

FEDERAL ELECTION COMMISSION

12 day report (V-29-82) ; Comment
Sheets ; routing cards ; vote sheets / comments

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 type="checkbox"/> (2) Internal rules and practices | <input type="checkbox"/> (7) Investigatory files |
| <input 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 Mama E. White
date June 10 1981

FEC 9-21-77

82040334881



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 9, 1982

Lawrence J. Halloran
National Republican Congressional Committee
320 First Street, S.E.
Washington, D.C. 20003

Re: MUR 1437

Dear Mr. Halloran:

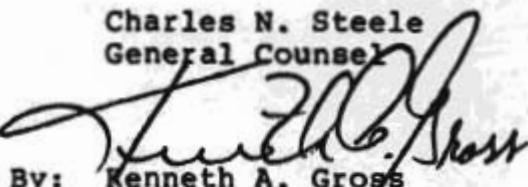
0 2 0 4 0 3 3 4 8 8 2

The Federal Election Commission has reviewed the allegations of your complaint dated April 22, 1982, and determined that on the basis of the information provided in your complaint, and information provided by the respondent, there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed at this time. As the National Conservative Political Action Committee ("NCPAC") asserted that it has made no use of the names of listed contributors other than to mail the materials at issue, it appears that no violation has occurred. Any solicitation from this list, or of persons who respond to the initial mailing, would, however, invoke the prohibitions of 2 U.S.C. § 438(a)(4). Accordingly, the Commission has decided to close the file in this matter. The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 9, 1982

J. Curtis Herge
Sedam and Herge
Suite 1100
8300 Greensboro Drive
McLean, Virginia 22102

Re: MUR 1437

Dear Mr. Herge:

On April 26, 1982, the Commission notified your client, the National Conservative Political Action Committee ("NCPAC"), of a complaint alleging that NCPAC violated 2 U.S.C. § 438(a)(4), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission, on June 8, 1982, determined that on the basis of information in the complaint and information provided by you, there is no reason to believe that NCPAC has violated 2 U.S.C. § 438(a)(4) at this time. Accordingly, the Commission has closed its file in this matter which will become public within 30 days.

The response submitted on behalf of NCPAC acknowledged that NCPAC obtained the names of listed contributors to political committees from reports filed with the Commission. The response also stated that as of May 4, 1982, NCPAC has made no use of those names other than to mail to the individuals involved the materials which were included with the complaint filed in the above-captioned matter. Any solicitation from this list, or of persons who respond to the initial mailing, would, however, invoke the prohibitions of 2 U.S.C. § 438(a)(4).

If you have any questions please contact Maura White at 202-523-4057.

Sincerely,

Charles N. Steele
General Counsel

By:


Kenneth A. Gross
Associate General Counsel

02040334883



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Lawrence J. Halloran
National Republican Congressional Committee
320 First Street, S.E.
Washington, D.C. 20003

Re: MUR 1437

Dear Mr. Halloran:

0 2 0 4 0 3 6 4 8 8 4

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Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

MW 6/9/82



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

J. Curtis Herge
Sedam and Herge
Suite 1100
8300 Greensboro Drive
McLean, Virginia 22102

Re: MUR 1437

Dear Mr. Herge:

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If you have any questions please contact Maura White at 202-523-4057.

Sincerely,

Charles N. Steele
General Counsel

MW 6/9/82

By: Kenneth A. Gross
Associate General Counsel

02040334885

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
National Conservative Political)
Action Committee)

MJR 1437

CERTIFICATION

I, Marjorie W. Emons, Recording Secretary for the Federal Election Commission Executive Session on June 8, 1982, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MJR 1437:

1. Find no reason to believe the National Conservative Political Action Committee ("NCPAC") violated 2 U.S.C. §438(a)(4) at this time.
2. Send the letters attached to the General Counsel's June 2, 1982 report, subject to amendment of the letters as agreed upon in the meeting.
3. Close the file.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry, and Reiche voted affirmatively for the decision.

