line 32)	0	0

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Name of Committee (in Full)	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
FRIENDS OF ALASKA				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor Justin Ward Advertising 2277 Science Parkway Okemo, Michigan 48864	0	\$500 Estimate	0	\$500
Nature of Debt (Purpose): Advertising Production				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor Alaska Advertisers 1341 Fairbanks Anchorage, Alaska 99501	0	\$494 Estimate	0	\$494
Nature of Debt (Purpose):				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				
2) TOTAL This Period (last page this line only)				
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				994
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				994

830404812

83040404813

All Entries MUST be in Ball Point Pen or Typod

REGISTERED NO. H8054		POSTMARK OF	
Reg. Fee \$ 300	Social Delivery \$		MAILING OFFICE
Handling Charge \$	Return Receipt \$ 45		
Postage \$ 15	Restricted Delivery \$		
RECEIVED BY Sensory		<input checked="" type="checkbox"/>	AIRMAIL
FULL VALUE \$ NU			
FROM		TO	
FRIENDS OF JK		119 D ST NE	
2100 S. DUNFORD DR		WASH. DC	
DWIGHT DIC		20518	
US Senate Reports		20518	

PS FORM 3806 Oct. 1978 RECEIPT FOR REGISTERED MAIL (Customer Copy)

August 8, 1980

U S Senate Reports
Office of Public Records
Office of the Secretary of the Senate
119 D Street North East
Washington D C 20510

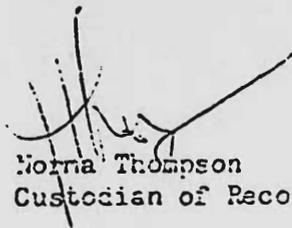
Re: FEC Report Form #3
Addendum to report
dated 8/7/80

Gentlemen:

We have had additional expenditures for the production of our radio spots. As of this date we have not gotten the cost of the production.

I will estimate the cost of the productions, thru period ending August 6, 1980 at the amount of \$500.00

The Payee: Justin Ward Advertising
2277 Science Parkway
Okemo, Michigan 48864

Signed:  Norma Thompson
Custodian of Records

Friends of Alaska
2140 Stanford Drive
Anchorage, Ak 99504

Dick Green, Treasurer

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83040404824

FEDERAL ELECTION COMMISSION
OFFICE OF PUBLIC COMMUNICATIONS
1325 K Street, NW
Washington, D.C. 20463
Telephone: 202/523-4068
Toll-Free: 800/424-9530

REQUESTS FOR PACKETS

- Letter #1 Cong.
- Letter #2 Pres.
- Letter #4 Polit. Cmte.
- Letter #5 Party Cmte.
- Letter #6 PAC
- Letter #8 Indep. Exp. Individ.
- Letter #9 Indep. Exp. Cmte.

NEWSLETTER

- Record Mailing List
- All Back Issues ('78-'80)
- Other (List Vol. & No.)

REQUESTS FOR FORMS

- Statement of Organization (#1)
- Statement of Candidacy (#2)
- Report of Receipts & Disbursements:
- Authorized Candidate Committees (#3)
- Non-Authorized Committees (#3X)
- Schedule A Schedule B
- Presidential Committees (#3P)
- Schedule A-P Schedule B-P
- Convention Receipts & Expenditures (#4)
- Independent Expenditures (#5)
- Communication Costs (#7)

REQUESTS FOR PUBLICATIONS

- Information Brochure
- The Act
- The Regulations
- Campaign Guide for Pres. Candidates
- Federal Register reprints:
- Regulations, as amended
- Primary Matching Funds
- Conventions
- Debates
- Delegates
- Annual Report 75 76 77

MISCELLANEOUS REQUESTS

- List of State Filing Offices
- Calendar of Reporting Dates (Both)
- Legislative History
- Public Records Info. Price List
- FEC 93-1980 Pres. Candidates
- Press Release (List date below)
- Advisory Opinions (List no. below)
- Independent Expenditure Notice
- Other

Date Ordered: 8/10/80 Date Sent: 8/17

Name: Mrs. Thompson

Friends of Alaska

Address: 2145 Dancel Dr.

City: Anchorage State: Alaska Zip: 9950

Phone Number: 1

Initials: MT

(accepted as of 8/29/80)
Attachment VIII - p. 1 of 1
6/80



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Steve Oien, General Manager
Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska 99501

Re: MUR 1272

Dear Mr. Oien:

The Federal Election Commission notified you on August 8, 1980, of a complaint which alleges that your company may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on December, 1980, determined that there is reason to believe that Alaska Advertisers violated section 441b(a) of the Act which prohibits contributions by corporations in connection with any election for federal office. While the 1979 Year End Report of Alaskans for Gruening ("AFG") discloses that your company refunded \$634.94 to AFG, documents received from your company account for only \$466.94 of this refund. If Alaska Advertisers sent an excessive refund to AFG, then it would have performed services at less than the usual and normal charge. The provision of services on such a basis is a contribution according to section 100.7(a)(1)(iii)(A), formerly section 100.4(a)(1)(iii)(A), of the Commission Regulations.

You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please submit such materials within fifteen days of receipt of this letter. All responses should be submitted under oath.

Attachment IX - p. 1 of 2

830404048:6



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles A. Dunnagan, Esq.
Jermain, Dunnagan & Owens
801 West Firewood Lane, Suite 201
Anchorage, Alaska 99503

Re: MUR 1272

Dear Mr. Dunnagan:

The Federal Election Commission notified your clients, Alaskans for Gruening ("AFG"), and Clark Gruening, on August 8, 1980, of a complaint which alleges that your clients may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your clients at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on December , 1980, made a number of determinations with respect to your clients.

As to the allegation that AFG accepted excessive in-kind contributions from Friends of Alaska ("FOA"), the Commission found reason to believe that AFG violated section 441a(f) of the Act. This section prohibits candidates and their authorized political committees from knowingly accepting contributions by a person (including a non-multi-candidate committee) with respect to any election for federal office which, in the aggregate, exceed \$1,000. Specifically, the evidence available to us, including the fact that both committees used the services of Alaska Advertisers and the appearance of a connection between the committees through Barnard Gottstein, indicates that there may have been coordination between the two committees and that, therefore, FOA's expenditures, which exceeded \$1,000, were not made independently of AFG. Such expenditures would be in-kind contributions subject to the limit of the Act.

Attachment X - p. 1 of 8

83040404828

Letter to: Charles A. Dunnagan, Esq.
Page 2

As to the allegation that AFG received the services of Alaska Advertisers at less than the usual and normal charge for such services, the Commission found reason to believe that AFG violated section 441b(a) of the Act. This section prohibits the receipt of corporate contributions in connection with an election for federal office. While AFG's 1979 Year End Report discloses that Alaska Advertisers refunded \$634.94 to AFG, documents received from Alaska Advertisers account for only \$466.94 of this refund. If AFG received an excessive refund, then it would have received services from Alaska Advertisers at less than the usual and normal charge. The provision of services on such a basis is a contribution according to section 100.7(a)(1)(iii)(A), formerly section 100.4(a)(1)(iii)(A), of the Commission Regulations.

In order to further ascertain the circumstances pertaining to the above allegations, we have enclosed questions. The answers to these questions and any other factual and legal materials which your clients believe are relevant to the Commission's analysis of this matter should be submitted within fifteen days of receipt of this letter. All responses should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against AFG, 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 AFG so desires.

For your information, as to the allegations of receipt by AFG and Clark Gruening of other in-kind contributions from Barnard Gottstein's corporations, the Commission found no reason to believe that AFG or Clark Gruening violated 2 U.S.C. § 441b(a). Furthermore, as to the allegations of receipt by AFG and Clark Gruening of in-kind contributions from Barnard Gottstein which, when added together or added to Mr. Gottstein's other contribution, exceeded \$1,000, the Commission found no reason to believe that AFG or Clark Gruening violated 2 U.S.C. § 441a(f).

X - p. 2 of 8

830404039

Letter to: Charles A. Dunnagan, Esq.
Page 3

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that your clients wish the matter to be made public.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202-523-4039.

Sincerely,

Enclosure
Interrogatories

83040404830

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FEDERAL ELECTION COMMISSION

TO: Mr. John Hale, Campaign Manager
Alaskans for Gruening
MUR 1272

INTERROGATORIES

1. From August 1, 1979, to the present, did Alaskans for Gruening ("AFG"), Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any communications with Friends of Alaska ("FOA"), its agents, its employees its volunteers, or any persons involved in the planning or formation of FOA? If so, in regard to each such communication, state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening, or to FOA.
- (e) The subject, purpose, and content of each such communication.

2. With regard to communications between Alaska Advertisers and AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening pertaining to Alaska Advertisers' transactions with AFG, please state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was

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made (e.g., telephone conversation, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication.

(d) The relationship of each person listed in response to (c) above to Alaska Advertisers or to AFG, the Gruening campaign, or Clark Gruening.

(e) The purpose and content of each such communication.

3. With regard to the transactions between Alaska Advertisers and AFG, did AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any communications with Barnard Gottstein or his agent? If so, in regard to each such communication, state the following:

(a) The date on which each such communication occurred.

(b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication.

(d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening or to Barnard Gottstein.

(e) The purpose and content of each such communication.

4. From January 1, 1979, to the present, did AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any other communications with Barnard Gottstein, his employee, or his agent pertaining to

X - p. 5 of 8

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any plans for or activities of AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such communication, state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening, or to Barnard Gottstein.
- (e) The subject, purpose, and content of each such communication.

5. From August 1, 1979, to the present time, did AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any communications with Alaska Advertisers pertaining to any plans for FOA or any activities of FOA? If so, in regard to each such communication, state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.

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(d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening, or to Alaska Advertisers.

(e) The purpose and content of each such communication.

6. From August 1, 1979, to the present time, did AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any communications with Barnard Gottstein or his agent pertaining to any plans for FOA or any activities of FOA? If so, in regard to each such communication, state the following:

(a) The date on which each such communication occurred.

(b) The method by which each such communication was made (e.g., telephone conversation,, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication.

(d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening or to Barnard Gottstein.

(e) The purpose and content of each such communication.

7. From January 1, 1979, to the present, did AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening have any communications

with Barnard Gottstein or his agent regarding any plans for or activities of any committee, other than FOA, which would or did engage in any activity in support of the election of Clark Gruening or in opposition to the election of Senator Gravel? If so, in regard to each such communication, state the following:

(a) The date on which each such communication occurred.

(b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).

(c) The name of each person involved in each such communication.

(d) The relationship of each person listed in response to (c) above to AFG, the Gruening campaign, or Clark Gruening, or to Barnard Gottstein.

(e) The subject, purpose, and content of each such communication.

8. With regard to the \$634.94 refund from Alaska Advertisers, state the reason for the refund and provide any documentation available to support your answer.

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33040404835



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jan W. Baran, Esq.
William H. Schweitzer, Esq.
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

Dear Messrs. Baran and Schweitzer:

The Federal Election Commission notified your client, Friends of Alaska ("FOA"), on August 12, 1980, of a complaint which alleges that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on December , 1980, made a number of determinations with respect to your client.

As to the allegation that FOA made excessive in-kind contributions to Alaskans for Gruening ("AFG"), the Commission found reason to believe that FOA violated section 441a(a)(1)(A) of the Act. This section states that no person (including a non-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 \$1,000. Specifically, the evidence available to us, including the fact that both committees used the services of Alaska Advertisers and the appearance of a connection between the committees through Barnard Gottstein, indicates that there may have been coordination between the two committees and that, therefore, FOA's expenditures, which exceeded \$1,000, were not made independently of AFG. Such expenditures would be in-kind contributions subject to the limits of the Act.

In order to further ascertain the circumstances pertaining to the above allegation, we have enclosed questions. The answers to these questions and any other factual and legal materials which your client believes are relevant to the Commission's analysis of this matter should be submitted within fifteen days of receipt of this letter. All responses should be submitted under oath.

Attachment XI - p. 1 of 6

330404836

Letter to: Jan Baran, Esq.
William H. Schweitzer, Esq.

Page 2

In the absence of any additional information which demonstrates that no further action should be taken against your client, 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 your client so desires.

As to the allegation that FOA failed to register, the Commission also found reason to believe that FOA violated section 433 of the Act by failing to file a timely statement of organization. However, in view of the circumstances of this matter, including the evidence of FOA's willingness to comply with section 433 and the slowness of the mails from Alaska to Washington, D.C., the Commission decided to take no further action with respect to this violation.

For your information, as to the allegation that FOA failed to comply with the reporting requirements of the Act, the Commission found no reason to believe that FOA failed to comply with either the pre-election and quarterly reporting requirements of section 434(a) of the Act or the independent expenditure reporting requirements of section 434(c)(2) of the Act or section 104.4 of the Commission Regulations.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that your client wishes the matter to be made public.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202-523-4039.

Sincerely,

Enclosure
Interrogatories

XI - p. 2 of 6

830404837

FEDERAL ELECTION COMMISSION

TO: Mr. Dick Green, Treasurer
Friends of Alaska
MUR 1272

INTERROGATORIES

1. From August 1, 1979, to the present did Friends of Alaska ("FOA"), its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA have any communications with Alaskans for Gruening ("AFG"), Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such contact, state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g. telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to FOA or to AFG, the Gruening campaign, or Clark Gruening.
- (e) The subject, purpose, and content of each such communication.

2. With regard to communications between Alaska Advertisers and FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA pertaining to Alaska Advertisers' transactions with FOA, please state the following:

XI - p. 3 of 6

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- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to Alaska Advertisers or to FOA.
- (e) The purpose and content of each such communication.

3. With regard to the transactions between Alaska Advertisers and FOA, did FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA have any communication with Barnard Gottstein or his agent? If so, in regard to each such communication, state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to FOA or to Barnard Gottstein.
- (e) The purpose and content of each such communication.

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4. From August 1, 1979, to the present, did FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA have any other communication with Barnard Gottstein, his employee, or his agent pertaining to any plans for FOA or any activities of FOA? If so, in regard to each such communication, state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g. telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to FOA, or to Barnard Gottstein.
- (e) The subject, purpose, and content of each such communication.

5. From August 1, 1979, to the present time, did FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA have any communications with Alaska Advertisers pertaining to any plans for or activities of AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such communication, state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to FOA or to Alaska Advertisers.
- (e) The purpose and content of each such communication.

6. From August 1, 1979, to the present, did FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA have any communication with Barnard Gottstein or his agent pertaining to any plans for or activities of AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such communication, state the following:

- (a) The date on which each such communication occurred.
- (b) The method by which each such communication was made (e.g., telephone conversation, face-to-face conversation, written correspondence).
- (c) The name of each person involved in each such communication.
- (d) The relationship of each person listed in response to (c) above to FOA or to Barnard Gottstein.
- (e) The purpose and content of each such communication.

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830404811



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jan W. Baran, Esq.
William H. Schweitzer, Esq.
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1272

Dear Messrs. Baran and Schweitzer:

The Federal Election Commission notified your client, Barnard Gottstein, on August 8, 1980, of a complaint which alleges that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

The complaint alleges that Mr. Gottstein and his corporations made in-kind contributions to the Gruening campaign in the forms of poll results, access to corporate computers, unpaid for fundraising services, use of the time of corporate employees, and payment of funds to private investigators to secure information for negative newspaper articles on Senator Gravel. If such contributions were made by Mr. Gottstein and if such contributions, when added together or added to Mr. Gottstein's already known contribution, exceed \$1,000, then Mr. Gottstein would be in violation of section 441a(a)(1)(A) of the Act, the section prohibiting a person from contributing in excess of \$1,000 to a candidate and his authorized committees with respect to any election for federal office. If such contributions were made by Mr. Gottstein's corporations, then the corporations would be in violation of section 441b(a) of the Act, the section prohibiting contributions by corporations in connection with an election for federal office. Upon further review of the complaint and information supplied by you, the Commission, on December , 1980, determined that there is no reason to believe that Barnard Gottstein violated section 441a(a)(1)(A) and no reason to believe that Barnard Gottstein's corporations violated section 441b(a) with respect to the above described allegations.

Attachment XII - p. 1 of 7

330404812

Letter to: Jan W. Baran, Esq.
William H. Schweitzer, Esq.

Page 2

Pursuant to the Commission's investigation of other allegations in this matter involving other respondents, however, we have enclosed questions. The responses to these questions should be submitted within fifteen days of receipt of this letter. All responses should be submitted under oath.

Since your responses are being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202-523-4039.

Sincerely,

Enclosure
Interrogatories

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8304040481

FEDERAL ELECTION COMMISSION

TO: Mr. Barnard Gottstein
MUR 1272

INTERROGATORIES

1. With regard to any transactions involving the placement of advertisements by Alaska Advertisers for Alaskans for Gruening ("AFG"), did you or your agent have any communications with:

(a) AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening?

(b) Any agent or employee of Alaska Advertisers?

If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to AFG, the Gruening campaign, or Clark Gruening, or to Alaska Advertisers, and the purpose and content of the communication.

2. With regard to any transactions involving the placement of advertisements by Alaska Advertisers for Friends of Alaska ("FOA"), did you or your agent have any communications with:

(a) FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA?

(b) Any agent or employee of Alaska Advertisers?

If so, in regard to each such communication, state the date,

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the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the names of each person involved in the communication, the relationship of such persons to you, or to FOA, or to Alaska Advertisers, and the purpose and content of the communication.

3. From January 1, 1979 to the present, did you or your agent have any communications, other than ones described in answer to Interrogatory #1 above, with AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening pertaining to any plans for or activities of AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to AFG, the Gruening campaign, or Clark Gruening, and the purpose and content of the communication.

4. From August 1, 1979, to the present, did you or your agent have any communications, other than ones described in response to Interrogatory #2 above, with FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA pertaining to any plans for

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FOA or any activities of FOA? If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you or to FOA, and the purpose and content of the communication.

5. From August 1, 1979, to the present, did you or your agent have any communications with AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, Clark Gruening, or the Gruening campaign pertaining to the placing of advertisements by Alaska Advertisers for FOA? If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to AFG, the Gruening campaign, or Clark Gruening, and the purpose and content of the communication.

6. From August 1, 1979, to the present, did you or your agent have any communications with FOA, its agents, its employees, its volunteers, or any persons involved in the planning for or formation of FOA pertaining to the placing of advertisements by Alaska Advertisers for AFG? If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation,

8304040404816

face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to FOA, and the purpose and content of the communication.

7. From August 1, 1979, to the present, did you or your agent have any communications, other than ones described in response to Interrogatory #5 above, with AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening pertaining to any plans for FOA or any activities of FOA? If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to AFG, the Gruening campaign, or Clark Gruening, and the purpose and content of the communication.

8. From August 1, 1979, to the present, did you or your agent have any communications, other than ones described in response to Interrogatory #6 above, with FOA, its agents, its employees, its volunteers, or any persons involved in the planning or formation of FOA pertaining to any plans for or activities of AFG, the Gruening campaign, or Clark Gruening? If so, in regard to each such communication, state the date, the method of communication (e.g.,

83040404917

telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to FOA, and the purpose and content of the communication.

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9. From January 1, 1979, to the present, did you or your agent have any communications with AFG, Clark Gruening, or any agent or employee of or volunteer for AFG, the Gruening campaign, or Clark Gruening regarding any plans for or activities of any committee, other than FOA, which would or did engage in any activity in support of the election of Clark Gruening or in opposition to the election of Senator Gravel? If so, in regard to each such communication, state the date, the method of communication (e.g., telephone conversation, face-to-face conversation, written correspondence), the name of each person involved in the communication, the relationship of such persons to you, or to AFG, the Gruening campaign, or Clark Gruening, and the purpose and content of the communication.

911269

QCC# 3336



30 NOV 17 A 11:07

GENERAL COUNSEL

Mr. Charles N. Steele
 General Counsel
 Federal Election Commission
 1325 K Street N.W.
 Washington, D. C. 20463

Re: MUR 1272 (80)

Dear Mr. Steele:

With regard to the telephone call from your office last week, we are enclosing copies of all invoices submitted to the Friends of Alaska Committee. We are also enclosing copies of their checks in payment to Alaska Advertisers. You will note that their final check was in the amount of \$4,351.79 which overpaid their account by a figure of \$134.39. We are enclosing a copy of our check back to the Committee in that amount.

You had requested copies of insertion orders on our media placement, but we feel that these would be of little use to you since there were so many changes made on the schedule after the insertion orders were given to the various media. I am however enclosing a copy of my daily listing of stations or newspapers, with many changes and notations noted. I hope that this will suffice.

I hope that the enclosed will show that this committee was billed the full amount charged by various media for the purchase of advertising time and space, and that this matter will be cleared up finally.

Sincerely,

Judith L. Parsons
 Judith L. Parsons
 Media Placement

encls.

830404849



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-8942

INVOICE DATE 8/31/80

SOLD TO Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 6, 1980 KBYR Radio 64.00 KADR Radio 24.00 KIPR Radio 42.00 KVRK Radio 40.00 Alaska Radio Network <u>150.00</u>	\$ 360.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE

2 10337

3
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4
0
4
0
4
0
3

INVOICE
DATE

8/31/88



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

SOLD
TO

Friends of Alaska Committee

3	DESCRIPTION OF SERVICE	AMOUNT
6	Radio advertising, August 7, 1988	\$
	KDIR Radio	64.00
	KIAK Radio	120.00
	KLIK Radio	24.00
	KTVB Radio	60.00
	KTVN Radio	42.00
	KTVL Radio	40.00
	Alaska Radio Network	<u>225.00</u>
		614.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE 033



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-8942

INVOICE
 DATE

8/31/80

SOLD
 TO

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 8, 1980:	\$
KTVR Radio	64.00
KTVR Radio	150.00
KTVR Radio	24.00
KTVR Radio	60.00
KTVR Radio	42.00
KTVR Radio	32.00
Alaska Radio Network	<u>225.00</u>
	606.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE

0089



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-8942

INVOICE
 DATE

8/31/80

SOLD
 TO

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
8 Radio Advertising, August 9, 1980:	\$
WYAK Radio	105.00
KADR Radio	95.00
KUYR Radio	65.00
KNIK Radio	77.00
KTVB Radio	75.00
KTVW Radio	105.00
KTVK Radio	40.00
KATV Radio	105.00
Alaska Radio Network	150.00
	617.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE 80 30391

INVOICE
DATE

8/31/80



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

SOLD
TO

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
8 Radio Advertising, August 10, 1980:	\$
KIRK Radio	105.00
KTVN Radio	75.00
KDYR Radio	65.00
KITH Radio	77.00
KTVB Radio	75.00
KIPW Radio	105.00
KVMK Radio	40.00
KSTN Radio	105.00
Alaska Radio Network	<u>130.00</u>
	317.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE # 80382

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4
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3

INVOICE
DATE

8/31/80



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

SOLD
TO

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
3	8
Radio Advertising, August 12, 1980:	
KINWAKO	26.00
KADR Radio	159.00
KADR Radio	64.00
KADR Radio	24.00
KADR Radio	73.00
KADR Radio	12.00
KADR Radio	32.00
Alaska Radio Network	<u>150.00</u>
	642.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE

00395

8
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INVOICE
DATE

8/31/80



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-8942

SOLD
TO

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
8 Radio Advertising, August 13, 1980:	\$
KYAK Radio	96.00
KUPA Radio	106.00
KAYR Radio	64.00
KWIN Radio	24.00
KIRB Radio	75.00
KIPW Radio	42.00
KNAK Radio	32.00
Alaska Radio Network:	<u>150.00</u>
	589.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE 8 00235



1341 FAIRBANKS STREET
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 279-8942

INVOICE
 DATE

8/31/80

SOLD
 TO

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
Radio Advertising, August 16, 1980:	\$
KYAK Radio	90.00
KWAR Radio	95.00
KBYK Radio	65.00
KUIS Radio	77.00
KTOB Radio	90.00
KTFM Radio	105.00
KVOX Radio	40.00
KSMI Radio	90.00
Alaska Radio Network	<u>150.00</u>
	892.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
 ON ALL AMOUNTS NOT PAID
 WITHIN 30 DAYS.

INVOICE 80 00000

30404066

INVOICE DATE

8/31/80



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

SOLD TO

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
8	\$
Radio Advertising, August 18, 1980:	
KIAK Radio	06.00
KIBR Radio	106.00
KBYR Radio	64.00
KATK Radio	24.00
KTVB Radio	42.00
AVOK Radio	32.00
Alaska Radio Network	<u>150.00</u>
	380.00

TERMS: 30 DAYS

INTEREST WILL BE CHARGED ON ALL AMOUNTS NOT PAID WITHIN 30 DAYS.

INVOICE 30401

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3

INVOICE
DATE

3/31/80



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

SOLD
TO

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
Radio & Print Advertising, August 22, 1980:	\$
KTVU Radio	96.00
KTVU Radio	106.00
KTVU Radio	64.00
KTVU Radio	24.00
KTVU Radio	12.00
KTVU Radio	32.00
Alaska Radio Network	300.00
Anchorage Daily News	<u>179.20</u>
	642.20

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE

0405

83040104870

INVOICE DATE

8/31/80



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-8942

Friends of Alaska Committee

DESCRIPTION OF SERVICE	AMOUNT
<p>8 Radio Advertising, August 15, 1980:</p> <p>WYAN Radio 06.00</p> <p>KHND Radio 106.00</p> <p>FMR Radio 64.00</p> <p>WIK Radio 24.00</p> <p>WTV Radio 12.00</p> <p>WTV Radio 22.00</p> <p>Alaska Radio Network <u>500.00</u></p>	<p>\$</p> <p>664.00</p>

TERMS: 30 DAYS

INTEREST WILL BE CHARGED ON ALL AMOUNTS NOT PAID WITHIN 30 DAYS.

INVOICE 80-00



612W EAST FOURTEENTH AVENUE
SUITE 5
ANCHORAGE, ALASKA 99501

SECURITY NATIONAL BANK

CHECK
No. 4584

89,83
1252

DATE 10/3/80 AMOUNT \$ 134.39

PAY

Friends of Alaska

TO THE ORDER OF

NOT NEGOTIABLE

CO. NO.	LOG	S/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHQ NO	AMOUNT	DESCRIPTION
090		199.00		52150	Overpymt	10/80	2	10	134.39	

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS INC. 0 9 8

83040404872

FIGURES OF ALASKA

PAY TO THE ORDER OF

Alaska National Bank



THE FIRST NATIONAL BANK OF ANCHORAGE, ALASKA 99501

⑆125200060⑆ 01110066 200300

W. R. Green

No. 3

9/25/80 89.6/01
1252

\$4,357.00

DOLLARS

Friends of Alaska
2140 Stanford Pl
DUM AL 99504

T- No. 2

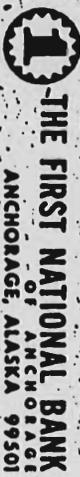
PAY TO THE ORDER OF Alaska Adventisens

8/25 1980 89-6/01 1252

Twenty Five Hundred No. 10105

\$2500.⁰⁰

DOLLARS



on dc

Dick Green

01:1252000601: 01111166211311

CGP-13
98-713

Friends of Alaska Committee
2140 Stanford Dr.
Anchorage AK 99504

T-1
No. 1

8-21 1980
89-6/01
1252

PAY TO THE ORDER OF Alaska Advertisers

\$7903.00

Seven Thousand Nine Hundred Three Dollars



THE FIRST NATIONAL BANK
OF ANCHORAGE
ANCHORAGE, ALASKA 99501

RADIO SPOTS

Dick Green

8-5-80 TURN 8-16-80

⑆1252000060⑆ 0111⑈662⑈3⑈

8304040487

Norma J. [unclear] = 2 DLB [unclear] CC
 333 - 4989

~~Norma Aug 5~~ - KBYR - 4 @ 16.00 64.00

KNIX - 2 @ 12.00 24.00

~~KFRB~~ -

KIFW - 2 @ 21.00 42.00

KVOK - 2 @ 8.00 16.00

5 = 146.00

~~Norma Aug 6~~ KBYR 4 @ 16.00 64.00

KNIX - 2 @ 12.00 24.00

KIFW - 2 @ 21.00 42.00

KVOK - 5 @ 8.00 40.00

~~KFRB - 2 @ 14.00 28.00~~

APR Network 2 @ 75.00 150.00

6 = 348.00

^{Norma}
 Aug 7 + 8

KBYR 4 @ 16.00 64.00

KHAR 3 @ 31.00 93.00

KNIX 2 @ 12.00 24.00

KFRB 4 @ 15.00 60.00

KIFW 2 @ 21.00 42.00

KVOK 7 - 5 @ 8.00 40.00

8 - 4 @ 8.00 32.00

~~KFRB - 6 @ 14.00 84.00~~

ARR - 3 @ 75.00 225.00

7 = 691.00 614.00

8 = 690.00 606.00

Norma J. Thompson - 016-6660
 304040487333.4989

Aug 9+10

KYAK - 5 @ 21.00 = 105.00
 KHAR - 5 @ 19.00 = 95.00
 KBYR - 5 @ 13.00 = 65.00
 KNIK - 7 @ 11.00 = 77.00
~~KFAR - 5 @ 14.00 = 70.00~~
 KFRA - 5 @ 15.00 = 75.00
 KIFW - 5 @ 21.00 = 105.00
 KVOK - 5 @ 8.00 = 40.00
 ARN - 2 @ 75.00 = 150.00
 KSEM - 7 @ 15.00 = 105.00

Aug 9+10 = ~~887.50~~
 817.00

Aug 11

KYAK - 4 @ 28.00 = 112.00
 KBYR - 4 @ 16.00 = 64.00
 KNIK - 2 @ 12.00 = 24.00
 KHAR - 3 @ 22.00 = 66.00
~~KFAR - 6 @ 14.00 = 84.00~~
 KFRA - 5 @ 15.00 = 75.00
 KIFW - 2 @ 21.00 = 42.00
 KVOK - 4 @ 8.00 = 32.00
 ARN - 2 @ 75.00 = 150.00
 658.00
~~742.00~~

Aug 12

KHAR - 3 @ 22.00 = 66.00
 KBYR - 4 @ 16.00 = 64.00
 KNIK - 2 @ 12.00 = 24.00
~~KFAR - 4 @ 14.00 = 56.00~~
 KFRA - 5 @ 15.00 = 75.00
 KIFW - 2 @ 21.00 = 42.00
 KVOK - 4 @ 8.00 = 32.00
 ARN - 2 @ 75.00 = 150.00
 KYAK - 4 @ 24.00 = 96.00

~~698.50~~
 642.00

Aug 13-14-15
+18^r

KYAK - 4C 24.00 = 96.00
 2 @ 31.00 = 62.00
 KHAR - 2 @ 22.00 = 44.00
 KBYR - 4C 16.00 = 64.00
 KNIK - 2 @ 12.00 = 24.00
~~KFAR - 4C 14.00 = 56.00~~
 KFRB - 5C 15.00 = 75.00
 KIFW - 2 @ 21.00 = 42.00
 KVOK - 4C 8.00 = 32.00
 ARN - 2 @ 75.00 = 150.00 589.00
~~645.00~~

Aug 16-17

KYAK - 5C 18.00 = 90.00
 KHAR - 5C 19.00 = 95.00
 KBYR - 5C 13.00 = 65.00
 KNIK - 7C 11.00 = 77.00
~~KFAR - 5C 14.00 = 70.00~~
 KFRB - 6C 15.00 = 90.00
 KIFW - 5C 21.00 = 105.00
 KVOK - 5C 8.00 = 40.00
 ARN - 2 @ 75.00 = 150.00
 KSRM - 6C 15.00 = 90.00 802.00
~~872.00~~

Aug 19-20-21-22-23-24-25
+17^r

20 = 30.00 / 544.00
 21 = 664.00
 22 = ~~664.00~~ 843.20
 25 = 664.00
 KHAR 2 @ 31.00 62.00
 KHAR 2 @ 22.00 44.00
 KBYR 4C 16.00 64.00
 KNIK 2 @ 12.00 24.00
~~KFAR 4C 14.00 56.00~~
 * KFRB 4C 15.00 60.00
 KIFW 2 @ 21.00 42.00
 KVOK 4C 8.00 32.00
 ** ARN 2 @ 75.00 150.00 194.00
 KYAK 4C 24.00 96.00 574.00
~~630.00~~

* CANCELLED AS OF 8/20 PM

** ADDED 2 SPOTS ON 8/21-22-23-24-25
 150.00 PRADAY

ANCHOR NEWS (22) 179.20

Aug 23 + 24

KBYR - 5 @ 13.00 = 65.00

KHAR - 5 @ 19.00 = 95.00

KVIK - 7 @ 11.00 = 77.00

~~KATR - 5 @ 14.00 = 70.00~~

~~KPAB - 5 @ 15.00 = 75.00~~

23 = 1570.40

KIFW - 5 @ 21.00 = 105.00

24 = 1080.80

KVOK - 5 @ 8.00 = 40.00

ARN - 2 @ 75.00 = 150.00

KSPM - 6 @ 15.00 = 90.00

KVAK - 5 @ 18.00 = 90.00

ARN = 150.00 DAY ✓

23 = 905.20 ✓ 9.57.00

ANCH TIMES (23 + 24)

24 = 318.90 ✓

23 = 7.49 ✓
24 = 7.90 ✓

ANCH NEWS (23 + 24)

179.20 ✓

5.60 ✓

\$14,284.00

NEWS-MINER (23)

gross = 224.50 ✓

~~14,284.00~~

14,620.40

Alaska Advertisers
1341 Fairbanks Street
Anchorage, Ak. 99501

8 3 0 4 0 4 0 4 8 7 9

Mr. Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street N.W.
Washington D, C. 20463



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/MARGARET CHANEY *mc*

DATE: OCTOBER 21, 1980

SUBJECT: MUR 1272 - Interim Investigative Report #1,
dated 10-10-80; Signed 10-17-80; Received
in OCS 10-17-80, 4:29

The above-named document was circulated to the Commission on a no-objection basis at 11:00, October 20, 1980.

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

83040404300

October 17, 1980

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 1272

Please have the attached Interim Invest Report
distributed to the Commission. Thank you.

83040404831

BEFORE THE FEDERAL ELECTION COMMISSION
October 10, 1980

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

80 OCT 17 P 4: 20

In the Matter of)
)
Friends of Alaska, et al.) MUR 1272

INTERIM INVESTIGATIVE REPORT #1

This matter involves allegations made by Friends of Mike Gravel against the Friends of Alaska, Alaskans for Gruening, Alaska Advertisers, Bernard J. Gottstein, and Clark Gruening. The complaint alleged that the Friends of Alaska ("the Committee") expended over \$1,000 for the defeat of Senator Gravel and failed to register in violation of 2 U.S.C. § 433; that Alaska Advertisers produced advertisements for the Committee for less than fair market compensation in violation of 2 U.S.C. § 441b(a); that Mr. Gottstein used one of his corporations to make in-kind contributions to the Gruening campaign in violation of 2 U.S.C. § 441b(a); and that the Committee was not independent of Alaskans for Gruening and, therefore, its expenditures were excessive in-kind contributions in violation of 2 U.S.C. § 441a(a)(1)(A).

The complainant requested expedited treatment of this matter. On August 20, 1980, the Commission voted to deny the request.

Responses from all of the respondents have been received and a report with appropriate recommendations is being prepared at this time.

14 October 1980
Date



Charles N. Steele
General Counsel

33040404802

BAKER & HOSTETLER

ATTORNEYS AT LAW

918 CONNECTICUT AVE., N.W.

WASHINGTON, D. C. 20006

(202) 861-1500

TELECOPIER (202) 867-0010

2884
IN CLEVELAND, OHIO
3200 NATIONAL CITY CENTER
CLEVELAND, OHIO 44114
(216) 821-0200
TWX 810 421 8375

IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 228-1541

IN DENVER, COLORADO
500 CAPITOL LIFE CENTER
DENVER, COLORADO 80203
(303) 861-0600

IN ORLANDO, FLORIDA
850 CNA TOWER
ORLANDO, FLORIDA 32802
(305) 841-1111

WRITER'S DIRECT DIAL NO.:
(202) 861-

October 6, 1980

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1272 - Friends of Alaska

Dear Mr. Steele:

This office represents Friends of Alaska ("FOA") in Federal Election Commission ("FEC") Matter Under Review ("MUR") 1272. This office also represents Barnard J. Gottstein in MUR 1272. By letter dated August 12, 1980, you notified FOA of a complaint filed with the FEC by Robert Mitchell, Treasurer of Friends of Mike Gravel. This response is made on behalf of FOA pursuant to 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.6. For the reasons stated below, the FEC should take no action on this complaint other than to dismiss it and find no reason to believe that FOA has violated any provision of the Federal Election Campaign Act, as amended ("Act").

ALLEGATIONS AND RESPONSES

There are two general categories of allegations made by Mr. Mitchell against FOA. First, it is alleged that FOA has failed to register under the Act as a political committee. Second, it is alleged that FOA's expenditures for radio advertisements, which are critical of Senator Mike Gravel, during the Alaska Democratic Primary for United States Senator were contributions to Mr. Clark Gruening, Senator Gravel's primary opponent.

0304040483
67:32 9 100 00

A. Registration and Reporting by FOA.

FOA is a committee registered with the FEC pursuant to 2 U.S.C. § 433. FOA registered by sending a completed FEC Form 1 to the Secretary of the Senate on August 5, 1980. (Copy of FOA registration attached). On August 6, 1980, Ms. Norma Thompson, custodian of FOA's records, called the FEC and spoke with Mr. Larry Boyle, an FEC staff member. Ms. Thompson informed Mr. Boyle that FOA's registration form had been mailed the previous day and requested that Boyle send FOA an FEC Form 3x so that FOA could file a pre-primary election report. FOA did not receive a Form 3x until August 13, 1980, at which time the report was completed, signed by the treasurer and mailed to the Secretary of the Senate. (Copy of FOA pre-primary election report attached).

Prior to receiving the necessary forms, Ms. Thompson, in the spirit of disclosure, sent mailgrams which notified the Secretary of the Senate of FOA's activities. (Copies of mailgrams attached.) Although these mailgrams use the term "expenditures," they actually refer to estimated obligations owed by FOA to Alaska Advertisers for radio placement. Ms. Thompson also sent a separate letter by registered mail to the Secretary of the Senate along with a copy of a mailgram and a list of contributors in an attempt to fulfill the Act's disclosure requirements prior to receipt of the necessary form. (Copy of letter to Secretary of Senate attached.) Both the letter and the completed Form 3x characterize FOA's estimated obligations to Alaska Advertisers as "expenditures". These estimated obligations were correctly reported by amendment filed September 15, 1980. (Copy of amended report attached.) Ms. Thompson also sent a registered letter to the Secretary of the Senate dated August, 8, 1980, which disclosed estimated costs of production owed to Justin Ward Advertising and subsequently included this item in the completed FEC Form 3x and the amendment.

FOA has, therefore, filed the necessary reports and registration statement and has made a substantial effort to disclose its activities prior to the receipt of the FEC forms. FOA intends to file a third quarter report this month pursuant to 2 U.S.C § 434.

B. FOA Radio Advertising.

FOA acknowledges that it has raised and spent funds for the production and placement of radio advertising which was critical of Senator Gravel's record as a United States Senator. The texts of two radio spots are contained in a memorandum dated August 11, 1980, from Senator Gravel's

23040404834

attorney and chief fundraiser, Charles Fishman, to Kenneth Gross of the FEC staff. Neither spot expressly advocates the defeat of Senator Gravel. 11 C.F.R. § 109.1(b)(2); Advisory Opinion 1980-9 (March 13, 1980). One spot addresses Senator Gravel's previously publicized involvement in the purchase of a residence in Aspen, Colorado. The other spot discusses the Senator's efforts to block passage of legislation affecting Alaskan lands and a 200 mile limit on United States Territorial waters. The latter spot also mentions Senator Gravel's proposal to build a domed city on Mt. McKinley.

The failure of these spots to expressly advocate the defeat of Senator Gravel, places them outside the definition of "independent expenditure," 2 U.S.C. § 431(17); see Advisory Opinion 1980-9 (March 13, 1980). The expenditures, however, were made independently of any candidate, and therefore were not contributions. See 2 U.S.C. § 441a(a)(7)(B)(i). Mr. Richard Green, FOA's Treasurer, signed the checks which paid for the radio spots. Mr. Green has not been involved in any way with any candidate, including Clark Gruening.

CONCLUSION

On the basis of the above factual and legal materials, the FEC should take no action against FOA in MUR 1272, other than to dismiss the complaint and find no reason that FOA has violated the Act.

Respectfully submitted,
BAKER & Hostetler

By:


Jan W. Baran

By:


William H. Schweitzer

Enclosures

83040404039

83040404836

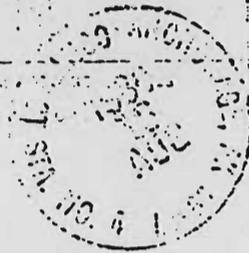
7632001

Wash. DC 20510

28

80

45



153

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

<p>1. Name of Committee (in Full) <u>FRIENDS OF NEALMA</u></p> <hr/> <p>Address (Number and Street) <u>2100 ...</u></p> <hr/> <p>City, State and ZIP Code <u>...</u></p> <hr/> <p><input type="checkbox"/> Check if address is different than previously reported.</p>	<p>4. TYPE OF REPORT (check appropriate boxes)</p> <p>(a) <input type="checkbox"/> April 15 Quarterly Report <input type="checkbox"/> July 15 Quarterly Report <input type="checkbox"/> October 15 Quarterly Report <input type="checkbox"/> January 31 Year End Report <input type="checkbox"/> July 31 Mid Year Report (Non-election Year Only) <input type="checkbox"/> Monthly Report for _____ <input checked="" type="checkbox"/> Twelfth day report preceding _____ <small>(Type of Election)</small> election on <u>March</u> in the State of <u>...</u></p> <p><input type="checkbox"/> Thirtieth day report following the General Election on _____ in the State of _____</p> <p><input type="checkbox"/> Termination Report</p> <p>(b) Is this Report an Amendment? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>
<p>2. FEC Identification Number</p> <hr/> <p>3. <input type="checkbox"/> This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)</p>	

83040104837

SUMMARY		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period <u>March</u> Through <u>...</u>			
6. (a) Cash on Hand January 1, 19 <u>80</u>			\$ - 0 -
(b) Cash on Hand at Beginning of Reporting Period	\$ - 0 -		
(c) Total Receipts (from Line 18)	\$ 7000.00	\$ 7000.00	
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	\$ 7000.00	\$ 7000.00	
7. Total Disbursements (from Line 28)	\$ 900.00	\$ 900.00	
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d)) ..	\$ 1000.00	\$ 1000.00	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	\$		
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$		

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

DICK GREEN
Type or Print Name of Treasurer

Dick Green
SIGNATURE OF TREASURER

13 Aug 80
Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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SCHEDULE A

ITEMIZED RECEIPTS

Page 11 of 11 for
LINE NUMBER 11-1
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
CONN COFFEE WOODBURY CT BRIDGE ST 06801			
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation COFFEE	7/20/12	1000.00
Aggregate Year-to-Date—S			
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
CONN COFFEE WOODBURY CT BRIDGE ST 06801			
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation COFFEE	7/20/12	1000.00
Aggregate Year-to-Date—S			
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date—S			
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date—S			
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date—S			
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date—S			
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date—S			
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			7000.00

03040404303

ITEMIZED INDEPENDENT EXPENDITURES

(See Reverse Side for Instructions)

Name of Committee (in Full)		I.D. No.		
Full Name, Mailing Address & ZIP Code of Each Payee	Purpose of Expenditure	Date (month, day, year)	Amount	Name of Federal Candidate supported or opposed by the expenditure & office sought
Justin Harris 2000 ... Ann Arbor, Michigan 48104	Radio Ad. Production	2/1/00	\$ 500.00	Mike Griffin <input type="checkbox"/> Support <input type="checkbox"/> Oppose
Ann Arbor ... 97501	Support Radio Ad.	2/1/00	-200.00	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Support <input type="checkbox"/> Oppose
(a) SUBTOTAL of Itemized Independent Expenditures			\$ 294.00	
(b) SUBTOTAL of Unitemized Independent Expenditures			\$ _____	
(c) TOTAL Independent Expenditures			\$ 294.00	

Under penalty of perjury I certify that the independent expenditures reported herein were not made in cooperation, consultation, concert with, or at the request or suggestion of any candidate or any authorized committee or agent of such candidate or authorized committee. Furthermore, these expenditures did not involve the financing of dissemination, distribution, or republication in whole or in part of any campaign materials prepared by the candidate, his campaign committee, or their agent.

Subscribed and sworn to before me this _____ day of _____, 19____

My Commission expires _____

Signature Date

NOTARY PUBLIC

1. (a) Name of Committee (in Full) Check if name or address is changed. **FRIENDS OF ALASKA**

(b) Address (Number and Street) **2140 STANFORD DRIVE**

(c) City, State and ZIP Code **ANCHORAGE ALASKA 99504**

2. Date **JULY 30, 1980**

3. FEC Identification Number

4. Is this an amended Statement? YES NO

5. TYPE OF COMMITTEE (check one):

(a) This committee is a principal campaign committee. (Complete the candidate information below.)

(b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate	Candidate Party Affiliation	Office Sought	State/District
-------------------	-----------------------------	---------------	----------------

(c) This committee supports/opposes only one candidate **MIKE GRAVEL** and is NOT an authorized committee.
(name of candidate)

(d) This committee is a _____ committee of the _____ Party.
(National, State or subordinate) (Democratic, Republican, etc.)

(e) This committee is a separate segregated fund.

(f) This committee supports/opposes more than one Federal candidate and is NOT a separate segregated fund nor a party committee.

6. Name of Any Connected Organization or Affiliated Committee	Mailing Address and ZIP Code	Relationship
NIL		

If the registering political committee has identified a "connected organization" above, please indicate type of organization:

Corporation Corporation w/o Capital Stock Labor Organization Membership Organization Trade Association Cooperative

7. Custodian of Records: Identify by name, address (phone number - optional) and position, the person in possession of committee books and records.

Full Name	Mailing Address and ZIP Code	Title or Position
N S THOMPSON	PO BX L 1611 Anch Ak 99509	Custodian of Records

8. Treasurer: List the name and address (phone number - optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name	Mailing Address and ZIP Code	Title or Position
Dick Green	2140 Stanford Drive Anch Ak 99504	Treas.

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.	Mailing Address and ZIP Code
1st National Bk of Anch	201 W 36th Ave Anchorage Ak 99504

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

DICK GREEN Type or Print Name of Treasurer

Dick Green SIGNATURE OF TREASURER

7/30/80 Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.

For further information contact: Federal Election Commission, Toll Free 800-424-9530, Local 202-523-4068

REFILE MGM AHG

WU INFOMASTER

REFILE MGM AHG

027027M21P 1448EST

ZCZC 01002 MGM ANCHORAGE ALASKA 08-06

ZIP

U S SENATE REPORTS OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECY OF THE SENATE 119 D ST NE
WASHINGTON DC 20510

BT

EXPENDITURE FOR THE DAY OF AUGUST 5TH 1980 IN THE AMOUNT OF

DLRS750.00. *Estimated - [Actual Expenditure \$ 146.00]*

PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE
U S SENATE, MIKE GRAVEL, HIS ANCHORAGE ADDRESS IS 701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA 2140 STANFORD
DRIVE ANCHORAGE 99504.

THE PAYEE: ALASKA ADVERTISERS 1341 FAIRBANKS ST ANCHORAGE ALASKA
99501.

FRIENDS OF ALASKA

2140 STANDORD DR ANCHORAGE ALASKA 99504

NNNN

83040404822

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CONFIRMATION COPY

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8111"

AUG 06 2153 23565#

REFILE MGM AHG

WU INFOMASTER

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REFILE MGM AHG

001000M220 0155EST

ZCZC 01006 MGM ANCHORAGE ALASKA 08-06

ZIP 20510

US SENATE REPORTS OFFICE OF PUBLIC RECORDS

OFFICE OF THE SECRETARY OF THE SENATE

119 D STREET NORTHEAST

WASHDC 20510

BT

THE EXPENDITURE FOR THE DAY OF 8-6-80 IN THE AMOUNT OF DLRS348.

PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE

U.S. SENATE MIKE GRAVEL WHOS ANCHORAGE ADDRESS IS 701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA 2140 STANFORD

DRIVE ANCHORAGE ALASKA 99504. THE PAYEE: ALASKA ADVERTISORS

1341 FAIRBANKS ANCHORAGE ALASKA 99501

FRIENDS OF ALASKA

2140 STANFORD DRIVE

ANCHORAGE ALASKA 99504

NNNN

8304040487

8304040489

REGISTERED NO. AS036		POSTMARK OF
Reg. Fee \$ 300	Special Delivery \$	 MAILING OFFICE
Handling Charge \$	Return Receipt \$ 45	
Postage \$ 28	Restricted Delivery \$	
RECEIVED BY Benson	<input checked="" type="checkbox"/> AIRMAIL	
FULL VALUE \$ NV		
FROM		
FRIENDS OF DK.		
2140 STANFORD DR.		
WASH DC		ZIP CODE 20504
TO		
US Senate Reports-Form #3		
119 D ST NE		
WASH DC		ZIP CODE 20510

PS FORM 3806 RECEIPT FOR REGISTERED MAIL (Customer Copy) Oct. 1978

August 7, 1980

U.S. Senate Reports
Office of Public Records
Office of the Secretary of the Senate
119 D Street North East
Washington, D.C.

Re: FEC Report Form #3
Disclosure of Expenditures
and Contributions.

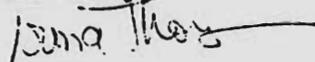
Gentlemen:

On August 6, 1980 we requested, from The Office of Public
Communication, Washington D.C. , that the above report form be
forwarded to our office.

In order to conform with timeliness of reporting please accept this
substitute report form. We will complete the proper form, when it
arrives and mail it to your office.

I have attached a separate list of our contributors also a separate
list of the expenditures thru closing date of August 6, 1980.

Yours truly,



Norma Thompson
Custodian of Records
Friends of Alaska
2110 Stanford Drive
Anchorage, Alaska 99501

Dick Green, Treasurer

Encl: 3

83040404895

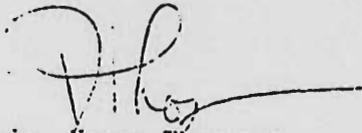
August 7, 1980

Friends of Alaska
2110 Stanford Drive
Anchorage, Alaska 99501

Schedule of Expenditures
Thru Period ending 8/6/80

Radio Advertising;
Payee; Alaska Advertisers Phone (907) 279 5942
1311 Fairbanks Street
Anchorage, Alaska 99501

August 5, 1980	\$146.00
August 6, 1980	348.00

Signed: 
Norma Thompson
Custodian of Records

83040404875

FOA FORM #1
Wire: Dated 8/6/80 10:10 am

To: U S SENATE REPORTS
OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECY OF THE SENATE
119 D STREET N. E.
WASHINGTON D C 20510
PH 202 224 0322

EXPENDITURE FOR THE DAY OF 8/5/80 IN THE
AMOUNT OF \$ 750.00 ***.

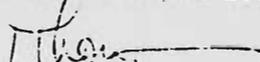
PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR
THE U S SENATE, MIKE GRAVEL WHOSE ANCHORAGE ADDRESS IS
701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY ' FRIENDS OF ALASKA',
2110 STANFORD DR, ANCHORAGE AK 99504.

THE PAYEE: ALASKA ADVERTISERS, 1341 FAIRBANKS, ANCHORAGE
AK 99501

SIGNED: FRIENDS OF ALASKA
2110 STANFORD DR
ANCHORAGE AK 99504

*** This was an estimated amount of our expenditure as our
complete purchase of the day had not been consumated;
the actual expenditure for 8/5/80 was \$116.00


Norma Thelosen
Custodian of Records.

83040404897

August 7, 1980

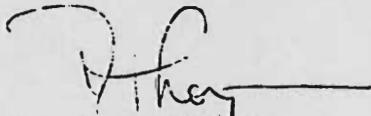
Friends of Alaska
2110 Stanford Drive
Anchorage, Alaska 99504

Dick Green, Treasurer

Schedule of Contributors;
Thru Period ending 8/6/80

Gordon Godfred, 2200 West 26th Avenue, Anchorage, Ak 99501 \$1000.00
Businessman

Carolyn K. Gay 2160 Stanford Drive, Anchorage, Alaska 99504 \$1000.00
Realtor



Signed: Norma Thomson
Custodian of Records

8304040498

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

<p>1. Name of Committee (in Full) FRIENDS OF ALASKA</p> <hr/> <p>Address (Number and Street) 2140 Stanford Drive</p> <hr/> <p>City, State and ZIP Code Anchorage, Alaska 99504</p> <hr/> <p><input type="checkbox"/> Check if address is different than previously reported.</p>	<p>4. TYPE OF REPORT (check appropriate boxes)</p> <p>(a) <input type="checkbox"/> April 15 Quarterly Report <input type="checkbox"/> July 15 Quarterly Report <input type="checkbox"/> October 15 Quarterly Report <input type="checkbox"/> January 31 Year End Report <input type="checkbox"/> July 31 Mid Year Report (Non-election Year Only) <input type="checkbox"/> Monthly Report for _____ <input checked="" type="checkbox"/> Twelfth day report preceding <u>Primary</u> <small>(Type of Election)</small> election on <u>8/26/80</u> in the State of <u>AK</u> <input type="checkbox"/> Thirtieth day report following the General Election on _____ in the State of _____ <input type="checkbox"/> Termination Report</p> <p>(b) Is this Report an Amendment? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>2. FEC Identification Number</p> <hr/> <p>3. <input type="checkbox"/> This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)</p>	

330404048

SUMMARY		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period <u>7/30/80</u> Through <u>8/6/80</u>			
6. (a) Cash on Hand January 1, 19_____			\$ 0
(b) Cash on Hand at Beginning of Reporting Period	\$ 0		
(c) Total Receipts (from Line 18)	\$ 2000	\$ 2000	
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	\$ 2000	\$ 2000	
7. Total Disbursements (from Line 28)	\$ 0	\$ 0	
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))	\$ 2000	\$ 2000	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	\$ 0		
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$ 994		

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

Dick Green
Type or Print Name of Treasurer

Dick Green
SIGNATURE OF TREASURER

9 Sept 80
Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)**

Name of Committee (in Full)
FRIENDS OF ALASKA

Report Covering the Period:
From: **7/30** To: **8/6/80**

	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
I. RECEIPTS		
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees	2000	2000
(Memo Entry Unitarized \$ _____)		
(b) Political Party Committees		
(c) Other Political Committees		
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b and 11c)	2000	2000
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES		
13. ALL LOANS RECEIVED		
14. LOAN REPAYMENTS RECEIVED		
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		
17. OTHER RECEIPTS (Dividends, Interest, etc.)		
18. TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17)	2000	2000
II. DISBURSEMENTS		
19. OPERATING EXPENDITURES		
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES		
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		
22. INDEPENDENT EXPENDITURES (Use Schedule E)		
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. §441a(d)) (Use Schedule F)		
24. LOAN REPAYMENTS MADE		
25. LOANS MADE		
26. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees		
(b) Political Party Committees		
(c) Other Political Committees		
(d) TOTAL CONTRIBUTION REFUNDS (add 26a, 26b and 26c)		
27. OTHER DISBURSEMENTS		
28. TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27)	-0-	-0-
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES		
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11d	2000	2000
30. TOTAL CONTRIBUTION REFUNDS from Line 26d	0	0
31. NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29)	2000	2000
32. TOTAL OPERATING EXPENDITURES from Line 19	0	0
33. OFFSETS TO OPERATING EXPENDITURES from Line 15	0	0
34. NET OPERATING EXPENDITURES (subtract Line 33 from Line 32)	0	0

63040404900

SCHEDULE D
(Revised 3/80)

DEBTS AND OBLIGATIONS
Excluding Loans

Name of Committee (in Full)	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
FRIENDS OF ALASKA				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor Justin Ward Advertising 2277 Science Parkway Okemo, Michigan 48864	0	\$500 Estimate	0	\$500
Nature of Debt (Purpose): Advertising Production				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor Alaska Advertisers 1341 Fairbanks Anchorage, Alaska 99501	0	\$494 Estimate	0	\$494
Nature of Debt (Purpose):				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				
2) TOTAL This Period (last page this line only)				
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				994
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				994

830404901

33040404902

All Entries MUST be in Ball Point Pen or Typed

REGISTERED NO. H8054		POSTMARK OF	
POST OFFICE COMPLETION	Reg. Fee \$ 300	Special Delivery \$	 MAILING OFFICE
	Handling Charge \$	Return Receipt \$ 45	
	Postage \$ 15	Restricted Delivery \$	
RECEIVED BY	Benson		
	<input checked="" type="checkbox"/> AIRMAIL		
CUSTOMER COMPLETION (Please Print)	FULL VALUES NO		
FROM	FRIENDS OF DK		
	2140 S. DUNBAR DR.		
	DUNCAN DK	09505	
TO	US Senate Reports		
	119 D St NE		
	WASH. DC	20510	ZIP CODE

WASH DC 11-1

August 8, 1980

U S Senate Reports
Office of Public Records
Office of the Secretary of the Senate
119 D Street North East
Washington D C 20510

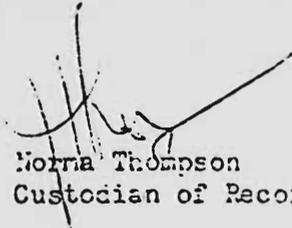
Re: FEC Report Form #3
Addendum to report
dated 8/7/80

Gentlemen:

We have had additional expenditures for the production of our radio spots. As of this date we have not gotten the cost of the production.

I will estimate the cost of the productions, thru period ending August 6, 1980 at the amount of \$500.00

The Payee: Justin Ward Advertising
2277 Science Parkway
Okemo, Michigan 48864

Signed: 
Norma Thompson
Custodian of Records

Friends of Alaska
2140 Stanford Drive
Anchorage, Ak 99504

Dick Green, Treasurer

830404900

BAKER & HOSTETLER
818 CONNECTICUT AVE., N.W.
WASHINGTON, D. C. 20006

4 0 4 0 4 9 0 4

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

Att: Jonathan Levin, Esq.

Doc# 2643
910116

RECEIVED

SEP 15 12:12

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

RE: Matter Under Review 1272

Dear Mr. Steele:

I hereby notify the Federal Election Commission pursuant to 11 C.F.R. §111.23 that Jan W. Baran and William H. Schweitzer of the law firm of Baker & Hostetler, 818 Connecticut Avenue, N.W., Washington, D.C., 20006, will represent Friends of Alaska in Matter Under Review ("MUR") 1272. Mr. Baran's telephone number is (202) 861-1572.

I authorize Jan W. Baran to receive all notifications and/or communications from the Federal Election Commission to Friends of Alaska regarding MUR 1272.

Very truly yours,

Dick Green
Dick Green, Treasurer

cc: Jan W. Baran, Esquire

83040401905

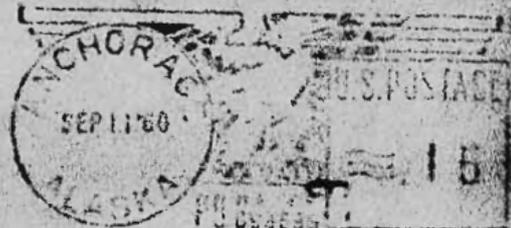
30 SEP 15 12:54

GENERAL COUNSEL

J. B. GOTTSTEIN & CO.

6441 "C" STREET
ANCHORAGE, ALASKA 99502

Mr. Charles N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463



SEP 15 12:12

RECEIVED

8304040490

537

BAKER & HOSTETLER

ATTORNEYS AT LAW

616 CONNECTICUT AVE., N.W.

WASHINGTON, D. C. 20006

(202) 661-1500

TELEX: 197643 BAKHOST

TELECOPIER: (202) 667-0060

IN CLEVELAND, OHIO
1956 UNION COMMERCE BUILDING
CLEVELAND, OHIO 44115
(216) 621-0200
TWX 610 421 6375

IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 228-1541

IN DENVER, COLORADO
500 CAPITOL LIFE CENTER
DENVER, COLORADO 80203
(303) 661-0600

IN ORLANDO, FLORIDA
850 CNA TOWER
ORLANDO, FLORIDA 32802
(305) 641-1111

WRITER'S DIRECT DIAL NO.:

(202) 661-

September 2, 1980

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1272

Dear Mr. Steele:

This office represents Barnard J. Gottstein in Federal Election Commission ("FEC") Matter Under Review ("MUR") 1272. Mr. Gottstein was named in a complaint filed by Robert Mitchell, Treasurer of Friends of Mike Gravel. By letter dated August 8, 1980, you notified Mr. Gottstein of the complaint and enclosed a copy. This response is made on behalf of Mr. Gottstein pursuant to 2 U.S.C. § 437g (a)(1) and 11 C.F.R. § 111.6. For the reasons stated below, the FEC should take no action on this complaint other than to dismiss it and find no reason to believe that Mr. Gottstein has violated any provision of the Federal Election Campaign Act, as amended ("Act").

ALLEGATIONS AND RESPONSES

The complaint makes numerous allegations against Mr. Gottstein. There appear to be two general classes of accusations. First, the complaint alleges that Mr. Gottstein is associated with Friends of Alaska, a committee which has sponsored radio advertisements opposing the nomination of Senator Gravel, and that such alleged association violates the Act. Second, the complaint alleges that Mr. Gottstein has made unlawful corporate in-kind contributions to the campaign of Senator Gravel's primary opponent. Mr. Gottstein admits that he has publicly supported the activities and

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RECEIVED
GENERAL COUNSEL

political objectives of Friends of Alaska, but denies that such support is in any way unlawful. Mr. Gottstein denies having made any unlawful, in-kind contributions corporate or otherwise, to Alaskans for Gruening Committee.

Mr. Gottstein's specific responses to the allegations are as follows:

1. Alaska Advertisers: Alaska Advertisers is an advertising firm owned in part by Mr. Gottstein. Alaska Advertisers has not produced advertising for Friends of Alaska nor for Alaskans for Gruening Committee. Alaska Advertisers has placed radio advertisements for Friends of Alaska at the usual and normal fee, including standard commissions. Alaska Advertisers placed media advertisements for Alaskans for Gruening Committee in late 1979 at the usual and normal fee, including standard commissions. Mr. Gottstein was not and is not involved in the management of Alaska Advertisers. Mr. Gottstein was not personally involved in placing ads for either Friends of Alaska or Alaskans for Gruening Committee.

2. Friends of Alaska: Mr. Gottstein is not an officer of Friends of Alaska. Friends of Alaska does not make any expenditures through Mr. Gottstein. Conversely, Mr. Gottstein does not make any expenditures on behalf of Friends of Alaska. Mr. Gottstein supports the activities of Friends of Alaska. Mr. Gottstein's support of Friends of Alaska is not the result of any request or suggestion of any candidate or any candidate's committee or agent. To the contrary, Mr. Gottstein was personally and specifically requested by Mr. Clark Gruening, a candidate, not to support or promote the activities of Friends of Alaska. Furthermore, Mr. Gottstein's support of the activities of Friends of Alaska was not made in cooperation, consultation or concert with any candidate, committee or agent.

83040404908

3. Fundraising: In late 1979, Mr. Gottstein specifically declined a request by Mr. Clark Gruening to be the finance chairman for his campaign. Mr. Gottstein has made a contribution to the Gruening campaign of \$1,000. Mr. Gottstein has never been an officer of, nor is he in any manner an official of Alaskans for Gruening Committee. Mr. Gottstein is not and has not been an agent of the Gruening campaign. Mr. Gottstein does not and has not had real or apparent authority to make any expenditures on behalf of the Gruening campaign.

4. Political Polling: Mr. Gottstein denies that any of his firms have contributed a poll to Mr. Gruening's campaign. One of Mr. Gottstein's firms, Sandelson Surveys, was commissioned by the Gruening campaign to do certain polling fieldwork for Walter DeVries Assoc., Inc., a political consulting firm. Initial fieldwork was performed in March/April, 1980 and the services were billed to the campaign on May 1, 1980. Similar fieldwork was performed in July and will be similarly billed after telephone expenses are calculated. Mr. Gottstein was not personally involved in any of the polling conducted by Sandelson Survey, and is not personally involved in the general management of that firm.

5. Corporate Computers: Mr. Gottstein's firms have never provided the Gruening campaign with access to corporate computers without charge.

6. Unpaid fundraising services: Mr. Gottstein has no idea what this allegation means.

839404909

7. Corporate employees: Mr. Gottstein is unaware of any instance in which any person employed by any of his companies was reimbursed by the corporation for political services rendered on behalf of any candidate.

8. Private investigators: Mr. Gottstein denies paying funds to private investigators to secure information for negative newspaper articles on Senator Gravel.

ARGUMENT

The accusations lodged against Mr. Gottstein are groundless, unsubstantiated and false. With respect to the allegations against Mr. Gottstein regarding his support of Friends of Alaska, the complaint fails to demonstrate that he has done anything illegal. Assuming that Mr. Gottstein has made an expenditure for a communication expressly advocating the defeat of Senator Gravel (in fact the expenditures were made by Friends of Alaska, and not Mr. Gottstein) such an expenditure is an independent expenditure, not made in cooperation or at the suggestion or request of any candidate.

As we have noted, Mr. Gruening actively discouraged the expenditures made by Friends of Alaska and personally asked Mr. Gottstein not to support that committee's activities. Under these circumstances, Mr. Gottstein has not made any unlawful expenditures. Rather he has supported the independent expenditure activity of Friends of Alaska.

With respect to the various allegations concerning corporate political contributions, Mr. Gottstein denies that any of his companies have made any such contributions. As noted above, any services to the Gruening campaign rendered by any company owned by Mr. Gottstein were charged to the campaign. Furthermore, Mr. Gottstein was not personally involved in the performance of any of these services.

All other allegations are false as noted above.

330404210

Charles N. Steele, Esquire
September 2, 1980
Page 5

CONCLUSION

For the reasons stated herein, the FEC should take no action against Mr. Gottstein in MUR 1272, other than to dismiss the complaint and find no reason to believe that he has violated any provision of the Act.

Respectfully submitted,
BAKER & HOSTETLER

By: Jan W. Baran
Jan W. Baran

William H. Schweitzer
William H. Schweitzer

83040404911

H Schweitzer
BAKER & HOSTETLER

815 CONNECTICUT AVE., N. W.
WASHINGTON, D. C. 20006

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

DELIVERED BY HAND

830404049

ACC # 2531



August 27, 1980

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

Dear Mr. Steele:

I am in receipt of correspondence dated August 8, 1980, received here August 14, 1980, referring to MUR 1272(80).

Regarding Alaska Advertisers, the question appears to relate to the "use of corporate facilities to produce and place political advertisements at less than fair market cost."

Alaska Advertisers has placed advertisements for Friends of Alaska and for the Alaskans For Gruening Committee. Information is attached. Alaska Advertisers has never been employed to produce any advertising for either group, however.

Regarding the matter of providing placement services at less than fair market cost, I believe the attached statements will show that each committee was billed the full amount charged by various media for purchase of advertising time and space.

I hope this assists in clearing up the matter of MUR 1272(80).

Sincerely,

Steve Oien,
 General Manager

0 SEP 3 2:34

33040404912



612 1/2 EAST FOURTEENTH AVENUE
SUITE 3
ANCHORAGE, ALASKA 99501

RECEIVED

80 SEP 3 A10:52

ALASKA
ADVERTISERS

CHECK

No. 3711

ANCHORAGE, ALASKA

89-83
1252

SECURITY
NATIONAL
BANK

DATE

AMOUNT

11/13/79

\$ 466.94

PAY

Alaskans for Gruening Committee

TO THE
ORDER
OF

NON NEGOTIABLE

CO. NO.	LOC	S/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHK NO	AMOUNT	DESCRIPTION
090		110.00		32190	31038/31018	11/79	2	11	466.94	

THE ATTACHED CHECK IS IN PAYMENT
OF THE ITEMS LISTED ABOVE.
DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

040410491



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

INVOICE
DATE

10/31/79

Gruening for Senate Committee

916

40
SOLD

3040

DESCRIPTION OF SERVICE	AMOUNT
Additional Charges, KSA-TV, Sitka (Borough tax)	\$ 3.06

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE No 31018



612 1/2 EAST FOURTEENTH AVENUE
SUITE 5
ANCHORAGE, ALASKA 99501

ALASKA
ADVERTISERS

CHECK
No. 3727
SECURITY NATIONAL BANK ANCHORAGE, ALASKA
DATE AMOUNT

11/14/79 \$ 3.06

PAY

TO THE ORDER OF

Sitka Alaska Television (KSA)
P.O. Box 439
Sitka, Ak. 99835

NON NEGOTIABLE

CO. NO.	LOC	G/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHK MO	AMOUNT	DESCRIPTION
090		110.00		64372	31018	10/79	2	10	3.06	Gruening Balance

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

3300

Balance

(3.06) OK

79.56

*(Note: we have a rough tax of 4% which was not included.)
Thank you*

ATTEST: *Michael White*
ATTEST: *Murray*

SITKA, ALASKA

STATEMENT

Phone (907) 747-3535

P.O. Box 439

SITKA ALASKA TELEVISION INC.

(KSA-Cable-TV)

Channels 2, 3, 4, 5, 6, & 11

SITKA, ALASKA 99835

Date Oct 30, 1979

- Alaska Advertisers -
 1341 Fairbanks St.
 Anchorage, Alaska 99501 -

PREVIOUS BALANCE

83040404040491	Evening TV Spots	90.00
	- 15%	13.50
		76.50
64372		
090-110.00 - 31018	4% TAX	3.06
		79.56
	Payment Rec'd	- 76.50
		(3.06) OK
	Balance	0

(Note: we have a rough tax of 4% which was not included.)
 Thank you

SITKA ALASKA TELEVISION INC.

(KSA-TV) CHANNEL 4

SITKA ALASKA 99835

CERTIFICATE OF PERFORMANCE

AGENCY ACCOUNT: *Alaska Advertisers*

IT IS HEREBY CERTIFIED THAT

WERE PRESENTED FOR THE ABOVE ACCOUNT OVER SITKA ALASKA TELEVISION INC. ON DATES LISTED, AS PER INSTRUCTION FROM THE ABOVE AGENCY.

SIGNATURES OF EMPLOYEES OF SITKA ALASKA TELEVISION, INC. WHO ARE RESPONSIBLE FOR THE PRESENTATION OF THE TRANSMISSIONS APPEAR BELOW.

83040404919

MONTH	DAY	TIME	ADJACENCY	RATE
Oct	12	6:31	NEWS	15.00
"	12	8:01	MOVIE	15.00
"	13	7:59	CHIPS	15.00
"	13	8:59	LOVE BOAT	15.00
"	14	9:31	MOVIE	15.00
"	14	7:59	MORRIS & MINDY	15.00

90.00
 - 15%
 76.50
 4% TAX
 3.06
 79.56

ATTEST: *Michael White*
 ATTEST: *Murray*

SITKA, ALASKA



1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5942

INVOICE DATE 10/11/79

SOLD TO

ALASKANS FOR GRUENING
CLARK GRUENING FOR U. S. SENATE

DESCRIPTION OF SERVICE	AMOUNT
KENI-TV, Anchorage	420.00
KTVB-TV, Anchorage	350.00
KIMO-TV, Anchorage	470.00
KEAR-TV, Fairbanks	196.00
KTVF-TV, Fairbanks	250.00
KTVY-TV, Juneau	85.00
KIPK-TV, Sitka	102.00
CABLE NETWORK	642.00
JATV, Cable, Juneau	210.00
KATV, Cable, Ketchikan	126.00
KSA-TV, Cable, Sitka	90.00
KTTA-TV, Production	150.00
Old Streak Service, Alaska Airlines	161.00
Express Mail to Seattle	3.90
Statewide Phone Calls	<u>36.78</u>
	3297.68

PAID IN FULL

TERMS: 30 DAYS

INTEREST WILL BE CHARGED
ON ALL AMOUNTS NOT PAID
WITHIN 30 DAYS.

INVOICE

10435

ALASKANS FOR GRUENING
P. O. BOX 1757
ANCHORAGE, ALASKA 99510



1012

89-361
1262

10/10 1979

Pay *Three thousand two hundred ninety seven and 68/100* DOLLARS \$ *3,297.68*
TO THE ORDER OF *Alaska Advertisers*

TO THE
ORDER
OF

Clark Gruening

⑈001012⑈ ⑆125200361⑆ 57015 612⑈

ALASKANS FOR GRUENING

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

DELUXE - FORM WVC-3 V-3

DATE	DESCRIPTION	AMOUNT
		090 - 110.00



612 1/2 EAST FOURTEENTH AVENUE
 SUITE 5
 ANCHORAGE, ALASKA 99501

ALASKA
ADVERTISERS

CHECK

No. 3590

ANCHORAGE, ALASKA

89-93
 1292

SECURITY
 NATIONAL
 BANK

DATE

AMOUNT

10/10/79 \$ 399.50

PAY

TO THE ORDER OF **KIMO-TV**

NON NEGOTIABLE

CO. NO.	LOC	G/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHEG. NO.	AMOUNT	DESCRIPTION
090		110.00		30650	Gruening	10/79	2	10	470.00	
080		468.00		30650	Gruening	10/79	2	10	(70.50)	

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

040-1049



612 1/2 EAST FOURTEENTH AVENUE
 SUITE 5
 ANCHORAGE, ALASKA 99501

ALASKA
 ADVERTISERS

CHECK

No. 3591

SECURITY
 NATIONAL
 BANK

ANCHORAGE, ALASKA

89-83
 1252

DATE AMOUNT

10/10/79 \$ 166.60

PAY

KPAR-TV

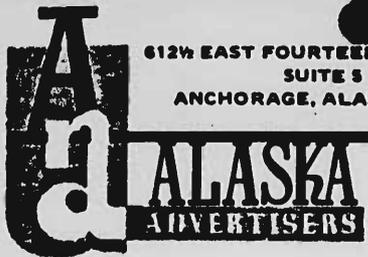
TO THE ORDER OF

NON NEGOTIABLE

CO. NO.	LOC	S/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHEG NO	AMOUNT	DESCRIPTION
090		110.00		64120	Gruening	10/79	2	10	196.00	
090		468.00		"	"	10/79	2	10	(29.40)	
0404049										

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.



612 1/2 EAST FOURTEENTH AVENUE
 SUITE 5
 ANCHORAGE, ALASKA 99501

CHECK
No. 3592
 SECURITY NATIONAL BANK ANCHORAGE, ALASKA
 99-83 1282

DATE	AMOUNT
10/10/79	\$ 357.00

PAY

TO THE ORDER OF **KENI-TV**

NON NEGOTIABLE

CO. NO.	LOC	C/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHEQ NO	AMOUNT	DESCRIPTION
090		110.00		72180	Gruening	10/79	2	10	420.00	
090		468.00		"	"	10/79	2	10	(63.00)	
404049										

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

700



612 1/2 EAST FOURTEENTH AVENUE
 SUITE 5
 ANCHORAGE, ALASKA 99501

ALASKA
 ADVERTISERS

SECURITY
 NATIONAL
 BANK

CHECK
 No. 3593
 ANCHORAGE, ALASKA

89-93
 1282

DATE	AMOUNT
10/10/79	\$ 212.50

PAY

TO THE
 ORDER
 OF

KTVU-TV

NON NEGOTIABLE

CO. NO.	LOC	C/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHG MO	AMOUNT	DESCRIPTION
090		110.00		64380	Gruening	10/79	2	10	250.00	
090		468.00		"	"	10/79	2	10	(37.50)	
4040492										

THE ATTACHED CHECK IS IN PAYMENT
 OF THE ITEMS LISTED ABOVE.
 DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

70 - -



612 1/2 EAST FOURTEENTH AVENUE
 SUITE 5
 ANCHORAGE, ALASKA 99501

ALASKA
 ADVERTISERS

CHECK

No. 3594

ANCHORAGE, ALASKA

10-23
 1979

SECURITY
 NATIONAL
 BANK

DATE AMOUNT

10/10/79 \$72.25

PAY

TO THE ORDER OF
 KINY-TV

NON NEGOTIABLE

CO. NO.	LOC	G/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHEG NO	AMOUNT	DESCRIPTION
090		110.00		72180	Gruening	10/79	2	10	85.00	
090		468.00		"	"	10/79	2	10	(12.75)	

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

8



812 1/2 EAST FOURTEENTH AVENUE
SUITE 5
ANCHORAGE, ALASKA 99501

**ALASKA
ADVERTISERS**

CHECK

No. 3595

SECURITY
NATIONAL
BANK

ANCHORAGE, ALASKA

99-93
1288

DATE

AMOUNT

10/10/79 \$ 86.70

PAY

TO THE
ORDER
OF

KIPW-TV

NON NEGOTIABLE

CO. NO.	LOC	C/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHK NO	AMOUNT	DESCRIPTION
090		110.00		64260	Grueing	10/79	2	10	102.00	
090		468.00		64260	"	10/79	2	10	(15.30)	

THE ATTACHED CHECK IS IN PAYMENT
OF THE ITEMS LISTED ABOVE.
DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

700 ~~~

Kemp



612 1/2 EAST FOURTEENTH AVENUE
SUITE 5
ANCHORAGE, ALASKA 99501

ALASKA
ADVERTISERS

CHECK

No. 3597

SECURITY
NATIONAL
BANK

ANCHORAGE, ALASKA

89-83
1298

DATE

AMOUNT

10/10/79 \$ 178.50

PAY

TO THE
ORDER
OF

JATV, JUNEAU

NON NEGOTIABLE

CO. NO.	LOC	S/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHG NO	AMOUNT	DESCRIPTION
090		110.00		62162	Gruening	10/79	2	10	210.00	
090		468.00		"	"	10/79	2	10	(31.50)	
0404049										

THE ATTACHED CHECK IS IN PAYMENT
OF THE ITEMS LISTED ABOVE.
DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.



612 1/2 EAST FOURTEENTH AVENUE
SUITE 5
ANCHORAGE, ALASKA 99501

ALASKA
ADVERTISERS

CHECK
No. 3598
ANCHORAGE, ALASKA
SECURITY NATIONAL BANK
89-41
1988

DATE	AMOUNT
10/10/79	\$ 107.10

PAY

TO THE ORDER OF

KATV, Ketchikan

NON NEGOTIABLE

CO. NO.	LOC	S/L	SUB	VENOR NUMBER	INVOICE NUMBER	DATE	BANK	CHK NO	AMOUNT	DESCRIPTION
090		110.00		64075	Grueing	10/79	2	10	126.00	
090		468.00		"	"	10/79	2	10	(18.90)	

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

0404049



612 1/2 EAST FOURTEENTH AVENUE
 SUITE 5
 ANCHORAGE, ALASKA 99501

ALASKA
 ADVERTISERS

CHECK
No. 3599
 ANCHORAGE, ALASKA
 SECURITY NATIONAL BANK
 89-83
 1252
 DATE: 10/10/79
 AMOUNT: \$ 491.13

PAY

North Star Communications

TO THE ORDER OF

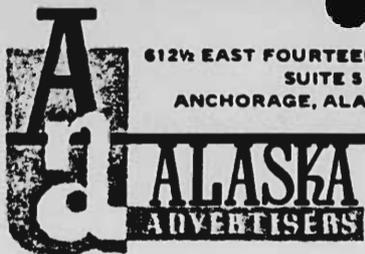
NON NEGOTIABLE

CO. NO.	LOC	G/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHK MO	AMOUNT	DESCRIPTION
090		110.00		75370	Gruening	10/79	2	10	642.00	
090		468.00		"	"	10/79	2	10	(150.87)	

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. ATTACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

0404049



612½ EAST FOURTEENTH AVENUE
SUITE 5
ANCHORAGE, ALASKA 99501

CHECK
No. 3589
ANCHORAGE, ALASKA
SECURITY NATIONAL BANK

89-83
1252

DATE	AMOUNT
10/9/79	\$ 447.50

PAY

TO THE ORDER OF Northern Television - KTVA

NON NEGOTIABLE

CO. NO.	LOC	G/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHG MO	AMOUNT	DESCRIPTION
090		110.00		76275	Gruening	10/79	2	10	500.00	
090		468.00		76275	"	10/79	2	10	(52.50)	
										Air Time 297.50
										Prod. 150.00
										<u>447.50</u>

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

TELEVISION CHANNEL 13-KIMO-TV
 CENTRAL ALASKA BROADCASTING, INC.
 3910 SEWARD HIGHWAY
 ANCHORAGE, ALASKA 99503

2840

11/9 1979

89-51
 1252

PAY TO THE
 ORDER OF

Alaska Advertisers

\$ 399.50

KIMO-TV 399 DOLLARS 50 CTS

DOLLARS

NATIONAL BANK OF ALASKA
FOURTH AVE. BRANCH
 ANCHORAGE, ALASKA
 99510

⑈002840⑈ ⑆125200057⑆ 01⑈250876⑈

DELUXE CHECK PRINTERS

CENTRAL ALASKA
 BROADCASTING, INC.

DETACH AND RETAIN THIS STATEMENT
 THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
 IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

DELUXE - FORM DVC-3 V-5 B

DATE	DESCRIPTION	AMOUNT	DISTRIBUTIONS	
			ACCT. NO.	AMOUNT
	Re: Refund check for Clark Gruening, Political. 090-110.00	399.50	106	

EMPLOYEE

PERIOD ENDING	TOTAL EARNINGS	DEDUCTIONS							TOTAL DEDUCTIONS	NET PAY
		Soc. Sec. Tax	Withholding U.S. Inc. Tax	State Inc. Tax						

2 8 6 7 0 1 0 7 0 2 6



612 1/2 EAST FOURTEENTH AVENUE
SUITE 5
ANCHORAGE, ALASKA 99501

CHECK
No. 3794
ANCHORAGE, ALASKA
SECURITY NATIONAL BANK
89-53
1252

DATE | AMOUNT

12/12/79 \$ 215.05

PAY

Northern Television
P.O. Box 950
Fairbanks, Ak. 99707

TO THE ORDER OF

NON NEGOTIABLE

CO. NO.	LOC	C/L	SUB	VENDOR NUMBER	INVOICE NUMBER	DATE	BANK	CHG MO	AMOUNT	DESCRIPTION
090		110.00		76275	31097	11/79	2	11	168.00	KFRB Gruening
090		468.00		76275	disc	11/79	2	11	(25.20)	
090		135.04		76275	31145	11/79	2	11	85.00	KTVF Foodland
090		468.00		76275	disc	11/79	2	11	(12.75)	

THE ATTACHED CHECK IS IN PAYMENT OF THE ITEMS LISTED ABOVE. DETACH BEFORE DEPOSITING

ALASKA ADVERTISERS, INC.

11-16-79	FR ALASKAN FOR GRUENING 9087	318P	:30	7.00	1	7.
11-16-79	FR ALASKAN FOR GRUENING 9087	340P	:30	7.00	1	7.
11-16-79	FR ALASKAN FOR GRUENING 9087	434P	:30	7.00	1	7.

THE INFORMATION SHOWN IS FROM THE OFFICIAL PROGRAM LOGS OF

K F R B RADIO

ALL TIMES SHOWN PLUS OR MINUS EIGHT MINUTES.

TOTALS	24	.00	168.
--------	----	-----	------

PAY THIS SUM	GROSS AMT	168.
	15% DISC	25.

AMOUNT DUE ~~143.~~ 142

ALASKANS FOR GRUENING
P. O. BOX 1757
ANCHORAGE, ALASKA 99510



1054

Dec. 5 1979

80-36
1283

PAY -----One hundred sixty eight & 00/100----- DOLLARS \$168.00

TO
THE
ORDER
OF

Alaska Advertisers

Lou Ann Diamond

⑆001054⑆ ⑆⑆12520036⑆⑆ 57015 612⑆

8304040493



MEMORANDUM

TO: BARNEY GOTTSTEIN
FROM: JUDY PARSONS, Adv.

Following is a list of the television purchase and dates involved in the October buy for Clark Gruening:

Cable Network	Oct. 14-16	642.00
KATV, Ketchikan	Oct. 12-14	126.00
JATV, Juneau	Oct. 12-14	210.00
KSA-TV, Sitka	Oct. 12-14	90.00
KIFW-TV, Sitka	Oct. 12-14	102.00
KINY-TV, Juneau	Oct. 12-14	85.00
KTVF-TV, FEES.	Oct. 12-14	250.00
KFAR-TV, Fbks.	Oct. 12-14	196.00
KENI-TV, Anch.	Oct. 12-14	420.00
KIMO-TV, Anch.	Oct. 12-14	470.00
KTVA-TV, Anch.	Oct. 12-14	350.00

Judy Parsons

830404936



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA CABLE SYSTEM

North Star Communications

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: Oct. 14, 1979

DATE OF EXPIRATION: Oct. 16, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

1 30-sec. spot Prime per night per channel

2 Channel cost per night = \$214.00 x 3 = \$642.00

PREFERRED POSITION:

VTR, POLITICAL BROADCAST FORM AND CHECK ENCLOSED.

CLASSIFICATION:

3
3
0
4
0
4
0
4
9
3

RATE:	<u>642.00</u>
Less Agency Commission:	<u>96.30</u>
NET TO BE PAID:	<u>545.70</u>
	<u>5457</u>
	491.13

Authorized By: *Jerry Larson*

less 10%
394



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 278-8842

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA KATV

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: Oct. 12, 1979

DATE OF EXPIRATION: October 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

October 12	30-sec.	1 Prime each Channel
October 13	30-sec.	1 Prime each Channel
October 14	30-sec.	1 Prime each Channel

PREFERRED POSITION: 6 30-sec. @ \$21.00 each = \$ 126.00

CLASSIFICATION: CASSETTE, POLITICAL BROADCAST FORM AND CHECK ENCLOSED.

LETTER OF AUTHORIZATION TO FOLLOW.

RATE:	<u>126.00</u>
Less Agency Commission:	<u>18.90</u>
NET TO BE PAID:	<u>107.10</u>

Authorized By: *Gary Benson*

391

833040404933



alaska advertisers

1241 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA JATV, Juneau

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: Oct. ~~11~~ 12, 1979

DATE OF EXPIRATION: Oct. 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

Oct. 12	30-sec.	1 Prime on each Channel
Oct. 13	30-sec	1 Prime on each Channel
Oct. 14	30-sec.	1 Prime on each Channel

6 30-sec. @ \$35.00 each = \$210.00

PREFERRED POSITION:

CASSETTE, POLITICAL BROADCAST FORM AND CHECK ENCLOSED.

CLASSIFICATION:

Letter of Authorization to follow.

RATE:	<u>210.00</u>
Less Agency Commission:	<u>31.50</u>
NET TO BE PAID:	<u>178.50</u>

Authorized By: *Andy Pearson*

393

83040404939



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA KSA-TV, Sitka

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: October 12, 1979

DATE OF EXPIRATION: October 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:	October 12	30-sec.	7PM NBC News	15.00
		30-sec.	8-10 PM ABC	15.00
	October 13	30-sec.	8-9 CHIPS	15.00
		30-sec.	9-10 Love Boat	15.00
	October 14	30-sec.	8-10 Movie	15.00
		30-sec.	8-8:30-Mork & Mindy	15.00

PREFERRED POSITION:

CLASSIFICATION:

CASSETTE, POLITICAL BROADCAST FORM AND CHECK ENCLOSED.

Letter of Authorization to follow.

RATE:	<u>90.00</u>
Less Agency Commission:	<u>13.50</u>
NET TO BE PAID:	<u>76.50</u>

Authorized By: *Judy Peterson*

802



alaska advertisers

1241 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-8942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA KIFW-TV

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: October 12, 1979

DATE OF EXPIRATION: October 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:	October 12	30-sec.	In: World Series	35.00
	October 13	30-sec.	6:30 PM	32.00
	October 14	30-sec.	7-8 PM	35.00
				<u>102.00</u>

PREFERRED POSITION:

VTR, Political Broadcast Form, Letter of Authorization and check enclosed.

CLASSIFICATION:

RATE:	<u>102.00</u>
Less Agency Commission:	<u>15.30</u>
NET TO BE PAID:	<u>86.70</u>

Authorized By: *Gandy Pearson*

890



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-8942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA: KINY-TV

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: October 12, 1979

DATE OF EXPIRATION: October 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:	October 12	30-sec.	In: World Series	25.00
	October 13	30-sec.	8-9 PM	30.00
	October 14	30-sec.	8-10 PM	30.00
				<u>85.00</u>

PREFERRED POSITION:

VTR, Political Broadcast form, Letter of Authorization and check enclosed.

To Come

CLASSIFICATION:

RATE:	<u>85.00</u>
Less Agency Commission:	<u>12.75</u>
NET TO BE PAID:	<u>72.25</u>

Authorized By: *Judy [Signature]*



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA: KTVF-TV

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: October 12, 1979

DATE OF EXPIRATION: October 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:	October 12	30-sec.	7:00 PM	80.00
	October 13	30-sec.	9-9:30 PM	85.00
	October 14	30-sec.	7-8 PM	85.00
				<u>250.00</u>

PREFERRED POSITION:

VTR. Political Broadcast Form, Letter of
Authorization and check enclosed.

To Come

CLASSIFICATION:

RATE:	<u>250.00</u>
Less Agency Commission:	<u>37.50</u>
NET TO BE PAID:	<u>212.50</u>

Authorized By: *Gary Pearson*

336



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-8942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA KFAR-TV

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: October 12, 1979

DATE OF EXPIRATION: October 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

October 12	30-sec.	7:00 PM	65.00
October 13	30-sec.	8-9 PM	59.00
October 14	30-sec.	8-10 PM	72.00
			<u>196.00</u>

PREFERRED POSITION:

CLASSIFICATION:

VER, Political Broadcast Form, Letter of authorization and check enclosed.

To Come

RATE:	<u>196.00</u>
Less Agency Commission:	<u>20.00</u>
NET TO BE PAID:	<u>176.00</u>

Authorized By: *Andy Pearson*



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA KENI-TV

ACCOUNT: CLARK GRUENINGFOR U.S. SENATE

PRODUCT:

DATE OF INSERTION: Oct. 12, 1979

DATE OF EXPIRATION: Oct.ber 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:	DATE	LENGTH	TIME	RATE	SPOTS
	October 12	30-sec.	6:00 PM	100.00	(#1)
	October 13	30-sec.	7-8 PM	160.00	(#2)
	October 14	30-sec.	8-10 PM	160.00	(#2)

PREFERRED POSITION:

VTR, Political Broadcast Form, Letter of Authorization and check enclosed.

To come

CLASSIFICATION:

RATE:	420.00
Less Agency Commission:	63.00
NET TO BE PAID:	357.00

Authorized By: *Andy Carson*



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA: KIMO-TV

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: Oct. 12, 1979

DATE OF EXPIRATION: Oct. 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:	October 12	30-sec.	7:00 PM	130.00
	October 13	30-sec.	8-9 PM	170.00
	October 14	30-sec.	9-11 PM	170.00
				<u>470.00</u>

PREFERRED POSITION:

VTR, Political Broadcast Form, Letter of Authorization and check enclosed.

CLASSIFICATION:

DID NOT RUN.

RATE:	<u>470.00</u>
Less Agency Commission:	<u>70.50</u>
NET TO BE PAID:	<u>399.50</u>

Authorized By: *Geary Pessner*



alaska advertisers

1341 FAIRBANKS STREET
ANCHORAGE, ALASKA 99501
PHONE: 279-5942

INSERTION ORDER

Electric/Print

DATE: 10/10/79

MEDIA KTVA-TV

ACCOUNT: CLARK GRUENING FOR U. S. SENATE

PRODUCT:

DATE OF INSERTION: October 12, 1979

DATE OF EXPIRATION: October 14, 1979

CO-OPERATIVE ADVERTISING:

TIME/SPACE:

October 12	30-sec.	6:00 PM	80.00
October 13	30-sec.	8-9 PM	95.00
October 14	30-sec.	7-8 PM	175.00
			<u>350.00</u>

PREFERRED POSITION:

VTR, Political Broadcast Form, letter of authorization and check enclosed.

CLASSIFICATION:

1
9
4
0
4
0
4
0
3
3
8

RATE:	<u>350.00</u>
Less Agency Commission:	<u>52.50</u>
NET TO BE PAID:	<u>297.50</u>

Authorized By: *Judy Pearson*

832

Norma Thompson # 0242. LCC

333-4989 RECEIVED

80 SEP 3 AID: 52

~~Norma Aug 5~~

KBYR - 4 @ 16.00 64.00

KNIK - 2 @ 12.00 24.00

~~KPAR~~

KIFW - 2 @ 21.00 42.00

KVOK - 2 @ 8.00 16.00

5 = 146.00

~~Norma Aug 6~~

KBYR 4 @ 16.00 64.00

KNIK - 2 @ 12.00 24.00

KIFW - 2 @ 21.00 42.00

KVOK - 5 @ 8.00 40.00

~~KPAR - 2 @ 14.00 28.00~~

APR Network 2 @ 75.00 150.00

6 = ~~948.00~~

320.00

64.00

93.00

66.00

KBYR 4 @ 16.00

KHAR 3 @ 31.00
3 @ 22.00

KNIK 2 @ 12.00 24.00

KFRB 4 @ 15.00 60.00

KIFW 2 @ 21.00 42.00

KVOK 7 - 5 @ 8.00 40.00

8 - 4 @ 8.00 32.00

~~KPAR - 6 @ 14.00 84.00~~

ARN - 3 @ 75.00 225.00

7 = ~~690.00~~ 614.00

8 = ~~690.00~~ 606.00

~~Norma~~
Aug 7 + 8

Phone of Thompson - 276-6266
333-4989

Aug 9+10

KYAK - 5 @ 21.00 = 105.00
 KHAR - 5 @ 19.00 = 95.00
 KBYR - 5 @ 13.00 = 65.00
 KNIK - 7 @ 11.00 = 77.00
~~KFAR - 5 @ 14.00 = 70.00~~
 KFRR - 5 @ 15.00 = 75.00
 KIFW - 5 @ 21.00 = 105.00
 KVOK - 5 @ 8.00 = 40.00
 ARN - 2 @ 75.00 = 150.00
 KSAM - 7 @ 15.00 = 105.00
 Aug 9+10 = ~~807.00~~
 817.00

Aug 11

KYAK - 4 @ 28.00 = 112.00
 KBYR - 4 @ 16.00 = 64.00
 KNIK - 2 @ 12.00 = 24.00
 KHAR - 3 @ 31.00 = 93.00
 KHAR - 3 @ 22.00 = 66.00
~~KFAR - 6 @ 14.00 = 84.00~~
 KFRR - 5 @ 15.00 = 75.00
 KIFW - 2 @ 21.00 = 42.00
 KVOK - 4 @ 8.00 = 32.00
 ARN - 2 @ 75.00 = 150.00 658.00
~~742.00~~

Aug 12

KHAR - 3 @ 31.00 = 93.00
 KHAR - 3 @ 22.00 = 66.00
 KBYR - 4 @ 16.00 = 64.00
 KNIK - 2 @ 12.00 = 24.00
~~KFAR - 4 @ 14.00 = 56.00~~
 KFRR - 5 @ 15.00 = 75.00
 KIFW - 2 @ 21.00 = 42.00
 KVOK - 4 @ 8.00 = 32.00
 ARN - 2 @ 75.00 = 150.00
 KYAK - 4 @ 24.00 = 96.00
~~698.00~~
 642.00

Aug 13-14-15
+184

KYAK - 4C 24.00 = 96.00
 2 @ 31.00 = 62.00
 KHAR - 2 @ 22.00 = 44.00
 KBYE - 4 @ 16.00 = 64.00
 KNJK - 2 @ 12.00 = 24.00
~~KFAR - 4 @ 14.00 = 56.00~~
 KFRB - 5 @ 15.00 = 75.00
 KIFW - 2 @ 21.00 = 42.00
 KVOK - 4 @ 8.00 = 32.00
 ARN - 2 @ 75.00 = 150.00
589.00
~~645.00~~

Aug 16-17

KYAK - 5 @ 18.00 = 90.00
 KHAR - 5 @ 19.00 = 95.00
 KBYE - 5 @ 13.00 = 65.00
 KNJK - 7 @ 11.00 = 77.00
~~KFAR - 5 @ 14.00 = 70.00~~
 KFRB - 6 @ 15.00 = 90.00
 KIFW - 5 @ 21.00 = 105.00
 KVOK - 5 @ 8.00 = 40.00
 ARN - 2 @ 75.00 = 150.00
 KSRM - 6 @ 15.00 = 90.00
802.00
~~872.00~~

Aug 19-20-~~21~~
~~22~~

KFRB 2 @ 15.00
 20 = 30.00 / 544.00
 21 = 664.00
 22 = ~~664.00~~ 843.20
 25 = 664.00

KHAR - 2 @ 31.00 = 62.00
 2 @ 22.00 = 44.00
 KBYE - 4 @ 16.00 = 64.00
 KNJK - 2 @ 12.00 = 24.00
~~KFAR - 4 @ 14.00 = 56.00~~
 * KFRB - 4 @ 15.00 = 60.00
 KIFW - 2 @ 21.00 = 42.00
 KVOK - 4 @ 8.00 = 32.00
 ** ARN - 2 @ 75.00 = 150.00
 KYAK - 4 @ 24.00 = 96.00
574.00
~~630.00~~

* CANCELLED AS OF ^{PM} 8/20

** ADDED 2 SPOTS ON 8/21-22-23-24-25
 150.00 PER DAY

ANCH NEWS(22) 179.20

Aug 23 + 24

KBYR - 5 @ 13.50 = 65.00

KHAR - 5 @ 19.00 = 95.00

KNIK - 7 @ 11.00 = 77.00

~~KPAR - 5 @ 14.00 = 70.00~~

~~KPAD - 5 @ 15.00 = 75.00~~

23 = 1570.40

KIFW - 5 @ 21.00 = 105.00

24 = 1080.80

KVOK - 5 @ 8.00 = 40.00

ARN - 2 @ 75.00 = 150.00

KSPM - 6 @ 15.00 = 90.00

KYAK - 5 @ 18.00 = 90.00

ARN = 150.00 DAY V

23 = 905.20

ANCH TIMES (23+24)

24 = 318.90 V

23 = 7.90

24 = 7.90

ANCH NEWS (23)

179.20 V

5.60

\$14,284.00

NEWS-MINER (23)

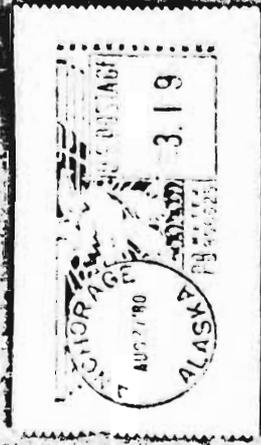
Gross = 224.50 V

~~14,284.00~~

14,620.40

RECORDED

83 JUN 20 A 93



To

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543



Telegram

SECRETARY OF THE STATE
WFA:19(0152)(1-001173A34B) PD 08/29/80 0151

ACC #2510
1980 AUG 29 AM 8:05
80 AUG 29 AM 8:05

ICS IPMWGWD WSH
01351 08-29 0244A EDT **HAND DELIVERED**

ICS IPMWRB
1-030731A241 08/29/80

ICS IPMAFUA AHG
05058 A NL ANCHORAGE ALASKA 50 08-28 1913P ADT

PMS CHARLES STEEL, GENERAL COUNSEL, FEDERAL ELECTION COMMISSION
1325 K STREET NORTHWEST
WASHDC 20463
RE MUR 1272(80)

30 SEP 2 P 3:48
RECEIVED
GENERAL COUNSEL

ON AUGUST 28, 1980 CLARK GRUENING AND THE ALASKANS FOR
GRUENING HAVE MAILED A REPLY TO COMPLAINT NBR MUR 1272 (80)
IF IT DOES NOT ARRIVE IN DUE COURSE PLEASE CONTACT CHARLES
DUNNAGAN WHO REPRESENTS BOTH THE CANDIDATE AND THE COMMITTEE IN

SF-1201 (RS-80)



Telegram

THIS MATTER. PHONE 907/276 6532.

CHARLES DUNNAGAN
0137 EST
NNNN

RECEIVED
80 AUG 29 A 8:55

SF-1201 (RS-80)

United States Senate

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20510

OFFICIAL BUSINESS


SECRETARY OF U.S. SENATE

F. E. C.

CHARLES STEEL
GENERAL COUNSEL

8304040495

909900

Jermain, Dunnagan & Owens
Attorneys at Law

RECEIVED

ACC #2494

510 L Street, Suite 105 Anchorage, Alaska 99501

ADSEP 21

AIO: 33

Telephone

(907) 276-6532

William H. Jermain
Charles A. Dunnagan
Bradley D. Owens
Randall S. Simpson

Sail Roy Frates
Of Counsel

August 25, 1980

NO SEP 2 ALL: 21

RI
ED
GENERAL COUNSEL

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

Re: MUR 1272 (80)

Dear Mr. Steele:

I represent Clark Gruening and the Alaskans for Gruening in the above-referenced complaint. You will find enclosed an affidavit which addresses the allegations made by Robert Mitchell in his letter of August 5, 1980. You will also find enclosed a letter of representation which authorizes me to receive any notifications and other communications from the Commission, should that be necessary.

If I may be of any further service, don't hesitate to contact me at your convenience.

Sincerely,

JERMAIN, DUNNAGAN & OWENS



Charles A. Dunnagan

/kj
Enc.

83040404935

Jermain, Dunnagan & Owens
Attorneys at Law
510 L Street, Suite 105 Anchorage, Alaska 99501

William H. Jermain
Charles A. Dunnagan
Bradley D. Owens
Randall J. Simpson

Telephone
(907) 276-6532

Sail Reg. Fees
Of Course

August 25, 1980

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

Re: MUR 1272 (80), Letter of Representation

Dear Mr. Steele:

By this letter the below signed, Clark Gruening and the Alaskans for Gruening, wish to notify the F.E.C. that they shall be represented in Complaint No. MUR 1272 (80) by the following:

Charles A. Dunnagan
JERMAIN, DUNNAGAN & OWENS
801 West Fireweed Lane, Suite 201
Anchorage, Alaska 99503
(907) 276-6532

By our signatures below, we authorize Charles Dunnagan to receive any notifications and other communications from the Commission.

DATED: 8/28/80

Clark Gruening
Clark Gruening

DATE: 8/26/80

John S. Hale
John Hale, Alaskans for Gruening

03040404956

10 SEP 2 AM 11:21

GENERAL INVESTIGATIVE DIVISION

30 SEP 2 11:21

GENERAL INVESTIGATIVE DIVISION

AFFIDAVIT OF JOHN PARKER HALE

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

I, JOHN HALE, being first duly sworn upon oath, depose and state that:

1. I am the campaign manager for the Alaskans for Gruening, a registered campaign committee, dedicated to the election of Clark Gruening to the U.S. Senate.

2. On August 12, 1980 I received a Notification of Complaint from the Federal Election Commission. It contained a copy of a letter written to the F.E.C. by the Friends of Mike Gravel on August 5, 1980. The letter contains numerous allegations against the Alaskans for Gruening and Clark Gruening. I will respond to those allegations below. For ease of reference I have stated each allegation and followed it with my response.

a. Mr. Gottstein commissioned and had one of his corporations pay for political polls that were then contributed as an in kind contribution to Mr. Gruening's campaign.

Response. The Gruening campaign has never received any political polls from Mr. Gottstein or from any agency controlled by Mr. Gottstein. Mr. Gottstein has commissioned political polls, but the ones that I know of were commissioned early in 1979. Clark Gruening wasn't even a candidate then. In addition, the polls were published long before the Alaskans for Gruening political committee was formed. Since the polls were public knowledge, they had no value as an in kind contribution.

b. Mr. Gottstein has made additional illegal in kind contributions to Mr. Gruening's campaign,

Jermain, Dunnagan & Owens
Attorneys at Law
510 L Street, Suite 105, Anchorage, Alaska 99501
(907) 276-6532

including but not limited to access to corporate computers for political purposes.

Response. This is not true. On one occasion, Alaskans for Gruening purchased from the state of Alaska a computer tape giving information on registered voters in Alaska. Carr-Gottstein Computer Services Division was then employed to make a printout from this tape. The printout was paid for at fair market value. The sum of money paid was \$256.00. Alaskans for Gruening can produce the receipts and will do so upon request. We made especially sure to pay fair market value because we expected this kind of inquiry to come up in the future. This was the only time that Carr-Gottstein Computer Services worked on behalf of the Gruening campaign.

c. The use of corporate facilities to produce and place political advertisements at less than fair market cost.

Response. This is not true. Mr. Gottstein and the businesses controlled by him have produced no ads whatever for Clark Gruening or the Clark Gruening campaign. In October of 1979, Alaska Advertisers, the in house advertising agency for the Carr-Gottstein organization, did purchase time on television stations throughout Alaska on behalf of the Gruening campaign. However, Alaska Advertisers was paid fair market value for this service. Again, the receipts have been kept and will be produced upon request.

d. Fund raising services that were not paid for.

Response. It is virtually impossible to respond to this since the allegation has no specifics. While

*Germain, Dunnagan & Owens
Attorneys at Law
510 L Street, Suite 105, Anchorage, Alaska 99501
(907) 276-6532*

Mr. Gottstein has raised money for Alaskans for Gruening, he has not been employed as a fund raiser at any time and he has rendered no services for which payment should ever have been made. There has never been any agreement between the campaign and Mr. Gottstein whereby Mr. Gottstein was employed by the campaign in any capacity as a fund raiser or otherwise.

e. Time contributed by corporate employees of Mr. Gottstein.

Response. Where services have been purchased, fair market value has been given. The campaign and Clark Gruening are unaware of any situation where illegal in kind contributions of the services of corporate employees have been made or received. If employees of Carr-Gottstein have contributed their time to the campaign they have been volunteers. I am totally unaware of any instance wherein an individual claimed to be volunteering his services and was in fact paid to be serving in the campaign.

f. The payment of funds to private investigators to secure information for negative newspaper articles on Senator Gravel.

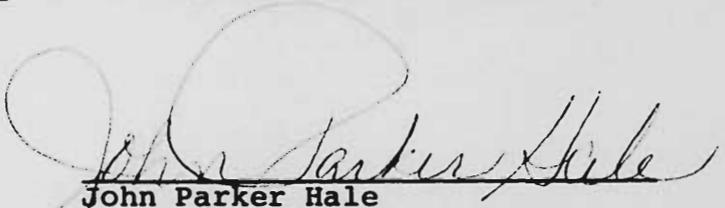
Response. No funds were expended or directed by Alaskans for Gruening or the candidate. Mr. Gravel has accused the newspapers extensively along this line and nothing has ever come of it.

3. I believe the action taken by Mike Gravel against Clark Gruening and the Alaskans for Gruening is totally without foundation and is simply harassment. I am at the service of the Federal Election Commission should any additional inquiries be necessary.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Jennain, Dunnagan & Owens
Attorneys at Law
 510 L Street, Suite 105 - Anchorage, Alaska 99501
 (907) 276-6532

DATED this 26TH day of August, 1980 at Anchorage,
Alaska.


John Parker Hale

SUBSCRIBED AND SWORN to before me this 26 day of
August, 1980.


Notary Public in and for Alaska
My commission expires: 4/28/83

STATEMENT BY CANDIDATE

I, CLARK GRUENING, hereby swear and affirm that I
have read the foregoing affidavit and that to the best of my
knowledge and belief the facts therein stated are true.

DATED this 28th day of August, 1980 at Anchorage,
Alaska.


Clark Gruening

SUBSCRIBED AND SWORN to before me this 28th day of
August.


Notary Public in and for Alaska
My commission expires: 10/1/82

Germaine, Dunnagan & Owens
Attorneys at Law
510 L Street, Suite 105 - Anchorage, Alaska 99501
(907) 276-6532

ERMAIN, DUNNAGAN & OWENS
ATTORNEYS AT LAW
510 L Street, Suite 105
Anchorage, Alaska 99501

RECEIVED

80 SEP 2 AM: 33

83040404931

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Alaskans for Gruening
P.O. Box 1757
Anchorage, Alaska 99510

Re: MUR 1272 (80)

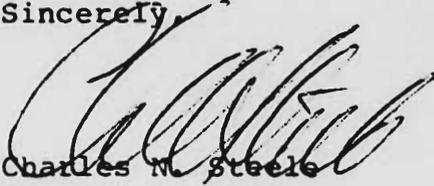
Dear Sir or Madam:

On August 8, 1980, you were notified that the Federal Election Commission received a complaint from the Friends of Mike Gravel alleging that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended. You were also given a copy of the complaint and informed that your response to the complaint should be submitted within fifteen days of your receipt of the notification.

On August 13, the Commission received a memorandum from the complainant's counsel pertaining to the allegations in the complaint. We are enclosing a copy of this memorandum. It is being provided to you on an informational basis and should not be construed as extending the fifteen day time limit set out in the notification letter.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202/523-4039.

Sincerely,


Charles N. Steele
General Counsel

Enclosure
Memorandum from complainant's counsel

83040404962

83040404953

PS Form 3811, Jan. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
 Show to whom and date delivered.....
 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:**
 Alaska - Sweeney
 P.O. Box 1757
 Anchorage, Alaska

3. **ARTICLE DESCRIPTION:** 99510

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	510910	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent
 L. A. Diamond

4. **DATE OF DELIVERY**
 62:21 8 135-08

5. **ADDRESS** (Complete entire address)

6. **UNABLE TO DELIVER** (Reason) CLERK'S INITIALS



1272

☆ GPO : 1978-288-048



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska

Re: MUR 1272 (80)

Dear Sir or Madam:

On August 8, 1980, you were notified that the Federal Election Commission received a complaint from the Friends of Mike Gravel alleging that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended. You were also given a copy of the complaint and informed that your response to the complaint should be submitted within fifteen days of your receipt of the notification.

On August 13, the Commission received a memorandum from the complainant's counsel pertaining to the allegations in the complaint. We are enclosing a copy of this memorandum. It is being provided to you on an informational basis and should not be construed as extending the fifteen day time limit set out in the notification letter.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202/523-4039.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Memorandum from complainant's counsel

8304040495

83040404955

PS Form 3811, Jan. 1978

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):

- Show to whom and date delivered.....
- 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:
*Alaska Advertiser
1341 Fairbanks St.
Anchorage, Alaska*

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

4. *J. N. [Signature]*

DATE OF DELIVERY: **80 SEP 8 12 55**

5. ADDRESS (Complete only if requested)

RECEIVED

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS: *AK*

☆GPO : 1975 380-000

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

272



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Friends of Alaska
2140 Stanford Drive
Anchorage, Alaska 99504

Re: MUR 1272 (80)

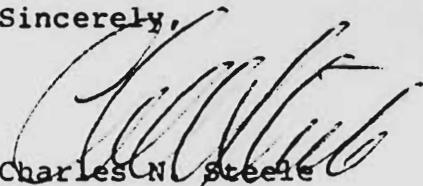
Dear Sir or Madam:

On August 12, 1980, you were notified that the Federal Election Commission received a complaint from the Friends of Mike Gravel alleging that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended. You were also given a copy of the complaint and informed that your response to the complaint should be submitted within fifteen days of your receipt of the notification.

On August 13, the Commission received a memorandum from the complainant's counsel pertaining to the allegations in the complaint. We are enclosing a copy of this memorandum. It is being provided to you on an informational basis and should not be construed as extending the fifteen day time limit set out in the notification letter.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202/523-4039.

Sincerely,


Charles N. Steele
General Counsel

Enclosure
Memorandum from complainant's counsel

83040404956

8 3 0 4 0 4 0 4 9 5 7

PS Form 381, Jan. 1975

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
 Show to whom and date delivered.....
 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:
Friends of Alaska
2140 Stanford Drive
Anchorage, Alaska 99504

3. ARTICLE DESCRIPTION:
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.
 | *945010* | |
 (Always obtain signature of addressee or agent)
 I have received the article described above.
 SIGNATURE Addressee Authorized agent

4. *UGRAHAM GREEN*
 DATE OF DELIVERY *Aug 2 1980*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

RECEIVED
 AUG 2 1980
 CLIENT'S INITIALS *ML*

★GPO : 1975-0-500

1272 - Levin



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Clark Gruening
605 West Second Avenue
Anchorage, Alaska 99501

Re: MUR 1272 (80)

Dear Mr. Gruening:

On August 8, 1980, you were notified that the Federal Election Commission received a complaint from the Friends of Mike Gravel alleging that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended. You were also given a copy of the complaint and informed that your response to the complaint should be submitted within fifteen days of your receipt of the notification.

On August 13, the Commission received a memorandum from the complainant's counsel pertaining to the allegations in the complaint. We are enclosing a copy of this memorandum. It is being provided to you on an informational basis and should not be construed as extending the fifteen day time limit set out in the notification letter.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202/523-4039.

Sincerely,

Charles N. Steele
General Counsel

Enclosure

Memorandum from complainant's counsel

83040404958

83040404959

Form 3811, Jan. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
- Show to whom and date delivered.....
 - 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:
*Clark Quening
605 W. Second Ave
Anchorage, Alaska*

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>60094b</i>	

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY
A.R. Nustahn
8-29-82

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:



RECEIVED

MUR 1272 *Levin*



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jan W. Baran, Esquire
William H. Schweitzer, Esquire
Baker & Hostetler
818 Connecticut Ave., N.W.
Washington, D.C. 20006

Re: MUR 1272 (80)

Dear Messrs. Baran and Schweitzer:

On August 8, 1980, your client, Bernard Gottstein, was notified that the Federal Election Commission received a complaint from the Friends of Mike Gravel alleging that he has violated certain sections of the Federal Election Campaign Act of 1971, as amended. He was also given a copy of the complaint and informed that his response to the complaint should be submitted within fifteen days of his receipt of the notification.

On August 13, the Commission received a memorandum from the complainant's counsel pertaining to the allegations in the complaint. We are enclosing a copy of this memorandum. It is being provided to you on an informational basis and should not be construed as extending the fifteen day time limit set out in the notification letter.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202/523-4039.

Sincerely,


Charles N. Steele
General Counsel

Enclosure
Memorandum from complainant's counsel

83040404970

83040404971

PS Form 3811, Jan. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete Items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
 Show to whom and date delivered.....
 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:
Jan W. Paran, Esq.
Wm. Hechtweizer, Esq.
918 Conant Ave., N.W.

3. ARTICLE DESCRIPTION: *DC-2006*

REGISTERED NO.	CERTIFIED NO.	INSURED
	<i>946015</i>	

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized Agent
L. H. Holmes

4. DATE OF DELIVERY <i>1/26/60</i>	POSTMARK
---------------------------------------	----------

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:	(CLERK'S INITIALS)
-------------------------------	--------------------

MUR1272 LEVIN ☆ GPO : 1978-288-041



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles L. Fishman, P.C.
1575 I Street, N.W.
Suite 350
Washington, D.C. 20006

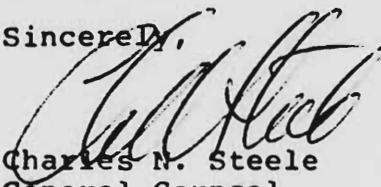
Re: Complaint of Friends of
Mike Gravel v. Friends of
Alaska, et al.
(filed August 7, 1980)

Dear Mr. Fishman:

The Commission has voted to deny the request of your client, Friends of Mike Gravel, for an immediate motion to enjoin the activities alleged in your client's complaint and for an immediate investigation in the above-referenced matter. Section 437g(a)(1) of the Federal Election Campaign Act of 1971, as amended ("the Act"), and section 111.6 of the Commission Regulations provide that the respondents in this matter be provided fifteen days in which to demonstrate that no action should be taken against them prior to a Commission determination to make any finding against a respondent or take any action, other than an action dismissing the complaint. Thus, the Commission believes that expedited action at this time is inappropriate. Of course, if, after the appropriate statutory period, the Commission determines that there is reason to believe that a violation of the Act has occurred, it will proceed with an investigation as quickly as possible without denying the respondents any due process rights to which they may be entitled.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202/523-4039.

Sincerely,


Charles N. Steele
General Counsel

83040404972

7/11/80 1272 - Letter

PS Form 3811, Apr. 1977

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- Show to whom and date delivered.....
 - 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:

Charles L. Fisher
Chilmark

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	945779	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

D. Langness

4. DATE OF DELIVERY

8/18/80



5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

83040404973

OGC

★ 690-107-0-100-107



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles L. Fishman, P.C.
1575 I Street, N.W.
Suite 350
Washington, D.C. 20006

Re: Complaint of Friends of
Mike Gravel v. Friends of
Alaska, et al.
(filed August 7, 1980)

Dear Mr. Fishman:

8 3 0 4 0 4 0 4 9 7

The Commission has voted to deny the request of your client, Friends of Mike Gravel, for an immediate motion to enjoin the activities alleged in your client's complaint and for an immediate investigation in the above-referenced matter. Section 437g(a)(1) of the Federal Election Campaign Act of 1971, as amended ("the Act"), and section 111.6 of the Commission Regulations provide that the respondents in this matter be provided fifteen days in which to demonstrate that no action should be taken against them prior to a Commission determination to make any finding against a respondent or take any action, other than an action dismissing the complaint. Thus, the Commission believes that expedited action at this time is inappropriate. Of course, if, after the appropriate statutory period, the Commission determines that there is reason to believe that a violation of the Act has occurred, it will proceed with an investigation as quickly as possible without denying the respondents any due process rights to which they may be entitled.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202/523-4039.

Sincerely,

Charles N. Steele
General Counsel

CS

August 18, 1980

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 1272

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

83040404978

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 204

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 8-18-80

MUR # 1272
DATE COMPLAINT RECEIVED
BY OGC August 7, 1980

STAFF MEMBER J. Levin

COMPLAINANT'S NAME: Friends of Mike Gravel

RESPONDENT'S NAME: Friends of Alaska Bernard J. Gottstein
Alaskans for Gruening Clark Gruening
Alaska Advertisers

RELEVANT STATUTE: 2 U.S.C. § 431(4); 2 U.S.C. § 433; 2 U.S.C. § 434;
2 U.S.C. § 437g(a)(1); 2 U.S.C. § 441a(a)(1)(A);
2 U.S.C. § 441a(f); 2 U.S.C. § 441b(a);
11 C.F.R. § 111.6

INTERNAL REPORTS CHECKED: Public Records

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

On August 7, 1980, the Commission received a complaint filed by the Friends of Mike Gravel against the Friends of Alaska ("the Committee"), Alaskans for Gruening, Alaska Advertisers, Bernard J. Gottstein, and Clark Gruening (See Attachment 1.) The complaint alleges that the Friends of Alaska is raising funds and expending funds on radio advertisements advocating the defeat of Senator Gravel in the August 26 Alaska Senatorial Primary without registering pursuant to 2 U.S.C. § 433. The complaint also alleges that the Committee has employed a firm named Alaska Advertisers, "controlled by Bernard Gottstein, an authorized fundraiser for the Alaskans for Gruening Committee," to produce the advertisements for less than fair market compensation in violation of 2 U.S.C. § 441b(a). It is also alleged that Mr. Gottstein has used "one of his corporations" to make in-kind contributions

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OFFICE OF THE
COMMISSION SECRETARY

to the Gruening campaign in violation of 2 U.S.C. § 441b(a). (Implicit also in the wording of the complaint is the allegation that Mr. Gottstein has made in-kind contributions to the Committee that exceed the 2 U.S.C. § 441a limitations.) In alleging a connection between Mr. Gottstein and Alaskans for Gruening, the complaint questions the independence of the Committee from Alaskans for Gruening and, thus, raises the allegation of excessive in-kind contributions by the Committee to Alaskans for Gruening in violation of 2 U.S.C. § 441a(a)(1)(A). (If the Committee's expenditures were not independent, then Alaskans for Gruening would also have violated 2 U.S.C. § 441a(f) for receipt of in-kind contributions and 2 U.S.C. § 434(b) for failure to report receipt of contributions.)

The complaint requests that the Commission "seek an immediate injunction to prevent these ongoing violations of the Act" and "commence an immediate investigation" as to the relationship among the respondents to determine if Mr. Gottstein has made illegal contributions to the Gruening campaign.

Mr. Charles L. Fishman, counsel to the Friends of Mike Gravel, called this office on August 8, requesting expedited treatment of the matter because the primary election is to occur on August 26 and because he felt that, in order for relief to be effective, these ongoing alleged violations had to be prevented. 1/

On August 13, OGC received a "supplemental memorandum" to the complaint from Mr. Fishman. (See Attachment 2). This memorandum was intended to add background to the allegation.

FACTUAL BASIS AND LEGAL ANALYSIS

On August 8, OGC notified all of the above-named respondents, except the Committee, that a complaint had been filed against them, and enclosed copies of the complaint. After the Committee's address was discovered, the Commission notified the Committee on

1/ On August 14, the Gravel campaign made a motion for a temporary restraining order in United States District Court for the District of Alaska in order to prevent the further broadcast of the Committee's radio advertisements. On August 15, the motion was denied.

8 3 0 4 0 4 0 4 9 7 5

August 12. As of yet, no response has been received, but, according to 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.6, the responses are not due until fifteen days after notification.

Because of the lack of responses, the only factual background available is reports received by the Reports Analysis Division (RAD). On August 7, RAD began receiving mailgrams and letters from the Committee reporting expenditures for "radio advertising in opposition of candidate for the U.S. Senate, Mike Gravel." (See Attachment 3.) These reports indicate that the Committee may not have exceeded \$1,000 in receipts or expenditures until as recently as August 6, thus giving the Committee until August 16 to register according to 2 U.S.C. §§ 431(4) and 433(a). RAD received a Statement of Organization on August 13. (See Attachment 4.) The reports filed by the Committee also indicate that the payee of most of the expenditures is Alaska Advertisers, which, according to reports filed by Alaskans for Gruening, was also paid for services provided to Alaskans for Gruening. Further review of the reports of Alaskans for Gruening reveals a \$1,000 contribution by Mr. Gottstein on September 30, 1979.

As mentioned above, 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.6 provide that respondents named in an external complaint shall have fifteen days to respond to the allegations prior to a Commission determination to make any finding against a respondent or take any action, other than an action dismissing the complaint. The factual information available to us, thus far, is not sufficient for the Commission to make a determination as to any of the issues in this matter, and the responses, accompanied by analysis from this office, are necessary for the Commission to make an informed decision as to how to proceed. It is true that the activities mentioned in the complaint are allegedly ongoing and that such activities could have an effect on the upcoming election. However, these factors alone are not sufficient to warrant invoking a procedure which would not provide the statutory opportunities for the respondents to reply and for the Commission to consider the matter in its ordinary course with a basis for a determination.

Therefore, the General Counsel recommends that the Commission deny the complainant's request for expedited action in this matter and defer action until the statutory period for respondents' replies has run.

Recommendations

1. Deny the request of the Friends of Mike Gravel for expedited action in this matter.
2. Defer action in this matter until the statutory period for respondents' replies has run.
3. Approve the attached letter.

83040404979

Attachments

1. Complaint of Friends of Mike Gravel
2. Supplemental memorandum to complaint
3. Reports filed by Friends of Alaska
4. Statement of Organization of Friends of Alaska
5. Letter to complainant's counsel

83040404930

2254

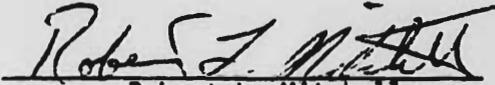
FRIENDS OF MIKE GRAV
P.O. Box 2420
Anchorage, Alaska 99510

5

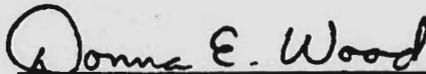
DISTRICT OF COLUMBIA, S.S.

Robert L. Mitchell being duly sworn deposes as and says:

- 1) he is the moving party in the above complaint to the Federal Election Commission;
- 2) he has read the foregoing letter and knows the contents thereof;
- 3) he believes that the information contained therein is true and correct.


Robert L. Mitchell

Subscribed and sworn to before me on the 7th day of August 1980.


Notary Public

My commission expires on the 7th day of August 1980
1-1-82

83040404981

30 AUG 7 P 4: 16

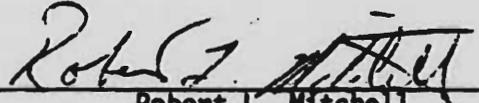
RECORDED
INDEXED
GENERAL COUNCIL

Attachment 1

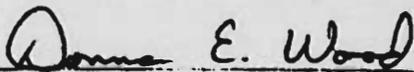
6

FRIENDS OF MIKE GRAVEL
P.O. Box 2420
Anchorage, Alaska 99510

The Friends of Mike Gravel Committee has retained Charles L. Fishman as counsel to represent the Friends Committee before the Federal Elections Commission in all matters pertaining to its complaint filed against the Friends of Alaska Committee.


Robert L. Mitchell

Subscribed and sworn to, before
me, this 7th day of August, 1980


Notary Public, F.C.

My Commission Expires 1-1, 1982

83040404932

FRIENDS OF MIKE GRAVEL
P.O. Box 2420
Anchorage, Alaska 99510

7

August 5, 1980

Mr. Robert O. Tiernan
Chairman
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Dear Mr. Chairman:

8 3 0 4 0 4 0 4 9 3
The purpose of this letter is to invoke the jurisdiction of and to seek the immediate aid of the Federal Election Commission (hereinafter FEC) to enjoin a continuing violation of the Federal Election Act. On Monday, August 4, 1980, we were notified by several radio stations in Alaska that a committee identifying itself as "Friends of Alaska" had placed substantial orders for advertising time on August 1, 1980 and that those advertisements were construed to be "personal attacks" upon Senator Gravel. A review of the advertisements (copies of which are attached as Exhibits A and B) clearly disclose that their purpose is to influence Alaskan voters to vote against U.S. Senator Mike Gravel and for his opponent in the August 26, 1980 primary. We contacted the FEC on Tuesday, August 5, 1980, and determined that the "Friends of Alaska Committee" is not a registered Committee under the Act. However, the radio stations have received payment for the advertisements placed by this Committee which means the Committee has raised and expended funds.

Additionally, the Friends of Alaska Committee has employed a firm named "Alaska Advertisers" to place and we believe produce the illegal advertisements. That company is controlled by Bernard Gottstein, an authorized fundraiser for the Alaskans for Gruening Committee. Earlier, the same firm produced and placed advertisements for Senator Gravel's Democratic opponent Clark Gruening. Moreover, Mr. Gottstein has commissioned and had one of his corporations pay for political polls that were then contributed as an in kind contribution to Mr. Gruening's campaign. Mr. Gottstein has made additional illegal in kind contributions to Mr. Gruening's campaign including but not limited to access to corporate computers for political purposes; fundraising services that were not paid for; time contributed by corporate employees of Mr. Gottstein; the use of corporate facilities to produce and place political advertisements at less than fair market cost; and the payment of funds to private investigators to secure information for negative newspaper articles on Senator Gravel.

8

It is apparent that Mr. Gottstein, who is a political opponent of Senator Gravel, has engaged in a systematic plan to violate the Act. The new advertisements are but the most recent incident in a long line of incidents. Mr. Gottstein simply does not wish to abide by the law and apparently will stop at nothing to spend his personal and corporate resources to defeat Senator Gravel.

For the above reasons we urge the Federal Election Commission to invoke its powers under the Act and to seek an immediate injunction to prevent these ongoing violations of the Act. We also request that the Commission commence an immediate investigation of the relationship between "Friends of Alaska" and "Alaskans for Gruening" and Barney Gottstein and Clark Gruening to determine if illegal contributions have been made by Mr. Gottstein to Mr. Gruening's campaign.

Sincerely,



Robert Mitchell
Treasurer
Friends of Mike Gravel

8304046
498
6
Enclosures

2315
Levin 9
CHARLES L. FISHMAN, P.C.

1575 I Street, N.W.
Suite 350
Washington, D.C. 20006

August 11, 1980

MEMORANDUM TO: Kenneth Gross
Federal Election Commission

FROM : Charles L. Fishman

SUBJECT : Friends of Alaska Committee

As I mentioned on the phone Friday, this is a supplemental memorandum to our complaint letter giving you some background on the matter.

Senator Gravel is a candidate for re-election to the United States Senate. The Alaskan primary will be held on August 26, 1980. According to all polls, public and private, Senator Gravel holds a narrow statewide lead in the election. He is trailing in certain parts of the state, but the election is close in Anchorage -- the state's largest city where 60 percent of the voters reside. In Fairbanks, the state's second largest city, Senator Gravel holds a commanding lead.

On or about August 1, 1980, a group identifying itself as the "Friends of Alaska Committee" ordered and paid for extensive advertising time on various radio stations in Anchorage and on one station in Fairbanks, Alaska. The Anchorage stations include KHAR, KBYR, KNIK and KFQD. The Fairbanks station is KFRB. The actual tapes for the two(2) spots were not delivered to the Anchorage stations until late afternoon on Monday, August 4, 1980. They were scheduled to begin playing during drive time on the next day, Tuesday, August 5, 1980. According to the time-buy order, the ads were scheduled to continue through Monday, August 25, 1980 -- the day before the Federal primary in Alaska.

No advertisements have been placed on any stations in any area of the state where Senator Gravel's primary opponent, Clark Gruening, holds a lead in the polls. The "officials" of the "Friends of Alaska Committee" include Bernard Gottstein, the principal political fundraiser for Clark Gruening. Moreover, the advertisements were produced and placed through a corporation named Alaska Advertisers. That corporation's principal stockholder is Bernard Gottstein and that corporation has purchased and placed prior advertisements for Clark Gruening's campaign.

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31 AUG 13 10:13
RECEIVED
GENERAL INVESTIGATIVE
DIVISION
U.S. DEPARTMENT OF JUSTICE
Attachment 2

Inquiry to the Federal Elections Commission on Tuesday, August 5, 1980, revealed that the "Friends of Alaska Committee" has failed to register as a political committee as required by federal law.

As soon as the stations reviewed the contents of the advertisements, the stations notified representatives of Senator Gravel. The contents of the two(2) spots are as follows:

The sunny slopes of Aspen, Colorado...deep powder, beautiful people, big homes. One of the biggest homes belongs to our very own Senator Mike Gravel. The value of Mike Gravel's Aspen house is said to be more than a million dollars. But Mike Gravel did not have to put any money for his interest. He just had to invest some of his time. In his spare time, Mike Gravel designed the house. He even designed the furniture. And Mike Gravel even found the people to invest money in his project. Some of them turned out to be lobbyists whose job it is to ask for Mike Gravel's vote in the Senate. When someone asked whether this kind of arrangement was proper, Mike Gravel said that there was no law against it. When someone asked why he needed such a big house in Aspen, Mike Gravel said it was just a place to stop on the way home. Well, that's part of the Aspen house story, there's more.

PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE
TOM KELLY, CHAIRMAN
NOT AUTHORIZED BY CANDIDATE

* * *

You know how pictures and clippings can change after just a few years? We look back and see how funny we look. We all change with age. Hopefully, we get smarter and more responsible. Well, we were going through the Mike Gravel scrapbook the other day, and found some old clippings. Here's one...Mike Gravel nominates himself for Vice President. That was really good for a laugh. And then, we saw Gravel wants to build a Dome City on Mt. McKinley; Gravel pickets the White House; Gravel fights against the 200 mile limit. The scrapbook was just filled to overflowing. And here's 1978,

8 3 0 4 0 4 0 4 9 3 8

10

Gravel kills lands bill. He says he will do better next time. Gravel says Carter is only bluffing about locking up Alaska. Well, the years roll on, and in the Mike Gravel scrapbook, the headlines today look alot like the ones we were seeing years ago. Maybe age and experience hasn't helped. Maybe its time to close the cover on the Gravel years.

PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE
TOM KELLY, CHAIRMAN
NOT AUTHORIZED BY CANDIDATE

Senator Gravel maintains that under the facts as outlined above, the "Friends of Alaska Committee" is in violation of the law because: 1) the Committee failed to register; and 2) because the Committee cannot be independent since one of its principals is so closely related to the campaign of Clark Gruening.

In summary, counsel believes that:

1. The advertisements constitute a blatant attempt to attach Senator Gravel's honesty, integrity and character.
2. The advertisements are obviously politically motivated in a crude attempt to influence the outcome of the August 26, 1980, primary.
3. The timing of the ads (from August 5 to August 25, 1980); the locations of the stations (only in areas where Senator Gravel is ahead or the election is close); and the nexus between the principals of the "Friends of Alaska Committee" -- especially Mr. Gottstein -- and the campaign of Senator Gravel's primary opponent demonstrate the purpose of the advertisements is to smear Senator Gravel and to illegally influence the outcome of the primary election.
4. This is just another incident in an ongoing effort by supporters of Clark Gruening, especially Mr. Gottstein to avoid the contribution limits of the Federal election laws. Other examples include Mr. Gottstein hiring a private investigator named Paul Sakwa to provide research on Senator Gravel to the Wall Street Journal in order to secure an unfavorable article about Senator Gravel which was published on Friday, August 8, 1980; polls paid for by Mr. Gottstein's corporations that were given to Mr. Gruening as in-kind contributions;

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Memorandum to Kenneth Gross
August 11, 1980

Page 4

12

corporate computers provided to Mr. Gruening by Mr. Gottstein's corporations and fund-raising done by Mr. Gottstein without cost to Mr. Gruening. Additionally, there are rumors that Mr. Gottstein's corporations have retained Mr. Gruening without requiring Mr. Gruening to provide services for the retainer. If these allegations are true, it amounts to Mr. Gottstein using a fiction to provide funds to Mr. Gruening to sustain his personal finances so that more time may be devoted to his campaign.

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MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645



1-027027M219 08/06/80 TLX REFILE MGM AHG WSHA
01002 MGM ANCHORAGE ALASKA 08-06

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13

RECEIVED
SECRETARY OF THE SENATE
1980 AUG -7 AM 8:20
HAND DELIVERED

U S SENATE REPORTS OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECY OF THE SENATE 119 D ST NE
WASHINGTON DC 20510

EXPENDITURE FOR THE DAY OF AUGUST 5TH 1980 IN THE AMOUNT OF
DLRS750.00.

PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE
U S SENATE, MIKE GRAVEL, HIS ANCHORAGE ADDRESS IS 701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA 2140 STANFORD
DRIVE ANCHORAGE 99504.

THE PAYEE: ALASKA ADVERTISERS 1341 FAIRBANKS ST ANCHORAGE ALASKA
99501.

FRIENDS OF ALASKA
2140 STANDORD DR ANCHORAGE ALASKA 99504

14:51 EST

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01533. AK DEM. C 215

Attachment 3

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 2264

western union Mailgram

1-001000M220 08/07/80 TLX REFILE MGM ANG WASHDC AUG -8 AM 8:41
01006 MGM ANCHORAGE ALASKA 08-06

HAND DELIVERED

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8/8

US SENATE REPORTS OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECRETARY OF THE SENATE
119 D STREET NORTHEAST
WASHDC 20510

THE EXPENDITURE FOR THE DAY OF 8-6-80 IN THE AMOUNT OF DLR8348,
PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE
U.S. SENATE MIKE GRAVEL WHO'S ANCHORAGE ADDRESS IS 701 C STREET.
THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA 2140 STANFORD
DRIVE ANCHORAGE ALASKA 99504, THE PAYEE: ALASKA ADVERTISORS
1341 FAIRBANKS ANCHORAGE ALASKA 99501

FRIENDS OF ALASKA
2140 STANFORD DRIVE
ANCHORAGE ALASKA 99504

01:59 EST

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J S1533/ AK BEANC 215

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645



1-025644M220 08/07/80 TLX REFILE MGM AHG WSHC
01001 MGM ANCHORAGE ALASKA 08-07

1980 AUG -8 AM 8 41
MAIL DELIVERED

15

THE U.S. SENATE REPORT, OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECRETARY OF SENATE 119 D ST NE
WASHINGTON DC 20510

8/8
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EXPENDITURE FOR THE DAY OF 8-7-80 IN THE AMOUNT OF DLRS698.00.
PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATES FOR THE
U.S. SENATE, MIKE GRAVEL, WHO S ANCHORAGE ADDRESS IS 701 C ST.
THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA, 2140 STANFORD
DR ANCHORAGE 99504.
THE PAYEE: ALASKA ADVERTISERS, 1341 FAIRBANKS ANCHORAGE 99501.
FRIENDS OF ALASKA
2140 STANFORD DR ANCHORAGE 99504

14:24 EST
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S1533/ AK DEMC 215

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MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645



1-035641M221 08/08/80 TLX REFILE MGM ANH WSHC
01001 MGM ANCHORAGE ALASKA 08-08

1980 AUG 11 AM 8 50

MAIL DELIVERED

17

U.S. SENATE REPORT OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECRETARY OF THE SENATE
119 D ST NORTHEAST
WASHINGTON DC 20510

830404049953

EXPENDITURE FOR AUGUST 8 1980 DLRS690.00
EXPENDITURE AUGUST 9 1980 DLRS887.00
EXPENDITURE FOR AUGUST 10 1980 DLRS887.00
EXPENDITURE AUGUST 11 1980 DLRS742.00
PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE
US SENATE, MIKE GRAVEL, WHOS ANCHORAGE ADDRESS IS 701 C ST.
THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA, 2140 STANFORD
DRIVE, ANCHORAGE 99504.
THE PAYEE: ALASKA ADVERTISERS 1341 FAIRBANKS STREET ANCHORAGE 99501
FRIENDS OF ALASKA
2140 STANFORD DR ANCHORAGE ALASKA 99504

16155 EST

MGMCOMP MGM

S1533 / AK DEM C 215

August 7, -1980

20

Friends of Alaska
2110 Stanford Drive
Anchorage, Alaska 99501

1980 AUG 11 AM 11:28

DELIVERED

Schedule of Expenditures
Thru Period ending 5/6/80

Radio Advertising;

Payee; Alaska Advertisers

Phone (907) 279 5942

1341 Fairbanks Street

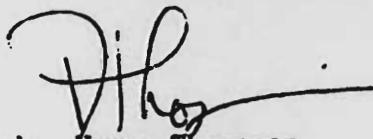
Anchorage, Alaska 99501

August 5, 1980

\$146.00

August 6, 1980

348.00



Signed: Norma Thompson
Custodian of Records

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FORM #1
Dated 8/6/80 10:10 am

21
RECEIVED
AUG 11 AM 11:29
MAIL DELIVERED

To: U S SENATE REPORTS
OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECY OF THE SENATE
119 D STREET N. E.
WASHINGTON D C 20510
PH 202 224 0322

EXPENDITURE FOR THE DAY OF 8/5/80 IN THE
AMOUNT OF \$ 750.00 ***

PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR
THE U S SENATE, MIKE GRAVEL WHOSE ANCHORAGE ADDRESS IS
701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY ' FRIENDS OF ALASKA',
2140 STANFORD DR, ANCHORAGE AK 99504.

THE PAYEE: ALASKA ADVERTISERS, 1341 FAIRBANKS, ANCHORAGE
AK 99501

SIGNED: FRIENDS OF ALASKA
2140 STANFORD DR
ANCHORAGE AK 99504

*** This was an estimated amount of our expenditure as our
complete purchase of the day had not been consumated;
the actual expenditure for 8/5/80 was \$116.00

Norma Thompson
Norma Thompson
Custodian of Records.

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22

CONFIRMATION COPY

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WU INFOMASTER

REFILE MGM AHG

001000M220 0155EST
ZCZC 01006 MGM ANCHORAGE ALASKA 08-06
ZIP 20510

US SENATE REPORTS OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECRETARY OF THE SENATE
119 D STREET NORTHEAST
WASHDC 20510

BT

THE EXPENDITURE FOR THE DAY OF 8-6-80 IN THE AMOUNT OF DLRS348.
PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE
U.S. SENATE MIKE GRAVEL WHOS ANCHORAGE ADDRESS IS 701 C STREET.
THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA 2140 STANFORD
DRIVE ANCHORAGE ALASKA 99504. THE PAYEE: ALASKA ADVERTISORS
1341 FAIRBANKS ANCHORAGE ALASKA 99501

FRIENDS OF ALASKA
2140 STANFORD DRIVE
ANCHORAGE ALASKA 99504

03004304887580

August 7, 1980

23

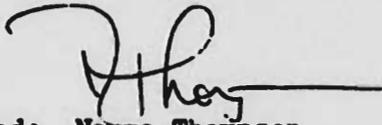
Friends of Alaska
2110 Stanford Drive
Anchorage, Alaska 99501

Dick Green, Treasurer

Schedule of Contributors;
Thru Period ending 8/6/80

Gordon Godfred, 2200 West 36th Avenue, Anchorage, Ak 99501 \$1000.00
Businessman

Carolyn K. Gay 2160 Stanford Drive, Anchorage, Alaska 99501 \$1000.00
Realtor



Signed: Norma Thompson
Custodian of Records

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles L. Fishman, P.C.
1575 I Street, N.W.
Suite 350
Washington, D.C. 20006

Re: Complaint of Friends of
Mike Gravel v. Friends of
Alaska, et al.
(filed August 7, 1980)

Dear Mr. Fishman:

The Commission has voted to deny the request of your client, Friends of Mike Gravel, for an immediate motion to enjoin the activities alleged in your clients's complaint and for an immediate investigation in the above-referenced matter. Section 437g(a)(1) of the Federal Election Campaign Act of 1971, as amended ("the Act"), and section 111.6 of the Commission Regulations provide that the respondents in this matter be provided fifteen days in which to demonstrate that no action should be taken against them prior to a Commission determination to make any finding against a respondent or take any action, other than an action dismissing the complaint. Thus, the Commission believes that expedited action at this time is inappropriate. Of course, if, after the appropriate statutory period, the Commission determines that there is reason to believe that a violation of the Act has occurred, it will proceed with an investigation as quickly as possible without denying the respondents any due process rights to which they may be entitled.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202/523-4039.

Sincerely,

Charles N. Steele
General Counsel

Attachment 5

83040405002

REPORTS ANALYSIS REFERRAL UPDATE

*ORIGIN:

DATE August 21, 1980

ANALYST Ed Ryan EDR

TO: Office of General Counsel
ATTENTION: Jonathan Levin

TEAM CHIEF Peter Kell, Jr. [Signature]

THROUGH: STAFF DIRECTOR B.L.

COMPLIANCE REVIEW Peggy Sims [Signature]

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS [Signature]

MUR No. 1272

DATE OF ORIGINAL REFERRAL N/A

**PURPOSE: Twelfth day report preceding the primary election on August 26, 1980 for Alaska. Filed by the Friends of Alaska.

83040405003

OUTCOME: (if applicable)

*Commission unit which initiated original Referral (e.g. AUDIT/RAD/OGC).

**INFORMATION, or RESULTS OF RAD ACTION, as appropriate.

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

NOV 18 11:04

5 52970

1. Name of Committee (in Full)
FRIENDS OF ALASKA (99002701)

Address (Number and Street)
2140 STANFORD DR

City, State and ZIP Code
FAIRBANKS AK 99704

Check if address is different than previously reported.

2. FEC Identification Number

3. This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)

- April 15 Quarterly Report
- July 15 Quarterly Report
- October 15 Quarterly Report
- January 31 Year End Report
- July 31 Mid Year Report (Non-election Year Only)
- Monthly Report for _____
- Twelfth day report preceding _____ (Type of Election) election on 11/18 in the State of AK
- Thirtieth day report following the General Election on _____ in the State of _____
- Termination Report

(b) Is this Report an Amendment?
 YES NO

SUMMARY

5. Covering Period 7/30/80 Through 11/6/80

6. (a) Cash on Hand January 1, 1980

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 28)

8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))

9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)

	Column A This Period	Column B Calendar Year-to-Date
6(a)		\$ - 0 -
6(b)	\$ - 0 -	
6(c)	\$ 2000.00	\$ 2000.00
6(d)	\$ 2000.00	\$ 2000.00
7	\$ 994.00	\$ 994.00
8	\$ 1006.00	\$ 1006.00
9	\$	
10	\$	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

DICK GREEN

Type or Print Name of Treasurer

Dick Green

SIGNATURE OF TREASURER

13 Aug 80

Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

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CONFIRMATION

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WU INFOMASTER

REFILE MGM AMG

027027*219 1449EST
ZCZC 01002 MGM ANCHORAGE ALASKA 08-06
ZIP

U S SENATE REPORTS OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECY OF THE SENATE 119 D ST NE
WASHINGTON DC 20510

BT

EXPENDITURE FOR THE DAY OF AUGUST 5TH 1980 IN THE AMOUNT OF

DLRS750.00. ESTIMATE D - [ACTUAL EXPENDITURE \$ 146.00]

PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE
U S SENATE, MIKE GRAVEL, HIS ANCHORAGE ADDRESS IS 701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA 2140 STANFORD
DRIVE ANCHORAGE 99504.

THE PAYEE: ALASKA ADVERTISERS 1341 FAIRBANKS ST ANCHORAGE ALASKA
99501.

FRIENDS OF ALASKA
2140 STANDORD DR ANCHORAGE ALASKA 99504

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CONFIRMATION COPY

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ZIP 20510

US SENATE REPORTS OFFICE OF PUBLIC RECORDS

OFFICE OF THE SECRETARY OF THE SENATE

310 D STREET NORTHEAST

WASHDC 20510

BT

THE EXPENDITURE FOR THE DAY OF 8-6-80 IN THE AMOUNT OF DLRS348.
PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE
U.S. SENATE MIKE GRAVEL WHOS ANCHORAGE ADDRESS IS 701 C STREET.
THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA 2140 STANFORD
DRIVE ANCHORAGE ALASKA 99504. THE PAYEE: ALASKA ADVERTISORS
1341 FAIRBANKS ANCHORAGE ALASKA 99501
FRIENDS OF ALASKA
2140 STANFORD DRIVE
ANCHORAGE ALASKA 99504

NNNN

83004304850337

Alaska
Ford Drive
Ak 99504



RETURN RECEIPT
REQUESTED

CERTIFIED
7633301
MAIL

US SENATE REPORTS, OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECRETARY OF THE SENATE
119 D STREET NORTH EAST
WASHINGTON D C 20510

5002800000



NOTICE

THE POSTMARK ON THE PRECEDING ENVELOPE IS Aug. 13, 1980

REGISTERED _____ CERTIFIED ✓

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909754

CCC# 2370

RECEIVED
RECEIVED

Barney Gottstein

1400 'E' Street, A.B. Charge, AK 99501
80 AUG 19 AM: 16
80 AUG 19 All: 16

CERTIFIED 280917 - RET. REC. REQ.

August 15, 1980

Mr. Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Steele:

I hereby notify the Federal Election Commission pursuant to 11 C.F.R. Section 111.23 that Jan W. Baran and William H. Schweitzer of the law firm of Baker & Hostetler, 818 Connecticut Avenue, N.W.; Washington, D.C 20006 will represent me in the Matter Under Review (MUR) 1272. Mr. Baran's telephone number is 202-861-1572.

I authorize Mr. Baran to receive all notifications or communications from the Federal Election Commission to me regarding MUR 1272.

Very truly yours,

B.J. Gottstein
B.J. Gottstein

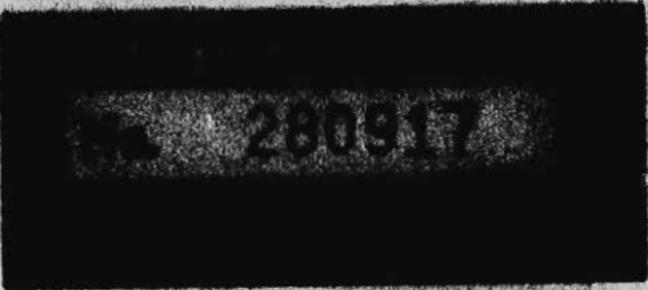
BJG/daj

33040405013

80 AUG 19 P12: 55

RECEIVED
GENERAL COUNSEL
FEDERAL ELECTION COMMISSION

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280917



VIA AIR MAIL

Mr. Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

1963 AUG 19 11:18

RECEIVED

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2374
Charles L. Fishman
1575 I Street, N.W.
Washington, D.C. 20006
(202) 842-1960

Noel McMurtray
360 K Street, Suite 236
Anchorage, Alaska 99501
(907) 272-4232

Attorney for Plaintiffs

80 AUG 19 3:42
RECEIVED
OFFICE OF THE
GENERAL COUNSEL

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

MIKE GRAVEL, KATHERINE S. BOFFONE, EVA)
JOHNSON,)

Plaintiffs,)

vs.)

BERNARD GOTTSTEIN, THOMAS KELLY, FRIENDS)
OF ALASKA COMMITTEE,)

Defendants.)

FILED

AUG 14 1980

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

By *[Signature]* Deput

Case No.

54
VERIFIED COMPLAINT FOR DECLARATORY
JUDGMENT AND FOR INJUNCTIVE RELIEF

I. JURISDICTION.

1. This court has jurisdiction over the above captioned case under 28 U.S.C.A § 1331 in that this is a case or controversy arising under the Constitution and laws of the United States and the amount in controversy is in excess of Ten Thousand Dollars (\$10,000). Jurisdiction is also invoked under the All Writs Statute, 20 U.S.C. § 1651 and upon 42 U.S.C.A. § 1981, et seq, the civil rights statute. Plaintiffs also bring this action as a declaratory judgment pursuant to 28 U.S.C.A § 2201 and 2202. This court has venue under 28 U.S.C.A. § 1391(b).

II. PARTIES.

2. Plaintiff Mike Gravel is a citizen of the State of Alaska and the duly elected United States Senator

from Alaska doing business at 701 C Street, Anchorage, Alaska. Plaintiff Mike Gravel is a registered Democrat and duly qualified to vote in all elections. Plaintiff Gravel is a Democratic candidate for renomination in the August 26, 1980 Alaska Congressional primary.

3. Eva Johnson is a citizen of the State of Alaska residing at Glen Carson Mobile Court, Anchorage, Alaska. Plaintiff is a registered independent voter and intends to vote in the August 26, 1980 Congressional primary. Plaintiff Johnson is a representative party of all independents wishing to vote free of illegal interference and under Rule 23, the class is so numerous that joinder of all parties is impracticable. The question of law and fact are common to the class as are the claims and the Plaintiff will fairly and adequately protect the class.

4. Plaintiff Katherine S. Boffone is a citizen of the State of Alaska residing at 3200 West 28th Court, Anchorage, Alaska. Plaintiff Boffone is a registered Democratic voter and plans to vote in the August 26, 1980 Congressional primary. Plaintiff Boffone is a representative party of all Democrats wishing to vote free of illegal interference and under Rule 23, the class is so numerous that joinder of all parties is impracticable. The question of law and fact are common to the class as are the claims and the Plaintiff will fairly and adequately protect the class.

5. Defendant Bernard Gottstein is a citizen of the State of Alaska residing at 1400 E Street, Anchorage, Alaska. Defendant Gottstein is the co-organizer and founder of the Friends of Alaska Committee (hereinafter "FOAC").

6. Defendant Thomas Kelly is a citizen of the State of Alaska residing at 225 Cordova, Anchorage, Alaska. Defendant Kelly is the co-organizer and founder of FOAC.

7. Based upon information and belief, Defendant FOAC is an unincorporated committee created by Defendants Gottstein and Kelly and not registered under 2 U.S.C.A. § 433(a) or 11 C.F.R. § 102.1 as a political committee authorized to receive or expend money. Defendant Committee is doing business at 2140 Stanford Drive, Anchorage, Alaska.

III. FACTS.

8. On or about August 1, 1980 Defendant FOAC, through its agent, Alaska Advertisers, Inc. (a corporation controlled by Defendant Gottstein), placed an order for substantial radio advertisements. Orders were placed on radio stations KHAR, KBYR, KNIK and KFQD in Anchorage and KFRB in Fairbanks.

9. More recently Defendant FOAC, through its agent Alaska Advertisers, Inc., placed additional orders for additional time on a daily basis with radio stations throughout the State of Alaska and the Alaska Radio Network.

10. Defendant FOAC is broadcasting two (2) advertisements, both of which constitute scurrilous personal attacks upon Plaintiff Senator Gravel. Advertisement No. 1 states as follows:

"The sunny slopes of Aspen, Colorado. . . deep powder, beautiful people, big homes. One of the biggest homes belongs to our very own Senator Mike Gravel. The value of Mike Gravel's Aspen house is said to be more than a million dollars. But Mike Gravel didn't have to put any money for his interest. He just had to invest some of his time. In his spare time, Mike Gravel designed the house. He even designed the furniture. And Mike Gravel even found the people to invest money in his project. Some of them turned out to be lobbyists whose job it is to ask for Mike Gravel's vote in the Senate. When someone asked whether this kind of arrangement was proper, Mike Gravel said that there was no law against it. When someone asked why he needed such a big house in Aspen, Mike Gravel said it was just a place to stop on the way home. Well, that's part of the Aspen house story, there's more.

Paid for by the Friends of Alaska Committee, Tom Kelly, Chairman, Not Authorized by Candidate."

Advertisement No. 2 states as follows:

"You know how pictures and clippings can change after just a few years? We look back and see how funny we look. We all change with age. Hopefully we get smarter and more responsible. Well, we were going through the Mike Gravel scrapbook the other day, and found some old clippings. Here's one. . . Mike Gravel nominates himself for Vice President. That was really good for a laugh. And the, we saw Gravel wants to build a Dome City on Mt. McKinley; Gravel pickets the White House; Gravel fights against the 200 mile limit. The scrapbook was just filled to overflowing. And here's 1978, Gravel kills land bill. He said he will do better next time. Gravel says Carter is only bluffing about locking up Alaska. Well the years roll on, and in the Mike Gravel scrapbook, the headlines today look a lot like the ones we were seeing years ago. Maybe age and experience hasn't helped. Maybe its time to close the cover on the Gravel years.

Paid for by the Friends of Alaska Committee. Tom Kelly Chairman. Not Authorized by Candidate."

11. Defendant FOAC has purchased time to run these advertisements commencing on Tuesday, August 5, 1980 and continuing until Monday, August 25, 1980.

12. Senator Gravel is a candidate for re-election to the United States Senate in the Alaska primary to be held on August 26, 1980.

13. According to a search of its records conducted on Wednesday, August 13, 1980 by counsel for the Federal Elections Commission (hereinafter "FEC"), Defendant FOAC has failed to register as required by law as a political committee and is therefore illegally receiving and expending funds.

14. According to a further search of its records conducted on Wednesday, August 13, 1980 by counsel for the FEC, Defendant FOAC has failed to file a Primary Election Report as required by law, even though it has expended tens of thousands of dollars to effect the outcome of the election.

15. Nonetheless, Defendant FOAC believes it is a political committee required to register and report under the law since it is providing daily information by telegram to the FEC with respect to additional expenditures incurred within 20 days of the election. Attached hereto and made a part hereof as Exhibit I are copies of telegrams sent by Defendant FOAC detailing expenditures incurred within twenty

(20) days of a Federal election. No organizational report or primary report detailing all of the Defendant's receipts and almost all of its expenditures exists.

16. Based upon information and belief, Plaintiffs allege that Defendant FOAC has not registered because the Defendant is not a properly constituted committee, but is rather a sham and device for Defendants Gottstein and Kelly to conspire to illegally effect the outcome of the August 26, 1980 primary.

17. Based upon information and belief, Plaintiffs allege that Defendant FOAC has not filed its twenty (20) day report because the funds used to pay for the production and placement of the advertisements were illegally received and expended either because corporate resources were used or because the amounts contributed by individuals, including Defendants Gottstein and Kelly, exceed the legal limits permitted by law.

18. Even if Defendant FOAC attempted to file with the FEC as a political committee making independent expenditures, Defendants would be prohibited from making independent expenditures in the upcoming Alaska primary by 2 U.S.C.A. § 431(17) and 11 C.F.R. § 109.1(a), (b) (4), (b) (4) (B) and (b) (5)(C) because Defendant Gottstein is authorized to raise and has raised tens of thousands of dollars on behalf of another candidate running in the August 26, 1980 primary for the Democratic nomination to the United States Senate.

19. The actions set forth above of Defendants Gottstein and Kelly are not isolated, unintended violations of the law. Rather, they are part of an ongoing conspiracy by Defendants to illegally raise and spend substantial amounts of money in an effort to affect the outcome of the August 26, 1980 primary by defeating Plaintiff Mike Gravel and nominating another candidate.

20. Defendants Gottstein and Kelly have set up other similar committees, including the Alaska Free Lands Committee, that have raised and expended funds without registering or reporting to the FEC. Based upon information and belief, Defendant Gottstein has used corporate resources to make illegal "in kind" political contributions to candidates opposing Plaintiff Senator Gravel. Defendant Gottstein has publicly admitted causing at least one (1) political poll to be taken which results were provided to other candidates in an effort to encourage them to oppose Senator Gravel; Defendant Gottstein has made corporate equipment, including computers and staff, available at no cost or reduced cost to candidates opposing Plaintiff Senator Gravel; Defendant Gottstein has hired private investigators to prepare smear stories against Senator Gravel for publication in major American newspapers.

21. The sole and exclusive purpose of Defendants' conspiracy is to effect the outcome of the August 26, 1980 primary by doing everything possible, even if illegal, to assure the defeat of Plaintiff Senator Mike Gravel.

22. Agents of Plaintiff Gravel have notified the radio stations carrying the above advertisements that the Defendant FOAC is not a registered political committee. Some stations have refused to air the spots because of their contents. Other stations, have and continue to air both spots. Still others have aired both spots but upon the advise of counsel or on their own, withdrawn one spot after several days of exposure. Some stations, but not others, have offered Senator Gravel limited time within which to respond.

23. Counsel for Plaintiff Senator Mike Gravel have filed complaints with the FCC and the FEC in an effort to halt this blatant attempt by Defendant Gottstein to violate the Federal Elections Act. Copies of the letters of

complaint to the FEC and FCC are attached and incorporated by reference as Exhibits II and III.

24. Counsel for the FEC has verbally notified Plaintiffs that it is unable or unwilling to act administratively or judicially to prevent or enjoin this ongoing violation of Plaintiff's legal rights. However, the FEC has commenced its "routine procedures" in this case.

25. Counsel for the FCC has verbally notified Plaintiffs that it will work with Plaintiffs and the radio stations involved to aid Plaintiff Senator Mike Gravel in securing his rights under the "personal attack" doctrine to a "reasonable right of reply" but that the FCC is without statutory authority to prevent the ongoing violation of the Federal election laws.

IV. COUNT I.

26. Plaintiffs allege by adopting all of the material facts and allegations contained in Paragraphs 1-25 above.

27. Defendants have and continue to engage in an illegal conspiracy to violate the Federal election laws and the constitutional statutory rights of Plaintiffs by failing and refusing to register as a political committee and by raising and expending funds used to influence a Federal election without reporting as required by law. The aforesaid conspiracy is causing immediate and irreparable harm to Plaintiffs' civil rights.

V. COUNT II.

28. Plaintiffs allege by adoption all of the material facts and allegations contained in Paragraphs 1-27 above.

29. Defendants have and continue to engage in an illegal conspiracy to violate the Federal election laws, and the constitutional and statutory rights of Plaintiffs by failing and refusing to report their income and expenditures, used to influence the outcome of a Federal election,

when and as required by Federal law. There is no adequate administrative remedy or remedy at law for Plaintiffs to rely upon. Plaintiffs have exhausted all other adequate remedies available to them.

VI. COUNT III.

30. Plaintiffs allege by adoption all of the material facts and allegations contained in Paragraphs 1-29 above.

31. Defendants have and continue to engage in an illegal conspiracy to violate the Federal election laws and the constitutional and statutory rights of Plaintiffs, by conspiring to use and continuing to use, illegal corporate funds and "contributions in kind" to influence the outcome of a Federal election.

32. There is no basis to expect that Defendants will voluntarily refrain from further violations of Plaintiffs' constitutional and statutory rights or abide by the Federal laws that Defendants have so arrogantly flaunted.

33. Plaintiffs have exhausted all available administrative remedies.

34. No agency of the Executive Branch of the Federal Government is capable or willing to review the ongoing conspiracy of the Defendants on an expedited basis to prevent or enjoin the ongoing violations of Federal law before the primary election scheduled for August 26, 1980.

35. Unless and until this court acts, Plaintiffs will continue to suffer immediate and irreparable harm to their constitutionally and statutorily based rights to run for Federal office and to vote in a Federal election free of any illegal acts or conspiracy by Defendants to influence the outcome of such elections.

WHEREFORE, Plaintiffs respectfully pray that this honorable court grant the following relief:

1. Grant Plaintiffs a temporary restraining order prohibiting Defendants from conspiring to violate the Federal election laws and mandatorily requiring that Defendants file with the court and the FEC, within twenty-four (24) hours the following information:

(a) A list of all in kind contributions, corporate and noncorporate, made but not reported by Defendants.

(b) A list of all contributors to the FOAC in the form required by the Federal Elections Act.

(c) A list of all expenditures made by the FAC in the form required by the Federal Elections Act.

(d) A copy of a registration statement for FOA in the form required by the Federal Elections Act.

2. Grant Plaintiffs a temporary restraining order prohibiting Defendants Gottstein or Kelly from establishing or participating in any further committees or expending or raising any further funds for the purpose of influencing the outcome of the August 26, 1980 Alaska Congressional primary.

3. Grant Plaintiffs a mandatory temporary restraining order requiring Defendants to remove forthwith, but in no case more than ten (10) hours from the time this court grants relief, all political advertisements already paid for or placed by Defendants on any media outlet in the State of Alaska.

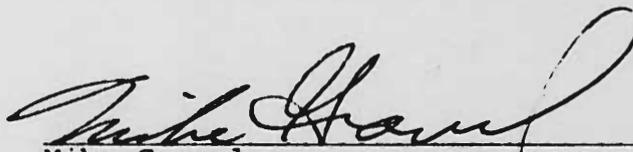
4. Grant Plaintiffs a temporary restraining order prohibiting Defendant FOAC from expending any further funds for the purpose of attempting to influence the outcome of a Federal election.

5. Grant Plaintiffs such other relief as the court deems just and equitable under the facts and circumstances of this case.

VERIFICATION

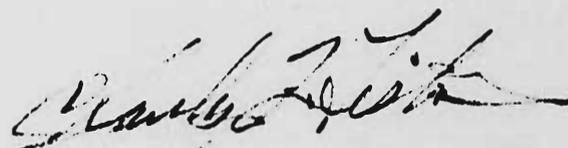
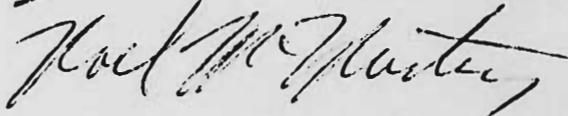
COMES NOW Plaintiff United States Senator Mike Gravel and verily alleges that to the best of his knowledge and information the allegations contained herein are true and correct to the best of his knowledge and information.

DATED at Anchorage, Alaska this 14 day of August 1980.


Mike Gravel

SUBSCRIBED AND SWORN to before me this 14 day of August 1980.


Notary Public in and for Alaska
My commission expires: 9-21-82

1-4891397-910 CANCELED THE OFFICE NOW AND WITH
91002 HQ ANCHORAGE ALASKA 99504

U S SENATE REPORTS OFFICE OF PUBLIC RECORDS
OFFICE OF THE DEPT OF THE SENATE 119 D ST NE
WASHINGTON DC 20510

RECEIVED
AUG 11 1966
U S SENATE

EXPENDITURE FOR THE DAY OF AUGUST 5TH 1966 IN THE AMOUNT OF
DLR5750.00.

PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE
U S SENATE, MIKE GRAVEL, HIS ANCHORAGE ADDRESS IS 701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA 2180 STANFORD
DRIVE ANCHORAGE 99504.

THE PAYEE: ALASKA ADVERTISERS 1301 FAIRBANKS ST ANCHORAGE ALASKA
99501.
FRIENDS OF ALASKA
2180 STANDORD DR ANCHORAGE ALASKA 99504

14151 EST

MGMCOP MCM

211/21/70

J S 1533/AR DEM C. 215

TO COPY BY MEMBERS OF THE SERVICE FOR VETERAN AFFAIRS - FREE INQUIRY SERVICE

03 0 4 0 4 0 5 0 1

1-001000M220 05/07/80 TLX MOBILE MGM AUG 11 0 41
01006 MGM ANCHORAGE ALASKA 05-05

2203 DELIVERED

US SENATE REPORTS OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECRETARY OF THE SENATE
119 D STREET NORTHEAST
WASHDC 20510

THE EXPENDITURE FOR THE DAY OF 8-6-80 IN THE AMOUNT OF DLR5308,
PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE
U.S. SENATE MIKE GRAVEL WHOS ANCHORAGE ADDRESS IS 701 C STREET,
THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA 2140 STANFORD
DRIVE ANCHORAGE ALASKA 99504, THE PAYEE: ALASKA ADVERTISORS
1341 FAIRBANKS ANCHORAGE ALASKA 99501
FRIENDS OF ALASKA
2140 STANFORD DRIVE
ANCHORAGE ALASKA 99504

01:59 EST

MGMCOMP MGM

0301 01/1/80

J S1533/ AK DECIC 215

TO REPLY BY MAILGRAM, SEE REVERSE SIDE FOR WESTERN UNION'S TOLL - FREE PHONE NUMBERS

8 0 4 0 4 0 5 0 2

MAIL ROOM SERVICE
WASHINGTON, D.C. 20540

1-025644M220 08/07/80 TLX REFILE MGM ANCHorage 00-07 10:40-8 AM 8 41
01001 MGM ANCHORAGE ALASKA 00-07

MAIL DELIVERED

THE U.S. SENATE REPORT, OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECRETARY OF SENATE 119 D ST NE
WASHINGTON DC 20510

EXPENDITURE FOR THE DAY OF 8-7-80 IN THE AMOUNT OF DLR\$698.00.
PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATES FOR THE
U.S. SENATE, MIKE GRAVEL, WHO S ANCHORAGE ADDRESS IS 701 C ST.
THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA, 2140 STANFORD
DR ANCHORAGE 99504.
THE PAYEE: ALASKA ADVERTISERS, 1301 FAIRBANKS ANCHORAGE 99501.
FRIENDS OF ALASKA
2140 STANFORD DR ANCHORAGE 99504

14:24 EST
MGMCOMP MGM

13201 (R1/78)

S1533/ AK DEMC 215

TO REPLY BY MAILGRAM, SEE REVERSE SIDE FOR WESTERN UNION'S TOLL - FREE PHONE NUMBERS

8 CHARLES L. HISHMAN, D.C.

1575 I Street, N.W.
Suite 350
Washington, D.C. 20006

August 8, 1980

Mr. Robert Baker
Fairness In Political Broadcasting Branch
Federal Communications Commission
Room 328
1919 M Street, NW
Washington, DC 20554

Dear Mr. Baker:

The purpose of this letter is to inform you that I represent United States Senator Mike Gravel as his counsel and, on his behalf, to invoke the jurisdiction of the Federal Communications Commission to prevent ongoing violations of the "Fairness Doctrine" and the "Personal Attack Doctrine."

Senator Gravel is a candidate for re-election to the U.S. Senate. The Alaskan primary will be held on August 26, 1980. According to all polls, public and private, Senator Gravel holds a narrow statewide lead in the election. He is trailing in certain parts of the state but the election is close in Anchorage -- the state's largest city where 60% of the voters reside. In Fairbanks, the state's second largest city, Senator Gravel holds a commanding lead.

On or about August 1, 1980, a group identifying itself as the "Friends of Alaska Committee" ordered and paid for extensive advertising time on various radio stations in Anchorage and on one station in Fairbanks, Alaska. The Anchorage stations include KHAR, KBYR, KNIK and KFQO. The Fairbanks station is KFRB. The actual tapes for the two (2) spots were not delivered to the Anchorage stations until late afternoon on Monday, August 4, 1980. They were scheduled to begin playing during drive time on the next day, Tuesday, August 5, 1980. According to the time buy order, the ads were scheduled to continue through Monday, August 25, 1980 -- the day before the Federal primary in Alaska.

No advertisements have been placed on any stations in any area of the state where Senator Gravel's primary opponent, Clark Gruening, holds a lead in the polls. The "officials" of the "Friends of Alaska Committee" include Bernard Gottstein, the principal political fundraiser for Clark Gruening. Moreover, the advertisements were produced and placed through a corporation named Alaska Advertisers. That corporation's

Exhibit II Page

principal stockholder is Bernard Gottstein and that corporation has purchased and placed prior advertisements for Clark Gruening's campaign.

Inquiry to the Federal Elections Commission on Tuesday, August 5, 1980, revealed that the "Friends of Alaska Committee" has failed to register as a political committee as required by federal law.

As soon as the stations reviewed the contents of the advertisements, the stations notified representatives of Senator Gravel. The contents of the two (2) spots are as follows:

The sunny slopes of Aspen, Colorado . . . deep powder, beautiful people, big homes. One of the biggest homes belongs to our very own Senator Mike Gravel. The value of Mike Gravel's Aspen house is said to be more than a million dollars. But Mike Gravel didn't have to put any money for his interest. He just had to invest some of his time. In his spare time, Mike Gravel designed the house. He even designed the furniture. And Mike Gravel even found the people to invest money in his project. Some of them turned out to be lobbyists whose job it is to ask for Mike Gravel's vote in the Senate. When someone asked whether this kind of arrangement was proper, Mike Gravel said that there was no law against it. When someone asked why he needed such a big house in Aspen, Mike Gravel said it was just a place to stop on the way home. Well, that's part of the Aspen house story, there's more.

PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE
TOM KELLY, CHAIRMAN
NOT AUTHORIZED BY CANDIDATE

* * *

You know how pictures and clippings can change after just a few years? We look back and see how funny we look. We all change with age. Hopefully we get smarter and more responsible. Well, we were going through the Mike Gravel scrapbook the other day, and found some old clippings. Here's one . . . Mike Gravel nominates himself for Vice President. That was really good for a laugh. And then, we saw Gravel wants to build a Dome City on Mt. McKinley; Gravel pickets the White House; Gravel fights against the 200 mile limit. The scrapbook was just filled to

overflowing. And here's 1978, Gravel kills lands bill. He says he will do better next time. Gravel says Carter is only bluffing about locking up Alaska. Well the years roll on, and in the Mike Gravel scrapbook, the headlines today look alot like the ones we were seeing years ago. Maybe age and experience hasn't helped. Maybe its time to close the cover on the Gravel years.

PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE
TOM KELLY, CHAIRMAN
NOT AUTHORIZED BY CANDIDATE

Anchorage station KFQD refused to run the spots. Two (2) other Anchorage stations, KNIK and KBYR, offered an unspecified amount of time for reply. The one (1) Fairbanks station, KFBR, offered Senator Gravel equal time to reply to the ads but only upon the condition that Senator Gravel pay commercial rates for the time. Another station, KHAR, refused to air the first spot but agreed to run the second. KHAR has offered Senator Gravel limited free time (a one for four ratio) within which to reply. Senator Gravel, through counsel, has requested equal time on a spot-for-spot basis during comparable audience times within which to reply to the ads. In each case this has been denied. Counsel for KFRB has requested additional time within which to review the matter before arriving at a final decision since a he first became involved in the matter on the afternoon of Thursday, August 7, 1980 and for the further reason that the attorney who normally handles KFRB's matters is out of Washington due to a death in his immediate family.

Senator Gravel maintains that under the facts as outlined above, he is entitled to and the FCC should order the stations involved to provide spot for spot replies for the following reasons.

1. The advertisements constitute a blatant attempt to attack Senator Gravel's honesty, integrity and character.
2. The advertisements are obviously politically motivated in a crude attempt to influence the outcome of the August 26, 1980, primary.
3. The timing of the ads (from August 5 to August 25, 1980); the locations of the stations (only in areas where Senator Gravel is ahead or the election is close); and the nexus between the principals of the "Friends of Alaska Committee" -- especially Mr. Gottstein -- and the campaign of Senator Gravel's primary opponent demonstrate the purpose of the advertisements is to smear Senator Gravel and to unfairly influence the outcome of the primary election.

August 8, 1980

4. The subject matter of the advertisements are controversial issues of public importance. The first spot deals with Senator Gravel's personal life and clearly insinuates that he is dishonest. The second deals with subjects of legislative and political issues of intense interest in Alaska and call for Senator Gravel's defeat at the polls. Both spots make material misstatements of the facts.

5. The election itself is a controversial issue of public importance.

Senator Gravel is without the financial resources necessary to purchase time to reply to these unfair and untrue personal attacks. Given the facts of this case and in order not to prejudice Senator Gravel and to avoid unfairly impacting upon the upcoming primary election, the Commission should immediately order the stations that have chosen to air the spots to provide Senator Gravel or his representatives with free spot-for-spot replies during times comparable with those on which the spots have and will run. Anything less, especially requiring Senator Gravel to pay for replies, deprives Senator Gravel of the opportunity to reply adequately. Advertising repetition is critical in situations such as this not only to insure that the same listeners hear the reply, but that they recall both sides of the issue when deciding how they will vote. In this case, most individuals hearing the advertisements will be casting individual ballots to nominate candidates for the United States Senate. Repetition will simply outweigh the truth if the stations are permitted to provide anything less than spot-for-spot coverage.

For the above reasons, counsel for Senator Gravel respectfully requests that the Commission order the stations involved to provide without cost, spot-for-spot replies to Senator Gravel or his representative to insure a fair and reasonable reply to the advertisements of the "Friends of Alaska Committee."

Sincerely,



Charles A. Fishman
Counsel for Senator Gravel

CAF/mkp

8 0 4 0 4 0 5 0 3
FRIENDS OF MIKE GRAVEL

P.O. Box 2420
Anchorage, Alaska 99510

August 5, 1980

Mr. Robert O. Tiernan
Chairman
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Dear Mr. Chairman:

The purpose of this letter is to invoke the jurisdiction of and to seek the immediate aid of the Federal Election Commission (hereinafter FEC) to enjoin a continuing violation of the Federal Election Act. On Monday, August 4, 1980, we were notified by several radio stations in Alaska that a committee identifying itself as "Friends of Alaska" had placed substantial orders for advertising time on August 1, 1980 and that those advertisements were construed to be "personal attacks" upon Senator Gravel. A review of the advertisements (copies of which are attached as Exhibits A and B) clearly disclose that their purpose is to influence Alaskan voters to vote against U.S. Senator Mike Gravel and for his opponent in the August 26, 1980 primary. We contacted the FEC on Tuesday, August 5, 1980, and determined that the "Friends of Alaska Committee" is not a registered Committee under the Act. However, the radio stations have received payment for the advertisements placed by this Committee which means the Committee has raised and expended funds.

Additionally, the Friends of Alaska Committee has employed a firm named "Alaska Advertisers" to place and we believe produce the illegal advertisements. That company is controlled by Bernard Gottstein, an authorized fundraiser for the Alaskans for Gruening Committee. Earlier, the same firm produced and placed advertisements for Senator Gravel's Democratic opponent Clark Gruening. Moreover, Mr. Gottstein has commissioned and had one of his corporations pay for political polls that were then contributed as an in kind contribution to Mr. Gruening's campaign. Mr. Gottstein has made additional illegal in kind contributions to Mr. Gruening's campaign including but not limited to access to corporate computers for political purposes; fundraising services that were not paid for; time contributed by corporate employees of Mr. Gottstein; the use of corporate facilities to produce and place political advertisements at less than fair market cost; and the payment of funds to private investigators to secure information for negative newspaper articles on Senator Gravel.

Exhibit III Page

Page 2

It is apparent that Mr. Gottstein, who is a political opponent of Senator Gravel, has engaged in a systematic plan to violate the Act. The new advertisements are but the most recent incident in a long line of incidents. Mr. Gottstein simply does not wish to abide by the law and apparently will stop at nothing to spend his personal and corporate resources to defeat Senator Gravel.

For the above reasons we urge the Federal Election Commission to invoke its powers under the Act and to seek an immediate injunction to prevent these ongoing violations of the Act. We also request that the Commission commence an immediate investigation of the relationship between "Friends of Alaska" and "Alaskans for Gruening" and Barney Gottstein and Clark Gruening to determine if illegal contributions have been made by Mr. Gottstein to Mr. Gruening's campaign.

Sincerely,



Robert Mitchell
Treasurer
Friends of Mike Gravel

WS/r1
Enclosures

1575 I Street, N.W.
Suite 350
Washington, D.C. 20006

August 11, 1980

MEMORANDUM TO: Kenneth Gross
Federal Election Commission

FROM : Charles L. Fishman

SUBJECT : Friends of Alaska Committee

As I mentioned on the phone Friday, this is a supplemental memorandum to our complaint letter giving you some background on the matter.

Senator Gravel is a candidate for re-election to the United States Senate. The Alaskan primary will be held on August 26, 1980. According to all polls, public and private, Senator Gravel holds a narrow statewide lead in the election. He is trailing in certain parts of the state, but the election is close in Anchorage -- the state's largest city where 60 percent of the voters reside. In Fairbanks, the state's second largest city, Senator Gravel holds a commanding lead.

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No advertisements have been placed on any stations in any area of the state where Senator Gravel's primary opponent, Clark Gruening, holds a lead in the polls. The "officials" of the "Friends of Alaska Committee" include Bernard Gottstein, the principal political fundraiser for Clark Gruening. Moreover, the advertisements were produced and placed through a corporation named Alaska Advertisers. That corporation's principal stockholder is Bernard Gottstein and that corporation has purchased and placed prior advertisements for Clark Gruening's campaign.

Memorandum to Kenneth Gross
August 11, 1980

Page 2

Inquiry to the Federal Elections Commission on Tuesday, August 5, 1980, revealed that the "Friends of Alaska Committee" has failed to register as a political committee as required by federal law.

As soon as the stations reviewed the contents of the advertisements, the stations notified representatives of Senator Gravel. The contents of the two(2) spots are as follows:

The sunny slopes of Aspen, Colorado...deep powder, beautiful people, big homes. One of the biggest homes belongs to our very own Senator Mike Gravel. The value of Mike Gravel's Aspen house is said to be more than a million dollars. But Mike Gravel did not have to put any money for his interest. He just had to invest some of his time. In his spare time, Mike Gravel designed the house. He even designed the furniture. And Mike Gravel even found the people to invest money in his project. Some of them turned out to be lobbyists whose job it is to ask for Mike Gravel's vote in the Senate. When someone asked whether this kind of arrangement was proper, Mike Gravel said that there was no law against it. When someone asked why he needed such a big house in Aspen, Mike Gravel said it was just a place to stop on the way home. Well, that's part of the Aspen house story, there's more.

PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE
TOM KELLY, CHAIRMAN
NOT AUTHORIZED BY CANDIDATE

* * *

You know how pictures and clippings can change after just a few years? We look back and see how funny we look. We all change with age. Hopefully, we get smarter and more responsible. Well, we were going through the Mike Gravel scrapbook the other day, and found some old clippings. Here's one...Mike Gravel nominates himself for Vice President. That was really good for a laugh. And then, we saw Gravel wants to build a Dome City on Mt. McKinley; Gravel pickets the White House; Gravel fights against the 200 mile limit. The scrapbook was just filled to overflowing. And here's 1978,

Memorandum to Kenneth Gross
August 11, 1980

Page 3

Gravel kills lands bill. He says he will do better next time. Gravel says Carter is only bluffing about locking up Alaska. Well, the years roll on, and in the Mike Gravel scrapbook, the headlines today look alot like the ones we were seeing years ago. Maybe age and experience hasn't helped. Maybe its time to close the cover on the Gravel years.

PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE
TOM KELLY, CHAIRMAN
NOT AUTHORIZED BY CANDIDATE

Senator Gravel maintains that under the facts as outlined above, the "Friends of Alaska Committee" is in violation of the law because: 1) the Committee failed to register; and 2) because the Committee cannot be independent since one of its principals is so closely related to the campaign of Clark Gruening.

In summary, counsel believes that:

1. The advertisements constitute a blatent attempt to attach Senator Gravel's honesty, integrity and character.
2. The advertisements are obviously politically motivated in a crude attempt to influence the outcome of the August 26, 1980, primary.
3. The timing of the ads (from August 5 to August 25, 1980); the locations of the stations (only in areas where Senator Gravel is ahead or the election is close); and the nexus between the principals of the "Friends of Alaska Committee" -- especially Mr. Gottstein -- and the campaign of Senator Gravel's primary opponent demonstrate the purpose of the advertisements is to smear Senator Gravel and to illegally influence the outcome of the primary election.
4. This is just another incident in an ongoing effort by supporters of Clark Gruening, especially Mr. Gottstein to avoid the contribution limits of the Federal election laws. Other examples include Mr. Gottstein hiring a private investigator named Paul Sakwa to provide research on Senator Gravel to the Wall Street Journal in order to secure an unfavorable article about Senator Gravel which was published on Friday, August 8, 1980; polls paid for by Mr. Gottstein's corporations that were given to Mr. Gruening as in-kind contributions;

Memorandum to Kenneth Gross
August 11, 1980

Page 4

corporate computers provided to Mr. Gruening by Mr. Gottstein's corporations and fund-raising done by Mr. Gottstein without cost to Mr. Gruening. Additionally, there are rumors that Mr. Gottstein's corporations have retained Mr. Gruening without requiring Mr. Gruening to provide services for the retainer. If these allegations are true, it amounts to Mr. Gottstein using a fiction to provide funds to Mr. Gruening to sustain his personal finances so that more time may be devoted to his campaign.

Charles L. Fishman
1575 I Street, N.W.
Washington, D.C. 20006
(202) 842-1960

Noel McMurtray
360 K Street, Suite 236
Anchorage, Alaska 99501
(907) 272-4232

Attorney for Plaintiffs

FILED

AUG 14 1980

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

By *[Signature]* Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

MIKE GRAVEL, KATHERINE S. BOFFONE, EVA))
JOHNSON,)
)
Plaintiffs,)
)
vs.)
)
BERNARD GOTTSTEIN, THOMAS KELLY, FRIENDS))
OF ALASKA COMMITTEE,)
)
Defendants.)
)
)

Case No **A80 256** **CIV**

MOTION FOR EMERGENCY TEMPORARY
RESTRAINING ORDER

COMES NOW plaintiff, by and through counsel, and moves the Honorable Court to grant an Emergency Temporary Restraining Order and as reasons therefor state as follows:

1. Plaintiff U.S. Senator Mike Gravel is a candidate for re-nomination to the U.S. Senate for the Democratic Party.
2. Plaintiffs Katherine S. Boffone and Eve Johnson are duly registered voters planning to vote in the Alaskan Primary.
3. Defendant, Barney Gottstein, Thomas Kelly and the Defendant Friends of Alaska Committee (hereinafter FOAC) have conspired to violate the Federal Elections Laws in a manner more fully set forth in the Complaint filed by Plaintiffs in this matter.

4. Specifically Defendants have conspired to effect the outcome of a Federal election by providing corporate contributions from Defendant Gottstein's corporations to candidates opposing Senator Gravel in the August 26, 1980, primary; to illegally raise and expend additional funds through various sham committees without registering with the Federal Elections Commission (hereinafter FEC) or reporting income or expenditures of the Committee as required by the Federal Elections Act.

5. At this very moment and until August 25, 1980, Defendants, Gottstein and Kelly, through their illegal sham committees, are expending and will continue to expend tens of thousands of dollars on radio stations advertising throughout Alaska in an attempt to smear the character of Senator Gravel. Plaintiff do not believe that the funds were raised as required by Federal law. According to the FEC, the Defendant Committee FOAC has failed to register as required by law or to file reports detailing contributions to the committee or expenditures by the committee.

7. Because Defendant Gottstein is and has been authorized to raise funds for another committee, Defendant Gottstein is legally prohibited from making independent expenditures under the Federal Elections Act. Thus, Defendants Gottstein, Kelly and FOAC are successfully ignoring all Federal Elections laws as they illegally raise and expend tens of thousands of dollars of corporate and individual funds in direct violation of the Federal Elections Act.

8. The purpose of the defendant's conspiracy is to influence the outcome of a Federal primary election scheduled for August 26, 1980 in order to defeat plaintiff Mike Gravel.

9. Plaintiffs have provided actual notice of the filing of the Complaint and the pendency of this motion to Defendant.

10. Plaintiffs have no adequate remedy of law and they have exhausted all administrative remedies. Unless this Court immediately acts Plaintiff Gravel will continue to suffer irreparable injury to his right to run for re-election to a Federal office free of illegal conspiracies to effect the outcome and Plaintiffs Johnson and Boffone will continue to suffer irreparable injury to their right to cast votes in a Federal election free of illegal conspiracies to affect the outcome.

WHEREFORE, Plaintiffs pray that this court:

1. Grant Plaintiffs a temporary restraining order prohibiting Defendants from conspiring to violate the Federal election laws and mandatorily requiring that Defendants file with the court and the FEC, within twenty-four (24) hours the following information:

(a) A list of all in kind contributions, corporate and noncorporate, made but not reported by Defendants.

(b) A list of all contributors to the FOAC in the form required by the Federal Elections Act.

(c) A list of all expenditures made by the FAC in the form required by the Federal Elections Act.

(d) A copy of a registration statement for FOA in the form required by the Federal Elections Act.

2. Grant Plaintiffs a temporary restraining order prohibiting Defendants Gottstein or Kelly from establishing or participating in any further committees or expending or raising any further funds for the purpose of influencing the outcome of the August 26, 1980 Alaska Congressional primary.

3. Grant Plaintiffs a mandatory temporary restraining order requiring Defendants to remove forthwith, but in no case more than ten (10) hours from the time this court grants relief, all political advertisements already paid for or placed by Defendants on any media outlet in the State of

Alaska.

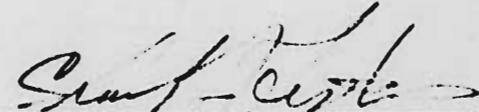
4. Grant Plaintiffs a temporary restraining order prohibiting Defendant FOAC from expending any further funds for the purpose of attempting to influence the outcome of a Federal election.

5. Grant Plaintiffs such other relief as the court deems just and equitable under the facts and circumstances of this case.

DATED at Anchorage, Alaska this 14 day of August 1980.

CHARLES L. FISHMAN

By



Charles L. Fishman

NOEL McMURTRAY

By



Noel McMurtray

Co-Counsel for Plaintiffs

Charles L. Fishman
1575 I Street, N.W.
Washington, D.C. 20006
(202) 842-1960

FILED

Noel McMurtray
360 K Street, Suite 236
Anchorage, Alaska 99501
(907) 272-4232

AUG 14 1980

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

Attorney for Plaintiffs

By *[Signature]* Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

MIKE GRAVEL, KATHERINE S. BOFFONE, EVA)
JOHNSON,)
)
Plaintiffs,)
)
vs.)
)
BERNARD GOTTSTEIN, THOMAS KELLY, FRIENDS)
OF ALASKA COMMITTEE,)
)
Defendants.)
)
)

Case No. 256 CIV

MEMORANDUM OF LAW IN SUPPORT
OF MOTION FOR EMERGENCY TEMPORARY RESTRAINING ORDER

I. Introduction

There is no doubt that the Alaskan primary election to be held on August 26, 1980, is a primary election covered by the Federal Elections Act. As defined in 2U.S.C.A. § 431(1) and 11C.F.A. § 100.2 (a)(1) a primary election is "an election which is held prior to a general election, as a direct result of which candidates are nominated ... for election to federal office in a subsequent election"

Nor is there any question that Senator Gravel is a candidate for Federal office. As defined in 2 U.S.C.S. § 431(2) and 11 C.F.A. § 100.3(a) and (1):

(a) DEFINITION. "Candidate" means an individual who seeks nomination for election, or election, to federal office. An individual becomes a candidate for Federal office whenever any of the following events occur:

(1) The individual has received contributions aggregating in excess of \$5,000 or made expenditures aggregating in excess of \$5,000.

Similarly, it is clear that FOAC is a political committees as defined by 2 U.S.C.A. § 431 (4)(5)(6) and 11 C.F.R. § 100.5(a):

"Political committee" means any group meeting one of the following conditions: ... any committee, club, association, or other group of persons which receives contributions aggregating in excess of \$1,000 or which makes expenditures aggregating in excess of \$1,000 during a calendar year is a political committee.

Contributions to a political committee for a federal election include not only cash donations but also "in kind" expenditures such as goods or services as set forth in 2 U.S.C.A. § 431 (8) and 11 C.F.R. § 110.7(a)(1) and (iii)(A):

(a) The term "contribution" includes the following payments, services or other things of value:

(1) A gift, subscription, loan (except for a loan made in accordance with 11 CFR 100.7 (b)(11), advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office is a contribution....

(A) For purposes of 11 CFR 100.7(a)(1), the term "anything of value" includes all in-kind contributions. ... the provision of any goods or services with charge or at a charge which is less than the usual and normal charge for such goods or services is a contribution. Examples of such goods or services include, but not limited to: securities, facilities, equipment supplies, personnel, advertising services, membership lists, and mailing lists. If goods or services are provided at less than the usual and normal charges, the amount of the in-kind contribution is the difference between the usual and normal charge for the goods or services at the time of the contribution and the amount charged the political committee.

Nor is there any doubt that spending money on the radio advertisements at issue herein or on polls is an expenditure within the meaning of the Act. As defined in 2 U.S.C.A. §431(9) and 11 C.F.R. §100.8(a)(1) and (IV)(A):

(a) The term "expenditure" included the following the following payments, gifts or other things of value:

(1) A purchase, payment, distribution, loan (except for a loan made in ... advance, deposit, or gift of money or anything of value, made by any person for the purpose of influencing any election for Federal office is an expenditure....

(iv) (A) For purposes of 11 CFR 100.8(a)(1), the term "anything of value" includes all in-kind contribution. ... the provision of any goods or services without charges or at a charge which is less than the usual and normal charge for the goods or services is an expenditures. Examples of such goods or services include, but are not limited to: securities, facilities, equipment, supplies, personnel, advertising services, membership lists, and mailing lists. If goods or services are provided at less than the usual and normal charge, the amount of the expenditure is the difference between the usual and normal charge for the goods or services at the time of the expenditure and the amount charged the candidate or political committee.

II. Receipts and Expenditures of Political Committees Must Be Reported

Expenditures made by individuals or "independent committee" are still an expenditure for purposes of the Act and must be reported by those making the expenditure. See 11 C.F.R. §100.8(a)(3).

The term independent expenditure is defined in 2 U.S.C.A. § 431 (17) and 11 C.F.R. § 100.16 as follows:

The term "Independent expenditure" means an expenditure for a communication 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....

Committees that make "independent expenditures" in excess of \$1,000 per year automatically become political committees required to report under the Act no later than ten (10) days after becoming so. See 11 C.F.R. § 102.1(d). According to 11 C.F.R. § 102.2 a statement of organization of all political committees must be filed and must include the following information:

1. The name, address and signature of the treasurer.
2. The name, address and type of committee.
3. Connected committees must be identified (In this case FOAC can be a connected committee with A.C.G. See 11 C.F.R. §109(c).
4. The custodian of the committees' books and records must be identified.
5. A listing of all banks used by the Committee.

Independent Committees, like all other political committees must have a treasurer. See 11 C.F.R. § 102.7(a) or the Committee cannot legally accept contributions or make expenditures. Thus, if F.O.A.C. is a political Committee making independent expenditures it has failed to register as required by the Act. All of their fundraising and expenditures are illegal. Nor has the F.O.A.C. complied with the reporting requirements of the Act. See 11 C.F.R. § 104.1(a) and § 104.4(a) and (b). With respect to all receipts and expenditures FOAC has failed to comply with the most basic requirement of the Act. See 11 C.F.R. § 104.3 et seq. Of particular interest is the reporting requirement contained in § 104.(b) (3) (B) requiring political committees that make independent expenditures to provide a certification, under penalties of perjury, "as to whether such independent expenditure is made in cooperation, consultation or concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of such committee." The Defendant FOAC has never provided such a certificate to the F.E.C. even though it is required in any reporting period wherein "independent expenditures exceeded \$200 per calendar year to any one person". F.O.A.C. expended much more and should have reported with a certificate

on its twenty (20) day report preceeding the August 26, 1980, primary. See 11 C.F.R. § 104.5(c)(ii)(A) and (B). Defendants did not even file a report. See also 11 C.F.R. § 104.8(a) requiring all committees disclose the identification of each individual contribution by name, address, occupation, if the contributor has given over \$200.

Thus, even if the receipts and expenditure of F.O.A.C. were independent expenditures of a political committee, the Committee is in gross violation of the Act's reporting requirements and Plaintiff believes the Acts limitation on sources (corporations are prohibited from giving, See 11 C.F.R. § 114.2(b) and amounts (individuals are limited to \$1,000 per contribution See 11 C.F.R. §110.(a)(1)) have been violated.

III. The Receipts and Expenditures Involved Herein are not Independent Expenditures of a Political Committee

But they are not independent expenditures of political Committess as 11 C.F.R. § 109 et. seq. makes very clear. That section defines independent expenditures as follows:

(a) "Independent expenditure" means an expenditure by a person for a communication expressly advocating the election or defeat of a clearly identified candidate which is not made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of a candidate or any agent or authorized committee of such candidate.

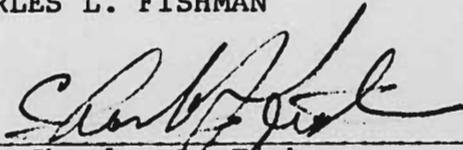
According to § 109.1(b)(4) "made with the cooperation or with the prior consent of " ... under §109.1(b)(4) means "made by or through any person who is or has been, authorized to raise or expend funds. ..." (emphasis added.) Clearly Defendant Gottstein who has raised tens of thousands of dollars for another candidate running for the nomination on August 26, 1980, from special interest supporters throughout the nation has been "authorized to raise ... funds." If not an independent expenditure of a politcal committee, then how does one classify the expenditure of the FOAC? According to § 109.1(r) "Any expenditure not qualifying under this section

as an independent expenditure shall be a contribution in kind to the candidate and an expenditure by the candidate, unless otherwise exempt" (emphasis added). There is no other exemption for media expenditure. Thus, the receipts and expenditures of the Defendant committee is in fact receipts and expenditures of the candidate for whom Defendant Gottstein has been raising tens of thousands of dollars.

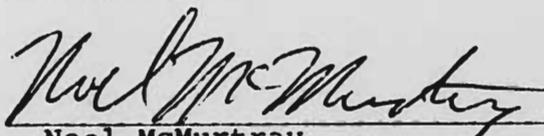
Section 110.5(a) and (r) of 11 C.F.R. limits total annual contrubitions, including independent expenditures to a total of \$25,000. Thus, if the funds to finance the bogues F.O.A.C. come directly from Defendant Gottstein, then he has probably violated another additional section of the Act.

DATED at Anchorage, Alaska this 14 day of August 1980.

CHARLES L. FISHMAN

By 
Charles L. Fishman

NOEL McMURTRAY

By 
Noel McMurtray

8304040501

NOEL McMURTRAY, ESQ.
360 K St., Suite 236
ANCHORAGE, AK. 99501
272-4232

FILED

AUG 14 1980

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

By *DMO* Deput

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT ANCHORAGE

THE HONORABLE MIKE GRAVEL,
ET AL.,

PLAINTIFFS,

VS.

BERNARD GOTTSTEIN, ET AL.,

DEFENDANTS.

A80 256 CIV
Case No. A80-_____ Civil

APPLICATION TO APPEAR
AND TO PARTICIPATE

COMES NOW the plaintiffs by and through their attorney, Noel
McMurtray, and applies to this Court to permit Charles L. Fishman,
Esq. to appear and participate as co-counsel in this proceedings.
Mr. Fishman whose address is 1575 I street, N.W., Suite 350, Wash-
ington, D.C., 20005, will be associated with Noel McMURTRAY, 360 K
street, suite 236, Anchorage, Alaska, 99501, telephone 272-4232.

Mr. McMurtray is a member of the Alaska Bar Association and his admitted to practice before this Court.

DATED THIS 14th day of August, 1980.

Noel McMurtray
Noel McMurtray, Attorney for Plaintiffs

3 0 4 0 4 0 5 0 1

Noel McMurtray, Esq.
360 K Street, Suite 236
Anchorage, Ak. 99501
272-4232

FILED

AUG 14 1980

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

By *[Signature]* Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT ANCHORAGE

THE HONORABLE MIKE GRAVEL,
ET AL.,

PLAINTIFFS,

VS.

BERNARD GOTTSTEIN, ET AL.

DEFENDANTS.

80 256

CIV.

Case No. 80A-_____ Civil

Affidavit of Charles L. Fishman

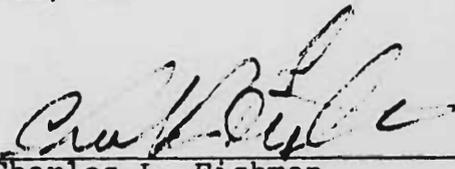
I, Charles L. Fishman, upon my oath, declare as follows:

1. That I am an attorney who is admitted to practice before the United States District Court for the District of Columbia.
2. That I am admitted in good standing before the United States District Court for the District of Columbia and am a member in good standing with the Bar Association of that district.
3. That this affidavit is submitted in support of the Application for my appearance and participation in this proceedings because

I have not had time to secure and present to this court a Certificate of my good Standing before the United States District Court for the District of Columbia. I have advised my Washington D.C. office to obtain a Certificate of Good Standing and have it sent to this Court immediately for the purpose of the Application.

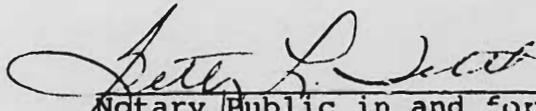
4. That my office address is 1575 I street, N.W., Suite 350, Washington D.C., 20005, and my telephone number is (202) 842-1960.

DATED THIS 14th day of August, 1980.



Charles L. Fishman

SUBSCRIBED AND SWORN HERETO BEFORE me this 14th day of August, 1980.



Notary Public in and for Alaska
My comm. expires: 10/26/82

Noel McMurtray, ESq.
P.O. Box 3793
Anchorage, Ak. 99510
272-4232

FILED

AUG 14 1980

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

By *[Signature]* Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT ANCHORAGE

THE HONORABLE MIKE GRAVEL,
ET AL.,

PLAINTIFFS,

VS.

BERNARD GOTTSTEIN, ET AL.,

DEFENDANTS.

A80 256 CIV
Case No. A80- _____ Civil

CONSENT

COMES NOW Noel McMurtray, Esq., and consents to the Application for Mr. Charles L. Fishman to appear and participate in this proceedings.

DATED THIS 14th day of August, 1980.

[Signature]

Noel McMurtray

Noel McMurtray, Esq.
360 K street, Suite 236
Anchorage, Ak. 99501
272-4232

FILED

AUG 14 1980

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

By [Signature] Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT ANCHORAGE

THE HONORABLE MIKE GRAVEL,)
ET AL.,)
)
PLAINTIFFS,)
)
VS.)
)
BERNARD GOTTSTEIN, ET AL.,)
)
DEFENDANTS.)

80 236 CIV
Case No. 80A- Civil

Entry of Appearance

COMES NOW Charles L. Fishman, Esq., and enters his appearance
as co-counsel for the plaintiffs in the above-captioned matter.

DATED THIS 14th day of August, 1980.

[Signature]
Charles L. Fishman, Attorney for
Plaintiffs

MINUTES OF THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

MIKE GRAVEL, ET AL. VS. BERNARD GOTTSTEIN, ET AL NO. A80-256 Civil

THE HONORABLE JAMES M. FITZGERALD, UNITED STATES DISTRICT JUDGE

DEPUTY CLERK

Jim Meyers

x Colleen Cannon

APPEARANCES: Plaintiff: -----

Defendant: -----

PROCEEDINGS: MINUTE ORDER FROM CHAMBERS.

On the application for a TRO, this matter is set for hearing at 1:30 p.m., August 15, 1980, at the United States Courthouse, Courtroom 2. Petitioner is required to promptly serve notice of this hearing upon the defendants, together with all papers or other documents filed in support of the application.

cc: ✓ Charles L. Fishman, Esq.

✓ Noel McMurtray, Esq.

DATED: August 14, 1980

INITIALS: CC
Deputy Clerk

Charles L. Fishman
1575 I Street, N.W.
Washington, D.C. 20006
(202) 84201960

Noel McMurtray
360 K Street, Suite 236
Anchorage, Alaska 99501
(907) 272-4232

Attorney for Plaintiffs

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

FILED

MIKE GRAVEL, ET AL,)
)
 Plaintiffs,))
)
 vs.)
)
 BERNARD GOTTSTEIN, ET AL,)
)
 Defendants.))
)
)

AUG 15 1980

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA
By JC Deputy

Case No. 80-256

AFFADAVIT OF DEIRDRE COVAL

Deirdre Coval, being first duly sworn, deposes and says that:

1. I am a resident of Anchorage, Alaska.
2. I am an employee of the Friends of Mike Gravel where I work as a telephone operator.
3. My job is to call Anchorage area voters, without regard to party preference to recruit volunteers and to determine their voter preference.
4. I have worked as a phone operator for ten (10) days including Tuesday, August 6, through Thursday, August 14, 1980, except for Friday, August 8, and Monday, August 11, 1980.
5. On an average day I contact approximately fifty (50) Anchorage area voters.
6. Of these, approximately thirty (30) percent of the voters mention the Aspen House. Most of them are very upset and ask questions of me about the Aspen House such as: "Where did he (Gravel) get the money?" "What goes on there?" "Who stays there with him?" "Why does he need a house in Aspen?".
7. Almost all of these voters say they are undecided as to how they will vote in the August 26, 1980 primary.
8. About ten (10) percent of the voters specially mention the "Aspen House" or "Scrapbook" radio advertisements.

3 0 4 0 4 0 5 0 5

Deidre Coval

Deidre Coval

Subscribed and sworn to before me this 15th day of August,
1980.

J. W. Macrae

Notary Public

My commission expires on the 1st day of January, 1982.

Charles L. Fishman
1575 I Street, N.W.
Washington, D.C. 20006
(202) 842-1960

Noel McMurtray
360 K Street, Suite 236
Anchorage, Alaska 99501
(907) 272-4232

Attorney for Plaintiffs

IN THE UNITED STATE DISTRICT COURT

FOR THE DISTRICT OF ALASKA

MIKE GRAVEL, ET AL,)
)
 Plaintiffs,))
 vs.))
))
 BERNARD GOTTSTEIN, ET AL,))
))
 Defendants.))
))
))

CASE No. 80-256

FILED

AUG 15 1980

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

By DC Deputy

AFFADAVIT OF ROSEMARY COVAL

Rosemary Coval, being first duly sworn, deposes and says that:

1. I am a resident of Alaska, Municipality of Anchorage.
2. I am an employee of Friends of Mike Gravel, where I work as a telephone operator.
3. I have worked as a professional telephone operator since 1948. I have done telephone calling in several political campaigns. I have worked as a phone operator for the Friends of Mike Gravel from Tuesday, August 4 through Thursday, August 14, 1980, except for Wednesday, August 6, 1980.
4. My job is to call Anchorage area voters without regard to their political affiliation to recruit them as volunteers and to determine their candidate preference.
5. On an average day I complete 50-60 calls to voters.
6. On the first several days of work none of the voters mentioned any radio advertisements of subjects.
7. Several days after I started working people began to mention, as negative comments on Senator Gravel, radio advertisements on the "Aspen House", Senator Gravel's Vice Presidential nomination and Senator Gravel's picketing of the White House.

8. Between one-third and one-half of the voters mentioned these subjects.

9. Most of these voters claimed they were undecided.

10. Many of the undecided claimed that they had planned to support Senator Gravel in the August 26, 1980 primary, or had supported him in the past, but that as a result of hearing their advertisements they were now undecided.

11. I received so many comments on the radio ads that I spent time listening to the radio in an effort to hear the ads myself.

12. Many Democrats mentioned the ads or the content of the ads and indicated that the ads had created doubts in their minds as to who they were going to vote for. Some stated that they had changed their minds and because of the ads now plan not to vote for Senator Gravel.

Rosemary Coval
Rosemary Coval

Subscribed and sworn to before me this 15th day of August, 1980.

S. W. Marston 1/3/P2

Notary Public

My commission expires on the 15th day of August, 1982.

Charles L. Fishman
1575 I Street, N.W.
Washington, D.C. 20006
(202) 842-1960

Noel McMurtray
360 K Street, Suite 236
Anchorage, Alaska 99501
(907) 272-4232

Attorney for Plaintiffs

IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF ALASKA

MIKE GRAVEL, KATHERINE S. BOFFONE, EVA)
JOHNSON,)
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 Plaintiffs,)
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 vs.)
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 OF ALASKA COMMITTEE,)
)
 Defendants.)
)
)

FILED

AUG 15 1980

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA
By DC Deputy

Case No. 80-756

AFFADAVIT OF AGNES NELSON

Agnes Nelson, being first duly sworn, deposes and says that:

1. I am a resident of Anchorage, Alaska, residing at 1850 Logan St.
2. I am an employee of the Friends of Mike Gravel where I work as a telephone operator.
3. I have worked as a phone operator for seven (7) days including Wednesday, August 6; Thursday, August 7; Sunday, August through Thursday, August 14. I work from 6 until 9 p.m. except on Sunday when I work from 5 to 9 p.m.
4. My job is to call Anchorage area voters without regard to their political affiliation to recruit them as volunteers and to determine their candidate preference.
5. On an average day I complete 40-50 calls to voters.
6. On August 6-7, 1980, approximately 33% of the voters I contacted specifically mentioned the "Aspen House" and the "Scrapbook" advertisements.
7. During the calls I made from Sunday, August 10, 1980, through Thursday, August 14, 1980, approximately 75% of those voters I contacted have mentioned these advertisements.

8. As a result of these advertisements, voters repeatedly asked me questions about Senator Gravel's honesty and integrity.

9. About 50% of those voters who mention the advertisements say they are going to vote against Senator Gravel while the other 50% say they are undecided.

10. In mentioning the advertisements, voters most often mention the Aspen House, the Vice Presidency and the Pentagon Papers.

11. Several voters have told me that they have decided to vote against Senator Gravel as a direct result of hearing these advertisements.

12. Other voters have told me that they had planned to vote for Senator Gravel but are now unsure. They told me the reason for their change was that they had heard the advertisements.

Agnes M Nelson

Agnes Nelson

Subscribed and sworn to before me this 15th day of August, 1980.

Wanda Bryon

Notary Public

My commission expires on the 18 day of Sept., 1983.

Charles L. Fishman
1575 I Street, N.W.
Washington, D.C. 20006
(202) 842-1960

Noel McMurtray
360 K Street, Suite 236
Anchorage, Alaska 99501
(907) 272-4232

Attorney for Plaintiffs

FILED

AUG 15 1980

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA
By DC Deputy

IN THE UNITED STATE DISTRICT COURT

FOR THE DISTRICT OF ALASKA

MIKE GRAVEL, ET AL,)
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Plaintiffs,))
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Defendants.))
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A80-256 Civ

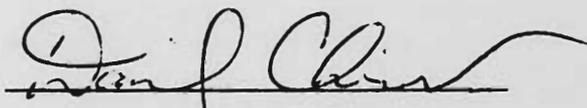
AFFADAVIT OF DANIEL CHERNOV

Daniel Chernov, being first duly sworn, deposes and says that:

1. I am a volunteer employee of the Friends of Mike Gravel.
2. My Position with Friends of Mike Gravel is that of Director of telephone banks, statewide.
3. That 17 days prior to August 2, 1980, approximately 250 telephone calls were made each night to voters throughout Alaska.
4. That during this 17 day period approximately three voters made comments concerning the Aspen House.
5. That from August 2, 1980 to August 14, 1980, the number of nightly telephone calls to voters was increased to approximately 650.
6. That on August 5, 1980, the Friends of Alaska Committee commenced radio advertisement directed against Mike Gravel.
7. That since August 7, 1980, a substantial number of voters called by the telephone bank began commenting on the radio advertisements and the contents of the advertisements; that as a result of this voter response,

I began an investigation of the effect of the radio advertisement on the voters. This investigation involved a debriefing of each of the operators who had made telephone calls to the voters.

8. That the results of the investigations were that approximately 30% of the voters contacted mentioned the advertisements of the Friends of Alaska Committee. Of these voters, 10% said their support for Mike Gravel was stronger. But 90% of the voters stated that they were less likely to support Mike Gravel. These voters specifically mentioned the Aspen House, the Pentagon Papers, picketing the White House, and Mike Gravel's nominating himself for Vice President.



Daniel Chernov

Subscribed and sworn to before me this 15th day of August, 1980.



Notary Public *in and for Alaska*

My commission expires on the 7th day of February 1981.

DATED this 15th day of August, 1980, at Anchorage, Alaska.

DUNCAN, WEINBERG & MILLER, P.C.
Attorney for Alaskans for Gruening

By: Margie Mac Neille
Margie Mac Neille

THIS IS TO CERTIFY that a true and correct copy of the foregoing MOTION TO QUASH SUBPOENA OF LUANNE DIMOND, SECRETARY, ALASKANS FOR GRUENING, and Proposed Order attached thereto, were mailed to the attorneys of record in the captioned matter, including Charles L. Fishman, Noel McMurtray and Stanley H. Reitman; via first class mail, postage prepaid from Anchorage, Alaska, this 15th day of August, 1980.

Margie Mac Neille
Margie Mac Neille

DUNCAN, WEINBERG & MILLER, P.C.
420 L STREET
SUITE 407
ANCHORAGE, AK 99501
(907) 276-1680

Stanley H. Reitman
Attorney at Law
1007 W. Third Ave., Suite 400
Anchorage, AK 99501
(907) 279-3581

FILED

AUG 15 1980

Attorney for Defendants Barnard Gottstein and
Friends of Alaska Committee

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA
By OC Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

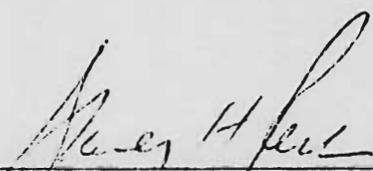
MIKE GRAVEL, KATHERINE S.)
BOFFONE, EVA JOHNSON,)
)
 Plaintiffs,)
)
 vs.)
)
 BARNARD GOTTSTEIN, THOMAS)
 KELLY, FRIENDS OF ALASKA)
 COMMITTEE,)
)
 Defendants.)

Case No.

NOTICE OF APPEARANCE

Stanley H. Reitman, on behalf of Barnard J.
Gottstein and Friends of Alaska Committee, hereby enters his
appearance as attorney for Defendants Barnard Gottstein and
Friends of Alaska Committee.

DATED this 15th day of August 1980 at Anchorage,
Alaska.



STANLEY H. REITMAN
Attorney for Defendants
Barnard Gottstein and Friends
of Alaska Committee

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MINUTES OF THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

MIKE GRAVEL, ET AL.

v. BARNARD GOTTSTEIN, ET AL

THE HONORABLE JAMES M. FITZGERALD, U. S. DISTRICT JUDGE Case No. A80-256 Civil

Deputy Clerk

Reporter

___ Jim Meyers

___ Delores Runner

___ Sherry Clark

___ Barbara Rossi

___ xx Colleen Cannon

APPEARANCES: Plaintiff: Charles L. Fishman and Noel McMurtray

Defendant: Stanley H. Reitman and Jacqueline Carr-Agni
Margie MacNeille for Alaskans for Gruening

PROCEEDINGS:

HEARING ON TRO:

Court convened at 1:36 p.m.

Counsel introduced.

Plaintiff heard.

M.O. Court ruled that case is dismissed without prejudice for failure to exhaust administrative remedies; failure to bring the case in a proper form in the District of Columbia; and for want of jurisdiction.

Recessed at 1:50 p.m.

16

cc: Charles L. Fishman, Esq. ✓
Noel McMurtray, Esq.

Stanley H. Reitman, Esq. ✓ *dc*
Jacqueline Carr-Agni

Margie MacNeille ✓

DATED: August 15, 1980

INITIALS: cc
Deputy Clerk

JUDGMENT ON DECISION BY THE COURT

United States District Court

FOR THE

DISTRICT OF ALASKA

CIVIL ACTION FILE NO. A80-256

MIKE GRAVEL, KATHERINE S. BOFFONE,
EVA JOHNSON,

Plaintiffs,
vs.

BERNARD GOTTSTEIN, THOMAS KELLY,
FRIENDS OF ALASKA COMMITTEE,

Defendants.

JUDGMENT

This action came on for ~~XXXX~~(hearing) before the Court, Honorable James M. Fitzgerald, United States District Judge, presiding, and the issues having been duly ~~XXXX~~ (heard) and a decision having been duly rendered,

It is Ordered and Adjudged the above-captioned case is dismissed without prejudice.

FILED

17

AUG 15 1980

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA
By DC Deputy

Dated at Anchorage, Alaska, this 15th day of August, 19 80

APPROVED this 15th day of August, 1980

JOANN MYRES

Clerk of Court

~~JAMES M. FITZGERALD~~

By: Donna J. Coker
Deputy Clerk

Cy:McMurtry ✓
Reitman ✓
MacNeille ✓



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: Charles N. Steele
General Counsel

FROM: Kenneth A. Gross
Associate General Counsel *KAG*

Jonathan Levin *JL*

DATE: August 14, 1980

SUBJECT: Complainant's Report for Expedited Action
in MUR 1272 - Friends of Alaska, et al.

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On August 7, 1980, the Commission received a complaint from the Friends of Mike Gravel alleging that the Friends of Alaska ("the Committee") had expended funds for radio advertisements advocating the defeat of Senator Gravel without registering as a political committee, that Alaska Advertisers had produced advertisements for the Committee for less than fair market compensation, and that a corporation "controlled" by a Mr. Bernard Gottstein, "a political opponent of Senator Gravel," was making in-kind contributions to the campaign of Clark Gruening, Gravel's opponent in the Alaska Democratic Senatorial primary. The complaint requests that the Commission "seek an immediate injunction to prevent these ongoing violations of the Act" and "commence an immediate investigation" as to the relationship among the respondents to determine if Mr. Gottstein has made illegal contributions to the Gruening campaign.

Mr. Charles L. Fishman, counsel to the Friends of Mike Gravel, called this office on Friday, August 8, requesting expedited treatment of the matter because the primary election was to occur on August 26 and because he felt that, in order for relief to be effective, these ongoing alleged violations had to be prevented.

We suggest that this office not seek expedited action either in the form of an immediate reason to believe determination or in the form of a petition for injunctive relief for two major reasons.

First, the Act presently does not provide for expedited procedures in the form of an early finding by the Commission. 2 U.S.C. § 437g(a) provides that respondents named in an external complaint shall have fifteen days to respond to the allegations before the Commission conducts a vote on the

complaint, other than a vote to dismiss. These responses, accompanied by analysis from this office, are necessary for the Commission to make an informed decision as to whether or not to pursue an investigation. In the past, the continuance of the activities in question and the possible effect of these activities on the outcome of an upcoming election have not been considered to be sufficient reasons for the Commission to ignore the requirement of the Act. In the matter involving the Carter-Mondale Committee's complaint against committees supporting Ronald Reagan, MUR 1252, the Commission used the statute as a basis for refusing to make an immediate finding despite the imminence of the decision whether or not to certify the provision of funds to the Reagan for President General Election Committee and despite the fact that expenditures by respondent committees would be ongoing and might have an effect on the campaign. Similarly, in MUR 1234, a matter involving the Democratic Senatorial Campaign Committee's allegation that the National Republican Senatorial Committee ("NRSC") was making illegal expenditures, the Commission did not comply with a request for expedited consideration, despite the fact that the expenditures in question were ongoing and might have an effect on the 1980 elections. (Ultimately, the Commission determined that there was no reason to believe that the NRSC had violated the Act.)

It is true that, in MURs 1167, 1168, and 1170, the matters involving the complaints against the Telegraph Publishing Company in connection with its sponsorship of a Reagan-Bush debate, the Commission found reason to believe that the Company violated the Act and authorized this office to seek injunctive relief two days after the complaint was filed. However, in that situation, material facts alleged in the complaint were known to be true and were sufficient to serve as a basis for a determination by the Commission. In MUR 1272, the truth of the material allegations is not known and responses are necessary in order to determine whether or not there is a sufficient basis for the Commission to proceed further. 1/

1/ The allegation coming closest to being verifiable without a response is the § 433 allegation. We have received reports from Friends of Alaska indicating that the Committee may not have exceeded \$1,000 in receipts or expenditures until August 6. If this is the case, the Committee, according to 2 U.S.C. §§ 431(4) and 433(a), need not file a Statement of Organization until August 16. Thus, as of the time of the complaint and the time of this memorandum, there is not a sufficient basis for a determination by the Commission on the § 433 allegation.

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Second, the absence of the Commissioners during the week of August 11-15, a week during which most of them are in attendance at the Democratic National Convention, makes a polling procedure or a tally vote highly impracticable.

The extraordinary expedited procedures, which the Commission has only invoked one time in the past, are highly unusual. Accordingly, the present case does not entail sufficiently compelling facts to warrant invoking a procedure which does not provide the statutory opportunities for the respondents to reply and for the Commission to consider the matter in its ordinary course.

83040405070

GRC#
2315
CHARLES L. FISHMAN, P.C.

1575 I Street, N.W.
Suite 350
Washington, D.C. 20006

August 11, 1980

MEMORANDUM TO: Kenneth Gross
Federal Election Commission

FROM : Charles L. Fishman

SUBJECT : Friends of Alaska Committee

As I mentioned on the phone Friday, this is a supplemental memorandum to our complaint letter giving you some background on the matter.

Senator Gravel is a candidate for re-election to the United States Senate. The Alaskan primary will be held on August 26, 1980. According to all polls, public and private, Senator Gravel holds a narrow statewide lead in the election. He is trailing in certain parts of the state, but the election is close in Anchorage -- the state's largest city where 60 percent of the voters reside. In Fairbanks, the state's second largest city, Senator Gravel holds a commanding lead.

On or about August 1, 1980, a group identifying itself as the "Friends of Alaska Committee" ordered and paid for extensive advertising time on various radio stations in Anchorage and on one station in Fairbanks, Alaska. The Anchorage stations include KHAR, KBYR, KNIK and KFQD. The Fairbanks station is KFRB. The actual tapes for the two(2) spots were not delivered to the Anchorage stations until late afternoon on Monday, August 4, 1980. They were scheduled to begin playing during drive time on the next day, Tuesday, August 5, 1980. According to the time-buy order, the ads were scheduled to continue through Monday, August 25, 1980 -- the day before the Federal primary in Alaska.

No advertisements have been placed on any stations in any area of the state where Senator Gravel's primary opponent, Clark Gruening, holds a lead in the polls. The "officials" of the "Friends of Alaska Committee" include Bernard Gottstein, the principal political fundraiser for Clark Gruening. Moreover, the advertisements were produced and placed through a corporation named Alaska Advertisers. That corporation's principal stockholder is Bernard Gottstein and that corporation has purchased and placed prior advertisements for Clark Gruening's campaign.

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FEDERAL ELECTION COMMISSION

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Inquiry to the Federal Elections Commission on Tuesday, August 5, 1980, revealed that the "Friends of Alaska Committee" has failed to register as a political committee as required by federal law.

As soon as the stations reviewed the contents of the advertisements, the stations notified representatives of Senator Gravel. The contents of the two(2) spots are as follows:

The sunny slopes of Aspen, Colorado...deep powder, beautiful people, big homes. One of the biggest homes belongs to our very own Senator Mike Gravel. The value of Mike Gravel's Aspen house is said to be more than a million dollars. But Mike Gravel did not have to put any money for his interest. He just had to invest some of his time. In his spare time, Mike Gravel designed the house. He even designed the furniture. And Mike Gravel even found the people to invest money in his project. Some of them turned out to be lobbyists whose job it is to ask for Mike Gravel's vote in the Senate. When someone asked whether this kind of arrangement was proper, Mike Gravel said that there was no law against it. When someone asked why he needed such a big house in Aspen, Mike Gravel said it was just a place to stop on the way home. Well, that's part of the Aspen house story, there's more.

PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE
TOM KELLY, CHAIRMAN
NOT AUTHORIZED BY CANDIDATE

* * *

You know how pictures and clippings can change after just a few years? We look back and see how funny we look. We all change with age. Hopefully, we get smarter and more responsible. Well, we were going through the Mike Gravel scrapbook the other day, and found some old clippings. Here's one...Mike Gravel nominates himself for Vice President. That was really good for a laugh. And then, we saw Gravel wants to build a Dome City on Mt. McKinley; Gravel pickets the White House; Gravel fights against the 200 mile limit. The scrapbook was just filled to overflowing. And here's 1978,

8 3 0 4 0 4 0 5 0 7 2

Gravel kills lands bill. He says he will do better next time. Gravel says Carter is only bluffing about locking up Alaska. Well, the years roll on, and in the Mike Gravel scrapbook, the headlines today look alot like the ones we were seeing years ago. Maybe age and experience hasn't helped. Maybe its time to close the cover on the Gravel years.

PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE
TOM KELLY, CHAIRMAN
NOT AUTHORIZED BY CANDIDATE

Senator Gravel maintains that under the facts as outlined above, the "Friends of Alaska Committee" is in violation of the law because: 1) the Committee failed to register; and 2) because the Committee cannot be independent since one of its principals is so closely related to the campaign of Clark Gruening.

In summary, counsel believes that:

1. The advertisements constitute a blatant attempt to attach Senator Gravel's honesty, integrity and character.
2. The advertisements are obviously politically motivated in a crude attempt to influence the outcome of the August 26, 1980, primary.
3. The timing of the ads (from August 5 to August 25, 1980); the locations of the stations (only in areas where Senator Gravel is ahead or the election is close); and the nexus between the principals of the "Friends of Alaska Committee" -- especially Mr. Gottstein -- and the campaign of Senator Gravel's primary opponent demonstrate the purpose of the advertisements is to smear Senator Gravel and to illegally influence the outcome of the primary election.
4. This is just another incident in an ongoing effort by supporters of Clark Gruening, especially Mr. Gottstein to avoid the contribution limits of the Federal election laws. Other examples include Mr. Gotstein hiring a private investigator named Paul Sakwa to provide research on Senator Gravel to the Wall Street Journal in order to secure an unfavorable article about Senator Gravel which was published on Friday, August 8, 1980; polls paid for by Mr. Gottstein's corporations that were given to Mr. Gruening as in-kind contributions;

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corporate computers provided to Mr. Gruening by Mr. Gottstein's corporations and fund-raising done by Mr. Gottstein without cost to Mr. Gruening. Additionally, there are rumors that Mr. Gottstein's corporations have retained Mr. Gruening without requiring Mr. Gruening to provide services for the retainer. If these allegations are true, it amounts to Mr. Gottstein using a fiction to provide funds to Mr. Gruening to sustain his personal finances so that more time may be devoted to his campaign.

83040405074

CHARLES L. FISHMAN, P.C.

**1575 I Street, N.W.
Suite 350
Washington, D.C. 20006**

**Mr. Kenneth Gross
Federal Election Commission
1325 K Street, N.W.
Washington, D.C.**

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BAKER & HOSTETLER

ATTORNEYS AT LAW

818 CONNECTICUT AVE., N.W.

WASHINGTON, D. C. 20006

(202) 861-1500

TELEX: 187648 BAKHOST

TELECOPIER: (202) 857-0010

IN CLEVELAND, OHIO
1956 UNION COMMERCE BUILDING
CLEVELAND, OHIO 44115
(216) 621-0200
TWX 910 421 8378

IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 228-1841

IN DENVER, COLORADO
500 CAPITOL LIFE CENTER
DENVER, COLORADO 80203
(303) 861-0600

IN ORLANDO, FLORIDA
850 CNA TOWER
ORLANDO, FLORIDA 32802
(308) 841-1111

August 8, 1980

WRITER'S DIRECT DIAL NO.:

(202) 861-1572

BY HAND

Kenneth Gross, Esquire
Deputy General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D.C. 20463

Dear Mr. Gross:

This is to confirm our telephone conversation of Friday, August 8, 1980, at which time I notified you that I have been retained by Mr. Bernard J. Gottstein of Anchorage, Alaska to represent him before the Federal Election Commission. It is my understanding that a complaint has been filed pursuant to 2 U.S.C. §437g against Mr. Gottstein.

A letter of representation will be sent by Mr. Gottstein pursuant to 11 C.F.R. §111.23. The purpose of my letter is to provide you with written notice until Mr. Gottstein's letter arrives in your office from Alaska. On this basis it is my understanding that you would be willing to provide me with a copy of the complaint against Mr. Gottstein and the notification letter sent to him by your office so that I may commence the preparation of his case.

Thank you very much for your consideration of this request.

Very truly yours,


Jan W. Baran

cc: Bernard J. Gottstein

27:22 8 20 1980

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BAKER & HOSTETLER

618 CONNECTICUT AVE., N. W.

WASHINGTON, D. C. 20006

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BY HAND

Kenneth Gross, Esquire
Deputy General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D.C. 20463

REPORTS ANALYSIS REFERRAL UPDATE

***ORIGIN:** Outside Complaint

DATE August 15, 1930

ANALYST Ed Ryan *EDR*

TO: Office of General Counsel
ATTENTION: Jonathan Levin

TEAM CHIEF Peter Kell, Jr. *PKJ*

THROUGH: STAFF DIRECTOR *B.L.*

COMPLIANCE REVIEW Peggy Sims *B*

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS *[Signature]*

MUR No. 1272

DATE OF ORIGINAL REFERRAL N/A

****PURPOSE:** Information pertaining to a complaint filed by the Friends of Mike Gravel.

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OUTCOME: (if applicable)

*Commission unit which initiated original Referral (e.g. AUDIT/RAD/OGC).
**INFORMATION, or RESULTS OF RAD ACTION, as appropriate.

STATEMENT OF ORGANIZATION

(see reverse side for instructions)

1. (a) Name of Committee (in Full) <input type="checkbox"/> Check if name or address is changed. FRIENDS OF ALASKA	2. Date JULY 30, 1980
(b) Address (Number and Street) 2140 STANFORD DRIVE	3. FEC Identification Number
(c) City, State and ZIP Code ANCHORAGE ALASKA 99504	4. Is this an amended Statement? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

5. TYPE OF COMMITTEE (check one):

(a) This committee is a principal campaign committee. (Complete the candidate information below.)

(b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate	Candidate Party Affiliation	Office Sought	State/District
-------------------	-----------------------------	---------------	----------------

(c) This committee supports/opposes only one candidate **MIKE GRAVEL** and is NOT an authorized committee.
(name of candidate)

(d) This committee is a _____ committee of the _____ Party.
(National, State or subordinate) (Democratic, Republican, etc.)

(e) This committee is a separate segregated fund.

(f) This committee supports/opposes more than one Federal candidate and is NOT a separate segregated fund nor a party committee.

6. Name of Any Connected Organization or Affiliated Committee	Mailing Address and ZIP Code	Relationship
NIL		<div style="text-align: right; font-size: small;"> RECEIVED 1980 AUG 13 PM 3:07 FEDERAL ELECTION COMMISSION </div>

If the registering political committee has identified a "connected organization" above, please indicate type of organization:

Corporation Corporation w/o Capital Stock Labor Organization Membership Organization Trade Association Cooperative

7. Custodian of Records: Identify by name, address (phone number - optional) and position, the person in possession of committee books and records.

Full Name	Mailing Address and ZIP Code	Title or Position
N S THOMPSON	PO BX 4 1611 Anch Ak 99509	Custodian of Records

8. Treasurer: List the name and address (phone number - optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name	Mailing Address and ZIP Code	Title or Position
Dick Green	2140 Stanford Drive Anch Ak 99504	Treas.

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.	Mailing Address and ZIP Code
1st National Bk of Anch	201 W 36th Ave Anchorage Ak 99504

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

DICK GREEN	<i>Dick Green</i>	7/30/80
Type or Print Name of Treasurer	SIGNATURE OF TREASURER	Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.

For further information contact: Federal Election Commission, Toll Free 800-424-9530, Local 202-523-4068

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FEC FORM 1 (3/80)

A § 2970 / AK DEM C. 215

es of Ak
Stanford Dr
Ak 99504

RECEIVED
OFFICE OF THE
AUG 13 PM 3:07
HAND DELIVERED

Receives



Secretary of the Senate
119 D Street North East
Washington, D C
20510

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NOTICE

THE POSTMARK ON THE PRECEDING ENVELOPE IS Aug. 1, 1980

REGISTERED _____ CERTIFIED _____

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11

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645



1-025644M220 08/07/80 TLX REFILE MGM AHG WSHC
01001 MGM ANCHORAGE ALASKA 08-07

1980 AUG -8 AM 8:41

COPIES DELIVERED

THE U.S. SENATE REPORT, OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECRETARY OF SENATE 119 D ST NE
WASHINGTON DC 20510

8/8
MS4

EXPENDITURE FOR THE DAY OF 8-7-80 IN THE AMOUNT OF DLRS698.00.
PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATES FOR THE
U.S. SENATE, MIKE GRAVEL, WHO S ANCHORAGE ADDRESS IS 701 C ST.
THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA, 2140 STANFORD
DR ANCHORAGE 99504.
THE PAYEE: ALASKA ADVERTISERS, 1341 FAIRBANKS ANCHORAGE 99501.
FRIENDS OF ALASKA
2140 STANFORD DR ANCHORAGE 99504

14:24 EST

MGMCOMP MGM

108 304040853024

SI533/ AK BEAC 215

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MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645



1-001000M220 08/07/80 TLX REFILE MGM AHG WSHCAUG -8 AM 8:41
01006 MGM ANCHORAGE ALASKA 08-06

HAND DELIVERED

8/8

US SENATE REPORTS OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECRETARY OF THE SENATE
119 D STREET NORTHEAST
WASHDC 20510

THE EXPENDITURE FOR THE DAY OF 8-6-80 IN THE AMOUNT OF DLR8348,
PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE
U.S. SENATE MIKE GRAVEL WHOS ANCHORAGE ADDRESS IS 701 C STREET.
THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA 2140 STANFORD
DRIVE ANCHORAGE ALASKA 99504, THE PAYEE: ALASKA ADVERTISORS
1341 FAIRBANKS ANCHORAGE ALASKA 99501
FRIENDS OF ALASKA
2140 STANFORD DRIVE
ANCHORAGE ALASKA 99504

01:59 EST

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J S1533/ AK BEANC 215

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MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645



1-035641M221 08/08/80 TLX REFILE MGM AHG WSHC
01001 MGM ANCHORAGE ALASKA 08-08

1980 AUG 11 AM 8 50

HAND DELIVERED

U.S. SENATE REPORT OFFICE OF PUBLIC RECORDS
OFFICE OF THE SECRETARY OF THE SENATE
119 D ST NORTHEAST
WASHINGTON DC 20510

EXPENDITURE FOR AUGUST 8 1980 DLRS690.00
EXPENDITURE AUGUST 9 1980 DLRS887.00
EXPENDITURE FOR AUGUST 10 1980 DLRS887.00
EXPENDITURE AUGUST 11 1980 DLRS742.00
PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE
US SENATE, MIKE GRAVEL, WHOS ANCHORAGE ADDRESS IS 701 C ST.
THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA, 2140 STANFORD
DRIVE, ANCHORAGE 99504.
THE PAYEE: ALASKA ADVERTISERS 1341 FAIRBANKS STREET ANCHORAGE 99501
FRIENDS OF ALASKA
2140 STANFORD DR ANCHORAGE ALASKA 99504

16155 EST

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August 8, 1980

U.S. SENATE

1980 AUG 11 AM 11: 27

MAIL DELIVERED

U S Senate Reports
Office of Public Records
Office of the Secretary of the Senate
119 D Street North East
Washington D C 20510

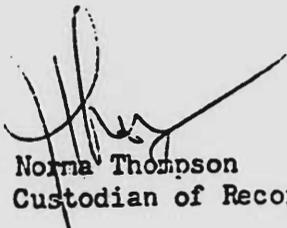
Re: FEC Report Form #3
Addendum to report
dated 8/7/80

Gentlemen:

We have had additional expenditures for the production of our radio spots. As of this date we have not gotten the cost of the production.