Attest:

6-8-82

Date

Marjorie W. Emons

Marjorie W. Emons
Secretary of the Commission

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SENSITIVE

FEDERAL ELECTION COMMISSION

FIRST GENERAL COUNSEL'S REPORT

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

82 JUN 2 AIO: 29

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 6-2-82

NUR 1437
DATE COMPLAINT RECEIVED
BY OGC 4/22/82
DATE OF NOTIFICATION TO
RESPONDENT 4/26/82
STAFF MEMBER White

COMPLAINANT'S NAME: National Republican Congressional Committee

RESPONDENT'S NAME: National Conservative Political Action
Committee

RELEVANT STATUTE: 2 U.S.C. § 438(a)(4)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

On April 22, 1982, the National Republican Congressional Committee ("NRCC") filed a complaint against the National Conservative Political Action Committee ("NCPAC"). (Attachment 1). The complaint alleges that NCPAC has violated or will violate 2 U.S.C. § 438(a)(4) by soliciting contributions from individuals whose names were obtained from the financial reports filed by the NRCC and other political committees with the Commission.

FACTUAL AND LEGAL ANALYSIS

A. The facts asserted in the complaint and response. The complaint states that on April 15, 1982, Terry Dolan, the National Chairman of NCPAC, "admitted to NRCC's Finance

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Director that the names and addresses of individuals contained in reports filed with the FEC had been copied by NCPAC" and that "the persons whose names and addresses were obtained from the FEC were sent a letter from NCPAC which was accompanied by enclosures." 1/ A copy of the materials mailed by NCPAC accompanied the complaint; the materials included a "form to be filled out by the recipient and returned to NCPAC" which requests the name, address and telephone numbers of the recipient.

The complaint contends that "[t]he materials sent to NRCC contributors by NCPAC are part of a scheme designed to solicit these individuals" and that "NCPAC has made or will make an overt solicitation of at least those who return the enclosed reply form." According to the complainant, "[t]his scheme's patent objective is to solicit the individuals whose identity was known to NCPAC solely because NCPAC purloined this information from FEC records." It is alleged that the "scheme constitutes unlawful conduct by NCPAC and is 'for the purpose of soliciting contributions.'" The complainant argues that "FEC regulations bar schemes that 'launder' contributor information obtained

1/ The affidavit of the NRCC's Finance Director, Wyatt Stewart, was included with the complaint. The affiant states that upon his receipt of the materials mailed by NCPAC to an unidentified source, he telephoned Mr. Dolan and obtained this information. The affidavit further states that representatives of NCPAC obtained the contributor information from the 1981 Year-End Reports of numerous political committees, including the NRCC.

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from FEC reports," 2/ and asserts that because the "principal purpose of NCPAC's mailing is to communicate with NRCC contributors in a transparent attempt to launder information obtained from FEC reports for the purpose of soliciting the same individuals," such activity constitutes a violation of 2 U.S.C. § 438(a)(4).

6 2 0 4 0 3 3 4 8 9 0

The materials mailed by NCPAC comprise a letter from Terry Dolan, dated April 8, 1982, the first edition of the NCPAC Monthly Political Report, and as stated above, a reply form. The letter from Terry Dolan states that the "purpose of this publication is to keep prominent Republican conservatives, such as yourself, informed of NCPAC's activities and to solicit their opinions and viewpoints." Free copies of the political report are promised in the letter for the remainder of the 1982 campaign, contingent upon the return of the reply form. Even if persons do not request future copies of the political report, they are requested to fill out the reply form. The reply form solicits comments on the political report's format and content and asks if additional monthly reports are desired, and if the recipient would like to discuss any political races with NCPAC

2/ The complainant supports its position by stating that the regulations "bar newspapers and magazines from using FEC data if the 'principal purpose' of any communication containing the data is 'to communicate any contributor information listed on such reports for the purpose of soliciting contributions.'"

staff. In addition, the form asks for the names and addresses of any other "conservative republicans" who would like to receive the publication. NCPAC activities, congressional and state races, and selected legislative and administrative activities are highlighted within the monthly report. Importantly, neither the reply form nor the Political Report contain a solicitation of funds to NCPAC or to any other organization.