I will estimate the cost of the productions, thru period ending August 6, 1980 at the amount of \$500.00

The Payee: Justin Ward Advertising
2277 Science Parkway
Okemo, Michigan 48864

Signed:  Norma Thompson
Custodian of Records

Friends of Alaska
2140 Stanford Drive
Anchorage, Ak 99504

Dick Green, Treasurer

8830042040853057602

L S!533! AK DEM C215

United States Post Office

OFFICE OF THE POSTMASTER
WASHINGTON, D.C. 20260

NOTICE

THE POSTMARK ON THE PRECEDING ENVELOPE IS Aug 9, 1980

REGISTERED _____ CERTIFIED _____

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August 7, 1980

U.S. Senate Reports
Office of Public Records
Office of the Secretary of the Senate
119 D Street North East
Washington, D.C.

1980 AUG 11 AM 11: 28
HAND DELIVERED

Re: FIC Report Form #3
Disclosure of Expenditures
and Contributions.

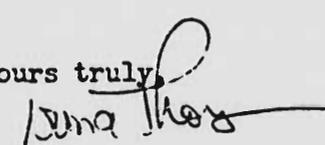
Gentlemen:

On August 6, 1980 we requested, from The Office of Public
Communication, Washington D.C. , that the above report form be
forwarded to our office.

In order to conform with timeliness of reporting please accept this
substitute report form. We will complete the proper form, when it
arrives and mail it to your office.

I have attached a separate list of our contributors also a separate
list of the expenditures thru closing date of August 6, 1980.

Yours truly


Norma Thompson
Custodian of Records
Friends of Alaska
2140 Stanford Drive
Anchorage, Alaska 99501.

Dick Green, Treasurer

Encl: 3

830043040453537

L 51533 / AK DEM C.215

August 7, 1980

STAFF OF THE SENATE

Friends of Alaska
2110 Stanford Drive
Anchorage, Alaska 99501

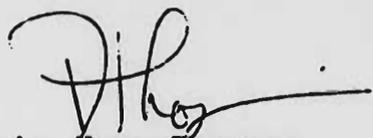
1980 AUG 11 AM 11:28

MAIL DELIVERED

Schedule of Expenditures
Thru Period ending 5/6/80

Radio Advertising;
Payee; Alaska Advertisers Phone (907) 279 5942
1341 Fairbanks Street
Anchorage, Alaska 99501

August 5, 1980	\$116.00
August 6, 1980	348.00



Signed: Norma Thompson
Custodian of Records

830043048650579

CONFIRMATION COPY

PLS SEL

8111"

AUG 06 2153 235657

REFILE MGM AHG

WU INFOMASTER

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REFILE MGM AHG

001000M220 0155EST

ZCZC 01006 MGM ANCHORAGE ALASKA 08-06

ZIP 20510

US SENATE REPORTS OFFICE OF PUBLIC RECORDS

OFFICE OF THE SECRETARY OF THE SENATE

119 D STREET NORTHEAST

WASHDC 20510

BT

THE EXPENDITURE FOR THE DAY OF 8-6-80 IN THE AMOUNT OF DLRS348.

PURCHASE OF RADIO ADVERTISING IN OPPOSITION OF CANDIDATE FOR THE

U.S. SENATE MIKE GRAVEL WHOS ANCHORAGE ADDRESS IS 701 C STREET.

THIS EXPENDITURE WAS AUTHORIZED BY FRIENDS OF ALASKA 2140 STANFORD

DRIVE ANCHORAGE ALASKA 99504. THE PAYEE: ALASKA ADVERTISORS

1341 FAIRBANKS ANCHORAGE ALASKA 99501

FRIENDS OF ALASKA

2140 STANFORD DRIVE

ANCHORAGE ALASKA 99504

830043046870580

August 7, 1980

Friends of Alaska
2140 Stanford Drive
Anchorage, Alaska 99501

Dick Green, Treasurer

Schedule of Contributors;
Thru Period ending 8/6/80

Gordon Godfred, 2200 West 36th Avenue, Anchorage, Ak 99501 \$1000.00
Businessman

Carolyn K. Gay 2160 Stanford Drive, Anchorage, Alaska 99501 \$1000.00
Realtor

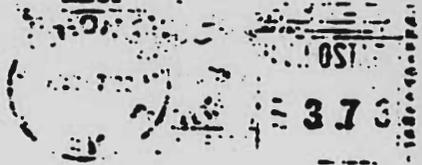


Signed: Norma Thompson
Custodian of Records

830042040053581



of Alaska
nford Drive
e Ak 99504



**RETURN RECEIPT
REQUESTED**

**REGISTERED
NO.** A8036

U S Senate Reports
Office of Public Records
Office of the Sec'y of the Senate
Washington D C 20510

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NOTICE

THE POSTMARK ON THE PRECEDING ENVELOPE IS Aug. 7, 1980

REGISTERED _____ CERTIFIED _____

285288888

830042040853160513



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 12, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Friends of Alaska
2140 Stanford Drive
Anchorage, Alaska 99504

Re: MUR 1272 (80)

Dear Sir or Madam:

This letter is to notify you that on August 7, 1980 the Federal Election Commission received a complaint which alleges that your Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code.. A copy of this complaint is enclosed. We have numbered this matter MUR 1272. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

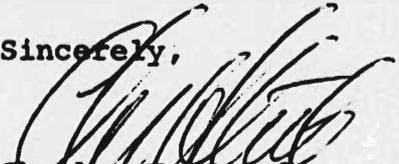
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

83040405103

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter at 202-523-4039. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,



Charles D. Steele
General Counsel

Enclosures
Complaint
Procedures

83040405103



MUR 1272

Friends of Alaska
2140 Stanford Drive
Anchorage, Alaska 99504

8/12/80 - ~~test~~

83040405104



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 11, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

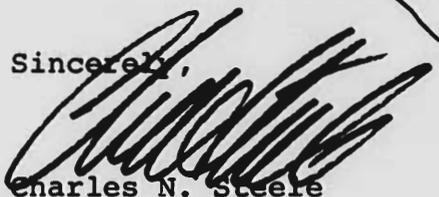
Charles L. Fishman, Counsel
The Friends of Mike Gravel Committee
1575 I Street, N.W.
Suite 350
Washington, D.C. 20006

RE: MUR 1272 (80)

Dear Mr. Fishman:

This is in reference to the above captioned complaint which your client, the Friends of Mike Gravel Committee, filed with the Commission on August 7, 1980. According to § 437g(a) of the Federal Election Campaign Act of 1971, as amended, and §§ 111.2 and 111.5 of the Commission Regulations, the respondents must be notified of this complaint within five days of its receipt, excluding Saturdays, Sundays, and legal holidays. We have attempted to locate Friends of Alaska but have been unable to find an address for this committee. If you have a present address for Friends of Alaska, we request that you provide this information to Jonathan Levin, the attorney assigned to this matter, at 202/523-4039, upon receipt of this letter.

Sincerely,


Charles N. Steele
General Counsel

This letter was never mailed because
the address was obtained.

- JMI

83040405105



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 8, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Bernard Gottstein
1400 E. Street
Anchorage, Alaska 99501

Re: MUR 1272(80)

Dear Mr. Gottstein:

This letter is to notify you that on August 7, 1980 the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1272. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

83040405106

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter at 202-523-4039. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

[Handwritten Signature]
Charles N. Steele
General Counsel

Enclosures
Complaint
Procedures

cc: Jan Baran

83040405107

1. The following services are provided:
 Show to whom and how delivery is made.
 Show to whom, day, and date delivery is made.
 REGISTERED MAIL SERVICE
 Show to whom and how delivery is made.
 REGISTERED MAIL SERVICE
 Show to whom, day, and date delivery is made.
 (CONSULT POSTMASTER)

2. *Baran, Jan*

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99. *[Handwritten Signature]*

100. *[Handwritten Signature]*



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 8, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Clark Gruening
605 West Second Avenue
Anchorage, Alaska 99501

Re: MUR 1272(80)

Dear Mr. Gruening:

This letter is to notify you that on August 7, 1980 the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1272. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

63040405108

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter at 202-523-4039. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
Charles N. Steele
General Counsel

Enclosures
Complaint
Procedures

83040405105

1. The following service is requested (check one):
 Show to whom and their address.
 Show to whom, date, and address of delivery.
 RESTRICTED DELIVERY
 Show to whom and their address.
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery.
 (CONSULT POSTMASTER FOR POSTAGE)

2. ARTICLES ADDRESSED
None returned

3. ARTICLES RETURNED
 (Indicate no. of articles returned)

4. DATE OF DELIVERY
8-18-88

5. RECEIVED BY
J. Levin

6. RECEIVED DATE AND TIME
 AUG 19 AM 11

RECEIVED

NO POST OFFICE, Aug. 1988



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 8, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Alaskans for Gruening
P.O. Box 1757
Anchorage, Alaska 99510

Re: MUR 1272(80)

Dear Sir or Madam:

This letter is to notify you that on August 7, 1980 the Federal Election Commission received a complaint which alleges that your Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1272. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

8304045110

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter at 202-523-4039. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
Charles N. Steele
General Counsel

Enclosures
Complaint
Procedures

8 3 0 4 0 4 0 5 1 1 1

1. The following service is requested (check one)
 Show to whom and how delivered
 Show to whom, date, and address of delivery
 RESTRICTED DELIVERY
 Show to whom and how delivered
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery
 (CONSULT REGULATIONS FOR THIS)

2. ATTORNEY'S NAME
Deborah J. ...

3. ATTORNEY'S FIRM
 ...

4. DATE OF DELIVERY
 ...

5. NUMBER OF COPIES
 ...

6. COMMENTS
 ...

RECEIVED
 1272



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 8, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Alaska Advertisers
1341 Fairbanks Street
Anchorage, Alaska

Re: MUR 1272(80)

Dear Sir or Madam:

This letter is to notify you that on August 7, 1980 the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1272. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

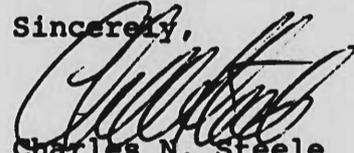
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

03040405112

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter at 202-523-4039. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,



Charles N. Steele
General Counsel

Enclosures
Complaint
Procedures

83040405113



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 8, 1980

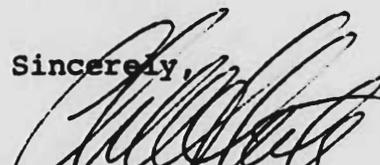
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles L. Fishman
633 E. Capital Street
Washington, D.C. 20003

Dear Mr. Fishman:

This letter is to acknowledge receipt of Robert L. Mitchell's complaint of August 7, 1980, against **Clark Gruening**, Alaskans for Gruening, Bernard Gottstein, Friends of Alaska and Alaska Advertisers which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within 5 days and a recommendation to the Federal Election Commission as to how this matter should be handled will be made 15 days after the respondents' notification. You will be notified as soon as the Commission takes final action on Mr. Mitchell's complaint. Should you have or receive any additional information in this matter, please forward it to this office. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,



Charles N. Steele
General Counsel

Enclosure

8304040514

83040405115

PS Form 3811, Aug. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- Show to whom and date delivered. _____
 - 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:
Charles Fishman

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>945765</i>	

1 (Always obtain receipts of address label or receipt)

I have received the article described above.

SIGNATURE Address Postmaster

[Signature]

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:



MUR1272 Levin

☆ 49-1 1978-07-01

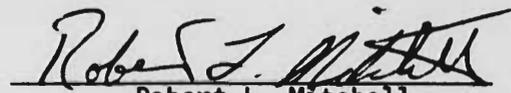
ECC#
2254

FRIENDS OF MIKE GRAVEL
P.O. Box 2420
Anchorage, Alaska 99510

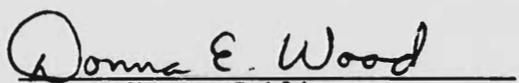
DISTRICT OF COLUMBIA, S.S.

Robert L. Mitchell being duly sworn deposes as and says:

- 1) he is the moving party in the above complaint to the Federal Election Commission;
- 2) he has read the foregoing letter and knows the contents thereof;
- 3) he believes that the information contained therein is true and correct.


Robert L. Mitchell

Subscribed and sworn to before me on the 7th day of August 1980.


Notary Public

My commission expires: on the 7th day of August 1980.
1-1-82

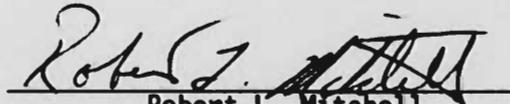
30 AUG 7 4:16

RECEIVED
FEDERAL ELECTION COMMISSION

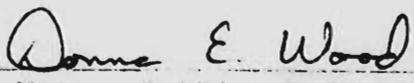
83040405116

FRIENDS OF MIKE GRAVEL
P.O. Box 2420
Anchorage, Alaska 99510

The Friends of Mike Gravel Committee has retained Charles L. Fishman as counsel to represent the Friends Committee before the Federal Elections Commission in all matters pertaining to its complaint filed against the Friends of Alaska Committee.


Robert L. Mitchell

Subscribed and sworn to, before
me, this 7th day of August, 1980


Notary Public, P.C.

My Commission Expires 1-1, 1982

83040405117

FRIENDS OF MIKE GRAVEL
P.O. Box 2420
Anchorage, Alaska 99510

August 5, 1980

Mr. Robert O. Tiernan
Chairman
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Dear Mr. Chairman:

8 3 3 0 4 0 4 0 5 1 1 8
The purpose of this letter is to invoke the jurisdiction of and to seek the immediate aid of the Federal Election Commission (hereinafter FEC) to enjoin a continuing violation of the Federal Election Act. On Monday, August 4, 1980, we were notified by several radio stations in Alaska that a committee identifying itself as "Friends of Alaska" had placed substantial orders for advertising time on August 1, 1980 and that those advertisements were construed to be "personal attacks" upon Senator Gravel. A review of the advertisements (copies of which are attached as Exhibits A and B) clearly disclose that their purpose is to influence Alaskan voters to vote against U.S. Senator Mike Gravel and for his opponent in the August 26, 1980 primary. We contacted the FEC on Tuesday, August 5, 1980, and determined that the "Friends of Alaska Committee" is not a registered Committee under the Act. However, the radio stations have received payment for the advertisements placed by this Committee which means the Committee has raised and expended funds.

Additionally, the Friends of Alaska Committee has employed a firm named "Alaska Advertisers" to place and we believe produce the illegal advertisements. That company is controlled by Bernard Gottstein, an authorized fundraiser for the Alaskans for Gruening Committee. Earlier, the same firm produced and placed advertisements for Senator Gravel's Democratic opponent Clark Gruening. Moreover, Mr. Gottstein has commissioned and had one of his corporations pay for political polls that were then contributed as an in kind contribution to Mr. Gruening's campaign. Mr. Gottstein has made additional illegal in kind contributions to Mr. Gruening's campaign including but not limited to access to corporate computers for political purposes; fundraising services that were not paid for; time contributed by corporate employees of Mr. Gottstein; the use of corporate facilities to produce and place political advertisements at less than fair market cost; and the payment of funds to private investigators to secure information for negative newspaper articles on Senator Gravel.

It is apparent that Mr. Gottstein, who is a political opponent of Senator Gravel, has engaged in a systematic plan to violate the Act. The new advertisements are but the most recent incident in a long line of incidents. Mr. Gottstein simply does not wish to abide by the law and apparently will stop at nothing to spend his personal and corporate resources to defeat Senator Gravel.

For the above reasons we urge the Federal Election Commission to invoke its powers under the Act and to seek an immediate injunction to prevent these ongoing violations of the Act. We also request that the Commission commence an immediate investigation of the relationship between "Friends of Alaska" and "Alaskans for Gruening" and Barney Gottstein and Clark Gruening to determine if illegal contributions have been made by Mr. Gottstein to Mr. Gruening's campaign.

Sincerely,



Robert Mitchell
Treasurer
Friends of Mike Gravel

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Encl
Enclosures

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UNITED STATES SENATE

WASHINGTON, D.C. 20510

PUBLIC DOCUMENT

OFFICIAL BUSINESS

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White & General
U.S.S.

*General Counsel
Federal Election Commission
1325 K Street, NW 7th Floor
Washington, DC 20463*

6 AUG 1980

GC# 2230

RECEIVED

80 AUG 6 PM 2:16

FRIENDS OF MIKE GRAVEL
P.O. Box 2420
Anchorage, Alaska 99510

909482

August 5, 1980

Mr. Robert O. Tiernan
Chairman
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Dear Mr. Chairman:

The purpose of this letter is to invoke the jurisdiction of and to seek the immediate aid of the Federal Election Commission (hereinafter FEC) to enjoin a continuing violation of the Federal Election Act. On Monday, August 4, 1980, we were notified by several radio stations in Alaska that a committee identifying itself as "Friends of Alaska" had placed substantial orders for advertising time on August 1, 1980 and that those advertisements were construed to be "personal attacks" upon Senator Gravel. A review of the advertisements (copies of which are attached as Exhibits A and B) clearly disclose that their purpose is to influence Alaskan voters to vote against U.S. Senator Mike Gravel and for his opponent in the August 26, 1980 primary. We contacted the FEC on Tuesday, August 5, 1980, and determined that the "Friends of Alaska Committee" is not a registered Committee under the Act. However, the radio stations have received payment for the advertisements placed by this Committee which means the Committee has raised and expended funds.

Additionally, the Friends of Alaska Committee has employed a firm named "Alaska Advertisers" to place and we believe produce the illegal advertisements. That company is controlled by Bernard Gottstein, an authorized fundraiser for the Alaskans for Gruening Committee. Earlier, the same firm produced and placed advertisements for Senator Gravel's Democratic opponent Clark Gruening. Moreover, Mr. Gottstein has commissioned and had one of his corporations pay for political polls that were then contributed as an in kind contribution to Mr. Gruening's campaign. Mr. Gottstein has made additional illegal in kind contributions to Mr. Gruening's campaign including but not limited to access to corporate computers for political purposes; fundraising services that were not paid for; time contributed by corporate employees of Mr. Gottstein; the use of corporate facilities to produce and place political advertisements at less than fair market cost; and the payment of funds to private investigators to secure information for negative newspaper articles on Senator Gravel.

10 AUG 6 P 3:23

TELETYPE UNIT

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It is apparent that Mr. Gottstein, who is a political opponent of Senator Gravel, has engaged in a systematic plan to violate the Act. The new advertisements are but the most recent incident in a long line of incidents. Mr. Gottstein simply does not wish to abide by the law and apparently will stop at nothing to spend his personal and corporate resources to defeat Senator Gravel.

For the above reasons we urge the Federal Election Commission to invoke its powers under the Act and to seek an immediate injunction to prevent these ongoing violations of the Act. We also request that the Commission commence an immediate investigation of the relationship between "Friends of Alaska" and "Alaskans for Gruening" and Barney Gottstein and Clark Gruening to determine if illegal contributions have been made by Mr. Gottstein to Mr. Gruening's campaign.

Sincerely,



Robert Mitchell
Treasurer
Friends of Mike Gravel

WS/r1
Enclosures

83040405122

ATTACHMENT ONE
RADIO SPOT ONE

The sunny slopes of Aspen, Colorado...deep powder, beautiful people, big homes. One of the biggest homes belongs to our very own Senator Mike Gravel. The value of Mike Gravel's Aspen house is said to be more than a million dollars. But Mike Gravel didn't have to put any money for his interest. He just had to invest some of his time. In his spare time, Mike Gravel designed the house. He even designed the furniture. And Mike Gravel even found the people to invest money in his project. Some of them turned out to be lobbyists whose job it is to ask for Mike Gravel's vote in the Senate. When someone asked whether this kind of arrangement was proper, Mike Gravel said that there was no law against it. When someone asked why he needed such a big house in Aspen, Mike Gravel said it was just a place to stop on the way home. Well that's part of the Aspen house story, there's more.

PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE
TOM KELLY, CHAIRMAN
NOT AUTHORIZED BY CANDIDATE

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ATTACHMENT TWO
RADIO SPOT TWO

You know how pictures and clippings can change after just a few years? We look back and see how funny we look. We all change with age. Hopefully we get smarter and more responsible. Well, we were going through the Mike Gravel scrapbook the other day, and found some old clippings. Here's one... Mike Gravel nominates himself for Vice President. That was really good for a laugh. And then, we saw Gravel wants to build a Dome City on Mt. McKinley; Gravel pickets the White House; Gravel fights against the 200 mile limit. The scrapbook was just filled to overflowing. And here's 1978, Gravel kills lands bill. He says he will do better next time. Gravel says Carter is only bluffing about locking up Alaska. Well the years roll on, and in the Mike Gravel scrapbook, the headlines today look alot like the ones we were seeing years ago. Maybe age and experience hasn't helped. Maybe its time to close the cover on the Gravel years.

PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE
TOM KELLY, CHAIRMAN
NOT AUTHORIZED BY CANDIDATE

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FRIENDS OF MIKE GRAVEL

P.O. Box 2480

Anchorage, Alaska 99510

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RECEIVED

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Mr. Robert O. Tiernan
Chairman
Federal Election Commission
1325 K Street NW, *5th floor*
Washington, DC 20463

RECEIVED AND DELIVERED



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mark Roll 1272 Depositions

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 6, 1981

Mrs. Georgette Gargan
Aklulaw Court Reporting
700 H Street
Suite 5
Anchorage, Alaska 99501

Dear Mrs. Gargan:

Enclosed please find the original transcript of the deposition of Barnard Gottstein taken at the Offices of the Federal Election Commission in Washington, D.C. Pursuant to conversations between you and Jonathan Levin of the Office of General Counsel, it is our understanding that Mr. Gottstein will have thirty days from your receipt of the enclosed transcript to review the transcript at your offices and to make corrections. However, Mr. Gottstein may not obtain a copy of the transcript at this time.

It is also our understanding that, upon the arrival of the enclosed transcript, your firm will send a notice to Mr. Gottstein's attorneys, Jan Baran and Bill Schweitzer, informing them that the transcript is available for review. Their address is Baker & Hostetler, 818 Connecticut Avenue, N.W., Washington, D.C. 20006.

Please feel free to bill us for any costs you incur. Thank you very much for your cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Scott E. Thomas".

Scott E. Thomas
Assistant General Counsel

Enclosure

83040405127

September 30, 1981

MEMORANDUM TO: The File of MUR 1272

FROM: Jonathan Levin

SUBJECT: Transcript of the deposition
of Barnard J. Gottstein

On September 28, 1981, OGC received replacement pages for the first page of the transcript of the deposition of Barnard J. Gottstein (one in the original and one as a copy). This was necessitated by the fact that the original first page was erroneously captioned "Before the Federal Labor Relations Authority."

Furthermore, the original of the transcript (with the correct first page) is being sent to Akulaw Court Reporting in Anchorage, Alaska, for review by Mr. Gottstein.

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8 3 0 4 0 4 0 5 1 2 9

Milton Reporting, Inc.

General Stenotype Reporting

Suite 301

1601 Connecticut Ave., N.W.
Washington, D.C. 20009

**Mr. Scott Thomas
Federal Election Commission
1325 K Street, N.W. - 7th Floor
Washington, D.C.**

ORIGINAL

Before the
FEDERAL LABOR RELATIONS AUTHORITY

-----X
:
In the Matter of: :
:
FRIENDS OF ALASKA, et al. :
:
-----X

Washington, D. C.

Monday, September 14, 1981

Deposition of

BARNARD JACOB GOTTSTEIN

a witness in the above-entitled matter, called for
examination by counsel for the Federal Election Commission,
pursuant to notice, taken at the offices of the Federal
Election Commission, 1325 K Street, N.W., Washington, D. C.,
beginning at 12:05 p.m., before Karen Hinnenkamp, a Notary
Public in and for the District of Columbia, when were present
on behalf of the respective parties:

Milton Reporting, Inc.
OFFICIAL REPORTERS
1601 Connecticut Ave., N.W., Suite 301
Washington, D.C. 20009
Phones: (202) 833-3598
833-3599

8304005130

Received General
Counsel 9-28-81
Bcc# 5534

Before the
FEDERAL ELECTION COMMISSION

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:
In the Matter of: :
:
FRIENDS OF ALASKA, et al. : MUR 1272
:
----- -x

Washington, D. C.

Monday, September 14, 1981

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D.C., beginning at 12:05 p.m., before Karen Hinnenkamp,
a Notary Public in and for the District of Columbia,
when were present on behalf of the respective parties:

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Milton Reporting, Inc.
OFFICIAL REPORTERS
1601 Connecticut Ave., N.W., Suite 301
Washington, D.C. 20009
Phones: (202) 833-3598
833-3599

Before the
FEDERAL LABOR RELATIONS AUTHORITY

-----X
:
In the Matter of: :
:
FRIENDS OF ALASKA, et al. :
MUR 1272
:
-----X

Washington, D. C.

Monday, September 14, 1981

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For the Federal Election Commission:

SCOTT E. THOMAS, ESQ.
JOHN LEVIN, ESQ.
Federal Election Commission
1325 K Street, N.W.
Washington, D. C.

For the Witness:

JAN W. BARAN, ESQ.
WILLIAM H. SCHWEITZER, ESQ.
Baker and Hostetler
818 Connecticut Avenue, N.W.
Washington, D. C. 20006

- - -

C O N T E N T S

EXAMINATION BY COUNSEL FOR:

<u>WITNESS:</u>	<u>FEC</u> <u>(Mr. Thomas)</u>	<u>WITNESS</u> <u>(Mr. Baran)</u>
BARNARD JACOB GOTTSTEIN	4, 132	129

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EXHIBITS

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Marked for Identification and Attached:

Page

FEC Exhibit No. 1

48

FEC Exhibit Nos. 2 through 8, inclusive

110

FEC Exhibit No. 9

121

FEC Exhibit No. 10

126

- - -

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1 Thereupon

2 BARNARD JACOB GOTTSTEIN

3 a witness, was called for examination by counsel for the
4 Federal Election Commission and, after having been sworn
5 by the Notary, was examined and testified as follows:

6 EXAMINATION BY COUNSEL FOR THE FEDERAL ELECTION COMMISSION

7 BY MR. THOMAS:

8 Q Would you state your name, please?

9 A Barnard Jacob Gottstein.

10 Q What is your present occupation, Mr. Gottstein?

11 A I am an executive, business executive.

12 Q With what businesses are you presently an executive?

13 A J. B. Gottstein and Company, Incorporated.

14 Q Any others?

15 A Well, there is a holding company that is known
16 as Carr, Gottstein Company, Incorporated.

17 Q With regard to J. B. Gottstein and Company,
18 Incorporated, are you yourself an owner?

19 A No.

20 Q Is that entirely owned then by Carr, Gottstein
21 Company, Incorporated?

22 A Yes.

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1 Q Are you an owner of Carr, Gottstein Company,
2 Incorporated?

3 A Yes.

4 Q Are you a full owner or a part owner?

5 A Part owner.

6 Q What is your exact position with J. B. Gottstein
7 and Company, Incorporated?

8 A I am president.

9 Q Do you also serve on a board of directors with
10 that company?

11 A Yes.

12 Q How many other owners are there, if you know?

13 MR. BARAN: Which company?

14 MR. THOMAS: J. B. Gottstein and Company, Incorporated.

15 THE WITNESS: None.

16 BY MR. THOMAS:

17 Q Of Carr, Gottstein Company, Incorporated, how
18 many other owners are there, other than yourself?

19 A Are you asking for an exact number? I don't know.

20 Q Is it publicly owned?

21 A No.

22 Q Are there more than, say, 10?

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1 A Yes.

2 Q What kind of business is J. B. Gottstein and Company,
3 Incorporated?

4 A It is a wholesale grocery business.

5 Q Do you have any relationship with a firm called
6 Alaska Advertisers?

7 A Would you explain the word "you"? Are you saying
8 just J. B. Gottstein?

9 Q Are you yourself an owner or an officer or director
10 of Alaska Advertisers?

11 MR. SCHWEITZER: By "you" you mean Barney Gottstein?

12 MR. THOMAS: Yes.

13 THE WITNESS: No.

14 BY MR. THOMAS:

15 Q Is Alaska Advertisers a corporation?

16 A Yes.

17 Q Who is it owned by?

18 A It is owned by Carr's Quality Centers.

19 Q By whom is Carr's Quality Centers owned?

20 A Carr's Quality Centers is owned by J. B. Gottstein
21 and Company.

22 Q Which is in turn owned by Carr, Gottstein Company,

8304045137

1 Incorporated?

2 A That is correct.

3 Q Do you hold any position on any board of directors
4 of the Alaska Advertisers?

5 A No.

6 Q Are you an officer of that company?

7 A No.

8 Q Do you know who the officers of Alaska Advertisers
9 are?

10 A No.

11 Q What does Alaska Advertisers do?

12 A It is an advertising agency.

13 Q Does it do advertising production as well as placement
14 of advertising?

15 A It does newspaper layout, if that is what you
16 mean by production.

17 Q For whom does it provide that service?

18 A It does ad service for Carr's.

19 Q Carr's Quality?

20 A The trade name is Carr's.

21 Q Anyone else or any other company that it does
22 advertising services for?

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1 A Yes. I don't know all the specifics.

2 MR. SCHWEITZER: You answered the question. He asked
3 does it for anybody else. You answered the question.

4 BY MR. THOMAS:

5 Q Does it do any advertising for J. B. Gottstein
6 and Company, Incorporated?

7 A No.

8 Q Are you familiar with a company called Carr, Gottstein
9 Properties, Incorporated?

10 A Yes.

11 Q What is that?

12 A It is a real estate company.

13 Q By whom is that owned?

14 A It is owned by Carr, Gottstein Company.

15 Q The holding company that you referred to earlier?

16 A Yes.

17 Q Does Carr, Gottstein Properties, Incorporated,
18 have any subsidiaries?

19 A Yes.

20 Q What are they?

21 A The Land Company, Incorporated; R.I.M., Incorporated;
22 Big Shore -- I think it is just Big Shore, Incorporated.

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1 Q Any others that you can think of?

2 A No.

3 Q Are you familiar with a firm called Carr, Gottstein
4 Computer Services?

5 A No.

6 Q Are you familiar with a firm called Sandelson
7 Survey?

8 A Yes.

9 Q What is Sandelson Survey?

10 A Sandelson Survey is a trade name that is used
11 by the Market Research Department of J. B. Gottstein and
12 Company.

13 Q So it is not itself a separate corporation?

14 A No.

15 Q It is a department --

16 A Right.

17 Q -- of the firm you mentioned?

18 A Right.

19 Q What kind of services does it provide?

20 A Market research, polling, site selection, survey,
21 demographics.

22 Q In connection with functions or the business functions

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1 of Carr's Quality Centers only, or in connection with other --

2 MR. SCHWEITZER: Objection. State your question a
3 little more clearly.

4 BY MR. THOMAS:

5 Q Does Sandelson Survey provide the services you
6 referred to for only Carr's Quality Centers or does it
7 provide it -- what kinds of firms and which firms do you
8 know of that it provides those services for?

9 MR. SCHWEITZER: Objection. Ask him just one question
10 so he can understand. You asked about three questions again.

11 BY MR. THOMAS:

12 Q The question was what kinds of services does it
13 provide.

14 A It does polling.

15 Q The follow-up question was for whom does it provide
16 those services?

17 A For various companies in the Carr, Gottstein group.

18 Q Does it provide those kinds of services for firms
19 outside of the Carr, Gottstein group?

20 A At times.

21 Q Do you know who the officers of Sandelson Survey
22 are?

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1 A There are no officers.

2 Q Do you know, is there an employee who has management
3 control over Sandelson Survey?

4 A Yes.

5 Q Who is that?

6 A Sandra Gottstein.

7 Q Is she related to you?

8 A Yes.

9 Q What is her relationship?

10 A She is my daughter.

11 Q Do you know who has control over the day-to-day
12 operations of Alaska Advertisers?

13 A Yes.

14 Q Who is that?

15 A Steve Oien, O-i-e-n.

16 Q What is his position?

17 A I don't know.

18 Q Do you ever discuss any of the business decisions
19 of Alaska Advertisers with him?

20 A No.

21 Q Have you ever discussed any hiring decisions with
22 him?

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1 A No.

2 Q Have you ever discussed any decisions about the
3 acceptance of clients of Alaska Advertisers?

4 A No.

5 Q Have you ever discussed the budget of Alaska
6 Advertisers with him?

7 A No.

8 Wait a minute. Let me think a minute.

9 MR. BARAN: Do you have any questions you want to ask
10 counsel or confer with counsel off the record?

11 THE WITNESS: Yeah, I guess so.

12 MR. SCHWEITZER: Can we go off the record?

13 MR. THOMAS: Sure.

14 (Discussion off the record.)

15 MR. SCHWEITZER: Back on the record.

16 MR. BARAN: We would ask the reporter to read back
17 your last question and the response of Mr. Gottstein.

18 MR. SCHWEITZER: Two questions ago.

19 (The record was read by the reporter.)

20 BY MR. THOMAS:

21 Q The question was, have you ever discussed any
22 decisions about the acceptance of clients with Mr. Oien?

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1 A I don't recall discussing acceptance of clients
2 with Mr. Oien.

3 Q Is the clarification simply to say that you don't
4 recall, that you may have? Is that the distinction you
5 are trying to clarify on the record?

6 A Yes.

7 Q Have you on any occasion ever referred any clients
8 to Mr. Oien?

9 A I don't remember. I don't remember doing so.

10 Q Have you ever attended any meetings of any of
11 the board of directors of Alaska Advertisers?

12 A No.

13 Q Earlier I asked you if you were familiar with
14 a firm, I think I referred to it, called Carr, Gottstein
15 Computer Services. You indicated that you were not familiar
16 with such a firm.

17 Does Carr, Gottstein Company, Incorporated, or J. B.
18 Gottstein and Company, Incorporated, have any computer services
19 division or department that you are aware of?

20 A Can you clarify the question?

21 Q Does Carr, Gottstein Company, Incorporated, or
22 J. B. Gottstein and Company, Incorporated, have any computer

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1 services division or department, something that is not itself
2 incorporated, but which is a division or department of those
3 larger corporations?

4 A We have a data processing department. We don't
5 have a computer service division, if that is what you are
6 saying.

7 MR. SCHWEITZER: That is fine.

8 BY MR. THOMAS:

9 Q Who has day-to-day supervision over the data
10 processing division you referred to?

11 A Ron Stanek.

12 Q How is that spelled?

13 A S-t-a-n-e-k.

14 Q Have you ever had any business discussions about
15 business decisions that he was involved with with him?

16 A Yes.

17 Q What kinds of decisions have you had discussions
18 about with him?

19 MR. BARAN: I object to the form of the question. Are
20 you asking about business decisions generally or specific
21 decisions?

22 MR. THOMAS: Business decisions generally.

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1 MR. BARAN: Relating to this investigation?

2 MR. THOMAS: Business decisions generally. The witness
3 indicated he had had such discussion. I am now trying to
4 get him to clarify the types of discussions he would have
5 had discussions or has had discussions with Mr. Stanek in.

6 MR. BARAN: Okay.

7 THE WITNESS: I have had discussions with him about
8 installation of data bascs. I have had discussions with
9 him about communications networking. I had discussions
10 with him about warehouse management systems. I had discussions
11 with him about point of sale systems. I had discussions
12 with him about installation of various kinds of computers.
13 I had discussions with him about buying systems. I meet
14 with him probably two or three times a week.

15 BY MR. THOMAS:

16 Q Have you ever had any discussions with him about
17 his providing any data services to any outside firm or entity?

18 A No.

19 Q To your knowledge, has the data systems division
20 that Mr. Stanck heads ever provided any services to any
21 outside firm or entity?

22 A Yes.

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1 Q What occasions do you recall?

2 A Various times over the years we have sold packages
3 of labels of voters to different candidates.

4 Q Where do you get the packages of labels?

5 A We print them on a computer.

6 Q Maybe you can clarify. Do people bring you a
7 computer tape and you provide the computer services to print
8 out the labels? Is that what you are referring to?

9 A No.

10 Q Can you explain then more specifically what type
11 of arrangement you are speaking of?

12 A We buy a list of the voters on a tape from the
13 State of Alaska. Then we print them.

14 MR. SCHWEITZER: You have answered the question.

15 BY MR. THOMAS:

16 Q I still don't understand. You buy computer tape
17 and then you have a list printed out and then you sell the
18 list, or do you have anything to do with printing out names?

19 MR. SCHWEITZER: Ask a question, Scott.

20 MR. THOMAS: That was a question.

21 MR. SCHWEITZER: Ask again so I understand it and then
22 maybe Mr. Gottstein can.

8304045147

1 BY MR. THOMAS:

2 Q Do you buy a computer tape from the State of Alaska
3 and then print out labels that candidates can use?

4 A Yes.

5 Q Is that the service that you were describing?

6 A Yes.

7 Q Approximately how many times do you recall having
8 done that over the last two years?

9 MR. BARAN: I am going to object to this line of question-
10 ing. I have let Mr. Gottstein proceed with some answers,
11 but you are making it clear at this point that you are asking
12 questions concerning computer services that may or may not
13 have been provided by Mr. Gottstein or Mr. Gottstein's
14 corporations.

15 The Commission, and I don't know what the date is,
16 but by letter of January 29th of this year, has informed
17 us that it has found no reason to believe that Mr. Gottstein's
18 corporations or that Mr. Gottstein violated Section 441(b)
19 regarding computer services. So I don't see that this line
20 of questioning at this point is relevant to the investigation.

21 MR. THOMAS: You are correct, the Commission has not
22 found reason to believe on those allegations. This line

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1 of questioning focuses on Mr. Gottstein's involvement with
2 providing services to the two organizations which are under
3 investigation, Alaska Advertisers and Friends of Alaska.

4 BY MR. THOMAS:

5 Q Perhaps by way of tying it together, the question
6 I would ask now is, did you at any time have any discussions
7 with Mr. Stanek about selling the list that you just referred
8 to to Alaskans for Gruening?

9 THE WITNESS: Do you want me to answer that?

10 MR. BARAN: Yes.

11 THE WITNESS: No, I did not.

12 BY MR. THOMAS:

13 Q You indicated earlier that Sandy Gottstein is
14 the head of or in charge of the operations of Sandelson
15 Survey. Do you ever discuss any of the business decisions
16 of Sandelson Survey with her?

17 A Yes.

18 Q Do you ever discuss with her any of the decisions
19 about acceptance of clients?

20 A Yes.

21 Q Over the course of the last two years, on how
22 many occasions you are aware of did Sandelson Survey provide

8304045149

1 any survey or polling services to a political candidate
2 or committee?

3 A I don't remember.

4 Q Do you yourself have authority to direct Sandy
5 Gottstein in any of her day-to-day business decisions?

6 A Yes.

7 Q Have you on any occasion ever referred any political
8 committee or political candidate clients to Sandy Gottstein?

9 A No.

10 Q Have you ever attended any meetings that Sandy
11 Gottstein ever had with any political committees wherein
12 they were discussing providing services?

13 A No.

14 Q Did you commission and pay for any political polls
15 relating to the popularity of various candidates or potential
16 candidates for the United States Senate seat in Alaska in
17 the fall of 1979?

18 A I did, and I am not certain whether it was the
19 fall of '79. If I qualify it, I might qualify the date. But
20 I am not sure exactly when.

21 Q You do recall a specific instance of commissioning
22 such a poll and paying for one?

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1 A Right.

2 Q Do you recall what firms you employed to carry
3 out that polling?

4 A Yes.

5 Q Which firm?

6 A Sandelson Survey.

7 Q Did you pay for that poll by yourself? No one
8 else helped pay?

9 A Yes.

10 Q Can you give me a description of what was contained
11 in that poll, what kinds of results were contained in that
12 poll?

13 MR. SCHWEITZER: Objection. You asked him two questions.
14 You asked him what was contained in the poll and what kind
15 of results were contained in the poll. What question are
16 you asking, Scott?

17 MR. THOMAS: Both.

18 MR. SCHWEITZER: Answer the first one, then.

19 THE WITNESS: The first one was what question?

20 MR. SCHWEITZER: What was contained in the poll is
21 what he said. What was contained in the poll, if you can
22 answer that.

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1 THE WITNESS: There were a series of questions on various
2 match races of all kinds of political figures in Alaska
3 as well as ratings of individual politicians. Every con-
4 gressional delegation, the Governor, former Governor, were
5 rated on a scale of favorable - unfavorable, or actually
6 what do you think of the candidate, and so forth.

7 BY MR. THOMAS:

8 Q So it contained information about persons who
9 were then candidates for the upcoming election for Governor
10 and for the entire congressional delegation?

11 A And for every possible candidate that I could
12 think of.

13 Q I think that basically answers the second question:
14 What kinds of results were contained in the poll? Is that
15 correct?

16 A I don't understand it.

17 Q What did it contain? You say it contained, I
18 believe you stated, favorable versus unfavorable percentages.

19 A That was one of the questions.

20 Q What other kinds of results did it contain, if
21 there were other kinds?

22 A There were many combinations for different races:

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1 U. S. House, U. S. Senate.

2 Q Matching candidate against each other; is that
3 what you are saying?

4 A Yes; sometimes as many as six or seven.

5 Q What did you do with the poll results that you
6 received?

7 A I sent the results to the members of the Democratic
8 State Central Committee.

9 Q Did you at any time send the results to any of
10 the candidates or potential candidates whose names were
11 listed in the poll results?

12 A Yes.

13 Q Did you send it to all of those individuals?

14 A No.

15 Q To which individuals did you send those results?

16 A I sent it to Senator Gravel. He is the only one
17 I remember specifically sending it to.

18 Q Did you send the results to Clark Gruening?

19 A I don't believe so.

20 Q Did you at any point send the results to any news-
21 papers or other forms of media?

22 A No.

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1 Q Do you know if the Democratic --

2 A Pardon me. I remember one other person I sent
3 it to.

4 Q Who was that?

5 A Pat Rodcy.

6 Q Who is Pat Rodcy?

7 A He had just run for Congress in '78. He was the
8 State Senator.

9 Q Do you recall if these poll results that you say
10 you gave to members of the Democratic Central Committee
11 were ever published?

12 A Yes, they were.

13 Q Did you have anything to do with having them
14 published?

15 A No.

16 Q To your knowledge, did the Democratic Central
17 Committee members or at least one of them take care of that?

18 A I don't know.

19 Q Do you recall whether the results were published
20 before or after you sent those poll results to the two candi-
21 dates that you recall sending them to?

22 A It was later.

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1 Q It was later that they were published?

2 A Right.

3 Q Whose idea was it to commission this poll?

4 A Mine.

5 Q Yours alone?

6 A Yes.

7 Q No candidate or political committee ever requested
8 that you do so?

9 A No.

10 Q Was Clark Gruening's name included in this poll?

11 A Yes.

12 Q Was his name included in terms of having the analysis
13 of favorable versus unfavorable as well as having him squared
14 off against other individuals?

15 A I don't remember.

16 Q Was that the only political poll that you recall
17 commissioning and paying for?

18 A No.

19 Q Is there another?

20 A Yes.

21 Q What was the other poll?

22 MR. BARAN: I am going to object, or at least ask you

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1 to rephrase the question. Can you provide a time period?

2 MR. THOMAS: I would place that within the time period
3 of 1979 or 1980.

4 MR. SCHWEITZER: The question is did you commission
5 a poll within the time period of 1979-1980, other than the
6 one poll that we have talked about?

7 MR. THOMAS: That is correct.

8 THE WITNESS: I believe so.

9 BY MR. THOMAS:

10 Q Did you commission a poll after the one that you
11 referred to earlier?

12 A I haven't been able to pin down the other one.

13 Q Did the other one that you do recall have anything
14 to do with any polling results concerning federal candidates
15 in either the Senator or the House races for the 1980 election?

16 A I don't remember.

17 Q Let me clarify. Are you stating that you do recall
18 having commissioned another poll, you just don't recall
19 when it was? Is that what you are not remembering?

20 THE WITNESS: Could we step out a minute?

21 MR. SCHWEITZER: Can we go off the record?

22 MR. THOMAS: Sure.

8304045156

1 (Discussion off the record.)

2 BY MR. THOMAS:

3 Q The question that I left you with was are you
4 stating that you did conduct another poll but you simply
5 don't remember when it was?

6 A Yes.

7 Q I had also asked you if it had anything to do
8 with federal candidates. You still state you don't have
9 any recollection on that point either?

10 A I am sure it did. I don't remember, but I am
11 sure it did. It was the same kind of poll. They were both
12 essentially the same.

13 Q What did you do with the poll results that you
14 received in this second poll?

15 A Nothing.

16 Q You kept them yourself?

17 A Yes.

18 Q You didn't give them to the Democratic Central
19 Committee or any other committee?

20 A I gave results from one poll to the Democratic
21 Central Committee. What I don't remember is which one it
22 was, whether it was the first one or the second one.

8304045157

1 Q Do you recall giving poll results from the latter
2 one that you have referred to, although we don't know where
3 it is in time, to Clark Gruening?

4 A No.

5 Q You gave no poll results to Clark Gruening?

6 A No.

7 Q Do you know who Clark Gruening is?

8 A Yes.

9 Q How long have you know him?

10 A I would say approximately seven years.

11 Q Do you know him socially as well as through other
12 contacts?

13 A No.

14 Q How is it that you met him?

15 A He ran as a representative from my district for
16 the state legislature.

17 Q Approximately seven years ago; is that correct?

18 A Yes.

19 Q Did you ever have any conversations with Mr. Gruening
20 about the feasibility of his becoming a candidate for the
21 United States Senate?

22 A Would you ask the question again?

8304045158

1 Q Did you have any conversations with Mr. Gruening
2 about the feasibility of his becoming a candidate for the
3 United States Senate?

4 A Yes.

5 Q When was the first of those conversations as you
6 recall?

7 A I would say in the fall of '79.

8 Q Do you recall more specifically, say, what month
9 that happened?

10 A No.

11 Q Do you recall where that conversation took place?

12 A Yes.

13 Q Where was that?

14 A In my living room.

15 Q Who else was present at that conversation?

16 A Nobody.

17 Q What was the substance of that conversation?

18 A Essentially he was soliciting my support for his
19 candidacy for the Senate race.

20 Q What did you respond?

21 A Well, I rejected his solicitation, but I guess
22 I was pretty noncommittal.

8304045159

1 Q When you say he was soliciting your support, was
2 he soliciting a financial contribution from you? Is that
3 what you are saying?

4 A Well, I am saying support including financial
5 support.

6 Q It was your understanding that he was soliciting
7 your aid in helping raise funds from other individuals as
8 well? Is that what you are saying?

9 A Yes.

10 Q Did he at that time request you to become the
11 finance chairman of any committee that he might form?

12 A I don't know. I don't remember when he asked
13 me.

14 Q He did ask you that at some point?

15 A Yes.

16 Q After that meeting or discussion you just described,
17 when was the next time you had a conversation with him about
18 the possibility of him becoming a candidate?

19 A I don't remember.

20 Q Did you have any subsequent conversations with
21 him?

22 A Yes.

8304045160

1 Q Do you recall where the subsequent conversation
2 you had with him took place?

3 A On the telephone.

4 Q What was the nature of that conversation?

5 A More or less the same, his soliciting my support.

6 Q What was your response at that time?

7 A It was negative. I rejected him.

8 Q Did he in that conversation ask you if you would
9 become a finance chairman for him?

10 MR. SCHWEITZER: You have to respond, Mr. Gottstein.
11 Is your answer you don't recall?

12 THE WITNESS: I don't recall.

13 BY MR. THOMAS:

14 Q In either of those two conversations that you
15 just discussed, did Mr. Gruening outline any plans or propose
16 campaign strategies that he was thinking about and had asked
17 for your advice?

18 A I don't believe so.

19 Q After that telephone conversation that you recall,
20 when was the next contact that you had with Mr. Gruening?

21 A I don't remember.

22 Q Do you recall where that next contact was?

8304045161

1 MR. SCHWEITZER: Objection. You haven't established
2 that there was another one. Ask him that first.

3 BY MR. THOMAS:

4 Q Was there a subsequent contact from Mr. Gruening?

5 A I don't remember.

6 Q Do you recall ever attending any fund-raising
7 event after this telephone conversation where you saw
8 Mr. Gruening?

9 A Yes.

10 Q Did you talk with him at that fund-raising event?

11 A Yes.

12 Q Do you recall what that conversation was about?

13 A It was just a greeting.

14 Q At that fund-raising event, do you recall if he
15 had by that time asked you to become finance chairman?

16 A I believe so.

17 Q So your recollection is that somewhere between
18 that time you talked to him at the fund-raising event and
19 that conversation on the telephone that you referred to
20 he had in fact asked you to be finance chairman?

21 MR. SCHWEITZER: I don't believe that he said that.
22 He said he was asked to be finance chairman, but he doesn't

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1 recall when. It could have been in that telephone conversation.
2 It could have been the first conversation. He just doesn't
3 recall when he was asked to be finance chairman. I think
4 that was his response. He doesn't remember whether there
5 was another conversation between the time he had the telephone
6 conversation and the time he attended the fund-raiser. I
7 think that is pretty clear.

8 BY MR. THOMAS:

9 Q Is what Mr. Schweitzer just said essentially your
10 testimony?

11 A Yes.

12 Q You say that at some point anyway he did ask you
13 to be finance chairman?

14 A Yes.

15 Q And you declined?

16 A Yes.

17 Q Why did you decline?

18 A Because I was hoping Pat Rodey would run. If
19 he had, I would have supported him.

20 Q Do you recall making a contribution to Mr. Gruening's
21 campaign for the primary?

22 A Yes.

8304045163

1 Q The reports filed by the Alaskans for Gruening
2 Committee indicate that that contribution was received on
3 September 30th of 1979. Do you recall making that contribution?

4 A Yes.

5 Q Did you give that contribution to Mr. Gruening
6 personally?

7 A I don't know.

8 Q Do you recall if you made that contribution before
9 that first contact you had with Mr. Gruening when you talked
10 about the feasibility of his campaign?

11 A No. I don't remember.

12 Q Do you recall when this fund-raiser was that you
13 had a conversation with Mr. Gruening?

14 A By "conversation" you mean greeting?

15 Q Greeting.

16 A I believe it was in December.

17 Q Of 1979?

18 A Yes.

19 Q Do you recall having any subsequent contact with
20 Mr. Gruening?

21 A Yes.

22 Q When was the next contact that you recall?

8304045164

1 A I don't remember.

2 Q Do you recall where the next contact was?

3 A No.

4 Q Did you have several more contacts with Mr. Gruening
5 through the primary?

6 A I had at least two or three more contacts with
7 him during the primary.

8 Q What were those various contacts?

9 A Mostly the same.

10 Q "The same" meaning what?

11 A He was soliciting support from me and I --

12 Q And you?

13 A And I was waiting to see what Pat Rodey was going
14 to do, so I didn't do anything until, oh, I would say late
15 in May.

16 Q Late in May, what did you then do?

17 A I agreed to start raising some money for Gruening.

18 Q Prior to that, you had not in any way agreed or
19 done any fund-raising for Mr. Gruening?

20 A No.

21 Q Did you have a conversation with Mr. Gruening
22 wherein you told him that you would now agree to help him

8304045165

1 raise funds?

2 A I am sure I did, although I don't remember the
3 conversation.

4 Q Do you recall where a conversation of that nature
5 took place?

6 A No.

7 Q You indicate that in May you did agree to assist
8 Mr. Gruening with raising funds.

9 A Yes.

10 Q Do you recall when in May you began helping him?

11 A No. I am not even sure really that it is May.
12 That is my best estimate.

13 Q What sorts of things did you do to help him raise
14 funds?

15 A Oh, I made some telephone calls.

16 Q Anything else?

17 A No.

18 Well, no. I mailed out a statement of Senator Gravel's
19 and a statement of Gruening's to maybe eight or ten people.

20 Q What were these statements that you are referring
21 to? Where did you get those?

22 A Well, during the debate on the sale of F-15s to

8 3 0 4 0 4 5 1 6 6

1 the Saudis, Gravel had attacked me on the Floor of the Senate
2 and attacked the Jewish community in what was widely regarded
3 as an anti-Semitic position. I simply sent it out.

4 Q Are these statements that you yourself had prepared?
5 You said you sent statements out to nine or ten people.

6 A Not. It was a copy of the Congressional Record.

7 Q That is what you are stating you sent out?

8 A Right; a Xerox copy of the Congressional Record.

9 Q You said you made some telephone calls to help
10 raise funds. What were you asking these people that you
11 contacted to do?

12 A To raise some money.

13 Q Do you recall if anyone in fact did raise some
14 money?

15 A Yes.

16 Q How did they go about doing that?

17 A I don't know.

18 Q Were you asking that they raise money and send
19 the money to you?

20 A Or to the campaign.

21 Q You have indicated you sent out these copies of
22 the Floor statement of Senator Gravel.

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1 A Yes.

2 Q Did you send out letters?

3 A No.

4 Q No cover letter accompanied these materials?

5 A No.

6 Q Just to be clear then, are you stating that in
7 the case of about eight or ten individuals you simply took
8 a copy of the Xeroxed Floor statement and you stuck it in
9 an envelope and addressed it to an individual you were acquainted
10 with and sent that to them?

11 A Yes; along with Gruening had a position paper
12 on the Mideast, and I sent that.

13 Q What was this Gruening position paper on the Mideast?
14 Where did you obtain that?

15 A From the campaign.

16 Q Do you recall any specific individual that you
17 contacted to obtain those?

18 A It was just a printed position paper. No, I
19 don't know where I got it.

20 Q Did you use your own postage and stationery to
21 do these mailings?

22 A Yes.

8304045168

1 Q You are stating that of those mailings, there
2 were no more than eight or ten total?

3 A Maybe as many as 12.

4 Q How many phone calls in soliciting support did
5 you make?

6 A I don't remember.

7 Q Approximately.

8 A I just don't remember.

9 Q More than a hundred? Less than a hundred?

10 MR. SCHWEITZER: He has answered it three times, Scott.
11 He says he doesn't remember how many phone calls he made.

12 MR. THOMAS: I know. But I think that the witness
13 could come up with some reasonable estimate. I mean, we
14 can go more than a thousand, less than a thousand.

15 MR. SCHWEITZER: You are entitled to ask him as many
16 of those questions as you want to ask him.

17 BY MR. THOMAS:

18 Q More than a hundred or less than a hundred, do
19 you recall?

20 A I believe less than a hundred.

21 Q Did you ever keep any notes of any phone contacts
22 that you had made?

8304045169

1 A No.

2 Q Did you work from any mailing list or list of
3 names that you had composed?

4 A No.

5 Q Were these individuals that you contacted by phone
6 all individuals who were acquaintances of yours?

7 A Yes.

8 Correction. Some of the names had been given to me
9 by -- the answer is no, they weren't all acquaintances.

10 Q Did someone give some names to you to have you
11 contact?

12 A Yes.

13 Q Who gave you names to contact?

14 A Barbara Weinberg gave me some names.

15 Q Who is Barbara Weinberg?

16 A She is a lady in Los Angeles that is --

17 MR. SCHWEITZER: You have answered the question.

18 BY MR. THOMAS:

19 Q She is an acquaintance of yours?

20 A Yes.

21 Q You recall, I believe you stated, beginning to
22 help solicit funds for Mr. Gruening approximately in May.

8304045170

1 How long did your efforts continue?

2 A Into July.

3 Q Do you recall how late into July?

4 A No.

5 Q Do you recall approximately?

6 A No.

7 Q Do you recall when the last phone call or letter
8 that you mailed was made or mailed?

9 MR. SCHWEITZER: Objection. He answered the question.
10 That is exactly your prior question, and he answered it.
11 He said he didn't recall.

12 BY MR. THOMAS:

13 Q Is that your answer?

14 A Yes.

15 Q Did you assist with any fund-raising for the
16 Gruening campaign in the general election?

17 A I don't remember. I may have made one or two
18 phone calls, but no more than that.

19 MR. BARAN: Do you know whether you made one or two
20 phone calls?

21 THE WITNESS: No, I don't.

22

8304045171

1 BY MR. THOMAS:

2 Q You indicated that you did make some phone calls
3 and send some letters for the Gruening campaign. I am referring
4 now to your efforts for the primary. Did you ever report
5 back on the success of your efforts to anybody at the Gruening
6 campaign?

7 A No.

8 Q Did you ever receive any contributor collection
9 yourself?

10 A Yes.

11 Q What did you do with those checks?

12 A Sent them to the campaign.

13 Q How did you send them?

14 A My secretary took care of it. I don't know.

15 Q How many checks do you recall actually receiving
16 yourself?

17 A I don't remember.

18 Q More than 50? Less than 50?

19 A Less than 50.

20 Q More than 10? Less than 10?

21 A More than 10.

22 Q Do you know an individual named Dick Angell?

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1 A Yes.

2 Q What was Mr. Angell's position with the Gruening
3 campaign?

4 A He was finance chairman.

5 Q Did you ever have any communications with him
6 about your fund-raising efforts?

7 A Yes.

8 Q What kinds of communications did you have with
9 him?

10 A He called me on several occasions encouraging
11 me to exert greater effort.

12 Q Did you ever advise him as to the progress of
13 your efforts?

14 A I don't remember.

15 Q Did you ever to your knowledge have any of the
16 checks that you yourself received sent to Mr. Angell?

17 A I don't know. I had asked my secretary to take
18 care of it.

19 Q Did you ever discuss with Mr. Angell any suggestions
20 that he had as to what would be successful for you in helping
21 you gather contributions from individuals?

22 A No.

8304045173

1 Q You never discussed any strategy about what sorts
2 of solicitation materials to send to individuals or what
3 things to tell people on the telephone?

4 A I don't believe so.

5 Q Do you know an individual named Greg Carr?

6 A Yes.

7 Q What was his position with the Gruening campaign?

8 A He was fund-raising. I don't know whether he
9 had a position or not.

10 Q Did you ever have any conversations with him about
11 your fund-raising efforts?

12 A No.

13 Q Do you know if he was involved, himself, with
14 soliciting individuals to contribute to the Gruening campaign?

15 A Would you ask that question again?

16 Q Do you know if he was involved, himself, in soliciting
17 individuals to contribute to the Gruening campaign?

18 A I believe he was. I don't know what the word
19 "know" means here.

20 Q You indicated that he was a fund-raiser.

21 A Right.

22 Q How do you know that he was a fund-raiser?

8 3 0 4 0 4 5 1 7

1 A Well, that is why I pause. I don't know what the
2 word "know" means. I believe he was.

3 Q But you never had any conversations with him about
4 fund-raising for the Gruening campaign?

5 A Yes.

6 Q You did have such conversations?

7 A Yes.

8 Q What were those conversations about?

9 A Oh, he had asked me questions about fund-raising,
10 how I had done things in the past.

11 Q Did you provide him any information in that regard?

12 A Yes.

13 Q Do you recall any other individual who was a fund-
14 raiser for the Gruening campaign asking you for advice or
15 information as to how you had solicited contributions?

16 A No.

17 Q I asked you earlier if you used your own stationery
18 and postage to send those few materials that you did indicate
19 you did send in soliciting support. Did you at any point
20 bill the Gruening campaign for those costs that you had
21 incurred?

22 A No.

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1 Q Did you ever advise anyone at the Gruening campaign
2 that you had sent out any materials to any individuals?

3 A No.

4 Q Did anyone at the Gruening campaign ever request
5 that you send out any materials to solicitees?

6 A No.

7 Q You indicated that you did send out some position
8 papers from the Gruening campaign.

9 A Yes.

10 Q Are you suggesting no one at the Gruening campaign
11 ever suggested that you send those out?

12 A That is correct.

13 (Brief recess.)

14 BY MR. THOMAS:

15 Q I wanted to clarify some of your earlier testimony.
16 You indicated that it wasn't until approximately May that
17 you agreed to help raise funds for the Gruening campaign
18 becuase you were waiting for Mr. Rodey to make a decision
19 as to whether he would run; is that correct?

20 A Yes.

21 Q Yet you made a contribution to Mr. Gruening in
22 September of 1979.

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1 A Yes.

2 Q Can you explain why you were willing to give him
3 a contribution in support and yet not raise funds for him
4 earlier on?

5 A Well, at the time I was Democratic National
6 Committeeman and I kind of wanted to encourage it. I had
7 decided I was going to try and oppose Gravel because of
8 his what I considered anti-Semitic position, so I was ready
9 to support whoever I could that might unseat him in the
10 primary.

11 Q I also wanted to clarify, you indicated that you
12 made phone calls to individuals to solicit contributions
13 for the Gruening campaign. Were those phone call costs absorbed
14 by you?

15 A Yes.

16 Q At no point did you submit any billing to the
17 Gruening campaign?

18 A No.

19 Q Did anyone at the Gruening campaign know that
20 you were making phone calls to individuals?

21 A No.

22 Q When you agreed to raise funds for the Gruening

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1 campaign, did you not tell them what you were going to do,
2 that you were going to make phone calls?

3 A No, I didn't.

4 Q Did you ever host any fund-raisers for the Gruening
5 campaign?

6 A No.

7 Q Did you ever assist with any fund-raising events
8 in terms of providing space or any other services?

9 A No.

10 Q Did you ever assist with recruiting volunteers
11 to help with any fund-raisers?

12 A No.

13 Q Did you ever attend any fund-raisers of the Gruening
14 campaign?

15 A Just the one I mentioned earlier.

16 Q That is the only one?

17 A I believe so.

18 Q At that fund-raising event, did you ask anyone
19 in attendance to make a contribution to the campaign?

20 A No.

21 Q According to the reports filed by the Gruening
22 campaign to the Commission, the Alaskans for Gruening Committee

8 3 0 4 0 4 5 1 7 8

1 paid Alaska Advertisers over \$3,000 for the placement of
2 certain advertisements in October and November of 1979.

3 Were you aware at that time in October of 1979 that Alaska
4 Advertisers was providing any services to the Gruening campaign?

5 A I don't believe so.

6 Q Do you recall ever discussing with anyone working
7 with Alaska Advertisers any arrangement that they had to
8 provide services with the Gruening campaign?

9 A No.

10 MR. THOMAS: I want to have the reporter mark this
11 document as FEC Exhibit 1.

12 (The document referred to
13 was marked FEC Exhibit No. 1
14 for identification, a copy
of which is attached to the
court copy of this deposition.)

15 BY MR. THOMAS:

16 Q I am showing FEC Exhibit 1 to the witness and
17 counsel. Can you identify Exhibit 1?

18 A It is a memorandum from Alaska Advertisers, from
19 Judy Parsons, to me.

20 Q Have you ever seen Exhibit 1, the original of
21 Exhibit 1?

22 A I don't remember seeing it, no.

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1 Q Does this refresh your recollection in any way
2 as to whether you had any communications with anyone at
3 Alaska Advertisers about any services they provided to the
4 Alaskans for Gruening Campaign?

5 MR. SCHWEITZER: If you are going to refresh his
6 recollection -- you said conversations with anyone when
7 you asked the original question. Are you changing it to
8 communication?

9 MR. THOMAS: I didn't realize that I had used the broader
10 term before, but now if I had asked about conversations,
11 let's go to that first.

12 BY MR. THOMAS:

13 Q Did you have any conversations with or does this
14 refresh your recollection as to any conversations you had
15 with anyone working at Alaska Advertisers about any services
16 they provided to the Alaskans for Gruening Committee?

17 MR. SCHWEITZER: In October or --

18 MR. THOMAS: In October or November of 1979.

19 MR. SCHWEITZER: In other words, Mr. Gottstein, does
20 that piece of paper refresh your recollection?

21 THE WITNESS: No, it doesn't.
22

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1 BY MR. THOMAS:

2 Q You don't have any recollection of any such
3 conversations?

4 A No.

5 Q Do you know who Judy Parsons is?

6 A Yes.

7 Q Do you recall having any conversations with Judy
8 Parsons in 1979 at all?

9 A No, I do not.

10 Q Did you discuss any services that Alaska Advertisers
11 was providing to the Alaskans for Gruening Campaign with
12 anyone at the Alaskans for Gruening Campaign?

13 A No, not that I recall.

14 Q Do you recall ever referring the Alaskans for
15 Gruening Campaign to Alaska Advertisers for the provision
16 of any services?

17 A No.

18 Q We also have information that Alaskans for Gruening
19 paid Carr, Gottstein Computer Services for preparing computer
20 mailing labels in March of 1980. Were you aware at that
21 time in March of 1980 of any services that an entity called
22 Carr, Gottstein Computer Services was providing to the Gruening

8304045181

1 campaign?

2 A No. I am not even aware of an entity called Carr,
3 Gottstein Computer Services.

4 Q We went through that earlier. I am aware of that.
5 Are you aware of any services that the data information
6 department of J. B. Gottstein and Company provided to the
7 Gruening campaign around that time in March of 1980?

8 A No.

9 MR. SCHWEITZER: Are you done with that document, Scott?

10 MR. THOMAS: Yes.

11 BY MR. THOMAS:

12 Q Did you ever become aware after that time period
13 of March of 1980 of any computer services that the data
14 division or department of J. B. Gottstein and Company had
15 provided to the Alaskans for Gruening Committee?

16 A Yes.

17 Q When did you become aware of that?

18 A I believe it was when we did research in response
19 to the FEC interrogatories.

20 Q Not before, though? You were not aware of it
21 before then?

22 A I don't remember anything before that, no, not

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1 at this time.

2 Q Do you recall discussing at any time with
3 Mr. Stanek or anyone else working in the data division any
4 services that they were providing to the Gruening campaign?

5 MR. BARAN: You have asked that question before and
6 it has been answered.

7 MR. SCHWEITZER: Objection.

8 THE WITNESS: Can we step out a minute?

9 MR. BARAN: Sure.

10 MR. SCHWEITZER: Can we go off the record, Scott?

11 MR. THOMAS: Sure.

12 (Discussion off the record.)

13 MR. SCHWEITZER: Back on the record.

14 Scott, would you restate that question, please?

15 BY MR. THOMAS:

16 Q The question was, did you have any conversations
17 with Mr. Stanek or anyone else in the data division or depart-
18 ment of J. B. Gottstein and Company about any services that
19 they had provided to the Gruening campaign?

20 MR. SCHWEITZER: Your question is did you talk to Stanek
21 or anyone else in the data processing division of J. B.
22 Gottstein and Company.

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1 BY MR. THOMAS:

2 Q You said you did some research in response to
3 the Gravel complaint. Did you contact anyone in the data
4 division at that point about services that they had provided
5 to the Gruening campaign?

6 MR. SCHWEITZER: The question is, did he talk to anyone
7 at the time he did the research or did any research containing
8 the Gravel statement?

9 MR. THOMAS: The Gravel complaint.

10 MR. SCHWEITZER: The Gravel complaint.

11 MR. THOMAS: That was filed in August.

12 Maybe we should go back and clarify that.

13 BY MR. THOMAS:

14 Q You stated earlier that you did some research.

15 MR. SCHWEITZER: In response to the interrogatories,
16 in preparing answers to the interrogatories in this particular
17 case.

18 MR. THOMAS: The interrogatories or the earlier complaint
19 itself, or both?

20 MR. SCHWEITZER: Why don't you --

21 BY MR. THOMAS:

22 Q The complaint was filed in approximately early

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1 August of 1980. You were provided a copy of it shortly
2 thereafter. You through counsel supplied a written response
3 to the Commission on September 2nd of 1980. Did you do
4 any research within J. B. Gottstein and Company in connection
5 with that complaint?

6 A Yes.

7 Q Did you contact anyone working in the data services
8 division of J. B. Gottstein and Company at that time?

9 MR. SCHWEITZER: If you recall.

10 THE WITNESS: I contacted the controller that the data
11 processing division reported to and not the data processing
12 division itself.

13 BY MR. THOMAS:

14 Q As I indicated, the reports of the Gruening campaign
15 indicate that services payment was made to J. B. Gottstein
16 and Company, Incorporated, in March of 1980. I want to
17 clarify, are you stating that you had no involvement whatsoever
18 with making any such arrangements at that time?

19 A I don't recall any involvement.

20 Q We also have information that Alaskans for Gruening
21 paid Sandelson Survey for conducting polling field work
22 in March, April and July of 1980. Were you aware at the

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1 time that work was being performed that it was being done?

2 A Yes.

3 Q How did you know that?

4 A My daughter told me that she had been contacted.

5 Q Who did she say she was contacted by?

6 A Walter DeVries.

7 Q Did you discuss in any fashion with her what kinds
8 of services Sandelson Survey was providing?

9 A Yes.

10 Q What kinds of services were involved?

11 A She was to do the field work for a survey.

12 Q The survey itself was being conducted by Walter
13 DeVries; is that correct?

14 A That was my understanding.

15 Q For the Gruening campaign?

16 A Yes.

17 Q Did she ever provide you with any information
18 about the results of the survey work that she was doing?

19 A No.

20 Q Were you, yourself, in any way involved with the
21 referral of Sandelson Survey to Walter DeVries or to the
22 Gruening campaign?

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1 A No.

2 Q Or vice versa, referring the Gruening campaign
3 to Sandelson Survey?

4 A No.

5 Q Are you aware that your daughter Sandy Gottstein
6 provided at one point some consulting advice to the Gruening
7 campaign about telephone solicitation?

8 A No.

9 Q She never told you about any services that she
10 had provided to the Gruening campaign other than in connection
11 with Sandelson Survey work?

12 A No. At least I don't remember any.

13 Q Did you ever have any discussions with anyone
14 working at the Gruening campaign about campaign strategies?

15 MR. BARAN: Will you allow counsel to confer with the
16 client?

17 MR. THOMAS: Yes.

18 (Discussion off the record.)

19 MR. SCHWEITZER: Our problem is with the term "strategy,"
20 which is a broad term. Would you restate your question
21 and define what you mean by that?

22 MR. THOMAS: I am sure it will be more helpful if I

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1 am more specific.

2 BY MR. THOMAS:

3 Q Let me ask then, did you have any communications
4 with anyone working at the Gruening campaign about what
5 position to take on any of the campaign issues?

6 A No.

7 Q None whatsoever?

8 A No.

9 Q Did you ever talk with anyone working at the Gruening
10 campaign about Senator Gravel's record?

11 A Yes.

12 Q Who did you have those kinds of conversations
13 with, if you recall?

14 A I think I better go off the record again, please.

15 MR. SCHWEITZER: Can we go off the record, Scott?

16 MR. THOMAS: All right.

17 (Discussion off the record.)

18 MR. SCHWEITZER: Go ahead and answer the question.

19 BY MR. THOMAS:

20 Q Do you recall the question?

21 A Yes.

22 I talked to Mrs. Gruening and there may have been some

8304045188

1 others, but I don't remember who.

2 Q Do you recall when that conversation was?

3 A Yes.

4 Q When was that?

5 A It was -- well, I think it was about the 29th
6 or 30th of July.

7 Q What was the nature of that conversation?

8 MR. BARAN: Is the question what was discussed?

9 MR. THOMAS: Another way of stating it, yes.

10 MR. SCHWEITZER: What was your discussion with
11 Mrs. Gruening? What did you discuss?

12 THE WITNESS: I was standing with Mrs. Gruening and
13 two or three other people that I don't remember, and it
14 was a discussion of their television spots, and I simply
15 said that I thought there had to be a stronger anti-Gravel
16 thrust in the campaign, things of that kind.

17 BY MR. THOMAS:

18 Q Where was this discussion?

19 A It was at Rick Mystem's office.

20 Q Prior to that disclssion, toward the end of July,
21 do you recall any other discussions with anyone working
22 for the Gruening campaign about the record of Senator Gravel?

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1 A I don't remember any other.

2 Q Maybe it will help you if I be more specific and
3 name specific individuals. How about, first of all, Clark
4 Gruening himself? Do you ever recall discussing with him
5 Senator Gravel's record?

6 A No, I don't remember.

7 Q Any of those meetings that you recall that you
8 have referred to earlier where he asked you to be a fund-
9 raiser for him, you don't recall any of those instances
10 whether you talked about Gravel's record?

11 A No, I don't remember.

12 Q How about with John Hale? Did you have any dis-
13 cussions with him about Senator Gravel's record?

14 A Yes.

15 Q What conversations do you recall having with him?

16 A I bumped into him in a parking lot one day and
17 he just made some comments.

18 Q Do you recall when that was?

19 A No: but it was before he had gone to work in the
20 campaign.

21 Q He informed us he began as a campaign manager
22 on November 1, 1979. Are you stating your contact with

8304045190

1 him was before that?

2 A Yes; because it was at that meeting he told me
3 he was going to work for Clark.

4 Q In that discussion, did he ask you if you would
5 help in any way with the Gruening campaign?

6 A No.

7 Q Do you recall any other instances when you talked
8 with John Hale about Senator Gravel's record?

9 A I don't remember any others.

10 Q How about Dick Angell? Do you recall any con-
11 versations with him where you talked about Senator Gravel's
12 record?

13 A No, I don't remember any.

14 Q Greg Carr, do you recall any conversations with
15 him about Senator Gravel's record?

16 A Yes.

17 Q What conversations do you recall?

18 A I don't remember any specific conversation.

19 Q Do you recall more than one?

20 A Yes.

21 Q Do you recall where any of those conversations
22 took place?

8304045191

1 A No.

2 Q Do you recall the general discussion in any of
3 those conversations?

4 A Greg Carr is the son of my partner, and I have
5 probably seen him two or three times a week for the last
6 10 years and have probably talked about Senator Gravel 50
7 times in that period over the last 10 years.

8 Q How about during that period when Clark Gruening's
9 campaign committee got going, from that period on, which
10 is approximately November 1st, on through the primary,
11 approximately how many conversations do you recall having
12 with Greg Carr about Senator Gravel's record?

13 A I have no idea.

14 Q Did you state in any of those conversations that
15 you disapproved of Senator Gravel's record?

16 A Yes.

17 Q Did Greg Carr state the same thing in any of those
18 conversations?

19 A Yes.

20 Q Did you ever discuss any plans or ideas about
21 making any expenditures to publicize your opposition to
22 Senator Gravel's record?

8304045172

1 A I don't believe so. I don't remember any.

2 Q I started out by asking you if you had any dis-
3 cussions with anyone working with Gruening campaign about
4 any position that should be taken on any of the campaign
5 issues. How about discussions about what kinds of fund-
6 raising events to schedule? Did you ever have any discussions
7 with anyone working with the campaign committee about that?

8 A I don't remember any.

9 Q You have referred in your March 16th, 1981 response
10 to our interrogatories that you attended a meeting at Mystrom
11 Advertising. You referred to it again in your testimony
12 today.

13 You stated in your interrogatory that in attendance
14 were Clark Gruening, Melinda Gruening, John Hale, Rick Mystrom,
15 Larry Holstrom, plus one or more Alaskans for Gruening staff
16 persons. Do you recall who those other staff persons were
17 in attendance?

18 A I think Dick Angell was there, although he was
19 not -- I don't know whether you would call him a staff person.

20 Q Was Greg Carr there?

21 A Yes.

22 Q Do you recall who invited you to that meeting?

8304045193

1 A Yes.

2 Q Who did invite you?

3 A John Hale.

4 Q Why did he invite you?

5 A Oh, to see and kind of preview the television
6 spots they were about to run in order to encourage me to
7 go out and raise more money.

8 Q Once again, you stated that to your recollection
9 that meeting took place in the very last days of July?

10 A Yes.

11 Q Were you invited there to give your views on the
12 adequacy or inadequacy of those proposed television ads?

13 A No.

14 Q Did anyone ask you for your views?

15 A No.

16 Q Did you state your views?

17 A Yes.

18 Q What did you say about the ads that you saw?

19 A I don't remember the specifics of what I said,
20 but in essence I said that they were inadequate and Gravel
21 was a tough campaigner and he would have a good, strong
22 campaign at the end and that they weren't going to win the

8304045194

1 raice with that campaign.

2 Q Did you say that the ads weren't sufficiently
3 critical of Senator Gravel?

4 A Yes.

5 Q Did anyone else in attendance respond to your
6 statement?

7 A Yes.

8 Q Who responded?

9 A Melinda, Mrs. Gruening.

10 Q What was her response?

11 A She was highly indignant.

12 Q Did she say why she was opposed?

13 A She just believed that it was not right to run
14 campaigning, as it were, raising an opponent's record in
15 a negative campaign. She felt a campaign should be all
16 positive.

17 Q Did anyone else in attendance make any statements
18 in response to your statement?

19 A I don't remember any.

20 Q Do you recall any statements that Clark Gruening
21 made at this meeting?

22 A Yes. He told me about where he had been in the

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1 last week or two traveling around the state and what great
2 reception he had.

3 Q Did he make any reference at all to the television
4 ad that had been viewed?

5 A I don't remember any.

6 Q How about John Hale, did he make any statements
7 at this meeting about the television ad?

8 A I don't remember.

9 Q How about Rick Mystrom, did he make any statement?

10 MR. SCHWEITZER: About the television ad?

11 MR. THOMAS: About the television ad.

12 MR. BARAN: Are we still talking about content being
13 negative?

14 MR. THOMAS: I am just asking if he made any statement
15 about the television ad that they had viewed.

16 THE WITNESS: I don't remember any comments.

17 BY MR. THOMAS:

18 Q How about Larry Holstrom?

19 A Yes.

20 Q What statement did he make?

21 A I don't remember what he said.

22 Q Wasn't he the one who had essentially set up this

8304045196

1 television ad?

2 A He was the producer, yes.

3 Q Did he make any prefatory comments at the beginning
4 about how he had put the ad together?

5 A He made some preparatory comments. I don't remember
6 what they were.

7 Q How about Dick Angell, did he make any comment
8 about the television ad?

9 A I don't remember any.

10 Q What about Greg Carr?

11 A I don't remember any comments that he made.

12 Q Is Melinda Gruening the only one you can remember
13 ever making any response at all about the television ad?

14 A Yes.

15 Q Is she the only one you recall ever disagreeing
16 with your assessment that the ads were inadequate and that
17 they didn't address Senator Gravel's record?

18 A I believe so. Would you restate the question
19 again?

20 Q Was she the only one you recall making any statement
21 disagreeing with your assessment that the ads were inadequate?

22 MR. SCHWEITZER: At this meeting?

8304045197

1 MR. THOMAS: At this meeting.

2 THE WITNESS: I guess my answer is that she is the
3 only one I remember making such a statement.

4 BY MR. THOMAS:

5 Q After she said she disagreed with your assessment,
6 did you respond in any way to her?

7 A No.

8 Q Did you make any other comments at all at this
9 meeting?

10 A No.

11 Q Did you suggest in any way that you would plan
12 and pay for any ads yourself dealing with Senator Gravel's
13 record?

14 A No.

15 Q Did anyone at the meeting tell you that if you
16 wanted to make some ads, you could go ahead and do that
17 yourself?

18 A No.

19 Q No one suggested that at all?

20 A No.

21 Q No one requested you to do that?

22 A No.

8304045178

1 Q How long were you at this meeting?

2 A I don't remember. I don't remember how long.
3 Maybe on the order of an hour, I would judge.

4 Q Were you the only one at that meeting that made
5 any statement to the effect that the ads were deficient
6 in bringing out Senator Gravel's record?

7 A I believe so.

8 Q You don't recall anyone else agreeing with you?

9 A Right.

10 Q After that meeting, did you have any further dis-
11 cussions with anyone about the television ad that you had
12 viewed?

13 A Did I -- would you say that again?

14 Q After that meeting, did you have any discussions
15 with anyone about the ad that you had viewed?

16 A Yes.

17 Q Who did you have a discussion with?

18 A Joe Rothstein, R-o-t-h-s-t-e-i-n.

19 Q When was that discussion?

20 A Oh, it was either the same or the next day.

21 Q Prior to discussing that ad that you had seen
22 with Mr. Rothstein, did you discuss it with anyone else,

8304045199

1 anyone who was working with the Gruening campaign?

2 A No.

3 Q You didn't follow up with any discussion with
4 John Hale or Larry Holstrom or Clark Gruening or Melinda
5 Gruening?

6 A No.

7 Q Prior to that meeting that you attended where
8 you viewed that television ad, do you recall any other occasion
9 when you were shown any proposed television ads of the Gruening
10 campaign?

11 A No.

12 Q That was the only time?

13 A Yes.

14 Q How about any prior occasions when you were shown
15 any proposed brochures or solicitation letters of the Gruening
16 campaign? Do you recall any such?

17 A No, I don't recall any.

18 Q Do you recall ever being allowed to hear any proposed
19 radio ads of the Gruening campaign?

20 A Yes.

21 Q When was that?

22 A The same meeting.

8304045200

1 Q There were some radio ads aired as well, proposed
2 radio ads?

3 A I believe so.

4 Q Did you have any reaction to those radio ads?

5 A I don't remember any.

6 Q Do you recall anybody else's statements with regard
7 to the radio ads?

8 A No.

9 Q At that meeting, you say you were invited because
10 of your potential financial backing; is that correct?

11 A Yes.

12 Q Did anyone at the meeting ask you if you were
13 going to back production of that particular television
14 ad or the radio ads that you had heard?

15 A No.

16 Q No one asked you?

17 MR. SCHWEITZER: He answered the question. He said
18 no.

19 BY MR. THOMAS:

20 Q Did you make any statement at all to the effect
21 of whether you would or would not support financially the
22 production of such ads?

8304045201

1 A No.

2 Q Was it apparent from your statement that you wouldn't
3 support those --

4 MR. SCHWEITZER: Objection.

5 BY MR. THOMAS:

6 Q -- those ads?

7 MR. SCHWEITZER: Objection. How is he going to know
8 that?

9 BY MR. THOMAS:

10 Q In making your statement, had you intended to
11 convey your position that you wouldn't fund any such ads?

12 A The question doesn't make any sense because I
13 had already made a thousand dollar contribution.

14 Q In terms of helping raise moneys from other
15 individuals. Had you intended your statement to convey
16 to them that you weren't going to provide any such assistance
17 in connection with producing that series of ads?

18 A I was simply giving my reaction, my opinion, stating
19 my opinion.

20 Q After that meeting did you ever get any inquiry
21 from anyone working on the campaign as to whether you would
22 help produce any television ads or radio ads?

8304045202

1 A No.

2 Q Was that meeting at Mystrom's Advertising the
3 last contact you had with anyone working for the Gruening
4 campaign through the end of the primary?

5 A No.

6 Q Was it the last contact you had up to the time
7 that the ads for Friends of Alaska began appearing?

8 A Yes.

9 Q Did you cease soliciting contributions from your
10 acquaintances on behalf of the Gruening campaign after that
11 meeting?

12 A Yes.

13 Q You made no further telephone calls whatsoever
14 to individuals asking them to send contributions?

15 A That is correct.

16 Q Did you after that meeting and up to the time
17 the primary ended ever receive any more contribution checks
18 from individuals which you had turned over to the Gruening
19 campaign?

20 A I don't believe so, but I don't remember. I don't
21 remember.

22 Q I have had John Levin pull all the names of the

8304045203

1 reported contributors for certain dates as reported by the
2 Gruening campaign. I want to read these names to you and
3 their addresses and I want to ask you if you recall having
4 solicited that particular individual.

5 A Okay.

6 Q For instance, the first date is August 4th, 1980,
7 all of the contributors who reported on that date.

8 MR. SCHWEITZER: Excuse me. So that the date that
9 you are referring to is the date that that was reported
10 by the Gruening campaign?

11 MR. THOMAS: That is correct.

12 MR. SCHWEITZER: That the contribution was received,
13 correct?

14 MR. THOMAS: That is correct.

15 MR. BARAN: Let me have some clarification. The date
16 when it was reported or the date on which the Gruening campaign
17 reported as having received?

18 MR. THOMAS: It is the date of receipt as it appeared
19 in the Gruening campaign reports. It is not the date of
20 the reports.

21 BY MR. THOMAS:

22 Q For the date of August 4, 1980, the committee

8304045201

1 reported receipts from Theodore Swick, Montclair, New Jersey;
2 Kerry and Judy Romesburg from Juneau, Alaska --

3 MR. SCHWEITZER: Objection. Are you going to ask a
4 question about each one?

5 MR. THOMAS: I think it would go quicker if I read
6 the list of names. For this date, for example, there will
7 be six.

8 MR. BARAN: We would ask you to read one name at a
9 time and seek a response from the deponent.

10 MR. THOMAS: That is fine.

11 BY MR. THOMAS:

12 Q Theodore Swick, Montclair, New Jersey. Did you
13 solicit a contribution from him?

14 A No.

15 Q Kerry and Judy Romesburg from Juneau?

16 A No.

17 Q From Michael and Jane Kraus, Fairbanks, Alaska?

18 A No.

19 Q For a subsequent week, on the date of August 11th,
20 the name Sally Jones is reported from Anchorage. Did you
21 solicit Sally Jones?

22 A No.

8 3 0 4 0 4 5 2 0 5

1 Q Stu Gustafson of Chugiak, Alaska?

2 A No.

3 Q On August 12, 1980, Gary Bliss from Anchorage?

4 A No.

5 Q Robert Belfer from New York, New York?

6 A No.

7 Q Burton Chardacoff from Highland Park, Illinois?

8 A No.

9 Q Carolyn Gay from Anchorage?

10 A No.

11 Q Do you know who Carolyn Gay is?

12 A Pardon me. I didn't understand.

13 MR. BARAN: I understood the question to be Carolyn

14 "Yay." Would you please repeat the question?

15 THE WITNESS: That is what I heard, too.

16 BY MR. THOMAS:

17 Q The name was Carolyn Gay, G-a-y.

18 A Right. Did I solicit her? I don't remember.

19 Q Do you recall ever receiving any contribution
20 check from her which you turned over to the Gruening campaign?

21 A No, I do not remember doing so.

22 Q How about a Jerome and Arlene Harris from Chicago,

8 3 0 4 0 4 5 2 0 6

1 Illinois? Did you solicit their contribution?

2 A No.

3 Q Catherine Jensen from Anchorage?

4 A No.

5 Q Frederick Ledbetter from Anchorage?

6 A No.

7 Q John Lindover from Anchorage?

8 A No.

9 Q Louisa Mae and John Salemi from Anchorage?

10 A No.

11 Q Don D. Montgomery, Jr., from Dallas, Texas?

12 A No.

13 Q Patricia Petrivelli from Anchorage?

14 A No.

15 Q LaVern Reed from Anchorage?

16 A No.

17 Q Maurice Rosenblatt from Washington, D. C.?

18 A No.

19 Q Mathew Wanamaker from Anchorage?

20 A No.

21 Q David Zimmerman from Anchorage?

22 A No.

8 3 0 4 0 4 5 2 0 7

1 Q Grady Saunders from Juneau?

2 A No.

3 Q Eugene and Marlene Shapira from Highland Park,
4 Illinois?

5 A No.

6 Q Irving and Emma Shepard from Chicago?

7 A No.

8 Q For the date of August 19th, did you solicit Harold
9 Goldstein of Houston, Texas?

10 A No.

11 Q Douglas Pope from Anchorage?

12 A No.

13 Q A. B. Polinsky from San Diego?

14 A No.

15 Q Is the name familiar to you?

16 A No. I thought at first it was, but it is not.

17 Q Francine --

18 A The name is familiar --

19 MR. SCHWEITZER: You answered the question.

20 BY MR. THOMAS:

21 Q Did you at any time solicit an A. B. Polinsky
22 for a contribution?

8304045208

1 A The Rabbi in Anchorage is Polinsky. He does not
2 make a contribution. But that is why I recognized the name.

3 Q Francine Loeb from Bellevue, Washington. Did
4 you solicit a contribution from her?

5 A That may be the wife of a Dick Loeb that I solicited.
6 I don't know.

7 Q When did you solicit Dick Loeb for a contribution?

8 A Oh, probably in May or June. Probably in June.

9 Q You did not solicit him after July 30th?

10 A No.

11 Q Samuel Stroum from Seattle. Did you solicit him?

12 A No.

13 MR. SCHWEITZER: Let me clarify something here, Scott.
14 Mr. Gottstein has said that he didn't solicit anybody on
15 behalf of the Alaskans for Gruening Campaign subsequent
16 to the end of July 1980. If you are going through there
17 and attempting to show or ask him that he solicited one
18 of that group after that date, if that is your purpose,
19 I think we are wasting our time because he has already answered
20 that. That is covered by his blanket answer. If you are
21 trying to find out whether he solicited those people prior
22 to that time, I don't see how that is relevant necessarily

8 3 0 4 0 4 5 2 0 9

1 because he said he has solicited people prior to that. I
2 don't really understand the whole thrust of going through
3 this long list of names.

4 MR. THOMAS: Many times today Mr. Gottstein has indicated
5 that he doesn't recall. I think the question I asked initially
6 covers a large period of time, and this is an effort to
7 try to follow up and make absolutely certain that his answer
8 is correct, and it is an attempt to give him specific things
9 that might refresh his recollection. It can verify as well
10 as indicate that perhaps his broad answer was not totally
11 accurate.

12 MR. SCHWEITZER: If you are stating on the record
13 that he has many times not recalled something and he had
14 his recollection refreshed and recalled it, I disagree with
15 you. I can't think of one time where that has occurred.
16 I think his recollection has been very precise.

17 MR. THOMAS: No. I wasn't referring to instances where
18 he had thereafter been necessarily refreshed. But I am
19 stating in a general manner there have been several instances
20 where his recollection has been not clear.

21 MR. SCHWEITZER: You are stating he said at times "I
22 don't remember" or "I don't recall." He said that many

8304045210

1 times, I agree with you. But his recollection has not been
2 refreshed but once. I think he has answered every question
3 to the best of his ability and in a very precise way. I
4 think the record will reflect that.

5 MR. THOMAS: That is fine. I just want to follow up
6 on this because it helps to verify.

7 BY MR. THOMAS:

8 Q Daniel and Ann Swift from Fairbanks. Did you
9 solicit a contribution from them?

10 A No.

11 Q Elizabeth Smith Taylor from Fairbanks?

12 A No.

13 Q Thomas and Irene Wickwire from Fairbanks?

14 A No.

15 Q Alex Shulman from Seattle?

16 A No.

17 Q R. Alan Rudy from Houston?

18 A Yes. Yes, I had called Alan Rudy --

19 MR. SCHWEITZER: You answered the question. He asked
20 did you solicit him.

21 THE WITNESS: Yes.
22

8 3 0 4 0 4 5 2 1 1

1 BY MR. THOMAS:

2 Q When did you solicit him?

3 A Late May or early June.

4 Q It was not after July 30th?

5 A No.

6 Q How about an individual named Bob Evans from Homer,
7 Alaska?

8 A No.

9 Q All right. The last date I will ask you about
10 is contributions reported on August 26, 1980. An individual
11 named Ronald Miller from Juneau. Did you solicit from him?

12 A No.

13 Q Neil McDonald from Anchorage?

14 A No.

15 Q G. Thomas and Susan Koester from Juneau?

16 A No.

17 Q Scott Heyworth from Anchorage?

18 A No.

19 Q Ronald Dagon from Anchorage?

20 A No.

21 Q Lowell Thomas, Jr., from Anchorage?

22 A No.

8304045212

1 Q Thomas and Diane Johnson from Golden, Colorado?

2 A No.

3 Q Thomas Marinkovich from Littleton, Colorado?

4 A No.

5 Q Nick Kompkoff from Anchorage?

6 A No.

7 Q Samuel Plaia from New York?

8 A No.

9 Q Walter Schoenfield from Seattle?

10 A No.

11 Q Clark Gruening, when we deposed him, informed
12 us that you had given him the names of Barbara and Larry
13 Weinberg to contact. I believe you referred earlier to
14 Barbara Weinberg in your testimony today. Is his statement
15 correct, that you did give him those names to contact?

16 A Yes.

17 Q Do you recall when that was?

18 A No. No, I don't.

19 Q He said that he then went to Los Angeles to meet
20 with them and other persons --

21 MR. SCHWEITZER: If you are going to be stating what
22 he stated on the record, I would like to see a copy of his

8 3 0 4 0 4 5 2 1 3

1 deposition to make certain what you are saying is correct.
2 May we have a copy of that, please?

3 MR. THOMAS: I can't give you a copy of the deposition.
4 This is simply a paraphrase of what he said.

5 MR. SCHWEITZER: I don't care. How do I know that
6 is correct? I would like a copy of the deposition. If you
7 are going to be stating to us what Mr. Gruening said on
8 the record and then asking Mr. Gottstein to tell us if that
9 is correct, I want to see a copy of the deposition to see
10 if that is accurate.

11 MR. THOMAS: You can tell him to refuse to answer if
12 you want. You can state that you don't think that I am
13 telling you the truth if you want and tell him you don't
14 want him to answer the question. But this is just an
15 investigatory deposition and I don't believe that I have
16 to give you a copy of the deposition.

17 MR. SCHWEITZER: You are referring to statements made
18 in a deposition. I don't mind you, Scott, asking questions
19 of Mr. Gottstein in order to elicit factual evidence. But
20 if you are asking him to confirm statements, and you are
21 referring to a specific time when those statements are made,
22 I would like to see a copy of the statement if it is under

8304045214

1 oath so I can make certain what you are asking him is accurate.

2 MR. THOMAS: Well, I assure you it is accurate.

3 MR. SCHWEITZER: That doesn't help me.

4 BY MR. THOMAS:

5 Q I ask you the same question without referring
6 to a statement of Mr. Gruening. To your knowledge, did
7 Mr. Gruening go to Los Angeles to meet with Barbara and
8 Larry Weinberg?

9 MR. SCHWEITZER: Do you know if he went to Los Angeles
10 to meet with Barbara and Larry Weinberg?

11 THE WITNESS: No. I don't know if he did or not.

12 BY MR. THOMAS:

13 Q Did you, yourself, ever go to Los Angeles to meet
14 with them?

15 A No.

16 Q What were the steps then that you took to plan
17 for the ads about Senator Gravel's record?

18 MR. SCHWEITZER: Wait a second. Which ads are you
19 talking about? The ones prepared by the Alaskans for Gruening?

20 MR. THOMAS: No. These are ads of what came to be
21 known as Friends of Alaska, and we made an earlier reference
22 to that.

8304045213

1 BY MR. THOMAS:

2 Q What steps did you take to --

3 MR. SCHWEITZER: I don't think it has been established
4 in this deposition that any ads were prepared by Friends
5 of Alaska. Why don't you ask him that, whether or not that
6 was done? We can get the record to be correct.

7 BY MR. THOMAS:

8 Q Were any ads prepared by Friends of Alaska?

9 A Yes.

10 Q Are those the ads that we referred to earlier
11 Strike that question.

12 MR. BARAN: I don't know what you are referring to.

13 BY MR. THOMAS:

14 Q What steps did you take to plan and produce the
15 ads for Friends of Alaska?

16 A I talked to Joe Rothstein about preparing the
17 ads.

18 Q What was the nature of that discussion?

19 A Well, when I got through with the meeting at Rick
20 Mystrom's office, I called him and told him what I thought
21 of the situation or the ads that I had seen. He actually
22 suggested we form an independent committee and run our own

8304045216

1 ads.

2 MR. BARAN: You have answered the question.

3 BY MR. THOMAS:

4 Q When you say he made the suggestion, you are referring
5 to Mr. Rothstein?

6 A Yes.

7 Q What happened then?

8 A He explained a little bit about an independent
9 committee and how it should operate, and I talked to Carolyn
10 Gay about forming a committee.

11 Q Was this after you had talked with Mr. Rothstein?

12 A Yes. I called Steve Oien at Alaska Advertisers
13 and told him to book some radio time.

14 Q When was that?

15 A I don't remember what day.

16 Q How long after your conversation with Mr. Rothstein?

17 A I don't remember. Maybe -- I don't know. It would
18 be four days, five days, something like that.

19 Q Is there anyone else that you contacted about
20 planning these ads?

21 A Yes. I talked to Steve Silver.

22 Q Who is Steve Silver?

8304045217

1 A He is an attorney in Juneau.

2 Q Were you contacting him to get legal advice?

3 A No.

4 Q Were you contacting him to ask if he would help
5 support this effort?

6 A Yes.

7 Q What was his response?

8 A He offered to contact some people.

9 Q To contact them for what reason?

10 A To work on the independent campaign.

11 Q Who did he contact?

12 A He contacted Tom Kelly.

13 Q Did he contact anybody else that you are aware
14 of?

15 A He said he was going to. I don't know whether
16 he did.

17 Q Who did he say he was going to contact?

18 A Cliff Groh.

19 Q Who is Cliff Groh?

20 A He is a Republican National Committeeman.

21 Q Do you recall anyone else that he said he was
22 going to contact?

8 3 0 4 0 4 5 2 1 8

1 A No, I don't remember.

2 Q To your knowledge, had Mr. Silver ever done any
3 work for the Alaskans for Gruening campaign?

4 A No, he had not.

5 Q Did you ask him that specifically?

6 A No.

7 Q Did you know that?

8 A Yes.

9 Q How did you know that?

10 A He was on Senator Stevens' staff.

11 Q You referred to Carolyn Gay. What was her role,
12 if any, in connection with forming the Friends of Alaska
13 Committee?

14 A She solicited Norma Thompson and Richard Green.

15 Q When you say solicited, do you mean for a
16 contribution?

17 A No; just for an involvement, to help.

18 Q What role then did Norma Thompson have?

19 A Norma kept the records, whatever that title was.

20 Q Did Carolyn Gay have any role in the keeping of
21 the records?

22 A I don't believe so.

8304045219

1 Q What role did Dick Green have?

2 A Dick Green was treasurer.

3 Q What was he supposed to do as treasurer?

4 A He worked with Norma on the receipts and signed
5 the checks.

6 Q Who solicited contributions for the committee?

7 A I did mostly.

8 Q Did anyone else, to your knowledge?

9 A Yes.

10 Q Who did?

11 A Carolyn Gay did.

12 Q Anyone else?

13 A Gill Surano.

14 Q Who is Gill Surano?

15 A He is the president of The Land Company.

16 Q Had Gill Surano to your knowledge ever done any
17 volunteer work for the Alaskans for Gruening campaign?

18 A No, he hadn't.

19 Q Had he ever solicited any contributions to your
20 knowledge for them?

21 A No.

22 Q Did you ask him to solicit contributions for the

8304045210

1 Friends of Alaska effort?

2 A Yes.

3 Q You indicated that you contacted Joe Rothstein.
4 What sort of services were you asking him to provide?

5 A To produce the campaign. Again, I think you have
6 put words in my mouth.

7 Q Clarify then, please, because I don't want to
8 do that.

9 A When I called him initially, I was simply reporting
10 what had happened. I didn't call him initially with the
11 idea of starting this campaign. It came up at his suggestion
12 during the conversation. So I had never even heard of such
13 an idea when I called him.

14 Q At any point did you give him the go-ahead to
15 go ahead and carry out any such efforts?

16 A At some point, yes.

17 Q It wasn't in that initial conversation?

18 A I don't believe so.

19 Q Were you the person who was in charge of making
20 the decisions as to what Friends of Alaska would or would
21 not do?

22 MR. BARAN: I object. We ask that counsel be permitted

8304045221

1 to confer with Mr. Gottstein off the record.

2 MR. THOMAS: Okay.

3 (Discussion off the record.)

4 (The pending question was read by the reporter.)

5 THE WITNESS: I would say that the group or other people,
6 we collectively made decisions, depending on who was there.

7 BY MR. THOMAS:

8 Q Let's try and define what you mean by the group.
9 What individuals would you include within that group?

10 A Tom Kelly.

11 Q What role did he have?

12 A I don't know whether his title was chairman or
13 president or what.

14 Q Of the committee?

15 A Of the committee.

16 Q What other individuals were involved in that group?

17 A Norma Thompson, Carolyn Gay, and Dick Green when
18 he was in town.

19 Q Mr. Silver didn't have any role in the decision-
20 making?

21 A No.

22 Q Were there any occasions when all of those individuals

8 3 0 4 0 4 5 2 2 2

1 you just named -- I believe yourself, Carolyn Gay, Dick
2 Green, Norma Thompson, and Tom Kelly -- the five of you
3 actually had a meeting together?

4 A Not with Tom Kelly.

5 Q Let me go through each one of those persons.
6 Can you tell me, for example, why was Tom Kelly selected
7 or recruited to help?

8 A I would say he represented a Republican constituency
9 that was interested in getting rid of Senator Gravel.

10 Q How about Norma Thompson? Why was she recruited
11 to help?

12 A She was simply a friend of Carolyn Gay's and Carolyn
13 knew that she was rapidly anti-Gravel.

14 Q How about Dick Green? Why was he recruited to
15 help?

16 A Dick because he was anti-Gravel, because Carolyn
17 talked to him and he voiced strong feelings about defeating
18 Senator Gravel and apparently offered to help.

19 Q Had any of those individuals -- Tom Kelly, Norma
20 Thompson, Dick Green, or Carolyn Gay -- ever done any volunteer
21 work for the Gruening campaign?

22 A Yes.

8 3 0 4 0 4 5 2 2 3

1 Q Who had?

2 A Norma Thompson.

3 Q What was the nature of the work she had done?

4 A I think she was just licking envelopes or something
5 like that.

6 Q How do you know that?

7 A Well, because it came up at some point.

8 Q She told you that?

9 A I don't know who told me that.

10 Q Do you know when she worked for the Gruening campaign?

11 A No.

12 Q Do you know when she ceased working for the Gruening
13 campaign?

14 MR. BARAN: I object to the word "work" if you mean
15 in a paying capacity. Has it been established -- I just
16 ask for a little clarification of what you mean by "work."

17 BY MR. THOMAS:

18 Q Do you know if she was a paid staff person?

19 A No. She was a volunteer and maybe put in five
20 or ten hours in the campaign.

21 Q Do you know when she ceased doing that kind of
22 work for the committee?

8 3 0 4 0 4 5 2 2 4

1 A Before this committee was formed. I know she didn't
2 work after the committee was formed. That is all I know.

3 Q Who contacted Norma Thompson did you say?

4 A Carolyn Gay.

5 Q Do you know if at the time Carolyn Gay contacted
6 Norma Thompson she was still working for the Gruening campaign?

7 A No. No, I do not know.

8 Q Did Carolyn Gay ever tell you whether Norma Thompson
9 was at that time working for the Gruening campaign?

10 A Did she tell me whether she --

11 Q You indicated that Carolyn Gay contacted Norma
12 Thompson.

13 A Yes.

14 Q You said you, yourself, don't know if Norma Thompson
15 was at that time working for the Gruening campaign. Now
16 I am asking you aside from what you may know, did Carolyn
17 Gay tell you --

18 A No.

19 Q -- that Norma Thompson was at that time working
20 for the Gruening campaign?

21 A No.

22 Q I know that is long and convoluted, but --

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1 MR. SCHWEITZER: The answer is no.

2 BY MR. THOMAS:

3 Q Did Norma Thompson ever tell you that herself,
4 that at the time Carolyn Gay contacted her she was working
5 for the Gruening campaign?

6 A No.

7 Q Do you recall Norma ever telling you that at some
8 point she contacted the Gruening campaign and advised them
9 that she couldn't come in and work for them anymore?

10 A Would you restate the question?

11 Q Did Norma Thompson ever tell you that at some
12 point she contacted the Gruening campaign and told them
13 she couldn't come in or work for them anymore?

14 A No, she did not tell me that.

15 MR. BARAN: Why don't you wait for him to finish his
16 question.

17 BY MR. THOMAS:

18 Q Did Carolyn Gay ever tell you that Norma had told
19 her that she had contacted the Gruening campaign and told
20 them she couldn't work for them anymore?

21 MR. SCHWEITZER: It is about triple hearsay.

22 THE WITNESS: I don't remember any such statement.

8304045226

1 BY MR. THOMAS:

2 Q Do you recall yourself or anyone else working
3 for Friends of Alaska having any conversations with Norma
4 wherein you suggested to her that she not have any contacts
5 with the Gruening campaign?

6 A Restate it again.

7 Q Did you or anyone else working for the Friends
8 of Alaska Committee ever have any conversations with Norma
9 where it was suggested to her that she cease having any
10 contact whatsoever with the Gruening campaign?

11 A I can only answer for myself, I think, that I
12 didn't. But I don't know if anybody else did.

13 Q Going back a little bit, you said you contacted
14 Joe Rothstein shortly after you had viewed the television
15 ads proposed to be aired by the Gruening campaign. Why
16 did you call Joe Rothstein?

17 A He is an old friend of mine in the political
18 consulting business.

19 Q What is his firm's name?

20 A Rothstein and Buckley.

21 Q Where is it located?

22 A Here in Washington.

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1 Q Had they to your knowledge ever done any work
2 for the Alaskans for Gruening Committee or Gruening campaign?

3 A No.

4 Q Did you ask them if they had?

5 A No.

6 Q Had you ever had any discussions with him prior
7 to that contact you referred to about the activities of
8 the Gruening campaign?

9 A I don't remember.

10 Q Had you ever solicited him for a contribution
11 to the Gruening campaign?

12 A No.

13 Q Had you met with him at all from the fall of 1979
14 up to the time that you had this first contact with him
15 which you referred to earlier?

16 A I believe so.

17 Q Where did you meet with him?

18 A In Washington.

19 Q Do you recall when that was?

20 A No.

21 Q You don't recall the fall of '79 versus the spring
22 of 1980 versus two days before this conversation you have

8 3 0 4 0 4 5 2 2 8

1 already related?

2 A No. Maybe both. I don't remember.

3 Q Did you have more than one meeting with him?

4 A Maybe. He is a friend of mine. I see him every
5 time I come to Washington. We have been friends for 20
6 years.

7 Q In none of those instances you recall meeting
8 with him prior to this meeting you have described do you
9 recall any discussion of the Gruening campaign at all?

10 A I don't recall any.

11 Q What ultimately did Joe Rothstein's firm do? Did
12 they actually compose some ads? What did they do?

13 A They produced some radio spots.

14 Q Is that all they did?

15 A Yes.

16 Q Did they send those to you?

17 A No.

18 Q Who did they send them to?

19 A Alaska Advertisers.

20 Q How did they get the information that was used
21 in those radio spots?

22 A Joe was originally from Alaska. He was a newspaper

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1 editor up there, very familiar with Alaska. He had run
2 Pat Rodey's campaign two years before. So from his background,
3 and then I had some conversations with him.

4 Q What information was actually contained in these
5 radio spots?

6 A Basically just -- one spot referred to a newspaper
7 article on his ski lodge in Aspen, Colorado.

8 Q "His" being Senator Gravel?

9 A Senator Gravel's. I don't remember what the rest
10 of them were.

11 Q To your knowledge, did any of the information
12 that was contained in the ads ever come from the Gruening
13 campaign itself?

14 A No, it did not.

15 Q You know it did not?

16 MR. SCHWEITZER: You said "to your knowledge."

17 THE WITNESS: It was public knowledge.

18 BY MR. THOMAS:

19 Q Did Joe Rothstein ever tell you whether he had
20 contacted the Gruening campaign to get any information from
21 them?

22 A Did he tell me? No.

8304045230

1 Q Did you ever have any discussions with Joe Rothstein
2 about the need to avoid any contact with the Gruening campaign?

3 A Yes.

4 Q When was that conversation?

5 A Just as soon as my counsel advised us not to --

6 MR. BARAN: Did you confer with counsel? I didn't
7 understand what you said.

8 THE WITNESS: No. I said as soon as my counsel had
9 advised us not to have any contact with the Gruening campaign.

10 BY MR. THOMAS:

11 Q Did you seek legal counsel after your initial
12 contact with Mr. Rothstein?

13 A No.

14 Q Had you sought and obtained legal counsel prior
15 to that contact?

16 A No.

17 Q Did you ever seek and obtain legal counsel with
18 regard to the production of these Friends of Alaska advertise-
19 ments?

20 MR. SCHWEITZER: Let's go off the record for a second,
21 if we could.

22 MR. THOMAS: Sure.

8 3 0 4 0 4 5 2 3 1

1 (Discussion off the record.)

2 BY MR. THOMAS:

3 Q I had previously asked you if you obtained counsel
4 in connection with these Friends of Alaska plans of yours.
5 Maybe we should just clarify on the record now what your
6 response is to that question first.

7 MR. SCHWEITZER: Did you seek counsel in connection
8 with Friends of Alaska?

9 THE WITNESS: Friends of Alaska what, the spots or
10 the complaint?

11 MR. BARAN: Is the question did Mr. Gottstein seek
12 counsel with respect to any of the activities of Friends
13 of Alaska at any time? Can we start with that question?

14 MR. THOMAS: No. My focus was on in planning these
15 Friends of Alaska activities, did you at any point seek
16 and obtain counsel?

17 MR. SCHWEITZER: Go ahead, answer that.

18 THE WITNESS: No.

19 BY MR. THOMAS:

20 Q After the planning of these ads, did you at any
21 point seek and obtain legal counsel with regard to the filing
22 of a complaint by Senator Gravel --

8304045234

1 A Yes.

2 Q -- against the committee?

3 A Yes.

4 Q Was that the first time you had sought any legal
5 counsel in connection with Friends of Alaska's activities?

6 A Yes.

7 Q Now I want to try to clarify your earlier response.

8 I had asked you did you have a discussion with Mr. Rothstein
9 wherein you referred to the need to avoid any contact with
10 the Gruening campaign. You said you didn't have any such
11 discussion until after you had obtained counsel. So are
12 you stating then that it was after you obtained counsel
13 in connection with the Gravel complaint that you then had
14 a conversation with Mr. Rothstein about not having any
15 contact? I mean that sounds like that is after it started
16 going. That sounds like it is convoluted. Did you in fact
17 have a conversation with Mr. Rothstein where you talked
18 about the need not to have contact with the Gruening campaign?

19 MR. BARAN: Is the last question the one you are seeking
20 a response to?

21 MR. THOMAS: Yes.

22

3304045233

1 BY MR. THOMAS:

2 Q Did you have that kind of a discussion?

3 A I believe so.

4 Q When was that?

5 A As soon as I learned about it from counsel, whatever
6 date that was, which would have been probably around the
7 eighth or tenth of August or seventh or sometime in there,
8 early August.

9 Q To clarify for me, it was not before the ads began
10 running?

11 A Well, it may have been before the ads began running.

12 Q Our understanding of the sequence is that the
13 ads began running on August 5th and Senator Gravel initially
14 tried to to file a complaint on August 5th, but it wasn't
15 actually filed with our Commission until the 7th.

16 MR. SCHWEITZER: You are trying to refresh his recollection
17 by your statement? Is that what you are doing?

18 MR. THOMAS: Well, he said I think it was after the
19 ads began to run but it may have been before.

20 THE WITNESS: I didn't remember what day the ads began
21 running. I didn't remember what day Senator Gravel had
22 filed the complaint.

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1 MR. SCHWEITZER: He answered the question.

2 BY MR. THOMAS:

3 Q My having told you those facts which are in the
4 record, does that help you at all in terms of your recollection?

5 A What am I trying to recollect?

6 MR. SCHWEITZER: Restate the question.

7 BY MR. THOMAS:

8 Q The conversation you had --

9 A What the date of it would have been?

10 Q -- with Mr. Rothstein, where it was --

11 A It had to be after the complaint was filed and
12 I talked to counsel.

13 MR. BARAN: I would like to confer with the client
14 off the record. Okay?

15 MR. THOMAS: Yes.

16 (Discussion off the record.)

17 MR. THOMAS: Back on the record.

18 I have been advised by counsel that there was some
19 confusion about earlier statements as to whether Mr. Gottstein
20 had discussed with Mr. Rothstein the need to remain independent
21 and not have contact with the Gruening campaign.
22

8304045235

1 BY MR. THOMAS:

2 Q Mr. Gottstein, would you clarify what you referred
3 to or were referring to when you answered the question earlier?

4 A As I understood the question, you said when did
5 I talk to Joe Rothstein about the need to be separate. You
6 didn't ask me when did Joe talk to me.

7 When he had suggested the committee initially, he had
8 explained to me a little bit about what he knew about the
9 law and the need to be independent.

10 MR. SCHWEITZER: Of the Gruening campaign, right?

11 THE WITNESS: Of the Gruening campaign.

12 MR. SCHWEITZER: That was during the first conversation
13 you had with Rothstein subsequent to the meeting at Mystrom's
14 office?

15 THE WITNESS: That is right. And I did not, nor as
16 far as I know did anybody in the committee, have any contact
17 after that because Joe had alerted us to the need to be
18 separate.

19 MR. SCHWEITZER: And that this alerting was not subsequent
20 to your retaining counsel subsequent to the Gravel complaint
21 being filed?

22 THE WITNESS: Subsequent to the complaint being filed

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1 and my talking to counsel, I relayed to him what he had
2 told me.

3 MR. SCHWEITZER: What Rothstein had told you.

4 THE WITNESS: What counsel had told me.

5 MR. SCHWEITZER: You related to Rothstein what counsel
6 had told you.

7 THE WITNESS: Right.

8 MR. SCHWEITZER: But in answer to my question, the
9 independence that you knew that you had to follow --

10 THE WITNESS: -- initially came from Joe --

11 MR. SCHWEITZER: -- Rothstein in the first conversation
12 subsequent to the meeting in Mystrom's office; is that correct?

13 THE WITNESS: That is correct.

14 BY MR. THOMAS:

15 Q After Mr. Rothstein advised you of the need to
16 not have contact with the Gruening campaign, did you in
17 turn relay that advice to anyone else working for the Friends
18 of Alaska effort?

19 A Yes.

20 Q To whom did you relay that suggestion?

21 A Carolyn Gay.

22 Q Anyone else?

8304045237

1 A No, I don't believe so.

2 Q Did you ask that she advise Norma Thompson to
3 avoid such contact?

4 A I don't believe I knew that Norma Thompson was
5 involved or that she was even going to get Norma Thompson
6 until it had happened.

7 Q Do you know an individual named Mark Fox?

8 A Yes.

9 Q Did you ever contact him in connection with your
10 plans to produce advertisements for Friends of Alaska?

11 A Yes.

12 Q What was the nature of that contact?

13 A He did some newspaper ads.

14 Q You called him and asked him to do some newspaper
15 ads?

16 A Joe Rothstein called him and asked him to do some
17 newspaper ads and he called me.

18 Q At that point, did you request that he produce
19 such newspaper ads?

20 A Yes.

21 Q To your knowledge, did Mark Fox have any prior
22 involvement with the Alaskans for Gruening campaign?

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1 A Not to my knowledge, no.

2 Q Did you ask him?

3 A No.

4 Q Was there any discussion either from you or to
5 you in your conversation with Mr. Fox about the need to
6 avoid any contact with the Gruening campaign?

7 A No, I don't believe so.

8 Q Had you ever contacted Mr. Fox previously?

9 A I knew Mark Fox from running a prior gubernatorial
10 campaign in Alaska. He was campaign manager for Ed Merdes,
11 M-e-r-d-e-s.

12 Q You indicated in your testimony earlier that you
13 contacted Steven Oien of Alaska Advertisers in connection
14 with the Friends of Alaska plans. Do you recall when that
15 was?

16 MR. BARAN: I believe that question has been asked
17 earlier and the response was Mr. Gottstein did not know
18 when he contacted Mr. Oien.

19 MR. THOMAS: I am sorry; I don't recall the exact answer
20 if I asked it before. I would want to make sure I did ask
21 it.

22

8304045239

1 BY MR. THOMAS:

2 Q Do you recall when you contacted Mr. Oien?

3 A It depends on how specific you want to get. I
4 can bracket it pretty closely between the 31st of July and
5 whenever the spots went on the air. It had to be before
6 that. It had to be --

7 MR. SCHWEITZER: You answered the question.

8 BY MR. THOMAS:

9 Q Why did you contact Mr. Oien?

10 A Because I had to have some time buyer, somebody
11 to buy, place the orders for the time.

12 Q Why did you select Alaska Advertisers?

13 A It didn't occur to me to contact anybody else.

14 Q Were you aware at the time that you contacted
15 Mr. Oien for that purpose that Alaska Advertisers had previously
16 provided services for Alaskans for Gruening?

17 A Well, I know from the memorandum earlier that
18 I saw that I had been notified, but I didn't remember it.

19 Q At that time you didn't remember?

20 A Nor today.

21 Q Do you recall asking Steve Oien if Alaska Advertisers
22 had provided any services for Alaskans for Gruening?

8304045240

1 A No.

2 Q Did you have any conversation with him about the
3 need to not have any contact with the Gruening campaign
4 with regard to these ads that you were asking him to buy
5 time for?

6 A No.

7 Q Who made the decisions as to where to place the
8 ads?

9 A Judy Parsons came up with the recommendation and
10 called me and I basically told her to book that.

11 Q Did you reject any specific proposals that she
12 had given you?

13 A Probably not.

14 Q Do you recall any discussion with her about which
15 areas of the state Senator Gravel was strong in or weak
16 in?

17 A No.

18 Q No discussion about where it would be preferable
19 to place the ads in light of the number of qualified voters?
20 Do you recall such a discussion?

21 A No.

22 Q Do you remember if the recommendation that she

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1 gave you was simply to buy time on any station where it
2 was available across the state, any and all?

3 A No, that wasn't her recommendation.

4 Q Do you recall how the distinction was made as
5 to where to try to buy time?

6 A Yes. I believe she recommended buying three or
7 four stations in Anchorage, a couple in Fairbanks, one in
8 Juneau, Ketchikan, which are all the large cities. That
9 covers about 80 percent of the population. And then to
10 buy what is known as Alaska Radio Network, which is 10 remote
11 stations, that kind of covers the rural area. So it was
12 just a shotgun to cover the state.

13 Q Do you recall any occasion when either yourself
14 or Judy Parsons contacted the Gruening campaign and asked
15 them for information as to where it would be most beneficial
16 to have ads against Senator Gravel run?

17 A You are saying do I know whether that happened?
18 Was that the question?

19 Q Do you recall any occasion?

20 A No, I do not.

21 MR. THOMAS: I would like to have the reporter mark
22 for identification Exhibits 2, 3, 4, 5, 6, 7 and 8.

8 3 0 4 0 4 5 2 4 2

1 (The documents referred to
2 were marked FEC Exhibit
3 Nos. 2 through 8, inclusive,
4 for identification, copies
of which are attached to
the court copy of this
deposition.)

5 MR. THOMAS: By way of clarification, the first three
6 documents -- Exhibits 2, 3 and 4 -- were obtained from the
7 Friends of Alaska Committee pursuant to our document request,
8 and the latter four exhibits were obtained from Alaska
9 Advertisers pursuant to our document request.

10 BY MR. THOMAS:

11 Q The first question that I want to ask you is
12 beginning with Exhibit 2, can you identify that?

13 A I don't understand what you --

14 Q Do you know what that is?

15 A Yes.

16 MR. SCHWEITZER: Can you identify it is what he is
17 asking you.

18 BY MR. THOMAS:

19 Q What is that?

20 A It is an ad run by the Friends of Alaska Committee.

21 Q Was that ad actually run by the committee?

22 A I believe so.

8304045243

1 Q Was Exhibit 2 an ad that was produced by Mark
2 Fox's firm?

3 A Yes.

4 Q Referring to Exhibit 3, can you identify Exhibit 3?

5 A Yes. It is an ad run by Friends of Alaska Committee.

6 Q It was in fact run to your knowledge?

7 A No, I can't say that. There were some produced
8 that weren't run.

9 Q Was Exhibit 3 produced by Justin Ward Advertising?

10 A Yes.

11 Q I should clarify. I may not have referred to
12 Justin Ward Advertising before.

13 Was that Mark Fox's firm?

14 A Yes.

15 Q Directing your attention to Exhibit 4, can you
16 identify Exhibit 4?

17 A It is an ad produced by Justin Ward.

18 Q Was that ad actually published by Friends of Alaska?

19 A I don't remember.

20 Q Directing your attention to Exhibit 5, can you
21 identify Exhibit 5?

22 A It is the script from a radio spot. It was run

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1 by the Friends of Alaska Committee.

2 Q Have you seen this script or the original of this
3 script which is identified as Exhibit 5?

4 MR. SCHWEITZER: Has he seen it when?

5 MR. THOMAS: Before today.

6 THE WITNESS: I believe so.

7 BY MR. THOMAS:

8 Q Directing your attention to Exhibit 6, can you
9 identify Exhibit 6?

10 A Yes.

11 Q What is Exhibit 6?

12 A It is another radio spot that was run by Friends
13 of Alaska.

14 Q To your knowledge, was the radio spot of which
15 this is apparently a script actually run?

16 A Yes.

17 Q Directing your attention to Exhibit 7, can you
18 identify Exhibit 7?

19 A It is another script of a radio spot run by Friends
20 of Alaska.

21 Q The spot was in fact run, to your knowledge?

22 A Yes.

8304045245

1 Q Directing your attention to Exhibit 8, can you
2 identify Exhibit 8?

3 A It is another spot run by Friends of Alaska Committee.

4 Q Was that spot in fact run by the committee?

5 A Yes.

6 MR. SCHWEITZER: Just to clarify the record, Mr. Thomas,
7 these Exhibits 2, 3 and 4, to our knowledge, were not produced
8 by Mr. Green in response to the subpoena that was issued
9 to Friends of Alaska. Can you identify where those were
10 produced?

11 MR. THOMAS: I apologize. I may be incorrect, then.
12 My recollection was they were provided by Friends of Alaska.
13 If they were not provided by Friends of Alaska, they were
14 provided by Alaska Advertisers. We can verify that, if
15 you wish.

16 MR. SCHWEITZER: Fine. I don't think it makes any
17 difference.

18 Yes, it does. We would like it verified as to who produced
19 those. Thank you.

20 Are we done with these documents?

21 MR. THOMAS: Yes, for the time being.
22

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1 BY MR. THOMAS:

2 Q Now, did you have any contact at all with anyone
3 working for Alaskans for Gruening after the ads began running?

4 A Yes.

5 Q When was the first contact that you had?

6 A Clark Gruening called me one day.

7 Q What was the nature of that conversation?

8 A He asked me to take the ads off the air because
9 he felt they were hurting him.

10 Q Do you recall when that conversation took place?

11 A Very shortly after we started. I would say within
12 a week.

13 MR. SCHWEITZER: Shortly after you started running
14 the ads?

15 THE WITNESS: Yes.

16 BY MR. THOMAS:

17 Q What was your response?

18 A I told him no, that we wouldn't take them off.

19 Q Did you tell him that you were planning to run
20 more ads?

21 A No.

22 Q But you told him you weren't going to take them

8304045247

1 off?

2 A Right.

3 Q Did he say why he wanted them withdrawn?

4 A Yes.

5 Q What was his reasoning?

6 A He said he thought they were hurting him.

7 Q Did he relate any specific conversation he had
8 had with anyone?

9 A I don't believe so.

10 Q Did he indicate to you that he appreciated your
11 support?

12 A No.

13 Q Why did you decline to cease airing the ads?

14 A I guess I was more interested in beating Gravel
15 than he was.

16 Q He said it was hurting his campaign. Did you
17 not believe him?

18 A I did not believe him, no.

19 Q What else was said in this conversation?

20 A I don't recall anything else.

21 Q How long did the conversation take?

22 A I don't remember. It was not long. It was a short

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1 conversation.

2 Q Did he state anything to the effect "I am going
3 to tell you to stop running the ads, but I am only doing
4 it so that I can tell that to the FEC later on"?

5 A No.

6 Q Did he at any point say "Well, fine. That is
7 your decision. You can run the ads if you want to"?

8 A No.

9 Q Did you have any conversations with anyone on
10 or about August 15th at a court hearing that resulted from
11 a complaint filed by Senator Gravel?

12 MR. SCHWEITZER: That is a pretty broad question, Scott;
13 did he have any conversation at the court hearing. Conver-
14 sations about what?

15 BY MR. THOMAS:

16 Q Did you have any conversations with anyone working
17 for the Gruening campaign at that court hearing?

18 A Yes.

19 Q Who did you have such a conversation with?

20 A I don't even know his name.

21 Q John Hale?

22 A No. It was the treasurer.

8 3 0 4 0 4 5 2 4 9

1 Q Dick Angell?

2 A No. I don't know what his name is even.

3 Q Ivan Broody, is that the name?

4 What was the nature of the conversation you had?

5 A We were standing outside the courtroom waiting
6 to get in and people were milling around talking.

7 MR. SCHWEITZER: General social conversation?

8 THE WITNESS: Yeah. It was nothing of any significance
9 that I recall.

10 BY MR. THOMAS:

11 Q Did it relate at all to the ads aired by the Friends
12 of Alaska Committee?

13 A I don't remember anything about -- I don't remember
14 any significant conversation at all.

15 Q We might differ as to what is significant.

16 A Okay. I don't remember anything. My recollection
17 is more discussing the court case that had come up that
18 we were about to go into than the campaign.

19 Q You did discuss that with this individual?

20 A Yeah. Maybe two or three -- you know, there was
21 a group of people standing around outside the courtroom
22 door.

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1 Q You don't recall any discussion with anyone where
2 they requested that you continue your airing of ads for
3 Friends of Alaska?

4 MR. SCHWEITZER: You have to answer.

5 THE WITNESS: No, I don't remember any such conversation.

6 BY MR. THOMAS:

7 Q Do you recall telling anyone at all that was working
8 for the Alaskans for Gruening Committee that you were planning
9 to continue to air such ads?

10 A No, I don't remember such a conversation.

11 Q Do you recall anyone telling you to quit airing
12 such ads at that hearing?

13 A No.

14 Q Other than that conversation with Clark Gruening,
15 do you recall any discussions with any other persons working
16 for the Gruening campaign after the ads had begun airing
17 and through the end of the primary?

18 A No, I don't recall any conversations.

19 Q Do you recall a conversation with John Hale where
20 he contacted you about a Wall Street Journal article?

21 MR. SCHWEITZER: When?

22 MR. THOMAS: On our about August 9th, 1980.

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1 THE WITNESS: No, I don't remember that. No, I don't
2 remember.

3 BY MR. THOMAS:

4 Q Do you recall him contacting you by telephone
5 and advising you an ad had appeared that day in the Wall
6 Street Journal about Senator Gravel?

7 A An article. I remember the article in the paper.

8 MR. SCHWEITZER: The question is whether you recall
9 a conversation with John Hale about the article in the Wall
10 Street Journal.

11 THE WITNESS: No, I do not.

12 BY MR. THOMAS:

13 Q Do you recall John Hale coming to your home and
14 bringing you a copy of the article?

15 A No.

16 Q Did you ever obtain a copy of the Wall Street
17 Journal article?

18 A Yes.

19 Q How did you obtain it?

20 A I read every Wall Street Journal. I get it daily.

21 Q You get it at your home?

22 A At my office.

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1 Q The ad appeared in the Wall Street Journal on
2 Friday, August 8th. We can provide a copy of that article,
3 if you wish. But do you recall having become aware of that
4 article on the day that it was actually published?

5 A On the day it was published? Not necessarily.

6 Q You don't recall an occasion when John Hale came
7 to your home and you discussed the Friends of Alaska ads
8 that had been aired?

9 A I sure don't.

10 Q Do you recall a conversation with John Hale where
11 he told you that he had been curious as to why you hadn't
12 maintained any contact with the Gruening campaign?

13 A No, I don't.

14 Q Did you discuss the Wall Street Journal article
15 with anyone at all working for the Gruening campaign?

16 A I don't believe so.

17 Q Do you recall discussing it with anyone working
18 for the Friends of Alaska Committee?

19 A I don't recall doing so. I don't recall doing
20 so.

21 Q Did you undertake any efforts to publicize portions
22 of the Wall Street Journal article in Alaska newspapers?

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1 BY MR. THOMAS:

2 Q Do you know if Friends of Alaska published an
3 advertisement such as is represented by Exhibit 9?

4 A No, I don't.

5 Q Who would know?

6 A I suppose Alaska Advertisers.

7 Q Did Alaska Advertisers purchase space for newspaper
8 advertising?

9 A They purchased space for the ads we looked at
10 earlier.

11 Q You earlier testified that you had some thoughts
12 about perhaps publishing portions of the Wall Street Journal
13 ad. Did you ever discuss it with anyone?

14 A I just don't remember.

15 MR. SCHWEITZER: Let me ask a question just to clarify
16 a gratuitous statement you made, Mr. Gottstein, a few
17 minutes ago when you first saw that ad, something to the
18 effect "I guess we published something," along those lines.
19 Mr. Thomas has shown you that ad and asked you to identify
20 it. You have been unable to do so. Do you have any knowledge
21 that that particular facsimile of an ad was ever run in
22 any newspaper during the primary campaign in 1980?

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1 THE WITNESS: No. I don't remember anything about
2 this ad.

3 BY MR. THOMAS:

4 Q Did you ever have any discussions with anyone
5 about producing any sort of brochure or pamphlet, not
6 necessarily a newspaper ad, but a brochure or a pamphlet,
7 containing portions of the Wall Street Journal article?

8 A Yes.

9 MR. SCHWEITZER: You have answered his question,
10 Mr. Gottstein. Yes is the answer. Mr. Thomas?

11 BY MR. THOMAS:

12 Q What is your recollection?

13 A I had a conversation with Gill Surano about
14 reproducing the article in a pass-out form on the back
15 of a local candidate's -- I don't know what they call
16 it; you know, the deals you go and put around the doors.

17 Q On polling day?

18 A No.

19 Q On election day?

20 A Just a throw-away sheet that you roll up and
21 stick in the doorknob.

22 Q Upon election day?

8 3 0 4 0 4 5 2 5 6

1 A No; any time.

2 Q You had those discussions with Surano?

3 A Right.

4 Q Did anything come of those discussions?

5 A Yes. The fellow's name was Don Smith. He was
6 one of the Republican candidates for the Senate. He printed
7 it, as I recall -- I think it had his message on one side
8 and the Wall Street Journal article on the other side,
9 and it was what I call a throw-away.

10 Q But it was not what is before you as Exhibit 9?

11 A No.

12 Q Other than with Mr. Surano, did you have any
13 discussions with anyone else about the possibility of
14 producing any brochures or leaflets containing portions
15 of the Wall Street Journal article?

16 A I don't remember any.

17 Q None with anyone working for the Gruening campaign?

18 A I don't remember any.

19 Q After the advertisements of Friends of Alaska
20 ceased running, did you then have any contact with anyone
21 working for the Gruening campaign?

22 A You mean after the election?

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1 Q After the ads ceased running, which we understand
2 to be August 25th.

3 A I don't believe I had any contact with anybody
4 until after the election.

5 Q None with Clark Gruening himself?

6 A I don't remember any.

7 Q You indicated earlier that although you couldn't
8 recall specifically, you may have helped with some fund-
9 raising during the general election. Isn't that your
10 testimony?

11 A I believe so.

12 Q Do you recall when this fund-raising assistance
13 would have begun?

14 MR. BARAN: Do you know whether in fact you provided
15 such assistance?

16 THE WITNESS: No, I don't. I am saying I don't know.
17 I am not saying I didn't.

18 BY MR. THOMAS:

19 Q Did you make a contribution in the general election?

20 A Yes.

21 Q Do you recall when you made that contribution?

22 A No.

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1 Q After the primary campaign, did you have any
2 discussions with any individuals who had worked for the
3 primary campaign, Gruening campaign, wherein they indicated
4 they had actually approved of the ads you had run?

5 A No.

6 MR. BARAN: Do you wish to take a break?

7 MR. THOMAS: Yes.

8 (Brief recess.)

9 MR. THOMAS: We will have the reporter mark this
10 document as FEC Exhibit 10. This is a portion of the
11 desition that we took of John Hale on August 5, 1981.

12 (The document referred
13 to was marked FEC Exhibit
14 No. 10 for identification,
15 a copy of which is attached
to the court copy of
this deposition.)

16 MR. THOMAS: I am showing that document to the witness
17 and counsel.

18 MR. SCHWEITZER: Just let us read this, please.

19 I object to the use of that particular transcript
20 unless you are going to show us the entire transcript
21 of his deposition. The fact that you picked out portions
22 of it which you are using for the purpose of impeaching

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1 Mr. Gottstein because of his prior testimony -- and I
2 don't think it impeaches him, frankly, because he simply
3 said he didn't recall such a conversation.

4 MR. THOMAS: That is what I would state. I am not
5 using it to impeach him.

6 MR. SCHWEITZER: Unless you are going to show him
7 the entire transcript, because there might be something
8 else in the transcript which refutes what is stated on
9 those two particular pages, I am going to direct him not
10 to answer any questions relating to that transcript, unless
11 we can see the entire transcript.

12 MR. THOMAS: Fine. I won't ask any questions about
13 it then.

14 BY MR. THOMAS:

15 Q Mr. Gottstein, you stated earlier that you did
16 help raise some funds for the Gruening campaign by making
17 phone contacts and by sending a few letters. In addition
18 to that, did you at any time allow your name to be used
19 on any solicitation letters that the committee itself
20 sent out?

21 A I don't believe so.

22 Q With regard to your solicitation of contributors

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1 to Friends of Alaska, how did you figure out or choose
2 who to solicit?

3 A It just went to people that I thought would
4 help me.

5 Q Did you get a list at any point from Alaskans
6 for Gruening?

7 A No.

8 Q Did they at any point refer any names to you?

9 A No.

10 Q WERE the persons that you solicited also persons
11 you had solicited in connection with Alaskans for Gruening?

12 A Oh, I called Bob Asher in Chicago and I had --
13 I don't remember who else. I am trying to remember whether
14 I may have called Barbara Weinberg. I may have called
15 Barbara Weinberg.

16 Q In connection with solicitation for Friends
17 of Alaska?

18 A Yes.

19 MR. BARAN: Do you know whether you called Barbara
20 Weinberg?

21 THE WITNESS: No.
22

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1 BY MR. THOMAS:

2 Q Do you know of anybody else you solicited for
3 Friends of Alaska that you had also solicited for Alaskans
4 for Gruening?

5 A No.

6 Q When you were assisting the Alaskans for Gruening
7 Committee with solicitation, did you at any point use
8 any list they provided to you of persons to contact?

9 A No.

10 MR. THOMAS: I don't have any further questions at
11 this time.

12 Do you have any cross?

13 MR. SCHWEITZER: Let us just take one quick break.
14 Then we will come back and possibly ask a few questions.
15 Fair enough?

16 MR. THOMAS: Fine.

17 (Brief recess.)

18 EXAMINATION BY COUNSEL FOR THE WITNESS

19 BY MR. SCHWEITZER:

20 Q Mr. Gottstein, in 1979 and 1980, you have testified
21 that you rejected the overtures from Mr. Gruening for
22 his support until late May or early June of 1980. Who were

8 3 0 4 0 4 5 2 6 2

1 you supporting at that time?

2 A Well, my overriding concern was beating Gravel
3 and I thought that Pat Rodey would be a stronger candidate
4 because the poll I had taken showed he would have been
5 a stronger candidate.

6 Q Why did you have such an overriding concern
7 for beating Mr. Gravel?

8 A Well, because he had attacked me on the Floor
9 of the Senate. He attacked the Jewish community. He
10 had made what the Jewish community regarded as anti-Semitic
11 remarks. He was having contact with the Saudis and going
12 over to Saudi Arabia.

13 Q Anything further? Excuse me.

14 A No.

15 Q In late May or early June, when you decided
16 to support Clark Gruening, or at least raise money for
17 Clark Gruening, what was your overriding concern at that
18 time, to be pro Gruening or was it anti-Gravel?

19 A It was anti-Gravel. I wanted to get rid of
20 him regardless of who beat him, because of the reasons
21 I have stated.

22 Q When you raised moneys for Mr. Gruening, who

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1 did most of those moneys come from?

2 A It all came from the Jewish community, because
3 of this attack against the Jews in the Senate.

4 Q Were you ever an insider in the Gruening campaign
5 in the traditional political sense?

6 A No. I wasn't even in their headquarters once.

7 Q In late July of 1980 when you made the decision
8 to form Friends of Alaska, was your overriding concern
9 at that time to ensure the election of Clark Gruening
10 or at least the nomination of Clark Gruening, or was your
11 overriding concern the defeat of Senator Gravel?

12 A It was the defeat of Senator Gravel.

13 Q If Senator Gravel had been the Democratic nominee
14 for the United States Senate seat in 1980, who would you
15 have supported, the Republican nominee, now Senator Murkowski,
16 or Senator Gravel?

17 A I would have supported Senator Murkowski. In
18 fact, that is why I didn't run for National Committeeman,
19 Democratic National Committeeman. I didn't want to have
20 an obligation to support Gravel if he were renominated.

21 BY MR. BARAN:

22 Q When did Senator Gravel make this anti-Semitic

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1 speech on the Floor of the Senate?

2 A In May of 1978.

3 MR. BARAN: I have no further questions.

4 MR. SCHWEITZER: No further questions.

5 MR. THOMAS: I would like to ask one redirect.

6 FURTHER EXAMINATION BY COUNSEL FOR THE
7 FEDERAL ELECTION COMMISSION

8 BY MR. THOMAS:

9 Q What does the term insider in the traditional
10 political sense mean as you used it in response to
11 Mr. Schweitzer's question?

12 A Somebody that knows what is going on in the
13 campaign.

14 Q You didn't know what was going on in the campaign?

15 A No.

16 Q But you raised funds for the campaign?

17 A It was the only alternative I had to beat Gravel.

18 Q You received some position papers from the campaign?

19 A One position paper.

20 MR. THOMAS: No further questions.

21 MR. SCHWEITZER: None here.

22 MR. THOMAS: Do you wish to waive signature?

8 3 0 4 0 4 5 2 6 5

1 MR. SCHWEITZER: That is a good question. Normally
2 I would say no, we would not want to waive signature.
3 I think we would not want to waive signature. We would
4 like to have Mr. Gottstein have an opportunity to read
5 his deposition to make certain that there aren't any steno-
6 graphic mistakes in it. I think it is sufficiently important,
7 so no, the answer is no, we would not like to waive signature.
8 If she could send him a copy of it so he could review
9 it prior to filing with the Commission.

10 MR. THOMAS: What we have been doing in this investigation
11 so far, because we have been talking to several different
12 witnesses and we have been wanting to avoid having everyone's
13 testimony available to the other witnesses, we have been
14 invoking our right under the Administrative Procedure
15 Act to not allow a copy to be furnished to the witness
16 at this time but, of course, allowing the witness an opportunity
17 to view the original at the offices of the reporter; or,
18 alternatively, having counsel view the copy here, the
19 original, at the offices of the reporter.

20 MR. SCHWEITZER: That is not agreeable. Mr. Gottstein
21 has been deposed. He has a perfect right to read his
22 deposition in order to make certain that it is correct,

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1 stenographically correct. He is going to go back to Alaska.
2 He is not going to wait here until it is transcribed.
3 I see no reason why the original of the transcript cannot
4 be sent to him in Alaska for him to read.

5 Secondly, I don't know what right you have to --
6 I would like to know what right, where you are asserting
7 that right to tell Mr. Gottstein that he has no right
8 to a copy of the transcript of his deposition. This isn't
9 a grand jury, Mr. Thomas. This is a civil investigation
10 ongoing by the Federal Election Commission. He has every
11 right in the world to have his copy of the transcript.
12 I would like to know --

13 MR. THOMAS: The statutory cite is 5 USC Section
14 555(c).

15 In addition, I would note that as of this point,
16 no one has waived their confidentiality right under the
17 confidentiality statute.

18 MR. SCHWEITZER: I don't understand how that has
19 any effect. The respondents are the ones that assert
20 the right.

21 MR. THOMAS: None of the respondents have done so
22 so far.

8 3 0 4 0 4 5 2 6 7

1 MR. SCHWEITZER: I am well aware of that.

2 MR. BARAN: Are you concerned Mr. Gottstein would
3 breach the confidentiality to himself by reading his own
4 deposition?

5 MR. THOMAS: We would be concerned if we wish to
6 speak to other witnesses they not be able to view the
7 testimony of other witnesses so far in this investigation.

8 MR. SCHWEITZER: Mr. Gottstein is under a duty, as
9 you know and we know, to not breach the confidentiality
10 of that particular statute of the FEC. But I know of
11 no authority where Mr. Gottstein cannot receive a copy
12 of his deposition.

13 MR. THOMAS: Check the statutory cite I referred
14 to.

15 I also want to quantify, that is not to preclude
16 after we have completed the investigation allowing that
17 transcript to be viewed if --

18 MR. SCHWEITZER: Of course. It is all public.

19 MR. THOMAS: -- if our investigation -- no. What
20 I am explaining is if our investigation is concluded before
21 30 days has transpired, if you wish to renew the request
22 at that time, if the investigation were closed, of course

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1 we would consider it.

2 MR. SCHWEITZER: What is 30 days? I don't understand
3 that.

4 MR. THOMAS: The time under the regulation. We refer
5 to Federal 30 for 30 days for review of the transcript.

6 The point is, though, if you wish to review the original
7 at the reporter's office, you as counsel certainly can
8 do so. All we are trying to do is limit the copies going
9 out because we may be deposing other witnesses. We have
10 that right under the statute.

11 MR. SCHWEITZER: Under the APA?

12 MR. THOMAS: Yes.

13 MR. SCHWEITZER: I disagree you have that right.
14 Secondly, I haven't read 5 USC Section 555(c). I disagree
15 that you have that right without having read the damn
16 statute. But, on the other hand, Mr. Gottstein, I am
17 sure, has a right to review the transcript of his deposition.
18 He is going back to Alaska.

19 MR. THOMAS: He does.

20 MR. SCHWEITZER: I don't think it is reasonable to
21 say that Mr. Gottstein has to come to the reporter's office
22 in order to review the transcript. I see no reason why

8 3 0 4 0 4 5 2 6 9

1 the original cannot be sent to Mr. Gottstein for him to
2 review.

3 MR. THOMAS: One possibility that I am thinking of,
4 perhaps we can accommodate that problem. We have used
5 a reporter in Anchorage. Perhaps we can make an arrangement
6 whereby the original is transferred to that reporter so
7 Mr. Gottstein can read the original.

8 MR. SCHWEITZER: That is reasonable.

9 MR. THOMAS: We will try to make arrangements to
10 do that.

11 THE WITNESS: Okay.

12 MR. THOMAS: Excellent idea.

13 MR. BARAN: Just for clarification, is the 30 days
14 you referred to in your recommendation commencing at
15 the time the reporter in Anchorage receives the transcript?

16 MR. THOMAS: I am sure our masterful regulation doesn't
17 quite address that issue.

18 MR. BARAN: Can we agree to that?

19 MR. THOMAS: We will agree that it will run from
20 the time the reporter in Anchorage receives the original.

21 MR. SCHWEITZER: I would also strenuously object
22 to the Federal Election Commission's I think outrageous

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1 position of not providing a transcript to a witness in
2 this investigation. They are acting like a grand jury
3 and they are not a grand jury. They are conducting a
4 civil investigation, and I know of no agency that I have
5 had any dealings with that would not provide a transcript
6 to the witness. If they want to get a court order, putting
7 some constraints on the use of that transcript, they have
8 the availability and they have the ability to do so. That
9 is what they ought to do, instead of this blatant abuse
10 of Mr. Gottstein's rights.

11 MR. THOMAS: My only response is read the statute
12 and the case law. I think it is helpful.

13 Thank you for your time.

14 (I have read the foregoing
15 pages 4 through 138, inclusive,
16 which contain a correct
17 transcript of the answers
18 given by me to the questions
19 therein recorded.)

20 _____
21 BARNARD JACOB GOTTSTEIN
22

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CERTIFICATE OF NOTARY PUBLIC

I, Karen Hinnenkamp, the officer before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me in shorthand and thereafter reduced to typewriting by me; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.


Notary Public in and for
the District of Columbia

My commission expires:

July 31, 1983



31 SEP 3 11:51

MEMORANDUM

TO: BARNEY GOTTSTEIN
 FROM: JUDY PARSONS, Adv.

Following is a list of the television purchase and dates involved in the October buy for Clark Gruening:

Cable Network	Oct. 14-16	642.00
KATV, Ketchikan	Oct. 12-14	126.00
JATV, Juneau	Oct. 12-14	210.00
KSA-TV, Sitka	Oct. 12-14	90.00
KIPW-TV, Sitka	Oct. 12-14	102.00
KINY-TV, Juneau	Oct. 12-14	85.00
KTVF-TV, FEBS.	Oct. 12-14	250.00
KFAR-TV, Fbks.	Oct. 12-14	196.00
KENI-TV, Anch.	Oct. 12-14	420.00
KIMO-TV, Anch.	Oct. 12-14	470.00
KTVA-TV, Anch.	Oct. 12-14	350.00

Judy Parsons

FEC Ex No. 1
 KH 9-14-81

mav'er · ick (mav'er · ik), n. 1. Don't vote. 2. Don't go to Committee meetings. 3. Don't do your homework. 4. Make everybody mad. 5. Dream up your own projects like a Dome City. 6. And when people say what's going on here, just smile and call yourself a maverick.



FEC Ex. No. 2
KH 9-14-81

SENATOR, THERE'S AN IMPORTANT VOTE ON THE FLOOR AND YOU'VE ALREADY MISSED 1,636 VOTES...

DON'T BOTHER ME! I'D RATHER PLAY MY OWN HAND.



FEC EX. No. 3

KH 9-14-81

83040405277



"I don't know what all the fuss is about--it's just a little place for me to stop on the way home."

Paid for and authorized by "Friends of Alaska Committee," Thomas E. Kelly, Chairman, 3835 Helvelia Drive, Anchorage, Alaska 99504

FEC Ex. No 4

KTB 9-14-81



FRIENDS OF ALASKA COMMITTEE

Spot #1 - Scrapbook :60

YOU KNOW HOW PICTURES AND CLIPPINGS CAN CHANGE AFTER JUST A FEW YEARS. WE LOOK BACK AND SEE HOW FUNNY WE LOOK. WE ALL CHANGE WITH AGE, HOPEFULLY WE GET SMARTER AND MORE RESPONSIBLE. WELL, WE WERE GOING THROUGH THE MIKE GRAVEL SCRAPBOOK THE OTHER DAY AND FOUND SOME OLD CLIPPINGS. HERES ONE...MIKE GRAVEL NOMINATES HIMSELF FOR VICE PRESIDENT. THAT WAS REALLY GOOD FOR A LAUGH. AND THEN WE SAW GRAVEL WANTS TO BUILD A DOMED CITY ON MT. MCKINLEY. GRAVEL PICKETS THE WHITE HOUSE... GRAVEL FIGHTS AGAINST THE 200 MILE LIMIT. THE SCRAPBOOK WAS JUST FILLED TO OVERFLOWING. AND HERES 1978, GRAVEL KILLS LANDS BILL. HE SAYS WE'LL DO BETTER NEXT TIME. GRAVEL SAYS CARTERS' ONLY BLUFFING ON LOCKING UP ALASKA. WELL THE YEARS ROLL ON AND IN THE MIKE GRAVEL SCRAPBOOK THE HEADLINES TODAY LOOK A LOT LIKE THE ONES WE WERE SEING YEARS AGO. MAYBE AGE AND EXPERIENCES HAVEN'T HELPED. MAYBE ITS TIME TO CLOSE THE COVER ON THE GRAVEL YEARS. PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE.

FEC Ex No. 5
KA 9-14-81



FRIENDS OF ALASKA COMMITTEE

Spot #2 - Aspen :60

THE SUNNY SLOPES OF ASPEN COLORADO. DEEP POWDER, BEAUTIFUL PEOPLE, BIG HOMES. ONE OF THE BIGGEST HOMES BELONGS TO OUR VERY OWN SENATOR MIKE GRAVEL. THE VALUE OF MIKE GRAVEL'S ASPEN HOUSE IS SAID TO BE MORE THAN A MILLION DOLLARS. BUT MIKE GRAVEL DIDN'T HAVE TO PUT ANY MONEY FOR HIS INTEREST. HE JUST HAD TO INVEST SOME OF HIS TIME. IN HIS SPARE TIME MIKE GRAVEL DESIGNED THE HOUSE. HE EVEN DESIGNED THE FURNITURE. AND MIKE GRAVEL EVEN FOUND THE PEOPLE TO INVEST MONEY IN HIS PROJECT. SOME OF THEM TURNED OUT TO BE LOBBYISTS WHOSE JOB IT IS TO ASK FOR MIKE GRAVEL'S VOTE IN THE SENATE. WHEN SOMEONE ASKED WHETHER THIS KIND OF ARRANGEMENT WAS PROPER MIKE GRAVEL SAID THERE WAS NO LAW AGAINST IT. WHEN SOMEONE ASKED WHY HE NEEDED SUCH A BIG HOUSE IN ASPEN, MIKE GRAVEL SAID IT WAS JUST A PLACE TO STOP ON THE WAY HOME. WELL, THATS PART OF THE ASPEN HOUSE STORY, THERES MORE... PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE.

FEC Ex. No. 6
KH 9-14-81



FRIENDS OF ALASKA COMMITTEE

60-Sec. Radio Copy
"First Class"

YOU'VE GOT TO HAND IT TO MIKE GRAVEL, HE GOES FIRST CLASS DOESN'T HE. LIKE HIS CAMPAIGN FOR RE-ELECTION...HE'S ON HIS WAY TO RAISING A MILLION DOLLARS AND HE'S GOT THE BEST THAT MONEY CAN BUY. THE BEST PEOPLE IN THE COUNTRY ARE TAKING POLLS AND PRODUCING ADVERTISING, HE EVEN HIRED A WASHINGTON D.C. FIRM TO MAKE PHONE CALLS FOR HIM HERE IN ALASKA. YOU KNOW, PEOPLE WHO ARE PAID TO SAY NICE THINGS ABOUT MIKE GRAVEL OVER THE TELEPHONE. MIKE GRAVEL'S POLITICAL EXPERTS LIVE AND WORK IN MAINE, NEW YOUR, SAN FRANCISCO, MASSACHUSETTS. NOW WE HAVE TO ASK OURSELVES... WHY...WHY DOES MIKE GRAVEL NEED A MILLION DOLLAR CAMPAIGN AND HIRED POLITICAL GUNS FROM AROUND THE COUNTRY. WHY CAN'T MIKE GRAVEL EXPLAIN HIMSELF...THE ANSWER IS SAID, BUT TRUE, BECAUSE WE KNOW THE REAL MIKE GRAVEL AND HE'S NOT SOMEONE WE WOULD SEND BACK TO WASHINGTON. PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE, TOM KELLY CHAIRMAN, 3835 HELVETIA DR., ANCHORAGE 99504.

FEC Ex No 7

K18 9-11-81



FRIENDS OF ALASKA COMMITTEE

60-Sec. Radio Copy
"Friends"

YOU SEE A LOT OF ADVERTISING THESE DAYS, BROUGHT TO YOU BY THE FRIENDS OF MIKE GRAVEL, YOU KNOW, TELEVISION AND RADIO COMMERCIALS, PHONE CALLS, MAIL...ALL FROM THE FRIENDS OF MIKE GRAVEL. DID YOU EVER STOP TO WONDER WHO THOSE FRIENDS ARE? WELL, TO START WITH, THESE FRIENDS DON' LIVE IN ALASKA. OF EVERY THOUSAND DOLLARS MIKE GRAVEL IS SPENDING, MORE THAN \$900 COMES FROM OUTSIDE.THE STATE. ONLY 9% OF ALL HIS CAMPAIGN MONEY IS FROM ALASKA. THE FRIENDS OF MIKE GRAVEL ARE ALSO POWERFUL, A QUARTER OF A MILLION DOLLARS COMES FROM INTEREST GROUPS WITH WASHINGTON LOBBYING CONNECTIONS. THE FRIENDS OF MIKE GRAVEL ARE ALSO RICH. TWO-THIRDS OF ALL THE MONEY COMES IN AMOUNTS OF \$500 OR MORE. AND SO THEY LIVE OUTSIDE ALASKA, THEY ARE RICH AND POWERFUL, THE FRIENDS OF MIKE GRAVEL. DO YOU SUPPOSE THEY ARE ALSO FRIENDS OF ALASKA. ASK YOURSELF THAT THE NEXT TIME YOU SEE MIKE GRAVEL'S ADVERTISING. PAID FOR AS A PUBLIC SERVICE BY FRIENDS OF ALASKA COMMITTEE, TOM KELLY, CHAIRMAN, 3835 HELVETIA DR., ANCHORAGE 99504.

FEC Ex No. 8

KH 9-14-81

"During his first five years in the Senate, Sen. Gravel's net worth more than doubled—to \$528,050—according to documents he made public in 1974.

Today, Sen. Gravel shares the extravagant life style of his many millionaire friends. He has a lavish house on the Potomac River south of Washington, with a swimming pool and a tennis court. He estimated the house's value last year at \$250,000 to \$500,000."

The Wall Street Journal
August 8, 1980

Pd. Lobby the Friends of Alaska Committee
Tom Kelly, Chairman, 3855 Helvetia Dr. N.E.
Anchorage, Alaska 99504

FEC Ex No 9

KH 9-14-81

83040405283

16 Q Now when did you say you spoke to Barnard Gottstein?

17 A Well, it must have been -- if the complaint was filed
18 3 weeks before the Primary, I must have talked to him for
19 the first time in almost a month and a half about the
20 middle of August. And the Primary was August 22nd.

21 Q The 26th.

22 A Okay.

23 MR. DUNNAGAN: So much for total recall..

24 A Yeah. The Primary -- it was the Primary in '78 then that
25 was on August 22nd.

AKULAW COURT REPORTING

700 H Street, Suite 5 Anchorage, Alaska 99501 (907) 274-3242

FEC Ex. No. 10
KH 9-14-81

1 Q And what was said during this conversation?

2 A The main topic of discussion -- I had gotten a copy of
3 the Wall Street Journal which had published an article
4 about Mike Gravel and I felt I should bring that to
5 Barney's attention and I called him on the phone and said
6 have you seen the Wall Street Journal and he said no, and
7 I told him what was in it, and he said do you have a copy
8 and I said yeah. I took it over to his house and at that
9 point we discussed the Gravel allegations and so forth
10 and the fact that he had taken steps to insure that there
11 was no violation of any FEC laws or regulations.

12 Q What -- for what reason did you believe that he should
13 know about the contents of the article?

14 A Well, because I felt it was a major development in the
15 campaign.

16 Q What did the article say?

17 A It was a summary of tactics that Mike Gravel had used to
18 get contributions from people who sought his services as
19 a U.S. Senator. It also included some basic facts on his
20 attendance, the number of roll call votes that he had
21 missed in his time in office and that sort of thing.

22 Q Did it mention Friends of Alaska or Mr. Gottstein?

23 A No. It may have, but I don't recall. I also felt that
24 that offered a good opportunity to re-establish contact with
25 Mr. Gottstein.

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GCC# 5750

NOV 2 AID: 17

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UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

RE: Matter Under Review 1272
Possible violation of 2 U.S.C. § 441a(a) (1) (A)
Friends of Alaska and
2 U.S.C. § 441a(f) by Alaskans for Gruening.

DEPOSITION OF: NORMA S. THOMPSON.

TAKEN BY: Office of General Counsel of
the Federal Election Commission.

DATE: September 25, 1981, 11:00 A.M.

PLACE: Office of State Attorney
James T. Russell, County Bldg.,
St. Petersburg, Florida.

REPORTED BY: Sandra A. Ambush, CSR, CP,
Notary Public,
State of Florida at large.

APPEARANCES: MR. JONATHAN LEVIN and
SCOTT E. THOMAS,
Office of General Counsel,
Federal Election Commission,
Washington, D.C. 20463.
(By telephonic conference).

MR. WILLIAM H. SCHWEITZER,
Baker & Hostetler,
818 Connecticut Avenue, N.W.,
Washington, D.C. 20006,
Attorney for Deponent.

ALSO PRESENT: MR. ROBERT PAVER,
Assistant State Attorney,
Office of James T. Russell,
Room 51A, County Building,
St. Petersburg, Florida 33701.

SEP 25 11:45

830404523



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PHONE 821-3320

1 MR. SCHWEITZER: You want me to put on the record
2 who we are and what's going on?

3 MR. LEVIN: Why don't you do that.

4 MR. SCHWEITZER: Norma Thompson is the deponent.
5 My name is William H. Schweitzer, S-c-h-w-e-i-t-z-e-r,
6 law firm of Baker & Hostetler in Washington, D.C.

8 NORMA THOMPSON,

9 the deponent herein, being first duly sworn, was examined
10 and testified as follows:

11 DIRECT EXAMINATION

12 BY MR. LEVIN:

13 Q State your name, please.

14 A Norma Thompson.

15 Q And your present occupation?

16 A Bookkeeper.

17 Q And your present address?

18 A 10257 Gulf Boulevard, Treasure Island.

19 Q Okay. What was your address prior to this address?

20 A Anchorage, Alaska.

21 Q What was your occupation while you were residing
22 at this address?

23 A A bookkeeper.

24 Q For whom did you work?

25 A For myself.

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1 Q And would you work for various groups contracting
2 out?

3 A Yes, I did.

4 Q Did you provide any assistance to the Gruening
5 primary campaign?

6 A Yes, I did.

7 Q Did you assist in setting up any telephone
8 canvassing operations for Alaskans for Gruening?

9 A Yes.

10 Q What particular activities did you engage in while
11 assisting in the telephone canvassing operation?

12 A Just the telephoning, canvassing.

13 Q Would you train people in how to deal with others
14 on the phone?

15 A Yes.

16 Q Did you assist in writing scripts for phone
17 canvassers?

18 A Yes.

19 Q Did you give advice as to what should be said on
20 the phone?

21 A Yes.

22 Q Okay. Who asked you to do this?

23 A I volunteered my services.

24 Q And who did you work for while you were doing this?
25 Who was supervising you?

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A Mrs. Gruening.

Q Melinda Gruening?

A Yes.

Q When did you perform such activities for Alaskans for Gruening?

A A couple evenings a week.

Q During what months? What time periods is that?

A June, it could have been June or early July. I don't recall the exact dates.

Q Did you do any other work for Alaskans for Gruening?

A No.

Q Were you paid for this particular work that you did?

A No.

Q Before June did you do any work for Alaskans for Gruening?

A No.

Q Now, you say you volunteered to work for Alaskans for Gruening. Did that volunteering come as a result of somebody from the campaign approaching you? Or did you decide on your own to go to the campaign?

A I decided.

Q Did anybody suggest that to you?

A No.

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1 Q And when you went to the campaign did you approach
2 them by letter or did you go to the headquarters and speak
3 to people?

4 A I spoke to them on the telephone first, offering
5 my services.

6 Q And what did they say when you offered your
7 services?

8 A They thanked me and asked me to come in.

9 Q Excuse me. Who was that who you spoke to on the
10 telephone at that time?

11 A I don't recall the last name. The first name was
12 Jackie.

13 Q Jackie? Excuse me, was this a man or a woman?

14 A A man.

15 Q Had you done work for campaigns prior to this?

16 A Yes.

17 Q Did you discuss your campaign activities prior to
18 this on the phone?

19 A Yes.

20 Q Did they know about this kind of activity?

21 A Yes, they did.

22 Q While you were working for Alaskans for Gruening
23 with whom in Alaskans for Gruening did you communicate?

24 A Melinda Gruening and a lady at the front desk, I
25 don't recall her name.

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1 Q And what, ah, what was -- how often would you
2 communicate with Melinda Gruening?

3 A Only to confirm when I could be there and when I
4 could not be there.

5 Q Did you ever discuss the substance of the campaign
6 in terms of how Clark Gruening was doing, or the strength of
7 the campaign?

8 MR. SCHWEITZER: Objection. Johnny, why don't you
9 ask just one question, please.

10 BY MR. LEVIN:

11 Q Okay. How Clark Gruening was doing in his
12 campaign?

13 MR. SCHWEITZER: Would you re-state the question,
14 please, from the beginning?

15 BY MR. LEVIN:

16 Q Did you ever discuss with Melinda Gruening how
17 Clark Gruening was doing in his campaign?

18 A Yes.

19 Q And what did you say to her?

20 A I could -- it would generally be a reaction that I
21 might have had to a public appearance that he had on
22 television. I would either volunteer that I thought it was
23 well-done or --

24 Q And what did she say to you?

25 A She was open to any suggestions.

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1 Q I'm going to read you a list of names and see if
2 it might refresh your memory as to whom else on the campaign
3 you might have spoken to. Did you ever -- or communicated
4 by letter with. Did you ever have communication with John
5 Hale while you were working for Alaskans for Gruening?

6 A Yes.

7 Q And what was the nature of that communication, or
8 those communications?

9 A Initially I spoke with Mr. Hale before I began the
10 telephone canvassing, a general conversation.

11 Q And what did you speak about?

12 A The past experience that I had had in telephone
13 canvassing.

14 Q Was this before you volunteered for the campaign?

15 A No.

16 Q Did you discuss the activities of the Gruening
17 campaign at all?

18 A No.

19 Q You merely discussed your past experience?

20 A Yes.

21 Q Did he say anything to you in that conversation?

22 A Did he say --

23 Q Well, about the Gruening campaign?

24 A With regard to the telephone canvassing, yes.

25 Q What did he say to you?

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1 A That they were generating the canvassing and they
2 needed all the help they could get.

3 Q When you say that he said that they needed all the
4 help they could get, did he talk about the strength of the
5 campaign? By that I mean how it was doing in certain areas
6 of the State, or around the State?

7 A No.

8 Q Did you have any other conversations with Mr. Hale?

9 A Yes, in passing.

10 Q What was the nature of these conversations?

11 A It would be social, hellos.

12 Q Did you discuss the campaign at all with him?

13 A No, I did not.

14 Q Getting back to -- excuse me. When did you have
15 these conversations with Mr. Hale?

16 A I don't remember the dates.

17 Q Would they be while you were working for the
18 campaign?

19 A Yes.

20 Q Any time after that?

21 A No.

22 Q Getting back to Melinda Gruening; we referred to,
23 I believe, conversations in passing as to -- and they
24 involved your reactions to a public appearance. Do you
25 recall any other conversations with Mrs. Gruening?

1 A No.

2 Q Do you recall if within those conversations you
3 discussed anything else other than your reactions to these
4 appearances?

5 A I recall that -- discussing the canvassing.

6 Q And what did you say?

7 A Well, we were mostly involved in the number of
8 people that would be showing up in the evenings and
9 telephones available, and --

10 Q Did you discuss it in relation to the need of the
11 campaign to have more people show up?

12 A No.

13 Q You merely discussed what was going to happen?

14 A Yes.

15 Q While you were working for Alaskans for Gruening
16 did you have any communications -- and again, let me state
17 that that means written, oral or by telephone, or any kind
18 of communication -- with Clark Gruening?

19 A Yes.

20 Q And when did you communicate with him?

21 A I met Mr. Gruening the first day at the campaign
22 headquarters. I was introduced to him.

23 Q Is this the first day that -- of the campaign? Or
24 first day that you came to work for --

25 A The first day that I was in campaign headquarters.

1 Q And what day was that?

2 A I don't remember.

3 Q Was that before you began working for Alaskans for
4 Gruening? When you say in campaign headquarters, had you
5 already started working for the Committee or was this --

6 A No, this was my initial visit.

7 Q After you had volunteered your services?

8 A Yes.

9 Q I see. And what did you say to him at that time?

10 A I don't recall.

11 Q Perhaps to refresh, did you discuss his strength
12 in the campaign?

13 A No.

14 Q Did you discuss any needs he might have for
15 campaign workers?

16 A No.

17 Q What did he say to you?

18 A I don't remember.

19 Q Did you -- while you were working for Alaskans for
20 Gruening did you have any communication with Dick Angel?

21 A I don't remember.

22 Q Do you know who Dick Angel is?

23 A The, the name is familiar to me.

24 Q If I refresh your memory and told you that he was
25 the Chairman of Alaskans for Gruening, would that help you

1 recall?

2 A No.

3 Q While you were working for Alaskans for Gruening
4 did you communicate with Floyd Smith?

5 A I don't remember.

6 Q Do you know who Floyd Smith is?

7 A No.

8 Q Would it assist your recollection if I told you
9 that he was the Treasurer of Alaskans for Gruening?

10 A No.

11 Q While you were working for Alaskans for Gruening
12 did you have any communications with Isen Brady?

13 A No.

14 Q He was the Assistant Treasurer. Does that assist
15 your recollection?

16 A No.

17 Q Did you have any communication with Luann Diamond?

18 A I don't remember.

19 Q She was his secretary. Does that assist you at
20 all? Secretary?

21 A I could place her face, but I'm terrible with names.

22 Q Are you saying you -- let me clarify. You said
23 that you could place her face, but you're not sure it was
24 Luann Diamond?

25 A I'm not certain of her name.

1 Q This particular person that you're thinking about,
2 did you have any conversation with her with respect to the
3 Gruening campaign?

4 A Yes.

5 Q What did you discuss?

6 A We discussed telephone availability.

7 Q Would you clarify what you mean by that?

8 A The number of telephones that would be available
9 to us for canvassing, number of people that we would expect
10 to show up for telephone canvassing.

11 Q Anything else?

12 A Nothing else that I can remember.

13 Q How often did you converse with this person, or
14 communicate in any other way?

15 A Oh, probably two or three times a week.

16 Q Was there, in your conversations with her, was
17 there any other topics discussed?

18 A Not that I remember.

19 Q While you were working for Alaskans for Gruening
20 did you communicate with Rick Meinstrum?

21 A I don't remember.

22 Q Do you know who he is?

23 A No, I do not.

24 Q He was one of the -- he was one of the media people
25 for the campaign. Does that refresh your recollection at all?

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1 A No, it does not.

2 Q Now, there is another media person, Larry Holstrom.
3 Do you recall any conversation with him or communication with
4 him?

5 A I don't remember.

6 Q Do you recall any communication with Mary Pat
7 Murphy, who was a Press person, Press Aide to the campaign?

8 A Yes. I was introduced to Mary Pat.

9 Q When was that?

10 A At campaign headquarters for Clark Gruening.

11 Q When?

12 A During the time that I was involved in the
13 telephone canvassing.

14 Q Can you be more specific as to when you were
15 introduced to her?

16 A No, I -- I would not remember the date.

17 Q And why were you introduced to her?

18 A I think I was introduced at one time or another to
19 anybody that might have been in the office passing through.

20 Q Did you converse with her at that time?

21 A Perhaps socially.

22 Q Do you recall if you discussed the campaign at all
23 when you conversed with her at that time?

24 A I do not recall.

25 Q Did you have any other communications with Mary

1 Pat Murphy?

2 A No.

3 Q So that was the only time you had met her?

4 A Well, I would see her in the campaign headquarters,
5 we would speak in passing.

6 Q When you spoke in passing, did you speak in
7 passing about the campaign at all?

8 A No, a social hello.

9 Q While you were working for Alaskans for Gruening
10 did you communicate with Mike Harmon, who is also a Press
11 Aide?

12 A Not that I remember.

13 Q While you were working for Alaskans for Gruening
14 did you communicate with Greg Carr?

15 A No.

16 Q Do you know who Greg Carr is?

17 A Yes.

18 Q But you had no communication with him?

19 A No.

20 Q Did you communicate with anyone else from the
21 Gruening campaign whose name you can recall?

22 A No, I cannot recall.

23 MR. SCHWEITZER: You answered the question.

24 BY MR. LEVIN:

25 Q Cannot recall the names?

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1 A Cannot recall the names.

2 Q Can you recall any other discussions as to the
3 progress of the Gruening campaign with any other Gruening
4 staff, other than the people I've mentioned?

5 A No, I cannot.

6 Q When did you stop working for Alaskans for
7 Gruening?

8 A It was around the last week of July.

9 Q Are you able to be more specific as to when during
10 the last week?

11 A No, I am not.

12 Q Was this a result of an affirmative decision not
13 to work for them again? Or did your duties simply end?

14 MR. SCHWEITZER: Objection. Ask one question,
15 please, Mr. Levin.

16 BY MR. LEVIN:

17 Q Okay. The first part; was this a result of an
18 affirmative decision not to work for Alaskans for Gruening
19 again?

20 A Yes.

21 Q Why did you stop working for Alaskans for Gruening?

22 A I had, um, entered the Friends of Alaska campaign.

23 Q Do you know when you entered the Friends of Alaska
24 campaign?

25 A Not exactly, no.

1 Q Was it during that last week of July?

2 A Yes.

3 Q When you decided that you would not work for
4 Alaskans for Gruening did you tell John Hale about your
5 decision?

6 A Yes, I did.

7 Q And when did you tell him this?

8 A I do not recall exactly.

9 Q Was it during the last week of July?

10 A Yes.

11 Q Was it after you had definitely made a decision to
12 work for Friends of Alaska?

13 A Yes.

14 Q What did you tell him?

15 A I told him that I was having to be out of town the
16 last of August, and that my business required additional
17 time and I just couldn't offer my services to the Gruening
18 campaign any longer.

19 Q Did you tell him about Friends of Alaska?

20 A No, I did not.

21 Q Why didn't you tell him about Friends of Alaska?

22 A I didn't feel that I needed to.

23 Q Okay. That you didn't need to. Did you tell
24 anyone else from Alaskans for Gruening about your decision
25 to leave Alaskans for Gruening?

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1 A Would you re-phrase that?

2 Q Okay.

3 A Repeat that, I'm sorry.

4 Q Okay. Did you tell anyone else from Alaskans for
5 Gruening that you would no longer be working for Alaskans
6 for Gruening?

7 A Yes.

8 Q And whom did you tell?

9 A Melinda Gruening.

10 Q And what did you say to her?

11 A I simply told her I would not have the time and I
12 wished them the best of luck.

13 Q Did you mention Friends of Alaska to her?

14 A No, I did not.

15 Q And why didn't you?

16 A I didn't feel -- again, did not feel that I needed
17 to.

18 Q Was there anyone else from the Committee -- and
19 that includes the names I listed before, or anyone else from
20 the Committee -- whom you told as to your decision to leave
21 Alaskans for Gruening?

22 A I don't remember.

23 Q Now, in your conversation -- but you do remember
24 specifically John Hale and Melinda Gruening?

25 A Yes.

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1 Q In your conversation with John Hale, when you told
2 him that you would no longer be working for Alaskans for
3 Gruening, what did he say to you?

4 A He said he was sorry and he thanked me for the
5 time that I'd spent, and he was -- he was sorry to lose my --
6 the help.

7 Q I didn't hear the last.

8 A He said he was, um, sorry to lose the help, and he
9 thanked me.

10 Q Did he mention anything about Friends of Alaska?

11 A No.

12 Q Did he mention anything about Barnard Gottstein?

13 A No.

14 Q In your conversation with Melinda Gruening did --
15 what did she say to you?

16 A She also thanked me.

17 Q Did she mention anything about Friends of Alaska?

18 A No.

19 Q Did she mention anything about Barnard Gottstein?

20 A No.

21 Q When you went to Mr. Hale and Mrs. Gruening to
22 inform them that you would not work for the Committee any
23 more -- let me start again on that one.

24 How recently had you worked for the Committee, or
25 when was the last time you had worked for the Committee prior

1 to your telling Mr. Hale and Mrs. Gruening about your
2 leaving the Committee?

3 A Within that same week. I'd been down to
4 headquarters doing telephone canvassing.

5 Q Hold on a second. When you spoke to Mr. Hale did
6 he ask you why you were leaving?

7 A No.

8 Q So you took it upon yourself to explain why?

9 A Yes, I did.

10 Q When you spoke to Mrs. Gruening did she ask you
11 why you were leaving?

12 A No.

13 Q In that case, again, you took it upon yourself to
14 explain why?

15 A Yes, I did.

16 Q Had you been told by anyone that you should cease
17 working in Alaskans for Gruening?

18 MR. SCHWEITZER: Would you repeat that question?

19 I didn't hear it.

20 BY MR. LEVIN:

21 Q Had you been told by anyone that you should cease
22 working for Alaskans for Gruening?

23 A I don't remember.

24 Q Dick Green? Do you recall Dick Green telling you
25 you should cease working for Alaskans for Gruening?

1 A Yes, I do remember that.

2 Q And when did he tell you that?

3 A It was my first meeting with Mr. Green.

4 Q Was this prior to your meeting with anyone else
5 from the Committee?

6 MR. SCHWEITZER: Which committee?

7 MR. LEVIN: Friends of Alaska Committee.

8 MR. SCHWEITZER: Go ahead and answer that,
9 Miss Thompson.

10 THE DEPONENT: Yes.

11 BY MR. LEVIN:

12 Q You said yes?

13 A I don't remember.

14 Q What did Mr. Green say to you?

15 A Mr. Green said that I should not -- should not be
16 involved in any way with the Clark Gruening campaign.

17 Q What reason did he give for that?

18 A I don't remember.

19 Q Would it refresh your memory if I told you that he
20 -- he said he didn't want you to serve two masters?

21 A No, I don't remember that.

22 Q Did you speak to anyone else who told you not to
23 work for the Gruening campaign?

24 A I don't recall.

25 Q Excuse me. Did Tony Gay tell you not to work for

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1 the Gruening campaign?

2 A I don't remember.

3 Q Barnard Gottstein tell you not to work for the
4 Gruening campaign?

5 A I don't remember.

6 Q Did Tom Kelly?

7 A No, not, not Tom Kelly.

8 Q Do you know who Barnard Gottstein is?

9 A Yes.

10 Q Did you have any oral or written communication
11 with him between September 1st, 1979 and July 30th, 1980?

12 A Yes.

13 Q How many times did you communicate with
14 Mr. Gottstein?

15 A I -- I don't remember.

16 Q Would you communicate with him once a week?

17 A No.

18 Q More often than that?

19 A No. I --- no, it would be less.

20 Q Would it be once a month? On the average between
21 that, those two dates?

22 A Very possibly.

23 Q Did you have any communications in which you
24 discussed the activities or prospective activities to the
25 candidates in the 1980 Democratic primary in Alaska for the

1 Senate?

2 MR. SCHWEITZER: Would you repeat that question,
3 please?

4 BY MR. LEVIN:

5 Q Let me make that; did you have any discussions
6 with Mr. Gottstein about the activities or prospective
7 activities of the candidates in the 1980 Democratic
8 Senatorial primary in Alaska? We're talking about between
9 September 1st, '79 and July 30th, '80.

10 A I don't remember.

11 Q Did he ever discuss with you a dissatisfaction
12 with the conduct of Clark Gruening's campaign?

13 A I don't remember.

14 Q Did he ever discuss with you his support for
15 Clark Gruening?

16 A I don't remember.

17 Q Did he ever discuss with you the need to form a
18 committee other than Alaskans for Gruening that would either
19 advocate the defeat of Mike Gravel or election of Clark
20 Gruening?

21 A No.

22 Q Did you ever see Mr. Gottstein at any fund-raisers
23 for Alaskans for Gruening?

24 A No.

25 Q Did you ever see Mr. Gottstein at any other such

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1 parties or public gatherings for Alaskans for Gruening?

2 A No.

3 Q Did you ever see Mr. Gottstein at Alaskans for
4 Gruening headquarters?

5 A No.

6 Q Did you ever see Mr. Gottstein at any gatherings
7 of Alaskans for Gruening staff?

8 A No.

9 Q Included in that last question would be strategy
10 sessions, staff meetings?

11 A No.

12 Q What role did Mr. Gottstein play in Alaskans for
13 Gruening?

14 A I did not know.

15 Q Let me ask of specific functions and see if that
16 might refresh your recollection. Was he a fund-raiser for
17 Alaskans for Gruening?

18 A I do not know.

19 Q Do you know if he would go to friends, his friends
20 or people he knew and ask for money for Alaskans for
21 Gruening?

22 A I do not know.

23 Q Do you know if anyone on the campaign asked him to
24 raise money either by going to friends, or making speeches?

25 A No, I do not know that.

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1 Q Do you know if Mr. Gottstein gave any advice to
2 the campaign staff?

3 MR. SCHWEITZER: Would you repeat that question,
4 please, Mr. Levin?

5 MR. LEVIN: Do you know if Mr. Gottstein gave any
6 advice to the campaign staff?

7 THE DEPONENT: Which campaign?

8 MR. SCHWEITZER: Which campaign staff are you
9 referring to?

10 MR. LEVIN: To the staff of Alaskans for Gruening?

11 THE DEPONENT: No, I do not know.

12 BY MR. LEVIN:

13 Q Do you know if he gave any advice to the Cabinet
14 of Clark Gruening?

15 A No.

16 Q Do you know of any specific solicitation done by
17 Mr. Gruening for the Gruening campaign, such as a set of
18 phone calls, a set of letters, or a speech?

19 MR. SCHWEITZER: Do you mean, do you mean to say
20 by Mr. Gruening, Mr. Levin? Is that what you mean?

21 BY MR. LEVIN:

22 Q No. By Mr. Gottstein for the Gruening campaign.

23 A No, I do not know that.

24 Q Do you know that he was involved with the Gruening
25 campaign at all?

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1 A No.

2 Q Did Mr. Gottstein --

3 MR. SCHWEITZER: One second. One second,
4 Mr. Levin. May we go off the record?

5 MR. LEVIN: Sure.

6 (Whereupon a discussion was had off the
7 record).

8 MR. SCHWEITZER: Back on the record if you so
9 desire.

10 BY MR. LEVIN:

11 Q Did Mr. Gottstein at any time -- this is either
12 during the campaign or after -- in other words, even to the
13 present, discuss his role in the Gruening campaign with you?

14 A No, sir.

15 Q Do you know who Kelly Gay is?

16 A Yes.

17 Q Who is she?

18 A A friend of mine.

19 Q Did you have any oral or written communication
20 with her from September 1st, 1979 to July 30th, 1980?

21 A Yes.

22 Q And how many communications?

23 A Many.

24 Q Would it average once a week?

25 A Yes.

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1 Q What communications did you have with her in
2 which you discussed the activities or prospective activities
3 of the candidates in the 1980 Democratic Senatorial primary
4 in Alaska?

5 A A number of conversations.

6 Q And what would you discuss during these
7 conversations?

8 A Who was going to run for what office and how we
9 felt about them, personally.

10 Q I didn't get that last.

11 MR. SCHWEITZER: And how we felt about them
12 personally.

13 MR. LEVIN: What did Miss Gay say, specifically,
14 about those two areas?

15 MR. SCHWEITZER: Well, what -- be more specific
16 with your questions, please, Mr. Levin.

17 BY MR. LEVIN:

18 Q Did Mrs. Gay say she supported Clark Gruening?

19 A No.

20 Q Did she say that she was against the election of
21 Mike Gravel?

22 A Yes.

23 Q What else did she say about Mr. Gravel?

24 A I don't remember exactly.

25 Q Did she discuss other candidates, such as

1 Mr. Gruening?

2 A I'm certain that we did.

3 Q Do you recall what she said?

4 A No, I do not.

5 Q When did these conversations take place?

6 A I don't remember.

7 Q Would it -- did they take place more often while
8 you were working with Alaskans for Gruening or prior to that
9 time?

10 A Prior to that time.

11 Q When you were working for Alaskans for Gruening
12 did you discuss with her about Mr. Gravel and Mr. Gruening?

13 MR. SCHWEITZER: Would you ask one question,
14 please, Mr. Levin?

15 BY MR. LEVIN:

16 Q While you were working for Alaskans for Gruening
17 did you converse with her about Mr. Gravel?

18 A I don't remember.

19 Q While you were working for Alaskans for Gruening
20 did you converse with her about Mr. Gruening?

21 A Again, I don't remember.

22 Q Did Mrs. Gay ever discuss with you her
23 dissatisfaction with the conduct of Clark Gruening's
24 campaign?

25 A Not that I remember.

1 Q Did she ever discuss with you the need to form a
2 committee other than Alaskans for Gruening to defeat Mike
3 Grevelle or to elect Clark Gruening?

4 A No.

5 Q Did you ever discuss your role in the Gruening
6 campaign with her?

7 A Yes.

8 Q What did you say to her?

9 A I mentioned that I, I had joined the campaign
10 effort and that I was telephone canvassing.

11 Q When did this conversation occur?

12 A I don't remember. In July.

13 Q When in July?

14 A I do not remember exactly.

15 Q Would it have been close to the time that you left
16 the Gruening campaign?

17 A I beg your pardon?

18 Q Did it occur close to the time that you left the
19 Gruening campaign? And by that I mean the last week of July
20 or the week before that?

21 A No.

22 Q Did Kelly work as a paid employee or volunteer in
23 the Gruening campaign?

24 A I do not know.

25 MR. SCHWEITZER: Are you referring to Kelly Gay or

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1 Tom Kelly?

2 BY MR. LEVIN:

3 Q Right, Kelly Gay. And you said you do not know?

4 A I do not know.

5 MR. SCHWEITZER: Correct.

6 BY MR. LEVIN:

7 Q Did you ever see her at Gruening fund-raisers?

8 A No.

9 Q Did you ever see her at Gruening parties or other
10 public gatherings?

11 A Yes.

12 Q Where was that?

13 A Chamber luncheons where all the candidates were
14 speaking.

15 Q So this was a -- was a debate, was not a function
16 exclusively for Clark Gruening?

17 A No, it was a debate.

18 Q Did you communicate with her at that time?

19 A We went to luncheon together.

20 Q What did she say to you with respect to the
21 campaign?

22 A I don't remember.

23 Q When, when was this Chamber luncheon?

24 A I don't remember.

25 Q Did Kelly Gay ever tell you anything that Barnard

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1 Gottstein said to her in relation to the campaign?

2 A May I seek counsel?

3 MR. SCHWEITZER: Sure. May we go off the record?

4 MR. LEVINE: Sure.

5 MR. SCHWEITZER: We're going to step outside one
6 second here.

7 (Whereupon a discussion was had off the
8 record).

9 MR. SCHWEITZER: Back on the record, Mr. Levin.
10 Repeat your question, please.

11 BY MR. LEVIN:

12 Q Did she ever tell you that -- anything that
13 Barnard Gottstein said to her in relation to the Democratic
14 Senatorial primary?

15 A I don't --

16 Q Let me be more specific with that question, then.
17 Did she ever tell you anything Barnard Gottstein said to her
18 about his activities for the Gruening campaign?

19 A No, not that I remember.

20 Q Excuse me. I didn't get that. What was the
21 answer to that question?

22 MR. SCHWEITZER: No. Answer was no, she does not
23 remember.

24 BY MR. LEVIN:

25 Q Did she ever tell you anything that Barnard

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1 Gottstein said to her about Mike Gravel?

2 A I don't remember.

3 Q Did she ever tell you anything that Barnard
4 Gottstein said to her about Clark Gruening?

5 A I don't remember.

6 Q Did she ever tell you anything that Barnard
7 Gottstein said to her about Pat Rodde (phonetic)?

8 A I don't remember.

9 Q Do you know who Dick Green is?

10 A Yes, I do.

11 Q And where do you know Dick Green? How do you know
12 -- let me --

13 MR. SCHWEITZER: What's your question, Mr. Levin?

14 MR. LEVIN: Do you know Dick Green?

15 MR. SCHWEITZER: The answer to that was yes.

16 BY MR. LEVIN:

17 Q I asked who Dick Green is. I want to know how
18 does she know Dick Green.

19 A I do know Dick Green.

20 Q And how do you know Dick Green?

21 A Dick Green is Kelly Gay's brother, and I've known
22 him for a number of years.

23 Q Did you have any communication with him from
24 September 1st, 1979 to July 30th, 1980?

25 A Yes.

1 Q And how often would you communicate?

2 A Holidays, basically.

3 Q Excuse me?

4 MR. SCHWEITZER: Holidays, basically, was the
5 answer.

6 BY MR. LEVIN:

7 Q How often was that? Once a month?

8 A Just on the -- on the general holidays.

9 Q Did you ever have any discussions with him about
10 activities, or prospective activities of the candidates in
11 the 1980 Democratic Senatorial primary?

12 MR. SCHWEITZER: From September 1 to July 30, 1980?

13 MR. LEVIN: Yes.

14 MR. SCHWEITZER: During that time frame,
15 Mrs. Thompson.

16 THE DEPONENT: I don't remember.

17 BY MR. LEVIN:

18 Q Do you know who Tom Kelly is?

19 A Yes.

20 Q You know Tom Kelly?

21 A I met Mr. Kelly.

22 Q When?

23 A I met Mr. Kelly one time in early August of 1980.

24 Q And where did you meet him?

25 A At his office.

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1 Q What was the purpose of this meeting?

2 A I was depositing funds for Friends of Alaska, and
3 there was a problem with the signature card, the bank
4 signature card. Mr. Green was out of town and so I went to
5 Mr. Kelly.

6 MR. SCHWEITZER: You have answered the question.

7 BY MR. LEVIN:

8 Q Have you met Mr. Kelly on any other occasions?

9 A No.

10 Q Have you communicated with him by telephone or by
11 mail on any other occasion?

12 A No.

13 Q So the first time you met him was in early August?

14 A Yes, 1980.

15 Q 1980. When did you first hear of plans to form a
16 committee other than Alaskans for Gruening advocating the
17 defeat of Senator Gravel?

18 A The last week of July, 1980.

19 Q And who informed you first?

20 A Kelly Gay.

21 Q That was during the last week of July?

22 A Yes.

23 Q What did she say to you?

24 A She asked me to join Friends of Alaska.

25 Q Was this a -- a chance encounter? Or did you have

1 an arranged meeting?

2 A I don't remember.

3 Q Did she call you on the phone?

4 A I don't remember.

5 Q Did you meet for a meal, for lunch?

6 A It's possible, but I don't remember.

7 Q Now, you say that she asked you to join Friends of
8 Alaska. What did she explain to you about Friends of Alaska?

9 A That it was a -- an anti-Mike Gravel campaign.

10 Q And did she say anything further about it?

11 A That she was having to leave town and asked that I
12 help out while she was gone.

13 Q Did she say why such a committee was being formed?

14 A Yes.

15 Q And what did she say as to that?

16 A To unseat Mike Gravel.

17 Q Did she say specifically why a committee other than
18 Alaskans for Gruening was necessary?

19 A No.

20 Q Did she say that she had discussed this idea with
21 Barnard Gottstein?

22 A I don't remember.

23 Q Did she mention Barnard Gottstein at all?

24 A I don't remember.

25 Q Whose idea did she say this committee was, Friends

1 of Alaska?

2 A I don't remember.

3 Q For recollection purposes, to refresh, did she
4 mention any discussions Barney might have had with Alaskans
5 for Gruening personnel?

6 A No.

7 Q Did she mention whether or not Barney, or anyone
8 else to be involved in this new Committee had discussed this
9 new Committee with Alaskans for Gruening personnel?

10 A No.

11 Q Did she state whether or not anyone involved in
12 this Committee should or should not have contact with anyone
13 from the Gruening campaign?

14 A No.

15 Q Did she mention who else would be on the Committee?

16 A Yes.

17 Q And who did she say would be on the Committee?

18 A Dick Green.

19 Q Did she mention Barnard Gottstein?

20 A No.

21 Q Did she mention Tom Kelly?

22 A Yes.

23 Q And what did she say about Tom Kelly?

24 A That he was heading the Committee.

25 Q Did she mention to you anything Mr. Kelly had told

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1 her about the plans for the Committee?

2 A No.

3 Q Did she say anything about her -- any conversation
4 with Dick Green with respect to the Committee?

5 A Yes.

6 Q What did she say?

7 A She mentioned that he was in town for one week and
8 away for one week during this effort, and that she was
9 having to be out of town and the records needed to be
10 prepared.

11 Q When you spoke to Kelly Gay did you say that you
12 were working for Alaskans for Gruening at that time?

13 A Yes.

14 Q What did you say specifically? Did you tell her
15 about -- oh, okay. Let me -- that's three questions. Did
16 you tell her what you were doing for Alaskans for Gruening?

17 A Yes.

18 Q Did you ask her if you could continue to work for
19 Alaskans for Gruening?

20 A No.

21 MR. LEVIN: Let's go off the record for a second.
22 Is that all right with you?

23 MR. SCHWEITZER: Fine. Sure.

24 (Whereupon a recess was had).

25 MR. SCHWEITZER: We're back.

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1 MR. LEVIN: I'd ask the last two questions and
2 responses be read back.

3 (Whereupon the prior two questions and
4 responses were read).

5 BY MR. LEVIN:

6 Q Miss Thompson, did you explain to Kelly Gay why
7 you were participating in the Gruening campaign?

8 A I don't remember.

9 Q Did you say anything else about your participation
10 in the Gruening campaign?

11 A No, I didn't.

12 Q Did you or she say anything about your future
13 participation in the Gruening campaign?

14 A I don't remember.

15 Q I want to go back a bit. You say you said that
16 Tom Kelly was in charge of the campaign? What did you mean
17 by that? What --

18 MR. SCHWEITZER: Wait. Well, Mr. Levin, you've
19 misstated what she said. She said Tom Kelly was the
20 Chairman of the campaign.

21 MR. LEVIN: I don't believe she said that.

22 MR. SCHWEITZER: Why don't you ask her the question
23 and we'll go through it again.

24 MR. LEVIN: I believe "heading" the campaign was
25 the phrase.

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1 MR. SCHWEITZER: We can have it read back.

2 MR. LEVIN: Well, we could have it read back, if
3 you want.

4 MR. SCHWEITZER: No, it's not necessary. Why don't
5 you just go ahead and ask the question.

6 BY MR. LEVIN:

7 Q All right. You said Tom Kelly was heading the
8 campaign. What did you mean heading the Friends of Alaska?
9 What did you mean by that?

10 A I think that he was to be our general spokesman.

11 Q You mean public spokesman?

12 A Yes, our public spokesman.

13 Q Did he run the day-to-day activities of Friends of
14 Alaska?

15 A I do not know.

16 Q Do you know who did run the day-to-day activities
17 of Friends of Alaska?

18 A No.

19 Q Do you know if Barnard Gottstein performed that
20 function?

21 A I do not know.

22 Q When you were making the decision to join Friends
23 of Alaska did you speak to anyone other than Kelly Gay?

24 A Dick Green. I spoke with Dick Green.

25 Q And was that before or after you had spoken to

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1 Kelly Gay?

2 A It was after I had spoken with Kelly Gay.

3 Q Had you already made a decision to work for the
4 Committee at that time?

5 A Yes.

6 Q And we've already established that that's when he
7 said that you should not work for Alaskans for Gruening?

8 A I don't remember that phrase.

9 Q Okay. Do you recall what was said during that
10 conversation?

11 A No, I do not.

12 Q Do you recall -- if you don't remember that
13 specific phrase, do you recall a sense that you were not to
14 work for Alaskans for Gruening again?

15 A Yes, I remember.

16 Q And what, specifically, in that conversation would
17 give you that sense that you were not to work for Alaskans
18 for Gruening again?

19 A As I recall the efforts were -- would have been
20 counter-productive to have worked in both campaigns.

21 Q Can you elaborate on that?

22 MR. SCHWEITZER: The question -- the question,
23 Mrs. Thompson, was what's -- what, from the sense of
24 the conversation, what caused you to decide not to work
25 in one campaign, in the Friends of -- in the Alaskans

1 for Gruening campaign. Now, is your answer to that
2 question what you just stated?

3 THE DEPONENT: Yes.

4 MR. SCHWEITZER: Okay.

5 MR. LEVIN: That's fine.

6 MR. SCHWEITZER: Go ahead, Mr. Levin.

7 BY MR. LEVIN:

8 Q Did Mr. Green mention anything to you about the
9 legalities of working for both campaigns? The possibility
10 of an interpretation that there would be coordination?

11 A Are you asking if Dick Green --

12 Q If Mr. Green said anything to you about that.

13 THE DEPONENT: Is he saying Dick Green?

14 MR. SCHWEITZER: Yes. He's referring to Dick Green,
15 about whether Dick Green said something to you about
16 the legalities of working for both campaigns.

17 THE DEPONENT: I don't remember.

18 BY MR. LEVIN:

19 Q Did anyone from Friends of Alaska make that kind
20 of statement to you, either just before your beginning to
21 work for Friends of Alaska or while you are working for
22 Friends of Alaska?

23 A I don't remember.

24 Q How did Tom Kelly and Dick Green come to be part of
25 Friends of Alaska?

1 A I don't know.

2 Q Do you know if Kelly Gay spoke to Dick Green?

3 A I do not know that.

4 Q Was anyone else, other than Barnard Gottstein,
5 Kelly Gay, Tom Kelly and you involved in Friends of Alaska?

6 A Dick Green.

7 Q Okay. Dick Green was mentioned. Other than that?
8 Barnard Gottstein, Kelly Gay, Tom Kelly, Dick Green and
9 yourself?

10 A Yes.

11 Q That's the exhaustive list.

12 MR. SCHWEITZER: The question is was anyone else
13 involved.

14 THE DEPONENT: No, not to my knowledge.

15 BY MR. LEVIN:

16 Q Now, were arrangements made with Alaska
17 Advertisers for the provision of services to Friends of
18 Alaska?

19 A I do not know.

20 Q Do you know who approached who?

21 A No, I do not.

22 Q Did you have any awareness that Alaska Advertisers
23 had been used by Alaskans for Gruening?

24 A No.

25 Q Do you know if Barnard Gottstein picked Alaska

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1 Advertisers to do services for Friends of Alaska?

2 A No, I do not.

3 Q Do you know that Alaska Advertisers performed
4 services for Friends of Alaska?

5 A Yes, I do.

6 Q And when did you first discover this?

7 A They mailed us a billing, an estimated amount of
8 the twenty-day radio advertising.

9 Q When was that?

10 A I don't remember.

11 Q Would that have been at the beginning of the
12 Committee's existence?

13 A Yes.

14 Q Around August 1st?

15 A I would assume. I think the billing would have
16 come later than August the 1st.

17 Q When would that have come?

18 A I don't remember exactly.

19 Q This was a prospective billing?

20 A Yes, it was.

21 Q Who on Friends of Alaska dealt with Alaska
22 Advertisers?

23 A Well, I did. I don't know who else.

24 Q You don't know who else?

25 A I --

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1 Q I didn't get that last.

2 A I do not know.

3 MR. SCHWEITZER: She said she did, and she doesn't
4 know who else did.

5 MR. LEVIN: Thank you. Okay.

6 BY MR. LEVIN:

7 Q And what was -- what were your dealings, what did
8 you do in dealing with Friends of Alaska?

9 A After the initial --

10 MR. SCHWEITZER: Desling with Friends of Alaska?

11 MR. LEVIN: I'm sorry. I'm sorry, with Alaska
12 Advertisers.

13 MR. SCHWEITZER: Go ahead. What did you do in
14 your dealings with Alaska Advertisers?

15 THE DEPONENT: I would call each day. In the
16 beginning I would call each day to find out how much
17 radio time that they had actually purchased, and the
18 dollar amount of the purchase.

19 BY MR. LEVIN:

20 Q Would you get a billing?

21 A Yes, we began to get daily billings.

22 Q And who would pay these bills?

23 A I cut the checks.

24 Q When you were dealing with Friends of Alaska with
25 whom did you communicate?

1 A Dick Green. Kelly Gay.

2 Q I'm sorry, with -- I'm sorry, with -- let me --
3 I've done that again. When you were communicating with
4 Alaska Advertisers with whom would you communicate?

5 A A gentleman, I don't remember his name.

6 Q Was that Steve Owen or Oien, O-i-e-n?

7 A That's familiar. That name is familiar to me.

8 Q Did you communicate with Judy Parsons?

9 A Yes. Judy gave me the daily information.

10 Q What other communications did you have with Judy
11 Parsons?

12 A None other than I remember.

13 Q What communications did you have with Steve Owen
14 or Oien?

15 A One visit with him at his office to clear up some
16 billing matters that I was in doubt about.

17 Q So this merely had to do with money?

18 A Yes, I believe I delivered -- as a matter of fact,
19 I delivered a check to the Alaska Advertisers office.

20 Q Excuse me. What was this dispute with the billing?
21 What was the nature and substance of this dispute?

22 A Dispute might have been a poor phrase. I was
23 trying to interpret my reports to the Federal Elections
24 Commission and I -- my interpretation that it was to be done
25 daily, my expenditures, whether I'd physically disburse it

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1 or not, and I think this is what I was trying to clear up,
2 was the daily invoicing.

3 Q So what, what assistance could Mr., Mr. Oien
4 provide you with respect to this?

5 A That the invoice would be prepared daily. The
6 amounts were to be called to me and I would report to the
7 Federal Elections Commission.

8 Q In other words, you were ascertaining, not to
9 fulfill your reporting obligations?

10 A Yes.

11 Q You were trying to make sure Mr. Oien would give
12 you the necessary data?

13 A I don't -- I don't recall too much conversation
14 with him with regard to that. I think that it was cleared
15 probably through Judy, and I just don't recall, except that
16 I do remember I had delivered a check to him. It was my
17 first meeting with him, it was the first time that I had met
18 him and --

19 MR. SCHWEITZER: You have answered the question.

20 MR. LEVIN: You didn't say anything else?

21 MR. SCHWEITZER: Is there a question pending?

22 MR. LEVIN: No, I was unclear as to whether that --
23 she had completed her answer.

24 MR. SCHWEITZER: She has. Go ahead and ask the
25 next question.

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1 BY MR. LEVIN:

2 Q Did anyone from Friends of Alaska consult with
3 Alaska Advertisers as to strategy in terms of where best
4 placed money vis-a-vis Clark Gruening's strength or weakness?

5 A I do not know that.

6 Q Did anyone from Friends of Alaska consult with
7 Alaska Advertisers as to strategy?

8 A No.

9 Q In terms of the allocation of resources?

10 A I'm sorry, would you ask that --

11 MR. SCHWEITZER: Yeah, repeat the question, please,
12 and we'll strike that answer and give you a chance to
13 ask the question again.

14 BY MR. LEVIN:

15 Q Did anyone from Friends of Alaska consult with
16 Alaska Advertisers as to what cities -- make that clear, as
17 to what cities it would be best to have advertising in
18 consideration of how strong Clark Gruening's candidacy was?

19 A I did not know that.

20 Q In other words, if he were weak in Fairfax, did
21 Alaska Advertisers consult with Friends of Alaska and suggest
22 that perhaps you should put more money in Fairfax and less
23 money in Anchorage?

24 A I do not know.

25 Q Did you or anyone else from Friends of Alaska,

1 including Barnard Gottstein, ever contact the Gruening
2 campaign to figure out the relative strength of the Gruening
3 campaign versus the Gravel campaign?

4 A I wouldn't know that.

5 MR. SCHWEITZER: Well, the question was did you or
6 Barnard Gottstein. If you want to ask it in pieces,
7 John, I don't think I would know. It's responsive to
8 half of it, it's not responsive to one-half.

9 BY MR. LEVIN:

10 Q Did you ever contact the Gruening campaign to
11 figure out the relative strength of the Gruening campaign
12 versus the Gravel campaign?

13 A No.

14 Q And did Barnard Gottstein or anyone else from
15 Friends of Alaska contact the Gruening campaign?

16 A I don't know.

17 Q To figure out the relative strength? Okay. You
18 don't know. Why did Friends of Alaska use Justin Ward
19 Advertising?

20 A I do not know.

21 Q Do you know if Barney Gottstein had any ownership
22 or management in Justin Ward?

23 A No, I do not.

24 Q What dealings did you have with Justin Ward
25 Advertising?

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1 A A billing, an invoice for the production of our
2 radio spots.

3 Q And when was this?

4 A When did the billing arrive?

5 Q Yes.

6 A I don't remember.

7 Q Did Friends of Alaska have any dealings with the
8 Ross Stein, Buckley firm in Washington, D.C.?

9 A I don't know.

10 Q Have you heard of the Ross, Stein, Buckley firm?

11 A No.

12 Q Did you ever get a billing from them or an invoice
13 from the Ross, Stein, Buckley firm?

14 A I don't -- I don't -- I don't remember having
15 received one.

16 Q Do you recall Barnard Gottstein ever mentioning
17 the Ross, Stein, Buckley firm to you?

18 A I don't remember that.

19 Q In Friends of Alaska's contacts with the Justin
20 Ward Advertising firm did Justin Ward ever mention it had
21 had contacts with the Gruening campaign?

22 A I do not know.

23 Q You do not recall whether it had mentioned it to
24 you?

25 A No, I do not. I -- I don't remember ever having

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1 had that mentioned to me.

2 Q Do you know if that was mentioned to anyone else
3 in the Friends of Alaska Committee?

4 A No, I do not know that.

5 Q What other functions did you perform for Friends of
6 Alaska, other than cutting the checks after receiving the
7 billings or the invoices?

8 A I prepared some reports for the Federal Elections
9 Commission. I sent some night letters on daily expenditures,
10 and I maintained the records, copies and files of the records.

11 Q Did you -- well, is there anything else? I, I
12 didn't want to cut you off.

13 A No, I'm sorry. I believe that basically was my
14 function.

15 Q Did you ever discuss strategy for Friends of
16 Alaska with other Friends of Alaska staff? That is, Kelly
17 Gay, Tom Kelly, Dick Green or Barnard Gottstein?

18 A I believe I did.

19 Q And with whom did you have those discussions?

20 A It might have been in the company of both Kelly
21 Gay and Mr. Gottstein.

22 Q And what did you say during these discussions?

23 A We were discussing the effectiveness and what we
24 thought was the humor involved in the production.

25 Q When you say "effectiveness" do you mean the

1 effectiveness of Friends of Alaska's campaign or of the
2 Gruening campaign?

3 A No, I felt -- I meant very definitely the
4 effectiveness of our anti-Mike Gravel campaign.

5 MR. SCHWEITZER: By "our" you mean Friends of
6 Alaska?

7 THE DEPONENT: I mean Friends of Alaska.

8 BY MR. LEVIN:

9 Q Did Mr. Gottstein or Miss Gay -- Mrs. Gay, in that
10 conversation discuss the Gruening campaign?

11 A I don't remember.

12 Q Did Mr. Gottstein mention any involvement or
13 participation he had in the Gruening campaign?

14 A Not that I remember.

15 Q But what did -- what else was said during that
16 conversation between you and Mrs. Gay and Mr. Gottstein?

17 A It really all -- was -- all began with a social,
18 a dinner, whereas the conversation would turn to Friends of
19 Alaska and the effectiveness of Friends of Alaska's radio
20 campaign. Each of us were testing pulses, more or less,
21 of our Anchorage community to see what the, the rating, how
22 people were responding to the radio advertising.

23 Q Was Clark Gruening mentioned at all during these
24 conversations?

25 A I don't remember.

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1 Q Was the Gruening campaign mentioned at all during
2 this conversation?

3 A Not that I remember.

4 Q When was this conversation?

5 A There were numerous.

6 Q Well, this particular one that we're talking about,
7 the dinner.

8 A There were a number of dinners.

9 Q Where were these dinners?

10 A At Mr. Gottstein's home.

11 Q Who else would be at these dinners from Friends of
12 Alaska?

13 A Dick Green, sometimes, Kelly Gay.

14 Q Was anyone from the Gruening campaign at these
15 dinners?

16 A No, not to my knowledge.

17 Q Was anyone outside of Friends of Alaska at these
18 dinners?

19 A Yes.

20 Q Do you recall who?

21 A Mr. Gottstein's family, his children.

22 Q Okay. What -- who are those, by name?

23 A There is James and Robert and David.

24 Q Was Sandy there?

25 A Not at these dinners. I'd not met Sandy.

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1 Q How -- you mean you had -- you did not even -- you
2 have never met Sandy in person?

3 A That's correct.

4 Q You knew of her?

5 A I knew of her.

6 MR. LEVIN: Excuse me. Let me go off the record
7 for a second.

8 (Whereupon a discussion was had off the
9 record).

10 BY MR. LEVIN:

11 Q These dinners at Mr. Gottstein's home, did anyone
12 else besides -- we're back on the record. These dinners at
13 Mr. Gottstein's home, did anyone else besides Tom -- ah,
14 Kelly Gay, Barnard Gottstein and yourself discuss Friends of
15 Alaska?

16 A I don't remember exactly. I do not remember.

17 Q Did anyone besides those three just mentioned
18 discuss Clark Gruening or the Gruening campaign?

19 A I don't remember that.

20 Q Were there any other discussions of strategy,
21 other than at these dinners, among any of the Friends of
22 the --

23 THE DEPONENT: May I speak to my counsel, please?

24 MR. SCHWEITZER: Can we go off the record, please,
25 a second, Johnny?

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1 MR. LEVIN: Yes.

2 (Whereupon a discussion was had off the
3 record).

4 MR. SCHWEITZER: Back on the record, John.

5 MR. LEVIN: Okay.

6 MR. SCHWEITZER: Would you repeat the question?

7 MR. LEVIN: Let me have that question read back,
8 please.

9 (Whereupon the previous question was read).

10 BY MR. LEVIN:

11 Q Okay. Among any of the Friends. Let me repeat the
12 question. Other than these dinners we've just discussed,
13 were there any other discussions of strategy by the people
14 involved with Friends of Alaska with each other?

15 A Not that I remember.

16 Q Now, just for clarification purposes, when we were
17 discussing whether or not there had been a discussion as to
18 the Gruening campaign, or as to Clark Gruening, that answer
19 applied to just that first dinner? Or did it apply to all
20 of the dinners?

21 A Would you re-phrase that?

22 MR. SCHWEITZER: Why don't you repeat the question,
23 John.

24 BY MR. LEVIN:

25 Q This is for clarification purposes. When we

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1 discussed the -- whether or not there had been a discussion
2 about Clark Gruening's campaign, and you said no, there was
3 not, did that answer apply just to the first dinner or --
4 you said you don't recall -- did that answer apply just to
5 the first dinner or to all of the dinners?

6 A To all of the dinners.

7 MR. LEVIN: I'm going to ask the Reporter to open
8 up the Federal Express envelope containing documents.
9 I'd ask the Reporter to pull out the document marked
10 in the upper right-hand corner as B.

11 MR. SCHWEITZER: B as in boy?

12 MR. LEVIN: Correct, B. I'd like to have that
13 document marked as F.E.C. Exhibit No. 1. And I'd like
14 that shown to the witness and her counsel.

15 (Whereupon F.E.C. Exhibit No. 1 was
16 marked).

17 BY MR. LEVIN:

18 Q Okay. Mrs. Thompson, do you recognize this
19 document or these two documents, this document containing
20 two pages?

21 A No, I do not.

22 Q Would you have seen a document like this in your
23 capacity with Friends of Alaska?

24 A No.

25 MR. LEVIN: Let's go off the record for a second.

1 (Whereupon a discussion was had off the
2 record).

3 BY MR. LEVIN:

4 Q Okay. Back on the record. Miss Thompson, this
5 appears to us to be a billing that has named Friends of
6 Alaska and Alaska Advertisers. Would that strike your
7 recollection at all?

8 MR. SCHWEITZER: Wait a second. Are you asking a
9 question, Mrs. Levin, about the document? Or if you
10 are, ask the question.

11 MR. LEVIN: Okay. I'll ask the question then.

12 MR. SCHWEITZER: She's already said she --

13 MR. LEVIN: On the left-hand side of Page 2 -- let
14 me just say for the record that this appears to be a
15 document sent by the Anchorage Daily News, it's a
16 billing.

17 MR. SCHWEITZER: Okay. Mr. Levin, the document
18 speaks for itself. I don't care to have your opinion
19 as to what it appears to be.

20 MR. LEVIN: Okay. The left-hand side of Page 2 of
21 the document there is a name "Clark Gruening", and it's
22 under Friends of Alaska. Do you have any idea why this
23 bill would be sent to you with the name "Clark Gruening"
24 on it?

25 MR. SCHWEITZER: Well, okay, she said she doesn't

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1 -- can't identify the document. I don't understand how
2 she could know why that's on there, and I'll object to
3 that. But I'll let her answer the question.

4 Do you have any idea why that's on there?

5 THE DEPONENT: No, I don't, unless it's a bill
6 area.

7 MR. SCHWEITZER: No. The answer is no.

8 THE DEPONENT: No, I do not.

9 MR. SCHWEITZER: Ask your next question.

10 MR. LEVIN: Was Friends for Alaska billed for an
11 ad about Clark Gruening?

12 MR. SCHWEITZER: We're going to put the document
13 aside, and you're going to ask the question.

14 MR. LEVIN: We'll do that. Was Friends of Alaska
15 billed for an ad about Clark Gruening? By that I mean
16 mentioning Clark Gruening or mentioning Clark Gruening's
17 candidacy?

18 THE DEPONENT: No, it -- no.

19 MR. SCHWEITZER: You have answered the question.

20 BY MR. LEVIN:

21 Q Did Friends of Alaska ever plan to produce an ad
22 mentioning Clark Gruening or Clark Gruening's candidacy?

23 A Not to my knowledge.

24 Q I'd like to go back to these conversations among
25 the -- these people involved in Friends of Alaska. Did

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1 Barnard Gottstein ever mention to you his attendance at a
2 showing of films by Alaskans for Gruening?

3 A No, he did not.

4 Q Let me elaborate on this. Did he mention to you a
5 showing of a half-hour film to be used for advertising
6 purposes by Alaskans for Gruening at Mystrum (phonetic)
7 Advertising at which a number of Gruening staff people and
8 the candidate attended?

9 A No, he did not.

10 Q Did he ever mention to you any other contact he
11 had with the Gruening campaign?

12 A No, he did not.

13 Q Did you ever have any communication with John Hale
14 about Friends of Alaska?

15 A No, I did not.

16 Q Prior to the actual formation of Friends of Alaska
17 did you ever have any discussion with John Hale about the
18 possibility of an anti-Gravel committee, or some other
19 committee other than A.F.G. and the Democratic primary?

20 A No, I did not.

21 Q Did you ever have such a conversation with anyone
22 else in the Gruening campaign? And I could read that list
23 if you wish.

24 A Not that I remember.

25 Q Okay. After the formation of Friends of Alaska

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1 did you have any communication with anyone from the Gruening
2 campaign with respect to Friends of Alaska?

3 A No, I did not.

4 Q Was this a conscious decision on your part not to
5 communicate with them because of your role in Friends of
6 Alaska?

7 A Yes.

8 Q Was that as a result of your conversation with
9 Dick Green, that conscious decision?

10 A Initially, yes.

11 Q Did anyone else in Friends of Alaska tell you not
12 to contact anyone from Alaskans for Gruening?

13 A I don't remember.

14 Q Did Barnard Gottstein tell you not to contact
15 anyone from Alaskans for Gruening?

16 A I don't remember.

17 Q How about Kelly Gay?

18 A I don't remember.

19 Q Did anyone from Friends of Alaska ask you to make
20 any contact with people from Alaskans for Gruening?

21 A No.

22 Q Did you speak to anyone whom you knew would be
23 communicating with Alaskans for Gruening? Now, the time
24 period here is July 30th to August 26th, the primary date.

25 A Not to my knowledge, no.

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1 Q Do you know if anyone else from the Friends of
2 Alaska Committee did that?

3 A I do not know that.

4 Q Did anyone from Alaskans for Gruening communicate
5 with anyone whom they knew -- strike that.

6 Was there any intermediary -- let me strike that
7 again.

8 Excuse me. Let me go off the record.

9 (Whereupon a discussion was had off the
10 record).

11 MR. LEVIN: Back on the record. Okay. I'd like
12 the Reporter to pull out the document marked in the
13 right upper right-hand corner as C. It's one page.
14 I'm asking the Reporter to mark this as F.E.C.
15 Exhibit No. 2. I'd like the Reporter to show this to
16 witness and her counsel. Tell me when you are ready.

17 (Whereupon F.E.C. Exhibit No. 2 was
18 marked).

19 MR. SCHWEITZER: Okay. We've read it. Go ahead.

20 BY MR. LEVIN:

21 Q Do you recognize this document?

22 A Yes, I do.

23 Q Would you identify it, what the contents of this
24 document is?

25 A It's part of the portfolio of my records.

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1 Q Whose handwriting is on this document?

2 A My writing.

3 Q Both the top and the --

4 A No. The top is -- I don't know.

5 MR. SCHWEITZER: By the "top" what do you mean,
6 Mr. Levin? The first?

7 MR. LEVIN: The first four lines.

8 MR. SCHWEITZER: Four lines.

9 MR. LEVIN: Four lines of writing. It would be
10 four lines, correct?

11 MR. SCHWEITZER: Do you know whose writing?

12 THE DEPONENT: I think that's Kelly's. I think
13 she stops -- dropped that off at my office.

14 MR. SCHWEITZER: Well, do you know who that is?

15 THE DEPONENT: I don't. No, I do not know exactly.

16 MR. LEVIN: I refer you down to the part of the
17 document that has a date of 8-16-80, where it says
18 "Completes Schedule E, mail in lieu of Schedule B".

19 MR. SCHWEITZER: Okay. We got it.

20 BY MR. LEVIN:

21 Q Who told you to do this?

22 A I don't remember.

23 Q What does this mean? Completes Schedule E, mail
24 in lieu of Schedule B?

25 A I think we were having problems interpreting the

1 rules on these quarterly reports. One we had to amend, and
2 I'm -- this might refer to that. There was a mid-August
3 report, a ten days, I think it is, ten days prior to the
4 primary we had to submit a contribution and expenditure
5 report. And I think I quoted my expenditures and I had not
6 physically cut the checks. And I think this is what we
7 needed to amend. We had not actually disbursed our bank
8 account. That's as clearly as I can recall, the need to
9 amend these.

10 MR. SCHWEITZER: That's all right. You answered
11 the question. Go ahead.

12 MR. LEVIN: Let me just go off the record for a
13 second.

14 (Whereupon a discussion was had off the
15 record).

16 MR. LEVIN: Might it refresh your recollection if
17 I told you that Schedule E's are a list of independent
18 expenditures, where Schedule B is a list of
19 disbursements?

20 MR. SCHWEITZER: Does that refresh?

21 THE DEPONENT: Yes, that does.

22 BY MR. LEVIN:

23 Q Could you then elaborate on that? Does that give
24 you further recollection why this change was made?

25 A Yes, it does. Yes. Again, we had not actually

1 disbursed, we had these daily invoices and I had reported
2 those as expenditures and had not disbursed, so we amended
3 this to show that they were -- that they were expenditures
4 and not disbursement, or that they were liabilities that had
5 been incurred instead of the payments having been made.

6 Q Did this change have anything to do with either
7 the Complaint filed by the Gravel Committee to the F.E.C. or
8 the Complaint filed by the Gravel Committee in U.S. District
9 Court in Anchorage?

10 A No.

11 Q Were any instructions given to you as to the need
12 to show that these expenditures were independent, rather
13 than ordinary disbursements of a political committee?

14 A Would you repeat that, please?

15 Q Was any instruction given to you as to the need to
16 show that these expenditures were independent as opposed to
17 ordinary disbursements by a political committee?

18 A I don't understand the question.

19 Q Okay. To explain; one of the issues in this --
20 the issue in this matter is whether or not the expenditures
21 by your Committee were independent or not. Whereas
22 committees need to show disbursement; that might want you to
23 use a Schedule E to show these were independent. Were you
24 given an instruction to -- as to the need to show these
25 expenditures were independent?

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1 MR. SCHWEITZER: I think she answered that. She
2 said the reason for the change was that she had not
3 disbursed the moneys for the independent expenditures.

4 MR. LEVIN: Okay.

5 MR. SCHWEITZER: And at the time that this note was
6 written, which you haven't established --

7 MR. LEVIN: That's the answer then?

8 MR. SCHWEITZER: That's the answer.

9 BY MR. LEVIN:

10 Q Basically was there any other reason?

11 A No.

12 Q Do you know who gave you this instruction?

13 A Without my records I could not answer that.

14 MR. SCHWEITZER: The answer is no.

15 THE DEPONENT: I do not know.

16 MR. LEVIN: Let me go off the record for a second.

17 (Whereupon a discussion was had off the
18 record).

19 BY MR. LEVIN:

20 Q I may have asked this before; let me ask it again.

21 Did anyone on Alaskans for Gruening contact anyone on
22 Friends of Alaska staff to state that Friends of Alaska was
23 to have no contact with Alaskans for Gruening?

24 A I do not know that.

25 Q Do you know of any meeting between Barnard

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1 Gottstein and John Hale?

2 A No, I do not.

3 MR. SCHWEITZER: Are we done with Document No. 2,
4 Mr. Levin?

5 MR. LEVIN: Yes. I'm sorry. I am done with it.

6 MR. SCHWEITZER: Thank you.

7 MR. LEVIN: Done with F.E.C. Exhibit No. 2.

8 Okay, now, I'm going to ask the Reporter to
9 pull out the document marked in the upper right-hand
10 corner A. I'm asking the Reporter to mark this document
11 as F.E.C. Exhibit No. 3. And I ask the Reporter to
12 mark Exhibit No. 3 and show this document to the witness
13 and her counsel. Do you recognize this?

14 MR. SCHWEITZER: Give us a chance to read it,
15 please, Mr. Levin.

16 MR. LEVIN: Okay.

17 (Whereupon F.E.C. Exhibit No. 3 was
18 marked).

19 MR. SCHWEITZER: Okay. Are you done? Have you
20 read it?

21 BY MR. LEVIN:

22 Q Do you recognize this, F.E.C. Exhibit No. 3?

23 A No.

24 Q Do you know that Friends of Alaska -- if Friends
25 of Alaska wanted to publish an ad containing --

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1 MR. SCHWEITZER: We're done with Exhibit No. 3
2 since she can't identify it.

3 MR. LEVIN: Right. I'm not asking her to --

4 MR. SCHWEITZER: Fine. Go ahead.

5 BY MR. LEVIN:

6 Q I'm asking would you know whether or not the
7 Friends of Alaska Committee had any plans to publish an ad
8 containing a quote from the Wall Street Journal?

9 A No, I do not know that.

10 Q Let me ask you again, just for -- to refresh my
11 recollection. Did you say that you --

12 MR. SCHWEITZER: I don't want to refresh your
13 recollection. Ask a question.

14 MR. LEVIN: Let me go, then, go four questions
15 back and --

16 MR. SCHWEITZER: It's all right.

17 MR. LEVIN: There was a question relating to a
18 meeting between John Hale and Barnard Gottstein. My
19 concern is there was no such meeting? Or she knew of
20 no such meeting?

21 MR. SCHWEITZER: Ask the question again.

22 BY MR. LEVIN:

23 Q Do you know of any meeting between Barnard
24 Gottstein and John Hale during the time that Friends of
25 Alaska was in operation?

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1 A No, I do not know.

2 Q Would it refresh your recollection if I said that
3 there was a discussion of a Wall Street Journal article
4 during this meeting?

5 A No, I do not remember that.

6 Q All right.

7 MR. SCHWEITZER: No. Well, wait a second. So
8 the record is clear, what he's asking you is he said,
9 he's representing that there was a meeting. He's
10 representing that without any substantiation, and he
11 is saying that at that meeting there was a discussion
12 of a Wall Street Journal article, allegedly, and he's
13 asking does that refresh your recollection.

14 THE DEPONENT: It does not refresh my recollection.

15 MR. SCHWEITZER: Okay. Go ahead.

16 MR. LEVIN: I'm done with F.E.C. Exhibit 3. Let
17 me break for a second. I'll be right back.

18 (Whereupon a discussion was had off the
19 record).

20 MR. LEVIN: Mr. Schweitzer, I just want to go back
21 to F.E.C. Exhibit No. 3. I have one or two more
22 questions.

23 MR. SCHWEITZER: She hasn't identified it. She
24 has not identified it. You asked her if she could.

25 MR. LEVINE: Actually, we would not need the

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1 exhibit in front of her.

2 MR. SCHWEITZER: Fine.

3 BY MR. LEVIN:

4 Q Now, it was stated that -- okay. Let me say it
5 this way. Let me re-ask the question. Do you know if the
6 Committee had any plans to publish an ad containing any
7 quote from the Wall Street Journal articles of August 8,
8 1980?

9 A No, I do not know that.

10 Q Do you know if the Committee had any plans to
11 publish any brochure or leaflet containing a quote from the
12 Wall Street Journal article of August 8, 1980 on
13 Senator Gravel?

14 A No.

15 Q Okay. I have no questions with respect to that
16 exhibit any more.

17 How were contributions solicited to Friends of
18 Alaska?

19 A I do not know that.

20 Q Do you know who solicited contributions to Friends
21 of Alaska?

22 A No, I do not.

23 Q Did Barnard Gottstein solicit contributions for
24 Friends of Alaska?

25 A I do not know.

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1 Q How was a determination made as to who would be
2 solicited?

3 A I do not know that.

4 MR. LEVIN: Okay. I'm going to ask the Reporter
5 to take out -- it's a two-page exhibit marked in the
6 upper right-hand corner as E. F.E.C. Exhibit No. 4,
7 and asking the Reporter to show F.E.C. Exhibit No. 4
8 to witness and counsel.

9 MR. SCHWEITZER: You need more time on this? Okay.
10 Mr. Levin, all right. Are we done with the questioning?

11 MR. LEVIN: Just tell me when you are ready.

12 MR. SCHWEITZER: I've done that three times. We're
13 ready.

14 BY MR. LEVIN:

15 Q Okay. My ear was away from the receiver. Can you
16 identify F.E.C. Exhibit No. 4?

17 A No, I cannot.

18 Q Okay. This was a typewritten list sent by the
19 Friends of Alaska to the F.E.C. listing for the F.E.C.'s
20 clarification, the employers and perhaps some other
21 information that might have been missing.

22 MR. SCHWEITZER: Are you testifying now or --
23 what's the purpose of --

24 MR. LEVIN: I have it --

25 MR. SCHWEITZER: So we're both not talking, I don't

1 understand. She says she can't identify. Why are you
2 identifying the document for her?

3 MR. LEVIN: Because it will be clear why I'm
4 asking about if this was something related to Friends
5 of Alaska.

6 MR. SCHWEITZER: I object to that, but I'll let
7 her answer that. Well, I object to that, but go ahead
8 and ask questions. She says she can't identify the
9 document.

10 BY MR. LEVIN:

11 Q Okay. Do you recognize any of the names on this
12 list?

13 A Yes, I do.

14 Q Do you recognize these names as contributors to
15 Friends of Alaska?

16 A Partially.

17 MR. SCHWEITZER: Well, no, to Friends --

18 MR. LEVIN: Some of the names you do recognize?

19 THE DEPONENT: Yes.

20 MR. SCHWEITZER: Well, Mr. Levin, since she can't
21 identify the document we could go through this. Are
22 you asking this on a basis to facilitate asking
23 questions about each of these individuals?

24 MR. LEVIN: No, I'm --

25 MR. SCHWEITZER: Well, let me finish. She said she

1 couldn't identify the document. So the fact that you've
 2 testified that it is a document, that it was delivered
 3 to you by Friends of Alaska, doesn't mean this is, for
 4 the record, a Friends of Alaska document, because no one
 5 has on this record testified that it is, indeed, a
 6 document of Friends of Alaska. But your testimony, and
 7 the -- you are asking the question -- if you ask
 8 questions about these individuals and use this as a
 9 reference, so you don't have to read each on the record,
 10 but this document -- I'm willing to have you ask
 11 questions about that, but this document doesn't mean
 12 anything for this deposition.

13 MR. LEVIN: Let's just use this document as a
 14 reference, and I'll ask, I'll repeat the question.
 15 Do you recognize some of these names as names of
 16 contributors to Friends of Alaska?

17 MR. SCHWEITZER: Objection. I don't want to make
 18 this any more complicated or -- some of -- when you say
 19 some of these names, I think you've got to be more
 20 specific than that. Which page are you referring to?
 21 I mean, probably what we're going to have to do is go
 22 through each one of these. But I'll strike that. Let's
 23 go ahead and ask your question. "Do you recognize some
 24 of these names as contributors?"

25 MR. LEVIN: Or all of these names as contributors

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1 to Friends of Alaska?

2 MR. SCHWEITZER: Let's take them one at a time.
3 Do you recognize some of the names?

4 THE DEPONENT: Some of the names, yes.

5 MR. LEVIN: Do you recognize all of the names?

6 THE DEPONENT: Some of the names, yes.

7 MR. SCHWEITZER: He asked if you recognized all of
8 the names as contributors to Friends of Alaska.

9 THE DEPONENT: No, no I don't recall the names.

10 MR. LEVIN: Did any of the names that you do
11 recognize come from any list or information given by
12 Alaskans for Gruening?

13 MR. SCHWEITZER: To whom? To whom?

14 THE DEPONENT: Yes.

15 MR. LEVIN: To --

16 MR. SCHWEITZER: To whom?

17 MR. LEVIN: To Friends of Alaska?

18 MR. SCHWEITZER: The question is do -- well, why
19 don't you re-state that question, Mr. Levin.

20 MR. LEVIN: Did those names that you recognize
21 come from any lists or information given to Friends of
22 Alaska by Alaskans for Gruening?

23 MR. SCHWEITZER: That's what I thought you were
24 asking. Objection. It hasn't been established,
25 Mr. Levin, any names or lists were given by Friends of

1 Alaska -- Alaskans for Gruening to Friends of Alaska.
2 If you're going to ask that you'd better establish that
3 first.

4 MR. LEVIN: Did Alaskans for Gruening submit any
5 list of names or any single name to Friends of Alaska?

6 THE DEPONENT: I don't know.

7 MR. LEVIN: Now, did any of the names that you
8 recognize on this exhibit in front of you, those names
9 that you recognize come from any lists or information
10 given by Alaskans for Gruening?

11 MR. SCHWEITZER: Well, objection. She just said
12 that she does not know whether or not any lists were
13 given by Alaskans for Gruening to Friends of Alaska.
14 What you are doing is now trying to establish such a
15 list was given, and she says she doesn't know that, and
16 you can't ask the question.

17 MR. LEVIN: That's as a refresher.

18 MR. SCHWEITZER: That isn't refreshing her
19 recollection. What you're trying to do is she says she
20 doesn't know and you're taking that as being established.
21 You can't ask the next question.

22 MR. LEVIN: Let me go off the record.

23 (Whereupon a discussion was had off the
24 record).

25 BY MR. LEVIN:

1 Q We don't need F.E.C. Exhibit 4 any more.

2 Miss Thompson, in your -- in performing your functions for
3 Friends of Alaska did you ever fill out the F.E.C. report,
4 list of contributors to be sent to the Federal Election
5 Commission?

6 A Yes, I did.

7 Q And who gave you the names of those contributors?

8 A The names were gotten from the checks that I
9 received, which I photocopied.

10 Q Do you -- how do you receive these checks?

11 A I beg your pardon?

12 Q How did you receive these checks?

13 A Generally Dick Green, the -- the mail came to
14 Dick Green's. Our mailing address was Mr. Green's personal
15 residence address, and all of our correspondence came
16 directed to that address and either Mr. Green, if he was in
17 town, or Kelly would deliver the checks to me.

18 Q Did Barnard Gottstein submit any of these checks
19 to Mr. Green and then they would be submitted to you?

20 A I do not know that.

21 Q Did Barnard Gottstein submit any of those checks
22 directly to you?

23 A I don't remember that he did.

24 Q Did he ever give you a list of the names of
25 contributors?

1 A No. The checks were all personal checks that had
2 names and addresses on them.

3 Q Did Barnard Gottstein ever tell you how names were
4 chosen to be solicited?

5 A No, he did not.

6 Q Did he ever say he was getting any information from
7 Alaskans for Gruening with respect to names for -- to names
8 to be solicited?

9 A No, he did not.

10 Q Did Dick Green ever say that he got information
11 from Alaskans for Gruening with respect to names to be
12 solicited?

13 A No, he did not.

14 Q Did Kelly Gay?

15 A No, she did not.

16 Q Did Tom Kelly ever convey that information?

17 A No.

18 Q Excuse me. Did Kelly -- did Kelly Gay or Dick
19 Green or Tom Kelly ever tell you that Barney Gottstein had
20 solicited contributions through the Friends of Alaska?

21 A I don't remember.

22 MR. LEVIN: I have no further questions.

23 MR. SCHWEITZER: Can we go off the record for a
24 second, Mr. Levin?

25 (Whereupon a discussion was had off the

1 record).

2 MR. SCHWEITZER: Mr. Levin, can we go back on the
3 record? I've got just a couple questions.

4 CROSS-EXAMINATION

5 BY MR. SCHWEITZER:

6 Q Mrs. Thompson, when did you cease working for the
7 Friends of Alaska campaign?

8 A On August 26.

9 Q Was that approximately two days after the primary
10 election?

11 A No, that was the date of the primary.

12 Q That was the date of the primary?

13 A I left a couple of days after that.

14 Q Okay. And when you left the campaign what was the
15 total amount of moneys in the treasury of Friends of Alaska?

16 A It was less than \$20.

17 Q And when you -- by the time you left the campaign
18 had you paid all of the outstanding bills that you had
19 received of Friends of Alaska?

20 A Yes.

21 Q And did these bills include the bills from Alaska
22 Advertisers?

23 A Yes.

24 MR. SCHWEITZER: I have no further questions.

25 MR. LEVIN: All right. No questions. Does the

1 witness wish to waive signature?

2 MR. SCHWEITZER: No. We'd like a copy of the
3 deposition, also, Mr. Levin.

4 MR. LEVIN: Well, as you know, the -- there are
5 Statutory problems with that. One is 55 U.S.C. 555C
6 states that in a confidential -- in an investigation
7 that is confidential the agency, for good cause, may
8 withhold a copy from the -- from the witness.

9 MR. SCHWEITZER: Mr. Levin, you have misread
10 55 U.S.C., Section 555C. The law --

11 MR. LEVIN: How have I misread?

12 MR. SCHWEITZER: The confidentiality provision
13 under the Federal Election Law is controlled by the
14 respondent. The respondent in this instance is Friends
15 of Alaska, and Mrs. Thompson was an employee of Friends
16 of Alaska. This is not an investigation like a
17 Securities & Exchange Commission investigation, which is
18 confidential, where the agency may withhold from a
19 witness the transcript of the deposition. In this
20 instance the confidential portion which you are citing,
21 and then which you are attempting to bootstrap, is the
22 provision in the Federal Election Campaign Act which
23 provides for protection of the respondent in an
24 investigation. You and Mr. Thomas and the Commission
25 are misusing this provision and prohibiting a witness

1 from having access to a deposition. Also prohibiting,
2 as you did last week Mr. Gottstein, who was -- I would
3 submit is the target of the investigation -- from
4 having his deposition. And I think that is an
5 outrageous position for the Federal Election Commission
6 to take. And I would ask that Miss Thompson be
7 provided a copy of the transcript of her deposition.

8 MR. LEVIN: We decline to provide that copy.

9 MR. SCHWEITZER: She's not going to waive signature.

10 MR. LEVIN: A copy will be available for review,
11 but not for her possession.

12 MR. SCHWEITZER: Well, she's not going to waive
13 signature. She'll come and review the document and I
14 will tell the Reporter if Mr. Gottstein or Miss Thompson
15 decide they want a copy of that deposition and decide
16 to file an action in the Federal D.C., make sure the
17 Federal Election Commission is going to represent you.
18 It's up to you, really, and not up to them whether or
19 not you are going to provide it for us. I understand
20 you are retained by them to take this deposition and
21 you are under their --

22 Some day, Mr. Levin -- I want this on the
23 record -- somebody's going to challenge you on this and
24 you guys are going to lose. It's an absolutely
25 outrageous position to take, that a witness cannot have

1 a -- you are not a Grand Jury. This is not a Grand Jury
2 investigation. This is a civil investigation by the
3 Federal Election Commission, and for you all to take a
4 position that the witness cannot obtain a copy impunes
5 their integrity, and has nothing to do with the
6 confidential provisions.

7 MR. LEVIN: We rely on the Statute and the case
8 law, and we'll decline to make the copy available for
9 the possession of the witness.

10 MR. SCHWEITZER: Well, let's make some arrangements,
11 then. She's not going to waive signature.

12 MR. LEVIN: Okay.

13 MR. SCHWEITZER: What are our arrangements going to
14 be?

15 MR. LEVIN: The arrangements will be that the
16 deposition will be available for review by Miss Thompson
17 at Kanabay & Kanabay.

18 MR. SCHWEITZER: All right. Fair enough.

19 MR. LEVIN: No copy will be made for Miss Thompson.
20 At this time there will be no copy. When the
21 investigation is concluded there will be a copy
22 available if she requests it.

23 MR. SCHWEITZER: All right.

24 MR. LEVIN: We want one copy sent to us.
25 Kanabay & Kanabay can keep the original and allow

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1 Miss Thompson to sign it and then send it to us.

2 MR. SCHWEITZER: Wait a second. Mr. Levine, I
3 would request nothing be sent until Miss Thompson has
4 had an opportunity to review the deposition, then you
5 are entitled to a copy. And it's my position she would
6 be entitled to a copy, but you are not going to give her
7 that, so she'll come, once the transcript is recorded,
8 she'll come and review it and then I would -- I would
9 submit then you are entitled to a copy of the transcript,
10 not until then.

11 MR. LEVIN: Well, I --

12 MR. SCHWEITZER: Now, wait a second, Mr. Levin.

13 MR. LEVIN: I think my having a copy does not
14 preclude Miss Thompson from reviewing a copy, to sign
15 it.

16 MR. SCHWEITZER: Absolutely not. Absolutely not.
17 Miss Thompson has a right to review the transcript of
18 the deposition to make certain that the Reporter
19 recorded the transcript accurately.

20 MR. LEVINE: Correct.

21 MR. SCHWEITZER: Well, now, wait a second. If
22 there is a "not" that is misplaced in a sentence, it
23 may change the meaning of one of her answers. I don't
24 think it is appropriate for you to get a copy of the
25 transcript before she has a chance to review it and

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make certain that it was recorded properly.

I'm not impuning your ability to record deposition, Madame Court Reporter. Because you all may start writing your report, which you will then submit to the General Counsel, and the General Counsel then submits to the entire Commission. If there is something in this transcript which changes the meaning because it was recorded improperly I don't think it's appropriate for you to have that transcript until she's had a chance to read it. It doesn't seem to me to be unreasonable, unless the Reporter can't get it to you for a year or so, or something like that.

MR. LEVIN: We will not take any action prior to getting a corrected -- prior to the time of getting a corrected transcript.

MR. SCHWEITZER: How do I know that?

MR. LEVIN: I can give you my assurance.

MR. SCHWEITZER: Well, that's not good enough for me. I think Mrs. Thompson has a right to read the deposition, then you get a copy of it.

MR. LEVIN: She certainly does. Our position does not preclude her from having the right to correct it, and our getting a copy of that, signed copy by Mrs. Thompson, as well.

MR. SCHWEITZER: Mr. Levin, if this were in

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1 Federal Court she would read the original and it would
2 be filed and not until it is signed. And you say you
3 follow the Rules of Federal Procedure, and I submit
4 this ought to be the same, and for you to have a copy
5 of the transcript, until she's had a chance to read it,
6 is not appropriate.

7 MR. THOMAS: Mr. Schweitzer, this is Scott Thomas.
8 As you know, in Federal Court that is, in fact, what
9 happens. The transcripts, the original, after having
10 been provided to the witness for an opportunity to
11 review it, it is, in fact, filed with the Court. In
12 this case that is what will happen. The witness will
13 have an opportunity to review the transcript and make
14 corrections, and then it will eventually be filed with
15 the Federal Election Commission.

16 MR. LEVIN: Correct.

17 MR. THOMAS: But, as you know, in a civil action,
18 in a court, when a copy is first transcribed by the
19 Reporter the parties are entitled to order a copy
20 before it has been corrected, and then also after the
21 corrections are made they can order a copy of the
22 corrections.

23 MR. SCHWEITZER: Well, well -- that's not my
24 understanding, Mr. Thomas. What the Reporter would do
25 is the person would come in and read the original, then

1 copies are made of the original, unless there is some
2 expedited reason to do so. And I don't see any reason
3 here. If the Reporter gets the copy done as soon as
4 possible Mrs. Thompson will come in and sign it, read it
5 and sign it. I stated I think, for the record, a very
6 good reason why you should not have a copy until she's
7 done it. You're going to start preparing a General
8 Counsel's report.

9 MR. THOMAS: How do you know that?

10 MR. SCHWEITZER: You told me last week you were
11 going to start preparing a General Counsel's report in
12 a short period of time.

13 MR. LEVIN: Not at all.

14 MR. SCHWEITZER: Pardon me?

15 MR. THOMAS: Made no such representation to you at
16 all.

17 MR. LEVIN: Mr. Thomas made no such representation
18 to you, I was present.

19 MR. SCHWEITZER: Well, I disagree with that. I'm
20 not going to impune Mr. Thomas' integrity. I think he's
21 a man of high honor, and he knows what he said.

22 MR. LEVIN: Well, we're done. Thank you for your
23 time, Mrs. Thompson. Thank you for your time,
24 Mr. Schweitzer.

25 (DEPOSITION CONCLUDED AT 1:25 P.M.)

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Norma S. Thompson

NORMA S. THOMPSON

10/17/8

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F.E.C. EX. # 1
9/25/81
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ANCHORAGE
DAILY NEWS

POUCH 6616 ANCHORAGE, ALASKA 99502

CUSTOMER
Friends of Alaska
Alaska Advertisers
1341 Fairbanks
Anchorage, AK. 99501
XO1858

BILLING DATE: 8/31
ACCOUNT NO.: 1858

Glen Christoph

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DATE	AD NO.	DESCRIPTION	INCHES	RATE	CHARGES	CREDITS	BALANCE
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ADDRESS 1341 Fairbanks
Anchorage, AK. 99501

NAME FRIENDS OF ALASKA
Akaska Advertisers

MEMO

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Form for expenditures
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(Chg - 7770327) - Jan Bonney

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FEC EX-13

9/25/81 SAA

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"During his first five years in the Senate, Sen. Gravel's net worth more than doubled—to \$528,030—according to documents he made public in 1974.

Today, Sen. Gravel shares the extravagant life style of his many millionaire friends. . . He has a lavish house on the Potomac River south of Washington, with a swimming pool and a tennis court. He estimated the house's value last year at \$250,000 to \$500,000.

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Full Name, Mailing Address
and Zip Code

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Anchorage, Alaska 99501

Arctic Circle Ent., Inc. President

Carolyn M. Gay
2160 Stanford Dr.
Anchorage, Alaska 99501

Kelly Gay Investments Realtor

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Detroit, Michigan 48209

Edward Levy Co. Proprietor

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300 Lowell Ct.
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Stone Container Corp. President

Eric Borman
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Philadelphia, PA 19104

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Chicago, Illinois 60611

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My First Corp. President

Jeff Green
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Anchorage, Alaska 99504

Municipality of Anchorage Construction Worker

B. Green
2140 Stanford Dr.
Anchorage, Alaska 99504

Alyeska Pipeline Co. Construction Superintendent

Donald D. Bennett
900 Pelican Dr.
Anchorage, Alaska 99502

J. B. Gottstein & Co., Inc. Executive Vice President

Alice A. Carnes
3023 Pacific Avenue
San Francisco, CA 94109

Self-Employed Investor/Consultant

Pat L. Booth
Box 7347
Eagle River, Alaska 99577

VECO, Inc. Equipment Operator

Tony Ortiz
4960 Southhampton
Anchorage, Alaska 99503

Klean Services, Inc. President

F.E.C. EX. #4
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1 STATE OF FLORIDA)
2 COUNTY OF PINELLAS)

3 I, SANDRA A. AMBUSH, CSR, RPR, CP, and Notary
4 Public, State of Florida at large, do hereby certify that on
5 the 25th day of September, 1981, at the Office of the State
6 Attorney James T. Russell, County Building, St. Petersburg,
7 Pinellas County, Florida, the foregoing witness, NORMA S.
8 THOMPSON, having been first duly sworn by me to testify the
9 truth, the whole truth, and nothing but the truth, gave her
10 testimony, which was reported by me in shorthand, and that
11 the foregoing pages, numbered 1 to 82, inclusive, constitute
12 a true and correct record of the testimony given by said
13 witness.

14 I FURTHER CERTIFY that I am not a relative or
15 employee or attorney or counsel of any of the parties hereto,
16 nor a relative or employee of such attorney or counsel, nor
17 am I financially interested in the action.

18 WITNESS MY HAND AND SEAL this 14th day of
19 October, 1981, at St. Petersburg, Pinellas County, Florida.

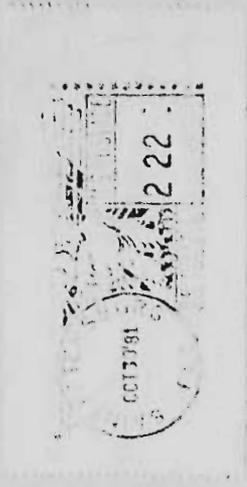
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22 SANDRA A. AMBUSH, CSR, RPR, CP,
23 Notary Public,
24 State of Florida at large.
25 My commission expires: 2-22-83.

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KANABAY & KANABAY
COURT REPORTERS
ROOM 263, COUNTY BLDG.
ST. PETERSBURG, FLA. 33791



Jonathan Levin, Esq.
Office of General Counsel
Federal Election Commission
Washington D. C. 20463



Kelly Gay Investments

The Land Company Bldg. Mile 42 Parks Highway
Pouch K
Wasilla, Alaska 99687 • (907) 376-3231
Anchorage, Alaska • (907) 276-2191

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2/17/80 - per phone conv
w/ Mr Bamon

Per:
Fec Reports thru 8/15/80

Malqam 6pm - Alaska "R5"

Reporting exp 8/15 thru

8/16/80 \$1903.00

Confirmation mailed \$1400 E
and copy to Mr Bamon

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This exhibit was not used or requested so I am returning it.

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DEC 21
ALL: 28

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

100721 40:57

RE: Matter Under Review 1272
Possible violation of 2 U.S.C. § 441a(a) (1) (A)
Friends of Alaska and
2 U.S.C. § 441a(f) by Alaskans for Gruening.

DEPOSITION OF: NORMA S. THOMPSON.

TAKEN BY: Office of General Counsel of
the Federal Election Commission.

DATE: September 25, 1981, 11:00 A.M.

PLACE: Office of State Attorney
James T. Russell, County Bldg.,
St. Petersburg, Florida.

REPORTED BY: Sandra A. Ambush, CSR, CP,
Notary Public,
State of Florida at large.

APPEARANCES: MR. JONATHAN LEVIN and
SCOTT E. THOMAS,
Office of General Counsel,
Federal Election Commission,
Washington, D.C. 20463.
(By telephonic conference).

MR. WILLIAM H. SCHWEITZER,
Baker & Hostetler,
818 Connecticut Avenue, N.W.,
Washington, D.C. 20006,
Attorney for Deponent.

ALSO PRESENT: MR. ROBERT PAVER,
Assistant State Attorney,
Office of James T. Russell,
Room 51A, County Building,
St. Petersburg, Florida 33701.

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PHONE 821-3320

1 MR. SCHWEITZER: You want me to put on the record
2 who we are and what's going on?

3 MR. LEVIN: Why don't you do that.

4 MR. SCHWEITZER: Norma Thompson is the deponent.
5 My name is William H. Schweitzer, S-c-h-w-e-i-t-z-e-r,
6 law firm of Baker & Hostetler in Washington, D.C.

7
8 NORMA THOMPSON,

9 the deponent herein, being first duly sworn, was examined
10 and testified as follows:

11 DIRECT EXAMINATION

12 BY MR. LEVIN:

13 Q State your name, please.

14 A Norma Thompson.

15 Q And your present occupation?

16 A Bookkeeper.

17 Q And your present address?

18 A 10257 Gulf Boulevard, Treasure Island.

19 Q Okay. What was your address prior to this address?

20 A Anchorage, Alaska.

21 Q What was your occupation while you were residing
22 at this address?

23 A A bookkeeper.

24 Q For whom did you work?

25 A For myself.

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ROOM 263, COUNTY BLDG. OCT 33

ST. PETERSBURG, FLA. 33731-1

USA



Jonathan Levin, Esq.
Office of General Counsel
Federal Election Commission
Washington, D. C. 20463

BEFORE THE FEDERAL ELECTION COMMISSION

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In the Matter of)
) MUR 1272
FRIENDS OF ALASKA, et al.)
)

10 OCT 23 P 2: 29

DEPOSITION OF THOMAS E. KELLY

APPEARANCES:

FOR THE COMMISSION: JONATHAN LEVIN
Attorney at Law

and

MICHAEL DYMERSKI
Staff Member

FOR MR. KELLY: MICHAEL W. SHARON
Attorney at Law

* * *

PURSUANT TO NOTICE, the deposition of THOMAS E. KELLY was taken before Mary E. Heiber, Notary Public in and for the State of Alaska, at the offices of Hartig, Rhodes, Norman and Mahoney, 717 "K" Street, Suite 201, Anchorage, Alaska, on the 2nd day of October, 1981, beginning at the hour of 9:00 o'clock a.m.

* * *

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P R O C E E D I N G S

THOMAS KELLY

1 first duly sworn under oath, testified as follows on examination:

2
3 BY MR. LEVIN:

4 Q State your name.

5 A Thomas E. Kelly.

6 Q And your address?

7 A 3835 Helvetia, H-e-l-v-e-t-i-a, Drive, Anchorage, Alaska.
8 The zip is 99504.

9 Q And your present occupation?

10 A I'm a consulting earth scientist.

11 Q Excuse me, I didn't hear that.

12 A Consulting earth scientist, or consulting petroleum
13 geologist.

14 Q Okay; thank you. Did you do any work, either on a paid
15 basis or a volunteer basis, for Alaskans for Gruening
16 during the 1980 Senatorial campaign? And those dates are
17 September 1st, 1979 to August 26th, 1980.

18 A Would you define work?

19 Q Either as paid or volunteer; it could be anything from
20 licking envelopes to being on strategy sessions.

21 A I'd answer yes.

22 Q And what work was that?

23 A I was requested to serve in the capacity of chairman of
24 the organization, Friends of Alaska, and in effect I led
25

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1 my name that was used in the disclaimers for the political
2 advertisements that were placed by that -- by that group.
3 Q Okay, let me step back. I believe the question, unless
4 I'm mistaken, was with reference to Alaskans for Gruening.
5 A No.
6 Q Okay, so let me ask that question again and have you
7 answer that. Did you do any work, either on a paid basis
8 or a volunteer basis, for Alaskans for Gruening during the
9 1980 Senatorial primary campaign; that is, from September
10 1st, 1979 to August 26th, 1980?
11 A No, sir.
12 Q No?
13 A Absolutely no.
14 Q Did you contribute any money to Alaskans for Gruening
15 during the primary?
16 A No, sir.
17 Q Did you do any work, either on a paid basis or a volunteer
18 basis, for any other U.S. Senatorial campaign during the
19 1980 primary campaign. And I'm -- this means other than
20 Friends of Alaska?
21 A Did I make any political contributions to other candidates?
22 Q First of all; on a paid or volunteer basis for any other
23 Senatorial campaign.
24 MR. SHARON: He's asking did you work on anybody else's
25 Senatorial campaign.

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- 1 Q During the 1980 Senatorial primary.
- 2 A No, not specifically. I might have been asked on several
- 3 occasions for advice, but I didn't -- I was not an active
- 4 campaign worker in any other Senatorial campaign.
- 5 Q Who asked you for advice?
- 6 A I gave advice occasionally to Senator Frank Murkowski.
- 7 Q And what did that advice consist of?
- 8 A Energy policy, principally.
- 9 Q In other words, you were advising as to where best to
- 10 stand on a policy issue?
- 11 A Insofar as United States energy policy, yes.
- 12 Q Did you do any work on the campaign in terms of raising
- 13 money for Senator Murkowski?
- 14 A I gave fund raisers for Senator Murkowski, yes.
- 15 Q Did you yourself contribute any money to the Murkowski
- 16 campaign?
- 17 A Yes, sir.
- 18 Q How often would you consult with this campaign?
- 19 A Oh, basically it was rather infrequently. I'd say pro-
- 20 bably, oh, not more than a half a dozen times during the
- 21 primary and the general.
- 22 Q Was this mostly during the primary that you would consult?
- 23 A Principally after the primary during -- most of the
- 24 primary I was not present in Alaska.
- 25 Q Did you give any fund raisers for the Murkowski campaign

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1 during the primary?

2 A No, sir.

3 Q Did you consult with the campaign at all during the
4 primary?

5 A I indicated that I -- to the best of my knowledge, I
6 probably had two or three contacts with the -- or during
7 the primary with his election staff.

8 Q Did you have any contacts with the Senator specifically?

9 A Senator Murkowski and I are very, very close friends. I
10 see him all the time, so I'd have to answer affirmatively,
11 yes.

12 Q Did you do any other work for the Murkowski campaign
13 besides discuss energy policy with the campaign people?

14 MR. SHARON: I want to interject something there. I
15 don't know whether that's properly classified as work for the
16 campaign. I think if you want to explore that further, Mr.
17 Kelly might have been advising Mr. Murkowski as to what his
18 feelings were for proper energy policy.

19 MR. LEVIN: Okay.

20 Q Did you have any other contact with the Murkowski cam-
21 paign, other than in your capacity of -- and I don't mean
22 the capacity of the position, but in the -- other than
23 the action of giving advice on U.S. energy policy?

24 A Only that and hosting fund raisers.

25 Q But during the primary there were no fund raisers?

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1 A No fund raisers until after the primary.

2 Q After August 26th, 1980?

3 A That's correct.

4 Q Between September 1st, 1979 and August 26th, 1980, did you
5 have any communications with John Hale?

6 A I don't recall. No, sir, I don't believe so.

7 Q Do you know who John Hale is?

8 A Is that the Alaska John Hale? I -- no, I just -- no, sir,
9 I don't.

10 Q He's the campaign manager, or was the campaign manager for
11 Alaskans for Gruening. Does that refresh your recollec-
12 tion?

13 A Okay, yes. Yes, now that you've brought it back up, yes,
14 sir.

15 Q And what communication was that?

16 A I had no communication with him whatsoever.

17 Q You had no communication with him?

18 A No, none.

19 Q But you do recall who he is now?

20 A Now that you've mentioned his name, yes, sir, I recall the
21 name as campaign manager for Mr. Gruening.

22 Q Between September 1st, 1979 and August 26th, 1980, did you
23 have any communication -- and let me clarify; when I say
24 communication, I mean written communication, all communi-
25 cation by talking, by phone; either way, through you

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1 initiating the communication, or he intitiating the
2 communication. So let me ask the question then. Between
3 September 1st, 1979 and August 26th, 1980, did you have
4 any communication with Clark Gruening?

5 A I am sure that during that period I saw Mr. Gruening
6 occasionally at the Anchorage Racquet Club, but that would
7 have been the only place; just to say hello, you might
8 say.

9 Q Did you discuss the campaign with him at all?

10 A No, sir.

11 Q Did you discuss any campaign issues with him?

12 A No, sir.

13 Q Did you discuss how Senator -- well, then, Frank Murkowski
14 was doing?

15 A No, I didn't bring that up either.

16 Q Let me ask one blanket question, then. Did you discuss
17 any aspects of the 1980 Senatorial campaign with him?

18 A Not with Mr. Gruening, no, sir.

19 Q Did you, between those above dates, September 1st, 1979
20 and August 26th, 1980, have any communication with Melinda
21 Gruening?

22 A No, sir.

23 Q Did you have any communication with Dick Angell? He is
24 the -- he was the chairman of Alaskans for Gruening.

25 A No, sir.

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1 Q During that time period did you have any communication
2 with Floyd Smith? He is the treasurer -- was the treasurer
3 of Alaskans for Gruening.
4 A No, sir.
5 Q Did you have any communication with Ivan Blee(ph), who is
6 the assistant treasurer of Alaskans for Gruening?
7 A No, sir.
8 Q Did you have any communication with Luann Dimond, who
9 was the secretary for Alaskans for Gruening?
10 A No, sir.
11 Q Hello?
12 A Yes. I answered no.
13 Q Oh, okay. It didn't register over here. Did you have
14 any communication during that time period with Rick
15 Mystrom, who was one of the media handlers for Alaskans
16 for Gruening? He did media work for Alaskans for Gruening.
17 A No, sir, I did not.
18 Q Did you have any communication with Larry Holstrom,
19 H-o-l-s-t-r-o-m?
20 A No, sir.
21 Q I didn't hear.
22 A No, I did not.
23 Q Okay. Did you have any communication with Mary Pat Murphy?
24 She was a press person for Alaskans for Gruening.
25 A No, sir, I don't know her either; never had any

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1 communication.

2 Q How about with Mike Harmon?

3 A No, sir.

4 Q How about with Greg Carr?

5 A No, sir.

6 Q Do you know any of the above that I mentioned, other than
7 Clark Gruening?

8 A Well, I know Rick Mystrom, and you'd have to run down
9 that -- he's the one I know, of those you named. And
10 Melinda Gruening, I guess that's his wife?

11 Q Right.

12 A Yeah, I know Melinda to say hello to, and I know -- and I
13 know Rick Mystrom.

14 Q Did you communicate with anyone else from the Gruening
15 campaign during that time period, September 1st, 1979 to
16 August 26th, 1980?

17 A I -- not to my knowledge that I -- if I was communicating
18 with them, I was not aware that they were involved in any
19 way, shape or form with Alaskans for Gruening.

20 Q Was it your understanding when I was asking you these
21 questions that I was not restricting myself to discussions
22 about the campaign, but was talking about any communica-
23 tion whatsoever?

24 A I -- the only person that I talked to, to my recollection,
25 during that period of time, was Mr. Gruening himself, and

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1 that occasion was in the racquet club.

2 Q Okay; to say hello.

3 A Yeah.

4 Q Prior to the formation of Friends of Alaska, did you know
5 Barnard Gottstein?

6 A Yes.

7 Q From where did you know him? Or how did you know him?

8 A Well, he's been a well-respected businessman, a very
9 active person in the Democratic Party for over 20 years,
10 and I've been in Alaska over 20 years, so I've known him,
11 I guess, basically that whole time.

12 Q Were you social friends with him?

13 A No, I wouldn't class him as a social friend.

14 Q How often do you -- before the formation of Friends of
15 Alaska how often would you run into him?

16 A Very infrequently; I'd say, you know, I might see him once
17 a year, twice a year.

18 Q And where would you usually see him?

19 A Oh, just occasionally run into him in town, or if there's
20 some sort of a civic function, I've occasionally run into
21 him at places like that. He doesn't.....

22 Q He doesn't what?

23 A He doesn't, to my knowledge, go to a whole lot of social
24 functions.

25 Q Would you discuss politics with him?

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1 A We have, over the years, occasionally discussed politics,
2 but nothing -- nothing specifically, I think, as far as
3 other campaigns. This was our first association directly
4 designed for a specific purpose.

5 Q Okay. Okay. Between August 1st, 1979 and the time that
6 Friends of Alaska was formed -- excuse me, between
7 September 1st, 1979 and the time that Friends of Alaska
8 was formed, did you have any communication with Barnard
9 Gottstein?

10 A Prior to the time it was formed?

11 Q Correct.

12 A No.

13 Q No?

14 A No.

15 Q Not even a social communication, that you recall?

16 A Not -- no, sir, not to my recollection.

17 Q Did he -- did Mr. Gottstein have any role in the Gruening
18 campaign?

19 A I -- I'm not able to answer that because I just don't know.

20 Q Hold on a second. I'll be back with you. Subsequent to
21 the filing of the complaint by Friends of Mike Gravel
22 with the Federal Election Commission, did Barnard
23 Gottstein tell you about any communications that he had
24 had with Alaskans for Gruening?

25 MR. SHARON: You're going to have to advise him, I think.

1 I'm not even sure a complaint was filed, and now that it
2 appears that one has been filed, you have to advise him when
3 it was filed.

4 MR. LEVIN: Okay, I will do that. The complaint was orig-
5 inally filed on August 5th. It was not sufficiently notarized,
6 so it was officially filed with the Federal Election Commission
7 on August 7th. We're talking 1980. So it would be a few days
8 after Friends of Alaska supposedly began its activities,
9 according to the complaint.

10 MR. SHARON: And the complaint was filed against who?

11 MR. LEVIN: Excuse me?

12 MR. SHARON: The complaint was filed against who?

13 MR. LEVIN: The complaint was filed against Friends of
14 Alaska, and Alaskans for Gruening. It was filed by Friends
15 of Mike Gravel. In other words, we're talking subsequent to
16 August 5th.

17 Q Did Mr. Gottstein tell you about any communications that
18 he had had with Alaskans for Gruening prior to that?

19 A No, sir.

20 Q Did you engage in the activities of any committee, other
21 than the Murkowski committee -- and that we have just as
22 giving advice -- or other than Friends of Alaska, whose
23 purpose was to have someone other than Senator Gravel
24 elected to the Senate seat?

25 A Did I -- now let me understand the question. Did I engage

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1 or become active in any other committee during the 1980
2 election? Is that what you're asking?

3 Q Right; from September 1st, '79 on.

4 A No, sir.

5 Q No other committees?

6 A No other committees, no.

7 Q Okay.

8 A Wait just a second. Let me think. I don't know whether I
9 would call -- the Free Alaska Lands Committee, I don't
10 believe that would be considered a political committee.
11 That was a committee designed for D-2.

12 Q What did that committee do exactly?

13 A That committee was designed to encourage the passage of
14 the Alaska National Interest Conservation Act of 1980. It
15 was the so-called D-2 legislation that passed last year,
16 and the committee was named Free Alaska Lands Committee.
17 I was on that, but that, from the political aspects,
18 wasn't an individual campaign. It was a campaign to get
19 that bill passed through Congress.

20 Q Did this committee have a purpose -- have as its purpose,
21 also, that someone other than Senator Gravel should be
22 elected to the Senate seat he was occupying?

23 A No, that -- that wasn't its prime purpose.

24 Q Did it say anything critical of Senator Gravel?

25 A It obviously was taking positions counter to Senator

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1 Gravel because Senator Gravel was against passage of the
2 act.

3 Q Did it criticize Senator Gravel in other issues, other
4 than D-2?

5 A That's the only thing it was formed on. To my knowledge,
6 no, it was just on D-2 itself.

7 Q Was Barnard Gottstein involved with that committee?

8 A Not on Free Alaska Lands Committee.

9 Q How many other people were involved with that committee?

10 A I -- I specifically don't recall. I'd have to go back and
11 dig into my files and everything else.

12 Q Was anyone from Alaskans for Gruening involved on that
13 committee?

14 A Not to my knowledge.

15 Q Was anyone who subsequently worked for Friends of Alaska
16 involved on that committee?

17 A Not -- not to my knowledge. Like I say, I just can't
18 recall specifically without having -- having the oppor-
19 tunity to refresh my mind who was -- who was actually
20 engaged in the committee.

21 Q If I mentioned the names of those involved in Friends of
22 Alaska would that help you? Would that refresh your
23 recollection as to whether they were or were not involved
24 in Free Alaska Lands Committee?

25 A I don't know.

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1 Q Why don't I do that? Was Norma Thompson involved in the
2 Alaska Lands Committee?

3 A Not -- not to my recollection, Mr. Levin. I just -- this
4 is very difficult because I don't have any of that stuff
5 with me, and I'd have to review specifically who was
6 involved. It wasn't a large committee, and it was basi-
7 cally handled.....

8 Q Kelly Gay?

9 A What?

10 Q Kelly Gay; Carolyn Gay?

11 A I don't -- I don't -- I do not believe so, but I don't
12 know.

13 Q How about Dick Green?

14 A I don't -- I don't know Mr. Green.

15 Q No?

16 A No.

17 Q I didn't hear an answer.

18 A No, sir, not to my -- not to my recollection.

19 Q Okay. Did this committee have any contact with any
20 other -- well, not with any other -- but with any committee
21 that was a campaign committee?

22 MR. SHARON: Do you know which committee he's talking
23 about?

24 A I assume he's talking about Free Alaska Lands Committee.

25 Q Right.

AKULAW COURT REPORTING

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1 A No. No, that did not. That was a committee designed to
2 lobby and encourage support for the passage of the D-2
3 legislation.

4 Q Okay. When were you first informed of the existence of
5 an effort to campaign against Senator Gravel, other than
6 these candidate campaign committees?

7 MR. SHARON: Do you understand the question?

8 A I'm not sure I understand the question.

9 Q Okay, well, when were you informed -- when were you first
10 informed of the existence that something like Friends of
11 Alaska might be formed?

12 A Well, I was called out of a business meeting in Los
13 Angeles in June, I believe it was, of 1980. I don't have
14 the specific date, but I could get it if I had my diary
15 from last year with me, but I don't. I was called out of
16 a business meeting.....

17 Q Did you say June of 1980?

18 A I believe June of 1980, a business meeting held in the
19 offices of Nausman(ph), Krueger and Marsh, Los Angeles
20 attorneys.

21 Q Is this in Los Angeles?

22 A It was in Los Angeles.

23 Q Okay.

24 A I was called out of a business meeting, and the matter,
25 and the request that I serve in the capacity of chairman

AKULAW COURT REPORTING

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1 was made to me by Steve Silver, at that time administrative
 2 assistant to Senator Stevens.

3 Q So Steve Silver was the first person to contact you with
 4 regard to the possible existence of such a committee, and
 5 he asked you to be chairman?

6 A That's correct.

7 Q How did you know Steve Silver?

8 A Well, I -- I'm a very close friend and associate of
 9 Senator Stevens, and I've known -- as long as he's been
 10 the A.A., I see him many times on my trips back to D.C.,
 11 and everything else. I've known him ever since he's been
 12 working for Ted Stevens.

13 Q What did Steve Silver say to you at that time? Let me
 14 make that more specific. Did he discuss the purpose of
 15 the committee?

16 A Very definitely.

17 Q And what did he say to that?

18 A They were attempting to form a bipartisan committee that
 19 would have no other purpose other than to acquaint the
 20 public with the conduct and the voting record of Senator
 21 Gravel, and let nature then take its course; that was the
 22 sole purpose of the committee, was to put forth the facts
 23 objectively on his record, and he asked me, because it
 24 was a bipartisan thing, would I mind having my name
 25 shared, or knowledge that I was involved in the thing,

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1 with an extremely well-known and powerful Democratic
 2 figure in the State of Alaska, that being Barney Gottstein,
 3 and I said I had never been involved in a situation
 4 like that directly with Mr. Gottstein, but I readily
 5 accepted it when he assured me that everything as far as
 6 I was concerned would be handled in accordance with the
 7 existing laws and regulations.

8 Q Could you repeat that last statement again? You said
 9 you would accept it if.....

10 A Yeah, I wanted to be sure that our activities, since it
 11 was asked over the phone, and the activities of the commi-
 12 ttee that would occur in ensuing weeks were strictly legal
 13 and done properly, and they assured me -- or he assured
 14 me it would be done so, and I'm sure, you know, he obvi-
 15 ously had his instructions coming from the person he
 16 worked for. So I don't have any question about what I was
 17 doing being strictly legal.

18 Q Did you know of the existence of the provision of the
 19 Federal Election Campaign Act forbidding coordinating
 20 expenditures beyond a thousand dollars? Or, in other
 21 words, providing that these committees had to be indepen-
 22 dent?

23 MR. SHARON: I'm going to object to the question. You're
 24 asking for something that asks for a legal conclusion, rather
 25 than just the knowledge of 441(a).

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1 MR. LEVIN: No, I'm asking if he has knowledge.
2 MR. SHARON: I'm going to instruct him not to answer that.
3 MR. LEVIN: Okay.
4 Q Now, you said that Mr. Silver was acting on instructions
5 from his boss; is that correct?
6 A Oh, yes, definitely.
7 Q And who did you mean by that?
8 A Ted Stevens.
9 Q Okay. Did Mr. Silver state that anyone from Alaskans for
10 Gruening had any involvement or connection with the
11 creation of this committee?
12 A No, sir.
13 Q Did he mention any of those names that I may have men-
14 tioned to you before from Alaskans for Gruening?
15 A No, sir, not at all. This was not a campaign for, as
16 explained to me, or a committee formed for the support of
17 any candidate. It was formed basically as a committee to
18 expose the record and the facts and acquaint the public
19 or refresh their memory of the antics of Senator Gravel.
20 Q Whose idea was this initially to form the committee, then?
21 Was it Senator Stevens?
22 A I make that assumption.
23 Q Okay. Did Mr. Silver give you any idea that it would be
24 Senator Stevens who was behind the formation of this
25 committee?

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1 A His question to me was that Senator Stevens had asked him
2 to call me to see if I would serve on this committee as
3 its chairman.

4 Q Did Steve Silver -- well, you mentioned Barnard Gottstein
5 before. Did Steve Silver say that he had had a conversa-
6 tion with Barnard Gottstein?

7 A I -- I don't specifically recall whether he did or not.
8 He did acquaint me that I would be on a committee as the
9 Republican counterpart to Barney Gottstein's being a
10 Democrat. In other words, that gave credibility to a
11 bipartisan effort.

12 Q Did he mention Barney Gottstein as a supporter of Clark
13 Gruening?

14 A No. No, he didn't have to. I mean, he didn't mention it
15 specifically.

16 Q You knew that Barney Gottstein was a supporter of Clark
17 Gruening?

18 A I knew that he was not a supporter of Gravel at that time.

19 Q But did you know that Barney Gottstein had been supporting
20 Clark Gruening?

21 A Not specifically, no.

22 Q What do you mean by not specifically? Did you have.....

23 A The big thing, you've got to understand, I -- in my capa-
24 city I would hardly be doing something that would necess-
25 arily benefit Mr. Gruening's campaign, so I obviously

1 would -- my effort here was solely for the purpose of
2 trying to get rid of Gravel.

3 Q Okay, so let me just make this clear. You're merely
4 surmising that Gottstein, because he was not a supporter
5 of Gravel, may have been a supporter of Gruening?

6 A That would be just.....

7 MR. SHARON: I'm going to object to that. I'm going to
8 object to that question, unless you rephrase the question.
9 He's not surmising anything. Your question to him was whether
10 he was aware of whether or not Gottstein was supporting
11 Gruening, and he said, no, not specifically, and now you're
12 trying to put facts not in evidence in to preface the ques-
13 tion. If you want to ask him again whether he knew specifi-
14 cally whether Gottstein was supporting Gruening, you can ask
15 him that, and then you may ask him next whether he assumed it,
16 or he guessed it, or it was by intuition, but I'm not going
17 to let you.....

18 MR. LEVIN: I will do that.

19 Q Do you know specifically that Barnard Gottstein was
20 supporting Clark Gruening?

21 A Not specifically. It would be only an assumption.

22 Q What was your assumption based upon?

23 A Because Mr. Gottstein's a lifelong Democrat.

24 Q Why would he not then support Senator Gravel?

25 A They had a big falling out. That's well-known history

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1 here in Alaska.

2 Q Let me recap then. Did you say that you do not know
3 whether or not Mr. Silver had a conversation with Mr.
4 Gottstein?

5 A Well, now, when -- when were you saying did he have a
6 conversation with Mr. Gottstein? He had numbers of con-
7 versations with Mr. Gottstein. I -- I know that because
8 I was present during at least one or more of them, but
9 when are you talking about?

10 Q Okay. Did Mr. Silver mention that he had had a conversa-
11 tion with Mr. Gottstein?

12 A Do you mean at the time he was talking to me for the first
13 time?

14 Q Yes.

15 A No, he didn't mention that, not to my recollection. He
16 just mentioned that Mr. Gottstein was going to be involved
17 in the committee, and would I object to serving on a
18 committee with Barney Gottstein.

19 Q Did he say who had gotten him involved, Mr. Gottstein
20 involved?

21 A Not specifically, no, that I can recall.

22 Q Did Mr. Silver say that he was going to contact Cliff
23 Groh, G-r-o-h?

24 A I don't specifically recall that.

25 Q Do you know who Cliff Groh is?

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1 A Yes, sir.

2 Q And who is he?

3 A He's a well-known Republican, and a highly respected
4 attorney here in Anchorage.

5 Q Was he a Republican National Committeeman at the time?

6 A No, sir, I don't believe Cliff has ever been a Republican
7 National Committeeman.

8 Q Did Mr. Silver say that he was going to contact anyone
9 else to be supportive of or serve on Friends of Alaska?

10 A He didn't mention to me at the time of my first conversa-
11 tion specifically who were going to be the other people
12 on the committee, other than Mr. Gottstein.

13 Q Did he throw out any names?

14 A No, sir.

15 Q During the course of this conversation, what did you say
16 to him?

17 A I asked him specifically what it was all about, and he
18 said they're trying to form a new committee; that sole
19 purpose would be to acquaint or refresh the memory of the
20 Alaska voting public with the record, over 12 years, of
21 Senator Gravel, in an obvious attempt to hopefully defeat
22 Senator Gravel, and I -- I mean, that was the whole pur-
23 pose, was to just tell the truth as it is, and let the
24 chips fall where they may, and he -- I asked him, at the
25 time, the legal ramifications, which he assured me that

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1 as far as the filing of the necessary papers, attesting
 2 to the validity of the committee, and all this other
 3 stuff, would be handled, and I didn't have to do anything
 4 other than to lend my name which would be used in a
 5 disclaimer, and that any copy -- my other request was that
 6 I -- I made it very clear that my condition -- my acceptance
 7 would be conditioned solely upon being able to review in
 8 advance any copy or any advertisements or anything else
 9 before they were actually made public or -- whether it be
 10 radio or t.v. or newspapers, or at least I could know what
 11 was being said where my name was being used, and he
 12 assured me that that would be the case.

13 Q Had Mr. Silver had any contact with Alaskans for Gruening?

14 A I don't -- I certainly wouldn't know.

15 Q Did Senator Stevens have any contact with Alaskans for
 16 Gruening?

17 A I wouldn't know that either.

18 Q When was your next conversation in which you discussed the
 19 committee?

20 A I believe Barney Gottstein got in touch with me during
 21 July while I was at Roche Harbor, Washington.

22 Q And when was this?

23 A I spent from mid-July to mid-August at Roche Harbor,
 24 Washington.

25 Q So somewhere between mid-July and mid-August Barney

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1 Gottstein contacted you and that was your next conversa-
2 tion with respect to Friends of Alaska?

3 A To the best of my recollection, yes.

4 Q Do you know when in that time period?

5 A Do you mean the exact date?

6 Q Or some -- the week. For instance, was it a week after
7 mid-July? Was it the last week of July? Was it the first
8 week of August, the second week of August?

9 A I don't recall. I could do enough research and probably
10 dig it out of my diary if I had it before me. It had to
11 be a sufficient time for me to either be read or hear or
12 see the copy that was going to be put out to the media,
13 and it had to have enough time so you could get it placed.
14 So it had to be, you know, quite a bit before, I'd say,
15 the middle of August or we'd have never -- we wouldn't
16 have got the copy placed in time.

17 Q Was this -- how long after your conversation with Mr.
18 Silver would you say it was? Was it about three weeks
19 after?

20 A It could be. I don't specifically recall. I'd have to
21 reconstruct exactly from information that's not readily
22 at my hand here in this deposition room. In other words,
23 I'd have to go back to my office and go through my old
24 files and everything else to figure it out, if that's
25 particularly important.

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- 1 Q But it would be -- would it be safe to say that it was
- 2 not within a week after that conversation with.....
- 3 A No, I didn't go to Roche Harbor until the 15th of July,
- 4 and I spoke -- and I'm positive I had the meeting in L.A.
- 5 in June. So I don't recall specifically what date it was,
- 6 but I could dig it up, and it was several weeks after that
- 7 while I was in Roche Harbor that I had my first contact,
- 8 to the best of my recollection, with Mr. Gottstein on the
- 9 phone.
- 10 Q And what did he say to you during this conversation?
- 11 A Well, they were just telling me they were getting underway
- 12 and wanted to know when I was going to be back in Anchorage,
- 13 and I said it would be awhile yet, although I -- you know,
- 14 if there was something I needed to sign, I could sign it.
- 15 There were some -- I think I had to -- at one time I had
- 16 to sign -- I believe I signed a signature card, but he
- 17 wanted to know how I could see this copy, and I -- whether
- 18 to read it over the phone or mail it to me or whatever it
- 19 was. I wanted to be sure that I knew what was going to be
- 20 placed in these ads, and he fully assured me that I'd have
- 21 ever opportunity to say yes or no before the ads were
- 22 placed.
- 23 Q Did he mention Alaskans for Gruening?
- 24 A No, sir.
- 25 Q Did he mention any Alaskans for Gruening staff?

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1 A No, sir.
2 Q Did he mention Clark Gruening?
3 A No, sir.
4 Q Did he mention the Gruening campaign?
5 A No, sir.
6 Q Did he mention any displeasure he had with the way the
7 Gruening campaign was conducting itself?
8 A Not to me.
9 Q He did not mention -- did he mention a meeting he had with
10 other Gruening campaign staff at Mystrom Advertising where
11 he viewed ads or planned television presentation for the
12 Gruening campaign?
13 A No, sir, not to me.
14 Q What did he say with respect to the campaign?
15 A He didn't mention anything with respect to the Gruening
16 campaign. He just -- my role -- we were collaborating on
17 placing these ads that in effect just reiterated the
18 voting record and the conduct of Senator Gravel, and so
19 he'd read me the copy and he'd get my response as to
20 whether or not I thought it was in any way, shape, or
21 form libelous or strictly the facts; although they were
22 done, and I must say so, extremely cleverly, very humor-
23 ously, and very straightforward and to the point. So he'd
24 read the ad to me and I would either -- I'd make a sugges-
25 tion or two as to the grammar or the syntax, but other

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1 than that I either said, in most instances, or every
2 instance that I recall, I said that sounds fine to me.

3 Q Did he read these ads to you over the phone during this
4 particular conversation?

5 A Yes, sir.

6 Q And how many ads did he read to you?

7 A I think there were two or three that they were going to
8 use at that time.

9 Q Okay, I'm going to give you a date in case this refreshes
10 your recollection. I will end this up with a question
11 so it can be in some proper form. The Friends of Alaska
12 filed a statement of organization dated July 30th. Would
13 that refresh your recollection as to when your conversa-
14 tion with Barnard Gottstein was?

15 A No, sir, not specifically, but I can -- I'm sure I can
16 reconstruct the dates because I had exactly the dates that
17 I was in Roche Harbor, and I maintain a diary even though
18 I'm on vacation, so I could -- it could be July 30th, but
19 I just -- I don't specifically recall. I do know that I
20 was at Roche Harbor during the period July 15th to August
21 15th.

22 Q Let me just give you another date that might help you
23 refresh, and I'll ask you if it refreshes your recollec-
24 tion. They listed their first obligation incurred -- at
25 first they called it an expenditure, and then they called

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1 it an obligation incurred -- on August 5th. Does that
2 refresh your recollection as to when these radio ads were
3 read to you or when this conversation took place?

4 A No, sir, not specifically, but it was in that time frame,
5 yes, sir.

6 Q Did Barnard Gottstein mention a conversation with a friend
7 of his, Joe Rothstein of the Rothstein-Buckley firm, in
8 Washington, D.C? That's R-o-t-h-s-t-e-i-n; Buckley,
9 B-u-c-k-l-e-y. Did he mention a conversation with Joe
10 Rothstein?

11 A I think he might have mentioned the involvement of Mr.
12 Rothstein during our conversation, yes. I don't specifi-
13 cally recall exactly the nature of that discussion, but I
14 think he acquainted me with the fact that this stuff would
15 be in a way coordinated through Mr. Rothstein.

16 Q What stuff particularly?

17 A The advertisements; the ads.

18 Q Did Mr. Rothstein draft these ads? Did he compose the
19 wording of these radio advertisements?

20 A I believe he or somebody in his -- one of his associates
21 did, yes.

22 Q Somebody in Rothstein-Buckley?

23 A Yes, I believe so; yes.

24 Q Did Mr. Gottstein say anything about Joe Rothstein giving
25 him the idea for this independent committee?

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8 3 0 4 0 4 5 4 1 4

- 1 A Not to me, no.
- 2 Q Do you recall anything else that Mr. Gottstein said about
- 3 what Mr. Rothstein said to him?
- 4 A No, sir, I don't specifically recall anything further.
- 5 Q Did Mr. Gottstein tell you not to have any contact with
- 6 anyone in the Gruening campaign?
- 7 A No, he didn't make any request like that of me at all.
- 8 Q Did he discuss the conversation he had had with Mr. Silver,
- 9 Steve Silver?
- 10 A I don't specifically recall, but since I know that Silver
- 11 had talked to me and had mentioned to me that he was con-
- 12 tacting, or had contacted Mr. Gottstein, I'm assuming that
- 13 we might have discussed it during the course of our con-
- 14 versation.
- 15 Q Can you recall anything specific from that reference to
- 16 Mr. Silver?
- 17 A No, only from the standpoint of -- only from the stand-
- 18 point of what the purpose of the committee was being
- 19 formed, or what it was formed for; only the purpose and
- 20 the concept for which the committee was established.
- 21 Q Did Mr. Gottstein say when he was first contacted as to
- 22 the possible formation of Friends of Alaska?
- 23 A Not to my recollection.
- 24 Q Not to your recollection? I didn't.....
- 25 A I -- no, sir, I didn't ask him, and I -- I don't recall

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1 him specifically saying when he was contacted.
2 Q Do you know whether he was contacted by Mr. Silver, or
3 whether he contacted Mr. Silver of the initiation of this
4 idea?
5 A I don't know that.
6 Q Do you know whether it was his idea or Mr. Silver's idea
7 or Mr. -- Senator Stevens' idea?
8 A My answer would only relate to my involvement, and that
9 would be an assumption. Since my first contact was from
10 Steve Silver, I assume that that's where it was initiating
11 from.
12 Q From Stevens' office? Senator Stevens' office?
13 A Yes, sir.
14 Q Was there anything else in this conversation, either by
15 you or by Mr. Gottstein?
16 A What do you mean anything else?
17 Q Anything that we haven't covered thus far?
18 A No, the only purpose of the conversation was to fulfill
19 what I requested, which was that I be made aware in
20 advance of the nature of the copy of the ads.
21 Q And there was no mention of the Gruening campaign?
22 A No, sir.
23 Q When did you decide that you would be the chairman of
24 Friends of Alaska?
25 A I accepted it during the first conversation I had with

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1 Steve Silver when he acquainted me with what the request
2 was all about; did I mind being involved on a committee
3 with Barney Gottstein for the purposes of acquainting the
4 public with the voting record and the conduct of Senator
5 Gravel, and then putting out ads that were telling the
6 truth, and that's -- I said if that's all it amounts to,
7 and it's strictly legal and aboveboard, the campaign --
8 the ads were not to be slanderous or libelous in any way,
9 shape, or form, I said that's fine with me because as far
10 as I was concerned it was a good open and aboveboard
11 effort to dump Gravel.

12 Q What were your duties with Friends of Alaska?

13 A None whatsoever other than what I've already acquainted
14 you with.

15 Q What did you end up doing? Did you -- let me be specific,
16 then. Did you issue any press releases as a public
17 spokesman for the committee?

18 A Not emanating from myself, no.

19 Q Did you make quotes for attribution in a press release by
20 the committee?

21 A I just don't specifically recall. They may have had some-
22 thing attributable to me that showed in the paper that I
23 accepted, but I didn't initiate anything from Roche
24 Harbor at all.

25 Q And you were in Roche Harbor until.....

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- 1 A August 15th.
- 2 Quntil the middle of August?
- 3 A Right.
- 4 Q Did you have any responsibility for seeing that records
- 5 were kept well?
- 6 A No, sir.
- 7 Q Did you ever see any of the committee's financial records?
- 8 A No, sir.
- 9 Q Other than your conversation with Mr. Gottstein wherein he
- 10 read to you the text of those ads, did you review any
- 11 other radio ads or newspaper ads that Friends of Alaska
- 12 may have put out?
- 13 A Did I see it in copy form? You mean on paper?
- 14 Q Right; before it was published.
- 15 A To the best of my recollection, yes, I did on one or more
- 16 occasions see the written copy.
- 17 Q And when was this?
- 18 A Well, I don't -- you mean -- I don't recall a specific
- 19 date. It is in that period of time around the end of July
- 20 to the middle of August.
- 21 Q So while you were still away from Anchorage?
- 22 A Right.
- 23 Q How far away from Anchorage is this? Let me just get an
- 24 idea.
- 25 A A hundred miles north of Seattle.

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1 Q Oh, very far away from Anchorage. Okay. Did you solicit
2 contributions to Friends of Alaska?
3 A No, sir.
4 Q Did you have any communication, other than with Barnard
5 Gottstein, with any other personnel in Friends of Alaska?
6 A Only, I think, another conversation or so with Steve
7 Silver, but I -- you know, that was -- no other person
8 that was on that committee of Friends of Alaska, no.
9 Q Was Steve Silver on the committee?
10 A I don't believe so, no. He was kind of the coordinator;
11 getting it going.
12 Q When would you say his participation ended in the
13 committee?
14 A That's speculation on my part. I just don't know. I know
15 that -- I just -- I can't answer. I don't know. I just
16 don't know what date he didn't have anything more to do
17 with it. I guess after the primary.
18 Q After the primary?
19 A I -- totally assumption. I have no idea. I don't know
20 how to answer the question because I don't know.
21 Q Well, did it appear to you that he had any involvement
22 after your first conversation with him in June?
23 A Oh, I -- yeah, I was -- I returned to Anchorage prior to
24 the -- prior to the primary on August the 26th, and had
25 one meeting with Mr. Gottstein, at which time Steve Silver

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1 called, while we happened to be having a meeting at his
2 house.

3 Q And what was said during that conversation?

4 A Well, I -- he was talking to Mr. Gottstein. I -- I wasn't
5 on the phone specifically. I just knew that he was on the
6 phone, or that the housekeeper came and said that Steve
7 Silver's on the phone, and they just talked about the
8 activity of what was going on as far as placing these
9 ads, and he mentioned that I was there and we were dis-
10 cussing -- I was just trying to see where we stood at that
11 point in time as far as the type of ads that were going to
12 be placed in the waning days of the primary campaign.

13 Q So let me get this straight. You were at Mr. Gottstein's
14 house?

15 A Yeah, after the 15th. I don't recall the specific date.

16 Q Okay, and you were only hearing one end of the conversa-
17 tion, and you knew Mr. Gottstein was on the phone with Mr.
18 Silver?

19 A Right.

20 Q Okay.

21 A But I don't -- I didn't hear the conversation.

22 Q Right. Okay. Did you review any print ads, any newspaper
23 ads for the Friends of Alaska?

24 A Yeah, I saw some of the ads in writing; yes.

25 Q And when you were reviewing, what was the purpose of your

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1 review? Would you have veto power over whether they were
2 printed or published?

3 A They had given me their word that I would have the right
4 to review, and if I was specifically in opposition or
5 critical of any of the nature of the copy, that they would
6 change it.

7 Q Now, I'm sorry to go over this again, but this -- was this
8 after you returned from your absence from Anchorage?

9 A It might have been, but it was during the period of time
10 I was in Roche Harbor, as well as when we got back up
11 here, although we had very little to do because it was
12 practically the end of the primary period, and you had to
13 place ads some several days prior to the election itself.

14 Q So did they actually send print ads down to you.....

15 A I saw, as I recall.....

16 Qwhile you were down there?

17 A Yeah, as I recall they did, but most of the stuff was done
18 over the phone.

19 Q And that would be for the radio ads, or would they describe
20 the newspaper ads to you? Which one?

21 A I just -- I don't recall specifically whether it was for
22 radio or for newspaper, but I do recall the nature of the
23 ads.

24 Q Did you have any conversation with Norma Thompson as to
25 the depositing of funds and the problems with -- and a

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1 discussion of signature cards?

2 A I don't recall, no, sir.

3 Q Did you have any conversation with Norma Thompson as to
4 the depositing of funds of the committee account?

5 A I -- I don't recall.

6 Q Did you have any conversation with Norma Thompson as to
7 any problem with the signature cards?

8 A I just -- I just -- I'm sorry, Mr. Levin, I just don't
9 recall that specifically. I just am trying to think here
10 when you're asking the question, and I just don't -- I
11 just don't recall that I did, no.

12 Q Okay. Fine. Did you have any communications with Alaska
13 advertisers with respect to the placement of ads for
14 Friends of Alaska?

15 A No, sir.

16 Q Did you have any communication with Jonathan Ward Adver-
17 tising, or Jonathan Ward Media Services, with respect to
18 the production of ads for Friends of Alaska?

19 A No, sir.

20 Q Did you have any communication with the Rothstein-Buckley
21 firm, or with Joe Rothstein? Did you answer? I didn't.....

22 A I'm trying to recall. I think I had one long distance
23 call from Joe Rothstein during that period of time while
24 I was in Roche Harbor. To the best of my recollection I
25 think I talked to him one time.

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- 1 Q And when was that? I know it was while you were in Roche
- 2 Harbor, but can you pinpoint this?
- 3 A No, sir, I -- not -- I'm not in my office and I don't have
- 4 my diary. It's during that period of time, so I don't
- 5 specifically know the date, but it had to be all around that
- 6 period toward the end of July.
- 7 Q What did you talk about?
- 8 A The only thing I ever talked to those people about was the
- 9 nature of the copy and what they were going to do as far
- 10 as the ads.
- 11 Q You did not talk about any other aspect of the campaign?
- 12 A No, sir, not at all; just the nature of the ads. They'd
- 13 read them to me and I'd respond.
- 14 Q Did you ever end up expressing your displeasure with any
- 15 of these ads?
- 16 A I made a few suggestions as far as wording, but not -- not
- 17 direct displeasure with any of them because they were very
- 18 factual.
- 19 Q About how much time a week would you say that you put in
- 20 for Friends of Alaska?
- 21 A Very minimal.
- 22 Q An hour? Five hours?
- 23 A Thirty minutes. A half hour, maybe an hour; not any more
- 24 than that.
- 25 Q Per week?

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1 A I -- if you looked at it that way. Certainly I didn't
2 spend over a couple of hours involved during the entire
3 primary campaign with this particular committee activity.
4 Q When you restrict it that way do you mean as opposed to
5 any activity you might have done on behalf of.....
6 A No. No. I'm just saying the total -- the total aggregate
7 time spent on that thing would have been 15, 20, 30 minutes
8 perhaps in Roche Harbor on a couple of occasions, and
9 maybe, oh, about 45 minutes in Mr. Gottstein's home here
10 after I returned to Anchorage. So the total aggregate
11 amount of hours spent on the Gruening -- I mean, excuse
12 me, not the Gruening -- Friends for Alaska, maybe two or
13 three, four hours. I don't know.
14 Q Other than your role in reviewing the ads for content,
15 did you play any other role in getting these ads produced
16 and on the air?
17 A No, sir.
18 Q Did you play any other role with the committee at all?
19 A No, sir.
20 Q Other than lending your name and reviewing these ads?
21 A That's all I did total.
22 Q Did Friends of Alaska engage in any activities other than
23 having these ads printed or having the radio ads put on
24 the air?
25 A Not to my knowledge.

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1 Q Where did Friends of Alaska get its ideas for the content
2 of these ads?

3 A I don't -- I don't specifically have a date for that, Mr.
4 Levin, on when they would have had it.

5 Q Where did they get these ideas? Where? From whom? From
6 what?

7 A I'm not -- I don't totally recall that either. I just
8 know that there was involvement as between whoever was
9 producing it, Mr. Rothstein, and Mr. Gottstein, and whoever
10 was actually putting it together was to their -- I'm sure
11 they're fully aware of it. I only know that after it was
12 ready to be, you might say, sent out to the media, they
13 would contact me in advance and either read or, I had a
14 produced copy of what they were -- what they were proposing
15 to put into either print or on the radio.

16 Q Did you know that Alaska -- at the time that Friends of
17 Alaska was participating in these activities, did you know
18 that Alaskans for Gruening had used Alaska Advertisers for
19 its own ads?

20 A No, sir, I didn't have any -- I didn't make any connection
21 there.

22 Q Did you know that Barnard Gottstein was an owner of a
23 company that owned Alaska Advertisers?

24 A Not specifically, no.

25 Q Did you know that Barnard Gottstein had any connection

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1 with Alaska Advertisers?

2 A I -- I vaguely have knowledge about Mr. Gottstein's busi-
3 ness activities, and if he -- if I can refresh my memory,
4 I think somewhere in past history I was knowledge -- I was
5 made aware of the fact that he had some connection with
6 that company.

7 Q But you can't recall how?

8 A Not specifically, no. When I -- you know, it may have --
9 it may be coming back to me from my own campaign activities
10 of several years ago that I had knowledge of it, but not
11 specifically with respect to Friends of Alaska.

12 Q Did any ideas for these ads come from any communication
13 with anyone in the Gruening campaign?

14 A Not to my knowledge.

15 Q Not to your knowledge? I didn't get that.

16 A Not to my knowledge. I -- I was not aware that they were
17 involved at all.

18 Q When did Friends of Alaska cease its activities?

19 A You're looking for a date again?

20 Q Yes. Well, did it cease -- did it have any activities
21 after the primary?

22 A Not where I was involved except for transmittal of some
23 unexpended funds that I -- that happened to be sent to my
24 office that I sent back to Mr. Gottstein, but I don't --
25 that should have sine died the committee right there, to

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1 my knowledge because I specifically wrote a letter
 2 following the primary to Mr. Gottstein and told him how
 3 much I enjoyed working with him on this specific issue,
 4 and wished him well in his endeavors, and told him as far
 5 as I was concerned, you know, he knew I was supporting
 6 Frank Murkowski. I said, you know, we accomplished, or
 7 we attempted to have a little bit of input in influencing
 8 the primary, and as far as getting Mr. Gravel out of
 9 there, and we went our own way after that. I wrote a
 10 letter specifically to him at that time, and I'm sure that
 11 that was the end of -- as far as I was concerned, of
 12 Friends of Alaska.

13 Q Going back to your conversation with Mr. Silver in June,
 14 did he mention the Murkowski campaign at all, or Frank
 15 Murkowski?

16 A No, sir. Did you hear me? I said no.

17 Q Excuse me?

18 A I said no.

19 Q Did -- when you had that first conversation with Barnard
 20 Gottstein, did he mention the Murkowski campaign or any-
 21 one from the Murkowski campaign, or now Senator Murkowski?

22 A No, sir.

23 Q Did anyone from Friends of Alaska have any contact with
 24 the Murkowski campaign while Friends of Alaska was in
 25 operation?

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1 A Well, I've already indicated that I did.
2 Q And what -- were you doing your policy advising then
3 during that period from June.....
4 A I don't specifically recall the dates when I advised him.
5 I know that I made several campaign contributions to him
6 periodically, and I'm sure during that period I made
7 another contribution to him, but I didn't do a whole lot
8 when I was down at Roche Harbar as far as his campaign;
9 like nothing.
10 Q Did the people in the Murkowski campaign have any know-
11 ledge of your activities with Friends of Alaska?
12 A Yeah, they had to. My name was on the disclaimer, and I'm
13 sure it was brought to the attention of Frank during the
14 period of time. I know that he knew about it.
15 Q Did you have any communications with them as to your
16 activities with Friends of Alaska, meaning Senator
17 Murkowski or anyone on the Murkowski staff, either a
18 volunteer or a paid employee?
19 A Yes, I think I did.
20 Q And what communications were those?
21 A Well, in trying to reconstruct this thing, there's two
22 schools of thought, or there were two schools of thought
23 prior to the primary election in August of last year.
24 One, are obviously who -- who is the toughest opponent
25 that Frank Murkowski's going to face. There are those,

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8 3 0 4 0 4 5 4 2 8

1 or there were those who believed that he'd have a tougher
2 time beating Mr. Gravel in the general, and there are those
3 who thought he'd have a tougher time beating Mr. Gruening.
4 To that extent there was some talk about, you know, how
5 come I chose to become involved in Friends of Alaska. I
6 subscribed to the theory that the only place to try to
7 unseat Mr. Gravel was in the primary.

8 Q You felt it would be difficult to be unseated in the
9 general election?

10 A If he won the primary.

11 Q Oh, okay. Did anyone on the Murkowski campaign give you
12 any words of encouragement as to Friends of Alaska, or
13 your activities with Friends of Alaska?

14 A No, sir. They were just probably somewhat surprised at
15 the so-called unusual alliance.

16 Q They expressed no positive words about your activity?

17 A You mean favorable or otherwise?

18 Q Anything. No, not necessarily encouraging, but saying
19 that's a good thing, or that's not a bad activity, or.....

20 A Well, I generally think that they, most of them, or at
21 least their strategists, believed that he would prefer to
22 face Senator Gravel in a showdown, which was.....

23 Q Who did you speak to on the Murkowski committee?

24 A Oh, Lord; Tony Motley.

25 Q What was their position?

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1 A Oh, Motley was intimately involved in the campaign. He
2 wasn't his manager. I talked to -- I guess he was a close
3 adviser. I don't know. McConkey.....
4 Q And what was he?
5 A I guess he was campaign director, or something like that.
6 Lisa Murkowski, I guess, and some of the rest of them are
7 in there.
8 Q Did anybody say anything positive about Friends -- any of
9 these people say anything positive about Friends of Alaska?
10 A What do you mean by positive?
11 Q Well, anything other -- anything that you might interpret,
12 or you did interpret, as saying that this is not such a
13 bad thing you were doing, or not such a bad thing that the
14 committee was doing, Friends of Alaska?
15 A I don't specifically recall anything like that.
16 Q What would they say to you, then? Just that, you know,
17 there is a possibility this might hurt us, or.....
18 A I think there was that concern expressed, that this might
19 not be the best strategy from their standpoint.
20 Q Did they active -- did they express any express word of
21 discouragement?
22 A You mean like telling me don't do it?
23 Q Or that it was a bad idea; either one of those. Or that
24 it was not such a good idea; that is a third possibility,
25 or anything like that.

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1 A As I tried to indicate to you before, there were the two
2 schools of thought, and obviously I was of a school of
3 thought that was not shared necessarily by the majority
4 of those that were advising, or that were working very
5 closely in the Murkowski camp.

6 Q All I'm trying to get at is was there anybody on the
7 Murkowski campaign that shared your school, that was part
8 of your school of thought?

9 A I don't specifically recall.

10 Q No one communicated that to you that way, that they shared
11 your feeling?

12 A No, I'm trying to indicate that most of them shared the
13 other viewpoint.

14 Q Okay. Excuse me. I'll be right back with you.

15 MR. LEVIN: Can we just break for about two minutes? Is
16 that all right with you.....

17 MR. SHARON: Sure.

18 MR. LEVIN:Mr. Sharron?

19 MR. SHARON: Yes.

20 MR. LEVIN: Okay, because my voice is kind of giving out.

21 MR. SHARON: We'll be back in two minutes.

22 MR. LEVIN: We'll break for just two minutes.

23 (Off record)

24 MR. SHARON: Okay, we're back.

25 MR. LEVIN: Okay, back on the record?

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1 MR. SHARON: Yes, I'm back.

2 BY MR. LEVIN:

3 Q I asked you this question before. This will be for my
4 recollection purposes. Did anyone else from Friends of
5 Alaska during its existence have any contact or communica-
6 tion with the Murkowski committee?

7 A I don't know.

8 Q Now, we mentioned your communication with Barnard
9 Gottstein where you discussed the ads, and you just dis-
10 cussed certain logistical things. Did you have any other
11 communications with Barnard Gottstein during the existence
12 of Friends of Alaska?

13 A No, our only involvement was with the activities of this
14 committee.

15 Q Right; well, in that course, in the course of those
16 activities, what communications did you have with Mr.
17 Gottstein? Can you recall?

18 A I can't recall other than what I've told you before. We
19 met on one occasion, and we -- in his house -- and we had
20 conversations over the telephone when I was in Roche
21 Harbor.

22 Q When you met, when was that?

23 A Do you want a specific date?

24 Q Or a week. Or if you can't do that, how close to the
25 primary was it? The primary being August 26th.

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- 1 A Oh, it was -- it was pretty close to the primary, I
- 2 recall, because I think there was some hopes that there
- 3 could be some additional ads placed, but I think they
- 4 never got placed because there wasn't enough time. So it
- 5 was -- I'd have to look at it. It's somewhere after the
- 6 middle of August.
- 7 Q Was this the same meeting at which Mr. Gottstein was on
- 8 the phone with Mr. Silver?
- 9 A Yes.
- 10 Q In any of your communications with Mr. Gottstein, on the
- 11 phone or when you were with him face to face on that date
- 12 after the middle of August, did Mr. Gottstein or you
- 13 mention Alaskans for Gruening?
- 14 A No, sir.
- 15 Q Did you mention Clark Gruening?
- 16 A No, sir.
- 17 Q Did you mention the Gruening campaign?
- 18 A No, sir.
- 19 Q Excuse me?
- 20 A No, sir.
- 21 Q Did you mention any Alaskans for Gruening personnel?
- 22 A No, sir, because I didn't know who they were.
- 23 Q Excuse me?
- 24 A No, sir, I did not.
- 25 Q Okay. Did Mr. Gottstein express any displeasure with the

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1 way the Gruening campaign was performing?

2 A Never discussed the Gruening campaign with me at all.

3 Q Okay. Did he discuss any activities which he had already
4 performed for Alaskans for Gruening, such as fund raising
5 or any other activities?

6 A Not with me he did not.

7 Q Do you know if he discussed it with anybody else?

8 A No, sir.

9 Q No? Okay. Did Barnard Gottstein ever discuss with you
10 a phone conversation he had with Clark Gruening in which
11 Clark Gruening told him that Friends of Alaska ads were
12 hurting him?

13 A No, sir, he never told me that.

14 Q He never told you about a conversation about hurting him
15 in Fairbanks, specifically?

16 A No, sir.

17 Q Did he, during this time period -- I asked you this question
18 with reference to the time period before Friends of
19 Alaska was created. During this time period of June
20 2 to the primary did he ever mention that meeting at
21 Mystrom Advertising in which he did not like what he saw
22 in terms of t.v. ads?

23 A Not with me he did not, no.

24 Q Do you know if he discussed it with anybody else?

25 A I'm not aware, no.

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1 Q Did he -- did you yourself have any communication with
2 any personnel of Alaskans for Gruening, or with Clark
3 Gruening, during the time period during which Friends of
4 Alaska was in existence?

5 A No, sir.

6 Q Excuse me?

7 A No, sir, I did not.

8 Q Okay. Did you have any communication with a third person
9 whom you thought would be communicating with Alaskans for
10 Gruening, or had already communicated with Alaskans for
11 Gruening?

12 A No, sir.

13 Q In other words, communicating with the committee through
14 a third person.....

15 A No.

16 Qor communicating with.....

17 A I had -- to reiterate, I had no involvement whatsoever
18 with Alaskans for Gruening, either by direct knowledge or
19 otherwise. I had no contact with that group, and I don't
20 even -- didn't even know who the principals were, obvious-
21 ly, because I, you know, had nothing to do with that end
22 of the campaign.

23 Q Did you know of the existence of an article in the Wall
24 Street Journal about Mike Gravel that was published
25 around August 8th, 1980?

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1 A I don't -- I don't specifically recall. It was August
2 8, you say?

3 Q Around then; on or about. The date -- I have -- well,
4 I'm not -- I don't -- I obviously can't introduce it as
5 an exhibit, but August 8th is the date of the article.

6 A Well, I was in Roche Harbor at that time, and I -- I
7 didn't have access to the Wall Street Journal in Roche
8 Harbor.

9 Q When did you hear about the existence of this article?

10 A Well, I'm not sure that I did. I have to refresh my
11 memory whether I've ever seen it. I don't know what the
12 article is.

13 Q Well, did you hear of the existence of some article from
14 the Wall Street Journal about Senator Gravel during the
15 time period that Friends of Alaska was in operation?

16 A I don't recall.

17 Q Do you recall an advertisement, it would be a print ad,
18 quoting from the Wall Street Journal, that had Friends --
19 that were paid for by Friends of Alaska on it, and had
20 your name as chairman?

21 A It could be, Mr. Levin. I -- see, I don't have anything
22 to refresh my memory in front of me, so I just -- you
23 know, it's very difficult for me to remember precisely
24 every aspect of.....

25 Q Well, do you remember if Friends of Alaska contemplated

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1 using such a quote?

2 A What's the quote?

3 Q Do you remember any discussions about that, perhaps.....

4 A No, I.....

5 Qany personnel of Friends of Alaska discussing that?

6 Awhat is the quote? No, I don't. I don't know what
7 the quote is, even. I -- you've got to give me the quote.

8 Q It would be un -- I don't think it would be suitable for
9 me to read it. The fairest thing would be if you had the
10 exhibit in front of you, which you don't, and I don't
11 know if it would be proper for me to.....

12 MR. LEVIN: Counsel, Mr. Sharon, would you have a problem
13 with my reading that, or -- without the exhibit in front of
14 you?

15 MR. SHARON: Well, no, I think I'd like to see the
16 exhibit first.

17 MR. LEVIN: You'd like to see it. So I will then -- I
18 will refrain from reading it then.

19 MR. SHARON: Well, it's your deposition. You can do
20 whatever you want, but I think it's improper procedure.

21 MR. LEVIN: Right. All right. Hold on a second. Hold
22 on a second. Off the record for a second.

23 (Off record)

24 MR. SHARON: Yes, just a question before you get started
25 again. How much longer are we going to go? I've got an

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1 appointment coming up.

2 MR. LEVIN: Not much longer. We're pretty much near the
3 end, I believe.

4 MR. SHARON: Would you say about 15 minutes?

5 MR. LEVIN: More like 20.

6 MR. SHARON: Okay.

7 MR. LEVIN: Is that all right with you?

8 MR. SHARON: As long as it's 20, yes

9 MR. LEVIN: Okay.

10 BY MR. LEVIN:

11 Q The quote -- I'll read this quote to refresh your memory,
12 Mr. Kelly. "During his first five years in the Senate
13 Senator Gravel's net worth more than doubled to
14 \$528,000.00 -- \$528,030.00 according to documents he made
15 public in 1974. Today Senator Gravel shares the extrava-
16 gant live style of his many millionaire friends. He has
17 a lavish house on the Potomac River, south of Washington,
18 with a swimming pool and a tennis court. We estimated the
19 house's value last year at \$250,000.00 to \$500,000.00."
20 And it says the Wall Street Journal, August 8th, 1980;
21 paid for by the Friends of Alaska Committee, Tom Kelly,
22 Chairman, 3835 Helvetia Drive, Anchorage, Alaska, 99504.
23 Do you recall contemplating, or anyone on the committee
24 contemplating the use of such an ad?

25 A I -- I don't specifically recall, Mr. Levin.

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1 Q Did Mr. Gottstein ever mention to you that he received a
2 visit from John Hale, of Alaskans for Gruening, in which
3 Mr. Hale brought him over a copy of the Wall Street
4 Journal article, or the Wall Street Journal that day,
5 August 3th?

6 A No, sir.

7 Q Did Mr. Gottstein ever mention that to you?

8 A Never mentioned it to me, no, sir.

9 Q Were there dinners at Barnard Gottstein's house where
10 Friends of Alaska personnel were in attendance?

11 A I didn't quite hear the question.

12 Q Okay. Were there dinners at Barnard Gottstein's house
13 where Friends of Alaska personnel were in attendance?

14 A Dinners like dinner, d-i-n-n-e-r?

15 Q D-i-n-n-e-r; correct.

16 A Not -- I don't know. Not to my knowledge. I mean, I
17 just don't know whether there were or not. The only
18 person that -- the one time, in the time I've been in his
19 home, he was there by himself with the housekeeper.

20 Q That was the only time you were at his home during the
21 time period of.....

22 A That is.....

23 Qand the primary?

24 Athat is correct.

25 Q Between September 1st, 1979 and July 30th, 1980, did you

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1 have any communication with Carolyn Gay, also known as
2 Kelly Gay?

3 A Possibly. I think in that -- during that period of time
4 she was information officer of the Municipality of
5 Anchorage, or something in that capacity. I may have seen
6 her. I don't recall a specific involvement. I know the
7 lady, if that's what you mean.

8 Q In relating to the Senatorial campaign?

9 A Not to the -- no, not at all.

10 Q Did she have any connection with the Gruening campaign
11 between September 1st, '79 and July 30th, '80?

12 A I certainly don't know whether she did or not.

13 Q After -- when did she come aboard to Friends of Alaska?

14 A I -- I don't know because I didn't have any specific
15 contact with her during the Friends of Alaska activity.

16 Q By specific contact do you mean that you.....

17 A I didn't meet with her or discuss anything with her on --
18 to my recollection, on Friends of Alaska.

19 Q Did you talk to her at all in connection with.....

20 A I don't recall. I might have, but I really don't recall.
21 I think maybe on -- I just don't recall. It could have
22 happened after I returned to Anchorage, but I just don't
23 recall.

24 Q Did she ever mention to you her conversation with Barnard
25 Gottstein when he told her plans for Friends of Alaska?

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1 A I don't recall. Not to my recollection.

2 Q When did you first meet Norma Thompson?

3 A I'm just sorry; I just don't know. I'm not sure that I
4 have met her.

5 Q Did you know of her prior to the formation of Friends of
6 Alaska?

7 MR. SHARON: If you're not sure you even met her.....

8 A I'm just not sure. I don't -- I don't know that I've met
9 her or not. Maybe it's somebody that's slipping my mind,
10 but I just don't recall.

11 Q Do you know that she did work for Friends of Alaska?

12 A Not specifically. There was others on that committee.
13 My contact, as I tried to indicate to you, was principally
14 with only two people; basically, that's Mr. Gottstein;
15 I did have that one conversation, to my recollection, with
16 Mr. Rothstein; and, of course, the first initial contact
17 with Steve Silver. But basically with Barney getting back
18 to me, with the exception of the one time a copy from
19 Rothstein, and that's.....

20 Q Did you have any contact with Dick Green?

21 A No, sir, not to my recollection.

22 Q During the course of the existence of Friends of Alaska,
23 did Barnard Gottstein ever tell you not to have communica-
24 tion with Alaskans for Gruening or the Gruening campaign?

25 A No, sir.

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1 Q Did he any way ask that you, or suggest that you do have
2 some communication with the Gruening campaign?

3 A No, sir.

4 Q Did anyone else suggest to you or tell you not to have
5 communication with the Gruening campaign?

6 A No, sir.

7 Q Or anybody associated with the Gruening campaign?

8 A No, sir, I had no contact with them at all whatsoever.

9 Q Did anyone tell you -- other than Barnard Gottstein, did
10 anyone tell you that perhaps you should, or suggest to you
11 that you should have some contact with the Gruening
12 campaign?

13 A No, sir, not to me.

14 Q Did anyone suggest to you that you should have contact
15 with the Murkowski campaign?

16 A I don't understand the question.

17 Q Excuse me?

18 A I don't understand your question. I mean, I've already
19 indicated to you that I had some contact with the Murkowski
20 campaign, not during the period of time, obviously, I
21 wasn't in town, but I had been in his campaign head-
22 quarters on numerous instances, and had had some activity
23 in discussing directly with Mr. Murkowski some of his
24 campaign strategy. So, I mean, from that standpoint, yeah,
25 I had -- I had connection with the Murkowski campaign.

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1 Q What campaign strategy would you discuss with him?

2 A Principally I was asked to comment on certain thoughts
3 that I might have that he could use relating to national
4 energy policy.

5 Q It was still just restricted to the energy policy?

6 A That's the only thing he'd want out of me anyway,
7 basically, because I was not intimately involved in his
8 campaign.

9 Q He didn't use you as a campaign functionary or officer?

10 A No, sir.

11 Q Do you know if anyone on -- well, let me ask you, did
12 anyone on Friends of Alaska, that is Barnard Gottstein,
13 Kelly Gay, Norma Thompson, Dick Green, or you, or -- well,
14 we can include Steve Silver, tell anyone else on the
15 committee not to have communication with Clark Gruening
16 or the Gruening campaign or Gruening campaign personnel?

17 A Not to my knowledge. I don't know.

18 Q Who solicited contributions for Friends of Alaska?

19 A I don't know that either. I just have to make assumptions,
20 and that's hardly appropriate. I had nothing to do with
21 raising the money.

22 Q Did Barnard Gottstein solicit the contributions?

23 A I -- I don't specifically know. I could only make an
24 assumption.

25 Q Do you know where the names of the persons solicited

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1 would have come from? For instance, would it have come
 2 from a list supplied by Alaskans for Gruening?

3 A I don't know. I don't know who the contributors are.

4 Q You mentioned a conversation with Steve Silver in June,
 5 and then you mentioned that you knew that Gottstein was on
 6 the phone with Steve Silver in August.

7 A That's what the -- that's what the housekeeper said when
 8 she came into the room. Now, I had no conversation with
 9 Mr. Silver at that time. All that the housekeeper said,
 10 Mr. Gottstein, Steve Silver's on the phone; that's all.
 11 So I -- that's my only contact. I assume that that's the
 12 case.

13 Q Did you overhear.....

14 A I overheard nothing because it was a one-way conversation.

15 Q Excuse me?

16 A I didn't hear what Mr. Silver said during that conversa-
 17 tion.

18 Q Well, what did Mr. Gottstein say during that conversation?

19 A I don't -- I don't specifically recall. He was doing most
 20 of the listening, and saying yes or no.

21 Q Okay, then, other than -- did Mr. Gottstein relay the
 22 contents of that conversation to you after he had it?

23 A No.

24 Q No? Okay, then, other than your conversation with Mr.
 25 Silver in June, did you have any subsequent contact with

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1 Mr. Silver before -- up until the day of the primary?

2 A Not to my recollection.

3 Q Now, how often do you communicate with Mr. Silver in
4 general?

5 A Well, he's gone to work in Juneau. I -- I think I've
6 talked to him once or twice since the election, and that's
7 about it.

8 Q I see. Did you get a sense that -- well, I'm going to
9 preface this. I realize -- strike that. Did you know of
10 any activities, or hear of any activities that Senator
11 Stevens participated in on behalf of Clark Gruening, other
12 than his statement in June that he preferred Clark
13 Gruening to win the Democratic primary?

14 A. Nothing else that I was aware of.

15 Q Are you friends of Senator Stevens?

16 A Very much so.

17 Q Did you have any discussions with him about the Senatorial
18 campaign?

19 A Well, we've had lots of discussions over the past years
20 on Senatorial campaigns, if that's your question.

21 Q On the specific 1980 Democratic Senatorial primary?

22 A Well, I don't -- you want me to say a specific date? I --
23 whenever he's around or in town we normally exchange
24 pleasantries or talk about various things, and he knows --
25 he knows my philosophy very well, and I'm well aware of

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1 his, and with respect to this particular campaign I can't
2 specifically recall a particular date or time that I might
3 have spoken to him about this particular said campaign,
4 but it could occur. I mean, you know.....

5 Q Well, do you recall -- and I don't need a specific date
6 or time -- do you recall him saying anything with respect
7 to Clark Gruening?

8 A Not to me, no, sir. I know that he did not.

9 Q you know that he did not say anything with respect to
10 Clark Gruening or the Gruening campaign to you?

11 A No, it was always involving anything -- our discussions
12 always had to do with the actions of Senator Gravel.

13 Q Did he discuss any activities he might undertake with
14 respect to the 1980 Democratic Senatorial primary?

15 A Not that I specifically recall.

16 Q Did he discuss his statement that was reported in June of
17 1980 with respect to Clark Gruening? That is to the
18 effect that he was endorsing Clark Gruening over Mike
19 Gravel, or that he preferred -- he would support.....

20 A Not with me specifically. We have on many occasions in
21 the past tried to figure out every way we could, stemming
22 back for the last several elections, to find a way to have
23 Mr. Gravel removed out of that seat. I mean, he -- he's
24 had a running conflict with Senator Gravel in the same
25 nature of myself. You might say we're -- we have a

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1 commonality of interest there, or have had for many, many
2 years.

3 Q Do you recall anything specific he may have said with
4 respect to his.....

5 A No, not specifically; no, sir.

6 Q Do you recall that he said he would take some action
7 in Alaska? I'm talking about other than his opposition
8 to Senator Gravel's approach to the D-2 issue on the
9 Senate floor?

10 A I recall that it was made -- it was made vividly public
11 that he would prefer Clark Gruening to Gravel under any
12 circumstances.

13 Q But was there anything beyond that?

14 A Not to my recollection.

15 Q Does Ted Stevens know Barnard Gottstein?

16 A Yes.

17 Q How well does he know him?

18 A I -- I don't know what you mean by that question. I mean,
19 Ted Stevens has been in Alaska for many, many years, and
20 so has Mr. Gottstein, and I'm sure they've known each
21 other in various relationships over the past years, but
22 I don't specifically know. I can't answer for Senator
23 Stevens, how well he knows him.

24 Q Did Barnard Gottstein consider Ted Stevens to be his
25 friend?

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- 1 A I think so.
- 2 Q Did Barnard Gottstein mention Ted Stevens at all between
- 3 June and August 26th, 1980 to you?
- 4 A I'm sure he did, but I don't specifically recall exactly
- 5 the words he said.
- 6 Q Well, what was he conveying to you? I don't need the
- 7 exact words, but what was he saying to you about Ted
- 8 Stevens? What did he say to you about Ted Stevens?
- 9 A Well, we both understood where the impetus was coming to,
- 10 you might say, point out the incredible antics and voting
- 11 record, if you want to call it a voting record, of Senator
- 12 Gravel. We knew what the -- we were there for a specific
- 13 purpose, and we knew the involvement of Senator Stevens,
- 14 you might say behind the scenes in this thing. Now, that
- 15 would be the subject of our conversation. I would have
- 16 never, quite frankly, become involved just out of the
- 17 blue, without some, you might say, request or encourage-
- 18 ment, and I'm sure that it's the same situation with Mr.
- 19 Gottstein.
- 20 Q Are you saying that Mr. Gottstein would not have been
- 21 involved other than the impetus of Senator Stevens?
- 22 A I don't know that specifically, but, you know.....
- 23 Q Is that the impression you have?
- 24 A That's -- well, that's definitely the impression I have.
- 25 Q What is that impression based upon?

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1 A My activity was obviously designed to be that of a person
 2 well-known in Alaska from the Republican side, and Mr.
 3 Gottstein was a perfect counterpart, having been Democratic
 4 National Committeeman and a well-known Democrat from the
 5 other side. So I would -- you know, the approach to me,
 6 I would think, would be the same approach that it was to
 7 him because we were non -- we were putting forth a non-
 8 partisan effort, a totally non-partisan effort to try to
 9 acquaint the public with what had transpired over the past
 10 12 years.

11 Q Did Barnard Gottstein mention any communication -- oh, I'm
 12 sorry. Did I cut you off? Are you finished?

13 A Yes, I'm finished.

14 Q Okay. Did Barnard Gottstein mention any communications
 15 he had with Ted Stevens between, let's say, the period
 16 just before the starting of this committee? In other
 17 words sometime in June, between June and August 26th, 1980?

18 A I don't -- I don't specifically recall.

19 MR. SHARON: We're coming up on that 20 minute mark.

20 MR. LEVIN: Okay, I'll wind this up in the next three
 21 minutes.

22 MR. SHARON: Okay.

23 MR. LEVIN: I'm mindful of that. I'm going to try to wrap
 24 this up quickly.

25 Q You don't recall specifically?

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1 A I can't recall him telling me of a specific conversation
2 that he had with Senator Stevens during.....

3 Q Did he say that he had communicated with him, without
4 discussing a specific conversation?

5 A I'm not aware of it. You know, I told you I was in his
6 house when apparently Steve Silver called. That's the
7 only time I've been in Mr. Gottstein's house.

8 Q What occasion would he have to mention -- well, no, strike
9 that. That's an unfair question. Did he mention that
10 Senator Stevens was engaged in ongoing activities on
11 behalf of Friends of Alaska?

12 A I don't -- I can't specifically recall whether he mentioned
13 Ted in that connection.

14 Q Now, am I clear in saying that before you said that Barnard
15 Gottstein did not discuss with you his activities for
16 Alaskans for Gruening?

17 A Absolutely not.

18 Q Did he mention any activities that Ted Stevens might have
19 done for Gruening?

20 A No, sir, not to me.

21 MR. LEVIN: I have no further questions.

22 MR. SHARON: Okay.

23 MR. LEVIN: Mr. SHARON, do you have any?

24 MR. SHARON: No.

25 MR. LEVIN: Do you wish to waive signature?

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1 MR. SHARON: No.

2 MR. LEVIN: Okay, this is the situation, though it may
3 not apply to you because I don't know if we're going to depose
4 anybody else in this matter. What we have been doing is under
5 the confidentiality section of 437, Section 437 -- to you it
6 would be 437(g) of the section of the Federal Election Cam-
7 paign Act, combined with -- that's the confidentiality section,
8 and then 555(c) states that for good cause we can withhold a
9 copy of the transcript from the deponent in a confidential
10 investigation. That does not mean that the deponent cannot
11 come to the place of the reporter and review that document and
12 sign off on it. It just means that we cannot make a copy for
13 him because we have concern about having this document shown
14 to other deponents. Now, I will be able to be a bit more
15 definitive about that perhaps later because, as I said, I do
16 not know if I'm deposing anyone else. This is the first time
17 that I can say that in this investigation because we pretty
18 much have deposed everyone else we wish to. But that is the
19 understanding that we have under 555(c) and 437 of Title II.
20 Mr. Sharon?

21 MR. SHARON: Yes.

22 MR. LEVIN: Oh, okay. I just wanted to make that clear.

23 MR. SHARON: Well, no, I'm aware of the law, and, you
24 know, we're not going to waive signature, and if the time
25 comes that we have to make -- you advise us of what your

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1 role is going to be as far as publication of the deposition,
2 or making it available to the deponent or his attorney, we'll
3 cross that bridge when we get to it.

4 MR. LEVIN: Okay, that's fine, then; that's fine. And so
5 we'll exchange communications on that, then. Well, thank you
6 very much for your time, then, and we'll be in touch.

7 MR. SHARON: Okay; thank you.

8 MR. LEVIN: Thank you, Mr. Kelly.

9 MR. KELLY: Yes, sir, you're welcome.

10 (Off record)

11 *****
12 END OF PROCEEDINGS
13 *****

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AKULAW COURT REPORTING

C E R T I F I C A T E

1
2 UNITED STATES OF AMERICA)
3) ss.
4 STATE OF ALASKA)

5 I, MARY E. HEIBER, Notary Public in and for the State of
6 Alaska, residing at Anchorage, Alaska, do hereby certify:

7 That the annexed and foregoing deposition of THOMAS E.
8 KELLY was taken before me on the 2nd day of October, 1981,
9 beginning at the hour of 9:00 o'clock a.m., at the offices
10 of Hartig, Rhodes, Norman and Mahoney, 717 "K" Street, Suite
11 201, Anchorage, Alaska, pursuant to Notice to take said
12 deposition on behalf of the Federal Election Commission;

13 That the above named witness, before examination, was
14 duly sworn to testify to the truth, the whole truth, and
15 nothing but the truth;

16 That this deposition, as heretofore annexed, is a true
17 and correct transcription of the testimony of said witness,
18 taken by me electronically and thereafter transcribed by me;

19 That the deposition is being retained by Akulaw Court
20 Reporting for the purpose of filing the same with the Federal
21 Election Commission.

22 I am not a relative or employee or attorney or counsel of
23 any of the parties, nor am I financially interested in this
24 action.

25 IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my seal this 8th day of October, 1981.

Mary E. Heiber

Notary Public in and for Alaska

My commission expires 4/12/83

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Scott E. Thomas, Attorney
Office of General Counsel
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BEFORE THE FEDERAL ELECTION COMMISSION

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In the Matter of)
)
FRIENDS OF ALASKA, et al.) MUR 1272
)

DEPOSITION OF RICHARD B. GREEN

APPEARANCES:

FOR THE COMMISSION: SCOTT THOMAS
Attorney at Law
and
JONATHAN LEVIN
Attorney at Law

FOR MR. GREEN: STANLEY H. REITMAN
Attorney at Law
1007 West Third Avenue
Suite 400
Anchorage, Alaska 99501

* * *

PURSUANT TO NOTICE, the deposition of RICHARD B. GREEN
was taken before Roma L. Akulaw, Notary Public in and for the
State of Alaska, at the U.S. Federal Court and Office Building,
701 C Street, Room C-105, Anchorage, Alaska, on the 7th day
of August, 1981, beginning at the hour of 1:00 o'clock p.m.

* * *

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P R O C E E D I N G S

RICHARD B. GREEN

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first duly sworn under oath, testified as follows on examination:

BY MR. THOMAS:

Q Would you state your name, please?

A Richard B. Green.

Q What is your present occupation?

A Temporarily between jobs.

Q So at this moment you don't have an employer, per se?

A Right.

Q Where were you most recently employed?

A Alyeska Pipeline Service Company.

Q And what position did you hold with them?

A Maintenance superintendent, or C&E Supervisor is the correct title.

Q Was that a 40 hour per week job with Alyeska Pipeline?

A No, sir, it was not.

Q It was different?

A Yes.

Q How did the job, in terms of hours, work out?

A Well, we were paid 84 hours for two weeks, and we worked a week on and a week off. Actually, eight days on and six off. And we were on call 24 hours a day, and we averaged probably 15 hours a day every day we were there.

Q Now, was that work arrangement in effect from January 1,

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1 1980, to the time that you ceased employment there?

2 A Yes.

3 Q Are you familiar with a group called Friends of Alaska?

4 A Yes, sir.

5 Q What is Friends of Alaska?

6 A It's nothing now.

7 Q What was Friends of Alaska?

8 A It was a committee, political committee.

9 Q What was its function?

10 A We tried to defeat Mr. Gravel.

11 Q When did it exist?

12 A Last August.

13 Q Do you remember when it began operation?

14 A Not precisely, no.

15 Q Do you know when it finished operation?

16 A The day -- night of the election, Primary Election, with
17 the exception of disbanding, filing of the proper docu-
18 ments for closing it down.

19 Q And paying final bills and so forth?

20 A Yeah.

21 Q How was Friends of Alaska formed?

22 A My sister contacted me.

23 Q And then what happened?

24 A And she asked if I would serve and I said I would, and I
25 did.

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1 Q When did she call you?

2 A Sometime the last of July.

3 Q And your sister is.....

4 A Kelly Gay.

5 Q She asked you if you would serve; in what capacity did
6 she ask you to serve?

7 A I don't know. At that time, I told her I couldn't serve
8 or be very active because I was gone so much.

9 Q When you say you agreed to serve, how did you agree to
10 serve then?

11 A Well, on a part-time basis.

12 Q Do you remember what she asked you to do, specifically?

13 A No, I don't.

14 Q Do you recall how this conversation took place? Did she
15 call you or did you meet with her? How did that happen?

16 A I think she called, I'm not sure, but I think she called
17 and we had dinner at the Red Ram. At that point she said
18 they -- she was thinking of forming this committee, would
19 I serve, and I agreed to do so.

20 Q Did she say she'd discussed creating such a committee
21 with anybody else at that time?

22 A I think Barney was mentioned at that time.

23 Q Barney Gottstein?

24 A Yeah.

25 Q What did she say she had talked about with him?

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1 A Well, that they wanted to defeat Gravel and form this
2 committee to do it.

3 Q Based on that conversation you had with your sister, did
4 you know whose idea it was initially to cause -- create
5 this committee?

6 A No.

7 Q You don't know if it was Barney Gottstein's as opposed to
8 your sister, Kelly Gay's?

9 A I don't know.

10 Q It was your idea initially, though, is that right?

11 A No.

12 Q After that initial discussion you had with Kelly Gay,
13 what did you do to get Friends of Alaska going?

14 A Attempted to open a bank account.

15 Q Attempted to, did you in fact?

16 A Yes, we did.

17 Q What else did you do?

18 A Well, eventually, we paid the bills.

19 Q Did you have any role in recruiting volunteers to help
20 with the committee?

21 A No.

22 Q Did you ask anybody that you were acquainted with to
23 help you do what you were doing?

24 A No.

25 Q Did you contact any advertising firms to see if they

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1 would provide services for the Friends of Alaska committee?

2 A No.

3 Q Who did that?

4 A The bookkeeper was the one that I talked to.

5 Q The bookkeeper being?

6 A Norma Thompson.

7 Q And she, to your knowledge, was the one that contacted
8 the advertising firms?

9 A She was -- yeah.

10 Q Did you solicit any contributions?

11 A No.

12 Q Do you know who did solicit contributions for the com-
13 mittee?

14 A No, I don't.

15 Q Did you, yourself, contribute to the committee?

16 A Yes.

17 Q Who solicited you to make a contribution?

18 A Kelly.

19 Q Kelly?

20 A Yeah.

21 Q Do you recall where that was?

22 A No, I don't.

23 Q Was it in that initial meeting with her, when you had
24 dinner?

25 A No.

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1 Q Can you recall approximately how long after that it was?

2 A Oh, within about a week. She didn't actually ask. She
3 didn't ask at all, it was just the thing to do.

4 Q You did it on your own initiative?

5 A Yeah.

6 Q Did Barney Gottstein, to your recollection, ever ask you
7 to make a contribution to Friends of Alaska?

8 A No. We had to have money to open the account.

9 Q You had to have money to open the account?

10 A Yeah, you have to make a deposit of something.

11 Q Is that why you contributed? Is that what you used your
12 contribution for, is that what you're saying?

13 A Well, that was one of the starters, yes.

14 Q With the initial money you put in the opening account,
15 was there any other monies, say, other than your con-
16 tribution, if you recall?

17 A I don't remember.

18 Q How long after Kelly Gay approached you about this com-
19 mittee did you actually open the bank account?

20 A It was just within a few days.

21 Q Two days, three days, something on that order?

22 A I don't remember.

23 Q You can't remember, even, say more than a week, less than
24 a week?

25 A I think it was less than a week.

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1 Q Maybe we should clarify, do you recall how much your
2 initial contribution was for?

3 A I think it was 900 or 950.

4 Q The committee filed reports with the Federal Election
5 Commission and we have an abominable copy here but it
6 appears to be: R. B. Green, dated September 1, 1980,
7 for \$950.00. And that was a report that was filed with
8 the commission on October 8, 1980. An earlier report
9 filed with the commission on August 13, 1980, lists only
10 two contributions, one from a Gordon Gottfried and then
11 Carolyn M. Gay, each in the amount of \$1,000.00. Having
12 read you that information, does that refresh your recol-
13 lection at all as to what contributions you had received
14 at the time you made the initial deposit in the bank
15 account?

16 A Yeah, it does.

17 Q Was it, in fact, the contributions of Gordon Gottfried
18 and Carolyn Gay and not your own that were initially
19 deposited?

20 A Yes.

21 Q Now, other than this conversation that you had with
22 Carolyn Gay, your sister, did you have any further dis-
23 cussions with her about plans for Friends of Alaska?

24 A Yes.

25 Q What sorts of discussions did you have?

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- 1 A She said they were going to run spot advertising on the
2 radio. I don't remember if there was discussion of news-
3 papers then or not.
- 4 Q She was just informing you what they were planning to do?
- 5 A Yeah.
- 6 Q Did she ask you to do anything to help with any of that?
- 7 A No.
- 8 Q Did you assist at all in planning the subject of any of
9 the ads that were placed by Friends of Alaska?
- 10 A No.
- 11 Q Who did that, to your knowledge?
- 12 A I don't know.
- 13 Q You ultimately were treasurer of the committee, is that
14 correct?
- 15 A Yes.
- 16 Q What were your duties as treasurer?
- 17 A I signed the documents that Norma prepared for filing.
18 For filing with the Election Commission?
- 19 A Yes, and then signed the checks.
- 20 Q Did you actually do any of the financial computations for
21 those documents?
- 22 A No.
- 23 Q Was anyone else authorized to sign checks for the com-
24 mittee?
- 25 A I don't believe so.

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1 Q Do you recall why you were asked to be treasurer?

2 A No.

3 Q The committee filed a statement of organization, and you
4 signed the statement of organization for the committee,
5 dated July 30, 1980. Do you recall signing that document?

6 A Not specifically, no, but I know I did it. I remember
7 signing it, yeah.

8 Q All right, how long after you had your initial discussion
9 with Kelly Gay about helping with the committee did you
10 sign that statement of organization?

11 MR. REITMAN: That's this document that's dated July 30,
12 1980, Counsel?

13 MR. THOMAS: Yes.

14 A I suppose within a week.

15 Q Within a week?

16 A Yeah.

17 Q So, then, am I correct that that would place your conver-
18 sation with Kelly Gay, the first conversation you had, on
19 approximately July 23rd? Is that correct?

20 A I don't know.

21 MR. REITMAN: Counsel, the witness testified earlier that
22 he thought it was a couple of days, in response to your queries
23 about what the time element was between the meeting -- first
24 contact with Kelly Gay and the opening of the bank account and
25 formation of the committee.

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1 MR. THOMAS: Opening the bank account, yes. I was trying
2 now to get the time period between the filing of the statement
3 of organization of the committee.....

4 Qand working back from that, trying to get your best
5 estimation as to when that first conversation with your
6 sister was.

7 MR. REITMAN: If you recall.

8 Q You think it was about a week before you signed that
9 statement of organization?

10 A I don't remember.

11 Q Do you think it was less than a week?

12 A I just don't remember.

13 Q Now, when you were out of town for any of that time
14 period when Friends of Alaska was active.....

15 A Yes.

16 Q Do you recall when?

17 A Every other week.

18 Q In terms of dates, do you have a recollection of when
19 after that first meeting with your sister you next went
20 out of town?

21 A It would have been on a Tuesday.

22 Q The Tuesday after that meeting?

23 MR. THOMAS: I'd like to have the reporter mark this
24 document as FEC Deposition Exhibit 1, please.

25 (Deposition Exhibit FEC-1 marked)

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1 MR. THOMAS: And by way of explanation, this was a docu-
2 ment that was provided to the commission by the Friends of
3 Alaska committee pursuant to our subpoena request. Showing
4 the document to witness and counsel.

5 Q First of all, have you ever seen FEC-1 before, or a copy
6 of it?

7 A No.

8 Q Is this a document, to your knowledge, that you collected
9 on behalf of Friends of Alaska pursuant to this subpoena?

10 A Yes.

11 Q So you have seen it before?

12 A I don't know whether I have or not.

13 MR. REITMAN: These documents are part of the Friends of
14 Alaska documents which were surveyed for purposes of submitting
15 copies in response to the subpoena directed to Mr. Green. So
16 he may or may not have seen it. This is part of the Friends
17 of Alaska documents.

18 Q I direct your attention to the top part of FEC Exhibit 1,
19 and there's a notation: Dick -- out of town 5 through 12,
20 19 through 26. Does that refresh your recollection at
21 all as to when, in fact, you were out of town during that
22 time period, 1980?

23 A No, but it would be every other week, so that would be.....

24 MR. REITMAN: That is every other week.

25 Q Once again, just trying to dig into your recollection of

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1 when, in fact, you were first contacted by your sister,
2 if you were, in fact, in and out of town every other week,
3 does that mean that if you were out of town on the week
4 beginning Tuesday, the 5th, the next previous week, which
5 would have begun with July -- you said Tuesdays were the
6 beginning time when you were there? July 29th through
7 the end of that week you would have been here, is that
8 correct?

9 MR. REITMAN: Well, July 27 through -- July 27 is a
10 Sunday, and that would run through the Saturday, August 2.

11 MR. THOMAS: Right, so.....

12 MR. REITMAN: So the witness is saying that he was there
13 that week, here in Anchorage. Is that right? I mean, you'd
14 be gone from the 5th to the 12th, is that your testimony?

15 A Right.

16 Q And you would also have been -- in July, you would have
17 been gone the week of -- beginning with July 22nd,
18 Tuesday, July 22nd? Is that the way it worked?

19 A Well, I have to draw lines through the numbers here to.....

20 Q You can see it says you were out of town the 5th through
21 the 12th, and up at the top you can see on August that
22 is -- beginning with Tuesday, you can see how it works
23 through that week. Then the next week, to go down to the
24 bottom of the exhibit, on the left-hand side there's the
25 month of July. And the next preceding week begins with

1 the 27th on Sunday and Tuesday on the 29th, and I was
2 asking would you have then been in town on that week,
3 according to that schedule?

4 MR. REITMAN: He'd have been in town on the 29th and 30th
5 and 31st.

6 Q Is that correct?

7 A Yeah, right.

8 Q And you would have been out of town the preceding week,
9 is that correct?

10 A Yeah.

11 Q Now, who other than yourself and Kelly Gay were involved
12 in organizing Friends of Alaska?

13 A Barney.

14 Q And what role did he have in organizing it?

15 A He didn't have any in recruiting of myself.

16 Q I'm sorry, he didn't have what?

17 A He didn't have any with -- Kelly recruited me.

18 Q Do you know what role he did have, though?

19 A No.

20 Q Did anybody else have any role in organizing the committee?

21 A I don't know.

22 Q Norma Thompson, do you know who recruited her?

23 A Kelly.

24 Q And how do you know that?

25 A We've all been long term -- Norma and I have been long

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1 term friends.

2 Q And she told you that?

3 A No, Kelly said she was going to try to get Norma on the
4 committee.

5 Q And so you're assuming that, in fact, that's what happened?

6 A Right.

7 Q How about Stanley Reitman, was he involved in the forma-
8 tion of the committee?

9 A Oh, no.

10 Q At any time do you recall if the committee secured any
11 legal advice as to legalities of organizing the committee?

12 A I don't know. I had none.

13 Q You yourself had -- you had no such communications. Was
14 an individual named Tom Kelly involved with the committee?

15 A Yes.

16 Q What was the nature of his involvement?

17 A He was the chairman.

18 Q What was his function as chairman?

19 A I don't know as he really performed any duties, except
20 he was the chairman.

21 Q Did he participate in any of the planning of any of the
22 ads?

23 A I don't know.

24 Q Do you know if he solicited any contributions for the
25 committee?

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1 A I don't know.

2 Q Did you ever talk to him at all about the committee?

3 A No.

4 Q And you say you had communications with Kelly Gay about
5 the committee, and you also mentioned you had communica-
6 tions with Norma Thompson. Did you also have any com-
7 munications with anybody else about the committee?

8 A I don't -- no.

9 Q You never talked to Barney Gottstein about the committee
10 at all?

11 A I think one time when I came back I called him and compli-
12 mented him on the ads on the radio.

13 Q Do you recall anything else that was said in that conver-
14 sation?

15 A No, I don't. No.

16 Q Do you recall when that was?

17 A No. Shortly after the ads ran. They ran a lot when I
18 wasn't here, and I never heard a lot of them.

19 Q Our information is that they began running the 5th and
20 continued through the 25th. Again, referring back to
21 exhibit 1, would that refresh your recollection at all
22 as to when you would have come back and had this conversa-
23 tion with Mr. Gottstein?

24 A Well, it would have been probably the first week that I
25 was back when they ran.

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1 Q Again, referring to FEC Exhibit 1.....

2 MR. REITMAN: Logically, Counsel, it would have to be a
3 date other than the 5th through the 12th and from the 19th
4 through 26th.

5 Q Would it, to your knowledge, have been the week somewhere
6 August 10th, beginning with Sunday, August 10th?

7 A It could be.

8 Q But you don't recall specifically?

9 A No.

10 Q Have you ever done any volunteer political work before?

11 A Yeah.

12 Q What was that volunteer work?

13 MR. REITMAN: Just generally, without necessarily men-
14 tioning any campaign.

15 A Mostly just contribute cash.

16 Q How about actually providing volunteer services?

17 A No.

18 Q Did you ever serve as treasurer for any other political
19 campaign or candidacy?

20 A No. Circulated petitions.

21 Q You have circulated petitions for a candidate's campaign?

22 A No, to get initiatives on ballots, state issues.

23 Q Was this effort with Friends of Alaska the first time
24 you ever performed any volunteer activity for a federal
25 political committee?

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1 A Yes.
2 MR. REITMAN: What's a federal political committee, Counsel?
3 MR. THOMAS: A political committee that is.....
4 MR. REITMAN: Involved in a federal election?
5 MR. THOMAS:involved in a federal election, yes.
6 MR. REITMAN: Thank you.
7 Q Did you do any voluntary work for the Gruening campaign
8 prior to being asked by your sister to help with this
9 Friends of Alaska project?
10 A No.
11 Q You didn't do any fund raising for them?
12 A No.
13 Q Did you contribute to them?
14 A \$10.00.
15 Q Do you recall when that was?
16 A The night of the Primary Election. It was the subpoena
17 money, Gravel's money when they subpoenaed us into federal
18 district court. I endorsed that \$10.00 check over to the
19 Gruening campaign.
20 Q That was your witness fee or your appearance fee for
21 coming to court?
22 A That's right.
23 Q Did you make any other contributions to that Gruening
24 campaign?
25 A No.

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1 Q Did you attend any fund raising events for the Gruening
2 campaign?
3 A No.
4 Q Do you know if Mr. Gottstein ever attended any fund
5 raising events for the Gruening campaign?
6 A I don't know.
7 Q Did you ever attend any fund raising events at your
8 sister's house?
9 A For what?
10 Q Any fund raising events?
11 A On the state level, yes.
12 Q Ever in connection with any federal election, did you
13 attend such a fund raiser?
14 A No.
15 Q To your knowledge, did your sister ever hold any fund
16 raisers for the Gruening campaign at her house?
17 A I don't -- I have no idea.
18 Q Did you ever attend any speaking engagements or speaking
19 events for the Gruening campaign?
20 A No.
21 Q Did you ever have any communication, this is by letter,
22 by phone or in person, with Barnard Gottstein prior to
23 your being contacted by your sister and wherein she asked
24 you to help with the Friends of Alaska project?
25 MR. REITMAN: Counsel, the question is any communication

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1 with Mr. Gottstein before the meeting with his sister? That
2 is, have you ever met him on any occasion or talked to him on
3 any occasion, the question is.

4 A Yes, many times.

5 Q Is he a social friend of yours?

6 A Yes.

7 Q How long have you known him?

8 A Four years, five years, six years, I don't know.

9 MR. REITMAN: Roughly.

10 Q Over the last two years, did you see him on a social
11 basis regularly?

12 A Oh, not regularly, just.....

13 Q How often would you say you saw him over that period?

14 A Once every two or three months, maybe.

15 Q Did you ever discuss with him the Gruening campaign.....

16 A No.

17 Qin any of those conversations?

18 A I don't remember any, no.

19 Q How about over the last two years, did you ever have any
20 communication with a man named Clark Gruening?

21 A No.

22 Q You never talked to him?

23 A I don't even know him.

24 Q You know of him?

25 A I know of him.

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1 Q Did you ever talk to a man named John Hale during that
2 period?

3 A Twice.

4 Q And what were those occasions?

5 A One was -- I met John Hale the first time outside of
6 Judge Fitzgerald's chambers when we were all subpoenaed.

7 Q And that was approximately the middle week of August,
8 somewhere in there, after the complaint had been filed by
9 the Gruening campaign?

10 A Right.

11 Q I'm sorry, by the Gravel campaign against the Gruening
12 campaign and Friends of Alaska?

13 A We were introduced at that time and then the only other
14 time was election night at the Captain Cook.

15 Q That first time you met him, did you have any conversa-
16 tion with him?

17 A Yeah.

18 Q What was the conversation about that you had with him?

19 A Well, I was introduced as the treasurer, and I don't
20 remember what we talked about.

21 Q Did you talk about the suit?

22 A I imagine we did, but I don't know what was said.

23 Q Do you remember if he at any point requested that you
24 try to get -- that Friends of Alaska cease their ads?

25 A No, I don't remember anything like that. That wasn't

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1 even discussed.

2 Q You don't think you discussed them at all?

3 A I don't -- I don't remember, if we did.

4 Q Who introduced you to him?

5 A I don't remember that.

6 Q Was there anybody else from the Gruening campaign at that
7 hearing that you met?

8 A I think I was introduced to everybody there, but I don't
9 remember who they were.

10 Q Do you remember meeting a man named Dick Angell there?

11 A No.

12 Q Do you know who Dick Angell is?

13 A No.

14 Q Never met him?

15 A I don't know.

16 Q How about a man named Rick Mystrom, have you ever met him?

17 A No.

18 Q Have you ever had any communication in any form with him?

19 A No.

20 Q How about Floyd Smith?

21 A No.

22 Q How about Eivin Brudie?

23 A No.

24 Q Don't know him?

25 A No.

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- 1 Q Never had any communication at all with him?
- 2 A No.
- 3 Q How about a woman named Luann Dimond?
- 4 A No.
- 5 Q Stephan Patterson?
- 6 A No.
- 7 Q Larry Holstrom?
- 8 A No.
- 9 Q Know who he is?
- 10 A No.
- 11 Q Melinda Gruening?
- 12 A She's Clark's wife, but I don't know her either.
- 13 Q Never met her?
- 14 A No.
- 15 Q Never had any communication with her?
- 16 A None whatsoever.
- 17 Q Any of those people that you met on the date of the suit,
- 18 when you appeared here in court, do you recall any dis-
- 19 cussion with them at all about the campaign as it was
- 20 progressing?
- 21 A No, I don't.
- 22 Q Do you recall any of them mentioning anything at all
- 23 about the ads that FOA had been publishing?
- 24 A I don't remember any conversation whatsoever.
- 25 MR. REITMAN: On those subject matters?

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- 1 A On those subject -- well, on any subject. I don't
2 remember what we talked about, I just don't. We weren't
3 there -- I wasn't there very long.
- 4 Q How long were you there?
- 5 A Well, I couldn't find th chambers, and I ended up -- a
6 security guard that used to work for me on the Slope was
7 a security guard at that time in the building, and I
8 forced him to take me to the -- show me where Judge
9 Fitzgerald's chambers were.
- 10 Q So, in total, do you know how long you were there? Was
11 it like 10 minutes? Was it an hour?
- 12 A From five to ten minutes, I think, when the judge came
13 and opened the doors and we went in.
- 14 Q How long was your conversation with John Hale?
- 15 A One, two, three minutes. It was very short. Norma and
16 I talked a little, and.....
- 17 Q Did she say that she'd talked with any of the people
18 working for the Gruening campaign at that hearing?
- 19 A I suppose she did talk to them.
- 20 Q Did she tell you that she talked with any of them?
- 21 A No.
- 22 Q Do you recall what she did tell you?
- 23 A Yes, she thought that when I was -- she thought I'd been
24 arrested and brought up by this cop. And that was really
25 what we mostly talked about, I got there under escort.

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1 A bit of levity there, but that's really the -- I was not
2 only subpoenaed, I was brought. I carried it on a little

3 Q So, other than -- you testified earlier you had no con-
4 versations with Mr. Gottstein about the Gruening campaign
5 in any way.

6 A I don't remember any.

7 MR. REITMAN: At any particular time, Counsel, or is this
8 just a.....

9 Q This is prior to the time that your sister contacted you
10 and asked you to help with the Friends of Alaska effort.

11 A I don't remember it.

12 Q Do you remember ever talking to him about Senator Gravel's
13 dome city proposal?

14 A I don't know. When we are together, we talk politics
15 some, sometimes, but specifically, no, no, I can't.....

16 Q Do you recall him ever talking with you, say, about
17 Gravel's record on the 200-mile limit or Gravel's absence
18 from Senate votes, or Gravel's home in Aspen? Do you
19 recall any discussion about those before your sister con-
20 tacted you about working on the Friends of Alaska matter?

21 A I don't remember. I don't remember.

22 Q You may have, you may not have?

23 A That's right.

24 Q How about your sister, Kelly Gay, did you ever have any
25 conversations with her about Senator Gravel's -- then

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1 Senator Gravel's record on any of those matters I
2 referred to?

3 A No, I don't. My opposition to Senator Gravel was on the
4 lands issue.

5 Q The lands issue meaning?

6 A His always going to get a better deal on Alaska lands.

7 Q The lands bills that were to be.....

8 A The Native Claims Settlement Act.

9 Q Do you recall ever discussing that opposition of yours to
10 Senator Gravel with your sister prior to the time she con-
11 tacted you about working for the Friends of Alaska effort?

12 A I don't remember any specific time, but I'm sure that I
13 did.

14 Q Do you recall if you ever discussed with her any of the
15 advertising that the Gruening campaign had been conducting
16 prior to the time that she contacted you about the
17 Friends of Alaska matter?

18 A No, I don't remember.

19 Q Had you ever seen any of the advertising the Gruening
20 campaign had been using up till that time?

21 A I don't know. If it was on TV, you can't miss it. And
22 when I read the paper when I'm home every day.

23 Q But you don't recall specifically any advertising that
24 you had seen up to that point?

25 A No.

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1 Q Do you recall Kelly Gay ever referring to Mr. Gottstein's
2 views on any of those positions of Senator Gravel?

3 A No, I don't.

4 Q Do you know if he shared those same views on any of those
5 issues?

6 A I don't know.

7 Q I guess I didn't ask and clarify it. Do you know if your
8 sister held those -- held any views with regard to Senator
9 Gravel's record on any of those issues?

10 A Rephrase the question.

11 Q Do you know if your sister held any views on any of those
12 issues that I referred to of Senator Gravel's record?

13 A Well, I suppose she did. I don't know.

14 Q Was she opposed to Senator Gravel?

15 A Oh, yes.

16 Q And this was prior to the time that she contacted you to
17 ask about the Friends of Alaska effort?

18 A We were opposed to him the other election, the other time
19 he won.

20 Q So the answer is yes?

21 A Yes.

22 Q What was your understanding of Barnard Gottstein's con-
23 nection with the Gruening campaign prior to the time that
24 your sister contacted you?

25 A I didn't know he had any.

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AKULAW COURT REPORTING

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1 Q Did you ever become aware of any roll that he had with
2 the Gruening campaign?
3 A No.
4 Q Do you know if he was a fund raiser for the Gruening
5 campaign prior to that?
6 A I don't know.
7 Q Did he ever ask you for a contribution to the Gruening
8 campaign?
9 A No.
10 Q Do you know if he was ever involved in any of the strategy
11 decisions of the Gruening campaign?
12 A I have no idea.
13 Q Did he ever discuss with you any activities he had engaged
14 in on behalf of the Gruening campaign?
15 A No.
16 Q When you talked politics with him, what would you talk
17 about?
18 MR. REITMAN: To the best of your recollection, if you
19 know.
20 A All I ever talked about really was the Native Claims
21 Settlement Act.
22 Q Did you ever talk about that in the connotation of the
23 Gruening campaign with him?
24 A Don't believe I did. As far as I know, we never dis-
25 cussed the Gruening campaign at all.

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1 Q Do you recall him ever telling you about his having
2 viewed some proposed film, advertisements for the
3 Gruening campaign, with which he was dissatisfied? Did
4 he tell you about that incident?

5 A No.

6 Q Did your sister ever tell you about that incident?

7 A No.

8 Q Did you at any point ever become aware of that incident?

9 A No.

10 Q What was your understanding of what connection Norma
11 Thompson had with the Gruening campaign prior to the time
12 your sister contacted you first about the Friends of
13 Alaska matter?

14 A I believe she was doing some volunteer work.

15 Q Do you know what kind of volunteer work she was doing?

16 A This is just a guess, but I think it was telephone, and
17 I'm not sure. I don't know.

18 Q Did she ever tell you about the work that she was doing
19 for the Gruening campaign?

20 A No, at our first meeting she said she had been active in
21 some volunteer work, and I asked her at that time to stop.

22 Q You asked her to stop?

23 A Yes, I did.

24 Q You say at our first meeting; what meeting are you
25 referring to?

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1 A When we -- when she decided to come on board, and she was
2 going to keep the books, do the work that you required,
3 at our first one at her office she told me and I asked
4 her to get off the committee.

5 Q So I'm trying to go back, you say you had a meeting,
6 though. Who was at this meeting at her office?

7 A She and I.

8 Q Just the two of you?

9 A Yeah.

10 Q Why did you ask her to get off the Gruening work?

11 A Because you can't serve two masters.

12 Q Did you perceive that there was some problem with --
13 legal problem with the independent expenditure requirement?
14 MR. REITMAN: Objection, that calls for a legal conclusion.

15 Q It was simply a matter that you didn't want her taking
16 instructions from two people?

17 A Yeah, I wanted her to be -- if she was going to be on my
18 side, I wanted her totally. The legality or illegality
19 I didn't even consider.

20 Q And do you know if she did anything about that at your
21 request?

22 A I think she stopped right then. I don't know, I didn't
23 even -- as far as I know, she didn't do any more.

24 Q When was this conversation you had with her?

25 A Golly, I don't know. It was right when we first started

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1 in.

2 Q Was it like a couple of days, two or three days after
3 your first conversation with your sister, Kelly?

4 A Yes.

5 Q Norma Thompson was brought in then, as of that time, is
6 that what you're saying?

7 A Yes.

8 Q Did she tell you that she had, in fact, contacted the
9 Gruening campaign to notify them that she was going to
10 cease activities for them?

11 A I don't know as we ever talked about it after that. She
12 didn't mention she was doing it. I don't know.

13 Q Now, you say that you told her to cease activities for
14 the Gruening campaign. Did anyone tell you to tell her
15 that?

16 A No.

17 Q That was your idea alone?

18 A My idea, and as far as I know nobody else knows it.

19 Q Okay. Would you describe the relationship between your-
20 self and Norma Thompson as one where you were giving her
21 instructions, or was she and you essentially co-workers?

22 A No, we were co-workers. The only reason I asked is,
23 well, you just can't serve two masters. But I had
24 nothing -- personally, I had nothing whatsoever to do
25 with the Gruening committee, didn't know the people.

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1 And if she was going to be active, she'd have had no --
2 or not as much time, and I'd rather her just do her book-
3 work.
4 Q How much time did she spend doing bookwork for the Friends
5 of Alaska?
6 A I don't know.
7 Q Was it a full-time effort?
8 A Oh, no, she was keeping books for different companies
9 around town.
10 Q Who did she work for around town?
11 A Herself.
12 Q Independent contractor doing bookkeeping?
13 A Yes.
14 Q Do you know where she resides now?
15 A No.
16 Q Tom Kelly, you indicated, was chairman of Friends of
17 Alaska, isn't that correct?
18 A Yes.
19 Q Did he have any connection at all with the Gruening
20 campaign prior to the time that your sister first con-
21 tacted you, to your knowledge?
22 A I don't know.
23 Q Did you ever talk to him at all about whether he'd had
24 any connection with the Gruening campaign?
25 A I never talked to Tom Kelly.

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1 Q How was it decided, do you know, that he was going to be
2 chairman?

3 A I don't know.

4 Q Do you know who made that decision?

5 A No.

6 Q Who was in charge overall for making the decisions for
7 Friends of Alaska?

8 A Kelly and Barney, I guess.

9 Q You wouldn't consider yourself as being one of the persons
10 that was in charge of making decisions?

11 A No.

12 Q I should clarify, you mean -- when you say Kelly, do you
13 mean your sister Kelly?

14 A Yeah.

15 Q And not Tom Kelly. What advertising did Friends of Alaska
16 actually produce?

17 A I believe it was just radio announcements.

18 Q Just radio announcements?

19 MR. THOMAS: I'd like to have the reporter mark the
20 following four documents as FEC Exhibits 2, 3, 4 and 5.

21 (Deposition exhibits FEC-2 through 5 marked)

22 Q I'm showing FEC Exhibits 2 through 5 to the witness and
23 counsel. Mr. Green, can you identify exhibits 2 through
24 5?

25 A Yeah.

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1 Q What are they?
2 A They're the spot advertising we ran on the radio.
3 Q When you say spot advertising, are those scripts of the
4 texts of what was.....
5 MR. REITMAN: Aired.
6 Qaired?
7 A Yes.
8 Q In fact, to your knowledge, were all four of those
9 scripts aired? You can take a moment and read them, if
10 you'd like.
11 A I don't know whether I read these exhibits 4 and 5 or if
12 I heard them. I definitely heard exhibits 2 and 3 on the
13 radio.
14 Q Only exhibits 4 and 5 you don't know if that language was
15 aired?
16 A No, I don't.
17 Q Do you know how the ads that, in fact, were aired were
18 produced?
19 A No.
20 Q Who was in charge of getting that done?
21 A I don't know.
22 Q Did you ever have any involvement in the planning of the
23 texts of those ads?
24 A No, sir.
25 Q Would it refresh your recollection if I said that the

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1 committee reported payment to Justin Ward Advertisers?

2 A I signed the check, yeah.

3 Q You signed the check to Justin Ward?

4 A Yes.

5 Q Do you know if, in fact, they were the ones that produced
6 the ads?

7 A I think they were. I paid them for it, and Norma said it
8 was a just bill so I paid the bill.

9 Q When you were asked to pay bills, I take it by that you
10 mean sign checks?

11 A Right.

12 Q Did you, as a matter of routine, ask to know what the
13 check you were signing was for?

14 A Yeah.

15 Q Would Norma Thompson be the one that would be responsible
16 for providing you that information?

17 A Yes.

18 Q Did you have any contact at all with Justin Ward
19 Advertisers?

20 A No.

21 Q Do you know how the radio time for the ads that were
22 aired was purchased?

23 A No.

24 Q Are you familiar with a firm called Alaska Advertisers?

25 A I sent them quite a bit of money.

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1 Q Do you know what you sent them the money for?
2 A For time.
3 Q For buying time? For their services in helping buy time?
4 A Right.
5 Q Do you know if, in fact, they were the ones that bought
6 the time for these particular radio ads you indicated
7 were aired?
8 A I think so.
9 Q Did you at any point have any contact with any of the
10 staff or employees of Alaska Advertisers?
11 A No.
12 Q Did anyone ever tell you that Alaska Advertisers was
13 partly owned by Barnard Gottstein?
14 A I don't know if that came out before or after this.
15 Q This meaning?
16 A Well, before. I don't think at that time I did, no.
17 Q Do you have any knowledge at all as to why Alaska
18 Advertisers was selected to buy the radio time for these
19 ads?
20 A No.
21 MR. THOMAS: I'd like the reporter to mark this document
22 as FEC Exhibit 6, please.
23 (Deposition exhibit FEC-6 marked)
24 Q I'm showing FEC Exhibit 6 to the witness and counsel.
25 Can you identify FEC Exhibit 6?

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1 (Pause - whispered conversation)

2 Q Independent of consultation with counsel, can you identify
3 FEC Exhibit 6?

4 MR. REITMAN: Well, you might help him by telling him
5 what this is -- where it comes from.

6 MR. THOMAS: Well, first any independent recollection he
7 has.

8 MR. REITMAN: Because we had trouble with this same
9 document yesterday.

10 MR. THOMAS: I'm trying to get some independent recollec-
11 tion first, and then I'll be glad to help him.

12 A I don't know. What was the question again?

13 Q Can you identify it. Do you know what that is?

14 A Well, it's a reprint of the Wall Street Journal.

15 Q Have you ever seen that before?

16 A I don't know, I think so.

17 Q Where do you recall seeing it before?

18 A I don't know.

19 Q Do you know if Friends of Alaska actually ran an ad like
20 exhibit 6?

21 A I don't know.

22 Q Do you recall during the time that you were helping with
23 Friends of Alaska that the Wall Street Journal published
24 an article about Senator Gravel?

25 A I didn't -- I don't remember specifically the Wall Street

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1 Journal, but many papers did over the years publish.....

2 Q You don't recall specifically an article that appeared in
3 the Wall Street Journal critical of Senator Gravel?

4 A No.

5 MR. REITMAN: Ask him if he reads the Wall Street Journal
6 Counsel.

7 A I used to subscribe to the Wall Street Journal, but when
8 you're gone as much as I am, I wasn't going to come home
9 and read a stack of papers that deep every time I came
10 home. I enjoy the Wall Street Journal, but don't get an
11 opportunity to read it often.

12 Q Do you recall anyone ever informing you that they had
13 seen an article in the Wall Street Journal about Senator
14 Gravel?

15 A No.

16 MR. THOMAS: I'd like to have the reporter mark the
17 following three documents as FEC Exhibits 7, 8 and 9, please.

18 (Deposition exhibits FEC 7 through 9 marked)

19 Q I'm now showing exhibits 7, 8 and 9 to the witness and
20 counsel. Can you identify FEC Exhibit 7, 8 or 9?

21 A No, I've never seen them before.

22 Q Do you know if Friends of Alaska ever ran any ads in any
23 newspapers that had any cartoon statements similar to
24 those that you see, FEC Exhibits 7 through 9?

25 A No.

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- 1 Q You don't know if they did or did not?
- 2 A I don't. I don't think they did.
- 3 Q Did Friends of Alaska run any advertisements in any news-
4 papers, to your knowledge?
- 5 A I don't think so.
- 6 Q Have you ever heard of a firm called Rothstein-Buckley?
- 7 A Pardon?
- 8 Q Have you ever heard of a firm called Rothstein-Buckley?
- 9 A No.
- 10 Q It's in Washington, D.C.
- 11 A No.
- 12 Q You don't know if any of the services that you wrote a
13 check to Justin Ward for consisted of producing any news-
14 paper ads for Friends of Alaska?
- 15 A No, I don't.
- 16 Q Now, after you were contacted by your sister, Kelly Gay,
17 did you ever have any contact with Clark Gruening after
18 that point?
- 19 A I have never had any contact with Clark Gruening.
- 20 Q Okay. Again, after that time your sister contacted you,
21 did you have any contact with Dick Angell?
- 22 A No.
- 23 Q With Rick Mystrom?
- 24 A No.
- 25 Q Floyd Smith?

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8 3 0 4 0 4 5 4 9 2

1 A No.

2 Q Eivin Brudie?

3 A No.

4 Q Luann Dimond?

5 A No.

6 Q Stephan Patterson?

7 A No.

8 Q Larry Holstrom?

9 A No.

10 Q Melinda Gruening?

11 A No.

12 Q Now, you testified earlier that the persons that, to your
13 knowledge, were in charge of making the decisions for
14 Friends of Alaska were Mr. Gottstein and your sister, is
15 that correct?

16 A I'm not sure who was, but I understand that they were.

17 Q Do you know of any actions that your sister took in con-
18 nection with Friends of Alaska? Was she involved in any
19 of the decision making that you're aware of specifically,
20 such as planning the ads, for example?

21 A I have no idea.

22 Q The only contact you ever had with her was this initial
23 meeting, is that correct?

24 A Oh, no.

25 Q How many other meetings would you say you had with her

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1 where you talked about the Friends of Alaska activities?

2 A I think all we ever talked about was is Norma doing her
3 work and I'd ask her if everything was satisfactory and
4 she said that it was.

5 Q When you say asked her, you mean your sister?

6 A Yeah, if we were -- if Norma was filing these on time by
7 registered mail and all that. I don't remember specifi-
8 cally any conversations Kelly and I really had. I know
9 that we had some, but I don't know.....

10 Q Do you recall her ever telling you anything about the
11 progress of soliciting contributions for the committee?

12 A Actually, we turned -- Norma made those deposits, got
13 most of the money.

14 Q Do you know how she got the money?

15 A No.

16 Q Did you get any of it yourself?

17 A Yeah, I had some.

18 Q How did you get the funds that you received?

19 A Kelly gave me the checks from several people.

20 Q Do you recall how many people that represented?

21 A No, I don't.

22 Q Was this just one instance when she gave you some checks?

23 A I don't know whether it was more than one or not. Norma
24 might know.

25 Q And you were treasurer, right? Wasn't it your

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1 responsibility to oversee Norma with regard to the
2 receipt and deposit of contributions?

3 A Yeah.

4 Q Those contributions you received, did you give them to
5 Norma to have her deposit those?

6 A No, the ones that I had, I think I put in the bank and
7 gave her the slips, deposit slips.

8 Q Do you know where she received any contributions that she
9 deposited herself?

10 MR. REITMAN: Who's she?

11 MR. THOMAS: Norma Thompson.

12 Q Where did she get the contributions that she deposited
13 herself?

14 A I don't know.

15 Q Do you know if Barney Gottstein gave them to her?

16 A I don't know. I don't know if Barney ever handled -- he
17 never handled -- I don't know if he ever handled any
18 money.

19 Q You don't know if he even solicited any contributions?

20 A Not for sure, no.

21 Q When your sister asked you to help with the committee,
22 did she explain that funds would be coming in and that
23 you were to handle them?

24 A Right.

25 Q She didn't explain in any way how they thought they were

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AKULAW COURT REPORTING

1 going to get funds?

2 A No.

3 Q How she thought they were going to get funds, if any?

4 MR. REITMAN: You'd better -- say no.

5 A No.

6 MR. REITMAN: The witness shook his head.

7 MR. THOMAS: Thank you.

8 Q At any point after you were first contacted by your
9 sister about helping with Friends of Alaska, do you recall
10 any conversations at all about how it would be advisable
11 not to have any contacts with anybody working for the
12 Gruening campaign?

13 A No.

14 Q This is even after the Gravel campaign filed its com-
15 plaint on August 7, you never had any discussions along
16 those lines with anybody working for Friends of Alaska?

17 A I can't recall any.

18 Q I think I'd like to take a moment at this time to clarify
19 with regard to the letter that you provided us with
20 today, as to the document production pursuant to the
21 subpoena that we issued you. When you received the
22 subpoena requesting documents, did you contact anyone
23 else that worked with you on Friends of Alaska committee
24 to see if they had any documents pursuant to the subpoena?

25 A Kelly had all the records.

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1 Q Kelly, your sister, had all the records?

2 A Had all the records.

3 Q You had none yourself?

4 A No.

5 Q Mr. Gottstein had none?

6 A I don't think he ever had them at all, ever, anything.

7 Q Do you recall at any time ever making any notations on
8 any calendars or appointment calendars as to any meetings
9 you had, for example with your sister, where you talked
10 about the Friends of Alaska committee?

11 A No.

12 Q You never made a notation about that luncheon engagement
13 or dinner engagement you first had with her about that?

14 A I never do that with anything.

15 Q Why did your sister, Kelly Gay, maintain the records?

16 A Why did she? Norma left.

17 Q Norma retained the records until she left, is that right?

18 A I don't know when Norma gave them -- after -- sometime
19 in midwinter Norma left the state, and I think either
20 prior to or -- well, I know prior to her leaving she
21 turned them all over, but I -- well, when the campaign
22 was over and all the documents were filed. I don't
23 remember the specific date that we handed them all over to
24 Kelly, but Norma did that.

25 Q Maintained records?

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1 A Maintained all of them, yes.

2 MR. REITMAN: Could we go off the record for five minutes?

3 It's been an hour and a half. Are you almost through, or.....

4 MR. THOMAS: Yes, I'm almost through. If you want to.....

5 MR. REITMAN: Well, I was just wondering if we should take
6 a 5-minute break.

7 MR. THOMAS: That's fine, if you'd like to take a 5-minute
8 break. I don't anticipate taking more than.....

9 MR. REITMAN: Let's go off record for two minutes anyway.

10 MR. THOMAS: Fine.

11 (Off record)

12 Q From the time that your sister contacted you and asked
13 you to help with the Friends of Alaska effort, did you
14 ever talk with anybody that was working with the Gruening
15 campaign where they suggested that the Friends of Alaska
16 committee cease production of these ads?

17 A I never talked to anybody from the Gruening committee
18 except John Hale those two little times.

19 Q Okay.

20 A The answer is no.

21 Q At any point did anyone from the Gruening campaign ever
22 request or suggest to you that the Friends of Alaska
23 group be formed?

24 A No.

25 Q Did they ever request or suggest that the committee run

1 these ads, to your knowledge?

2 A No.

3 Q Did you ever at any point inform anyone working with the
4 Gruening campaign that you -- that the Friends of Alaska
5 group was planning to run those ads?

6 A No.

7 MR. THOMAS: I have no further questions. Thank you for
8 your time.

9 MR. REITMAN: I would like to ask a question, if I may,
10 just more for clarification.

11 BY MR. REITMAN:

12 Q Mr. Green, directing your attention to this conversation
13 between you and Norma Thompson in which you related your
14 comment about you can't serve two masters, was Norma
15 Thompson, to your knowledge, working on some continuous
16 basis for the Gruening campaign at the time of the con-
17 versation?

18 A No, I don't think so. She just at that time was occa-
19 sionally working for them. I'm not -- I don't even know
20 what she was doing.

21 Q Was she working on a daily basis?

22 A Oh, no.

23 Q Was she working -- was she being paid by them?

24 A Oh, no.

25 Q Was she an officer, an official of the Gruening campaign?

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1 A No.

2 Q Do you know how many hours she'd worked on the Gruening
3 campaign?

4 A No idea.

5 Q Was she -- the day that you talked to her, was she doing
6 any work for the Gruening campaign?

7 A No.

8 MR. REITMAN: No further questions.

9 MR. THOMAS: Just some redirect.

10 BY MR. THOMAS:

11 Q Do you know when the last time was that she had worked
12 for the Gruening campaign?

13 A No.

14 Q I didn't finish the question, but at the time that you
15 talked to her and suggested she not work with them, do
16 you know how far back it was in time that she last did
17 some work for the Gruening campaign?

18 A No.

19 MR. THOMAS: I have nothing further. Thank you for your
20 time.

21 *****
22 END OF PROCEEDINGS
23 *****

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25

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C E R T I F I C A T E

1
 2 UNITED STATES OF AMERICA)
)
 3 STATE OF ALASKA)

4 I, ROMA L. AKULAW, Notary Public in and for the State of
 Alaska, residing at Anchorage, Alaska, do hereby certify:

5 That the annexed and foregoing deposition of RICHARD B.
 6 GREEN was taken before me on the 7th day of August, 1981,
 beginning at the hour of 1:00 o'clock p.m., at the U.S. Federal
 7 Court and Office Building, 701 C Street, Room C-105, Anchorage,
 Alaska, pursuant to Notice to take said deposition on behalf
 8 of the Federal Election Commission;

9 That the above named witness, before examination, was
 10 duly sworn to testify to the truth, the whole truth, and
 nothing but the truth;

11 That this deposition, as heretofore annexed, is a true
 and correct transcription of the testimony of said witness,
 12 taken by me electronically and thereafter transcribed by me;

13 That the deposition is being retained by Akulaw Court
 Reporting for the purpose of filing the same with the Federal
 14 Election Commission.

15 I am not a relative or employee or attorney or counsel of
 any of the parties, nor am I financially interested in this
 16 action.

17 IN WITNESS WHEREOF, I have hereunto set my hand and
 affixed my seal this 11th day of August, 1981.

18 *Roma L. Akulaw*

19 Notary Public in and for Alaska

20 My commission expires 11/30/84

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AKULAW COURT REPORTING

700 H Street, Suite 5 Anchorage, Alaska 99501 (907) 274-3242

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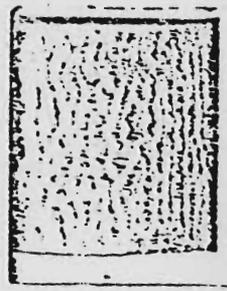
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DEPOSITION
EXHIBIT
FEC-1

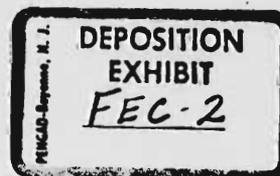


FRIENDS OF ALASKA COMMITTEE

Spot #1 - Scrapbook :60

8 3 0 4 0 4 0 5 5 0 3

YOU KNOW HOW PICTURES AND CLIPPINGS CAN CHANGE AFTER JUST A FEW YEARS. WE LOOK BACK AND SEE HOW FUNNY WE LOOK. WE ALL CHANGE WITH AGE, HOPEFULLY WE GET SMARTER AND MORE RESPONSIBLE. WELL, WE WERE GOING THROUGH THE MIKE GRAVEL SCRAPBOOK THE OTHER DAY AND FOUND SOME OLD CLIPPINGS. HERES ONE...MIKE GRAVEL NOMINATES HIMSELF FOR VICE PRESIDENT. THAT WAS REALLY GOOD FOR A LAUGH. AND THEN WE SAW GRAVEL WANTS TO BUILD A DOMED CITY ON MT. MCKINEEY. GRAVEL PICKETS THE WHITE HOUSE... GRAVEL FIGHTS AGAINST THE 200 MILE LIMIT. THE SCRAPBOOK WAS JUST FILLED TO OVERFLOWING. AND HERES 1978, GRAVEL KILLS LANDS BILL. HE SAYS WE'LL DO BETTER NEXT TIME. GRAVEL SAYS CARTERS' ONLY BLUFFING ON LOCKING UP ALASKA. WELL THE YEARS ROLL ON AND IN THE MIKE GRAVEL SCRAPBOOK THE HEADLINES TODAY LOOK A LOT LIKE THE ONES WE WERE SEING YEARS AGO. MAYBE AGE AND EXPERIENCES HAVEN'T HELPED. MAYBE ITS TIME TO CLOSE THE COVER ON THE GRAVEL YEARS. PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE.





FRIENDS OF ALASKA COMMITTEE

Spot #2 - Aspen :60

8304040550

THE SUNNY SLOPES OF ASPEN COLORADO. DEEP POWDER, BEAUTIFUL PEOPLE, BIG HOMES. ONE OF THE BIGGEST HOMES BELONGS TO OUR VERY OWN SENATOR MIKE GRAVEL. THE VALUE OF MIKE GRAVEL'S ASPEN HOUSE IS SAID TO BE MORE THAN A MILLION DOLLARS. BUT MIKE GRAVEL DIDN'T HAVE TO PUT ANY MONEY FOR HIS INTEREST. HE JUST HAD TO INVEST SOME OF HIS TIME. IN HIS SPARE TIME MIKE GRAVEL DESIGNED THE HOUSE. HE EVEN DESIGNED THE FURNITURE. AND MIKE GRAVEL EVEN FOUND THE PEOPLE TO INVEST MONEY IN HIS PROJECT. SOME OF THEM TURNED OUT TO BE LOBBYISTS WHOSE JOB IT IS TO ASK FOR MIKE GRAVEL'S VOTE IN THE SENATE. WHEN SOMEONE ASKED WHETHER THIS KIND OF ARRANGEMENT WAS PROPER MIKE GRAVEL SAID THERE WAS NO LAW AGAINST IT. WHEN SOMEONE ASKED WHY HE NEEDED SUCH A BIG HOUSE IN ASPEN, MIKE GRAVEL SAID IT WAS JUST A PLACE TO STOP ON THE WAY HOME. WELL, THATS PART OF THE ASPEN HOUSE STORY, THERES MORE... PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE.





FRIENDS OF ALASKA COMMITTEE

60-Sec. Radio Copy
"First Class"

83040405503

YOU'VE GOT TO HAND IT TO MIKE GRAVEL, HE GOES FIRST CLASS DOESN'T HE. LIKE HIS CAMPAIGN FOR RE-ELECTION...HE'S ON HIS WAY TO RAISING A MILLION DOLLARS AND HE'S GOT THE BEST THAT MONEY CAN BUY. THE BEST PEOPLE IN THE COUNTRY ARE TAKING POLLS AND PRODUCING ADVERTISING, HE EVEN HIRED A WASHINGTON D.C. FIRM TO MAKE PHONE CALLS FOR HIM HERE IN ALASKA. YOU KNOW, PEOPLE WHO ARE PAID TO SAY NICE THINGS ABOUT MIKE GRAVEL OVER THE TELEPHONE. MIKE GRAVEL'S POLITICAL EXPERTS LIVE AND WORK IN MAINE, NEW YORK, SAN FRANCISCO, MASSACHUSETTE. NOW WE HAVE TO ASK OURSELVES... WHY...WHY DOES MIKE GRAVEL NEED A MILLION DOLLAR CAMPAIGN AND HIRED POLITICAL GUNS FROM AROUND THE COUNTRY. WHY CAN'T MIKE GRAVEL EXPLAIN HIMSELF...THE ANSWER IS SAID, BUT TRUE, BECAUSE WE KNOW THE REAL MIKE GRAVEL AND HE'S NOT SOMEONE WE WOULD SEND BACK TO WASHINGTON. PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE, TOM KELLY CHAIRMAN, 3835 HELVETIA DR., ANCHORAGE 99504.





FRIENDS OF ALASKA COMMITTEE

60-Sec. Radio Copy
"Friends"

33040405506

YOU SEE A LOT OF ADVERTISING THESE DAYS, BROUGHT TO YOU BY THE FRIENDS OF MIKE GRAVEL, YOU KNOW, TELEVISION AND RADIO COMMERCIALS, PHONE CALLS, MAIL...ALL FROM THE FRIENDS OF MIKE GRAVEL. DID YOU EVER STOP TO WONDER WHO THOSE FRIENDS ARE? WELL, TO START WITH, THESE FRIENDS DON' LIVE IN ALASKA. OF EVERY THOUSAND DOLLARS MIKE GRAVEL IS SPENDING, MORE THAN \$900 COMES FROM OUTSIDE.THE STATE. ONLY 9% OF ALL HIS CAMPAIGN MONEY IS FROM ALASKA. THE FRIENDS OF MIKE GRAVEL ARE ALSO POWERFUL, A QUARTER OF A MILLION DOLLARS COMES FROM INTEREST GROUPS WITH WASHINGTON LOBBYING CONNECTIONS. THE FRIENDS OF MIKE GRAVEL ARE ALSO RICH. TWO-THIRDS OF ALL THE MONEY COMES IN AMOUNTS OF \$500 OR MORE. AND SO THEY LIVE OUTSIDE ALASKA, THEY ARE RICH AND POWERFUL, THE FRIENDS OF MIKE GRAVEL. DO YOU SUPPOSE THEY ARE ALSO FRIENDS OF ALASKA. ASK YOURSELF THAT THE NEXT TIME YOU SEE MIKE GRAVEL'S ADVERTISING. PAID FOR AS A PUBLIC SERVICE BY FRIENDS OF ALASKA COMMITTEE, TOM KELLY, CHAIRMAN, 3835 HELVETIA DR., ANCHORAGE 99504.



"During his first five years in the Senate, Sen. Gravel's net worth more than doubled to \$528,030— according to documents he made public in 1974.

Today, Sen. Gravel shares the extravagant life style of his many millionaire friends. He has a lavish house on the Potomac River south of Washington, with a swimming pool and a tennis court. He estimated the house's value last year at \$250,000 to \$300,000.

The Wall Street Journal
August 8, 1980

REC'D - Bureau, N. J.
DEPOSITION
EXHIBIT
FEC-6

Ed. fo. by the Friends of Alaska Committee
Tom Kelly, Chairman, 3855 Helvetia Drive
Anchorage, Alaska 99504

SENATOR, THERE'S AN IMPORTANT VOTE ON THE FLOOR AND YOU'VE ALREADY MISSED 1,636 VOTES...

DON'T BOTHER ME! I'D RATHER PLAY MY OWN HAND.



DEPOSITION
EXHIBIT
FEC-7

mav'ér · ick (mav'ér · ik), n. 1. Don't vote. 2. Don't go to Committee meetings. 3. Don't do your homework. 4. Make everybody mad. 5. Dream up your own projects like a Dome City. 6. And when people say what's going on here, just smile and call yourself a maverick.



DEPOSITION
EXHIBIT
FEC-8



"I don't know what all the fuss is about--it's just a little place for me to stop on the way home."

SEP 3 11:51

SEP 3 3:29

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
FRIENDS OF ALASKA, et al.) MUR 1272
)

DEPOSITION OF STEVE OIEN

APPEARANCES:

FOR THE COMMISSION: JONATHAN LEVIN
Attorney at Law
and
SCOTT THOMAS
Attorney at Law

FOR MR. OIEN: STANLEY H. REITMAN
Attorney at Law
1007 West Third Avenue
Suite 400
Anchorage, Alaska 99501

* * *

PURSUANT TO NOTICE, the deposition of STEVE OIEN was taken before Roma L. Akulaw, Notary Public in and for the State of Alaska, at the U.S. Federal Court and Office Building, 701 C Street, Room E-508, Anchorage, Alaska, on the 4th day of August, 1981, beginning at the hour of 9:00 o'clock a.m.

* * *

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P R O C E E D I N G S

STEVE OIEN

1 first duly sworn under oath, testified as follows on examination:

2 BY MR. LEVIN:

3 Q State your name, please?

4 A Steve Oien.

5 MR. REITMAN: Excuse me, Counsel, before we start would it
6 be possible to spell out what the -- stipulations that are
7 being made here and more particularly, as far as I understand,
8 all objections are reserved except for the form of the question
9 or responsiveness of the answer. Is that correct?

10 MR. THOMAS: You might want to state your objections for
11 the record, general objections.

12 MR. REITMAN: Well, as to specific objections. In other
13 words, all objections are reserved, as far as I understand it,
14 under the rules.

15 MR. THOMAS: By way of clarification, all I'm saying is
16 that if you wanted to make a general objection at the outset.....

17 MR. REITMAN: No, no, I have no objections. No, you may
18 proceed, I'm just.....

19 MR. THOMAS: Certainly, the general rule that all objec-
20 tions except as to form would be used.

21 MR. REITMAN: Would pertain, thank you.

22 Q State your name, please.

23 A Steve Oien.

8 3 0 4 0 4 5 5 1 2

1 Q And please state your place of business.

2 A Alaska Advertisers.

3 Q And what is your present occupation?

4 A General manager.

5 Q How long have you been with Alaska Advertisers?

6 A A little over three years.

7 Q How did you come to work for Alaska Advertisers?

8 A I was contacted about the job opening.

9 Q Who hired you?

10 A I was hired by Joe Wiley.

11 Q How did you achieve your present position? Did you start
12 as general manager?

13 A Yes, I was hired that way.

14 Q And what was your experience prior to coming to Alaska
15 Advertisers?

16 A Prior to that, worked for an advertising and public rela-
17 tions firm here in Anchorage for a period of time.

18 Q How long has Alaska Advertisers existed?

19 A I'm not really quite sure of the exact length; it's a
20 period of about 12 years, I believe.

21 Q What kinds of services does Alaska Advertising provide?

22 A We provide advertising planning and production implementa-
23 tion of advertising plans and placement services.

24 Q What do you mean by production implementation?

25 A Planning, just developing strategies for our clients,

AKULAW COURT REPORTING

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1 plans, procedures, implementation, the actual physical
2 direction of the advertising, then placement with the
3 various media.

4 Q What kinds of clients do you have, corporate, business,
5 political?

6 A The bulk of our work is for retail companies affiliated
7 with Alaska Advertisers.

8 Q What do you mean by affiliated with Alaska Advertisers?

9 A Alaska Advertisers is an in-house agency and full service
10 agency, and we are -- we -- you know, we do perform these
11 advertising functions on behalf of our clients.

12 Q When you say in-house, what -- for whom do you perform
13 these services, or this "house" that.....

14 MR. REITMAN: Counsel, may I make a suggestion? Try to
15 ask him just a single question. If you ask a compound ques-
16 tion, it's difficult for the witness to know which question
17 to respond to.

18 MR. LEVIN: Thank you.

19 Q For whom, specifically, does Alaska Advertisers perform
20 services?

21 A Do you want the names of our clients?

22 Q Yes.

23 A Carr's Quality Centers, Carr's Payless Super Drugs,
24 Oaken Keg Liquors -- there's about eight or nine all
25 together.

AKULAW COURT REPORTING

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1 Q Are these all part of Carr-Gottstein Properties,
2 Incorporated?

3 A We do some advertising for outside clients.

4 Q I'm not sure that was responsive. I'm concerned, do you
5 -- are you affiliated with any corporation? When you say
6 you're affiliated.....

7 MR. REITMAN: Excuse me, Counsel. Maybe you ought to
8 help the witness by giving him a definition of affiliated.

9 MR. LEVIN: Well, that was his word.

10 MR. REITMAN: If you know what the word affiliated means,
11 then you can answer the question.

12 A I'm not sure what you mean, in that sense.

13 Q You said you were an in-house agency.....

14 A Um-hum.

15 Qand I was concerned what you meant by that, and you
16 said you did services for various clients. And I was
17 wondering what linked these clients, what -- is there a
18 common owner or common owners?

19 MR. REITMAN: If you know, Mr. Witness.

20 A Well, as an in-house agency we are owned by a parent
21 company.

22 Q And what is this parent company?

23 A I believe it's Carr's Quality Centers.

24 Q Does Barnard Gottstein have any association with this
25 company?

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1 A Yes.

2 Q In what capacity?

3 A I'm not sure. I believe he's one of the principals.

4 Q What do you mean by principals?

5 A To my knowledge, he's one of the owners.

6 Q He is one of the owners. Who are the directors of Alaska
7 Advertisers?

8 A I don't know.

9 Q Who are the officers of Alaska Advertisers?

10 A I don't know.

11 Q How many employees does Alaska Advertisers have?

12 A Let's see, counting myself we have 6, 7 -- we have eight
13 employees.

14 Q And who are these employees?

15 A Their names or their -- their names?

16 Q Their names and positions, if you want.

17 A Yeah, besides myself we have three ad production assis-
18 tants and their names are: Kathy Jue (ph), Janice
19 DePietro and Lynn Taylor. We have a sign-making staff
20 that consists of Stan Stanfield, Dick Fleming and Darren
21 Ward. We also have a staff artist or illustrator, and
22 his name is Paul Obiokor, O-b-i-o-k-o-r. And that covers
23 everybody.

24 Q Let me just go back a second. When you said that your
25 agency performs services for various groups affiliated,

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1 in-house, and some outside the house, we were talking
2 about business kinds of services. Do you perform services
3 outside of the context of businesses? Political services?

4 A Yes, we have.

5 Q For whom?

6 MR. REITMAN: Objection. You can ask a general question
7 about services for other political groups, but I think we have
8 to restrict the questions to these two political groups that
9 are under scrutiny, namely Alaskans for Gruening and Friends
10 of Alaska. So, if you've done works for other political groups,
11 then answer the question just generally.

12 Q For what types of groups, political groups, not specific
13 names.

14 MR. REITMAN: Don't specify names of groups.

15 Q Correct, no name is necessary.

16 A I'm not sure I understand the question.

17 Q Well, for instance, for mayoral candidacies, for state
18 legislature, for senate, for house of representatives,
19 any of those, any others of that type?

20 A Yes, we have.

21 Q How are the day to day decisions about Alaska Adver-
22 tising's operations made?

23 A Are you asking me who's involved?

24 Q Yes.

25 A Basically, coordination between myself and the people

AKULAW COURT REPORTING

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1 that I report to.

2 Q And who are those people you report to?

3 A I report immediately to Luke Reed.

4 Q Lou.....

5 A Luke, L-u-k-e, Reed, R-e-e-d. And so he's my immediate
6 supervisor. And, in answer to your question, he's the
7 main one that I coordinate with on the day to day activi-
8 ties for Alaska Advertisers.

9 Q Do you report to Barnard Gottstein?

10 A No.

11 Q Have you ever reported to Barnard Gottstein?

12 A Yes.

13 Q When did you do that?

14 A During two advertising programs that Alaska Advertisers
15 was asked to participate in, to assist with.

16 Q Which programs were those?

17 A I'm sorry, I think I made an error. Did I say two?

18 Q Yes.

19 A No, I meant one.

20 Q And which program was that?

21 A That was Friends of Alaska.

22 Q Other than that, have you ever consulted with Barnard
23 Gottstein on any decisions that you have made for Alaska
24 Advertisers?

25 A No.

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1 Q Where are the business offices of Alaska Advertisers?

2 A The street address is 1341 Fairbanks.

3 Q Does Barnard Gottstein have an office there?

4 A Not to my knowledge.

5 Q Does Barnard Gottstein ever show up there, ever appear at
6 the offices of Alaska Advertisers?

7 A I've never seen him there.

8 Q Do you perform any other services for any firm owned
9 partially or completely by Mr. Gottstein?

10 A Yes.

11 Q Which firms are those?

12 A They include J.B. Gottstein; they include Carr-Gottstein
13 Properties; they also include The Land Company.

14 Q The.....

15 A Oh, I'm sorry, The Land Company.

16 Q I'm sorry, perhaps I should have been clearer, when I
17 said you I meant you, personally, Steve Oien, as opposed
18 to Alaska Advertisers.

19 A Oh, I see. Not really. There is contact with me when a
20 job is -- or when a project is required.

21 Q Has any of this contact involved any communication with
22 Barnard Gottstein?

23 A No.

24 Q Do you know about the existence of any other firms owned
25 partially or completely by Barnard Gottstein?

AKULAW COURT REPORTING

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1 A No.

2 Q Have you ever heard of Sandelson Surveys?

3 A No.

4 Q Do you do any work for Mr. Gottstein directly, that is
5 outside the context of this corporate setting?

6 A No.

7 Q Let me go back a second. You had said that you immedi-
8 ately report to Luke Reed.

9 A Yes.

10 Q Do you report to anybody else?

11 A Secondly, I report to John Cairns, C-a-i-r-n-s.

12 Q Anybody else?

13 A No.

14 Q And what are the positions of Mr. Reed and Mr. Cairns?

15 A Mr. Reed is grocery supervisor; I believe that's his
16 title. And Mr. Cairns is executive vice-president.

17 Q Of?

18 A Carrs Quality Centers.

19 Q What positions do they have that would cause you to
20 report to Mr. Reed as a grocery supervisor? I'm unclear
21 on that.

22 A I don't know, other than it's just day to day basis he's
23 my immediate contact to coordinate all the advertising
24 efforts.

25 Q And to whom does he report?

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1 A He reports to Mr. Cairns.

2 Q To whom does Mr. Cairns report?

3 A As far as I know, he reports to Mr. Carr.

4 Q Mr. Carr. Do any of these men that you have mentioned
5 report to Mr. Gottstein?

6 A I don't know. Not to my knowledge.

7 Q Do you communicate with Mr. Gottstein at all?

8 MR. REITMAN: You asked -- that question's been asked and
9 answered, Counsel. You can answer it.

10 A Are you speaking like in the general day in, day out?

11 Q General day in, day out.

12 A No.

13 Q Have you ever communicated with Mr. Gottstein?

14 MR. REITMAN: Asked and answered. You asked a series of
15 questions about whether he had any contact with Mr. Gottstein,
16 Counsel. Now you're asking a broad-based question which is
17 just repeating the area already covered.

18 Q Now, in the area of Alaska Advertisers' services for
19 Alaskans for Gruening, when did Alaska Advertisers per-
20 form services for Alaskans for Gruening?

21 A I don't remember the exact date. It was generally in the
22 fall of '79.

23 Q Did Alaska Advertisers offer its services, or was it
24 asked by Alaskans for Gruening or the Gruening campaign
25 first?

8 3 0 4 0 4 5 5 2 1

1 A We were asked.
2 Q By whom were you asked?
3 A His name is John Hale.
4 Q Do you know what position Mr. Hale had with the Gruening
5 campaign?
6 A No.
7 Q And when did he first approach you?
8 A I'm guessing, but I believe it was in October of '79.
9 Q And Mr. Hale approached you directly?
10 A Yes, by telephone.
11 Q Did Mr. Hale mention Barnard Gottstein at all in this
12 approach to you?
13 A Not that I recall.
14 Q Did he state the reason why your company specifically was
15 being asked to do services -- perform services for
16 Alaskans for Gruening?
17 A No.
18 Q Did you have any communications with Mr. Gottstein in
19 connection with this offer and acceptance of services?
20 A No, I did not.
21 Q What functions did Alaska Advertisers perform for
22 Alaskans for Gruening?
23 A We acted on behalf of them in media placement.
24 Q When you say acted on behalf of them, what did you do
25 specifically?

AKULAW COURT REPORTING

8 3 0 4 0 4 5 5 2 2

- 1 A For that campaign that we're talking about?
- 2 Q Correct.
- 3 A We placed some television time for the group.
- 4 Q How was that done? What are the mechanics of that?
- 5 A You mean in general, what are the procedures?
- 6 Q Yes, what would you do, let's say, to place a specific
7 advertisement?
- 8 A Generally, we would be provided information about speci-
9 fic TV commercials, video tapes, and a budget, then it
10 would be our responsibility to contact the media to
11 determine the availability of time, television time, and
12 to allocate the budget.
- 13 Q Who would perform these serv -- excuse me. You stated
14 that you were provided with information; who would pro-
15 vide this information?
- 16 A You mean in general, or in this specific case?
- 17 Q In this specific case of Alaskans for Gruening.
- 18 A That was provided by John Hale.
- 19 Q Was there any provision of information by anyone else in
20 the Gruening campaign?
- 21 A No.
- 22 Q Did you or anybody else in Alaska Advertisers have any
23 contact with any other persons in the Alaskans for
24 Gruening or the Gruening campaign?
- 25 A I know I didn't, and I don't know about -- I don't know

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1 whether anybody else did or not. Not to my knowledge,
2 but I'm not sure.

3 Q Judy Parsons?

4 A I don't know if she had any contact with anybody other
5 than John Hale.

6 Q When you say that you acted on the basis of information,
7 who made the decisions as to when and where the advertise-
8 ments would be placed?

9 A It was the client.

10 Q Alaskans for Gruening made all of those decisions?

11 A Right.

12 Q How would they convey those decisions to you? Would they
13 give you specific times; would they give you general
14 times? Would they give you specific locations? I'm
15 sorry, that's a multiple question, but.....

16 A Well, in this specific case, they provided us with the
17 budget that we were to work with and the spots, the com-
18 mercials themselves. And I should probably point out
19 that their decision was based upon receiving information
20 from Alaska Advertisers as to the best way to allocate
21 that budget.

22 Q What kind of information did Alaska Advertisers provide
23 to Alaskans for Gruening?

24 A Information on various availabilities that were open with
25 the various TV stations, time schedules, that sort of

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1 thing.

2 Q Was there any information as to what would be the prefer-
3 able time schedules?

4 A There may have been. I wasn't directly involved with that
5 part of the -- of the campaign, so I'm not sure. I don't
6 know, but there may have been.

7 Q Who was directly involved, from Alaska Advertisers?

8 A Judy Parsons.

9 Q In providing this information, did you or your company
10 employ any information other than your knowledge of the
11 availability of time spots?

12 MR. REITMAN: That question is unintelligible to me,
13 Counsel.

14 MR. LEVIN: Let me rephrase that this way:

15 Q You stated that you provided information to Alaskans for
16 Gruening for available time spots and locations. Did you
17 yourself, your company, use any other input such as
18 political information, information as to the strength of
19 the candidacy in different areas, to provide information
20 to Alaskans for Gruening?

21 A Not to my knowledge.

22 Q Did Barnard Gottstein exert any influence as to when and
23 where the ads would be placed?

24 A Not to my knowledge.

25 Q Did he communicate with anybody at Alaska Advertisers as

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1 to when and where the ads should be placed?

2 A Not to my knowledge, no.

3 Q Let me carry that one step further. Did he relay any
4 communications that did reach Alaska Advertisers as to
5 time and place.....

6 MR. REITMAN: Counsel, maybe you'd better explain what you
7 mean by relay information.

8 MR. LEVIN: Did he speak to anybody who did then speak to
9 Alaska Advertisers.

10 MR. REITMAN: Repeat that question again.

11 Q Did Mr. Gottstein speak to anybody.....

12 MR. REITMAN: You ought to ask your questions in part,
13 did he speak to anybody, and then go on and find out so we can
14 -- the questions are real difficult to respond to, Counsel.

15 MR. LEVIN: Well, let me put it this way.....

16 MR. REITMAN: One -- you know, ask one question at a
17 time, it would be easier.

18 Q Did Mr. Gottstein speak to anybody with reference to the
19 time and location of the ad placements, who then spoke to
20 Alaska Advertisers' staff?

21 MR. REITMAN: Did Gottstein speak to anyone who then
22 spoke to somebody else?

23 MR. LEVIN: Right, at Alaska Advertisers.

24 MR. REITMAN: If you understand the question, you can try
25 answering, Mr. Witness.

AKULAW COURT REPORTING

3 3 0 4 0 4 5 5 2 6

1 A Well, not to my knowledge.

2 Q Okay. When you say that Hale contacted Alaska Advertisers,
3 who specifically did he contact?

4 MR. REITMAN: You asked and answered that. He responded
5 and said he contacted Mr. Oien. Isn't that your testimony,
6 Mr. Oien?

7 Q Is that your.....

8 A Yes.

9 Q Okay.

10 MR. REITMAN: Yes, sir, that's exactly what you asked and
11 that's exactly what he answered.

12 Q Were there any other contacts between Mr. Hale and anyone
13 from Alaska Advertisers with reference to the services
14 provided by Alaska Advertisers for Alaskans for Gruening?

15 A I believe there was contact with Judy Parsons.

16 Q Do you know how many contacts there were, approximately?

17 A No, I don't.

18 Q Do you know what the subject of these contacts were?

19 A No.

20 MR. LEVIN: Counsel, I'm going to re-ask this question
21 because my recollection fails me on this.

22 MR. REITMAN: All right.

23 Q Did you or anyone else from Alaska Advertisers meet with
24 anybody besides John Hale?

25 MR. REITMAN: Now, meet, does meet connote a physical

AKULAW COURT REPORTING

8 3 0 4 0 4 5 5 2 7

1 contact?

2 MR. LEVIN: I'm sorry, communicate.

3 MR. REITMAN: A telephone call?

4 MR. LEVIN: Communicate.

5 MR. REITMAN: Let's lay a foundation so we can all follow
6 the record here.

7 Q Communicate.

8 A I've lost track of the question.

9 Q Did you or anyone else from Alaska Advertisers communicate
10 with anyone from Alaskans for Gruening, other than John
11 Hale?

12 A Well, I know that I didn't. To my knowledge, nobody else
13 did.

14 Q Did you or anybody from Alaska Advertisers have any com-
15 munications with Barnard Gottstein with respect to the
16 Alaskans for Gruening transaction?

17 A I didn't have any communication with Mr. Cottstein.
18 Again, to my knowledge, there was no other communication
19 by anybody else.

20 MR. REITMAN: That could be written, it could be tele-
21 phone -- do you understand what he means by communication?
22 It's possible that somebody else in the organization could
23 have had some written communications, could have had some
24 telephone calls; he's asking a broad-based question.

25 A It is possible, but not -- you know, not that I'm aware of.

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1 MR. LEVIN: I'm asking the reporter to mark this document
2 as FEC Exhibit Number 1.

3 (Deposition Exhibit FEC-1 marked)

4 Q I am now showing this exhibit, FEC-1, to Mr. Oien and his
5 counsel, Mr. Reitman. Can you identify that document?

6 A Yes.

7 Q FEC Exhibit Number 1. Have you seen FEC Exhibit Number 1
8 before?

9 A Yes, I have.

10 Q And when did you see FEC Exhibit Number 1?

11 A The last time I remember seeing it was when we forwarded
12 information to your office.

13 Q Have you seen it on any prior occasion?

14 A I don't know. I don't remember.

15 Q Would you -- by looking at that document, would you be
16 able to say when that document was dated?

17 A No.

18 Q Do you know if there were other such documents sent to
19 Mr. Gottstein?

20 A No, I don't know.

21 Q You don't know if there were other such documents sent to
22 Mr. Gottstein?

23 A No.

24 Q Would you be able to say why Mr. Gottstein was being
25 apprised of this information?

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1 A No, I wouldn't. I don't know.

2 Q Would you know what Mr. Gottstein would do upon receiving
3 such a memorandum?

4 A No.

5 Q Did Mr. Gottstein make any suggestion that any staff
6 persons of Alaska Advertisers work for the Gruening
7 campaign, other than services provided for advertising
8 placement?

9 A No, not to my knowledge.

10 Q Did he ever contact or communicate with any of the staff
11 of Alaska Advertisers to work for the Gruening campaign?

12 - MR. REITMAN: What do you mean by work for? Is this some
13 sort of voluntary basis?

14 MR. LEVIN: Volunteer.

15 MR. REITMAN: I guess the question is whether Gottstein
16 talked to any of your people to induce them or twist their
17 arms to do some work for Alaskans for Gruening. If that's the
18 counsel's question, you can answer it.

19 A No, not to my knowledge.

20 Q And no suggestion was made, you said that. Did he ever
21 ask that a contribution be given, ask any member of the
22 staff of Alaska Advertisers that a contribution be given
23 to Alaskans for Gruening?

24 A No, not that I'm aware of.

25 Q When was the last time Alaska Advertisers provided

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1 services for the Gruening campaign?

2 A Again, I'm guessing, but it was during that fall of '79
3 period.

4 Q Why didn't Alaska Advertisers provide services after that?

5 A I don't know.

6 MR. REITMAN: It's the proverbial you weren't asked, is
7 that right?

8 A Yes, that's the only thing I can think of, we weren't
9 asked.

10 Q Do you know if Mr. Gottstein made any statement as to the
11 discontinuation of services by Alaska Advertisers?

12 A No, I don't know.

13 Q How did Alaska Advertisers come to provide services for
14 Friends of Alaska?

15 A Friends of Alaska. Here, again, we were requested.

16 Q By whom?

17 A That request, at least in my case, that was made to me,
18 was made by Mr. Gottstein.

19 Q Was that the first time Mr. Gottstein has ever made such
20 a request to you, to provide services for any entity?

21 A You mean to me directly?

22 Q To you directly.

23 A Yes.

24 Q Is that the first time that Mr. Gottstein ever made such
25 a suggestion to anybody at Alaska Advertisers?

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1 A I don't know.

2 Q While you have been there, has that been done, that a
3 suggestion has been made to anyone else at Alaska
4 Advertisers?

5 A Not to my knowledge.

6 Q Were you the first person that Mr. Gottstein contacted at
7 Alaska Advertisers to perform services for Friends of
8 Alaska?

9 A I believe -- I believe yes, I was. I believe so.

10 Q Was anybody else contacted by Mr. Gottstein at Alaska
11 Advertisers for the performance of services for Friends
12 of Alaska?

13 A You mean to initiate the services?

14 Q To initiate the services.

15 A Not to my knowledge.

16 Q Did anybody from Friends of Alaska contact Alaska
17 Advertisers for the provision of services, to initiate
18 the provision of services?

19 MR. FEITMAN: Will counsel define what Friends of Alaska
20 are? Was Mr. Gottstein Friends of Alaska, or was somebody
21 else? I don't understand the question.

22 Q Any officers or staff persons, other than Mr. Gottstein.

23 A You mean to initiate the services?

24 Q Yes.

25 A Not to my knowledge.

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1 Q Would you say that Mr. Gottstein served as the agent of
2 Friends of Alaska in arranging a transaction between
3 Alaska Advertisers and Friends of Alaska?

4 MR. REITMAN: Do you know what the word agent means?

5 A I'm not sure.

6 MR. REITMAN: Ask the counsel to explain it, then.

7 A If you'd explain the word agent.....

8 Q I'll rephrase the question. Would you say that Mr.
9 Gottstein was acting on behalf of Friends of Alaska in
10 arranging the transaction between Alaska Advertisers and
11 Friends of Alaska?

12 A That's the impression I got. I would say so.

13 Q When did Mr. Gottstein approach you?

14 A I'm not sure of the exact date, but I believe it was in
15 the late summer of 1980, July or August.

16 Q How did he contact you?

17 A It was by telephone.

18 Q And what did he say in that telephone conversation?

19 A He explained the need for some advertising services for
20 Friends of Alaska. There was a brief discussion, a dis-
21 cussion of budget, money to be spent, and instructions as
22 to types of advertising materials that would be forth-
23 coming.

24 Q What do you mean by explained the need for advertising?

25 A I just mean that he made a request of Alaska Advertisers,

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1 essentially, to place this advertising on behalf of
2 Friends of Alaska.

3 Q Did he state what his aim was in placing -- having these
4 ads placed?

5 A Not that I recall.

6 Q Did he mention any discontent with the present conduct of
7 the campaign by Alaskans for Gruening?

8 A I'm sorry, would you repeat the question?

9 Q Did he refer to any discontent at the present conduct of
10 the campaign by -- of the contemporary -- of the conduct
11 at that time by Alaskans for Gruening, of its campaign?

12 A Not that I recall, no.

13 Q Did he mention a meeting that he had at Mystrom Adver-
14 tising in which he viewed ads for Alaskans for Gruening.....

15 A No.

16 Q I wanted to complete the question.

17 A I'm sorry.

18 Qat which the candidate, Clark Gruening, attended;
19 Melinda Gruening; John Hale, Rick Mystrom; Larry Holstrom;
20 and another AFG staff member? Did he mention such a
21 meeting to you?

22 A No.

23 Q Did he mention expressing to these people any discon --
24 these people that I have mentioned at such a meeting, any
25 discontent at the conduct of the ads for the Gruening

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1 campaign?

2 A No, not that I recall.

3 Q Let me backtrack, just to refresh my own recollection.
4 Did Mr. Gottstein make any mention at all as to the
5 purpose of these ads?

6 A Not that I recall, no.

7 Q Did he say that they were to criticize Senator Mike
8 Gravel?

9 A I don't recall any mention of the content at all.

10 MR. OIEN: Excuse me for just a moment. Would it be
11 possible to get a glass of water?

12 MR. REITMAN: Why don't we take a 5-minute break?

13 MR. LEVIN: All right, sure.

14 (Off record)

15 Q Could you explain what you meant by a brief discussion of
16 the budget and money in your conversation with Barnard
17 Gottstein?

18 A My recollection is that there was an indication of how
19 much money Alaska Advertisers would have to work with in
20 placing the advertising.

21 Q In other words, how much money Friends of Alaska would be
22 able to provide Alaska Advertisers?

23 A I believe so, yes. That would be the implication, I
24 think.

25 Q In other words, I wanted to clear up not a managerial

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1 decision by Alaska Advertisers as to how much it would
2 be willing to allocate.

3 A No. No.

4 MR. REITMAN: In other words, how much money they had to
5 spend?

6 A Right.

7 MR. REITMAN: How much money Friends of Alaska had to
8 spend?

9 A That's right.

10 Q Were there any subsequent contacts between Earnard
11 Gottstein and Alaska Advertisers to coordinate, to set
12 up the activities between Alaska Advertisers and Friends
13 of Alaska?

14 A Yes, there were.

15 Q Were these contacts by phone, memo, letter?

16 A In my case, they were all by telephone.

17 Q What contacts were they?

18 A Do you mean how many, or.....

19 Q What was the substance of these contacts?

20 A Essentially, to just coordinate the activities and com-
21 municate back and forth about placement of the adver-
22 tising.

23 Q Were there any other services performed by Friends of
24 Alaska -- I mean, excuse me, by Alaska Advertisers for
25 Friends of Alaska, other than placement?

3 3 0 4 0 4 5 5 3 6

1 A No.

2 Q In discussing placement, would you discuss what was the
3 best time and location for these ads?

4 A I'm not sure I understand what type of information you
5 want.

6 Q Well, I assume that someone was making a decision as to
7 where to place ads, what time to place ads; how was this
8 decision made?

9 A Well, it originated with Judy Parsons at Alaska Adver-
10 tisers, and she made suggestions on how best to spend the
11 advertising budget based on her contact with the adver-
12 tising media, the TV stations.

13 Q To whom would she make these suggestions?

14 A She and I would, in this case, consult on what sugges-
15 tions she was making, then those suggestions were passed
16 along to Mr. Gottstein.

17 Q And Mr. Gottstein would approve or disapprove?

18 A Yes.

19 Q Did he convey any information to you or to Judy Parsons
20 to assist you in determining where and when to place
21 advertisements?

22 A No, not that I recall.

23 Q What would he say when you presented him with your con-
24 clusions or your suggestions as to where and when to
25 place?

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1 A Well, I'm not sure. I didn't -- I didn't communicate
2 with him directly with those suggestions.
3 Q Do you know what he said to Parsons or to anyone else at
4 Alaska Advertisers?
5 A Not specifically, no.
6 Q Do you have a general idea what he'd say?
7 A Well, normally, he would -- he would make any changes in
8 those suggestins that he thought were necessary as to
9 those.
10 Q Based on what would he make those changes?
11 A I don't know. I'm not sure.
12 Q Did he often make changes?
13 A I don't know.
14 Q How would you or Judy Parsons know where to -- and when
15 to place advertisements?
16 A Well, we -- we work on information provided by various
17 advertising media.
18 Q What information?
19 A Schedules of the costs of commercials; they're called
20 rate cards, and it's part of the job of being media in
21 any type of situation like this, to provide that informa-
22 tion to the agency.
23 Q Did you or Judy Parsons or anyone else at Alaska Adver-
24 tisers receive input as to the political strength of the
25 candidacy of Mr. Gruening in various parts of the state?

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1 A No, not that I recall. Not to my knowledge.

2 Q Did you receive any information as to the financial
3 situation of the Gruening campaign?

4 A Are we talking during the period of Friends of Alaska?

5 Q Yes.

6 A No.

7 Q Do you know who composed or produced the ads that Alaska
8 Advertisers placed for Friends of Alaska?

9 A I believe so, yes.

10 Q And what company or companies were those?

11 A The name that comes to mind is Justin Ward.

12 Q Had you ever heard of Justin Ward Advertising before.....

13 A No.

14 Qdealing with them in the context of FOA?

15 A No.

16 Q Do you know if Mr. Gottstein is associated with Justin
17 Ward Advertising, either as a manager or a part owner?

18 A No, I don't know.

19 Q You don't know if.....

20 A No.

21 Q Do you know if Mr. Gottstein played a role in composing
22 the substance of the advertisements which Alaska Adver-
23 tisers placed for Friends of Alaska?

24 A No, I don't know if he did or not.

25 Q To refresh my own memory, I have asked this before and

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1 I'm sorry: What subsequent contacts did you have with
2 anyone from Friends of Alaska, and that means any staff
3 member or Barnard Gottstein, subsequent to the initial
4 conversation with Gottstein?

5 MR. REITMAN: Counsel, you've asked a series of questions
6 which elicited responses as to what happened after the initial
7 contact; you're asking him, in effect, in the question to go
8 back over about 50 questions that you've asked. He's had con-
9 tacts -- why don't you rephrase the question?

10 Q How many phone conversations do you recall with Barnard
11 Gottstein, that you had with respect to Friends of Alaska?

12 A I don't remember the exact number. I would -- I would
13 say roughly 4, 5 or 6.

14 Q We have it clear what you said in your first conversation
15 but in the subsequent conversations what did you discuss
16 with Mr. Gottstein?

17 A We discussed day to day -- I can't think of the word I'm
18 trying to use. Daily communication about placement and
19 how we were doing as far as getting the schedule placed
20 on the stations for -- for airing.

21 Q Did these conversations mainly involve the mechanics of
22 that, in other words that you got them on at a certain
23 time and a certain date?

24 A Yes.

25 Q Did this conversation involve any discussion of any

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1 strategy connected with the placing?

2 MR. REITMAN: If you know what the word strategy means.

3 MR. LEVIN: Well, let me clarify, then:

4 Q Where best to place.

5 MR. REITMAN: You mean whether or not to put it on TV or
6 on radio, or whether to put it in newspapers? Is that your
7 question, Counsel?

8 Q Where best to put on which media to use.....

9 MR. REITMAN: Ask him one question at a time.

10 A Discussions about the best media to use, right. Yes,
11 there was some discussion of that.

12 Q And what did that discussion entail? Let me make that
13 easier. Did you or he give any reasons why an ad should
14 be placed on radio or TV or in the newspaper, as opposed
15 to -- in other words, radio as opposed to TV, TV as
16 opposed to newspapers?

17 A No, there was no discussion like that.

18 Q Was there discussion as to whether it would be best to
19 place in Fairbanks as opposed to Anchorage, or in Juneau
20 as opposed to Fairbanks, something along those lines?

21 A Yes.

22 Q And what did that discussion entail?

23 A Essentially dealt with how best to allocate the dollars,
24 the budget.

25 Q What considerations did you discuss in how best to

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1 allocate the dollars?

2 A Details about -- oh, about stations or newspapers in
3 those areas, such as the number of listeners each station
4 had, that sort of thing.

5 Q Were there any details as to Mr. Gruening's or Mr.
6 Gravel's strength politically in those areas?

7 A Not that I recall, no.

8 Q Did you have contact with anyone else from Friends of
9 Alaska, other than Mr. Gottstein, subsequent to your
10 initial conversation with Mr. Gottstein?

11 A Yes.

12 Q With whom?

13 A I can't -- I don't know if I can remember all of the
14 names. It was here in this building, as a matter of fact.
15 Norma Thompson was one; Richard Green -- I don't recall
16 any other.....

17 Q Tom Kelly?

18 A No, unh-unh.

19 Q What communications did you have with Norma Thompson?

20 A We were just introduced to each other.

21 Q On what occasion was this?

22 A It was in this building, for a -- I guess we were sub-
23 poenaed to appear.

24 Q You're referring to the suit in early August, 1980?

25 A I believe that's the same one, um-hum.

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1 Q On what occasion did you -- what communications did you
2 have with Richard Green?

3 A Again, I was just introduced to him at that same occasion.

4 Q Are those the only occasions upon which you had communi-
5 cations with either of those people?

6 A Yes.

7 Q Who else from Alaska Advertisers had communications with
8 Friends of Alaska staff or representatives?

9 A Judy Parsons did.

10 Q And what communications did she have?

11 A I'm not sure of all of the specifics. I know that she
12 was -- I believe she was in contact pretty much the same
13 way I was, to -- to keep everyone informed of -- of --
14 as far as placement of the advertising and -- and that
15 sort of thing, schedules.

16 Q Could you clarify that, keeping everyone informed?

17 A Well.....

18 MR. REITMAN: If you know who she was communicating with,
19 that's what he's asking. Do you know who she was communicating
20 with?

21 A I believe she communicated with Norma Thompson, like on
22 a daily basis, is my understanding.

23 Q And what did those communications consist of?

24 A To my knowledge, it was an indication of spots, adver-
25 tisements run and cost of advertisements that had been

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1 scheduled and were running.

2 Q Was there any discussion as to where the spots would best
3 be run and when the spots would best be run?

4 MR. REITMAN: Counsel, obviously if the contacts were
5 with Judy Parsons, you're asking him what the conversations
6 were. I mean.....

7 MR. LEVIN: Well, Judy Parsons may have told him.

8 MR. REITMAN: If Judy Parsons told you anything, you know
9 indicate where you got the information, if anything was given
10 to you.

11 A Would you repeat the question, please?

12 Q Did you speak -- do you have any knowledge -- did you
13 speak to Judy Parsons about her communications with Norma
14 Thompson?

15 A Yes.

16 Q You have knowledge of the content of those communications?

17 A Yes.

18 Q What was the content of those communications?

19 A It was a daily -- essentially, a daily log of commercials
20 run and costs of those commercials.

21 Q In any of the communications between Alaska Advertisers
22 and Friends of Alaska, including Barnard Gottstein in
23 Friends of Alaska, was any information as to the services
24 provided to Alaskans for Gruening exchanged?

25 MR. REITMAN: I don't.....

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1 MR. LEVIN: I'm sorry, I'll start over.

2 Q We have established that Alaska Advertisers and Friends
3 of Alaska had communications.

4 MR. REITMAN: We've established what, Counsel?

5 MR. LEVIN: That Alaska Advertisers and Friends of Alaska
6 had communications.

7 Q During any of those communications, was there a mention
8 of the services provided by Alaska Advertisers for
9 Alaskans for Gruening?

10 A I'm sorry, I lost track of the question.

11 Q I'll repeat: We've already established that there were
12 communications between Friends of Alaska and Alaska
13 Advertisers, and we have already established that Alaska
14 Advertisers provided services earlier, about eight months
15 prior to that, for Alaskans for Gruening. Okay, now.....

16 MR. REITMAN: He's in the summer of 1980 now. Go ahead.

17 Q In your conversations -- in the communications between
18 Alaska Advertisers and Friends of Alaska, was there any
19 mention of the services that Alaska Advertisers provided
20 for Alaskans for Gruening?

21 A No, not that I can recall. No.

22 Q Do you know if Barnard Gottstein was in contact with
23 Alaskans for Gruening or the Gruening campaign at this
24 time, at the time that Alaska Advertisers was placing the
25 ads for Friends of Alaska?

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1 A No, I don't know.

2 Q Do you know if Barnard Gottstein was in contact with
3 Clark Gruening at the time that Friends of Alaska was
4 providing services for Alaska Advertisers?

5 A No, I have no idea.

6 Q That Alaska Advertisers were providing services for
7 Friends of Alaska.

8 A No.

9 Q Did you ever pass on any information about Friends of
10 Alaska plans to anyone working for the Gruening campaign?

11 A No.

12 Q Did anyone on Alaska Advertisers' staff pass on informa-
13 tion about plans of Friends of Alaska to Alaskans for
14 Gruening?

15 A Not to my knowledge, no.

16 Q Do you know if any information was passed on by Alaska
17 Advertisers' staff to anyone else with the knowledge that
18 such information would be passed on to Alaskans for
19 Gruening?

20 MR. REITMAN: To anyone else other than -- all right, go
21 ahead.

22 MR. LEVIN: To anyone else, in this case.

23 A With the knowledge that that information would be passed
24 to.....

25 MR. REITMAN: Anyone. The question is whether you

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1 | communicated to A, who in turn would transmit the information
2 | to the Friends for Gruening.

3 | MR. LEVIN: To Alaskans for Gruening.

4 | MR. REITMAN: To Alaskans for Gruening.

5 | A Not to my knowledge, no.

6 | Q Did Barnard Gottstein or anyone else ever tell you not to
7 | contact Alaskans for Gruening or the Gruening campaign?

8 | A No.

9 | Q Did the subject of contact with the Gruening campaign
10 | ever come up in any conversations between Friends of
11 | Alaska staff and Alaska Advertisers staff?

12 | A Not to my knowledge, no.

13 | Q Okay, I've asked you before whether there was any dis-
14 | cussion in the course of the Alaska Advertisers-Friends
15 | of Alaska transactions about the activities you performed
16 | for Alaskans for Gruening. Now, you said that there was
17 | no discussion; does that include both you and anybody
18 | else affiliated with Alaska Advertisers?

19 | A Well, I know it includes me. I don't know about the
20 | rest of them.

21 | Q Did Alaska Advertisers, during 1979 or 1980, perform
22 | services for any other committee that was either advoca-
23 | ting the election of Gruening, the defeat of Gravel, or
24 | criticizing Senator Gravel?

25 | MR. REITMAN: Again, are these -- you know, the inquiry

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1 is supposed to be relegated to these two political groups,
2 the Alaskans for Gruening and Friends of Alaska, and I don't
3 know that we've had any contacts with any other groups
4 established or that it's a subject of inquiry. You can
5 rephrase the question, go ahead.

6 MR. LEVIN: I believe it's relevant.

7 MR. REITMAN: Repeat the question, Counsel.

8 Q Did Alaska Advertisers perform services for any commit-
9 tee.....

10 MR. REITMAN: Any political committee?

11 MR. LEVIN: Well, political committee is a term of art.

12 MR. REITMAN: Go ahead.

13 Qother than Friends of Alaska or Alaskans for
14 Gruening during 1979 or 1980, that advocated the election
15 of Gruening or the defeat of Gravel or that was critical
16 of Gravel?

17 MR. REITMAN: What do you mean by critical? The Friends
18 of Alaska group was critical of Gravel.

19 MR. LEVIN: Okay.

20 MR. REITMAN: So, the answer is that he did work for
21 Alaskans for Gruening, that was in support of Gruening; he
22 did work for Friends of Alaska, that was critical of Gravel.
23 That would be your answer.

24 Q Have you ever heard of the Free Alaska Lands Committee?

25 A Yes.

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1 Q Did Alaska Advertisers perform any services for the Free
2 Alaska Lands Committee?

3 MR. REITMAN: Objection, and direct the witness not to
4 answer any questions regarding the Free Alaska Lands Committee,
5 on the basis that the inquiry that is the subject of this
6 subpoena pertains to (a) the Friends of Alaska and (b) the
7 Alaskans for Gruening.

8 MR. LEVIN: Okay, it is relevant, along these lines, that
9 if the same people were involved in Free Alaska Lands Committee
10 then certainly the same lines of communication existed and
11 therefore I think it's relevant to our inquiry.

12 MR. REITMAN: Well, I don't concur and I believe it's
13 not relevant. It's not relevant to the subject matter which
14 is -- this subpoena pertains to a violation of the cited
15 statute by the Friends of Alaska and a possible violation of
16 another section by Alaskans for Gruening.

17 MR. LEVIN: The connection involve -- could involve
18 individuals having connections, and we're discussing individuals
19 who were engaged in a course of conduct that was either
20 critical of Gravel or advocating the defeat of Gravel and
21 there may have been several committees, and.....

22 MR. REITMAN: If you know, Counsel, what did the Free
23 Alaska Lands Committee pertain to? What did it involve? Was
24 that critical of Gravel? Did it pertain to Gruening's cam-
25 paign or Gravel's campaign? If you tell me how it's

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1 relevant in any way to the election campaign of 1980, then we
2 can pursue it.

3 MR. LEVIN: The information we have said it was critical
4 of Senator Gravel and his.....

5 MR. REITMAN: Of Gravel?

6 MR. LEVIN: Yes.

7 MR. REITMAN: Of Gravel, insofar as the election was con-
8 cerned? I'm not that familiar with it.

9 MR. LEVIN: We're not clear on that either.

10 MR. REITMAN: Okay. Well, my understanding is the Free
11 Alaska Lands Committee had something to do with the Alaska
12 Lands issue in Alaska, which was a subject of great interest
13 by all of Alaskans for many, many years, and it involves the
14 Alaska Native Claims Settlement Act and involved the whole
15 problem with the Department of the Interior, the governor of
16 the state of Alaska, and multitudinous groups that had
17 interest in what happened to the lands in Alaska. It didn't
18 pertain to the 1980 campaign -- election campaign. And, as
19 such, I don't think it's relevant.

20 MR. LEVIN: I'll just state that we have indications that
21 it was the same people involved in Friends of Alaska and.....

22 MR. REITMAN: Could be. Political expression is still a
23 -- one of the rights that we have in this country, and the
24 fact that a person is in Group A, B, C or D doesn't necessarily
25 mean there's anything improper about it or it has anything to

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1 do with your inquiry. And your inquiry can't extend to
2 political beliefs or to.....

3 MR. LEVIN: I don't believe my inquiry pertains to that.

4 MR. REITMAN:anything other than this election of
5 1980. As far as I'm concerned, I don't think it's relevant
6 and I'd direct the witness not to respond with regard to Free
7 Alaska Lands Committee. I'm going to direct the witness not
8 to respond.

9 Q Again, did Alaska Advertisers perform any services during
10 1979 or 1980 for any committee that advocated the elec-
11 tion of Clark Gruening or the defeat of Mike Gravel or
12 was critical of Senator Gravel, other than Friends of
13 Alaska or Alaskans for Gruening?

14 MR. REITMAN: Again, Counsel, that assumes, number one,
15 that the witness, of course, is familiar with the contents of
16 the ad. Now, he responded with regard to Alaskans for Gruening
17 and for Friends of Alaska that he had no knowledge of or
18 interest in nor had anything to do with the framing of the
19 production of the media spots. So whether or not it's critical
20 or not is a matter of -- that is a subjective question, to
21 begin with. In any event, if it pertains to Alaska Lands Com-
22 mittee -- the Free Alaska Lands Committee, I instruct the
23 witness not to respond.

24 Q Other than the Free Alaska Lands Committee, did Alaska
25 Advertisers provide services for committees supporting

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1 the election of Gruening or opposing the election of
2 Gravel or opposing the record -- or criticizing the
3 record of Senator Gravel?

4 MR. REITMAN: Okay, again, I object to your question.
5 The inquiry is supposed to be directed to these two committees,
6 the activities of these two groups, that's the only subject
7 matter of this inquiry.

8 Q Please answer the question.

9 MR. REITMAN: I direct the witness not to respond to that
10 question.

11 MR. THOMAS: Can the witness respond?

12 MR. REITMAN: Well, the witness can say: On advice of
13 counsel, I decline to answer the question. That would be the
14 response.

15 A Okay, on advice of counsel, I'm instructed not to respond.

16 MR. LEVIN: I'd like to break for five minutes.

17 (Off record)

18 Q In the supplement to the complaint that you received,
19 filed by the Friends of Mike Gravel in August.....

20 MR. REITMAN: Do you know what he's talking about?

21 A I don't recall.

22 MR. REITMAN: Did you ever receive the complaint?

23 A I don't recall.

24 MR. REITMAN: Go ahead. Excuse me, Counsel.

25 Q In August 1980 there was a complaint received by the

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1 Federal Election Commission which this matter is being
2 acted upon, and in the supplement to that complaint which
3 we mailed to you it is stated.....

4 MR. REITMAN: Why don't we show him.

5 MR. LEVIN: Okay, why don't we show it to him, it'll make
6 it a lot easier.

7 MR. REITMAN: We can go off the record for a moment.

8 MR. LEVIN: Go off record.

9 (Off record)

10 Q Do you recall receiving a supplement to the complaint by
11 the Friends of Mike Gravel in August 1980?

12 A Yes, is that it? I recall receiving that, if that's the
13 supplement.

14 MR. LEVIN: For the record, this is a copy of the supple-
15 ment to the complaint filed by the Friends of Mike Gravel which
16 initiated this matter. This is dated August 11, 1980, and
17 it's a memorandum to Kenneth Cross of the Federal Election
18 Commission from Charles L. Fishman, subject: Friends of
19 Alaska Committee.

20 MR. REITMAN: And Fishman was Gravel's attorney?

21 MR. LEVIN: Correct, Fishman was Gravel's attorney.

22 Q In this supplement it is stated.....

23 MR. REITMAN: Alleged.

24 Q Okay, it is alleged: No advertisements have been placed
25 on any stations in any area of the state where Senator

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1 Gravel's Primary opponent Clark Gruening holds a lead in
2 the polls. The officials of the Friends -- okay, let's
3 see if -- that would be it, okay?

4 MR. REITMAN: Do you understand the question?

5 MR. LEVIN: We'll have to ask the question.

6 Q Now, you have stated that in discussing placement of
7 advertisements with Mr. Gottstein you discussed avail-
8 ability of time slots and you did not discuss political
9 considerations. Are you saying that you did not discuss
10 considerations of where these ads might best serve the
11 election effort of Mr. Gruening?

12 A The ads for Friends of Alaska?

13 Q Yes.

14 A Could you repeat the question, please? I'm sorry, could
15 you repeat it?

16 Q Okay. I've read you the statement from the supplement.

17 MR. REITMAN: Let me just -- so I understand, the state-
18 ment basically alleged that in placing these radio spots on
19 the air that the spots were deliberately placed in those areas
20 where Gravel was ahead, and weren't placed in the areas where
21 Gravel -- or Gruening was ahead. In other words, the idea was
22 that -- the implication is that the ads were only used in the
23 areas where Gravel was running strong. Is that a fair charac-
24 terization of it?

25 MR. LEVIN: That's a fair characterization.

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1 MR. REITMAN: Okay, now he wants to ask you your role.

2 Go ahead.

3 Q You have stated that the basic consideration was avail-
4 ability of space, is that correct?

5 A Yes.

6 Q And are you also saying that you and Mr. Gottstein did
7 not even discuss the factor of where ads would best be
8 placed to aid the Gruening election effort?

9 A Yes, I'm saying that.

10 Q Okay. Did you do any volunteer work for Alaskans for
11 Gruening?

12 A No.

13 MR. REITMAN: Volunteer meaning non-paid?

14 MR. LEVIN: Non-paid.

15 Q Outside the context of working for Alaska Advertisers,
16 did you do any paid work for Alaskans for Gruening?

17 A No.

18 Q Or for Friends of Alaska?

19 A No.

20 Q Did you attend any fund raisers for the Gruening campaign?

21 A No.

22 Q I'm going to read a list of names and ask if you've had
23 any contact with these people, and they're all within the
24 framework of these two committees.

25 MR. REITMAN: Fair enough, Counsel.

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1 Q Clark Gruening?

2 A No.

3 Q Okay, we've established that you had communication with
4 John Hale. Melinda Gruening?

5 A No.

6 Q Richard Angell? That's spelled A-n-g-e-l-l.

7 A No.

8 Q He was the chairman of Alaskans for Gruening.

9 A No.

10 Q Floyd Smith?

11 A No.

12 Q Eivin Brudie?

13 A No.

14 Q Luann Dimond?

15 A No.

16 Q Rick Mystrom?

17 A No.

18 Q Larry Holstrom?

19 A No.

20 Q Charles Dunnagan?

21 A No.

22 Q Did anyone that you ever communicated with in helping to
23 set up the FOA advertisements indicate that they had com-
24 municated with the Gruening campaign with reference to
25 the advertisements?

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1 MR. REITMAN: Did you understand that?

2 A Yes. You're asking if anybody that I talked to about
3 Friends of Alaska communicated with the Gruening campaign?

4 Q Yes, indicated that they had communicated with the
5 Gruening campaign.

6 A No.

7 Q Did Barnard Gottstein ever tell you that somebody working
8 for the Gruening campaign suggested that he set up a com-
9 mittee?

10 A No.

11 Q Did anyone from Friends of Alaska suggest to you -- I'm
12 sorry. Did anyone else from Friends of Alaska ever tell
13 you that anyone working for the Gruening campaign sug-
14 gested to them that they set up a committee?

15 A No.

16 Q Okay. How about did anyone from Friends of Alaska, either
17 Gruening or anybody else, tell you that.....

18 MR. REITMAN: Strike the question, Counsel.

19 Q Did anyone from Friends of Alaska, that's including
20 Barnard Gottstein, I'm sorry, ever tell you that anyone
21 working for the Gruening campaign suggested that they do
22 advertisements for Gruening or against Gravel, or criti-
23 cal of Gravel?

24 A I'm not sure I understand the question.

25 Q Okay, it's basically the same question as before, only

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1 instead of committees we're talking about just doing --
2 setting up a committee, we're talking about just doing
3 an advertisement.

4 A No.

5 Q Did anybody you talked to ever tell you how Friends of
6 Alaska was formed or why Friends of Alaska was formed?
7 First, how Friends of Alaska was formed?

8 A No.

9 Q Why Friends of Alaska was formed?

10 A No.

11 MR. LEVIN: I have no further questions.

12 MR. REITMAN: No questions.

13 (Off record)

14 MR. REITMAN: This is Stanley H. Reitman speaking on
15 behalf of the witness, Mr. Steve Oien. In a colloquy that
16 was off the record it's been indicated by counsel for the com-
17 mission that the deposition of Mr. Oien that has just been
18 taken will not be made available to either the witness, Mr.
19 Steve Oien, or Friends of Alaska or Alaskans for Gruening, on
20 an alleged provision in the statute which provides for con-
21 fidentiality. At this time I'd like to register my objection
22 and request that a copy of the deposition, when transcribed,
23 be given to the witness and his counsel.

24 MR. THOMAS: Let me just clarify the position of the com-
25 mission. I did indicate to Mr. Reitman that the investigation

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1 that we're conducting is subject to the confidentiality pro-
2 vision of 2 United States Code, Section 437(g)(a)12(A) and
3 that provision provides that any investigation shall not be
4 made public by the commission or any person without the written
5 consent of the person receiving notification of an alleged
6 violation or a person with respect to whom such investigation
7 is made. And the commission has not received any such written
8 consent in this investigation. I've also indicated to Mr.
9 Reitman that because of the nature of this investigation, it's
10 not a civil proceeding, an adjudication, it's an investigation
11 by an investigative agency, and that we feel we have good
12 cause for withholding the transcript of -- a copy of this
13 deposition from the witness. Of course, the witness is
14 entitled to inspect the original of the transcript of the
15 deposition and to make any corrections that he feels are
16 appropriate, pursuant to ordinary procedures, but in terms of
17 making a copy available and having a copy go outside to the
18 witness or to outside parties, that is what we are stating we
19 cannot allow.

20 MR. REITMAN: By way of clarification, Counsel, if the
21 consent of the group under investigation or the persons under
22 investigation is given to the commission, does that prohibi-
23 tion against dissemination still pertain, or -- in other words
24 it would seem to me, just as you read that statute, that if
25 either the Friends of Alaska or the Alaskans for Gruening were

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1 to give their consent to, for example, Mr. Oien getting a
2 deposition, there wouldn't be any objection.

3 MR. THOMAS: Well, the confidentiality provision I men-
4 tioned is an absolute prohibition to our doing this at this
5 time. Should such consent be received, it would be one factor
6 to consider; however, I also indicated that, as you may know,
7 there is also a statutory provision in the Administrative Pro-
8 cedure Act, Section 555(c), that allows an agency with good
9 cause in an investigation to withhold copies of transcripts
10 from witnesses, and we're basing our position also on that
11 provision. So that if such consent were received, we would
12 not at this time allow that to take place. Of course, you
13 can understand we're in the middle of an investigation and we
14 have other people that we have to talk to, so perhaps a sub-
15 sequent request, later on in the investigation, could be made
16 and the position might be different, assuming then also that
17 the written consent for making the investigation public had
18 been received as well.

19 MR. REITMAN: Just for my edification, would you mind
20 giving the cites slowly, please? First, with the statute.

21 MR. THOMAS: The first provision is 2 United States Code
22 Section 437(g)(a)(12)(A). And the Administrative Procedure
23 Act cited is 5 United States Code 555(c).

24 MR. REITMAN: Thank you.

25 ***END OF PROCEEDINGS***

83040405560

C E R T I F I C A T E

1
2 UNITED STATES OF AMERICA)
3 STATE OF ALASKA)

4 I, ROMA L. AKULAW, Notary Public in and for the State of
5 Alaska, residing at Anchorage, Alaska, do hereby certify:

6 That the annexed and foregoing deposition of STEVE OIEN
7 was taken before me on the 4th day of August, 1981, beginning
8 at the hour of 9:00 o'clock a.m., at the U.S. Federal Court
9 and Office Building, 701 C Street, Room E-508, Anchorage,
10 Alaska, pursuant to Notice to take said deposition on behalf
11 of the Federal Election Commission;

12 That the above named witness, before examination, was
13 duly sworn to testify to the truth, the whole truth, and
14 nothing but the truth;

15 That this deposition, as heretofore annexed, is a true
16 and correct transcription of the testimony of said witness,
17 taken by me electronically and thereafter transcribed by me;

18 That the deposition is being retained by Akulaw Court
19 Reporting for the purpose of filing the same with the Federal
20 Election Commission.

21 I am not a relative or employee or attorney or counsel of
22 any of the parties, nor am I financially interested in this
23 action.

24 IN WITNESS WHEREOF, I have hereunto set my hand and
25 affixed my seal this 5th day of August, 1981.

Roma L. Akulaw

Notary Public in and for Alaska

My commission expires 11/30/84

AKULAW COURT REPORTING

700 H Street, Suite 5 Anchorage, Alaska 99501 (907) 274-3242

83040405561



21 SEP 3 AM: 51

MEMORANDUM

TO: BARNEY GOTTSTEIN

FROM: JUDY PARSONS, Adv.

Following is a list of the television purchase and dates involved in the October buy for Clark Gruening:

Cable Network	Oct. 14-16	642.00
KATV, Ketchikan	Oct. 12-14	126.00
JATV, Juneau	Oct. 12-14	210.00
KSA-TV, Sitka	Oct. 12-14	90.00
KIPW-TV, Sitka	Oct. 12-14	102.00
KINY-TV, Juneau	Oct. 12-14	85.00
KTVF-TV, FERS.	Oct. 12-14	250.00
KPAR-TV, Fbks.	Oct. 12-14	196.00
KENI-TV, Anch.	Oct. 12-14	420.00
KIMO-TV, Anch.	Oct. 12-14	470.00
KTVA-TV, Anch.	Oct. 12-14	350.00

Judy Parsons

DEPOSITION EXHIBIT
FEC-1
01510

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01 SEP 3 AM: 51

01 SEP 3 P 3: 29

GENERAL INVESTIGATIVE DIVISION

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
FRIENDS OF ALASKA, et al.) MUR 1272

DEPOSITION OF JUDITH L. PARSONS

APPEARANCES:

FOR THE COMMISSION: JONATHAN LEVIN
Attorney at Law
and
SCOTT THOMAS
Attorney at Law

FOR MS. PARSONS: STANLEY H. REITMAN
Attorney at Law
1007 West Third Avenue
Suite 400
Anchorage, Alaska 99501

* * *

PURSUANT TO NOTICE, the deposition of JUDITH L. PARSONS was taken before Roma L. Akulaw, Notary Public in and for the State of Alaska, at the U.S. Federal Court and Office Building, 701 C Street, Room E-508, Anchorage, Alaska, on the 4th day of August, 1981, beginning at the hour of 1:30 o'clock p.m.

* * *

AKULAW COURT REPORTING

700 H Street, Suite 5 Anchorage, Alaska 99501 (907) 274-3242

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P R O C E E D I N G S

JUDITH L. PARSONS

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first duly sworn under oath, testified as follows on examination:

BY MR. LEVIN:

Q State your name, please?

A Judith L. Parsons, P-a-r-s-o-n-s.

Q And your place of business?

A I'm a free-lance media buyer.

Q And so you are self-employed?

A I'm self-employed, yes.

Q Do you own your own company?

A Yes.

Q And what was your previous place of business?

A I have been so -- oh.

Q Your immediately previous place of business.

A I've been self-employed for 10 years.

Q Did you ever work for Alaska Advertisers?

A I do free-lance media buying, yes, sir.

Q So every now and then you provide services for Alaska Advertisers?

A Yes.

Q But you are not, per se, employed by them?

A No.

Q And how long have you been doing off and on services for Alaska Advertisers?

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1 A About eight years.

2 Q What kinds of duties do you perform as media services?

3 A I place radio, television and print media for various
4 agencies or clients.

5 Q Have you ever done any work with any other companies that
6 Barnard Gottstein is involved in?

7 A No.

8 Q Were you involved in the media time buy for Alaskans for
9 Gruening?

10 A Yes.

11 Q And when did that occur?

12 A The fall of 1979.

13 Q When were you first apprised as to Alaskans for Gruening
14 wishing to obtain the services of Alaska Advertisers?

15 A About two weeks prior to the actual buy.

16 Q And how were you informed of that?

17 A I was informed by my boss at the time that we would be
18 getting a buy, or that I would be placing a buy, for
19 Alaskans for Gruening.

20 Q Who was your boss?

21 A My boss at the time was Steve Oien.

22 Q I see. Okay, I'm a bit confused. In selling out your
23 services to Alaska Advertisers, is that for a specific
24 period of time, or for a specific project? How does that
25 work?

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1 A At the time, I was on a retainer with the agency and made
2 their normal media buys.

3 Q I see. Did you -- was that the only agency with whom you
4 were on a retainer at the time?

5 A At the time, yes.

6 Q So you were putting in a full week, or a full work week?

7 A Not really, no. Part-time. Very part-time.

8 Q But that took up all of your work time, that kind of.....

9 A Yes.

10 Q What did you learn at the time that you were apprised of
11 the Alaska Advertisers-Alaskans for Gruening transaction?
12 I mean, what were you told specifically when you first
13 learned about that?

14 A Just that I would be making a statewide media buy for the
15 committee.

16 Q Were you told anything about the advertisements them-
17 selves?

18 A No.

19 Q Were you told anything about the campaign?

20 A No.

21 Q Were you told anything about who was involved in the
22 campaign?

23 A No.

24 Q Would you have knowledge as to how the transaction between
25 Alaska Advertisers and Alaskans for Gruening originated,

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1 | who approached whom?

2 | A No.

3 | Q Would you know if Barnard Gottstein were involved in the
4 | initiation of the transaction?

5 | A No.

6 | Q So -- this may seem like a repeat. So, were you involved
7 | at all in the initial approaches? You were not involved
8 | in that?

9 | A No.

10 | Q You were merely told that you would be performing this
11 | service after the transaction was set up?

12 | A Yes, sir.

13 | Q I see. What other services did Alaska Advertisers per-
14 | form for Alaskans for Gruening?

15 | A None that I know of.

16 | Q Could you elaborate on what -- how you performed your
17 | function? In other words, what did your buying of time
18 | entail?

19 | A I placed a television buy for the Alaskans for Gruening,
20 | on instructions of the committee.

21 | Q So you communicated with people at the committee?

22 | A One individual.

23 | Q With whom did you communicate?

24 | A John Hale.

25 | Q Did John Hale say -- did John Hale discuss with you the

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1 financial needs of the campaign?

2 A No.

3 Q The financial abilities of the campaign?

4 A No.

5 Q Did you discuss with John Hale where to best have these
6 ads placed and when to have these ads placed?

7 A I'm sure I did.

8 Q What factors did you discuss to -- as a basis for a
9 decision as to where to place ads and when to place ads?

10 A That was a long time ago. I really don't recall. I
11 think I was just advised to make a statewide television
12 buy for them.

13 Q So what factors did you consider when you decided where
14 to place ads and when to place ads?

15 A I think I used every television station there was. I
16 don't think there was a choice.

17 Q Did you speak with Steve Oien about the services that you
18 performed?

19 A Oh, I'm sure I did. Not as far as his decisions, no.

20 Q What do you mean, his decisions?

21 A He just informed me that I would be making this buy. I
22 think that's really the only contact, as far as the
23 actual buy was concerned.

24 Q Did you report to him as to what buys you actually made?

25 A Not necessarily, no.

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1 Q What decisions did Mr. Oien make?

2 A None that I'm aware of.

3 Q In discussing this, and maybe this is a repeat, but in
4 discussing this with Mr. Hale did you take into considera-
5 tion political considerations, and by that I mean the
6 strength of Mr. Gruening's candidacy in certain areas,
7 the ability to pay?

8 A No.

9 Q So this was more or less merely your assessment of what
10 time on a station was available, what station was avail-
11 able?

12 A Yes.

13 Q And you filled up those spaces.....

14 A Yes.

15 Qto the extent that was financially feasible?

16 A Feasible, yes.

17 Q Did you have any communications with Barnard Gottstein
18 in the course of your performance of duties for Alaska
19 Advertisers for the media buy for Alaskans for Gruening?

20 A For the media buy, no.

21 MR. LEVIN: I'd like to have the reporter mark this as
22 FEC Exhibit 2.

23 MR. REITMAN: That's 1 for this deposition.

24 MR. LEVIN: All right.

25 (Deposition Exhibit FEC-1 marked)

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1 Q I am now showing this to Judith Parsons and her counsel,
2 Stanley Reitman. This is FEC Exhibit Number 1. Have
3 you seen FEC Exhibit Number 1 before?

4 A Yes.

5 Q Can you identify what it is?

6 A It is a memorandum to Barney Gottstein from Judith Parsons
7 which lists the television buys and dates involved.

8 Q When have you seen that before?

9 A I sent this on instructions, to Mr. Gottstein, after the
10 buy was made.

11 Q This is after the October buy?

12 A Yes.

13 Q And prior to the -- was there a November buy?

14 A No, this was the only thing we did for them.

15 Q On whose instructions did you send this memorandum?

16 A Steve Oien's.

17 Q Did you send any other memorandums to Mr. Gottstein?

18 A Not on Alaskans for Gruening, no.

19 Q Is this the only commun -- sorry if this is a repeat.

20 Is this the only communication that you had with Mr.
21 Gottstein with regard to the media buy?

22 A Yes.

23 Q Orally or written?

24 A Yes.

25 Q You said that that was the only communication about a

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1 media buy. Did you have any -- on the media buy. Did
2 you have any communications with regard -- with Mr.
3 Gottstein, with regard to the entire Alaskans for Gruening-
4 Alaska Advertisers transaction?
5 A No.
6 Q None whatsoever. Why did Mr. Oien give you the instruc-
7 tions to send this memorandum to.....
8 A I don't know.
9 Q Do you know why Barnard Gottstein would want to be
10 apprised of this information?
11 A No.
12 Q Do you know what he would do upon receiving this informa-
13 tion?
14 A No.
15 Q Do you know if he took any actions based upon this?
16 A No.
17 Q Did -- in the course of the AFG -- Alaskans for Gruening-
18 Alaska Advertisers transaction, did you communicate with
19 anybody knowing that what was said during this communica-
20 tion would be relayed to Barnard Gottstein?
21 A No, other than this.
22 Q Other than FEC Exhibit 1?
23 A Yes.
24 Q Do you know if Barnard Gottstein communicated with anybody
25 else at Alaska Advertisers with the intent that that

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1 communication be passed on to you?

2 A No.

3 Q What communications did you have with Alaskans for
4 Gruening?

5 MR. REITMAN: She indicated she had some contact with
6 John Hale.

7 A With John Hale.

8 Q Okay.

9 A He is the only contact I had, except one with Clark
10 Gruening.

11 Q Okay, what was that contact with Clark Gruening?

12 A We had a production problem on the buy, it was a Friday
13 night and I couldn't get ahold of anyone else, John Hale
14 or any of the other production people, to have a decision
15 made on a placement.

16 Q What do you mean by a production problem?

17 A A particular television station claimed that the dis-
18 claimer on the spot was not proper.

19 Q So you had to communicate with Clark Gruening because no
20 one else was available?

21 A Yes.

22 Q Now, as to your communications with John Hale, what were
23 those communications?

24 A Just with regard to the media buy and payment.

25 Q What kinds of information? What information was exchanged

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1 in those contacts?

2 A We just discussed the statewide television buy, and I
3 gave him a schedule and a dollar amount for the television
4 buy.

5 Q Did he convey anything as to the reasons -- or did you
6 convey -- I'm sorry. Did either one of you convey to
7 each other anything as to the reasons for certain loca-
8 tions and certain times?

9 A No.

10 Q Did Mr. Gottstein suggest that any staff persons of Alaska
11 Advertisers work for the Gruening campaign, other than
12 services provided for Alaskans for Gruening?

13 A No.

14 Q Did he ever ask for a contribution to the Gruening
15 campaign?

16 A Not that I know of.

17 Q Did any staff persons work for the Gruening campaign,
18 other than in connection with the purchase of advertising?

19 A Not that I'm aware of.

20 Q Do you know who produced or composed the ads which you
21 placed?

22 MR. REITMAN: Pardon me, Counsel, it might be helpful to
23 specify which.

24 MR. LEVIN: I'm sorry, you're right.

25 Q You placed for Alaskans for Gruening.

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1 A No.

2 Q Again, I may have asked this before, and forgive me. Do
3 you know of any communications by anyone in Alaska
4 Advertisers with Mr. Gottstein during the course of this
5 Alaskans for Gruening-Alaska Advertisers transaction?

6 A No.

7 Q Do you know of any communication with someone which was
8 then -- which communication was then transferred to
9 Barnard Gottstein?

10 A No.

11 Q Do you know of any communication from Barnard Gottstein
12 that was then transferred -- to an intermediate person
13 which was then transferred over to Alaska Advertisers?

14 A No.

15 MR. REITMAN: That's an odd -- it's.....

16 MR. LEVIN: Okay, I'll rephrase.

17 Q Well, it's basically the reverse of the other question.
18 In other words, did Gottstein speak to somebody who then
19 spoke to Alaska -- relayed the message to Alaska Adver-
20 tisers or anybody on that staff?

21 A I'm not aware of any, no.

22 MR. REITMAN: Other than Steve Oien, she testified.

23 A Other than Steve Oien.

24 MR. LEVIN: Right.

25 Q And that was with respect to this memorandum.....

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1 A Yes.

2 Qand respect to nothing else?

3 A No.

4 Q When was the last time Alaska Advertisers provided
5 services for the Gruening campaign?

6 A Upon this buy.

7 Q Why didn't -- well, before I ask that, are you familiar
8 with a November buy for \$168.00?

9 A November buy?

10 Q Yes, November 1979.

11 A Oh, yes.

12 Q Was there any contact with Mr. Gottstein with respect to
13 that?

14 A No.

15 Q By Alaska Advertisers?

16 A No.

17 Q Why didn't Alaska Advertisers provide services for
18 Alaskans for Gruening after that date?

19 A I believe they got another advertising agency, hired
20 another advertising agency.

21 Q Do you know why they felt they had to go to another
22 advertising agency?

23 A No.

24 Q I'm going to ask this question, and it's not necessarily
25 a repeat because it has to do with anybody in general.

8 3 0 4 0 4 5 5 7 5

1 Did you have any discussions as to the political con-
2 siderations, that is where best to place ads for politi-
3 cal reasons, with anybody with the Gruening campaign or
4 in Alaska Advertisers?

5 A No.

6 Q Were you involved at all in setting up the arrangement
7 between Alaska Advertisers and Friends of Alaska whereby
8 Alaska Advertisers would provide services for Friends of
9 Alaska?

10 A No.

11 Q Do you have any knowledge as to how Friends of Alaska
12 came to provide services for Alaska Advertisers?

13 A No.

14 Q Do you know if Barnard Gottstein approached Friends of
15 Alaska?

16 A No.

17 Q So I assume you know none of the details of how this was
18 set up?

19 A No.

20 Q Either firsthand or second hand?

21 A No.

22 Q Would you know of any role that Barnard Gottstein played
23 in the initial stages, that is in the setting up?

24 A No.

25 MR. REITMAN: What are we talking about, Counsel?

AKULAW COURT REPORTING

8 3 0 4 0 4 5 5 7 6

1 MR. LEVIN: Of Friends of Alaska.

2 MR. REITMAN: Thank you. Do you know if Barnard Gottstein
3 had any role to play in the formation of Friends of Alaska?

4 MR. LEVIN: Well, in the approaching of Alaska Advertisers
5 too.

6 MR. REITMAN: On behalf of Friends of Alaska?

7 MR. LEVIN: On behalf of Friends of Alaska.

8 MR. REITMAN: If you know.

9 A Would you restate the question?

10 Q Sure. Well, I'll state it this way: Do you know what
11 role Barnard Gottstein played in Friends of Alaska
12 approaching Alaska Advertisers to set up.....

13 A No.

14 Qad placement?

15 A No.

16 Q Once it was decided that Alaska Advertisers would perform
17 services for Friends of Alaska, what role did you play
18 in this transaction?

19 A I made the statewide media buy for the Friends of Alaska.

20 Q Did these services differ at all from the services you
21 provided for Alaskans for Gruening?

22 A No.

23 Q When were you first apprised of the Friends of Alaska-
24 Alaskans for Gruening transaction?

25 A Summer of 1980, I guess.

AKULAW COURT REPORTING

8 3 0 4 0 4 5 5 7 7

1 Q Is it possible that you could be more specific? Do you
2 know.....

3 A July.

4 Q Do you know when in July?

5 A No.

6 Q Did you have any contacts with Barnard Gottstein during
7 your performance of services?

8 A Yes, sir.

9 Q And what were those contacts?

10 A Oh, initially to talk about the media buy, for me to give
11 him my suggestions, and he gave me instructions as to how
12 I should report on the media buy.

13 Q What were your suggestions?

14 A- I suggested the buy that was eventually made.

15 Q And on what basis did you make those suggestions? What
16 factors did you discuss?

17 A Well, it was my suggestion to him that we place the
18 percentage in areas that we did.

19 Q Why did you pick those areas?

20 A Voter numbers, basically.

21 Q Numbers of voters?

22 A Yes.

23 Q Did you consider the strength of Mr. Gruening in those
24 areas?

25 A No.

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AKULAW COURT REPORTING

700 H Street, Suite 5 Anchorage, Alaska 99501 (907) 274 3242

- 1 Q Did you consider the ability of the Gruening campaign to
2 pay for its own campaign in those areas?
- 3 A No.
- 4 Q Okay, so we have established that you did not discuss the
5 strength of Gruening in those certain areas or the
6 financial ability of the Gruening campaign to pay. What
7 factors were there? Did you discuss availability of
8 space on the radio stations and the television stations?
- 9 A No, I just gave him my suggestions as to how I felt the
10 media buy should be made.
- 11 Q So you gave the suggestion as to voter strength. Did you
12 give any other suggestions?
- 13 A No.
- 14 Q That was the one suggestion?
- 15 A Um-hum (affirmative).
- 16 Q And what did he say to you?
- 17 A I don't remember.
- 18 Q Did he discuss any aspect of the Gruening campaign with
19 you?
- 20 A No.
- 21 Q Did he say why he wanted to do this, to have ads placed
22 for this committee?
- 23 A No.
- 24 Q Did he say why he wanted to set up this committee?
- 25 A No.

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AKULAW COURT REPORTING

700 H Street, Suite 5 Anchorage, Alaska 99501 (907) 274-3242

1 Q Did he mention a meeting at a firm called Mystrom
2 Advertising where, in the company of the candidate, Clark
3 Gruening, and his wife and Mr. Hale and Mr. Mystrom and
4 someone from the Gruening campaign, he viewed Gruening
5 ads that he did not like?

6 A No.

7 Q Doesn't ring a bell?

8 A No.

9 Q What other contacts did you have with Barnard Gottstein?

10 A I believe I talked to him on the phone a couple of times
11 after that.

12 Q And what did you say during these contacts?

13 A We discussed the media buy. I really don't recall, but
14 just basically the media buy.

15 Q What would you tell him? When you say the media buy, do
16 you merely mean where you have made your purchases
17 already and where you planned to make new purchases?

18 A Yes.

19 Q Did it go beyond that, to the reasons why these purchases
20 were made and why you would make new purchases?

21 A No.

22 Q With whom else at Friends of Alaska would you be in con-
23 tact?

24 A My initial contact probably was with Tom Kelly, and I
25 had to call Mr. Kelly in Roche Harbor, Washington to get

AKULAW COURT REPORTING

8 3 0 4 0 4 5 5 3 0

1 a letter of authorization for the agency to place the
2 media. That's required by the stations.

3 Q What was Mr. Kelly's position with.....

4 A I presume he was chairman.

5 Q And what did you discuss with Mr. Kelly?

6 A I just asked him to send us a letter of authorization.

7 Q With whom else from the committee did you have.....

8 A The only other contact I had was with a woman by the name
9 of Norma Thompson.

10 Q And what did those contacts consist of?

11 A I called her on a regular basis with figures, media cost
12 figures.

13 Q Did you discuss anything beyond that?

14 A No.

15 Q Did anyone else from Alaska Advertisers, to your knowledge,
16 have any communications with Mr. Gottstein or staff of
17 Friends of Alaska?

18 A I presume Mr. Oien would have.

19 Q Do you know what the content of his conversations was?

20 A No.

21 Q Do you know with whom he communicated?

22 A Mr. Gottstein, I believe.

23 Q In any of your conversations with Mr. Gottstein, did he
24 discuss with you or mention to you at all the services
25 performed by Alaska Advertisers for Alaskans for Gruening?

8 3 0 4 0 4 5 5 3 1

AKULAW COURT REPORTING

1 A No, sir.

2 Q Did he mention the Gruening campaign at all?

3 A No, sir.

4 Q Did he mention Clark Gruening at all?

5 A No.

6 Q Do you know if Barnard Gottstein played a role in com-
7 posing the advertisements?

8 A No, sir.

9 MR. REITMAN: These are Friends of Alaska, Counsel?

10 MR. LEVIN: Yes, thank you.

11 Q For Friends of Alaska. You do not know if he did have a
12 role?

13 A No.

14 Q In the course of your dealings with Mr. Gottstein as it
15 pertains to the Friends of Alaska transaction, did it
16 appear to you that Mr. Gottstein was acting on behalf of
17 Friends of Alaska, or was he acting as someone controlling
18 Alaska Advertisers?

19 A I don't really have an opinion.

20 MR. REITMAN: That's a very vague question.

21 Q Let me ask you this, did you get the impression that Mr.
22 Gottstein was acting on behalf of Friends of Alaska?

23 A Yes.

24 Q Did you have any communications with a Carolyn Gay, or
25 better known as Kelly Gay?

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AKULAW COURT REPORTING

1 A

No.

2

MR. LEVIN: I'd like to break for three minutes.

3

(Off record)

4 Q

Did you discuss your activities in the Alaska Advertisers-Alaskans for Gruening transaction with any staff member of FOA?

7 A

No.

8 Q

FOA meaning Friends of Alaska.

9 A

No, sir.

10 Q

That includes Barnard Gottstein.

11 A

No.

12 Q

Did you discuss your -- did you discuss the Alaska Advertisers-Alaskans for Gruening transaction with anybody with the knowledge that that person would pass it on to Friends of Alaska?

16 A

No.

17 Q

Again, do you know if there was a discussion between anybody and Friends of Alaska with the intent that that would be passed on to you?

20

MR. REITMAN: The question really is not a clear question.

21

MR. LEVIN: It's the same story as with the intermediary.

22

I realize that's confusing every time I try to phrase it.

23 Q

Assume that Friends of -- well, let's not assume anything, but do you know if someone at Friends of Alaska had a conversation with any person and that the content was then

25

AKULAW COURT REPORTING

700 H Street, Suite 5 Anchorage, Alaska 99501 (907) 274-3242

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1 passed on to you?

2 MR. REITMAN: Vis-a-vis what?

3 MR. LEVIN: Vis-a-vis the Alaskans for Gruening activities.

4 MR. REITMAN: Okay.

5 A No.

6 Q Would such a passing on have occurred with respect to
7 anybody at Alaska Advertisers? Did such a passing on?

8 A Not that I'm aware of.

9 Q I'm curious about one thing you said before in terms of
10 your contacts with Barnard Gottstein. Did you communi-
11 cate with Barnard Gottstein at any time outside of the
12 FOA transaction and this memorandum, FEC Exhibit 1?

13 A No, sir.

14 Q So you have not been on a communicating basis with him at
15 all.....

16 A No, sir.

17 Qprior to any of these transactions?

18 A No.

19 Q Wasn't there a problem about some stations refusing to
20 air advertisements?

21 A Yes, sir.

22 Q Could you tell me more about that?

23 MR. REITMAN: May we focus on the time first, Counsel?

24 MR. LEVIN: Okay, the ads for Friends of Alaska we're
25 talking about. Thank you.

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1 A There were two stations, one of whom refused to air the
2 spots, one of whom had to consult their attorney prior to
3 airing the spots.
4 Q With whom did these stations discuss this matter?
5 A They called me.
6 Q And what did you say to them?
7 A I don't remember. At the time, I said I thought I'd --
8 I would get back to them after I discussed it.
9 Q Did you ask why they would not air the spots?
10 A Yes.
11 Q And what were you told?
12 A I was told that they felt the spots were slanderous.
13 Q Did you say anything in response to that?
14 A No.
15 Q I don't believe I've touched on this before. Did Alaska
16 Advertisers perform any services for Friends of Alaska
17 beyond placement?
18 A No.
19 Q Are you familiar with who composed the ads, the Friends
20 of Alaska ads?
21 A I believe it was a Justin Ward.
22 Q Do you know who owns Justin Ward Advertisers?
23 A No, I don't.
24 Q Have you ever had any communication with Justin Ward?
25 A Either than just receiving spots, no.

AKULAW COURT REPORTING

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1 Q So it was purely a commercial discussion?

2 A Yes.

3 Q Do you know of any other firm involved?

4 A No.

5 Q You mentioned that in one of the cases of the station
6 refusing to air the Friends of Alaska ads the person
7 said that she would have to -- did you say that you would
8 have to discuss it with somebody and get back to them?

9 A Yes.

10 Q Okay, and with whom did you discuss this?

11 A Steve Oien.

12 Q And what was the content of that discussion?

13 A I just informed him that the station re -- two stations
14 were refusing to air the spot.

15 Q And what did he say?

16 A He said he'd talk to Mr. Gottstein.

17 Q Do you know what he said to Mr. Gottstein?

18 A No.

19 Q Do you know what Mr. Gottstein said to him?

20 A No, I don't.

21 Q What was the resolution of this problem?

22 A As it worked out, one of the stations did air the spot,
23 the other still maintained it would not air it.

24 Q Were you told anything about the result of that conversa-
25 tion.....

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1 A No.

2 Qby which you would get back to them?

3 A No.

4 Q I'm going to read you a list of names and ask if you are
5 familiar with them, and I can assure you this is all
6 within the context of Alaskans for Gruening and Friends
7 of Alaska. Have you -- do you know who Melinda Gruening
8 is?

9 A Yes.

10 Q Have you had any communication with her?

11 A I believe I talked to her at one time when I was doing the
12 television buy.

13 Q And what did you say to her?

14 A I don't recall.

15 Q Do you recall what she said to you?

16 A I probably was giving her a budget amount, a dollar
17 figure, for the buy.

18 Q Was she working for the Alaskans for Gruening committee?

19 A I presume so.

20 Q So when did you have this conversation?

21 A Prior to the television buy.

22 Q You are referring to the October.....

23 A October.

24 Q '79 buy? Do you know who Richard Angell is?

25 A No.

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AKULAW COURT REPORTING

1 Q Do you know who Floyd Smith is?

2 A No.

3 Q Do you know who Evan Brudie is?

4 A No.

5 MR. REITMAN: Eivin.

6 Q Eivin Brudie, thank you.

7 MR. REITMAN: E-i-v-a-n.

8 Q Do you know who Luann Dimond is?

9 A No.

10 Q Do you know who Rick Mystrom is?

11 A Yes.

12 Q What communications have you had with Rick Mystrom in
13 connection with Alaskans for Gruening or the Gruening
14 campaign?

15 A None.

16 Q You never mentioned anything about it with him?

17 A No.

18 Q Do you know who Larry Holstrom is?

19 A The name's familiar.

20 Q Going back to Rick Mystrom, did you discuss Friends of
21 Alaska, any aspect of Friends of Alaska, with Rick
22 Mystrom?

23 A No.

24 Q Getting back to the Friends of Alaska media buy, what
25 were the media used besides radio?

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AKULAW COURT REPORTING

1 A Newspapers.

2 Q And what activities did you conduct in connection with
3 the newspaper? Was that merely placement?

4 A I had no placement. I didn't even place the newspaper
5 ads.

6 Q That was conducted.....

7 A Mr. Oien.

8 Qby Mr. Oien himself?

9 A Yes.

10 Q I'm going to ask -- I will try to phrase it slowly at
11 first, and if we can't understand it I'll try to rephrase
12 it, and this may be a repeat but did anyone that you ever
13 communicated with in setting up time for Friends of
14 Alaska indicate that they had communicated with the
15 Gruening campaign with reference to the advertisements
16 for Friends of Alaska?

17 A No.

18 Q Did anyone from Friends of Alaska, including Barnard
19 Gottstein, ever tell you that someone working for the
20 Gruening campaign had suggested that a committee such as
21 Friends of Alaska be set up?

22 A No.

23 Q Did anyone from Friends of Alaska, including Barnard
24 Gottstein, ever tell you that someone working for the
25 Gruening campaign ever suggested that such advertisements

3 3 0 4 0 4 5 5 8 9

1 as you placed for Friends of Alaska be aired, placed?

2 A No.

3 Q Did anyone that you ever talked to ever talk to you about

4 how Friends of Alaska was formed?

5 A No.

6 Q Or why Friends of Alaska was formed?

7 A No.

8 Q Do you know of any communication made to Friends of Alaska

9 in which -- strike that, I'm sorry. Do you know of any

10 communication made to anyone at Alaska Advertisers in

11 which Alaska Advertisers was told not to air the ads or

12 encouraged not to air the ads for Friends of Alaska?

13 A No.

14 Q Were there any such contacts where Alaska Advertisers was

15 told yes, go ahead, place those ads?

16 A Not that I'm aware of.

17 (Pause)

18 Q If we can remember the last questions, when I stated that

19 no one ever told Alaska Advertisers either to air the

20 ads or not to air the ads, I am talking about other than

21 Friends of Alaska. Was that clear? In other words,

22 Friends of Alaska told Alaska Advertisers to air the ads.

23 A Yes.

24 Q But did anybody else say don't air the ads or do air the

25 ads?

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AKULAW COURT REPORTING

1 A No.
2 MR. LEVIN: Let's pause for a moment.
3 (Off record)
4 Q Now, earlier you testified that in your first discussion
5 with Barnard Gottstein you gave him suggestions and then
6 he told you how to report to him?
7 A Yes.
8 Q Okay, what did he tell you?
9 A He told me that I should call daily media figures to
10 Norma Thompson, and gave me her number.
11 Q So that you would not report to him directly.....
12 A No.
13 Qbut would report to Norma Thompson?
14 A Norma Thompson.
15 Q Did he say anything else?
16 A No.
17 Q From July 1, 1980, on to the Primary date, which was
18 August 26th, was it.....
19 A 26th.
20 Q26th, did anybody tell you not to contact Alaskans
21 for Gruening or the Gruening campaign or Clark Gruening?
22 A Ask me not to contact?
23 Q Yes.
24 A No.
25 Q Did anybody mention an independent expenditure problem if

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1 you did contact them?

2 A No.

3 Q Did anybody tell you to contact Clark Gruening, the
4 Gruening campaign.....

5 A No.

6 Qor Alaskans for Gruening? I may have asked this
7 before, let me ask it again: Do you know how the ads
8 that you placed were composed or written?

9 A No.

10 Q With -- I'm curious as to the mechanics. Did you --
11 would you get the actual copies of the ads, the tapes,
12 and then send them on to the stations? Did you arrange
13 -- how was that done? How did those ads get, let's say,
14 from Justin Ward up to.....

15 A I received a telephone call from Justin Ward, someone at
16 Justin Ward, and they informed me that the tapes would
17 be on a specific flight, and I'd pick them up at the
18 airport.

19 Q And then you would ship them out?

20 A Then I'd ship them to whatever stations.

21 Q Was there any process wherein anybody was able to review
22 those ads before you shipped them out?

23 A No.

24 Q You would get a closed container and merely mail it out?

25 A Oh, no, I typed copies of the scripts, which is required

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AKULAW COURT REPORTING

1 for the radio stations, so I typed copies of the scripts.

2 Q Did anybody review those typed copies?

3 A No. I believe I may have given them to Mr. Gottstein,
4 I don't really know.

5 Q And what did Mr. Gottstein do when he received those?

6 A I don't know.

7 Q Did he say anything to anyone at Alaska Advertisers,
8 including yourself, about the text of those?

9 A No.

10 Q Did you give the texts to anybody else?

11 A The radio stations.

12 MR. LEVIN: No further questions.

13 MR. THOMAS: Thank you for your time.

14 MR. REITMAN: I want to ask just one question for
15 clarification.

16 BY MR. REITMAN:

17 Q Mrs. Parsons, in one of your responses to Mr. Levin's
18 queries regarding the -- your initial contact with Mr.
19 Gottstein, you indicated you made certain suggestions to
20 Mr. Gottstein about the placement of these radio spots,
21 and you mentioned the word voter strength. What does
22 voter strength connote?

23 A I'm talking basically population areas.

24 Q In other words, did Mr. Gottstein give you some budgetary
25 figure?

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1 A Yes.

2 Q And he indicated that the ads would be placed statewide,
3 or any particular locale?

4 A No, statewide.

5 Q And then you, in turn, made suggestions as to what
6 locales.....

7 A Yes.

8 Qto place the advertisements in?

9 A Yes.

10 Q And you suggested the specific stations that you felt
11 would be appropriate?

12 A Yes.

13 Q And then his response was what, if you recollect?

14 A I don't really recall. I know that when I made the media
15 buy I gave him a typed schedule of the statewide buy.

16 Q But I presume he accepted.....

17 A Yes.

18 Qin whole or in part your suggestions?

19 A Yes.

20 Q Did he reject it?

21 A No, he accepted it wholly.

22 MR. REITMAN: I have no further questions.

END OF PROCEEDINGS

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81 SEP 3 AM: 51

MEMORANDUM

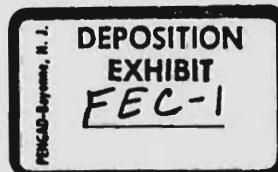
TO: BARNEY GOTTSTEIN

FROM: JUDY PARSONS, Adv.

Following is a list of the television purchase and dates involved in the October buy for Clark Gruening:

Cable Network	Oct. 14-16	642.00
KATV, Ketchikan	Oct. 12-14	126.00
JATV, Juneau	Oct. 12-14	210.00
KSA-TV, Sitka	Oct. 12-14	90.00
KIFW-TV, Sitka	Oct. 12-14	102.00
KINY-TV, Juneau	Oct. 12-14	85.00
KTVF-TV, FEBS.	Oct. 12-14	250.00
KFAR-TV, Fbks.	Oct. 12-14	196.00
KENI-TV, Anch.	Oct. 12-14	420.00
KIMO-TV, Anch.	Oct. 12-14	470.00
KTVA-TV, Anch.	Oct. 12-14	350.00

Judy Parsons



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31 SEP 3 11:50

31 SEP 3 13:27

GENERAL COUNCIL

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
FRIENDS OF ALASKA, et al.) MUR 1272
)

DEPOSITION OF CLARK GRUENING

APPEARANCES:

FOR THE COMMISSION: JONATHAN LEVIN
Attorney at Law

and

SCOTT THOMAS
Attorney at Law

* * *

PURSUANT TO NOTICE, the deposition of CLARK GRUENING
was taken before Roma L. Akulaw, Notary Public in and for the
State of Alaska, at the U. S. Federal Court and Office Building,
701 C Street, Room C-117, Anchorage, Alaska, on the 5th day
of August, 1981, beginning at the hour of 1:00 o'clock p.m.

* * *

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P R O C E E D I N G S

CLARK GRUENING

1
2
3 first duly sworn under oath, testified as follows on examination:

4 BY MR. THOMAS:

5 Q Will you state your name please?

6 A Clark Gruening, G-r-u-e-n-i-n-g.

7 Q What is your present occupation?

8 A I'm an attorney with Smith and Gruening, Inc.

9 Q Mr. Gruening, were you a candidate in 1980 for the office
10 of United States Senator from Alaska?

11 A I was.

12 Q When did you announce your candidacy?

13 A I think it was in October of 1979. My records would
14 reflect that, but I recall October of 1979.

15 Q Now, was your decision to become a candidate based in
16 whole or in part on any poll results that you had received?

17 A No, I -- I don't think so. I -- no, it wasn't. It's
18 been awhile.

19 Q Did you, prior to announcing your candidacy, commission
20 any polls?

21 A No, I don't think so. I don't know, I don't -- I didn't
22 commission any polls. I don't recall any polls.

23 Q Do you know if anyone working for you or registered
24 principals of the campaign committee of Alaskans for
25 Gruening commissioned any opinion polls with regard to

8 3 0 4 0 4 5 5 9 8

1 your respective candidacy?

2 A I know we commissioned some, and I -- I can't recall
3 at this time whether it was before -- I think any comm
4 -- any polls we commissioned were after the announcement.
5 The records would reflect -- in fact, the records that
6 you have on file would reflect the time, I think, the
7 expenditures were made for public opinion polls.

8 Q Do you recall, prior to your announcement, actually
9 seeing any poll results that, although perhaps not pur-
10 chased by you or your committee, the polls had taken
11 place or had been commissioned?

12 A I do.

13 Q And what were those polls?

14 A It was a poll conducted by Sandelson Surveys, and it
15 had been released publicly and -- I mean, I learned about
16 the poll and inquired about it, and saw some tabulated
17 results of the poll. I talked to -- directly to Sandy
18 Gottstein, who is the principal in Sandelson Surveys.
19 That's my recollection anyway.

20 Q You talked to her after you had seen the public results
21 of the poll?

22 A Yeah, there were -- there were some discussion --
23 apparently it had been released to the Democratic
24 Central Committee and there was some press discussion
25 of it -- there was a lot of discussion. Apparently

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1 Dittman had done polls -- there were a number of polls
2 out. In fact, now that I remember, I remember seeing a
3 Dittman poll about the same time too.

4 Q What time period are you recalling?

5 A This -- seems to me that I saw the Sandelson Survey poll
6 in the spring or summer of '79, and I saw the Dittman
7 poll in the winter -- no, along -- sometime shortly
8 prior to that I saw a Dittman poll. It had also been
9 -- it was commissioned -- I think it was a poll that
10 was commissioned by Ted Stevens.

11 Q Which poll?

12 A The Dittman poll.

13 Q And what do you base that statement on?

14 A I think the press -- I think it was a matter of public
15 knowledge. There was a lot of speculation as to what
16 role Ted Stevens would play -- play in the -- in the
17 campaign, it being common knowledge that Ted and Mike
18 didn't get along. That's Mike Gravel, my primary
19 opponent. And I think there was a lot of speculation
20 and discussion, and I -- it was pretty common knowledge
21 that Ted Stevens had commissioned a poll on the hypothet-
22 ical race of various candidates. I can't -- I think
23 it was -- I didn't have any knowledge of it, I think
24 the poll included me in it, and I think there were a
25 number of other individuals and there were specific

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1 questions about issues on the poll, including the D-2
2 position that Ted had taken.

3 Q How about the Sandelson poll; do you know who commissioned
4 that?

5 A I'm not sure, I think -- I think that -- I think Barney
6 Gottstein paid for that one. I'm not sure who did that
7 one. I just know that I was interested in any polling
8 information we could get.

9 Q You say you called Sandy Gottstein, what did you call
10 her for?

11 A I can't remember whether she called me or I called her,
12 but I did -- I was interested -- I know that if -- when
13 I ran into her at that time, having learned about the
14 poll, you know, I just wanted the results. And they
15 were discussed -- had been discussed publicly, but I
16 wanted to see the tabulation, you know, the back-up as
17 to who was polled and what the specific information was.

18 Q Do you recall any discussion with her about who had
19 paid for that poll?

20 A Not specifically, but it may have been discussed.

21 Q You indicated you think that Barney Gottstein paid for
22 that poll by Sandelson Surveys?

23 A Yeah.

24 Q What is your assumption based on?

25 A Well, I -- based on the fact that, like Ted Stevens,

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1 Barney, you know, was interested in Mike Gravel's early
2 retirement from the U. S. Senate. I don't think that
3 was any secret, it was widely discussed in the papers,
4 and Barney's role in the -- in the up-and-coming election
5 was widely discussed prior to any candidates officially
6 announcing.

7 Q Do you recall if Barney Gottstein's name was mentioned
8 in the newspaper article with respect to this poll?

9 A Oh, I'm sure it was. That may have been where I -- in
10 fact, I first learned of it because it was widely dis-
11 cussed. Both papers -- you know, it was a very inter-
12 esting story, one of Senator Gravel's chief financial
13 backers was now totally committed to his defeat. And
14 it was particularly interesting in terms of my involve-
15 ment, because the -- the man that Mike Gravel defeated
16 in 1968 was my grandfather and all combinations made
17 for what the newspapers like to get into.

18 Q A good story?

19 A Yeah.

20 Q You say you talked to Sandy Gottstein; did she, in fact,
21 give you the results of the poll as you requested?

22 A Yes. Yes.

23 Q Did you at any point discuss the Sandelson poll or it's
24 results with Barnard Gottstein?

25 A I don't think so. Barney and I had discussions prior

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1 to my filing, and that may have been touched, I don't
2 recall. I know that I was very interested in getting
3 -- getting a war chest together, and I knew I was going
4 to need all the financial support I could get and so
5 we had talked prior -- prior to my announcement.

6 Q Do you recall what that first conversation was?

7 A Not really. I -- I had decided to run, I think, without
8 actually making an announcement, but discussed it with
9 my wife and had said I really want to do it unless
10 something comes up. This is, you know, to myself and
11 to Melinda, my wife, sometime in August I recall or
12 thereabouts, and I know I'd had discussions probably
13 with Mr. Gottstein sometime around that time and maybe
14 earlier. And I -- I talked to him about assisting in
15 fund raising and for a contribution long before I think
16 I filed. I mean, at least several months before I filed.

17 Q Are you saying you requested him to make a contribution
18 and to assist with fund raising?

19 A Oh, yes.

20 Q Do you recall what his response was?

21 A Along with 10,000 other people it seems like. It was
22 pretty cool at first, that's my recollection anyway.
23 I think he was skeptical as to my chances. He knew
24 Mr. Gravel a lot better than I did probably and he
25 thought that he was a formidable opponent, which he

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1 was. And so I -- my recollection is that he was cool
2 and I think that before -- I think it was sometime after
3 filing before Barney even committed any money of his
4 own. I -- I'd have to check the rec -- you know, the
5 records would reflect that.

6 Q Now, have you just been describing only the first conver-
7 sation, or was there a subsequent conversation or sub-
8 sequent conversations where you made similar requests
9 of him and his reaction was identical?

10 A We -- one of the first fund raisers -- I don't -- I
11 don't -- there's very little communication of any kind
12 in '79 between myself and Mr. Gottstein. But we did
13 invite him and I may have invited him personally, I
14 don't remember. A two way fund raiser which we had,
15 I believe in October, would reflect -- the records would
16 reflect when that was, because it was the biggest fund
17 raiser I think we had in Anchorage, or one of the
18 biggest, at the Anchorage Sheraton Hotel. And through
19 my cam -- mostly through the efforts of people other
20 than Mr. Gottstein, mostly through the efforts of my
21 cam -- campaign chairman Dick Angell -- Richard Angell.
22 We were able to raise an impressive amount of money,
23 at least for, you know, first time statewide candidate
24 in Alaska. And Mr. Gottstein was invited to that, and
25 I'm su -- I saw him at that event. There were hundreds

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1 of people at -- it was at that time, I think, that we
2 could see we had a realistic possibility of raising
3 enough money on our own to be credible. And we hoped
4 through that we could attract more contributors. And I
5 think it was there -- about then that Barney contributed
6 -- Mr. Gottstein contributed money directly and helped
7 raise some money for Alaskans for Gruening.

8 Q Are you saying that for that fund raiser itself he
9 helped raise money, or it was after that fund raiser
10 he helped?

11 A It was pretty much after that, that he made more than
12 a token effort to raise money. I don't -- all I know
13 is that -- I think that we -- we made ourselves more
14 credible by the success of that first large Anchorage
15 fund raiser.

16 Q Before I get too far along, I wanted to follow up on
17 some of the initial questioning with regard to polling.
18 One of the allegations of the complaint that was filed
19 by the Gravel campaign with the Federal Election Com-
20 mission was that Barnard Gottstein commissioned or had
21 one of his corporations pay for political polls that
22 were then contributed to your campaign. Is that a true
23 statement?

24 A Could you repeat that again?

25 Q One of the allegations of the complaint is that Barnard

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1 Gottstein commissioned and had one of his corporations
2 pay for a political poll that was then contributed to
3 your campaign. Is that true, to your knowledge?

4 A As far as I know, there was nothing of value contributed
5 to our campaign in terms of a poll. I don't know for
6 sure who paid for the poll. I believe just from hearsay
7 and common knowledge that -- that -- the poll that I saw,
8 and I don't know what poll Mr. Gravel's referring to,
9 was paid for by Mr. Gottstein, but I'm not -- I'm not
10 sure.

11 Q Out of his personal funds, is that what you're saying?

12 A Yeah, that's what I think, but I don't -- I can't tell
13 you exactly what information I base that on. I'd under-
14 stood that -- it may not be that significant, the Com-
15 mission had already determined that -- that item wasn't
16 a matter they were pursuing in their formal investigation
17 but, you know, I don't have any -- that was the substance
18 of the letter that Mr. Dunnagan showed me.

19 Q You -- I want to be sure also, you say that you talked
20 to Sandy Gottstein about the poll, as you recall,
21 after it had been made public, is that correct?

22 A Yes, There's been some discussion about it. Considerable
23 discussion by both papers. As I recall, both papers
24 had assigned reporters to this election race, and they
25 were constantly digging up little bits. It seemed to

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1 be something in the paper pretty regularly about the
2 pending race. And it wasn't -- the D-2 issue, as I re-
3 member, both polls -- both the Dittman poll and the
4 Sandelson poll that I saw, were heavily involved in the
5 D-2 issue, which again was another issue that was discussed
6 probably every day.

7 Q Would you clarify for the record what you mean by D-2?

8 A It's the 17(D)(2), Alaska Claims Settlement Act, which
9 mandated congress to deal with Alaska lands and public
10 lands in Alaska, and the recommendations and the con-
11 gressional action on that took place over many years
12 and culminated in 1980. And it was a very hot election
13 issue as well as a hot issue here in Alaska among all
14 people.

15 Q How long have you known Barney -- Barnard Gottstein?

16 A I've known him for quite awhile, I can't remember the
17 first time I met him personally. The first recollection
18 I have of meeting Barney, is during my legislative races.
19 I think it was after I'd been elected to the state leg-
20 islature in 1974. It was some kind of Democratic function
21 over at Barney's house. And I think that was the first
22 time that I met him, but I don't recall specifically.

23 Q Was your relationship with him on a business level?

24 A No, I don't think we ever had any business -- he was
25 at various times involved in the Democratic party, was

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1 the national committeeman from Alaska, and I was a Demo-
2 crat and a public official from 1974 to 1978 as a member
3 of the Alaska State House of Representatives. And in
4 that capacity I ran into many party people, including
5 Barney. And I -- I think in my subsequent -- I ran for
6 re-election and was re-elected in '76 and I'm sure I asked
7 Mr. Gottstein for a contribution then. Or some of my
8 people did, I'm sure.

9 Q Now, I believe you indicated that you discussed with
10 Mr. Gottstein, when you were initially deciding whether
11 to become a candidate, in general that very question,
12 whether or not you should become a candidate, is that
13 correct?

14 A No, I don't think I ever asked Mr. Gottstein or anybody
15 else whether I should become a candidate, other than my
16 wife. I think that's the only one that would have had
17 the power of yes or no. I just discussed with a number
18 of people the elements of the campaign, you know, to
19 raise money and whether they'd be interested in assisting.

20 Q Had you had that kind of conversation with him?

21 A I know I asked Barney for money, that's principally the
22 substance of the conversation that -- I think if there
23 was anything we discussed relating to this campaign, it
24 was about money and about his willingness to assist
25 us in raising money for Alaskans for Gruening.

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1 Q You indicated that after the fund raiser at the Anchorage
2 Sheraton Hotel....

3 A Um-hum.

4 QMr. Gottstein assisted you with fund raising.

5 A Along with, you know, many, many other people.

6 Q What sorts of activities did he undertake to assist
7 with fund raising?

8 A Well, he contributed himself, And I believe Barney gave
9 the maximum contribution for the primary. And I think
10 he also -- he contacted -- as national committeeman
11 he met a lot of people, he's also very active in --
12 with Jewish causes in the United States, and he raised
13 money from contributors to Jewish causes and I know that
14 he raised some money from that. He had put me in contact
15 with people -- I know that he suggested a couple of the
16 people I contacted, and also raised some money himself.
17 Most of the money was raised probably through efforts
18 of my campaign chairman. But Barney was significant
19 in his contribution in terms of tracking other donors.

20 Q Was his function relegated only by asking people to
21 contribute or they would contribute on their own, or
22 was he also in a position where he would ask people
23 for contributions, they would give him the contribution,
24 and he would in turn give that then to the campaign
25 committee?

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1 A I think in most instances the money was directly -- of
2 the money he raised -- when I say that he had anything
3 to do with through contract or otherwise, was sent directly
4 to our committee. We had mailers and a post office box,
5 and most of the contributions came directly from the
6 donors. There may have been an instance when he had
7 run into a contributor or somebody that wanted to con-
8 tribute, and he would forward it to the office or the
9 post office box of Alaskans for Gruening. And virtually
10 -- I was somewhat separated from that, but I was aware
11 of the fact that most of our contributions came directly
12 from contributors. And the campaign chairman would --
13 Dick Angell would pick up contributions, but they were
14 immediately given to the treasurer or the designee.
15 Q You said that Mr. Gottstein may have received a contri-
16 bution and turned it over?
17 A Yeah.
18 Q Do you recall any specific instance when he did that?
19 A No.
20 Q Did Mr. Gottstein ever hold any fund raisers for the
21 campaign committee?
22 A No.
23 Q He never had any events in his home, for example, where
24 persons were invited to attend?
25 A No.

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1 Q Was he ever responsible for setting up any fund raising
2 events at any other locations for the committee?

3 A No. One of our financial people -- we have a large
4 finance committee -- Barney was not on it, but Gregg
5 Carr was, who was a -- Greg Carr is a son of Larry Carr,
6 who's a business partner of Barney Gottstein's, but
7 that's -- you know, but there's no connection there
8 other than the fact that Greg Carr was the son of a
9 business partner of -- of Mr. Gottstein's. And we had
10 a fund raiser at Bayshore which is a development of
11 Carr-Gottstein Enterprises, but that was strictly
12 through the efforts -- that was established through the
13 efforts of my campaign chairman, Dick Angell, and Greg
14 Carr.

15 Q Was Barnard Gottstein ever in a position where he was
16 authorized to incur any expenses on behalf of the
17 committee, which expenses were then reimbursed by the
18 committee?

19 A No. Not by me and, to my knowledge, not by anybody in
20 the campaign.

21 Q Do you recall ever having any conversations with Mr.
22 Gottstein at any fund raising events?

23 A Well, if he were at any fund raising event, I would have
24 a conversation with him.

25 Q Do you ever recall any discussions with him about....

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1 A And he was at, like I said, the first one. And that
2 may have been the only one. I can't -- you know, I'm
3 thinking back, and I can't remember specifically any
4 other, but I know he was at the first one. But I can't
5 remember any others.

6 Q Are you saying you can't recall any specific event that
7 he was at or you don't recall any events or....

8 A He was at that one in October, the first big one, and
9 I did talk to him on a social level, I'm sure, and I
10 can't remember his presence specifically at any other --
11 he may have been at some others.

12 Q How many other fund raisers did you have?

13 A Oh, it seemed like it took up 8 days a week. I had a
14 number of house parties, starting probably in late '79
15 going through '80, which I'd meet in homes of people
16 throughout the state, southeastern Alaska, Fairbanks,
17 and Anchorage. And it seemed like every week at least
18 three or four times we'd have a house party. Those
19 usually involved people in a specific neighborhood.
20 And then we had our, what we call our grass roots fund
21 raisers, spaghetti feeds, and everybody in the world
22 would show up to that one, to those kinds of events.
23 We had art auctions, we had -- it seems like all kinds
24 -- always looking for a new way to -- to raise as much
25 money as we could up here. But in terms of kind of

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1 what I'd call larger donor fund raisers, we only had one
2 or two of them and those may have -- those would have
3 been the only ones that Mr. Gottstein would have attended
4 probably, and I only --like I say, I can only recall him
5 attending that one. He may have attended others, but I
6 can't recall.

7 Q You said that you did have a finance committee?

8 A Yes.

9 Q Who was on the finance committee and what was the basis
10 for being on the finance committee?

11 A Well the basis was to raise money, and I think more in
12 terms of advice. The finance committee as I -- it
13 probably never took that formal structure, but everybody
14 who was an official and, you know, had worked in the
15 campaign -- and by that, I include Mr. Angell who was
16 the campaign chairman, John Hale was the campaign manager,
17 Floyd Smith who was the treasurer, he didn't always
18 attend that often; then we had a deputy treasurer, Eivin
19 Brudie, who is a CPA. Those are the only officials and
20 they were always there, together with Rick Mystrom,
21 who was the head of the ad agency, Mystrom Advertising.
22 When we met -- and when we met, most of the time those
23 parties were there.

24 Q We meaning the finance committee?

25 A Yeah. Thinking back, I don't know if we ever met as --

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1 if we had a money problem, we met then and I don't know
2 that I ever -- we ever got around to pointing -- saying
3 -- putting it on a chart, saying all these folks are
4 finance people. But we -- the head of the fund raising
5 was Dick Angell and I don't know that he ever -- when
6 he met, he met with most of these folks, and....

7 Q Do you recall any occasion when Barnard Gottstein met
8 with the group of people that you just referred to as
9 the finance committee?

10 A He never met with them as the finance committee that
11 I'm aware of. He did -- I do recall one meeting that --
12 where those same people I mentioned were present at
13 Mystrom Advertising. Mr. Gottstein was also present,
14 and....

15 Q When was that?

16 A I can't tell you the date, but I know what the -- the
17 reason for the meeting was, we -- we had thought about
18 doing a half an hour film. And the media people --
19 and that was Alaska Video, Holstrom of Fairbanks, had
20 wanted to do this and said, look, let me do this and
21 I'll see what you think of it and see if this is some-
22 thing that you want to do as part of your media package
23 in addition to shorter spots. So they put together
24 something. We had been filming then, so I think it
25 would have been June or July of '80. Maybe earlier,

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1 but....

2 Q Is there anyway you could figure out when that meeting
3 was?

4 A Mystrom might have a record of it, I could probably ask
5 him.

6 Q You wouldn't have any logs that you yourself keep of a
7 meeting?

8 A No.

9 Q Nothing?

10 A No. And I think we -- we wanted to just look at what
11 he had, to see what -- see what everyone thought of it.
12 As it turned out, nobody was really thrilled with it.
13 I know I wasn't, and so I -- it was my decision and I
14 guess -- I think -- in fact, John Hale thought it was
15 better than I did, but I just -- I wasn't comfortable
16 with it. I thought it was too long and too boring, so
17 we didn't do it. But that was the meeting -- the only
18 meeting that I recall.

19 Q Aside from providing any fund raising services, did Mr.
20 Gottstein do anything else for the Gruening campaign?

21 A No, not that I recall. I don't think he was ever asked
22 and ever did anything other than to raise some money.

23 Q Did he assist in finding you campaign headquarters?

24 A No.

25 Q Did he recommend any persons to be hired as campaign

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1 staff?

2 A No.

3 Q John Hale has stated in an affidavit and also has stated
4 earlier today that Carr-Gottstein Computer Services was
5 employed by the Gruening campaign to make a print out
6 form from computerized lists of names that had been
7 purchased.

8 A Um-hum.

9 Q Do you recall, is that true?

10 A If John says it's true, it's true. I don't have any
11 specific knowledge of it. It may have been -- some of
12 those details, I didn't get that much involved in, but
13 if he says it was done, it probably was. I'm sure it
14 was.

15 Q Do you know why Carr-Gottstein was elected for those
16 services?

17 A Well, I know this, we had a problem in the beginning,
18 because this is such a small state in terms of professional
19 contracts, and this may have been the same problem we
20 had with posters, and that is, they were preempted by
21 the opposition or for one reason or another weren't
22 suitable for our needs. There's only a couple of people
23 that are capable of doing a competent poll or doing
24 computer services up here, I'm sure. It may have changed
25 some since then but, at the time, Dittman for example,

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1 on the polling end, was -- was known as a Republican
2 pollster and he'd already been hired -- at least to my
3 knowledge, was working for both Ted Stevens and Frank
4 Murkowski. And there was another pollster up here by
5 the name of Mike Rowan, who was very close to Senator
6 Gravel. And I think with computer services, there are
7 probably only a limited number of possibilities. And I
8 don't know exactly what John's thinking may have been
9 on that item, but he's probably the best source of that.
10 But that's just a general problem that we have up here.
11 Chances are you know in this state, it's less than half
12 the population of Washington D. C. in the whole state,
13 and so chances are in the professional circles, we've
14 met that person before.

15 Q Did John Hale handle that transaction?

16 A Yes.

17 Q Did you have any discussion at all with Barnard Gottstein
18 about the use of Carr-Gottstein Computer Services for
19 that project?

20 A I didn't and I don't -- I don't -- I don't think anyone
21 else did, but -- I think I recall John did mention some-
22 thing about that at one point, and my chief concern was
23 that, you know, we pay for it, we pay whatever -- you
24 know, that we make sure that we're billed for full value.
25 And now I remember specifically that he did mention it

1 to me and I had a concern with that, you know, if we're
2 going to use that service that we -- you know, that we
3 be billed appropriately.

4 Q Why were you concerned about that?

5 A Well, I didn't -- was concerned that it was a corporate
6 entity. We couldn't take any donations from corporations.
7 And I, you know, that -- we wanted to get -- any in kind
8 of contributions had to be from individuals, from the
9 law as I understood it, anyway.

10 Q Your concern wasn't based in any part on any connection
11 with Barnard Gottstein or with that company?

12 A No.

13 Q Now, in October or November of 1979 we had been told
14 that the Gruening campaign employed a firm named Alaska
15 Advertising to place media time pursuant to advertisements.
16 Do you know how the campaign came to select the Alaska
17 Advertisers?

18 A Only through my discussions with John Hale. And you've
19 talked to him and I've talked to him, and I -- I can
20 only repeat what he told me, and that's that at the time
21 we -- this was what he explained, and I remember specific-
22 ally that we used them in '79, and only for a very limited
23 purpose to run one spot. I remember the spot was simply
24 announcing that I had announced and asking for money.
25 And the -- we needed someone to place that. John had

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1 worked for another campaign, and as I pointed out, it
2 was also a losing one, but not anything to do with John,
3 the Governor's race prior to that in '78 for a candidate
4 named Chancy Croft. And apparently they used the same
5 group. And they -- they were fine for that one purpose,
6 but I really wanted to get somebody who had been involved
7 in state wide campaigns to a greater degree than they --
8 than I understood they had. At least, I think John felt
9 the same way. Anyway, we ended up with all subsequent
10 activity of that nature being done by Rick Mystem.

11 Q Did you have any discussions with Barnard Gottstein
12 about the use of Alaska Advertisers' services in connec-
13 tion with those advertisements in the fall of '79?

14 A No.

15 Q Do you know if Barnard Gottstein had any role whatsoever
16 in those transactions?

17 A I'm sure he didn't, but I don't -- you know, I don't --
18 that's something to ask him. I -- we didn't have any
19 contact in relation to that, the use of Alaska Advertisers.

20 Q Were you aware at the time that Alaska Advertisers'
21 services were used that Barnard Gottstein was part owner
22 of Alaska Advertisers?

23 A I don't even know to this day whether he's a part owner.
24 I did know at the time that Alaska Advertisers was used
25 by Carr-Gottstein. I'm not even sure if that's true,

1 I think by Carrs anyway, which is a different entity.
2 And I believe, but I'm not sure on this point, within
3 Carrs, which may be a separate corporation, I'm not
4 sure, Mr. Gottstein may be a partner or shareholder or
5 whatever. All I knew at the time, was that it did the
6 advertising placement for Carrs. And I knew that it
7 was a corporation and again, it was my concern that we,
8 for using them and all, that we be sure that we be billed
9 for full value.

10 Q Your committee also reported paying a firm called
11 Sandelson Surveys for certain computer services.

12 A That's right.

13 Q And Mr. Gottstein has informed us that Sandelson Surveys
14 is one of his firms and that the services related to
15 field work done in March, April and July of 1980. Do
16 you know how your campaign came to select Sandelson
17 Surveys for that project?

18 A Well, we didn't really select them for that project.
19 They were later used -- if I understand by that project
20 -- we did use Sandelson Surveys in conjunction with polls
21 that we hired or commissioned from a firm known as
22 DeVries and Associates I think out of North Carolina.
23 Outside posters have to use -- I'm not probably telling
24 you anything you don't know, but they have to use app-
25 arently, local people or at least it's the most economical

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1 way, to use local people. And Dittman has his own set
2 of field workers, Rowan has his set, and DeVries -- I'm
3 not sure what his practice is, but we -- we felt that
4 we wanted to use local people, we didn't want to have
5 to pay for him to train entirely new people to come up
6 and run the poll. And Sandelson Surveys has field people,
7 and so our direct contact -- I'm not sure -- actually,
8 I'm not sure how -- whether we paid DeVries and he paid
9 Sandelson Surveys, but they were involved in conducting
10 new polls.

11 Q Did you suggest to DeVries that they retain Sandelson
12 Surveys?

13 A I don't think I suggested it, you know, I think John
14 may have made that as a -- that decision in his capacity
15 as a campaign manager.

16 Q Do you know if that decision had any basis at all in
17 fact that Mr. Gottstein had any connection with Sandelson
18 Surveys?

19 A I'm sure it didn't.

20 Q Why are you sure of that?

21 A Well, I -- what we -- I don't see any reason why it
22 should. We were mostly concerned with getting a good
23 poll done, but also with getting it done in the most
24 economical way possible, and that meant by using vol-
25 unteers up here who had done political polling before.

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1 And apparently DeVries -- it was fine with him. You
2 know, it's -- nobody ever communicated to me outside
3 the campaign, Mr. Gottstein or anybody else, that we
4 should use that group, or -- I don't remember hearing
5 any recommendations specifically from anybody outside
6 the campaign. John may have mentioned -- John Hale
7 may have mentioned it to me prior to it, but I think
8 he made that decision.

9 Q To follow up on that, do you recall any discussions at
10 all with Mr. Gottstein -- Barnard Gottstein, about those
11 services provided by Sandelson Surveys?

12 A No.

13 Q Did Mr. Gottstein ever participate in any discussions
14 about plans for campaign advertising with Alaskans for
15 Gruening committee?

16 A No. Not that I'm aware of. I only mentioned -- the
17 only time that I think he even saw any advertising,
18 other than as a T. V. viewer, radio listener, whatnot,
19 was when we previewed the makings of what might have
20 been a half an hour film. Again, I knew after seeing
21 it, that it was a disaster.

22 Q When did you say that that happened?

23 A I don't recall, but it was in 1980, and it was probably
24 early in 1980, you know, sometime in May, June or July.
25 I don't think it would have been any earlier than May.

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1 We were shooting -- the bits and pieces of that film
2 were in the can -- had to be in the can, sometime in
3 April, probably.

4 Q What do you mean by in the can?

5 A I mean they were actually shot, developed and ready to
6 be previewed -- there was a logistic problem, and I
7 can't even understand the terms -- he had to shoot the
8 stuff, edit it, and then get it ready to air, in terms
9 of spots. The advisor in terms of strategy, media, and
10 that kind of thing was, again, that group. Mr. Gottstein
11 was not a part of that.

12 Q That group meaning....

13 A That group that I mentioned -- my campaign chairman,
14 my campaign manager and Rick Mystrom.

15 Q Now this meeting that you recall, who all was in atten-
16 dance at that meeting?

17 A My wife was there, Melinda, John was there, Dick Angell
18 was there, Rick Mystrom was there, and, of course,
19 Larry Holstrom. And the only reason that I can recall
20 that Mr. Gottstein was there -- and he wasn't even there
21 for the whole meeting, I remember he just saw it -- was
22 that putting on a half an hour film was going to be a
23 very expensive operation, and we wanted whoever was going
24 to help finance that -- we planned to show it to some
25 other people too in terms of trying to get some backers

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1 for it.

2 Q You planned -- were planning to do that?

3 A Yeah, if it was decent, we needed to buy the time,
4 which was expensive, because you're talking about a
5 half an hour. And the production -- the stage that we
6 viewed this thing, it was less than finished, and it would
7 have been a major cost item in the campaign to do it,
8 and we needed to convince potential backers that this
9 was something that was worth contributing to. A lot of
10 times I've found that rather than just asking for a cam-
11 paign contribution for general expenses, if you had a
12 specific thing in mind you could say, look, we need a
13 thousand brochures, would you back this? People were
14 more willing to put money in for something more tangible
15 or specific that they could see, rather than just say
16 let's throw it into the pie and we'll spend it wisely.
17 And that was the purpose, as I recall, for Mr. Gottstein
18 being at that meeting to view the prototype of this
19 film. But it never went any further.

20 Q So, he was specifically invited to that meeting?

21 A Yes.

22 Q Who invited him?

23 A I'm not sure -- I'm not sure. I know that -- again,
24 we had a concern even if the film were decent, that we'd
25 have the money to pay for it. Because that was another

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1 major item of consideration, was not only that -- whether
2 this would do the trick, it was whether we could pay
3 for it. We might have to go to spots which required
4 less time buys, and that was my concern. You know, I
5 may have asked that he be invited in terms of getting
6 him to help support it, and I hadn't seen it at that
7 time. That's -- I don't recall.

8 Q Do you recall specifically....

9 A No.

10 Qasking anybody to ask him to come?

11 A No, I don't.

12 Q Was anybody else who was a potential supporter and who
13 was not otherwise on this finance committee in attendance
14 at this meeting?

15 A Greg Carr may have been there, I don't recall specifically.

16 Greg Carr was a contributor and -- but I don't recall.

17 Q Anybody else?

18 A It was at a table about twice as long as that one, if
19 you put those two together. I'm just going around the
20 table visually and trying to remember faces there. Mary
21 Pat Murphy was there, as I recall.

22 Q Who is she?

23 A But I'm not sure, I don't know if we had hired her then.
24 She was a press person. We had two people working in
25 press relations. Mary Pat Murphy and Mike Harmon.

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1 That's it.

2 Q Were they both there?

3 A I don't recall if either one of them was there. They
4 came to later meetings, in addition to Mr. Angell and
5 Mr. Hale and Rick Mystrom.

6 Q Did you speak to that group at that time?

7 A Well, it was always informal and sure, I had something
8 to say. There wasn't -- I don't recall giving any
9 speeches.

10 Q Right, but you looked at the spot, or the film, and then
11 people had things to say or how did it come about?

12 A I think we just looked at it and people may have squinched
13 up their faces, and that was it.

14 Q You said....

15 A But afterward, I think I -- the meeting -- I think Greg
16 and Barney left and I remember sitting down with a
17 smaller group with Larry Holstrom, I think. You know,
18 Larry was a little bit upset because he thought that,
19 you know, the thing could be improved a little bit, and
20 he just said, you know, let's stick with some 30 second
21 spots or whatever, you know. I just know that we really
22 had to get on with it. It was getting into the campaign
23 and we wanted the -- have some stuff ready to go. And
24 so, I remember talking to Larry then, but no speeches.
25 It was just informal give and take.

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1 Q What do you recall saying while Mr. Gottstein was there?
2 A I don't think I did -- it wasn't really my show right
3 then. I think Larry made a lot of preliminary remarks
4 about, you know, he had to edit here or whatever, to --
5 to introduce what he'd done, and that was it. I think
6 he -- most of the discussion before we actually saw it.
7 I don't remember if the meeting ran -- I don't think the
8 meeting ran very long, at least with everybody there.
9 There was some preliminary remarks by Larry Holstrom
10 and then the thing was shown, and it was a little bit of
11 discussion, and then John -- John and Rick Mystrom and
12 Larry and I were together for awhile, I think we were
13 there for another hour maybe.
14 Q What was that little bit of discussion about?
15 A Just what people thought.
16 Q Do you recall what most people said they thought?
17 A Larry -- I think most people were unimpressed with it,
18 you know. Particularly Dick Angell. I think he was
19 real negative on it and, like I said, I didn't think
20 much of it. I think they voiced that and that was it.
21 Q How about Mr. Gottstein, what did he say?
22 A I don't -- I don't recall him saying anything specific.
23 Q Did he say....
24 A He didn't jump up and write any checks, I know that for
25 sure. I don't recall him saying anything very complimentary

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1 or exciting. I can't tell you one way or the other,
2 whether he thought it was a great film, bad film or not.
3 Q He's informed us that he did state to the group that he
4 thought that the ads were deficient and inadequate.

5 A Um-hum.

6 Q Do you recall him making that kind of a statement?

7 A He may have, I don't recall specifically.

8 Q You say that Dick Angell indicated that he didn't par-
9 ticularly like the ads and you yourself didn't partic-
10 ularly like the film?

11 A No. Yeah, I just didn't -- I didn't think the thing
12 moved. I just didn't -- I was never very hot on the idea
13 either from the beginning, because I didn't think we
14 has enough material and I didn't think we could afford
15 it.

16 Q Did the ads have any mention in them of Mike Gravel?

17 A Yeah, I think they -- the half an hour film did. Only
18 by way of introduction, of saying back in '68 he defeated
19 my grandfather, and just talked about why I was in the
20 race and so forth. It did mention him.

21 Q Did it mention anything about his -- any positions he'd
22 taken in the campaign or positions he'd taken prior to
23 the campaign, such as building a dome city or....

24 A I don't think so, it was -- I think it made a mention
25 -- the only specific thing I recall, is that it made

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1 a mention of the fact that he did a half an hour film
2 himself in 1968, and that -- I remember that bothered
3 me about it, but I said, you know, what -- the film
4 implied that he was -- that he wowed everyone with this
5 phony film, you know, here we are doing another half
6 hour film. Not that it was phony, it was all true, of
7 course, you know, but, you know, I just felt it was too
8 much of a copy -- copying, I mean we were -- it just
9 didn't fit our mold. But Larry, who was a film maker,
10 wanted to do film, and when I intitially approached him,
11 he said let me give it a try and see what you think.
12 But that's the only specific mention in the -- and the
13 way it came up was the fact that he had run in '68,
14 defeated my grandfather and done this -- that's my
15 recollection -- done this slick film that blew everyone
16 away and otherwise wouldn't have been elected if not for
17 this film. I think that was the import of the opening
18 part of this, what was to be a possible half an hour
19 film, by ourselves.

20 Q Did Mr. Gottstein say anything to the effect that he
21 thought that the film should address Mike Gravel's
22 record to date?

23 A I don't recall. I don't -- I don't think anyone talked
24 about what the half an hour film should do. I think
25 they looked at it and said there just isn't the material

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1 there. I just didn't think it would hold anybody's
2 interest. I don't recall Mr. Gottstein saying anything
3 about what should or should not be in the film.

4 Q Did Mr. Gottstein state at that meeting that he was
5 interested in planning and carrying out some advertising
6 of his own?

7 A No.

8 Q He did not?

9 A He did not.

10 Q Did anyone at that meeting tell Mr. Gottstein that if
11 he was disappointed with the film himself, that perhaps
12 he should....

13 A No.

14 Qcarry out some of his own advertising?

15 A No.

16 Q You indicated that Mr. Gottstein left with Mr. Carr.
17 Do you recall if he left with Mr. Carr?

18 A I don't know that they left together, but they left be-
19 fore we sat down -- I say we, again, my campaign chairman
20 and Dick Angell and Rick Mystrom and Larry. Larry
21 Holstrom and Rick Mystrom worked fairly close together.
22 I think they consulted back and forth on what to do.
23 Rick did more than just -- Mr. Mystrom did more than
24 just place ads. He had been involved in content in the
25 Hammond campaign and he was also an advisor as to content

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1 and recommended approaches to media.

2 Q Did Mr. Gottstein leave upset?

3 A I don't recall him being upset, but my impression was
4 he wasn't about to go out and raise a lot of money for
5 a half an hour film for us.

6 Q Did he say that?

7 A No, he didn't say that, but it's my impression, and I
8 don't think anyone -- I didn't feel particularly dis-
9 appointed in anything but the fact that the film wasn't
10 -- I felt bad that -- my recollection of how I felt was,
11 I felt bad for Larry. That was my one thing that I re-
12 collect, is that Larry had put a lot of effort into it.

13 Q Do you recall ever hearing any discussions with Mr.
14 Gottstein about then Senator Gravel's home in Aspen as
15 a campaign issue?

16 A No. No. It became a campaign issue. I don't know if
17 John told you anything about that, but we had a -- maybe
18 I shouldn't waste the tape with this, but we had a --
19 and you can cut me off if you'd rather not get into it.
20 We had a campaign volunteer by the name of Stephan
21 Patterson. I don't know if you gentlemen have talked
22 to him or not, but I don't mind saying I think he's
23 missing a few marbles. But in any case, he was involved
24 for a short time in the campaign, and he later joined
25 forces with Gravel and said that we were in a conspiracy

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1 with -- this is a short summary of it -- with the Anchorage
2 Daily News, to frame him on the Aspen thing, and he
3 ended up running ads attacking -- he, Mr. Gravel, Senator
4 Gravel, attacking me and the Anchorage Daily News, and
5 we kind of sat back and snickered, because he got --
6 it ended up with a fight between him and the second
7 largest paper in the state. And so we felt quite com-
8 fortable with that one. But I don't know that -- I
9 know that I never had a discussion with Mr. Gottstein
10 about the Aspen house or anything of the kind. We felt
11 that Mr. Gravel did more to shoot himself in the foot
12 with that issue than we could ever do.

13 Q How about the issue of Mr. Gravel's absence from con-
14 gressional votes? Do you ever recall any discussions
15 with Mr. Gottstein about that?

16 A No. We -- there was discussion of it, I know, in the
17 campaign, because we -- I think we ran an ad. And all
18 I remember is, I remember there was a debate that came
19 up. He turned around and accused me of being absent
20 more time than any other legislator at the time.

21 Q Who was this?

22 A Gravel.

23 Q Gravel?

24 A Yeah. That's what I recall about that discussion, but
25 I never -- didn't discuss -- we had done research on

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1 Mr. Gravel's record, including his attendance record as
2 a campaign, but Mr. Gottstein was not involved in that.

3 Q This discussion that you were just referring to did not
4 involve Mr. Gottstein?

5 A No.

6 Q It involved a debate?

7 A Directly between myself and Mr. Gravel.

8 Q Again, do you recall any discussion with Mr. Gottstein
9 about Mr. Gravel's position, perhaps, on a dome city?

10 A No. I was in the legislature in '78 when he came to
11 talk to the legislature about that particular proposal
12 and it was a source of much derision and everything,
13 but I -- I never discussed -- we never discussed it
14 except internally, and Mr. Gottstein wasn't involved
15 and that's all I can recall about it.

16 Q Do you recall any discussions with Mr. Gottstein about
17 the degree of Mr. Gravel's outside of state campaign
18 support?

19 A No. Never had -- I never had any discussions with Mr.
20 Gottstein about issues in the campaign other than, you
21 know, he might -- I think one time he talked about the
22 -- at a social gathering, talked to me about the energy
23 crisis role in his view was the cause of our economic
24 distress or something like that on a policy level, but
25 we never discussed Mike's strengths or weaknesses in

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1 terms of the issues with Mr. Gottstein. Had very little
2 contact except, like I say, we wanted to involved him
3 in the fund raising side of the campaign.

4 Q You mentioned your contact with Mr. Gottstein at the
5 social occasion where you talked about the energy issue?

6 A Yeah.

7 Q Where was that?

8 A Well, I remember one other occasion, it was a -- I was
9 invited to address -- I think -- it's not the Anchorage
10 Labor Council, but it was a consortium of labor people
11 at the travelers, which is up here a little -- and
12 Barney was present at that -- Mr. Gottstein was present
13 at that meeting -- I don't know why, he was just in the
14 audience. And I was being queried by a number of labor
15 people on issues, energy, economy, and I remember him
16 volunteering that, after the discussion, he said, I
17 think you didn't place enough emphasis or something.
18 He was just discussing -- you know, he was giving me
19 his view on the economics. But it was a meeting that
20 was put together by the labor -- that's you know --
21 the few meetings that I've ever run into him, that was
22 one that I recall now. But it was nothing that we put
23 on, it was something that a labor council put together.
24 There was some other party people there, as I recall,
25 too.

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1 Q Do you recall any of the campaign staff of your committee
2 ever informing you that they had any discussions with
3 Barnard Gottstein about any of those issues that I
4 referred to, the dome city, Mr. Gravel's absence from
5 votes and so on?

6 A I recall no conversations with any staff people about
7 that.

8 Q Did Mr. Gottstein ever tell you that he was planning to
9 carry out some advertising regarding those issues and
10 Mr. Gravel's positions on those issues?

11 A I never -- I don't recall Mr. Gottstein ever telling
12 me about any advertising he was going to do. And I
13 think after the fact I may have talked to him once,
14 after the advertising had been run for sometime that
15 I was aware of. Any time anything new happens it's
16 like a -- in a campaign, it's like some cataclysmic
17 event and everyone's, what's happening here? I don't
18 recall any prior knowledge of ads that were run for or
19 against Mr. Gravel, other than our own. By that I mean
20 Alaskans for Greuning.

21 Q Did anyone on your campaign staff ever tell you that
22 they discussed with Mr. Gottstein the possibility of
23 him producing any advertisement on those issues?

24 A No. Nobody ever discussed that with me.

25 Q Did you ever have any contact with an individual named

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1 Tom Kelly?

2 A No, Tom -- Tom Kelly was an actual official or an official
3 member of the Murkowski campaign. And I'd known him as
4 a former commissioner of natural resources. So I knew
5 him by name, and -- not socially, but I knew him and had
6 -- knew him enough to discuss things with him, and we
7 had -- I had known -- I don't ever recall seeing him
8 during the campaign specifically. I may have run into
9 him sometime, but I don't ever remember talking to him.

10 Q Do you recall ever having any contacts with a woman
11 named Carolyn Kelly -- Carolyn Gay, I'm sorry. Or Kelly
12 Gay -- who's also known as Kelly Gay?

13 A Yes, Kelly Gay came to some of our fund raisers. She
14 was a friend of Mr. Gottstein's. And I -- I don't
15 recall any specific conversations with her. If I had
16 any, they were on the light side, socially about the
17 weather and so forth. But I know her by sight and by
18 name.

19 Q Did you ever talk to her about any positions I've referred
20 to, Mr. Gravel's position on the dome city or Mr. Gravel's....

21 A I don't recall any conversations, I would have no reason
22 to talk to her.

23 Q Did you ever talk to her about any advertising that the
24 Gruening campaign conducted?

25 A I don't recall anything, but, you know, in the campaign,

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1 people would see an ad that you'd done and say that was
2 great or that stunk, you know. People would tell you
3 their opinions on things that you were running. And
4 a lot of times one person would say it was great and
5 the other would say it was bad, but by that time you're
6 committed anyway. But we got a lot of feedback from
7 various people and she may have said something, but I
8 don't recall anything that she said. We never -- I
9 don't recall even soliciting her opinion on anything.
10 Q Do you recall her ever saying to you that the -- that
11 she or any person she was associated with were planning
12 to do some advertising about Senator Gravel?
13 A No.
14 Q How about an individual named Dick Green, did you ever
15 have any contacts with him during the campaign?
16 A Dick who?
17 Q Dick Green?
18 A No, I don't know a Dick Green.
19 Q Did you have any contacts with a woman named Norma
20 Thompson during that period?
21 A I don't believe I know a Norma Thompson. I might be
22 insulting some people who met me, but I don't recall
23 her either.
24 Q Did anyone working for your campaign ever tell you that
25 they had had a contact with Tom Kelly or Kelly Gay,

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1 Dick Green or Norma Thompson?

2 A No.

3 Q You referred to this earlier I believe. I didn't ask
4 you specifically at that time which ad you were talking
5 about. But, as I'm sure you know, we have information
6 that a group called Friends of Alaska completed a state-
7 ment of organization on July 30th, 1980, and they began
8 some advertisements about Senator Gravel on August 5th,
9 1980, and those ads continued to the 25th of August.
10 Now, do you recall those advertisements?

11 A I recall them. But again, that was an item of press
12 curiosity and notoriety and mostly again kind of like
13 the Aspen thing, because Senator Gravel made such a big
14 deal of it, but I recall that we got hauled -- I say
15 we got hauled into court, I was out of town at the time,
16 but I remember John calling me and saying guess what,
17 we just got sued, and so forth. You know, that's prob-
18 ably the first time I ever got -- paid much attention
19 to what was happening by Friends of Alaska.

20 Q Were you aware at any time prior to the time that the
21 first ad appeared by this group, that the ads were
22 being planned?

23 A No, I -- I'm trying to remember whether we had any idea
24 anything -- anybody was going to do anything. I know
25 there were -- from time to time people would get up

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1 and say things for or against Mike, but I don't recall
2 anything prior to the ads being run, being said to me
3 that tipped me off. I just don't recall. I don't
4 recall any discussions.

5 Q Did any of your campaign staff or officials ever tell
6 you that they'd heard anything that was sort of tipping
7 them off that something might be coming up?

8 A If they did, you know -- I don't recall. I don't recall
9 any -- any conversations by any of my staff people as
10 to the impending ads by other groups.

11 Q How did you learn about the ad?

12 A Well, I'm sure that when the first ad -- within probably
13 three minutes of the first ad hitting the airwaves,
14 John Hale would have heard -- or somebody would have
15 heard, and I know that I probably heard about that quite
16 frequently during the month of August. We had people
17 on our own campaign expressing opinions how it would
18 effect our campaign, as -- we didn't have anything to
19 do with it, but there was much accusation by the Gravel
20 camp that this was all our doing, or we're in cahoots,
21 and so there was alot of flying back and forth, so I'm
22 sure that we knew -- knew about the ads when they
23 started, very shortly after they were aired.

24 Q Do you recall how you yourself became aware of it....

25 A No.

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1 Qwhen you heard them on the airwaves or something,
2 or someone called you?

3 A I don't ever recall ever seeing an ad. I don't know if
4 they were on -- were they on T. V. and radio? I thought
5 I may have heard one on the radio, but that was -- when
6 I heard one on the radio, it was after -- well, after
7 we were aware that they were running.

8 Q What did you do upon learning about these ads?

9 A Didn't do anything. I know that towards the end of the
10 month, we did get a lot of complaints from my campaign
11 people in Fairbanks, whose opinion was that it was hurting
12 us. And I did at that time, I remember, because it was
13 obvious who -- who was on the committee, it was -- Barney
14 was involved in it according to press accounts, and so
15 was this guy Tom Kelly, who was with now Senator Murkowski.
16 And so after talking to a number of people up there, I
17 was concerned -- and I relied on their opinion that it
18 was hurting us. And I -- it may well have, you know.
19 But I decided to talk to Barney about it, because I
20 didn't -- I felt that we may be getting hurt by it, so
21 I did talk to him. I remember having one conversation,
22 it was very close to the primary. And the substance of
23 the conversation was, well, you do your thing, and....
24 Q Who's saying this?
25 A Barney. I can't remember his specific words, but his

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1 response was I'll do what I have to do and, you know,
2 you run your campaign anyway you want. And I didn't
3 order him, it wasn't my office to do that, but I suggested
4 that the -- repeated what the people in Fairbanks told
5 me, and my recollection is that he had his mind made up
6 as to what he wanted to do.

7 Q Did you ask that he stop, is that what you're saying?

8 A Yeah. I didn't order him, I just said that, you know,
9 I -- I don't know if I said stop it, or please stop it,
10 I just said I think they're hurting us in Fairbanks,
11 these ads. At that point, I don't know if I ever heard
12 or had seen one, I just know that I got calls from our
13 organization in Fairbanks, and they said -- we said well,
14 we're not running the ads. They said, well, the people
15 think you're connected with them, or they -- there's a
16 negative reaction to them, and it's our view that they're
17 not helping. And so I passed that on to Mr. Gottstein.

18 Q Now, you say that this was very near the primary, I
19 think, when you made this call. Do you mean it was just
20 a couple of days before the primary or was it just a
21 couple of days after the ads got going, which was around
22 the 5th, we understand. Can you pinpoint the time a
23 little better?

24 A Well, it would have had to have been more than a week
25 after the -- I'm sure, because they had run enough in

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1 Fairbanks, and I don't know when the ads ran in Fairbanks,
2 if they -- if the ads started on the 5th. My recollection
3 of what I was being told by the Fairbanks people is that
4 they'd heard umpty-9 of these ads, and they thought it
5 was overkill, and they thought people would sympathize
6 with Senator Gravel; that this would gain him sympathy
7 vote and for that reason there was a negative reaction.
8 So they must have been running for sometime, but I
9 can't tell you the specific time that I heard from the
10 Fairbanks people, but it was in August, and it may have
11 been mid-August, sometime around there.

12 Q Did Mr. Gottstein in this phone conversation you had
13 with him say that he was going to continue to run ads?

14 A That was my recollection, yeah.

15 Q And in that phone conversation, did you at any point say
16 I'd appreciate your support in this regard?

17 A Well, I think it was implied, that. It's my feeling that
18 -- that was -- given what transpired between -- from
19 way back when, between Senator Gravel and Mr. Gottstein,
20 that there was some bad blood there, and I think --
21 my impression was that Mr. Gottstein was more concerned
22 about making things right between him and Mr. Gravel
23 than he was about the outcome of the primary at that
24 point. And I was -- I felt that everything was out on
25 the table at this point. I thought I was going to win

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1 barring any -- although, you know, everyone seemed very
2 close, barring any major events and I didn't want to see
3 anything upset it, and I -- I had wished that -- at the
4 time that I talked to Barney that he hadn't done this,
5 but he apparently was committed to doing it. And I
6 think his motivation was one of getting back at Mr.
7 Gravel. And probably Mr. Gravel's motivation in bringing
8 the -- I think -- in bringing the complaint, was to get
9 back at Mr. Gottstein. I know that I've talked to
10 Senator Gravel many times rights after the primary and
11 after the general, and for what it's worth, I have no
12 animosity towards him, and I think he has none towards
13 me, or anybody in our campaign. So, I think it was more
14 of a personal thing. And like this Aspen house thing,
15 we got caught up in it, and Mike was determined -- I
16 think Mr. Gravel was determined to -- to start these
17 little brush fires here and there and maybe some of them
18 are warrented and maybe some of them are not, but I
19 looked at that whole thing as a personal dispute between
20 Mr. Gottstein and Mr. Gravel. And to this day, I don't
21 fully understand the sources of their animosity towards
22 each other, but I think it still exists.

23 Q Did you have any discussion at this time in this con-
24 versation to the effect that he should specifically not
25 have any further contact with your campaign?

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1 A No. I don't think that -- we just haven't had that much
2 contact, and I didn't foresee that as a problem. I don't
3 think he mentioned it to me.

4 Q You didn't foresee this phone conversation as a problem,
5 is that what you're saying?

6 A I didn't foresee it as a problem.

7 Q So, you don't recall stating at any point that there
8 might be a legal problem arising from the Federal Elec-
9 tion statutes about his expenditure activity not being
10 independent if he continued to have contact with the
11 campaign? You recall no conversation along those lines?

12 A No, but I would have been concerned. I was aware that
13 -- I have to say that I was aware that after these
14 started....

15 Q These being?

16 A These ads that he was doing, that, you know, we couldn't
17 -- we couldn't be involved in any way in their continuation
18 or planning, which we hadn't been. And so I just --
19 I felt that we were covered there. I was more concerned
20 about -- I had assumed that everybody, even from people
21 who contributed a dollar that they were after the same
22 result. And that was my victory both in the primary
23 and the general. Again, this is only surmising. I
24 think in this case, Barney as one of my contributors
25 had also another interest, and had to do with whatever

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1 relationship that he and Mr. Gravel had. And it goes
2 back a long ways. Senator Stevens was also involved in
3 the primary and I recognize his involvement too as being
4 one of not so much of supporting me as it is one of
5 animosity towards Senator Gravel. And sometimes we're
6 the beneficiary of that animosity, sometimes I think
7 we -- we suffered liabilities because of it, both on
8 Mr. Gottstein's part and Mr. Stevens' part.

9 Q Earlier I asked if in this phone conversation you told
10 Mr. Gottstein that you appreciated his support, and
11 you said: I think it was implied. Do you mean you think
12 it was implied by these ads....

13 A I don't remember saying -- actually trying to restate
14 the conversation in exact words. But I think -- I
15 certainly thanked him for his contributions.

16 Q In this phone conversation?

17 A No. But I mean after the campaign and after he made a
18 contribution of his own money to Alaskans for Gruening.
19 I never thanked him for what he was doing on his own.
20 And the only conversation that I ever had about it, that
21 I can recall, was that one that was prompted by some
22 concern the people in Fairbanks had about what the --
23 and he chose to do what he did, and I -- I don't know
24 what he ultimately did. There was -- you know, there
25 was so many things going on at that point, all kinds of

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1 things coming up. We had labor -- we had part --
2 although we got the labor support after, we had all kinds
3 of people out saying some outrageous things. It seems
4 like -- you know how the campaigns get towards the end,
5 the shots are being fired, the -- every minute across
6 the way from all different directions. It was a very
7 intense, exciting and confusing time, I remember.

8 Q Correct me if I'm wrong, what you're stating is that
9 you didn't specifically state in this conversation " I
10 appreciate your support" in terms of these ads?

11 A No, I did not.

12 Q Now, the time period leading up to August 5th when these
13 ads began, was Barnard Gottstein assisting with fund
14 raising up to the time these ads were published?

15 A I don't recall. I know that his -- most of the work
16 he did earlier in the campaign. Whether he did or not,
17 I can't say. I never had any contact with him in August
18 in relation -- and I don't remember any in July. There
19 may have been some. I know that a lot of -- I know in
20 July I did have contact with a Barbara and Larry Weinberg
21 that Barney had suggested sometime earlier, probably in
22 June. She's a fund raiser for many causes, but she helped
23 raise money, but I dealt directly with her. In fact,
24 I went down to L. A. and met with her and some other
25 fund raisers. But I don't recall any time in August,

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1 or July for that matter, talking to -- to Barney about
2 fund raising, but he may have -- he may have been making
3 some calls on his own, I don't know.

4 Q After these ads were aired -- the Friends of Alaska ads,
5 did you have any contact with Mr. Gottstein in his capacity
6 as a fund raiser? In other words, did he continue to
7 assist as a fund raiser after the ads, or during the
8 time those ads were made public?

9 A I don't think he did. And I think -- I think once the
10 suit was filed, I don't -- I think John -- I was out
11 traveling the hinterlands. We had a schedule that took
12 me from Ketchikan to Barrow, literally thousands of
13 miles in the time zones in the last couple weeks, and I
14 -- John may have well said at that point to Barney that,
15 you know, we have to cut off all contact. But I don't
16 remember John saying that to me and I -- I don't recall
17 any fund raising activity on Barney's part during those
18 last weeks. I know John may have had a concern about
19 it. I didn't, because I just never felt we were in any
20 way involved in what Barney was doing in terms of those
21 Friends of Alaska ads, so I wasn't that concerned despite
22 the fact that Senator Gravel had filed a lawsuit. And
23 the papers -- you know, I don't remember exactly when
24 the lawsuit was, but it seemed to me it was sometime
25 very close to the primary, and it was my impression it

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1 was another, again, second front that he hoped opened
2 -- he hoped to open. That was my view of the lawsuit.
3 But I wasn't present at the court hearings or any of
4 that.

5 Q After the ads began, did you have any contact with Mr.
6 Kelly?

7 A No. I don't think I ever had any contact with Mr. Kelly.
8 One time, I think, during the campaign I ran into him
9 at the Barrow airport. He's a consultant to the North
10 Slope -- the Arctic Slope Regional Corporation, as I
11 remember, and I just saw him passing. That's the only
12 time I can remember seeing him in the campaign. The
13 press was carrying accounts. The press -- Senator Gravel
14 was making some accusations and the press was chasing
15 him around too, I guess. I remember reading something
16 about that, but I never had any conversations with him.

17 Q How about Mr. Green or Kelly Gay, Norma Thompson? After
18 these ads began, did you have any discussions with them?

19 A No. No.

20 Q Did Mr. Gottstein assist you in any way in the general
21 election campaign?

22 A Again, I think in some fund raising activities, I think
23 he helped in some regard although I think his interest
24 wasn't as intense as it was in the primary, but I do
25 think he helped in terms of fund raising. I don't

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1 think it was a major role, but I -- I think he may have
2 -- may have helped. But I don't specifically -- I think
3 he was entitled to give another thousand dollars in the
4 general and I think he did.

5 Q Did you have any contact with him wherein you requested
6 that he assist with fund raising in the general?

7 A I don't think so. I know that he gave in the general.
8 He gave personally. I think Kelly Gay did too. That's
9 all -- you know, they're all recorded, so you....

10 Q Did you ever become aware of an article that had been
11 published in the Wall Street Journal about Senator Gravel?

12 A Yes. In fact, I remember the reporter who wrote it
13 came to see me personally to interview me about it. I
14 think prior to its being written, he interviewed me.
15 I don't know when that was, but he came to my law office
16 actually and interviewed me. His name was something
17 like Ignatious (ph), David Ignatious (ph). I know it
18 was a wierd coincidence, because right after I had been
19 interviewed by him, I ran into his father on an airplane
20 just by chance. He was traveling in Alaska.

21 Q Do you recall if this visit from the reporter came before
22 or after the ads for the Friends of Alaska appeared?

23 Do you remember?

24 A I really don't recall. It was, I think, in the summer
25 of '80.

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1 Q Did this person mention to you that they had already
2 spoken with Barnard Gottstein about material for the
3 ad? I'm sorry, the article.

4 A Which person is this now?

5 Q This reporter....

6 A You mean the Wall Street Journal reporter? No, I meant
7 -- no. But it really surprised me. He -- it was just
8 a normal reporter interview, in which he came in and
9 asked things about the campaign. And I think I asked
10 him whether it was a story, I was curious too, but he
11 said he was just covering some Senate races. He was
12 one of about 4 or 5 reporters from national newspapers
13 that came up and interviewed me on the race. And there
14 was a lot of interest in the U. S. Senate race, apparently
15 even though sometimes we think we're completely isolated
16 up here, there was some other major papers -- or some
17 other Outside papers that come and I thought he was just
18 another one of the reporters.

19 Q We read about you.

20 A You read about me, huh?

21 Q Do you recall how you heard about that Wall Street
22 Journal article, the fact it was published?

23 A Again, we get the Wall Street Journal up here almost
24 on the day it's published. In fact, I think they have
25 a Western edition. I'm sure the phone rang off the

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1 hook. There was some -- we saw the -- I remember getting
2 a call from Steve Cooper in Fairbanks; he said, have
3 you seen this Wall Street Journal thing? And I hadn't
4 seen it at the time, but I'd known what the contents
5 were by other calls I'd gotten previously after it came
6 -- hit the streets. And he says, I think we ought to
7 print up a thousand, 10 thousand of these and hand them
8 out. And my response was, really, Steve, do you think
9 anyone in Fairbanks gives a hoot about the Wall Street
10 Journal? And that was my feeling about it. I don't
11 think -- I think just given the politics up here, it
12 was maybe a plus, although the Wall Street Journal wasn't
13 viewed as the New York Times, it was more conservative.
14 The way things were, it was Eastern. I don't think there
15 was any one theme up here, it was the West against the
16 East. All those Easterners telling us how to use our own
17 land. And Mike was trying to play that for all it was
18 worth. I thought it was -- well, it might have made
19 good press back there. I didn't look at it as any great
20 plus, and I didn't see any value in it. If I had, I
21 would have been happy to distribute the thing to voters,
22 but I didn't see any great value in it. It was an
23 interesting article as I recall, I may even still have
24 it some place in the file.

25 Q John Hale told us already that he attempted to call you

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1 but you were out of town. Do you recall if he was the
2 first person you heard about it from?

3 A It could have been, it just -- so many things were
4 hitting the fan so to speak, and I don't even remember
5 when that came out. I do remember Steve's call, because
6 he's the only one that I can remember ever wanted to do
7 anything with the ad. John pro -- I know John discussed
8 it with me, but I can't tell you what -- you know, what
9 his recommendation was or what he thought of the ad, or
10 the article.

11 Q He told us that he contacted Barnard Gottstein and showed
12 him a copy of the ad. Did he ever tell you about that?

13 A He may have. I don't recall him -- I don't recall him
14 saying that he had but, if he says he did, he did.

15 Q Did you request that he do that?

16 A No. I'm sure that Barney -- Mr. Gottstein probably
17 heard about it from a number of sources. He may even
18 read the Wall Street Journal. But I don't recall John
19 Hale ever saying anything to me about it. He may well
20 have though.

21 Q Did you ever talk to Mr. Gottstein about the Wall Street
22 Journal article?

23 A No, I don't recall any specific discussion of it.

24 Q I want to go back with the conversation you recall having
25 with Mr. Gottstein, where you talked to him about the

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1 ads that had come out, and it was based on your previous
2 contact with someone from Fairbanks in the campaign.
3 I'm trying to get some sense if at any point in that
4 conversation you discouraged Mr. Gottstein....

5 A I....

6 Qexpressly discouraged him from doing those ads?

7 A I said based on what people are telling me in Fairbanks,
8 they're not helping -- not helping my election. That
9 was my chief concern. I was not....

10 Q That's a statement of fact. I mean, were you just stating
11 a fact to him or did you also couple that with the express
12 request that he not do it anymore?

13 A I think that was implied. I mean, I wouldn't -- wouldn't
14 have called him to inform him of this unless I was
15 concerned about it. And I had no power over him and he
16 had none in the campaign other than any other contributor
17 would, but I called him because I was concerned. I had
18 to rely and I did rely on what the Fairbanks Gruening
19 volunteers told me, and that was that they thought that
20 this activity of Friends of Alaska was not helping.

21 Q You testified earlier that he did tell you that he was
22 planning to do some more ads?

23 A As my recollection is, he said I -- you know, it's my
24 own business, I intend to go ahead with it. And I
25 think -- we ran our own campaign and we got a lot of

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1 conflicting advice from outsiders sometimes, and I
2 can't say that Mr. Gottstein ever said this, but I
3 think at times he felt that we didn't know what we were
4 doing or, you know, we needed help. But the results
5 speak for themselves, and the primary did fine, which --
6 maybe we did, maybe it was impossible to win.

7 Q John Hale told us earlier today that Norma Thompson at
8 one point was providing some services to your campaign.
9 Is that correct?

10 A Well, again, I'm not sure who Norma Thompson is. Who
11 is she? What did he say she did for us?

12 Q He said that she assisted with planning some telephone
13 solicitations and that her assistance was provided in
14 the early summer months in May and early June.

15 A I have no personal knowledge of that; we had a lot of
16 volunteers and we did a lot of phone calling. She was
17 a phone -- telephone volunteer? I rely on John's state-
18 ment, I have no personal knowledge of that one way or the
19 other.

20 Q He said that she did assist him in planning some of the
21 scripts for telephone solicitations and that this was
22 in the early summer.

23 A Um-hum.

24 Q And then he told us that at one point she telephoned --
25 had spoken to him, and told him that she would not be

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1 able to come into the campaign headquarters. Do you
2 recall him ever telling him about this incident --
3 telling you about this incident?
4 A No, I don't . This is -- I did suggest to Chuck Dunnagan
5 who is with John today earlier, that he ask or at least
6 suggest that John come up here to answer questions like
7 that, because I don't -- I didn't have knowledge of every
8 detail of the campaign, and I don't specifically have any
9 personal knowledge of this. It doesn't mean John didn't
10 mention it to me, some things don't register.
11 Q During the primary campaign, you've indicated that Mr.
12 Gottstein assisted with fund raising for your campaign.
13 A That's right.
14 Q I think you also stated that you requested that he assist
15 the fund raising specifically, is that correct?
16 A That's right.
17 Q From the period that you originally asked him to assist
18 with fund raising and the time he initially started
19 doing the fund raising, did his role change at any point
20 up to the time that these ads began to be published by
21 Friends of Alaska?
22 A Never changed. Mr. Gottstein was a contributor and also
23 participated and assisted in helping raise money. Never
24 had any other role in the campaign at any time.
25 Q Did there not come a time just before these ads came out

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1 when his contacts with the campaign ceased?

2 A Well, I never had any contact with him other than that
3 telephone conversation, and it may well be that he did
4 not do any fund raising after the ads came out. I don't
5 know.

6 Q I meant actually before the ads came out?

7 A Before the ads came out what?

8 Q Did there come a -- was there a period of time when his
9 contacts dropped off in terms of him telephoning you about
10 potential supporters or for any other reason....

11 A There weren't a great deal of contacts anyway, but it
12 could have been -- you know, I just don't re -- I recall
13 most of my early contacts with Mr. Gottstein were in '79,
14 at least, when we were groping probably for whatever
15 support we could get financially. And so I remember
16 spending some time soliciting a contribution and assis-
17 tance in raising money from a number of people, including
18 Barney. But after that there weren't a lot of contacts
19 at all, but I don't recall specifically any contacts
20 other -- right now, in those last months before the
21 primary, July and August, other than the ones I've
22 mentioned.

23 Q The contact you mentioned where he had apparently spoken
24 with you and then you as a result contacted Barbara
25 Weinberg. Is it your recollection that was the last

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1 contact you had before these ads appeared?

2 A And that might have been earlier. You know, I'd have --
3 I'd have to do a little research to determine. I don't
4 know how particularly I could determine this, but I may
5 have first contacted Barbara Weinberg earlier in the year.
6 It could have been in the spring -- as early as the
7 spring, but I don't recall. I know that was one contact
8 and the other one was the one I just mentioned the --
9 in regard to the -- the conversation in August about the
10 impact of the Friends of Alaska ads in Fairbanks.

11 Q I understand you don't recall, I just want to try to
12 focus you as best we can on when was the last contact
13 you had before the -- with Mr. Gottstein before these
14 ads came out.

15 A In terms of -- you're asking a month or the time period?
16 I can't really say, I....

17 Q The best that you can come up with.

18 A I had such infrequent -- and I was meeting literally
19 hundreds of people, I really ca -- I can't say with
20 certainty. I -- it could have been in July, but it
21 could have been earlier too. It was the last time I
22 actually talked to him on the phone or otherwise.

23 Q You've indicated that Mr. Gottstein attended that meeting
24 at Mystrom Advertising and viewed that film clip.

25 A Yeah, it was more than a clip.

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1 Q The film. You say that he was not there in any sort of
2 capacity to advise or consult with you about whether
3 that was a good product or not? Was he only there because
4 he was a fund raiser?

5 A He was there because he was a fund raiser.

6 Q Only for that reason?

7 A Only for that reason and his interest in further funding.
8 I'm sure his opinion as a fund raiser as to the value of
9 doing that would have had some impact, but it was chiefly
10 concern, if we were going to have a film at all, that we
11 have the means to pay for it, and he was a potential
12 backer who would do it. And we showed people brochures
13 and plans of what we planned to do with money, a lot --
14 in fact what we even had as a fund raising device, what
15 \$50.00 would buy, what \$100.00 would buy, in terms of
16 radio ads or brochures, and so I looked at it in that
17 light, as a way to interest him in participating in this,
18 what would be a major commitment of campaign funds. And
19 I'm sure he had an opinion of it, but I don't remember
20 him -- I don't ever recall him saying no, don't run
21 anything or, you know, this is how I think you should
22 run your campaign. I think he felt in many ways that
23 we were amateurs and we certainly were. But that was
24 our business, and we ran the campaign as we saw fit.

25 Q Why did you invite Mr. Gottstein first, and Mr. Gottstein

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1 and Mr. Carr apparently are the only ones that you recall
2 perhaps attending that meeting. Why were they the only
3 contributors invited to that particular meeting?

4 A Well, they'd be major underwriters of the enterprise.
5 Obviously, and the campaign records reflect this, we'd
6 have to raise money from a lot more sources. But at that
7 point, I thought -- this was earlier in 1980. Again, I
8 think about the spring. I'm not sure that they -- it
9 was important to have commitments, at least some major
10 backers. And Greg Carr and Mr. Gottstein would have
11 been major backers in terms of helping to raise money to
12 pay for the film. So, we did have an interest. I don't
13 think any -- we were going to view it anyway, and I think
14 it was a means of, you know, getting his interest. We
15 did want his commitment in terms of fund raising. We
16 wanted that from everybody. No matter who worked in the
17 campaign, they all had fund raising responsibilities
18 because that was an ultimate problem. And Mr. Gottstein
19 was a major contributor, and so we did invite him. I
20 think that we decided to carry it further, we may have
21 had further -- further meetings with various people. We
22 may have shown it in other groups including some people
23 in the other part of the state. We never got that far.

24 Q You indicated you showed some other brochures or materials
25 to potential contributors. Did you show such materials

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1 to Mr. Gottstein at any time?

2 A I don't think so. My wife did a lot of the graphics,
3 and I think we showed it to -- we may have shown it to
4 some people outside of the campaign but I can't tell
5 you specifically. I think we were looking early on to
6 doing a brochure and, you know, I think we showed it
7 to other people, but I don't recall ever showing a
8 brochure prior to publication or -- to Mr. Gottstein.
9 If he even got one, it would have been on a mass mailing
10 list.

11 Q One final question I have. Did you have any contact
12 with the firm Alaska Advertisers at any point after,
13 say July 1st of 1980?

14 A I never had any contact ever with them personally.
15 I understand, through talking to Mr. Hale, that we had
16 used them -- we did in fact use them in, oh, October
17 or November of '79. But to my knowledge, we never --
18 never used them for any purpose after that.

19 MR. THOMAS: All right, I have no further questions.

20 Thank you very much for your time.

21 MR. GRUENING: Thank you.

22

23

END OF PROCEEDINGS

24

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C E R T I F I C A T E

1
2 UNITED STATES OF AMERICA)
3 STATE OF ALASKA)

4 I, ROMA L. AKULAW, Notary Public in and for the State of
5 Alaska, residing at Anchorage, Alaska, do hereby certify:

6 That the annexed and foregoing deposition of CLARK
7 GRUENING was taken before me on the 5th day of August, 1981,
8 beginning at the hour of 1:00 o'clock p.m., at the U.S. Federal
9 Court and Office Building, 701 C Street, Room C-117, Anchorage,
10 Alaska, pursuant to Notice to take said deposition on behalf
11 of the Federal Election Commission;

12 That the above named witness, before examination, was
13 duly sworn to testify to the truth, the whole truth, and
14 nothing but the truth;

15 That this deposition, as heretofore annexed, is a true
16 and correct transcription of the testimony of said witness,
17 taken by me electronically and thereafter transcribed by me;

18 That the deposition is being retained by Akulaw Court
19 Reporting for the purpose of filing the same with the Federal
20 Election Commission.

21 I am not a relative or employee or attorney or counsel
22 of any of the parties, nor am I financially interested in this
23 action.

24 IN WITNESS WHEREOF, I have hereunto set my hand and
25 affixed me seal this 14th day of August, 1981.

Roma L. Akulaw

Notary Public in and for Alaska

My commission expires 11/30/84

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GENERAL COUNSEL

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
FRIENDS OF ALASKA, et al.) MUR 1272

DEPOSITION OF JOHN PARKER HALE

APPEARANCES:

FOR THE COMMISSION: JONATHAN LEVIN
Attorney at Law

and
SCOTT THOMAS
Attorney at Law

FOR MR. HALE: CHARLES DUNNAGAN
Attorney at Law
801 West Fireweed Lane
Suite 201
Anchorage, Alaska 99503

* * *

PURSUANT TO NOTICE, the deposition of JOHN PARKER HALE was taken before Roma L. Akulaw, Notary Public in and for the State of Alaska, at the U.S. Federal Court and Office Building, 701 C Street, Room C-117, Anchorage, Alaska, on the 5th day of August, 1981, beginning at the hour of 9:00 o'clock a.m.

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P R O C E E D I N G S

JOHN PARKER HALE

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first duly sworn under oath, testified as follows on examination:

BY MR. LEVIN:

Q State your name, please.

A John Parker Hale.

Q And your address?

A Box 22, Auke Bay, Alaska.

Q And your present occupation?

A I'm unemployed.

Q What was your previous occupation?

A I was a legislative assistant to the Majority Leader in the State House of Representatives.

Q Were you the campaign manager for Alaskans for Gruening?

A Yes.

Q From when to when?

A From November 1st, 1979 until the day of the general election in 1980.

Q Okay. Did you hold other positions prior to that with Alaskans for Gruening?

A No.

Q How did you come to be affiliated with Alaskans for Gruening?

A I've known Clark for several years. I was a reporter covering the Alaska Legislature when he was a member of

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1 the State House, and we became friends and it developed
2 into a position there where I wanted to assist him in his
3 campaign.

4 Q Were there any other committees that assisted in the campaign
5 for Clark Gruening?

6 A The Friends of Alaska committee. There was one other
7 committee that I'm aware of in western Alaska called the
8 Western Alaskans For Better U.S. Senate Representation, I
9 believe.

10 Q What was that?

11 A It was just a very small group. I remember in thinking
12 back about this case and I wanted to mention it just as
13 an example here of the way we conducted our campaign. I
14 was very familiar with all of the laws and regulations
15 that the FEC has laid down and that group came to our
16 attention when they phoned our campaign headquarters and
17 asked for a picture of Clark. They wanted to put an ad
18 in the newspaper. And we had a considerable discussion
19 as to whether or not that simple act would have violated
20 your rules, and finally determined that it would not.
21 That it would not have been any different to give them a
22 picture of Clark than it would be to have given it to a
23 member of the general public that walked in off the street
24 and asked for the same material, and so we sent that
25 picture to them. But it was, as I say, a great deal of

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1 attention was given to the possibility as to whether or
2 not that would have violated rules against coordinating
3 campaigns, coordinating strategy between independent
4 organizations.

5 Q When did that occur?

6 A Oh, July of 1980, or June.

7 Q Did you have any other contact with them?

8 A No.

9 Q None whatsoever?

10 A No.

11 Q When was Alaskans for Gruening created?

12 A Prior to the time I started as campaign manager. It was
13 formed, I believe, in September or October of 1979.

14 Q Just go back a second. Do you know of any other committees
15 other than the one you just mentioned?

16 A No.

17 Q So, who formed Alaskans for Gruening?

18 A To my knowledge -- to the best of my knowledge Clark
19 Gruening and Dick Angell, the chairman.

20 Q And you associated yourself with Clark Gruening as you've
21 said when you became chairman?

22 A No, I was not chairman. Campaign manager, yes.

23 Q That was your first association?

24 A With the campaign committee, yes.

25 Q Had you involved yourself in any campaign activities prior

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1 to that with the Gruening campaign?

2 A Clark announced in October and I had briefly discussed
3 his announcement speech with him, but that was about all.
4 Very minimal contact.

5 Q Did you engage in any other activities relating to let's
6 say the possibility of the Gruening candidacy before he
7 announced?

8 A Just talking about it you mean?

9 Q Talking about it with him, with other people?

10 A Well, Clark was being discussed as a possible candidate
11 many, many years ago. He and I became friends back in
12 1977 and I asked him then if he was going to run against
13 Mike Gravel and he said gee, I might give it some thought
14 and I said well, let's get together if you do and work
15 something out. But there hadn't been anything -- there
16 wasn't anything any more formal than that.

17 Q In your response to the complaint last -- the complaint
18 you received last August, you state that Mr. Barnard
19 Gottstein commissioned polls in early 1979. Could you
20 state what those polls were?

21 A I only really know what I read in the newspapers. They
22 were released to the Democratic Central Committee and as
23 I recall it just pretty much was an approval rating of
24 pretty much all the statewide office holders. There were
25 ratings of Ted Stevens, Don Young, other candidates, and

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1 Clark's name was in there because he was a potential
2 candidate for the Senate, as was many other names of
3 Republican candidates and so forth.

4 Q How did you know that it was paid for by Gottstein?

5 A Well, because that was in the newspaper. It was released
6 to the Democratic Central Committee, which is 40 people,
7 by Mr. Gottstein.

8 Q When you came to the committee in November of 1979, did
9 you -- what kinds of activities did you engage in at the
10 beginning? Did you analyze polls, did you talk to various
11 people? What kind of activities were you involved in?

12 A The first few days actually I spent just sitting at a
13 typewriter preparing the whole plan for the whole Primary
14 campaign. I spent approximately a week doing that, and
15 then there is a lot of preliminary work that goes into a
16 campaign dealing with very small details such as
17 commissioning a graphics artist, come up with a logo for
18 the campaign, getting stationery printed up, finding
19 office space, that sort of thing.

20 Q Getting back to this poll. Was there any discussion of
21 the poll while you were with the campaign? Of that poll
22 Mr. Gottstein commissioned.

23 A There was some, but it was -- you know, it was so -- I
24 believe it was taken in early 1979, and it was very
25 superficial and it showed, I think, Clark Gruening with

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1 about a 20 percent recognition factor statewide, and it
2 really wasn't of much value. And as far as, you know,
3 anything of monetary value it was essentially worthless
4 because it had been released publicly. There was no in-
5 formation that we had that everybody in the Democratic
6 Party didn't have.

7 Q Did anybody talk of it being given to the campaign before
8 it was released publicly?

9 A No.

10 Q Was it given to Clark Gruening before it was released publicly?

11 A Absolutely not.

12 Q Do you know Earnard Gottstein?

13 A Yes.

14 Q How long have you known him?

15 A Oh, actually for probably 15 to 20 years. I went to
16 junior high school with his daughter and I've known the
17 family for a considerable period of time.

18 Q What other activities have you associated yourself with
19 where you have met or had contact with Barnard Gottstein?

20 A In 1978 I worked for Chancy Croft who was the Democratic
21 nominee for governor and Mr. Gottstein has been very
22 active in Democratic party politics and I came to know
23 him a little bit better during that.

24 Q Was Barnard Gottstein involved in any of the activities
25 leading up to the decision by Clark Gruening to run for
26 office? For instance, in the way of convincing Gruening

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1 to run and telling him about his possibilities?

2 A In fact it was just the opposite. An individual who is
3 as active as Mr. Gottstein is in politics can be a source
4 of support and it's natural to approach him and ask him
5 for his assistance in a campaign or his -- even a
6 contribution from him personally would be of help to any
7 candidate. And before Mr. Gottstein would do that he has
8 to be convinced that you know what you're doing, that you
9 have your direction set and you can win. And rather than
10 him coming to you urging you to run, it's the other way
11 around. You lay your campaign out and turn around and go
12 to him and say here are our chances, we think we can do
13 it with your help, will you contribute to our campaign or
14 provide other assistance. And that's exactly the way it
15 went. Clark and I worked for about the first two months
16 of the campaign preparing the plan on paper, putting it
17 down, and I believe it wasn't until after the first of
18 the year, in January of 1980, that Clark went to Barney
19 and showed him, you know, what we intended to do, the
20 strategy of the campaign and so forth.

21 Q When after the first of the year did you approach Barnard
22 Gottstein?

23 A I did not, Clark did.

24 Q And when did he do that?

25 A January, I think.

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1 Q Did he have any other contact with Barnard Gottstein
2 prior to that?

3 A Not to my knowledge.

4 Q Do you have any knowledge of Barnard Gottstein's activities
5 in relation to the 1980 Senate contest, prior to the
6 formation of the Alaskans for Gruening?

7 A No.

8 Q Do you know of any other polls that Gottstein commissioned
9 that he might have sent to various principals involved in
10 Alaska politics?

11 A I believe he commissioned two polls, both of which he
12 released publicly.

13 Q He did not send any to Senator Stevens, for example?

14 A No. No. I can't say that for sure, but not to my knowledge.

15 Q He did not send them to any principals before he released
16 them to the public or before they were released to the
17 newspapers?

18 A Not to my knowledge.

19 Q How did you know of Mr. Gottstein's reluctance to support
20 Clark Gruening prior to the time that Clark Gruening went
21 and visited Barnard Gottstein?

22 A Clark and I had discussed that, so I guess I did have --
23 I was aware that Clark had talked with Barney Gottstein
24 prior to the time that I came on board as campaign manager,
25 but I don't believe that there were any discussions from

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1 the time I came on as campaign manager until January of
2 1980. Mr. Gottstein, I know, was out of the state
3 vacationing in Hawaii, I believe, and he just wasn't
4 around.

5 Q Do you know what Barnard Gottstein said to Clark Gruening
6 that would give him the idea that Gottstein approved or
7 disapproved of his efforts at that point in late 1979?

8 A No.

9 Q Once Clark Gruening began talking -- once Clark Gruening
10 met with Barnard Gottstein did Barnard Gottstein partici-
11 pate in any activities on behalf of Alaskans for Gruening,
12 Clark Gruening, or the Gruening campaign?

13 A In activities such as what?

14 Q Fund raising.

15 A Yes.

16 Q Could you elaborate on that and tell us what kind of fund
17 raising he did?

18 A Um-hum. (affirmative) Mr. Gottstein contributed to the
19 campaign and -- he personally contributed, and he urged
20 his acquaintances both in and out of the state to also
21 contribute. Where do you guys get all this stuff anyway?
22 MR. THOMAS: Public reports to the committee. Why don't
23 we go off record.

24 Q When did Barnard Gottstein contribute to the campaign?

25 A I can't tell you the exact date.

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1 MR. DUNNAGAN: You have the reports there, don't you?

2 A Yeah, you should have the information.

3 Q We have the information here that he made a \$1,000.00
4 contribution on September 30th, 1979. Do you -- based
5 on the third quarterly report for 1979 of the Alaskans for
6 Gruening committee. And that's covering the period from
7 August to September of 1979. Would you have any idea why
8 Mr. Gottstein would have contributed that early that sum
9 of money and not be supportive of the Gruening campaign?

10 A I think Mr. Gottstein was supportive from, you know, the
11 beginning. It was just a question of degree. I was
12 unaware that he had contributed that early but the support
13 that he supplied is fund raising support among his
14 associates.

15 Q Might the existence of this contribution refresh any
16 memory you might have of any contact between Gottstein
17 and Gruening other than the ones you have mentioned?

18 A Clark had talked to Barney, as I said.

19 Q So, what did Clark say about Barney's attitude toward the
20 campaign?

21 A That was it. He was -- you know, he was not -- he would
22 not fully -- he would not support him to -- in an active
23 way, you know, until he could see some evidence that the
24 campaign was organized and ready to go.

25 Q In getting back to fund raising, you said that he got

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1 contributions for -- he talked to his associates?

2 A Um-hum. (affirmative)

3 Q What other fund raising activities did he engage in?

4 A That's all.

5 Q Did he host any fund raisers?

6 MR. DUNNAGAN: You're not required to have total recall.

7 A I don't believe that he did. Barney Gottstein was very
8 active, as I said earlier, in Democratic politics. He
9 hosted fund raisers for a wide variety of democratic
10 candidates. For the State House, for the State Senate
11 and so forth. Throughout the year 1980 there were many
12 fund raisers at Barney's house but I don't believe that
13 there was one specifically for Clark.

14 Q Who asked Barney Gottstein to perform fund raising duties
15 for the campaign?

16 A Clark Cruening.

17 Q Did anybody else in the campaign ask him to perform some
18 duties?

19 A No.

20 Q Did anybody ask him to perform fund raising with respect
21 to specific contributors? Ask specific contributors
22 to contribute money for the campaign?

23 A No. Is your question did Clark go to Mr. Gottstein and
24 say there are these six people that you may know.....

25 Q Or someone else in the campaign may have gone to Mr.

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1 Gottstein and asked him?

2 A No.

3 Q Did not ask him if he could get his business associates to...

4 A No. I believe you're misunderstanding Mr. Gottstein's
5 role in the campaign. Dick Angell, the chairman of
6 Alaskans for Gruening, was our chief fund raiser. He
7 raised the money for the campaign, the lion's share of it,
8 and there are many other people in the campaign who helped
9 raise funds, including myself. I'm young and I don't have
10 a lot of friends that have a lot of financial resources
11 but I would still go hit them up for fifty bucks, even my
12 lawyer here.

13 Q You mentioned these fund raisers done by the -- done for
14 various candidates in general, and you said that you don't
15 recall any specifically for Clark Gruening. Did any
16 members of the Gruening campaign, the AFG staff, or Mr.
17 Gruening attend any of these fund raisers?

18 A Yes -- go ahead.

19 MR. DUNNAGAN: I'm going to object to the form of the
20 question. A lot of your questions are seeming to require a
21 broad knowledge that no one can really possibly have when you
22 -- that anybody did this, anytime, anywhere.

23 MR. LEVIN: Well, the witness was about to answer yes, so
24 apparently he has some knowledge.

25 MR. DUNNAGAN: Well, as opposed to all-pervasive knowledge.

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1 Go ahead.

2 A Sure. What was the -- all of the many people in the
3 campaign attended Democratic functions of all kinds,
4 everywhere, at any location, regardless of who sponsored
5 it.

6 Q You said that Clark Gruening had asked Barnard Gottstein
7 to help raise funds, and we have already established that
8 we do not know of any specific contributors. Do you know
9 of any specific instructions that Clark Gruening might
10 have given to Barnard Gottstein with respect to fund
11 raising?

12 A No.

13 Q Do you know of any specific suggestions Barnard Gottstein
14 may have made to Clark Gruening or anyone else on the
15 campaign staff with respect to fund raising?

16 A No. The only thing that the campaign provided for Mr.
17 Gottstein's activities was position papers and that sort
18 of material just for him to use in showing other people
19 what the candidate stands for.

20 Q Did Barnard Gottstein do any speaking, public speaking,
21 for Clark Gruening?

22 A No.

23 Q Did he go around and talk to his friends about Clark
24 Gruening?

25 A Yes.

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- 1 Q Did Barnard Gottstein serve on any finance committee of
2 the campaign?
- 3 A No, there was no finance committee.
- 4 Q Did he ever hold a position?
- 5 A No, he was not involved in any way other than asking his
6 friends to contribute.
- 7 Q Did he himself provide any names to the campaign so that
8 the campaign might solicit those people?
- 9 A No.
- 10 Q Did he assist in finding campaign headquarters?
- 11 A No.
- 12 Q There is an allegation made in the complaint that Barnard
13 Gottstein hired a private investigator, Mr. Paul Sakwa (ph),
14 to provide information for an article that appeared in the
15 Wall Street Journal that was very critical, or somewhat
16 critical, of Senator Gravel. Do you know anything about
17 that allegation as to the truth of it?
- 18 A No.
- 19 Q Do you know whether that's true or not?
- 20 A I read your complaint -- read the complaint filed with
21 the FEC.
- 22 Q Had you.....
- 23 A I can't help but find that a bit humorous.
- 24 Q Could you give me some background as to that? What had
25 you heard before that?

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700 H Street, Suite 5 Anchorage, Alaska 99501 (907) 274-3242

1 A What I had read in the complaint.

2 Q Had you ever heard that allegation prior to that?

3 A Mike Gravel accused the Gruening campaign of being an
4 instrument of an international Jewish conspiracy to remove
5 him from office, and there were many details involved in
6 his charge and that was one of them. Mike Gravel went
7 public with that accusation, as I recall, and so I am
8 familiar with many of the details of his charge.

9 Q Do you know if there is any truth to any of the allegations
10 in the Wall Street Journal article, or about a private
11 investigator?

12 A No.

13 Q Did Barnard Gottstein provide any other services for the
14 campaign?

15 A No.

16 Q You mentioned before something about position papers and
17 I just want to check up in case I did mis-hear you. Did
18 you say that Barnard Gottstein saw position papers or --
19 for the Gruening campaign?

20 A We supplied those to him just as we would to any other
21 person who requested them. They are for public consumption.

22 Q So, Barnard Gottstein specifically requested them? They
23 were not provided at the initiation of the Gruening
24 campaign?

25 A I believe that's correct.

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1 Q Did Barnard Gottstein play any policy making role in the
2 campaign?

3 A Absolutely none. None.

4 Q Was he consulted at all as to campaign strategy?

5 A No.

6 Q Was he consulted as to issue positions?

7 A No.

8 Q These answers are all in the context of the entire length
9 of the campaign from November '79 through November '80?

10 A Yes, during -- from the first day of my involvement until
11 the day of the election.

12 Q Of the General election?

13 A Yes.

14 Q Did Barnard Gottstein offer the use of any of the facili-
15 ties of companies in which he had an ownership interest
16 to the campaign?

17 A No. That would have been illegal.

18 Q Did he offer the use of those companies at fair market
19 value? The use of the services of those companies at
20 fair market value. In the usual and normal and ordinary
21 course of business.

22 A The only -- let me think back. As I recall, the only
23 instance in which we used a company or business that was
24 in any way related to Carr-Gottstein business operations
25 was when we went to Alaska Advertisers at the outset of

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1 the campaign when Clark announced and I came on board as campaign
2 manager. We produced a spot for television saying
3 basically how to become involved in the campaign. I had
4 worked through Alaska Advertisers two years prior to my
5 involvement in the Gruening campaign in the Croft campaign.
6 They were our advertising agency and I had experience with
7 the time buyer there and.....

8 Q Who was that?

9 A Judy Parsons. And so just because of my prior experience
10 with her we went back and placed our ads through Alaska
11 Advertisers, for which we paid fair market value for their
12 services.

13 Q Are you familiar with the firm Sandelson Surveys?

14 A Yes. That brings to mind another instance, yes.

15 Q And how did the Gruening campaign come to use Sandelson
16 Surveys?

17 A Sandelson Surveys is operated by Mr. Gottstein's daughter
18 Sandy Gottstein, who is a friend of mine also. She does
19 a great deal of market research for a wide variety of --
20 and so there is a real lack of competent pollsters in the
21 State of Alaska and the one established pollster who was
22 fairly well established and well respected was already
23 attached to another campaign and so we hired DeVries &
24 Associates from North Carolina which then in turn hired
25 Sandelson Surveys just to do the field work for their

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1 -- for the polls that they did for the Gruening campaign.
2 And fair market value again was paid for everything.

3 Q Does Mr. Gottstein have any interest in DeVries & Associates?

4 A No.

5 Q And I'm curious about this, now you said that you initially
6 contacted De Vries & Associates?

7 A Right.

8 Q Did you suggest that they use Sandelson Surveys?

9 A They asked. They asked who was available. That's a
10 standard procedure for pollsters to find out who can do
11 the field work for them in a particular area, especially
12 one like Alaska. So, we mentioned that that was a
13 possibility and so they worked well together.

14 Q So, in other words Sandelson Surveys would do the leg work
15 and DeVries & Associates would take the data and analyze
16 it?

17 A Yes. Just raw information was compiled by Sandelson
18 Surveys. They would do three to four hundred telephone
19 interviews. They would hire a group of people to do the
20 interviews over the telephone and then they would send an
21 enormous stack of paper to DeVries and they would boil
22 that down. There was no way, I might add, that you can
23 get any kind of broad overview of the information that is
24 being gathered during the exercise, until it comes back
25 from DeVries & Associates.

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1 Q Does Mr. Gottstein have any interest in DeVries & Associates?
2 A No.
3 Q Do you know the extent of Mr. Gottstein's interest in
4 Sandelson Surveys?
5 A No, I don't. He -- they operate as an entity within the
6 Carr-Gottstein corporate umbrella. That's as far as I
7 know.
8 Q Did it appear in the context of your dealings with
9 Sandelson Surveys that Mr. Gottstein had an active role
10 in the management of Sandelson Surveys?
11 A No.
12 Q Did it appear in any other context that he -- any other
13 knowledge that you have of Sandelson Surveys that Mr.
14 Gottstein played an active role in the management?
15 A No.
16 Q Was Mr. Gottstein involved at all in setting up the
17 transaction between -- Mr. Barnard Gottstein. Was he
18 involved at all in the setting up of the transaction
19 between Alaskans for Gruening and Sandelson Surveys?
20 A No.
21 Q So, to repeat.....
22 A Pardon me. Yes, let me expand on that a little bit. The
23 transaction -- we hired DeVries & Associates in North
24 Carolina and DeVries & Associates in North Carolina
25

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1 approached Sandelson Surveys.

2 Q At your suggestion?

3 A Yes.

4 Q And you suggested that because of, and it may be repeating,
5 but.....

6 A We suggested that because of -- because of our knowledge
7 of their activity in market research.

8 Q Did you yourself have any contact with Sandelson Surveys?
9 Or anybody at Sandelson Surveys?

10 A Yes. The few times that we did take a poll I was informed
11 of the progress.

12 Q Did you discuss anything else in those communications?

13 A Such as?

14 Q Such as how the campaign was going, strategy of the
15 campaign, the financial ability of the campaign to pay,
16 anything like that?

17 A Not to -- not anything outside everyday social conversation.

18 Q Did you have any discussions with Sandy Gottstein?

19 A About the poll and about the progress of the poll and at
20 times, of course, we would ask to change a question and
21 we would work through DeVries in North Carolina to
22 accomplish that change. And naturally since we were in
23 the same city.....

24 Q What would you base your questions on? Would they be
25 based on political considerations?

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1 A Questions that were in the poll?

2 Q Yes.

3 MR. DUNNAGAN: That's fine. I was just curious what
4 questions you were talking about.

5 A Right, that's what a poll is all about.

6 Q Do you know if any of your contacts with Sandelson Surveys,
7 anything that was said either way from the Sandelson Survey
8 side or from your side, was relayed to Barnard Gottstein?

9 A Not to my knowledge.

10 Q Did anybody else from the Alaskans for Gruening or the
11 Gruening campaign generally, including the candidate,
12 have any contact with Sandelson Surveys?

13 A Just myself, to my knowledge.

14 Q Are you familiar with Carr-Gottstein Computer Services?

15 A Am I familiar with them? I know of their existence.

16 Q Did they provide any services for the campaign?

17 A We -- here's a third instance. We went to them with the
18 computer tape of registered voters and they produced a
19 list of -- I believe it was labels from -- you get the
20 computer tape from the Lieutenant Governor's office and
21 take it to a computer services place and they then print
22 names and addresses of registered voters on labels. And
23 we approached Carr-Gottstein Computer Services for that
24 service and they provided it, for which again we paid fair
25 market value.

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1 Q What was this tape?

2 A Registered voters. You buy it from the Lieutenant
3 Governor's office for \$100.00.

4 Q Did Barnard Gottstein have an active management role in
5 this company?

6 A I don't know.

7 Q Did he have -- appear to you to have an active management
8 role in the context of this transaction?

9 A No, none whatsoever.

10 Q How did you come to use the services of this particular
11 company?

12 A They offered -- they have computer services for sale.

13 Q You say they offered them to the campaign?

14 A No. You look in the Yellow Pages and there's about
15 3 or 4 places in town that can do a job for you. We went
16 to Motznik Computer Services first and we had the wrong
17 -- the tape was not coded so that their machines would be
18 able to use it, and it has to be with bits per inch, bits
19 of information per inch, and we had the wrong number of
20 BPI for their machines. And in fact they were the ones
21 who referred us to Carr-Gottstein because they said they
22 would have to take our tape and send it over to Carr-
23 Gottstein and have it converted and then get it back.

24 Q Did Mr. Gottstein have any interest in Motznik?

25 A No.

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1 Q Why did you then go to Carr-Gottstein?

2 A Well, there's not much point in paying to have the tape
3 -- when you just purchase the tape there is no point in
4 paying to have it converted into another format when you
5 can just go directly to the service that would do the
6 converting and have the labels printed directly. It's
7 cheaper.

8 Q Are you saying -- you went to Carr-Gottstein at Motznik's
9 suggestion?

10 A Yes.

11 Q What communications did you have with the company with
12 reference to this transaction?

13 A The.....

14 Q The Carr-Gottstein company.

15 A I can't even remember the name of the man who ran the
16 operation. He left, in fact, shortly after our service
17 was provided and I can't even think of his name. But he
18 was the manager of the computer services operation there
19 and so I went to him and took the tape to him and said
20 this is what we would like to have and it took quite a
21 while actually to get the service performed. And I went
22 back later for the tape, picked up the bill, took the
23 bill back and we paid the bill.

24 Q Did you have any communication with Barnard Gottstein
25 with respect to this transaction?

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1 A No.

2 Q Other than the committee's dealings with Alaska Advertisers,
3 did your committee, Alaskans for Gruening, have any
4 dealings with any other companies that Mr. Gottstein
5 either had an ownership or managerial interest in?

6 A No. The three instances we've discussed, I believe, are
7 -- that's everything I can think of.

8 Q Sandelson, Carr-Gottstein and Alaska Advertisers?

9 A Right.

10 Q Any others?

11 A No.

12 Q Did Barnard Gottstein offer the services of any employees
13 at his company for Alaskans for Gruening on either a
14 volunteer or paid basis?

15 A No, that would have been illegal.

16 Q Did any of his employees work for Alaskans for Gruening,
17 other than through the context of a business setting?
18 That is Sandelson Surveys or Alaska Advertisers or Carr-
19 Gottstein Computer Services.

20 A Would you rephrase that?

21 Q Other than the transactions we just discussed wherein
22 Sandelson Surveys would provide a service for Alaskans
23 for Gruening, wherein Carr-Gottstein Computer Services
24 would provide a service for Alaskans for Gruening, or
25 wherein Alaska Advertisers would provide a service for

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1 Alaskans for Gruening, did any employees of Gottstein
2 companies work for the campaign?

3 A The company has, I think, a couple of thousand employees,
4 and we had literally hundreds of volunteers in our
5 campaign and some of them may have worked for maybe an
6 hour folding envelopes at one point, but to the best of
7 my knowledge no.

8 Q And that had nothing to do with the fact they were working
9 for Gottstein?

10 A No.

11 Q How did Alaska Advertisers come to provide services for
12 Alaskans for Gruening?

13 A I called Judy Parsons on the phone and said we would like
14 to place an ad and she said great.

15 Q When was this?

16 A It was in -- that might have been a few days prior to the
17 time that I started as campaign manager. I believe it
18 was in October of 1979 when we produced the ad and put it
19 on television.

20 Q And you said you came on board as campaign manager on
21 November 1st?

22 A November 1st, right.

23 Q Could it have been early October of 1979?

24 A Um-hum. (affirmative) That's a very simple transaction.
25 It takes 5 minutes.

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1 Q So, you approached Alaska Advertisers. Did Alaska
2 Advertisers approach the Gruening campaign prior to that?

3 A No, not at all. I recommended Alaska Advertisers. I
4 have experience in time buying and mass communications in
5 general and I have had prior contact with Alaska Advertisers
6 in previous campaigns and I knew what we wanted, how many
7 times we needed to air it and where, and they had the
8 capability of placing an ad and placing it quickly. So,
9 I called them.

10 Q When you called them do you know if Barnard Gottstein was
11 apprised of your request?

12 A No.

13 Q Do you know that he was not apprised of your request?

14 A No.

15 Q You do not know whether he was or was not?

16 A No, I don't. I would find that rather unlikely.

17 Q Why would it be unlikely that Barnard Gottstein would be
18 apprised of your request?

19 A If you're the director of a corporation which employs
20 thousands of people it's very seldom that that person
21 becomes involved in the lower levels of operation in the
22 corporation. It's extremely rare. There's no reason why
23 he would have known about it or would have wanted to know
24 for that matter.

25 Q What was the sequence of events after you -- after you

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1 approached Alaska Advertisers? Within the context of
2 the Alaskans for Gruening and Alaska Advertisers
3 transaction.

4 A A spot was produced by Connections, a firm here in
5 Anchorage, a media production firm, and they gave me the
6 spot and I took the spot to Alaska Advertisers with a
7 check and they placed it. There's nothing mysterious about it.
8 It's just a simple sheet, and they send it to the stations
9 with the times that they want it to run and it goes on
10 the air. That's all there is to it.

11 Q What was the spot?

12 A The spot was a 30 second television spot consisting of
13 Clark with a brief explanation of why he is running and
14 it displayed a -- briefly displayed a graphic message that
15 if you would like to contribute or become involved in the
16 campaign get in touch with us.

17 Q Did Barnard Gottstein have any role in the transaction?

18 A None, to my knowledge.

19 Q Do you know if he had any role in the decision to place
20 the ad?

21 A The decision to place the ad was mine and Clark Gruening's.
22 We made the decision.

23 Q Did Mr. Gruening contact Mr. Gottstein?

24 A No, not to my knowledge.

25 Q Anybody else from the campaign?

8 3 0 4 0 4 5 6 3 9

1 A No.

2 Q What services did Alaska Advertisers provide for Alaskans
3 for Gruening other than to place the ad?

4 A None. It was a one time only affair and then we used
5 Mystrom Advertising which has a great deal of experience
6 in political campaigns for our full media buys. We placed
7 one ad with Alaska -- through Alaska Advertisers, and that
8 was done merely for the sake of convenience.

9 Q Was there another transaction in November of '79 for
10 \$168.00?

11 A No, that -- I believe that was a difference in -- we had
12 -- there was a problem -- there was some sort of difference
13 in billing. They had a different -- the rate card that
14 they were using to compute the bill was different than the
15 new rate card produced by one station, as I recall, or
16 something to that effect, and that's why it was short
17 \$168.00. It was not an additional transaction.

18 Q Could you clarify what you mean by for the sake of
19 convenience when you said it was a one time.....

20 A Yes. We had produced the spot and it was under -- when
21 you try to get something on television it's very difficult
22 because you have to get in a specific limited length of
23 time. You have to get the spot -- opposite spot delivered
24 to Fairbanks, Juneau, Ketchikan, the cable outlet in
25 Seattle and so forth. Clark had announced, I believe,

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1 on October 8th and we felt that it would be best to try
2 and get a spot on the air that weekend, and it was just a
3 last minute idea that came to us. So, we produced the
4 spot. We wanted to put it on Friday, Saturday and Sunday
5 on those stations in the cities that I mentioned and time
6 was of the essence, and so because I knew Alaska Advertisers
7 had the capability of placing the ad I went right to them
8 again because of my prior contacts.

9 Q Why did you then switch to Mystrom?

10 A Because they have had -- Alaska Advertisers -- it is a
11 time buying service. They are not involved in strategies
12 or anything of that sort. They can tell you basically
13 how to get your -- the best exposure for your ad and they
14 can place it for you, but as far as.....

15 Q You mean Alaska Advertisers?

16 A Yes. Mystrom had been involved in political campaigns
17 in the past and Rick Mystrom, the person involved in --
18 the head of the agency, is -- has a good sensitivity for
19 political issues and so forth, and we began searching for
20 an ad agency that could help us not only place the spots
21 but would also be involved to some degree in strategy and
22 so forth. Alaska Advertisers did not have that capability.

23 Q Did Barnard Gottstein have an interest in Mystrom Advertising?

24 A No.

25 Q Not as an owner or manager?

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1 A Certainly not to my knowledge.

2 Q Did anyone else connected with the Carr-Gottstein companies
3 have any ownership or management interest?

4 A Again, not to my knowledge.

5 Q When you had discussions with Alaska Advertisers pertain-
6 ing to the placement of these ads, what did you discuss?
7 Maybe I could make that more particular. Did you discuss
8 time and location of placement? For instance, what
9 station, what dates, drive time, what.....

10 A Yeah, these were television spots as opposed to radio. I
11 just -- we said we have a 30 second -- we said we have a
12 30 second television spot, we want it to run once per
13 night per station in each of these communities, and they
14 took care of it. That was it. And then they told us what
15 the amount was and we brought them a check.

16 Q Did you discuss any strategic considerations such as
17 where to -- where it would be most beneficial for Clark
18 Gruening to.....

19 A Prime time. Anytime between 7:00 and 10:00.

20 Q Where? Did you discuss where in terms of what locations
21 would be the best in terms of.....

22 A As a statewide candidate you need to get your message to all
23 the people in the state and it aired everywhere.
24 Anchorage, Juneau, Sitka, Ketchikan, Fairbanks, and then
25 on the cable circuit run by North Star Communications

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1 which goes to all of the smaller communities in Alaska.

2 Q So, then what would you say were the considerations that
3 went into where and when they were aired?

4 A Well, the only consideration was to get the message to the
5 maximum number of people.

6 Q So, it became a matter of availability of space?

7 A Yeah. When you approach a television station and you say
8 I would like to air a 30 second ad in prime time and they
9 say I'm sorry, we're all sold out, none of them said that,
10 but there is usually a 30 second chunk that's available.

11 Q Did anybody refuse you time other than for space
12 considerations?

13 A No.

14 MR. DUNNAGAN: He just said nobody refused them time for
15 any reason.

16 A Yeah.

17 Q Okay.

18 MR. DUNNAGAN: That you're aware of.

19 A Yeah. It aired everywhere.

20 Q When did Barnard Gottstein become aware of the airing of
21 these ads or the decision to air these ads?

22 A Gee, I have no idea. He -- I would imagine that he saw
23 them on television, if he watches.

24 Q And as far as you know that would be the first time he
25 heard of it, or had he heard of it before?

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1 MR. DUNNAGAN: Well, that presumes an answer which wasn't
2 given, that he knows when it happened at all.

3 A I don't even know if Barney was in the state at that time.
4 But it was not -- he wasn't involved in any kind of a
5 strategy making position. Clark and I and Red Bradley
6 from Connections sat down and produced the spot and we
7 put it on the air. And no one else, including Clark's
8 wife, had a role in its production.

9 Q Were there any other individuals involved in this
10 particular media time buy? Let me rephrase that. Were
11 there any other individuals from Alaskans for Gruening
12 involved in either the production or in the placement
13 of the ad?

14 A No.

15 Q Other than you and Clark Gruening and the principals in
16 the companies?

17 A That's it.

18 Q Other than contacts with Barnard Gottstein to ask for
19 funds, do you recall any other contacts that you had
20 with Barnard Gottstein?

21 A In my lifetime?

22 Q Well, I'm sorry. You're right. Within the context of
23 the campaign, during the period that you worked as cam-
24 paign manager for Alaskans for Gruening.

25 * * *

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1 A Gee, there are -- I suppose I've seen him or said hi. I
2 remember one time I saw him up here when we were hauled
3 into court over this very matter.

4 Q Did you discuss campaign strategy with him?

5 A I can't recall having a substantive conversation dealing
6 with strategy.

7 Q Did you discuss the financial situation of the campaign
8 with him?

9 A You always need money.

10 Q Could you elaborate on that?

11 A I mean a campaign always for some reason seems short of
12 funds, and I talked with Barney on occasion on the
13 telephone and that sort of thing. But it was just -- it
14 was mainly casual conversations. He was not a chief
15 policy formulator or a strategy person in the campaign
16 at all.

17 Q Would he offer any suggestions?

18 A No, I don't recall him ever doing that.

19 Q Do you know if Clark Gruening had any contact with
20 Barnard Gottstein during the course of the campaign?

21 A They talked about to the same extent that he and I talked.
22 On the telephone.

23 Q To the same extent? To discuss strategy?

24 A No, there were no strategy questions involved. Occasionally
25 Barney might talk of one of his acquaintances who was

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1 interested in Clark's candidacy and would like to talk
2 with him personally sometime and perhaps Clark could call
3 him. Something of that nature. Nothing more than that.

4 Q Did they discuss finances? The financial situation of
5 the campaign? Clark and Barney? Clark Gruening and
6 Barnard Gottstein?

7 A They could have. I was not in on any of those conversations.
8 I don't know. I might add here I was at one point
9 wondering if we had offended or alienated Barney prior to
10 the -- we did not even hear from him from about -- I had
11 absolutely no contact with Barney Gottstein from I would
12 say -- the 4th of July I had a -- just prior to that I had
13 a personal problem and my wife -- we left the state for
14 just a couple of days and after that -- after I came back
15 after the 4th of July we did not even hear from Barney.
16 There was no contact whatsoever and I was wondering if he
17 might have been offended in some way or if, you know,
18 something had gone wrong because we did not have contact.

19 Q When exactly did you come back from that vacation?

20 A Well, that was just -- it was the 4th of July weekend,
21 immediately following that. Around July 7th. I don't
22 have a calendar but I think we arrived -- we were back
23 about the 5th.

24 Q Do you recall a meeting at Mystrom Advertising in
25 Anchorage with Clark Gruening, Melinda Gruening, Rick

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1 Mystrom, Larry Holstrom, plus one or more Alaskans for
2 Gruening staff members in which you viewed a number of
3 Gruening's television spots?

4 A Actually we didn't view spots that were ready to go on the
5 air. We viewed a version of a half hour program which
6 Larry Holstrom had produced and it contained -- we decided
7 it was just not suitable for airing and we later used --
8 Larry Holstrom and I produced spots for the campaign and
9 we later decided to use a couple of small bits of material
10 that were included in that half hour program in our spots,
11 but there were -- that was a very early stage of the
12 campaign. There was no -- we were not ready to go on the
13 air with a media campaign at that time.

14 Q When would you say this was?

15 A I would say it was probably late May or possibly early
16 June.

17 Q Who is Larry Holstrom?

18 A Larry Holstrom is one of the partners in Alaska Video
19 Productions in Fairbanks. We hired that firm to produce
20 our media.

21 Q Who owns that firm?

22 A I think Larry is an owner, Ted Lane is the -- another
23 principal, and they may have 3 or 4 others.

24 Q Do you recall what was said at this meeting? For
25 instance, this spot wouldn't be aired -- I mean this

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1 program wouldn't be aired while you would air other
2 spots? Do you recall who said what?

3 A I guess I started it off. It was terrible. It was just
4 a -- we had not set out with the goal of producing a
5 half hour program, but Larry had spent a great deal of
6 time taping Clark and Melinda and various situations and he
7 thought he might have material for a half hour presentation
8 and it just didn't move. It just wasn't what we wanted to
9 go up front with.

10 Q Do you recall Mr. Gottstein stating that this spot failed
11 to address or deal with Mike Gravel's term as a U.S.
12 Senator and it was deficient and inadequate in bringing
13 this incumbent senator's record before the public?

14 A Yes.

15 Q This was at this meeting in Mystem's office?

16 A Um-hum. (affirmative)

17 Q Did Gottstein say anything about the need for new spots
18 to be done? Or new programs to be done?

19 A He expressed his dissatisfaction with the product, as did
20 everyone at the meeting. That was the first time any of
21 us had seen it, had seen any of the material that he had
22 been gathering. That was one way we could look at a
23 condensed version of literally hours and hours and hours
24 of tapes, and that was I think as much for my benefit as
25 anyone else. Larry flew down with that tape and played it

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1 for us, and we took it from there.

2 Q Did Mr. Gottstein say anything about the need for a new
3 entity, such as a committee, to put on ads for Gruening?

4 A No.

5 Q Did he say anything to the effect that he himself would
6 want to assist in some way in improving the spots that
7 were to be put on?

8 A That he would like to be involved in the producing?

9 Q Well, assist in any way?

10 A No.

11 Q Did he offer suggestions?

12 A No, not that I can recall.

13 Q Did the topic of a different entity to create ads come up
14 at the meeting at all?

15 A Not that I recall. Larry Holstrom was there and we had
16 signed a contract with him to produce our material and I
17 think it would have been highly inappropriate to discuss
18 firing him in his presence.

19 Q Did anybody make any suggestion that someone go out on
20 his own and do up a campaign for Gruening or against
21 Gravel?

22 A No, it was a decision that we made at the outset. Polls,
23 by the way, were being published in the newspaper by just
24 about every candidate. Murkowski had David Dittman here
25 and they were polling weekly. From our own polls and that

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1 information it was very obvious that Mike Gravel had an
2 extremely high negative public opinion rating. The
3 purpose of negative ads is to raise someone's negative
4 opinion rating, and when it is already as high as it could
5 possibly go you're wasting your money and you're also
6 risking a substantial backlash to your own candidacy in
7 running those negative ads. And we made a decision at
8 the outset that we would not do any negative ads because
9 we thought it would be counter-productive to the campaign.
10 Q Do you recall any reaction to Mr. Gottstein's statement
11 that the television spots failed to address Mike Gravel's
12 tenure as a senator and were deficient and inadequate in
13 not bringing out the record of Mike Gravel?
14 A Well, there was general agreement. Barney was not the
15 point man as far as our opinion would go. Larry, who
16 produced it, he knew it wasn't what he had hoped it would
17 be. And in fact he expressed that even prior to putting
18 it up on the screen.
19 Q Do you recall anything else Mr. Gottstein said at that
20 meeting? Were you saying that there was general agree-
21 ment that the ads were deficient in bringing out Gravel's
22 record negatively?
23 A There was -- no, there was general agreement that the
24 production had failed to achieve a standard which would
25 attract and hold people's interest. There is an entertainment

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1 factor involved in all messages that you produce or place
2 on mass communications media, and this just didn't have
3 it. And the general idea that Larry had come up with as
4 far as his concept in producing the thing was that he
5 would spend the first couple of minutes just setting the
6 scene, mentioning a couple of historical things, and then
7 coming in to Clark and then we would spend 25 minutes of
8 the half hour dealing with Clark in a purely positive way.
9 And the -- there just wasn't the material there to make a
10 fast moving, entertaining half hour presentation.

11 Q Did anyone concur with Gottstein's statement that there
12 needed to be more negative aspects -- emphasis on the
13 negative in Senator Gravel?

14 A To my -- Barney did not make that statement. He said that
15 that -- that he had stated the production that we
16 viewed did not fully address Mike Gravel's record. At no
17 time did he say we need to have a strong message or any-
18 thing of that sort. There is a big difference.

19 Q Why was Barnard Gottstein present?

20 A Because he was a supporter and we wanted to show him where
21 we were in the stage of the campaign, I suppose.

22 Q Who requested his presence?

23 A I think I did. I asked Clark -- I told him I thought it
24 would be a good idea maybe if we could have Barney there.
25 Again, just as we did in January showing him that we had

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1 a plan and had, you know, things in gear. And, you know,
2 I later realized again as this has been my experience in
3 the past too, that it's a real mistake to show anyone who
4 is not familiar with media productions any material that
5 is not in its final version because they cannot -- as Mr.
6 Gottstein cannot -- he is not a media production person
7 and he cannot see the value or he cannot see a 30 second
8 spot in a 30 minute chunk of material. It's not there,
9 he does not have that ability.

10 Q Was Mr. Gottstein present at any other meetings of
11 campaign personnel, meaning you or Mr. Gruening, prior
12 to that?

13 A That was the only one that I recall. And that's in fact
14 why we thought -- the reason we invited him is that since he
15 had not been present and since he did not know really what
16 we were doing that.....

17 Q By that time did you know that Mr. Gottstein was generally
18 supportive of the Gruening effort?

19 A Oh, yes.

20 Q You had known since January?

21 A Pretty much, yes. He had agreed to assist in fund raising.

22 Q When you say he had agreed to assist in fund raising, what
23 had he agreed to specifically?

24 A To contact his acquaintances and inform them of Clark's
25 candidacy and ask them to contribute.

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1 Q Anything other than that?

2 A No.

3 Q Had he been asked to do anything other than that?

4 A Not to my knowledge, no.

5 Q By you or Clark Gruening?

6 A No. You mean -- that's an awful broad question.

7 Q Did you ask him to do anything other than contact his friends?

8 A No. Other than contribute himself, which he had already
9 done.

10 Q Had he offered to do anything other than that?

11 A No.

12 Q When you came back from the 4th of July weekend and -- did
13 you then have the sense that Mr. Gottstein was somehow
14 estranging himself from the campaign?

15 A Yes. I was afraid that it had come out of that meeting.

16 Q Did you think at the time that -- in other words at the
17 time of this 4th of July weekend is that what you thought
18 at the time is that because of that meeting.....

19 A I thought that was a possibility. I thought that he had
20 thought that the campaign had no chance of succeeding and
21 for that reason did not care to be associated with it
22 anymore.

23 Q You thought that he thought the campaign.....

24 A Yes.

25 Q Had there been any contact by either you or by Clark

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1 Gruening or anyone in Alaskans for Gruening that you know
2 of with Barney Gottstein since that meeting with Mystrom
3 Advertising?
4 A Not to my knowledge. That's -- there was no contact,
5 absolutely none.
6 Q What other.....
7 A One second.
8 Q What other reasons did you think about for Mr. Gottstein
9 estranging himself from the campaign?
10 A I didn't think there -- I wondered if we had -- well, in
11 that meeting, for example, Mr. Gottstein expressed his
12 belief that there wasn't anything of worth or value in
13 that half hour presentation that we saw. I disagreed with
14 that totally and though I didn't really, I believe, voice
15 it strongly, I expressed my belief that there was a lot of
16 material there and that Larry Holstrom and I would later
17 work -- sat down and worked together and produced that
18 material. And so possibly a disagreement or that we
19 didn't quite see things the same way. You know, I wondered
20 if that might have alienated him, if I had said something
21 at that meeting which could have alienated him.
22 Q Did you get a sense at that meeting.....
23 MR. DUNNAGAN: How much longer are we going to go? Can we
24 take a 5 minute break? Okay, let's do that.
25 (Off record)

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1 Q We were discussing the meeting at Mystrom Advertising.

2 A Um-hum. (affirmative)

3 Q You said you were concerned about Mr. Gottstein's attitude
4 toward the campaign as a result of the events at that
5 meeting.

6 A Right.

7 Q Would you say there was any bad feeling at that meeting
8 when you disagreed -- when you disagreed that there was
9 no value to the television spots or the -- was it a
10 contentious argument?

11 A No, not at all. It was just -- it was just an assessment
12 of the merits of the material. I've had a lot of experience
13 in taking a large amount of stuff and putting it into a
14 usable form and I definitely saw some very good things in
15 there. Barney did not. But I was fairly positive about
16 it. In the half hour form it was in at that time it was
17 not acceptable, but the feeling I got from Barney was not
18 one of hard feelings or anything that I disagreed with the
19 merits of that material, but one -- I don't know. I
20 almost felt that Barney -- when Mr. Gottstein left the
21 meeting that he just thought it was a hopeless cause, that
22 it was just all over, that we might as well just throw in
23 the towel now and that we definitely were not going to win
24 with the stuff that we had.

25 Q What about what he said or did that gave you that impression?

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1 A He didn't say a whole lot after -- we watched that and
2 he just made his assessment and we talked about a couple
3 of things there that could be done with that material and
4 I was very optimistic about it as a matter of fact, and it
5 was -- it seemed obvious to him -- or it seemed obvious to
6 everyone, I guess, that he had a very different opinion
7 about the campaign.

8 Q But it was a low key discussion?

9 A Oh, yes, absolutely. But it -- but when we all -- when it
10 broke up -- he went away from the meeting not happy.

11 Q Did he leave before the rest of you?

12 A I guess he did.

13 Q How soon before?

14 A Oh, 10 minutes.

15 Q Was there any discussion afterwards about how unhappy he
16 seemed?

17 A No, no. The rest of the discussion, as I recall, was
18 focusing primarily on where to go from here, what to do
19 with the material and how to put it together.

20 Q Now that you've discussed this can you perhaps recollect
21 more precisely when this meeting took place?

22 A As I recall it was in June.

23 Q Early or mid or.....

24 A I would say June. It must have been June.

25 Q You don't know when in June?

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1 A I'm sorry, I really -- just off the top of my head I just
2 can't remember.

3 Q You say that you were concerned about Gottstein's attitude
4 toward the campaign after this meeting. What did you do
5 about that? What did Clark Gruening do about that? What
6 did you do about that?

7 A Went out and won the election. There's nothing -- you
8 know.....

9 Q Did you attempt to contact Mr. Gruening to find out -- I
10 mean Mr. Gottstein. I'm sorry. To find out precisely
11 what his attitude was?

12 A No. If the material itself can't convince someone that
13 it's going to do the job, there is very little that I
14 could say that would convince him otherwise. Or anyone
15 else otherwise. The best thing to do is to just not waste
16 time on differences of opinion between people and go out
17 and produce the stuff and do it. And that's what we did.

18 Q Did Clark Gruening contact him after that meeting?

19 A Not to my knowledge. I just don't know.

20 Q Did anyone else from Alaskans for Gruening or the campaign
21 contact him?

22 A No.

23 MR. DUNNAGAN: Do you mean in an official capacity?

24 Q Or working for the campaign. For instance, a volunteer.

25 MR. DUNNAGAN: Go ahead and answer.

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1 A No volunteer would ever, ever be in that position.

2 Q And no one in an official capacity contacted him?

3 A No, if there was any contact at all -- you know, Mr.

4 Gottstein might call and leave a message that he's
5 received some contributions from a friend or something
6 and we would send someone over to pick it up, and that
7 was the total -- that was the only kind of contact we had.

8 Q Was he still doing that after this meeting?

9 A Yes. But it seemed to a much lesser extent. And that's
10 another thing that led me to feel that he had pretty much
11 given up the ghost.

12 Q So, after this meeting at Mystem Advertising when was
13 the next time you or anyone from the campaign, including
14 the candidate, had contact with Mr. Gottstein?

15 A I believe I talked with him -- it must have been -- it
16 might have been after the -- it might have been after the
17 Primary election. In fact it was when Mike Gravel filed
18 his complaint with the FEC, or sometime thereafter. All
19 the charges had been laid out and Gravel had been.....

20 Q So, it was about 3 weeks before the Primary election?

21 A Is that when the complaint was filed?

22 Q It was filed on August 7th.

23 A August 7th? Well, I think -- let's see, I must have talked
24 to him then about 10 days before the Primary, possibly,
25 and the thing that I pointedly -- the point I made with

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1 Barney was that -- you know, we hadn't had any contact and
2 I was real concerned why we hadn't, and he said that he
3 had cut off contact for the reason that we can sit here
4 today and truthfully tell you that we did not coordinate
5 our strategies or violate any of the law. We were very
6 aware of the law and the -- especially dealing with
7 Mike Gravel, that we might be in a position someday where
8 we would have to say under oath whether or not we complied
9 with it, and I'm here telling you today that we did. And
10 it was -- to our knowledge I did not even know -- I had
11 not even heard of Friends of Alaska, the name of that
12 committee, or know of what they were doing until a
13 reporter from the Times here, the Anchorage Times, called
14 me up and asked me what I thought of it. I had no idea
15 what was coming down and then of course we heard the ads
16 on the radio and so forth after that and frankly if I --
17 if we would have known about that I would not have -- I
18 would have asked him not to do it. It didn't do us, I
19 don't think. any good.

20 Q When you heard about it from the reporter at the Times,
21 was that the first time you had ever heard of Friends of
22 Alaska?

23 A Yes, yes. And in fact he was -- I don't know where your
24 investigation is going, but he wanted to know if there
25 was a conspiracy between the Gruening and the Murkowski

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1 campaigns because one of the chief officers in Friends of
2 Alaska was Tom Kelly who was also an officer in Frank
3 Murkowski's campaign. I was really set back.

4 Q Do you have any knowledge as to how Friends of Alaska was
5 formed?

6 A No. I have no idea.

7 Q Do you know when Clark Gruening found out about Friends
8 of Alaska?

9 A To my knowledge it was when -- I called Clark immediately
10 after I received that call from the Anchorage Times
11 reporter and told him that -- they read some of the scripts
12 -- he read some of the scripts to me over the phone and
13 so forth. I called Clark and told him all about the.....

14 Q The reporter read some of the scripts to you over the
15 phone?

16 A Yes. I told Clark about the inquiry from the reporter and
17 then we heard about them, of course, on the radio.

18 Q Was this before or after the complaint was filed by
19 Friends of Mike Gravel? That you heard about Friends of
20 Alaska.

21 A I'm sure it was before, because no one even knew about
22 them, including Mike Gravel, until they came out and put
23 their radio ads on the air. And so I think.....

24 Q What did you do upon hearing of Friends of Alaska other
25 than talk to Clark Gruening?

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1 A There wasn't anything I could do. There was no -- it
2 was one of those many circumstances in a campaign which is
3 totally out of your control. And so.....

4 Q Did you talk to anybody else about the committee?

5 A Oh, I'm sure people in the campaign would want to know
6 about this and that and I could tell them everything I
7 knew which was what I heard on the radio.

8 Q Do you know if any of these people in the campaign had
9 any -- who are these people that you spoke to?

10 A Oh, I mean just people around headquarters there. I mean
11 it was in the newspapers a lot and it was just what do
12 you think of this, what do you think of that.

13 Q Do you know if any of these people in the campaign had any
14 contact with Friends of Alaska?

15 A No. We had a very small staff.

16 Q Consisting of the officers listed and how many others?

17 A Yes. Dick Angell, myself, Mary Pat Murphy was the press
18 secretary, and we had a person that answered the phone.

19 Q Luann Dimond?

20 A Yeah, Luann helped.

21 Q Do you know if any of these people whom you spoke with
22 about Friends of Alaska had any contact with Friends of
23 Alaska?

24 A Oh, no, they did not. You know how things are, something
25 comes out in the newspaper and everybody is going gee whiz,

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1 what do you think of this, is this going to do that, or
2 blah, blah. Anyway, I think everyone asked, you know,
3 how we thought it might affect Clark's chances. And I
4 expressed at every time that I thought it would hurt
5 Clark's chances, for the reasons that I alluded to earlier
6 which is that in my opinion it's a waste of time to make
7 someone's negative rating any higher than it was.

8 Q Did you have any inkling that such a committee would be
9 formed?

10 A No. We had absolutely no knowledge. None.

11 Q Did this come as a surprise to you?

12 A Absolutely.

13 Q Do you know Tom Kelly or know of Tom Kelly?

14 A Yes, I do.

15 Q And where do you know him from?

16 A He was an independent candidate for governor in 1978 when
17 I worked for Chancy Croft, the Democratic nominee. And
18 he has been -- he's been in the state for a long time.
19 He was the Commissioner of Natural Resources back under
20 the Hickel administration in the '60's and he has been a
21 school board member and so forth.

22 Q During the time that you were associated with the Gruening
23 campaign did you have any communication with Tom Kelly?

24 A No. I have never had any conversations in my lifetime
25 with Tom Kelly.

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1 Q Do you know who Dick Green is? Richard Green or Dick
2 Green.

3 A No, I don't.

4 Q Do you know who Carolyn Gay is? Also known as Kelly Gay.

5 A Yes.

6 Q Did you have any contact with her?

7 A No.

8 Q Between the time you began the Gruening campaign and.....

9 A No.

10 Q Do you know who Norma Thompson is?

11 A Yes.

12 Q Did you have any communication with her between -- during
13 your involvement with the Gruening campaign?

14 A Yes, I did. She had had experience working in the John
15 Kennedy presidential campaign and others. She contacted
16 the campaign early in the summer and.....

17 Q In July or.....

18 A No, it was much earlier than that. And she had had
19 experience in telephone canvassing and things of that
20 nature and we needed someone to set up our telephone
21 canvassing operations, someone who could train people in
22 how to deal with others on the phone, and I thought that
23 she would be a very valuable asset to the campaign. And
24 we took our plans to -- oh, we started to develop scripts
25 and so forth and then Norma could not come to the campaign

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1 headquarters anymore. I called her on the phone -- she
2 had communicated that to our receptionist and I called her
3 on the phone to talk with her and so forth and she said
4 I've had some personal things come up here and I can't
5 have any involvement in the campaign.

6 Q When was this?

7 A June. I don't remember if it was early or late June.
8 And she wouldn't even tell me at all what the reasons were
9 that she couldn't.....

10 Q You had no inkling?

11 A Nothing.

12 Q Did you ask her what the reason was?

13 A Yes, I did.

14 Q And she said it was personal?

15 A Yes.

16 Q Now when did you say you spoke to Barnard Gottstein?

17 A Well, it must have been -- if the complaint was filed
18 3 weeks before the Primary, I must have talked to him for
19 the first time in almost a month and a half about the
20 middle of August. And the Primary was August 22nd.

21 Q The 26th.

22 A Okay.

23 MR. DUNNAGAN: So much for total recall.

24 A Yeah. The Primary -- it was the Primary in '78 then that
25 was on August 22nd.

1 Q And what was said during this conversation?

2 A The main topic of discussion -- I had gotten a copy of
3 the Wall Street Journal which had published an article
4 about Mike Gravel and I felt I should bring that to
5 Barney's attention and I called him on the phone and said
6 have you seen the Wall Street Journal and he said no, and
7 I told him what was in it, and he said do you have a copy
8 and I said yeah. I took it over to his house and at that
9 point we discussed the Gravel allegations and so forth
10 and the fact that he had taken steps to insure that there
11 was no violation of any FEC laws or regulations.

12 Q What -- for what reason did you believe that he should
13 know about the contents of the article?

14 A Well, because I felt it was a major development in the
15 campaign.

16 Q What did the article say?

17 A It was a summary of tactics that Mike Gravel had used to
18 get contributions from people who sought his services as
19 a U.S. Senator. It also included some basic facts on his
20 attendance, the number of roll call votes that he had
21 missed in his time in office and that sort of thing.

22 Q Did it mention Friends of Alaska or Mr. Gottstein?

23 A No. It may have, but I don't recall. I also felt that
24 that offered a good opportunity to re-establish contact with
25 Mr. Gottstein.

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1 Q Did you know that Mr. Gottstein had an association with
2 Friends of Alaska at this time?

3 A At that time, yes.

4 Q Was this the first article you had seen about Mr. Gravel
5 in the Wall Street Journal?

6 A Yes.

7 Q Did you or anybody in the campaign give the information
8 in the article to Barnard Gottstein?

9 A I gave him a copy of the article.

10 MR. LEVIN: Let's take about a 5 minute break.

11 (Off record)

12 Q Now you mentioned that you brought this Wall Street
13 Journal article.....

14 A Right, it was an article.

15 Qover to Barnard Gottstein's house?

16 A Yes.

17 Q After discussing it with him on the phone?

18 A Right. It was available at the local newsstand at the
19 Captain Cook Hotel.

20 Q Had Mr. Gottstein seen that article before?

21 A No.

22 Q So, this came as a total surprise to him?

23 A It seemed that way to me.

24 Q He had not known about the possible preparation of this
25 article?

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1 A Well, there were rumors because the reporter for the Wall
2 Street Journal had been in Anchorage and had -- had gone
3 around to the newspapers. The newspaper reporters knew
4 that the story was coming, but that's all it was, it was
5 just rumors. They didn't know when or what the article
6 would say.

7 Q Had you spoken to anybody in connection with this article?
8 The preparation of this article?

9 A No. In fact the reporter for the Times who called me to
10 ask about Friends of Alaska later told me that he had
11 talked with the Wall Street Journal reporter and they knew
12 that he was working on a story.

13 Q Do you know if Barnard Gottstein.....

14 A No.

15 Q Do you know anybody else they could have talked to in
16 preparation for this article?

17 A The only ones that I talked with were newspaper reporters.
18 The Wall Street Journal reporter had apparently gone to
19 reportorial and editorial staffs of the newspapers in town
20 and.....

21 Q To collect data?

22 A Yes.

23 MR. LEVIN: I'm going to ask the reporter to mark this
24 as FEC exhibit 1.

25 (Deposition Exhibit FEC-1 marked)

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1 MR. LEVIN: I am now showing FEC Exhibit 1 to Mr. Hale
2 and his attorney Mr. Dunnagan.

3 Q Can you identify FEC Exhibit 1?

4 A What am I supposed to say? Yes, FEC Exhibit 1 is sitting
5 here in front of me.

6 MR. DUNNAGAN: I think he wants to know do you know where
7 it came from and what it is, that sort of thing.

8 A Oh, it's a quote from the Wall Street Journal article
9 of August 8th, 1980.

10 Q Have you seen a copy or facsimile or any similar
11 presentation of FEC Exhibit 1?

12 A No, this is the first time that I have even seen this
13 advertisement. I have seen others that the Friends of
14 Alaska committee have placed, but I have not seen this
15 one.

16 MR. DUNNAGAN: Assuming there was an ad published.

17 A Was this a published -- was this an ad in the papers?
18 Was this published?

19 Q We don't know.

20 MR. DUNNAGAN: We'd ask you what this is, now that you've
21 asked us. I don't mean to interfere with your program, but...

22 MR. LEVIN: It appears to be an ad by Friends of Alaska.

23 A But it doesn't say what paper or when it was printed or
24 anything of that sort.

25 Q Does that ad refresh your recollection as to when you

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1 received that Wall Street Journal article?

2 A Well, I bought the -- the Wall Street Journal is available
3 here on, I think, a same day service. It's sold in many
4 drugstores and so forth and I -- anyway, somebody had
5 called me and said hey, have you seen the Wall Street
6 Journal. Let's see, I guess it was probably August 9th,
7 I guess, the day after that it was published in New York.
8 I went down to the Captain Cook and bought the newspaper
9 there and so I would say August 9th would be the day that
10 I got the newspaper.

11 Q And on that day did you then call Mr. Gottstein?

12 A Yes.

13 Q So, it was on that date?

14 A Yes.

15 Q And on that date was it then that you went over to Mr.
16 Gottstein's house?

17 A Yes, and he and I talked for I would say 4 or 5 minutes.

18 Q Did you know at that time that Mr. Gottstein was involved
19 in Friends of Alaska?

20 A Yes, by then I had known that.

21 Q And what did you know of Mr. Gottstein's involvement with
22 Friends of Alaska?

23 A I knew he was an officer in the group and assumed that he
24 had put up money for the advertisements that they had run.

25 Q Did you know that he was the -- essentially the organizer

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1 of the group?

2 A Not -- even though the newspapers portrayed him in that
3 role, I was not quite sure if he was or not.

4 Q But you knew he had a very close connection?

5 A Yes.

6 Q And a deep involvement?

7 A Yes.

8 Q With that in mind did you not feel any reluctance to go
9 over and speak to Mr. Gottstein?

10 A We had absolutely no discussion at all involving the
11 course of the campaign or strategy or anything of that
12 nature, and it didn't strike me that anything that -- that
13 any contact that I had with him at that point would be at
14 all improper.

15 Q This was the first contact you had since the Mystrom
16 meeting?

17 A Yes.

18 Q With Mr. Gottstein?

19 A Yes.

20 Q In discussing with Mr. Gottstein did you discuss the
21 content of this article?

22 A Just briefly.

23 Q What did you say and what did he say?

24 A I suggested that he read it, that it was fairly strong,
25 and that he would be interested in it.

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1 Q Why did you think he would be interested in it? For
2 what purpose?

3 A Just because it was -- we felt it was a major development.
4 I felt it was a major development in the campaign. When
5 a national news organization does a story that casts your
6 opponent in a less than favorable light, that's a major
7 development.

8 Q Are you saying that.....

9 A Also, as I mentioned earlier, it was an opportunity for me
10 to just touch base with Mr. Gottstein and -- to just
11 establish some sort of contact with him and heal whatever
12 divisions there might have been that might have been
13 caused by me, or whatever it was that caused him to cut
14 off contact.

15 Q So, did you consider Mr. Gottstein to still have some
16 connection with the Gruening campaign?

17 A Very, very remotely. He had -- I mean the only contact
18 we had again was when he would call and let us know if
19 some contributions had arrived in the mail or something
20 of that nature. That was -- it was a very, very weak
21 connection.

22 Q When you discussed this article with Mr. Gottstein did you
23 have any knowledge -- strike that. Did you have any idea
24 that Mr. Gottstein might use the material from that
25 article in a Friends of Alaska ad?

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1 A No, it again struck me as kind of a wasteful expenditure
2 because I knew that the Wall Street Journal article --
3 that the local newspapers would write a story about the
4 story and it would receive a great deal of exposure just
5 on its own. And also there is a time factor here. When
6 you're producing material and so forth for any advertising,
7 whether it's print or broadcast material, it takes some
8 time to put it together. And that never struck me.

9 Q Did the possibility even occur to you?

10 A No, it did not.

11 Q That he might use this material?

12 A No.

13 Q Did Barnard Gottstein mention any future plans for FOA
14 to you?

15 A No, and as a matter of fact that was the main topic of our
16 discussion, is why he had not had any contact -- why we
17 had not had contact in such a long period of time. It
18 was specifically, again, so that we could sit here today
19 under oath and say we had no contact. And he explained
20 that that would have been a violation of.....

21 Q And yet it still occurred to you to give this article to
22 him?

23 A In retrospect, perhaps, that wasn't wise. But it wasn't
24 any -- there wasn't any kind of exchange of information
25 or anything. It was a newspaper that had been published,

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1 you know, nationwide. Everyone in the country had read
2 it, it was on the front page of the paper, and it was not
3 inside information or information that was only available
4 to a certain number of people or anything of that sort.
5 It just didn't strike me that that was any -- in any way
6 might be a grey area. And in fact we talked about at the
7 meeting the fact that we should not even mention any
8 activities of the group that he was involved in or talk
9 about the campaign itself because that in fact too would
10 have been a violation.

11 Q Are you saying that somewhere at the outset of the meeting
12 at his home you said let's not discuss our respective
13 campaigns.

14 A We mentioned the complaint that had been filed and.....

15 MR. DUNNAGAN: I must object. The outset of the meeting
16 sort of presumes a meeting that probably didn't take place.
17 What I heard earlier was that it was a short 5 minute meeting,
18 perhaps even on the doorstep. I don't know.....

19 Q Well, let's find out.

20 A Mr. Gottstein was in his robe and slippers. I mean it was
21 very casual. I came in long enough to leave the paper
22 there and said it was good to see him and that sort of
23 thing and just exchanged pleasantries and mentioned the
24 complaint and Barney explained why he had not -- why we
25 had not communicated and that he had done that deliberately

1 and.....

2 Q What about not discussing your respective groups? Did
3 you make that explicit or.....

4 A Yes. That was a part of our conversation. And we
5 discussed the article and how it contained some interest-
6 ing information and that was it. It was a very short
7 meeting.

8 Q Did you give this article to anybody else or apprise
9 anybody else of this article?

10 A Oh, sure. People in the campaign and -- oh, gee, I saw
11 -- in fact I saw a couple of friends on the street after
12 I walked out of the Captain Cook reading the thing and I
13 said hey, go get a copy of the Wall Street Journal.

14 Q Within your circle of associates in the campaign you were
15 the first to have read it and then you made a decision to
16 give it to other -- to show it to other people?

17 A Oh, yeah. In fact somebody called who had seen the
18 article themselves. I don't remember who it was, but they
19 just said hey, the thing is on sale at the Captain Cook
20 and so I went down and got a copy of it for myself.

21 Q Did you make the effort to go to anybody else's house to
22 deliver this article?

23 A Let me see. I called Clark and I talked to Dick Angell
24 and -- again, it was a major development in the campaign
25 and so the principals and anyone else remotely associated

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1 would be interested.

2 Q Did you call Clark first and then Clark suggested you
3 contact Gottstein about it?

4 A No, I believe Clark was out of town. I tried to reach
5 him. I think he was in Ketchikan or someplace like that.
6 I tried calling him long distance.

7 Q He made no mention of Gottstein to you?

8 A No. In fact, I -- let's see, I'm not sure which way it
9 went.

10 Q You're not sure?

11 A No. But it was my idea to call Barney and say hey, here's
12 the paper.

13 Q Do you recall anybody else who was not an official of the
14 campaign who you contacted about this article?

15 A Oh, the staff and the people in the office. They were
16 all -- you know, volunteers at the campaign headquarters
17 and -- I went down and bought a couple copies of the
18 paper and brought it back for people to read. Things were,
19 as you can imagine, moving very fast at that point in the
20 campaign and the interest on the part of all parties was
21 very high.

22 MR. DUNNAGAN: Among us Gravel haters this was like manna
23 from heaven.

24 A I think Chuck was one of the people I called about the
25 article, as a matter of fact.

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1 Q Did Clark Gruening ever tell you about a conversation he
2 had with Barnard Gottstein in which they discussed the
3 ads for Friends of Alaska?

4 A Any conversation?

5 Q Did he tell you about it?

6 MR. DUNNAGAN: Your question presumes a conversation took place.

7 A When?

8 Q During the existence of Friends of Alaska between August
9 5th and August 26th, 1980, or between July 30 and August 26th.

10 A No, I don't recall anything like that.

11 Q Did he mention that he had told Barnard Gottstein to cease
12 the ads of Friends of Alaska? Does that refresh your
13 recollection?

14 A Not that I recall.

15 Q Would it further help you if I told you that Mr. Gottstein
16 had respectfully declined to cease his ads? This was by
17 Clark Gruening's request?

18 A No, I did not know about that conversation.

19 Q After this contact which you have established as August
20 the 9th with Mr. Gottstein, did you have any further
21 contact with him until the end of the campaign in November
22 of 1980?

23 A No, in -- I may have had a couple of discussions with him
24 during the General Election campaign, but after the
25 Primary -- really after that brief meeting August 9 there

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1 | wasn't much contact. He continued his fund raising
2 | assistance and I was aware of that, but I really had very
3 | little contact with him.

4 | Q He did continue his fund raising efforts?

5 | A Yeah, in the General Election campaign.

6 | Q And what form did that take?

7 | A The same form he took in the Primary.

8 | Q Did he contribute money himself?

9 | A I believe so.

10 | Q After that meeting of August 9th did he help anymore in
11 | the Primary? Did he perform his general fund raising
12 | efforts?

13 | A To the same extent that he had been up to that time.

14 | Q But at some time between July 30th and August 26th he was
15 | still contacting the campaign just to give them contribu-
16 | tions of.....

17 | A Right, and again someone -- a messenger would go pick
18 | them up for us and that was about all.

19 | Q This is going back a little bit, but do you recall ever
20 | having a conversation with Barnard Gottstein about
21 | Gravel's home in Aspen?

22 | A That's a possibility. That was a topic of conversation
23 | at cocktail parties and anything -- it was in the
24 | newspapers.

25 | Q Between the Mystrom meeting and the August 9th meeting do

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1 you -- would that.....

2 A I had no contact with him.

3 Q How about Clark Gruening? Did he have any conversation
4 with.....

5 A I have no way of knowing that.

6 Q The same question about Gravel's absence record. Did you
7 have any conversations about that?

8 A At anytime, sir?

9 Q Okay. Did.....

10 A Everyone -- that's the purpose of the campaign, to replace
11 the senator.

12 Q Do you know of any contact that you or anyone on the
13 AFG staff had with Alaska Advertising between July 30th
14 -- let's say during July and August of 1980.

15 A No.

16 Q When did you first discover that Alaska Advertisers was
17 placing ads for.....

18 A When Mike Gravel hauled us into court and called in -- or
19 in his complaint was listed as one of the parties involved
20 in the activities of Friends of Alaska.

21 Q Was that the first time that Clark Gruening or anyone else
22 from the campaign had heard of Alaska Advertisers being
23 used to place.....

24 A Yeah. That just wasn't relevant to anything we were
25 doing.

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700 H Street, Suite 5 Anchorage, Alaska 99501 (907) 274-3242

1 Q You didn't even contemplate using Alaska Advertisers after
2 the November 1979.....

3 A No. No, we had used them for convenience when we were
4 under time constraints.

5 MR. DUNNAGAN: Just for information, Gravel planned the
6 court hearing, I think, knowing that the FEC probably had
7 jurisdiction in such a way to subpoena Clark Gruening and
8 prevent him from making a speech in Fairbanks and -- in an
9 attempt -- in an apparent attempt to make a larger press play
10 than the actual thing really got. It was mildly irritating
11 from a campaign standpoint.

12 A Yeah, you can imagine what it does to a campaign when you
13 - subpoena the entire staff and are required to sit in
14 court all day long.

15 MR. DUNNAGAN: He just missed getting Clark. Clark made
16 his speech in Fairbanks. But it was bullshit, it really was.

17 Q Did you have any contact with any of the staff of Friends
18 of Alaska? Other than Barnard Gottstein.

19 A No, I didn't even know who was on the staff of Friends of
20 Alaska.

21 Q During the entire course of its existence?

22 A No.

23 Q Did you know that Tom Kelly was on the staff?

24 A Yes, because it says Tom Kelly, Chairman, here.

25 Q You had seen the ad so you had seen his name?

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8 3 0 4 0 4 5 7 2 9

1 A Sure.

2 Q Did any of your staff have any contact with Friends of
3 Alaska?

4 A No, not to my knowledge.

5 Q Other than the contact that we've just apprised you of
6 between Clark Gruening and Barnard Gottstein, do you know
7 of any contact that Clark Gruening had with any of the
8 staff of Friends of Alaska?

9 A No.

10 Q Do you -- by contact you do understand that I mean letter,
11 memo, phone call, either initiated by someone on the
12 Gruening side or initiated by someone on the Friends of
13 Alaska side?

14 A No, there was -- no one in our campaign knew, you know,
15 what was going on. We knew what we knew because we read
16 it in the papers. That was the extent of our knowledge.

17 Q Did you or anyone in the campaign have any communication
18 with a third person knowing that that third person would
19 communicate with Friends of Alaska?

20 A No.

21 Q Do you know of any reverse situation where Friends of
22 Alaska would communicate with a third person and they
23 would then be communicating with you?

24 A No.

25 Q You meaning AFG and also Clark Gruening.

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- 1 A No. As I stated earlier, you know, we felt that any
2 efforts such as the one they were making was counter-
3 productive and would hurt our campaign. And since we
4 disapproved of that activity there was no reason for any
5 party to have any contact with us.
- 6 Q Do you recall speaking to anybody about Friends of Alaska
7 other than casual conversations within the campaign?
- 8 A No.
- 9 Q Did you give any words of encouragement or approval with
10 reference to Friends of Alaska?
- 11 A No. Not only did I not give words of encouragement and
12 approval, I did not approve of what they were doing and
13 felt it was counter-productive to my efforts.
- 14 Q Do you recall ever expressing disapproval or discouragement
15 to anybody with reference to Friends of Alaska?
- 16 A No. We felt that the best thing to do publicly was to
17 just not say anything, and we didn't.
- 18 Q Did you have any conversations with Clark Gruening about
19 the formation or existence of the Friends of Alaska?
- 20 A Yes, and we discussed -- we both felt it was counter-
21 productive and we wished that they weren't doing it.
- 22 Q Did he say he had had any inkling of the formation of this
23 committee?
- 24 A No.
- 25 Q Did you decide whether or not to go public with your

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1 disavowal or to remain silent about it? Did you decide
2 upon any policy that way?

3 A Well, we -- yes. On questions from newspaper reporters --
4 I mean we had absolutely nothing to do with that group.
5 And the newspaper reporters tied us together anyway.
6 Because we -- at every turn in our public statements we
7 disavowed any association with that group. Which we
8 continue to this day.

9 Q Do you know of a corporation, company or firm known as
10 Justin Ward Advertising?

11 A No.

12 Q Do you know of a firm known as Rothstein-Buckley?

13 A Yes.

14 Q What do you know about them?

15 A Oh, Joe Rothstein, who is the principal I believe in that
16 firm, has conducted several campaigns in Alaska, including
17 Mike Gravel's campaign, or he was at least involved in it
18 as I understand it back in 1968. And he has -- Rothstein
19 and Buckley ran the campaign for another democratic
20 gubernatorial candidate in 1978 and I had some contact
21 with him at that time. He ran Merdes -- Ed Merdes
22 campaign.

23 Q Did the Gruening campaign have any contact with Rothstein-
24 Buckley in 1980? In '79 or '80.

25 A I talked with Joe a couple of -- I know him personally also

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1 and I talked with him a couple of times on the phone.

2 Q When did you talk with him?

3 A I don't recall specific dates.

4 Q Did you talk about the possibility of providing services
5 for the Gruening campaign?

6 A No, we had already hired our media producer and we stuck
7 with the decision that we made.

8 Q So, you know Joe Rothstein in a social setting?

9 A Yes.

10 Q And these were social calls?

11 A Oh, well, yeah. And of course we talked about the
12 campaign and so forth.

13 Q Exchanged advice?

14 A On occasion. This was early on in the summer.

15 Q June?

16 A Probably,

17 Q Would you know how Barnard Gottstein might know of the
18 Rothstein-Buckley firm?

19 A No. I have since seen them together, Joe and Barney
20 Gottstein. But I don't know how they were associated
21 prior to that.

22 Q When did you.....

23 A I've been employed in the Alaska legislature and they
24 were both in town on the same day and I saw them talking
25 together and that was the first time I had seen them

8 3 0 4 0 4 5 7 3 3

1 together.

2 MR. DUNNAGAN: Jon, how much longer do you think this will
3 go?

4 MR. LEVIN: Do you want to take a break?

5 MR. DUNNAGAN: Okay, for lunch and whatnot. But go ahead.

6 Q During your conversations with Joe Rothstein did you
7 mention anything about the FOA ads?

8 A No, our conversation was prior to that.

9 Q You had no conversation with him during that time, meaning
10 August of 1980.

11 A No.

12 Q Subsequent to that time? Have you had any conversations
13 subsequent to that time?

14 MR. DUNNAGAN: Do you mean anytime subsequent?

15 Q Up to November of 1980.

16 A No.

17 Q Has he ever mentioned to you since his involvement with
18 Friends of Alaska? Has Joe Rothstein ever mentioned to
19 you his involvement with Friends of Alaska?

20 A No.

21 Q You may have said this before by implication, but when
22 did you know that Joe Rothstein and Barney Gottstein knew
23 each other? When did you first discover that?

24 A Oh, I knew they had known each other.

25 Q Do you know from where they knew each other?

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1 A As I recall it was during Gravel's -- see, Barney Gottstein
2 was a prime supporter of Mike Gravel in 1968 when he
3 defeated Clark Gruening's grandfather. And Joe Rothstein
4 was also involved in that campaign.

5 Q Did you ever have any conversation or contact with Dick
6 Green?

7 A I don't know who Dick Green is.

8 Q Dick Green has said that he met you on two occasions.
9 The first occasion was in this very building, outside the
10 courtroom during the hearing on the TRO.....

11 A Um-hum.

12 Qwith reference to the activities of Friends of
13 Alaska. Do you recall that meeting at all?

14 MR. DUNNAGAN: We were together.....

15 A I repeat -- Chuck and I were standing there. Do .
16 you know who Dick Green is?

17 MR. DUNNAGAN: No.

18 A I do not know who Dick Green is.

19 Q He is the treasurer of Friends of Alaska.

20 A I don't even know who he is. I have never -- I swear I
21 have no idea.

22 MR. DUNNAGAN: There were some people there and -- I'm not
23 under oath, but go ahead.

24 A There were people -- Chuck and I -- gee. Well, everybody
25 -- everyone in the campaign that was subpoenaed was standing

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1 | there. I saw Barney on that occasion, and naturally we
2 | were standing there chatting about what we were going to
3 | say and what we were going to do in court. And that was
4 | about I suppose on the same day this all started happening
5 | and I -- I cannot -- I do not know Dick Green.

6 | Q Do you recall meeting him the night of the Primary in the
7 | Captain Cook Hotel?

8 | A Literally, in a position such as the one that I was in,
9 | we meet thousands of people. And I have no idea who Dick
10 | Green is.

11 | MR. DUNNAGAN: I don't think there is a denial of having
12 | met Dick Green.

13 | A I may have, but I did not know.....

14 | Q I'm merely trying to refresh your recollection.

15 | A Sure.

16 | Q You mentioned Mr. Carr being outside the -- who is Mr.
17 | Carr?

18 | A I said Mr. Gottstein.

19 | Q I think your attorney mentioned Mr. Carr.

20 | MR. LEVIN: Did I mishear you?

21 | MR. DUNNAGAN: If I did it was inadvertent. I don't know
22 | Mr. Carr and I don't recall ever having met Mr. Carr.

23 | Q Was Mr. Carr involved in the campaign at all?

24 | A Greg Carr was involved in the campaign, primarily in the
25 | General campaign. He helped fund raise and so forth. He

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1 took a leave of absence from his job to do work on the
2 campaign in the General Election.

3 Q Is that Mr. Gottstein's partner?

4 A No, that is a son. That is someone that I've known since
5 kindergarten. Greg Carr. He is Larry Carr's son.

6 Q As long as we're on the subject of children of Carr and
7 Gottstein, was Sandy Gottstein involved in the campaign?

8 A She contributed.

9 Q She did no work for the campaign other than services for
10 which you paid fair market value at Sandelson Surveys?

11 A She came in -- in April -- she had had the experience of
12 working on the phones and she came to a small meeting of
13 volunteers that we had and we just talked generally. We
14 were doing some polling. We set up an in-house polling
15 organization so we could target our areas. We wanted to
16 go door to door and so forth. She came and just answered
17 a couple of questions one evening from 7:00 to 7:30.

18 Q She basically gave you advice on how to canvass?

19 A Just -- yeah, we had -- you know, I drew up a list of
20 questions as far as -- to determine -- you know, just
21 simple preference. And she was just there and a couple
22 of volunteers -- we just went through an interview on the
23 phone and.....

24 Q Do you know if Barnard Gottstein was asked to ask Sandy
25 Gottstein to.....

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1 A No.

2 Q You do not know?

3 A I do not know and -- well, in fact I asked Sandy to come
4 to that.

5 Q Did you know Sandy prior to that?

6 A Yes.

7 MR. LEVIN: I believe we're almost through.

8 Q What did you say about your knowledge of Kelly Gay before?
9 Carolyn Gay.

10 A I know she is a friend of Mr. Gottstein's.

11 Q Did she do any work for the Gruening campaign?

12 A No.

13 Q Did she contribute?

14 A Yes.

15 Q Do you recall her contributing or donating art work?

16 A Yeah, I think she had a weaving that she donated to an art
17 auction.

18 Q Did the Alaskans for Gruening or you or Clark Gruening
19 ever give Mr. Gottstein a list of contributors to the
20 Gruening campaign?

21 A I did not, and I don't know for sure that anybody did.
22 We could have given him a copy of our report that we
23 filed with your organization. It's available to any
24 member of the public.

25 Q Do you recall any specific instance?

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1 A No.

2 MR. LEVIN: I have no further questions.

3 BY MR. DUNNAGAN:

4 Q Two questions. John, do you claim to have total recall?

5 A No.

6 Q Is it possible between the time when these events took
7 place and today that various of your recollections may be
8 inaccurate?

9 A Yes.

10 Q Has Barnard Gottstein ever confided to you the total
11 nature of his business dealings?

12 A No.

13 Q Do you know the full range of his business and corporate
14 contacts?

15 A No.

16 Q Is it possible that persons within his organization might
17 have contacted you completely without your knowledge?

18 A Yes.

19 Q Who in the state does political polls?

20 A The David Dittman organization. Dittman Research I
21 believe it's called. And there is another group that
22 operates here at times called Rowan Group, run by Mike
23 Rowan who was working at the time of the Primary Election
24 for Mike Gravel.

25 Q At the time of the Primary who was Dittman working for?

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1 A Frank Murkowski.

2 Q And Rowan was working for Gravel?

3 A For Gravel.

4 Q That only left Sandelson, isn't that correct?

5 A To my knowledge there are very few polling organizations
6 in the state.

7 Q If Barnard Gottstein had hired a private detective at any
8 time for any reason would you have expected him to have
9 confided in you?

10 A No.

11 MR. DUNNAGAN: No further questions. I would like to say
12 for the record that we've been assured that the check they
13 gave us is good and secondly that we would like to review the
14 transcript and have a copy of the transcript if that can be
15 arranged.

16 MR. THOMAS: For the record let me state that there are
17 two reasons that we would decline allowing you to have a copy
18 of the transcript at this time. The first reason is that
19 there is a confidentiality statute that requires that this
20 investigation not be made public unless the respondents
21 consent to that in writing. In addition a provision of the
22 Administrative Procedure Act allows an agency to withhold a
23 copy of the transcript from witnesses if there is good cause
24 because the investigation is non-public. And on those grounds
25 and because we are still in the course of this investigation

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1 we would decline to provide a copy at this time. However,
 2 you will of course have the opportunity to inspect the
 3 original of the transcript and to make any corrections that
 4 you feel appropriate. And of course later after the investi-
 5 gation is completed if you wish to renew your request for a
 6 copy you would certainly be free to do so.

7 MR. DUNNAGAN: Let me say that if the investigation goes
 8 forward with a finding of -- I forget your catch words. If
 9 probable cause is the next thing that happens, if that happens,
 10 then I have a continuing request for all transcripts. Okay?

11 (Off record)

12 *****
 13 END OF PROCEEDINGS
 14 *****

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UNITED STATES OF AMERICA)
STATE OF ALASKA)

I, JANICE L. MATHENA, Notary Public in and for the State of Alaska, residing at Anchorage, Alaska, do hereby certify:

That the annexed and foregoing deposition of JOHN PARKER HALE was taken before Roma L. Akulaw of Akulaw Court Reporting, Notary Public in and for the State of Alaska and residing in Anchorage, Alaska, on the 5th day of August, 1981, beginning at the hour of 9:00 o'clock a.m., at the U.S. Federal Court and Office Building, 701 C Street, Room C-117, Anchorage, Alaska, pursuant to Notice to take said deposition on behalf of the Federal Election Commission;

That the above-named witness, before examination, was duly sworn to testify to the truth, the whole truth, and nothing but the truth;

That this deposition, as heretofore annexed, is a true and correct transcription of the testimony of said witness, recorded electronically, and thereafter transcribed verbatim by me;

That the deposition is being retained by Akulaw Court Reporting for the purpose of filing the same with the Federal Election Commission.

I am not a relative or employee or attorney or counsel of any of the parties, nor am I financially interested in this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 20th day of August, 1981.

Janice L. Mathena
Notary Public in and for Alaska

My commission expires 1/28/85

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During his first five years in the Senate, Sen. Gravel's net worth more than doubled—to \$528,030—according to documents he made public in 1974.

Today, Sen. Gravel shares the extravagant life style of his many millionaire friends. . . He has a lavish house on the Potomac River south of Washington, with a swimming pool and a tennis court. He estimated the house's value last year at \$250,000 to \$500,000.

The Wall Street Journal
August 8, 1980

Pd. for by the Friends of Alaska Committee
Tom Kelly, Chairman, 3835 Helvetia Drive
Anchorage, Alaska, 99504.

DEPOSITION
EXHIBIT

FEC-1

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SEP 3 11:29

RECEIVED
GENERAL COUNSEL

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
FRIENDS OF ALASKA, et al.) MUR 1272
)

DEPOSITION OF CAROLYN MAY "KELLY" GAY

APPEARANCES:

FOR THE COMMISSION: JONATHAN LEVIN
Attorney at Law
and
SCOTT THOMAS
Attorney at Law
FOR MS. GAY: STANLEY H. REITMAN
Attorney at Law
1007 West Third Avenue
Suite 400
Anchorage, Alaska 99501

* * *

PURSUANT TO NOTICE, the deposition of CAROLYN MAY "KELLY"
GAY was taken before Roma L. Akulaw, Notary Public in and for
the State of Alaska, at the U.S. Federal Court and Office
Building, 701 C Street, Room C-117, Anchorage, Alaska, on the
6th day of August, 1981, beginning at the hour of 1:00 o'clock
p.m.

* * *

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P R O C E E D I N G S

CAROLYN MAY "KELLY" GAY

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first duly sworn under oath, testified as follows on examination:

BY MR. LEVIN:

Q State your name, please?

A My name is Carolyn May Gay; my nickname is Kelly.

Q And your present business?

A My present business is Gallery of Homes, Homestead North,
603 West Tudor Road, Anchorage 99503.

MR. REITMAN: Counsel, may I just make one comment? Kelly
has a hayfever problem, you can hear a little bit from the way
she's talking, and so she said she took some medication. We
don't anticipate any problems, but I just thought I'd mention
it to you.

MR. LEVIN: Thank you.

Q And your occupation?

A I'm a real estate broker.

Q What company do you work for?

A I'm in partnership in the Gallery of Homes, Homestead
North.

Q What company is Kelly Kay Investments?

A That is my real estate office that I established in
Wasilla, which is about 50 miles from here, approximately
three years ago. It now is a branch office of our fran-
chise, Homestead.

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1 Q Does Barnard Gottstein have any ownership interest within
2 this company?

3 A Barney and I are partners in the Kelly Gay Investments.

4 Q How long have you known Mr. Gottstein?

5 A Oh, for approximately 10 years, I believe.

6 Q And from where do you know Mr. Gottstein?

7 A Well, I've been a resident of Anchorage since '65, and
8 I've -- had met him through various community activities
9 and social functions.

10 Q Have you ever worked on any political campaigns with
11 Mr. Gottstein?

12 A Yes.

13 Q What types? I'm not interested in the names, particularly,
14 but what types of political campaigns?

15 A The only campaign I have worked on with Barney is the
16 Friends of Alaska.

17 Q Have you been involved in political activities such as
18 with the Democratic Party with Mr. Gottstein?

19 A No.

20 Q So the extent of your political experience was your in-
21 volvement with Friends of Alaska?

22 A Well, I have.....

23 MR. REITMAN: I don't think she said that, Counsel, but
24 go ahead and proceed.

25 A I have worked on other political campaigns on my own,

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1 was involved with the mayoral race for the last couple of
2 go-rounds and with one or two legislative races, but I
3 was not working with Barney, these were separate.

4 Q What kinds of activities did you do in those campaigns?

5 A Simply volunteer. On the mayoral race, what I did that
6 particular year was organizing about a 5,000-person
7 chicken dinner. But just normal volunteer activities.

8 Q Clark Gruening announced his candidacy in October of 1979,
9 and we have information that Barnard Gottstein engaged in
10 activities either against Mike Gravel or for Clark
11 Gruening prior to this announcement in the way of con-
12 tributing polls, by contributions, and possibly in other
13 ways. Did you have any involvement in any such activities?

14 A No.

15 Q Did you discuss these activities that we've just mentioned
16 with him?

17 A Not to my recollection.

18 Q Did you have any knowledge of such activities by Mr.
19 Gottstein at the time they were going on?

20 MR. REITMAN: What time frame is this, Counsel?

21 MR. LEVIN: Prior to the announcement of.....

22 MR. REITMAN: Prior to October of '79?

23 MR. LEVIN: Correct.

24 MR. REITMAN: Thank you.

25 A I honestly can't bring to mind a date when -- the first

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1 time Barney and I might have discussed Mr. Gruening's
2 candidacy.

3 Q To refresh, perhaps, was it after October of '79?

4 A I imagine so. I would think so.

5 Q Did you have any involvement in the Gruening campaign?

6 A No.

7 MR. REITMAN: Wait a minute, you say involved in the
8 Gruening campaign. This is from inception to its conclusion,
9 Counsel, is that right?

10 MR. LEVIN: You're correct, I should restrict that to
11 till October 1, 1979.

12 MR. REITMAN: You're just looking for involvement prior
13 to that?

14 MR. LEVIN: Yes, prior.

15 MR. REITMAN: And your answer is no?

16 A Yes.

17 Q What activities, to your knowledge, did Barnard Gottstein
18 engage in on behalf of the Gruening campaign after
19 October 1, 1979?

20 A I really am unaware of specific activities that Barney
21 would have been doing with Mr. Gruening's campaign.

22 Q Do you know if he was fund raising?

23 A Yes, I believe he was. Barney did fund raising, yes, for
24 Mr. Gruening. I am a little bit confused on the dates.

25 Q Okay, we'll talk about after October.

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1 MR. REITMAN: After, from October '79.

2 Q After or forward.

3 MR. REITMAN: Or forward. October '79 and thereafter.

4 MR. LEVIN: Right.

5 A Yes, I -- Barney was engaged in fund raising activities.

6 Q Do you know specifically what he would do as a fund
7 raiser?

8 A To the best of my recollection, he would make phone calls
9 send correspondence, primarily by personal contact.

10 Q Do you know if he made any speeches?

11 A Not to my knowledge.

12 Q Do you know if he held any fund raisers?

13 A We had held several fund raisers at the house.

14 Q Which house?

15 A Our home at 1400 E Street.

16 Q Is that your home and your husband's?

17 A It's Mr. Gottstein's home and mine. So there would have
18 -- but that was for other candidates. The fund raisers
19 were not for Mr. Gruening, but that was a typical fund
20 raising activity.

21 Q Let me try to get this clear. Would that be for Mr.
22 Gruening and other candidates as well?

23 A No, just other candidates.

24 MR. REITMAN: Don't mention the names.

25 MR. LEVIN: Right.

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1 Q Do you know whether Mr. Gottstein provided a campaign
2 headquarters for the campaign?

3 A Not to my knowledge.

4 Q Do you know if he made any speeches on behalf of the
5 campaign?

6 A Not to my knowledge.

7 Q Did you assist Mr. Gottstein in any of his fund raising
8 activities?

9 A No.

10 Q Talking to people?

11 A No.

12 Q Did you discuss his fund raising activities with him?
13 This is after October 1, 1979.

14 MR. REITMAN: With relation to the Gruening campaign?

15 A With relation to the Gruening campaign.

16 A No.

17 Q Did you engage in any activities on your own for the
18 Gruening campaign after October 1, 1979?

19 A I made a monetary contribution at some point, but I'm
20 not sure of the date.

21 Q Do you recall making a contribution in October '79?

22 A I really don't recall the date, no.

23 Q Do you and Mr. Gottstein share the same residence?

24 A Yes.

25 Q And how long have you done that?

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1 A Oh, approximately four years.

2 Q During the campaign, did you have any knowledge of the
3 use of facilities partially owned by Barnard Gottstein,
4 the use thereof by the Gruening campaign?

5 A No.

6 Q Did you have any knowledge of the use of Sandelson
7 Surveys?

8 A I'm not familiar with Sandelson Surveys.

9 Q Have you heard of Carr-Gottstein Properties?

10 A Yes.

11 Q Did you have knowledge of the use of the computer divi-
12 sion of Carr-Gottstein Properties?

13 A No.

14 Q Did you have knowledge of the use by -- did you know of
15 the use by Alaskans for Gruening of Alaska Adversisers?

16 A No.

17 Q Did you at any later point, sometime later in the cam-
18 paign, learn of the use of these companies that I've
19 mentioned, Sandelson Surveys, the computer services
20 division of Carr-Gottstein Properties, or Alaska
21 Advertisers?

22 A Later in the campaign I became aware of the use of Alaska
23 Advertisers.

24 Q At what point was that?

25 A It was after the original complaint was filed by Senator

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1 Mike Gravel and the suit was entered into.

2 Q So it was only when you saw that complaint or heard of
3 that complaint that you discovered that both Alaskans
4 for Gruening and Friends of Alaska had used Alaska
5 Advertisers?

6 A I was unaware of anyone else's use of Alaska Advertisers.
7 MR. REITMAN: Other than.....

8 A Friends of Alaska.

9 MR. REITMAN:Friends of Alaska?

10 A I had no knowledge of anything else that they did.

11 Q From the time of the commencement of the Gruening cam-
12 paign, and we're talking about in October of 1979, to the
13 November 1980 election day, did you have any communica-
14 tions with Clark Gruening?

15 A Yes, I had a few, and I don't recall anything specific,
16 but Clark is an oldtime family, I've been almost 20 years
17 in Anchorage, and I'm sure I at least ran into him
18 socially or maybe at a few political functions.

19 Q Did you discuss campaign issues with Mr. Gruening?

20 A No.

21 Q Never discussed the domed city or the lands bill?

22 A Not with Mr. Gruening.

23 Q Did you discuss Mr. Gruening's strength in the polls, or
24 his prospects for winning?

25 A No, not -- I don't recall any conversations of that nature.

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1 Q Did you discuss the financial situation of the Gruening
2 campaign with Mr. Gruening?

3 A I don't recall any discussion or conversations of that
4 nature with Mr. Gruening.

5 Q Would you say, then, that your conversations were purely
6 of a social nature, based upon friendship?

7 A Yes.

8 Q I'm going to read a list of names from the Gruening cam-
9 paign and I will ask certain questions with respect to
10 each of them. Do you know John Hale?

11 A I have met Mr. Hale on two or three occasions. I don't
12 know him well.

13 Q Did you have any discussions about the Gruening campaign
14 with him, either on issues or its strength, or Gruening's
15 strength in the polls, or on the financial situation of
16 Alaskans for Gruening?

17 A I don't recall any conversations with Mr. Hale on those.

18 Q When were those conversations with Mr. Hale, do you
19 recall?

20 A I really don't. I recall one, and the reason is Mr. and
21 Mrs. Hale -- Mrs. Hale had been pregnant and she lost the
22 baby, and so that stayed in my mind. And it was during
23 the campaign, but the exact time I don't know.

24 Q Did you have any -- okay, let me clarify again. This is
25 for the period from October 1979 through the end of

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1 the campaign, November of 1980. Do you know a Dick
2 Angell?

3 A No.

4 Q The chairman of Alaskans for Gruening?

5 A No.

6 Q Floyd Smith?

7 A No.

8 Q Eivin Brudie?

9 A No.

10 Q Luann Dimond?

11 A No.

12 Q Stephan Patterson?

13 A No.

14 Q Rick Mystrom?

15 A Yes.

16 Q Did you have any communications with Mr. Mystrom during
17 this time period, October of '79 through November of 1980?

18 A No.

19 Q None whatsoever?

20 A No.

21 Q Larry Holmstrom?

22 A That name is familiar, but I don't know who he is.

23 Q Melinda Gruening?

24 A Yes, I've met Melinda.

25 Q Did you discuss any aspects of the campaign, such as

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1 strategy or the Gruening campaign strength in the polls,
2 the financial situation, or campaign advertising, or
3 plans for the ads, I can recount those if you want me
4 to, with Melinda Gruening?

5 A To the best of my recollection, I don't have a specific
6 recollection of conversations with Mrs. Gruening.

7 Q I'm sorry, did you say -- did you have some communications?

8 A I said I really have no recollection of any.

9 Q I'm sorry. Did you have any communications with Melinda
10 Gruening during this time period, October '79 through
11 November '80?

12 A I don't have any specific recollection of conversations
13 with Mrs. Gruening.

14 Q No -- when I say communications, let me say for clarifica-
15 tion that I would mean written communications, phone
16 conversations, talking at a party, on the street, either
17 initiated by you or by the other person.

18 A I really don't have any recollection of any.

19 Q Do you know Mary Pat Murphy?

20 A No.

21 Q Do you know Greg Carr?

22 A Yes.

23 Q Did you have any communications with him during this time
24 period?

25 A No.

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1 Q Did you have any communications with anyone else in the
2 Gruening campaign during this time period?

3 A No.

4 Q Did you attend any fund raisers for the Gruening campaign
5 and let me put the dates here from anytime during 1979
6 and 1980, for Clark Gruening or the Gruening campaign?

7 A I do not recall going to any fund raisers for Gruening.

8 Q Just to recap, the fund raisers in your home, they were
9 for other candidates and not for Mr. Gruening?

10 A Exactly. I was confusing the issue there.

11 Q Did you ever hear of a meeting that took place at Mystrom
12 Advertising with Clark Gruening, Melinda Gruening, John
13 Hale, Rick Mystrom, Larry Holstrom, Mr. Gottstein, and
14 another Alaskans for Gruening staff person, I didn't
15 mean to say Mr. Gottstein was an Alaskans for Gruening
16 staff person, in which ads for Alaskans for Gruening were
17 viewed?

18 A I have no knowledge of that.

19 Q Did Mr. Gottstein ever tell you about this meeting?

20 A No, to the best of my recollection, he didn't.

21 Q Let me add one detail and see if this refreshes your
22 recollection. Did he say that he had attended this meet-
23 ing and that he had expressed dissatisfaction with a
24 television program or television spots planned by the
25 Gruening campaign and stated that the ads failed to

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1 address Mike Gravel's record and philosophy adequately?

2 A He expressed that to me, his dissatisfaction with the
3 Gruening campaign and desire to have some of Gravel's
4 record brought out to the public, but it was not in con-
5 nection with that or any meeting.

6 Q When did he first express that to you?

7 A I can't bring to mind the specific date, but it would
8 have been late in July.

9 Q Did he say at that time that he wanted to do ads on his
10 own?

11 A At that time was when?

12 Q Let me back up, the first time he expressed that dis-
13 satisfaction with the conduct of the Gruening campaign.

14 A That was the time when Friends of Alaska really came into
15 being. We were discussing -- Barney was mentioning or
16 discussing his dissatisfaction with the Gruening campaign
17 and that he had an idea to produce, have produced, some
18 radio, perhaps television, ads bringing out some of
19 Gravel's posture in the senate and his activities and his
20 voting record. I at that time told Barney that I thought
21 it was a very good idea, and I would be delighted to work
22 on the campaign if he would like.

23 Q Work on which campaign?

24 A On the committee, on the Friends of Alaska. What then
25 became known as Friends of Alaska.

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1 Q You're talking late in July?

2 A Um-hum (affirmative).

3 Q So, you said you would be delighted to work on what did
4 become the committee, on this effort that Mr. Gottstein
5 was thinking about?

6 A Yes.

7 Q Did you, prior to your expressing this kind of approval --
8 did you on your own think that such an effort was neces-
9 sary?

10 A I had not given it any thought, I don't believe.

11 Q So that this was the first time you had ever discussed
12 it with anyone?

13 A Well, I have never been a supporter of Senator Gravel's.
14 Quite the contrary, from his first election I have been
15 a very definite non-supporter. So I'm not sure that I
16 answered your immediately previous question correctly.
17 I have many times discussed voting against Mr. Gravel,
18 thinks that.....

19 Q Just in casual conversation?

20 A Um-hum (affirmative).

21 Q When Mr. Gottstein spoke about this to you, did he dis-
22 cuss it with you in terms of a concrete plan that he had,
23 that he definitely wanted to do this, or was he throwing
24 this idea out to you?

25 A To the best of my recollection, I'd call it an idea, and

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1 I really don't recall.

2 Q Friends of Alaska filed this statement of organization
3 and dated it July 30, 1980, so that my next question will
4 be in the context of the time period between this conver-
5 sation with Mr. Gottstein, the one that we have just been
6 discussing, and the date of the filing of the statement
7 of organization, July 30th, or the date that was listed
8 on the statement of organization? Did you have any con-
9 tacts with anyone from the Gruening campaign between the
10 time of this conversation we've just referred to and July
11 30, 1980?

12 A Not to my recollection.

13 Q Did you discuss Mr. Gottstein's plan with anybody between
14 that time period?

15 MR. REITMAN: Between the conversation with Mr. Gottstein
16 on July 30, 1980?

17 MR. LEVIN: Right.

18 A Yes.

19 Q With whom did you discuss this conversation?

20 A With my brother, Dick Green, and with a close personal
21 friend of mine, Norma Thompson.

22 Q Mr. Gottstein has stated that you're one of Friends of
23 Alaska principal organizers, and he stated this in a
24 reply to interrogatories we sent to him in January of
25 1981. What did your organizing methods entail?

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1 A I contacted my brother, Dick Green, with reference to
2 serving on the committee, and I contacted Norma Thompson
3 with reference to serving on the committee.

4 Q And what did you say to them?

5 A I talked to my brother first, and I believe we went to
6 lunch. And he has been here since 1972, and has also
7 expressed dissatisfaction with then Senator Gravel's
8 position several times, so I felt that he would be
9 interested in this committee. And so I basically told
10 him that the purpose of the committee would be to bring
11 to the public via radio, television advertisements some
12 of Gravel's activities, for instance the idea to build
13 a second Panama Canal and the domed city in Alaska, and
14 his active non-support of the 200-mile fishing limit, for
15 instance, some of those kinds of things that both of us
16 felt extremely detrimental to the state of Alaska. And
17 I think at first his response was that basically he would
18 be on the Slope a week and off the Slope a week, so he
19 wouldn't be able to do very much. And my response was
20 that he could perhaps serve as treasurer, that would not
21 be a daily kind of activity and he's a very responsible
22 kind of person who understands figures, whatever would be
23 necessary in that role. And he agreed, he was very
24 willing to work on the committee, and he agreed to be
25 involved in that manner.

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- 1 Q Had he had any involvement with the Clark Gruening
- 2 campaign?
- 3 A Not to my knowledge.
- 4 Q Had he attended any of the fund raisers?
- 5 A Not to my knowledge.
- 6 Q Do you know if he had contacted anybody on the Gruening
- 7 committee?
- 8 A Not to my knowledge.
- 9 Q These issues that you discussed, did you talk about those
- 10 issues with anybody on the Gruening campaign, any of those
- 11 names I may have mentioned before? I could repeat them
- 12 if you want.
- 13 A I don't recall doing so.
- 14 Q Did you discuss them with Mr. Gottstein?
- 15 A Yes.
- 16 Q Did he bring in any accounts of contacts he had had
- 17 with people in the campaign in discussing those with you?
- 18 A No.
- 19 Q Now, you say you also spoke to Norma Thompson. Did you
- 20 have any knowledge of Norma Thompson's working in the
- 21 Gruening campaign?
- 22 A No.
- 23 Q Did you know that she was working for it at the time?
- 24 A I don't recall that I was aware of it.
- 25 Q She did not mention it to you?

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1 A I really don't have any recollection of her discussing
2 it.

3 Q Okay, this first contact with Norma Thompson when you
4 talked to her about the effort that Mr. Gottstein was
5 interested in, what was -- what did you say to Norma
6 Thompson?

7 A Well, also, over the years of being acquainted with Norma,
8 I was well aware of her basically anti-Gravel feelings,
9 so again, prior to my approaching her, I thought she would
10 be interested in this activity. I told her the same thing
11 that I had told my brother and if I remember correctly
12 I said something to the effect -- Norma is a bookkeeper,
13 that is her livelihood, she's done it for years and she's
14 very good, and I thought that she'd be an excellent
15 record keeper, do whatever was required with the forms
16 and basic record keeping, which she agreed to do.

17 Q And what did she say to you in addition to agreeing to
18 do this? Did she say anything else in that conversation?
19 MR. REITMAN: If you recall.

20 Q That you recall.

21 A I can't recall specifically, but she was happy to work
22 on the committee.

23 Q Now that you have the conversatin in mind, do you recall
24 her mentioning any problem such as that she was working
25 for the Gruening campaign at that time?

AKULAW COURT REPORTING

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1 A I just don't have any recollection of that.

2 Q Did you talk to anybody else in these initial stages,
3 prior to July 30, we'll say, in attempting to organize
4 the committee?

5 A Not to my recollection.

6 Q At this time, prior to July 30, did you have in mind that
7 it would be a committee of some sort?

8 A Yes.

9 Q Did you attempt to get in contact with anyone else
10 besides these two prior to July 30, other than Dick Green
11 and Norma Thompson?

12 A Not that I recall.

13 Q With whom did Barnard Gottstein communicate in attempting
14 to organize this committee prior to July 30?

15 A I really don't know.

16 Q Did your brother, Dick Green, communicate with anybody
17 with respect to this committee prior to July 30?

18 A Not that I know of.

19 Q He did not try to recruit anybody?

20 A Not that I know of.

21 A Did Norma Thompson communicate with anybody prior to
22 July 30, either to try to recruit or to inform somebody
23 about FOA?

24 A Not that I know of.

25 Q Okay, I want to refer you back to the conversation with

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1 Mr. Gottstein in which you stated that he said he would
2 like to do an effort criticizing Mr. Gravel's record.
3 How far after this conversation did you talk to Mr.
4 Green and Ms. Thompson about working for FOA?

5 MR. REITMAN: By far, you mean time?

6 MR. LEVIN: How long.

7 A Immediately thereafter.

8 Q That day?

9 A No, I would say the next day, because I think we probably
10 discussed this in the evening.

11 Q After July 30, were there further organizing efforts,
12 recruiting people for the committee?

13 A Not that I'm aware of.

14 Q When did Tom Kelly become associated with the committee?

15 A I really don't know. I really don't know.

16 Q Do you know how Tom Kelly came to be associated with the
17 committee?

18 A No.

19 Q Had you known Tom Kelly prior to the conversations?

20 A Yes, I knew Mr. Kelly.

21 Q For how long?

22 A Oh, years, basically. He was commissioner of natural
23 resources years ago, several years ago, and he's been
24 very active.

25 Q Did Barnard Gottstein know Mr. Kelly?

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1 A Yes.

2 Q Did he play any role in organizing the committee?

3 A Mr. Kelly?

4 Q Yes.

5 A I really don't know. I don't think so.

6 Q Was he recruited by Mr. Gottstein?

7 A I believe so.

8 Q At what point? Was this prior to July 30?

9 A Yes, it would have been, probably, the same time I was

10 recruiting my brother and Ms. Thompson.

11 Q In other words, as soon as possible after your conversa-

12 tion with Mr. Gottstein.....

13 A Yes.

14 Qthat started this whole thing? While these organiz-

15 ing efforts were going on, did you have any communication

16 with Alaskans for Gruening, the Gruening campaign, or

17 Clark Gruening?

18 A No.

19 Q Do you know if any other principals mentioned, Mr. Kelly,

20 Ms. Thompson, Mr. Green or Mr. Gottstein, had communica-

21 tions with Alaskans for Gruening or anyone from the

22 Gruening campaign?

23 A Not to my knowledge.

24 Q How did Friends of Alaska come to use Alaska Advertisers

25 for the placement of ads?

AKULAW COURT REPORTING

1 A I have no idea.

2 Q Do you have any knowledge of Mr. Gottstein asking Alaska
3 Advertisers to place the ads?

4 A No.

5 Q He did not discuss this with you?

6 A No.

7 Q Do you know how Friends of Alaska came to use Justin
8 Ward Advertising for any other production or work in
9 making these ads or placing these ads?

10 A No.

11 Q Do you know how Friends of Alaska came to use Rothstein-
12 Buckley Organization, and that would be with Mark Fox,
13 for the production of ads.....

14 A No.

15 Qor the placement of ads?

16 A No.

17 Q How were day to day decisions made in Friends of Alaska
18 from July 30 on?

19 A I really don't know.

20 Q Did you play any kind of role in the activities of Friends
21 of Alaska, other than to recruit Dick Green and Norma
22 Thompson?

23 A Very little. I recruited them, I went with my brother to
24 open a bank account, and I did the final filing, I think
25 the first of this year, after Mrs. Thompson had left town.

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1 Q The final filing of.....

2 A It wasn't the final filing, it was -- we had gotten a
3 request for a little additional information on con-
4 tributors.

5 Q Was this from the Federal Election Commission?

6 A Yes.

7 Q What role did Mr. Gottstein play in the day to day
8 activities and the day to day decision making of Friends
9 of Alaska?

10 A He had the major role in the activities.

11 Q And what would that entail?

12 A I really don't know, because I really wasn't involved in
13 it.

14 Q Well, let me ask you a few activities and maybe that
15 might refresh -- would it entail communications with
16 Alaska Advertisers for the placement of ads?

17 A I would only be assuming that.

18 Q Well, with Justin Ward Advertising and Rothstein-Barkley?

19 A I don't know what it would entail.

20 Q Do you know what role Tom Kelly played in the day to
21 day.....

22 A No, I don't.

23 Q Do you know what role Norma Thompson played?

24 A Basically, she completed all the forms, initial forms,
25 the declarations of expenditures and contributions, the

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1 timely filing of the various reports that were required
2 and the ending report.

3 Q Do you know what role Dick Green played in the day to
4 day operations?

5 A Only as far as treasurer, and signing various documents.

6 Q Did he perform any other functions besides signature on
7 these documents?

8 A Not that I know of.

9 Q Do you know if any of the people we have mentioned, and
10 I'll recap, that's Mr. Gottstein, Mr. Kelly, Mrs. Thomas,
11 Mr. Green, had any contacts with Clark Gruening, the
12 Gruening campaign, or Alaskans for Gruening during the
13 time period from July 30 through August 25?

14 A No.

15 Q To advise you, August 25 was the day the last advertise-
16 ment by Friends of Alaska. By saying no, I'd asked do
17 you know, so are you saying that you do not know whether
18 or not they did or did not?

19 A No, I'm saying to my knowledge they did not.

20 Q Would you have any knowledge as to the mechanics of the
21 production of the ads, and I'll be more specific on that.
22 Would you know how the decision was made as to what would
23 go into the ads, what is the content of the advertisements?

24 A No.

25 Q Would you know how the ads would get from Justin Ward to

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1 Alaska Advertisers and on the air?

2 A No.

3 Q Were you present at any strategy sessions of Friends of
4 Alaska?

5 A No.

6 Q Were you present at any discussions of the issues that
7 you were to advertise about for Friends of Alaska?

8 A Only Baney and I continued to discuss what we considered
9 issues, or I considered issues, like Gravel's self-
10 nomination for vice-president, reading of the Pentagon
11 Papers, for a couple that come to mind.

12 Q And were any of these discussions based on any discussions
13 you had had with anyone in the Gruening campaign?

14 A No.

15 Q Did Gregory Carr have any role in Friends of Alaska?

16 A Not to my knowledge.

17 Q I'm going to show you a few documents and ask you some
18 questions about them.

19 MR. LEVIN: I ask the reporter to mark this as FEC Exhibit

20 1.

(Deposition Exhibit FEC-1 marked)

22 Q I am now showing FEC Exhibit 1 to witness and counsel.
23 Can you identify FEC Exhibit 1?

24 A I had seen that in the Journal.

25 Q In the.....

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1 A The Wall Street Journal. The original.

2 Q When you say the original, are you saying the language?
3 For the record, I just wanted to say -- for the record,
4 would you identify what that appears to be to you?

5 A It appears to be an article from the newspaper that's
6 identified as the Wall Street Journal.

7 Q The entire document, what is the entire document?

8 A Oh, it looks like a newspaper advertisement.

9 Q So you're saying you have seen the article.....

10 A Yes.

11 Qwhich this advertisement quotes?

12 A Yes.

13 Q Have you ever seen the advertisement before?

14 A I don't recall seeing it, no.

15 Q Do you know whether this advertisement was published or
16 not?

17 A No, I don't.

18 Q Do you know whose.....

19 MR. REITMAN: Is Counsel representing that this appeared
20 in the Wall Street Journal as a paid political ad?

21 MR. LEVIN: No, I would.....

22 MR. REITMAN: I want to make sure I understand. Is this
23 -- in other words, this isn't something that appeared in the
24 Wall Street Journal necessarily. Is this an abstract from a
25 reporter's article or analysis of Gravel's campaign?

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1 MR. LEVIN: Well, what it appears to us to be, an ad
2 placed by Friends of Alaska, because of the bottom disclaimer.

3 MR. REITMAN: I see. In other words, you're not repre-
4 senting that this did appear in the Wall Street Journal?

5 MR. LEVIN: No.

6 MR. THOMAS: What it says.....

7 MR. LEVIN: But the ad itself I'm not representing
8 appeared in the Wall Street Journal.

9 MR. REITMAN: This appears to be a photocopy of adver-
10 tising, or a copy of something that either might have been
11 used or might not have been used, is that possible?

12 MR. LEVIN: Correct. That is correct.

13 MR. REITMAN: Apparently, what Counsel -- I think what
14 he's indicating is that this is a copy of what -- that may or
15 may not have been a political ad that appeared in some form,
16 that apparently picks up an abstract from a news item or a
17 column that was in the Wall Street Journal.

18 MR. LEVIN: That is correct.

19 Q In light of the clarification by counsel, are you saying
20 that what you did say was the Wall Street Journal article
21 from which the language on the exhibit in front of you
22 was abstracted?

23 A Yes.

24 Q Then, to go back, have you ever seen this entire document
25 before?

AKULAW COURT REPORTING

1 A No, not to my recollection.

2 Q Did Friends of Alaska publish this document?

3 A I don't know.

4 Q Would you know whose idea it was to put that particular
5 advertisement in the newspaper if, in fact, it appeared
6 in such a periodical?

7 A No.

8 MR. LEVIN: I'm going to ask the reporter to mark these
9 four documents as FEC Exhibits 2, 3, 4, 5.

10 (Deposition Exhibits FEC-2 through FEC-5 marked)

11 MR. LEVIN: I am now showing to witness and counsel
12 FEC Exhibits 2, 3, 4 and 5. You may take as long as you want.

13 MR. REITMAN: May we go off the record?

14 MR. LEVIN: Sure.

15 MR. REITMAN: It's been an hour since we began.

16 (Off record)

17 MR. LEVIN: We've just shown FEC Exhibits 2, 3, 4 and 5
18 to Ms. Gay and her counsel, Mr. Reitman.

19 Q Can you identify FEC Exhibits 2, 3, 4 and 5?

20 A Not specifically. I'm confident I heard all or almost
21 all of them on the radio.

22 Q So these were, to your knowledge, in fact, aired on the
23 radio?

24 A Yes.

25 Q Do you know who composed the content of these ads?

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1 A No.

2 Q Would you know where this information came from, the
3 information contained in these advertisements?

4 A No.

5 Q Do you know if they came from any contact with the
6 Gruening campaign by anyone from Friends of Alaska?

7 A No.

8 Q You don't know if they did, or.....

9 A To my knowledge, they did not.

10 MR. LEVIN: I'm going to ask the reporter to mark this
11 document as FEC Exhibit Number 6.

12 (Deposition Exhibit FEC-6 marked)

13 Q I am now handing exhibit number 6 to witness and counsel.
14 Can you identify FEC Exhibit Number 6?

15 A Yes, this is a note -- well, in portion. This is Norma
16 Thompson's writing, and it's on a note pad that I had
17 when I was public information officer for the municipi-
18 pality, which was 1975 to 1978, June of 1978. And when
19 I left that employment, I had a whole box of memo pads.
20 I'd probably given some at one time or another to Norma.

21 Q Are you saying, then, that -- did you make that specifi-
22 cally available for Friends of Alaska, or did she just
23 have it?

24 A No, it was just being used for scratch paper. I think
25 I'm finally about out of it.

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1 MR. LEVIN: I'm going to ask the reporter to mark this as
2 FEC Exhibit Number 7. There aren't too many more of these.

3 (Deposition Exhibit FEC-7 marked)

4 Q I am now showing FEC Exhibit 7 to witness and counsel.
5 Can you identify FEC Exhibit 7?

6 A The telephone number 276-6001 is my telephone number
7 coming into the house at 1400 E Street. And the number
8 under that is a second line of Barney's that comes into
9 the house at 1400 E Street. And the writing is Norma's.

10 MR. LEVIN: I'm going to ask the reporter to mark this as
11 FEC Exhibit 8.

12 (Deposition Exhibit FEC-8 marked)

13 Q I am now showing FEC Number 8 to witness and counsel.
14 Can you identify FEC Exhibit 8?

15 A The note paper is some memo paper that is from my office
16 in Wasilla. The writing is Norma's. I have stationery
17 and memo pads at my house, and I imagine Norma was
18 probably at the house talking with Barney and the note
19 paper was handy there. I assume that, but it's my note
20 paper and her writing.

21 Q Do you know what was mailed to 1400 E Street?

22 A The confirmation mailed to -- no. No, I don't know what
23 that would be, the confirmation.

24 Q Do you know what that mailgram is that it refers to?

25 A No.

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1 MR. REITMAN: 6:00 p.m.

2 A Alascom RJ, reporting expenditures -- I think what this
3 says is a mailgram, 6:00 p.m., Alascom, by RJ, and I'm
4 not sure if she means that's who she talked to. It was
5 reporting expenditures August 5 through August 16, 1980,
6 of \$7,903.00.

7 Q Would the RJ be Robert J. Gottstein?

8 A I don't have any idea, but I doubt it.

9 MR. LEVIN: I'm asking the reporter to mark this as FEC
10 Exhibit Number 9.

11 (Deposition Exhibit FEC-9 marked)

12 Q I'm now showing FEC Exhibit 9 to witness and counsel.
13 Can you identify FEC Exhibit Number 9?

14 A No. I don't know whose writing this is, and I've never
15 seen the memo.

16 Q Did Friends of Alaska ever do or contemplate doing busi-
17 ness with Visions of Alaska?

18 A I don't know.

19 Q Do you know what Visions of Alaska is?

20 A From the standpoint that it's the microwave channel,
21 television channel, available in town.

22 Q Does Mr. Gottstein have an interest, ownership or
23 managerial, in that company?

24 A We have Visions in our house, but I don't know about any
25 other.

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1 Q What do you mean by.....

2 A We subscribe to Visions.

3 Q But he has no.....

4 A I don't know.

5 Q Do you know if Friends of Alaska was interested in any
6 information about the November Gruening buy?

7 A No, I don't know.

8 MR. LEVIN: I'm going to ask the reporter to mark these
9 documents as FEC Exhibits 10, 11 and 12.

10 (Deposition Exhibits FEC-10 through 12 marked)

11 Q I'm now showing witness and counsel FEC Exhibits 10, 11
12 and 12. Can you identify FEC Exhibits 10, 11 and 12?

13 A I don't recall seeing these.

14 Q Did Friends of Alaska actually publish those?

15 A Not to my knowledge.

16 Q Would you know who composed those ads?

17 A No.

18 Q Would you know where such information on which these ads
19 were based came from?

20 A No.

21 Q What was the nature of the ads, the Friends of Alaska ads,
22 that were printed or published in the newspapers?

23 A I really don't recall what specifically they were dealing
24 with.

25 Q Do you recall that ads were printed and published?

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8 3 0 4 0 4 5 7 7 6

1 A I believe that there were one or two, but I don't think
2 that there were very many.

3 Q Were those ads different from the ads you've just seen?

4 A I can't see for sure. These ads don't look familiar.

5 Q Were they in that form, in the form of cartoon ads, or
6 were they in some printed form?

7 A I don't recall.

8 Q I'd like to go back to the conversation with Mr. Gottstein
9 when he proposed to you the idea of doing ads. Now, just
10 for a recap, did he state specifically that the activities
11 he was interested in were to have ads made?

12 A I don't quite understand the question.

13 Q He expressed a dissatisfaction with Mr. Gravel, correct?

14 A Yes.

15 Q Did he also express a dissatisfaction with the way the
16 Gruening campaign was conducting itself?

17 A Yes.

18 Q What specific remedy did he propose for this?

19 A His idea was to bring Senator Gravel's performance to the
20 public, notice of the public.

21 Q And how did he say he proposed to do this?

22 A Through advertisements, primarily radio, perhaps TV and
23 newspapers.

24 Q Did he say where he got this idea?

25 A No.

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1 Q Did he say that he had spoken to anybody else about this
2 idea?

3 A No.

4 Q Did he say that anyone else had mentioned the idea to him?

5 A No.

6 Q Did you know of Mr. Gottstein's displeasure with Mr.
7 Gravel?

8 A Yes.

9 Q And how long had that been going on?

10 A I can't say for sure, but basically the last three or
11 four years, two or three years.

12 Q Did he say what the basis of that displeasure was?

13 A I don't have any specifics, but I do know some of the
14 issues that I mentioned. His performance as a representa-
15 tive of Alaska was abominable. He created enemies for
16 the state with the people he worked with, and he placed
17 Alaska in a position of jeopardy when it did not need to
18 be. He was always working for himself, not the state, and
19 that, to my recollection, was Barney's opinion.

20 MR. REITMAN: And it was the opinion of others, as well.

21 A Certainly mine.

22 Q Did he say how long he had had this idea?

23 A It -- I believe that it was relatively new, I mean that
24 it was just formulated.

25 MR. REITMAN: Which idea is this, Counsel, that we're

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1 MR. LEVIN: The idea to place ads criticizing Gravel.

2 A Yes, I think it was new.

3 Q By new, a week old, a day old, or.....

4 A No, I would say very recent, within a day or two.

5 Q Did he say that he had made any arrangements already for
6 the placing of such ads?

7 A No.

8 Q Did he say he had done anything concrete, other than think
9 about the idea himself?

10 A No.

11 Q Is it correct that you just said also that he did not com-
12 municate about this idea with anyone prior to you?

13 A Not to my knowledge, no.

14 Q How long did this conversation, the one we're referring
15 to with Mr. Gottstein in which the idea to place the ads
16 against Gravel -- how long did this conversation take
17 place?

18 A I don't recall for sure. I don't think it was too long,
19 15 or 20 minutes perhaps.

20 Q And in 15 minutes are you saying that he did nothing
21 else but just tell you of this idea?

22 A Yes, and I offered my help. I thought it was a good idea.

23 Q In mentioning his dissatisfaction with the conduct of
24 the campaign by the Gruening committee, did he mention
25 any specifics in that conduct?

AKULAW COURT REPORTING

3 3 0 4 0 4 5 7 7 9

1 A No, not that I recall.

2 Q Did he mention a dissatisfaction with Gruening advertise-
3 ments?

4 A I really don't remember whether he did or not.

5 Q Did he mention any dissatisfaction with the failure to
6 attack Mr. Gravel by the Gruening campaign, or attack Mr.
7 Gravel's record, let's state it that way.

8 A I'm just not sure. I don't recall having a conversation
9 like that.

10 Q Did he mention any dissatisfaction in his own contacts
11 with the personnel in the Gruening campaign?

12 A I don't recall any.

13 Q Do you recall him mentioning any meeting in which he
14 viewed ads of the Gruening campaign?

15 A I'm sorry, what was that exactly?

16 MR. REITMAN: Yes.

17 Q Do you recall him mentioning any dissatisfaction with ads
18 he viewed, ads of the Gruening campaign?

19 A Not specifically, I don't recall.

20 Q Did you know that he would at times view ads for the
21 Gruening campaign?

22 A No, I was not aware of his activities.

23 Q In this conversation, did he mention any specific person-
24 nel of the Gruening campaign?

25 A Not that I can remember.

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1 Q He did not mention Rick Mystrom?

2 A No, not to my recollection.

3 Q Had you noticed any scaling down of his contacts with the
4 Gruening campaign for a period of about a month prior to
5 this conversation, by Mr. Gottstein?

6 MR. REITMAN: If you know what scaling down means.

7 A I have no -- no, I have no knowledge of the amount of
8 contact at that time.

9 Q How often did you discuss the senatorial race with him?

10 A I really don't recall. There were a lot of political
11 campaigns that year.

12 Q Would you say that Mr. Gottstein was involved in other
13 political campaigns?

14 A Yes.

15 Q Would you say that Mr. Gottstein spent anything more than
16 a very small amount of time on the Gruening campaign?

17 A I really have no way of judging the amount of time he
18 spent.

19 Q I'd like to also go back to your discussion of Mr.
20 Gottstein's fund raising efforts for the campaign. What
21 did these efforts entail?

22 A For the Gruening campaign?

23 Q For the Gruening campaign.

24 A I really don't -- I'm not qualified to speak to his
25 specific fund raising activities. I know that he made

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1 phone calls, I believe that he probably had correspon-
2 dence. In my opinion, I think it would primarily have
3 been personal contact.

4 Q Was he requested by the Alaskans for Gruening to call
5 or write to anybody specifically?

6 A I don't have any idea.

7 Q Would he receive contributions from others and then pass
8 them on to Alaskans for Gruening?

9 A I really don't know.

10 Q Was he asked by the Gruening campaign to do this fund
11 raising?

12 A I don't know.

13 Q Do you know if the Gruening campaign asked him to engage
14 in any other activities for the Gruening campaign?

15 A No, I don't know.

16 Q Do you know if they asked him to assume any position on
17 the finance committee of the Gruening campaign?

18 A No, I don't know.

19 Q Do you know if the, they meaning the Gruening campaign,
20 asked him to assume an officer's position on the Gruening
21 campaign?

22 A No, I don't know.

23 Q Okay, I'm going to refer you -- we're going to move
24 forward in time again to the activities of Friends of
25 Alaska. Did any of the Friends of Alaska staff realize

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1 that Alaskans for Gruening had also used Alaska Adver-
2 tisers?

3 A The committee members of Alaska -- Friends of Alaska?

4 Q Yes, Mr. Kelly, you, Mr. Gottstein, Ms. Thompson, Mr.
5 Green.

6 A Not to my knowledge.

7 Q Just so we can clear this up, were there any other per-
8 sonnel of Friends of Alaska that I have missed?

9 A No.

10 Q In other words, the ones I have listed is an exhaustive
11 list?

12 A Yes.

13 Q When did you first find out -- when did you or any other
14 Friends of Alaska staff member first find out that
15 Alaskans for Gruening had also used Alaska Advertisers?

16 MR. REITMAN: He's asking you now when did you find out
17 about it and when did anybody else find out about it. The
18 question is not -- you know, it's going for your knowledge and
19 whether you had knowledge of their knowledge. It's a very
20 confusing question.

21 MR. LEVIN: I should have clarified it.

22 MR. REITMAN: If you'll ask her first whether she has any
23 knowledge, then we can pinpoint it.

24 Q Okay, when did you first discover that Alaskans for
25 Gruening had also used Alaska Advertisers?

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1 A To my best recollection, I think it was when the suit was
2 filed and my brother, Norma, Barney and Alaska Advertisers
3 received a subpoena.

4 Q When did any of those other people associated with Friends
5 of Alaska discover this?

6 A I really don't know.

7 Q Did Barnard Gottstein know this already, prior to the
8 filing of the suit by Friends of Mike Gravel?

9 A I really don't have any information on that.

10 Q Did you or anyone from Friends of Alaska have any com-
11 munication with Alaska Advertisers in which the time buy
12 for Alaskans for Gruening was mentioned?

13 A I don't know. I didn't have any.

14 Q Do you know if anyone else with Friends of Alaska had
15 such communications?

16 A Not that I know of.

17 Q Did you have any communication with Alaskans for Gruening
18 or the Gruening campaign or Clark Gruening in which the
19 time buy for Alaskans for Gruening was mentioned?

20 A No.

21 Q Did anyone from Friends of Alaska have any communication
22 with Alaskans for Gruening or the Gruening campaign in
23 which the time buy for Alaskans for Gruening was men-
24 tioned?

25 A Not to my knowledge.

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1 Q Do you know if anyone from Friends of Alaska communicated
2 with a third person who then communicated with Alaska
3 Advertisers?

4 A Not to my knowledge.

5 MR. REITMAN: Alaskans for Gruening or Alaska Advertisers?

6 MR. LEVIN: Well, Alaska Advertisers, that's the next
7 question. With reference -- well, I think that question would
8 include the answer anyway.

9 Q Did anyone from Friends of Alaska have any communication
10 with a third person who then communicated with the Gruen-
11 ing campaign and discussed the time buy for Alaskans for
12 Gruening?

13 A Not that I'm aware of.

14 Q Who in Friends of Alaska had communications with Alaska
15 Advertisers during the course of the Friends of Alaska-
16 Alaska Advertisers transaction?

17 A As far as I know, Norma and Barney had contact with the
18 advertising.

19 Q Do you know what kinds of contact they had?

20 A No, I don't.

21 Q Do you know if they discussed any strategy, for instance
22 where best to place time in order to help Clark Gruening's
23 candidacy?

24 A No.

25 Q And then strategies where best to place ads where

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1 Gruening was strong or weak?

2 A No.

3 Q Do you know who in Alaska Advertisers communicated with
4 Friends of Alaska during the course of these transactions?

5 A No.

6 Q Was there any discussion among Friends of Alaska staff
7 as to whether or not to communicate with anyone from the
8 Gruening campaign?

9 A Not that I'm aware of.

10 Q Were there any instructions given by Mr. Gottstein or Mr.
11 Kelly or anyone else in Alaska Advertisers not to com-
12 municate with the Gruening cam -- I'm sorry, let me
13 rephrase that, I just realized something. Was there any
14 instruction from Mr. Gottstein or Mr. Kelly or anyone
15 else in Friends of Alaska not to communicate with Clark
16 Gruening, Alaskans for Gruening or the Gruening campaign?

17 A Not that I'm aware of.

18 Q And you know of no statements either way with respect
19 to that?

20 A No.

21 Q Did Barnard Gottstein or anyone else from Friends of
22 Alaska obtain from the Gruening campaign a list of con-
23 tributors to the Gruening campaign?

24 A Not to my knowledge.

25 Q How did Friends of Alaska decide whom to solicit for

AKULAW COURT REPORTING

700 H Street, Suite 5 Anchorage, Alaska 99501 (907) 274-3242

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1 contributions to Friends of Alaska?

2 A I don't know.

3 Q Do you know if Mr. Gottstein communicated with anyone
4 specifically?

5 A No, I don't know.

6 Q This may have been asked a different way before, but I'll
7 ask it again. Did anybody from Friends of Alaska, in-
8 cluding Barnard Gottstein, have any communication, and
9 that is either way and that's by letter, memo, phone,
10 with anyone from the Gruening campaign between the time
11 organizing efforts began and the date of the primary,
12 August 26th?

13 A Not to my knowledge.

14 Q Do you know if anyone from the Gruening campaign gave any
15 encouragement, either publicly, that is in the media, or
16 privately, to anyone from Friends of Alaska?

17 A Not that I know of.

18 Q Do you know of any such discouragement?

19 A No.

20 MR. REITMAN: The first question was encouragement and
21 the second question was discouragement?

22 MR. LEVIN: Discouragement.

23 Q The question was phrased did any take place. Should I
24 rephrase it, restate the question?

25 MR. REITMAN: Why don't you ask the question again,

AKULAW COURT REPORTING

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1 Counsel?

2 Q Did any encouragement or discouragement take place?

3 A Not that I'm aware of.

4 Q During the time period from your conversation with Mr.
5 Gottstein as to the possibility of placing the ads and the
6 August 26th Primary, did you make a contribution to the
7 Gruening campaign?

8 A I made a contribution to the Gruening campaign. I do not
9 remember when.

10 Q Would the figure \$900.00 sound correct?

11 A Yes.

12 Q And how did you make this contribution, by mail, by hand
13 delivery to someone?

14 A I made it by check, and I assume I mailed it. I don't
15 really remember.

16 Q Could you have made it at a fund raiser?

17 A I don't think so.

18 Q Did you attend any Gruening fund raisers during this
19 period of time?

20 A I don't recall any.

21 MR. REITMAN: What's the ending date of that period,
22 please, Counsel?

23 MR. LEVIN: August 26th, the date of the Primary.

24 MR. REITMAN: Of the Primary.

25 A No, I don't recall any.

AKULAW COURT REPORTING

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1 Q Did you -- could you have handed it to an Alaskans for
2 Gruening or Gruening campaign staff person?

3 A No, I don't think so.

4 Q You mailed it?

5 A I'm sure I mailed it.

6 Q Did you enclose any communication with that check?

7 A Not that I recall.

8 Q Did you consider yourself at the time involved with
9 Friends of Alaska? Were you still doing some kind of
10 work for it?

11 A I considered myself involved, yes.

12 Q Did you think there was anything irregular about con-
13 tributing a substantial sum of money to Alaskans for
14 Gruening while doing work for a committee that was sup-
15 posed to be independent?

16 A Absolutely not.

17 Q When -- going back, then, to your conversation with Mr.
18 Gottstein that started Friends of Alaska, did Mr.
19 Gottstein say that he did not feel it was worth his
20 effort to expend money directly with the committee, that
21 he wished to expend money in a way that he could run the
22 show?

23 A I don't recall any comments of that nature, no.

24 Q Did you feel that the Gruening campaign was conducting
25 itself in such a way that it was worth your effort to

AKULAW COURT REPORTING

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1 give it direct support as opposed to supporting the
2 Friends of Alaska committee?

3 A I don't understand the question.

4 Q Essentially, what I'm driving at is, let me ask it this
5 way: Do you feel that in order to defeat Mr. Gravel it
6 was better to make an effort to support Friends of Alaska
7 as opposed to directly supporting Alaskans for Gruening?

8 A I am not -- do not feel myself capable of analyzing
9 campaigns. I know that I felt very strongly that it was
10 important that people be reminded of how Senator Gravel
11 had voted, how he had conducted himself in office, and
12 his overall performance. That is what I was interested
13 in.

14 Q Were you dissatisfied with the way the Gruening campaign
15 was conducting itself?

16 A I personally had no opinion on Gruening's campaign.

17 MR. REITMAN: Counsel, would it be helpful for you to
18 inform the witness when that \$900.00 check was written? You
19 obviously have that information.

20 MR. LEVIN: Right, August 12th.

21 MR. REITMAN: August 12, 1980?

22 MR. LEVIN: 1980, according to the -- I believe it would
23 be the 12-day pre-primary report of Alaskans for Gruening.
24 If not that, it's the third quarterly.

25 MR. REITMAN: So the check was received on August 12, or

AKULAW COURT REPORTING

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1 it was dated on August 12?

2 MR. LEVIN: I do not have a copy of the check. The date
3 of the report -- the date placed on the report is August 12,
4 1980.

5 MR. REITMAN: So obviously it had come in prior to that
6 date. On or before.

7 MR. LEVIN: It may have been mailed -- right, on or
8 before. It may have been mailed prior.

9 MR. REITMAN: Thank you.

10 Q Did Barnard Gottstein ask you to make this contribution
11 to Alaskans for Gruening?

12 A No.

13 Q Did he know that you were making it?

14 A I don't think so.

15 Q Did anybody ask you to make this contribution to Alaskans
16 for Gruening?

17 A Not really, no.

18 Q This was done on your own initiative, without request?

19 A Yes.

20 Q Do you know of a telephone conversation, probably in mid-
21 August, between Clark Gruening and Barnard Gottstein
22 wherein Mr. Gruening and Mr. Gottstein discussed Friends
23 of Alaska's ads?

24 A No, I don't.

25 Q Would it refresh your memory if I said that Mr. Gruening

AKULAW COURT REPORTING

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1 said to Mr. Gottstein: Your ads are hurting me in
2 Fairbanks?

3 A I really don't have any knowledge of that.

4 Q When did Friends of Alaska cease activities?

5 A I really don't know. Wel, it would have been directly
6 after the Primary, because the purpose of our committee
7 had been accomplished.

8 Q That is the defeat of Senator Gravel?

9 A Yes.

10 Q Did it do anything past the Primary, other than pay the
11 bills?

12 A No.

13 Q After Friends of Alaska ceased its activities, did you
14 continue any communication with the Gruening campaign?

15 A I am sure that I had an occasional conversation with
16 them, but I don't recal the specific dates, but I do know
17 it was very occasional -- I mean sporadic.

18 Q Did you make a contribution?

19 A I don't know. I don't think so.

20 Q An in-kind contribution of art work?

21 A Ch, yes, I did, for an auction.

22 Q Other than the sporadic conversations, did you do any work
23 for them?

24 A No.

25 MR. LEVIN: I have no further questions.

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700 H Street, Suite 5 Anchorage, Alaska 99501 (907) 274-3242

3 3 0 4 0 4 5 7 0 2

1 MR. REITMAN: No questions.

2 *****
3 END OF PROCEEDINGS
4 *****

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AKULAW COURT REPORTING

700 H Street, Suite 5 Anchorage, Alaska 99501 (907) 274-3242

C E R T I F I C A T E

1
2 UNITED STATES OF AMERICA)
3 STATE OF ALASKA)

4 I, ROMA L. AKULAW, Notary Public in and for the State of
5 Alaska, residing at Anchorage, Alaska, do hereby certify:

6 That the annexed and foregoing deposition of CAROLYN MAY
7 "KELLY" GAY was taken before me on the 6th day of August, 1981
8 beginning at the hour of 1:00 o'clock p.m., at the U.S.
9 Federal Court and Office Building, 701 C Street, Room C-117,
10 Anchorage, Alaska, pursuant to Notice to take said deposition
11 on behalf of the Federal Election Commission;

12 That the above named witness, before examination, was
13 duly sworn to testify to the truth, the whole truth, and
14 nothing but the truth;

15 That this deposition, as heretofore annexed, is a true
16 and correct transcription of the testimony of said witness,
17 taken by me electronically and thereafter transcribed by me;

18 That the deposition is being retained by Akulaw Court
19 Reporting for the purpose of filing the same with the Federal
20 Election Commission.

21 I am not a relative or employee or attorney or counsel of
22 any of the parties, nor am I financially interested in this
23 action.

24 IN WITNESS WHEREOF, I have hereunto set my hand and
25 affixed my seal this 8th day of August, 1981.

Roma L Akulaw

Notary Public in and for Alaska

My commission expires 11/30/84

3304045794

"During his first five years in the Senate, Sen. Gravel's net worth more than doubled—to \$528,050—according to documents he made public in 1976.

Today, Sen. Gravel shares the extravagant life style of his many millionaire friends. He has a lavish house on the Potomac River south of Washington, with a swimming pool and a tennis court. He estimated the house's value last year at \$250,000 to \$500,000."

The Wall Street Journal
August 8, 1980

Ed. for by the Friends of Alaska Committee
Tom Kelly, Chairman, 3835 Hallett Drive
Anchorage, Alaska 99504

DEPOSITION
EXHIBIT
FEC-1



FRIENDS OF ALASKA COMMITTEE

60-Sec. Radio Copy
"Friends"

8 3 0 4 0 4 0 5 7 9 6

YOU SEE A LOT OF ADVERTISING THESE DAYS, BROUGHT TO YOU BY THE FRIENDS OF MIKE GRAVEL, YOU KNOW, TELEVISION AND RADIO COMMERCIALS, PHONE CALLS, MAIL...ALL FROM THE FRIENDS OF MIKE GRAVEL. DID YOU EVER STOP TO WONDER WHO THOSE FRIENDS ARE? WELL, TO START WITH, THESE FRIENDS DON' LIVE IN ALASKA. OF EVERY THOUSAND DOLLARS MIKE GRAVEL IS SPENDING, MORE THAN \$900 COMES FROM OUTSIDE.THE STATE. ONLY 9% OF ALL HIS CAMPAIGN MONEY IS FROM ALASKA. THE FRIENDS OF MIKE GRAVEL ARE ALSO POWERFUL, A QUARTER OF A MILLION DOLLARS COMES FROM INTEREST GROUPS WITH WASHINGTON LOBBYING CONNECTIONS. THE FRIENDS OF MIKE GRAVEL ARE ALSO RICH. TWO-THIRDS OF ALL THE MONEY COMES IN AMOUNTS OF \$500 OR MORE. AND SO THEY LIVE OUTSIDE ALASKA, THEY ARE RICH AND POWERFUL, THE FRIENDS OF MIKE GRAVEL. DO YOU SUPPOSE THEY ARE ALSO FRIENDS OF ALASKA. ASK YOURSELF THAT THE NEXT TIME YOU SEE MIKE GRAVEL'S ADVERTISING. PAID FOR AS A PUBLIC SERVICE BY FRIENDS OF ALASKA COMMITTEE, TOM KELLY, CHAIRMAN, 3835 HELVETIA DR., ANCHORAGE 99504.

DEPOSITION
EXHIBIT
FEC-2

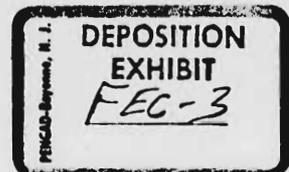


FRIENDS OF ALASKA COMMITTEE

60-Sec. Radio Copy
"First Class"

8 3 0 4 0 4 0 5 7 9 7

YOU'VE GOT TO HAND IT TO MIKE GRAVEL, HE GOES FIRST CLASS DOESN'T HE. LIKE HIS CAMPAIGN FOR RE-ELECTION...HE'S ON HIS WAY TO RAISING A MILLION DOLLARS AND HE'S GOT THE BEST THAT MONEY CAN BUY. THE BEST PEOPLE IN THE COUNTRY ARE TAKING POLLS AND PRODUCING ADVERTISING, HE EVEN HIRED A WASHINGTON D.C. FIRM TO MAKE PHONE CALLS FOR HIM HERE IN ALASKA. YOU KNOW, PEOPLE WHO ARE PAID TO SAY NICE THINGS ABOUT MIKE GRAVEL OVER THE TELEPHONE. MIKE GRAVEL'S POLITICAL EXPERTS LIVE AND WORK IN MAINE, NEW YOUR, SAN FRANCISCO, MASSACHUSETTS. NOW WE HAVE TO ASK OURSELVES... WHY...WHY DOES MIKE GRAVEL NEED A MILLION DOLLAR CAMPAIGN AND HIRED POLITICAL GUNS FROM AROUND THE COUNTRY. WHY CAN'T MIKE GRAVEL EXPLAIN HIMSELF...THE ANSWER IS SAID, BUT TRUE, BECAUSE WE KNOW THE REAL MIKE GRAVEL AND HE'S NOT SOMEONE WE WOULD SEND BACK TO WASHINGTON. PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE, TOM KELLY CHAIRMAN, 3835 HELVETIA DR., ANCHORAGE 99504.





FRIENDS OF ALASKA COMMITTEE

Spot #2 - Aspen :60

THE SUNNY SLOPES OF ASPEN COLORADO. DEEP POWDER, BEAUTIFUL PEOPLE, BIG HOMES. ONE OF THE BIGGEST HOMES BELONGS TO OUR VERY OWN SENATOR MIKE GRAVEL. THE VALUE OF MIKE GRAVEL'S ASPEN HOUSE IS SAID TO BE MORE THAN A MILLION DOLLARS. BUT MIKE GRAVEL DIDN'T HAVE TO PUT ANY MONEY FOR HIS INTEREST. HE JUST HAD TO INVEST SOME OF HIS TIME. IN HIS SPARE TIME MIKE GRAVEL DESIGNED THE HOUSE. HE EVEN DESIGNED THE FURNITURE. AND MIKE GRAVEL EVEN FOUND THE PEOPLE TO INVEST MONEY IN HIS PROJECT. SOME OF THEM TURNED OUT TO BE LOBBYISTS WHOSE JOB IT IS TO ASK FOR MIKE GRAVEL'S VOTE IN THE SENATE. WHEN SOMEONE ASKED WHETHER THIS KIND OF ARRANGEMENT WAS PROPER MIKE GRAVEL SAID THERE WAS NO LAW AGAINST IT. WHEN SOMEONE ASKED WHY HE NEEDED SUCH A BIG HOUSE IN ASPEN, MIKE GRAVEL SAID IT WAS JUST A PLACE TO STOP ON THE WAY HOME. WELL, THATS PART OF THE ASPEN HOUSE STORY, THERES MORE... PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE.

83040405798

DEPOSITION
EXHIBIT
FEC-4



FRIENDS OF ALASKA COMMITTEE

Spot #1 - Scrapbook :60

8 3 0 4 0 4 0 5 7 9 9

YOU KNOW HOW PICTURES AND CLIPPINGS CAN CHANGE AFTER JUST A FEW YEARS. WE LOOK BACK AND SEE HOW FUNNY WE LOOK. WE ALL CHANGE WITH AGE, HOPEFULLY WE GET SMARTER AND MORE RESPONSIBLE. WELL, WE WERE GOING THROUGH THE MIKE GRAVEL SCRAPBOOK THE OTHER DAY AND FOUND SOME OLD CLIPPINGS. HERES ONE...MIKE GRAVEL NOMINATES HIMSELF FOR VICE PRESIDENT. THAT WAS REALLY GOOD FOR A LAUGH. AND THEN WE SAW GRAVEL WANTS TO BUILD A DOMED CITY ON MT. MCKINEEY. GRAVEL PICKETS THE WHITE HOUSE... GRAVEL FIGHTS AGAINST THE 200 MILE LIMIT. THE SCRAPBOOK WAS JUST FILLED TO OVERFLOWING. AND HERES 1978, GRAVEL KILLS LANDS BILL. HE SAYS WE'LL DO BETTER NEXT TIME. GRAVEL SAYS CARTERS' ONLY BLUFFING ON LOCKING UP ALASKA. WELL THE YEARS ROLL ON AND IN THE MIKE GRAVEL SCRAPBOOK THE HEADLINES TODAY LOOK A LOT LIKE THE ONES WE WERE SEING YEARS AGO. MAYBE AGE AND EXPERIENCES HAVEN'T HELPED. MAYBE ITS TIME TO CLOSE THE COVER ON THE GRAVEL YEARS. PAID FOR BY THE FRIENDS OF ALASKA COMMITTEE.



83040405800

MEMO FROM:

Kelly Gay

8/80

PUBLIC INFORMATION OFFICER
264-4422

1st Spots - Tues 8/5/80

Air Route - Judy Parsons.

277 6639 -

8/15	8/19
8/16	8/20
8/17	8/21
8/18	8/22
	8/23

DEPOSITION
EXHIBIT
FEC-6

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276-9935

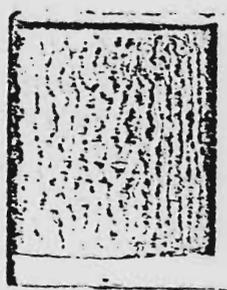
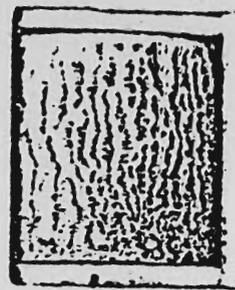
Cash - out of bank
 5th Jan 12
 19th Mar 26

Above -

Bankey
 276 6001
 279 8079-0611

July	1980	September	1980
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217	Monday, August 4	149	

83040405801



DEPOSITION
 EXHIBIT
 FEC-7



Kelly Gay
Investments

The Land Company Bldg - Mile 12 Parks Highway
Pouch K
Wasilla, Alaska 99687 • (907) 376 3291
Anchorage, Alaska • (907) 276 2191

2/17/80 - Per phone conv
w/ Mr Barron

Re:
Fec Reports thru 8/15/80

Malcom bpm - Alaska "RS"

Reporting exp 8/15 thru

8/16/80 \$1903.00

Confirmation mailed to 1400 E
and copy to Mr Barron

DEPOSITION
EXHIBIT
FEC-8

0580040830

8 3/8 404058-28-15-80

Steve:

For your information, we have done no production at all for Friends of Alaska.

All of our radio tapes have come from Justin Ward Political/Media Services, 2277 Science Parkway, Okemos, Michigan 48864, phone 517-349-4780.

We have done nothing that I am aware of with Visions Alaska.

Brenda is pulling copies of all checks in payment on the Gruening buy in November, as well as a listing of receipts from his committee.

July



Mark For Justin Ward

517-349-4780

Home 517-351-2225

*Thomas E.
Don Kelly, don.*

206-378-2155

Rock Harbor, Wa

277-0382

DEPOSITION
EXHIBIT
FEC-9



"I don't know what all the fuss is about--it's just a little place for me to stop on the way home."

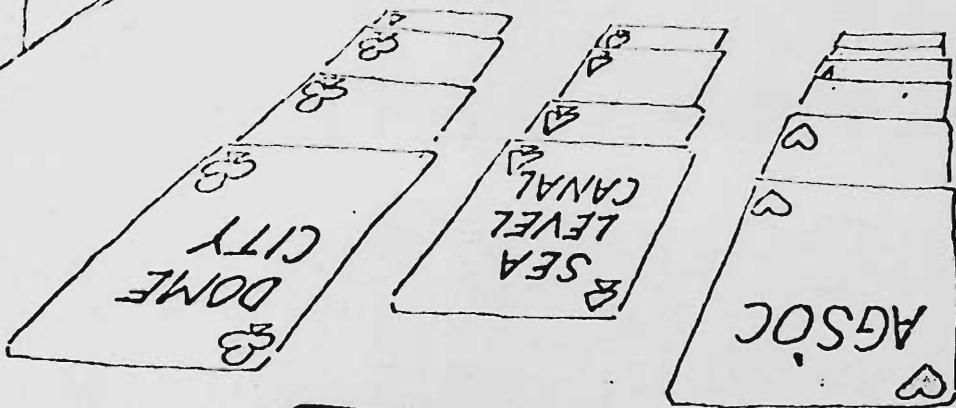
mav'er-ick (mav'er-ik), *n.* 1. Don't vote. 2. Don't go to Committee meetings. 3. Don't do your homework. 4. Make everybody mad. 5. Dream up your own projects like a Dome City. 6. And when people say what's going on here, just smile and call yourself a maverick.



DEPOSITION
EXHIBIT
FEC-11

SENATOR, THERE'S AN IMPORTANT VOTE ON THE FLOOR AND YOU'VE ALREADY MISSED 1,636 VOTES...

DON'T BOTHER ME! I'D RATHER PLAY MY OWN HAND.



DEPOSITION EXHIBIT
FEC-12



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1272 + Depositions

Date Filmed 6/22/83 Camera No. --- 2

Cameraman SAC

807