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NCPAC responded to the complaint on May 6, 1982 (Attachment 2). While NCPAC admits that it copied the names and addresses of contributors to the NRCC from the financial reports of the NRCC and mailed the materials attached to the complaint to those individuals, it denies that it violated 2 U.S.C. § 438(a)(4) by so doing. NCPAC supports its position by citing Advisory Opinion 1981-5 and by arguing that the packet mailed by NCPAC "contains no solicitation of contributions and ... had no commercial purpose."^{3/} In addition, the response states that "[i]f a recipient of [the] material, which was provided free of charge, were interested in responding or in asking for future editions of NCPAC's Political Report, he or she could do so with a postage free reply device" and "[t]here would be no charge for future editions of the Political Report." The reply concludes that NCPAC has made no other use of

^{3/} In AO 1981-5 the Commission determined that an individual who had won the general election could copy contributors' names from his unsuccessful opponent's financial reports and mail letters to those individuals to "set the record straight on certain defamatory charges" made against the candidate by his opponent during the campaign. The advisory opinion was premised upon the facts that the letters would not solicit contributions of any kind nor have any commercial purpose, and that the letters would not solicit the recipient's support or vote in any future election.

the names and addresses of the individuals listed in the reports filed with the Commission by the NRCC. 4/

B. The law applicable

Section 438(a)(4) of Title 2, United States Code, provides that any information copied from reports or statements filed with the Commission 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.

Section 104.15(b) of Title 11, Code of Federal Regulations, defines the term "soliciting contributions" to include soliciting any type of contribution or donation, such as political or charitable contributions. Pursuant to 11 C.F.R. § 104.15(c), the use of information which is copied or otherwise obtained from reports filed with the Commission "in newspapers, magazines, books or other similar communications is permissible as long as the principal purpose of such communications is not to communicate any contributor information listed on such reports for the purpose of soliciting contributions or for other commercial purposes." The legislative intent behind § 438(a)(4) was to "protect the privacy of the generally very-public spirited citizens who may make a contribution to a political

4/ On May 4, 1982, NCPAC submitted a request for an advisory opinion concerning the application of 2 U.S.C. § 438(a)(4) to certain proposed activity (Attachment 3). Specifically, NCPAC inquired whether the sender of "the type of letter contemplated in AO 1981-5" may solicit contributions from any recipient of the letter who indicates "agreement or sympathy with the views of the sender." On May 11, 1982, the Office of General Counsel responded to the opinion request by stating that specific information describing the proposed mailing must be submitted before an opinion can be issued (Attachment 4).

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campaign or a political party." 117 Cong. Rec. 30057 (1971)
(remarks of Senator Bellmon).

C. Application of the law to the facts

As stated supra, the materials mailed by NCPAC did not contain a solicitation for contributions to NCPAC or to any other entity. According to the response submitted by NCPAC, NCPAC has made no other use of the names of contributors which were obtained from disclosure reports, and the Political Report will be provided free of charge to those who return the reply form.

In view of these facts, and the fact that the NRCC has provided no evidence that any of its reported contributors were in fact solicited by NCPAC, it is the recommendation of the General Counsel that there is no reason to believe that NCPAC has violated 2 U.S.C. § 438(a)(4) at the present time. If, however, NCPAC were to solicit those persons who respond to the reply form it would do so in violation of 2 U.S.C. § 438(a)(4), in the view of this office. That NCPAC originally obtained the names of contributors to the NRCC and other committees for the purpose of soliciting contributions is apparent, especially in view of the statements made in NCPAC's advisory opinion request.

The provision involved herein, § 438(a)(4), specifically states that any information copied from reports or statements

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may not be sold or used by any person for the purpose of soliciting contributions. The phrase "for the purpose of soliciting contributions" should be interpreted to include a plan to solicit individuals whose names were obtained from disclosure reports and who respond to a preliminary mailing from a committee or organization. Otherwise, the privacy concerns voiced by Congress would be undermined, and committees or other organizations seeking contributions could easily circumvent the prohibition on the use of contributor information by mailing extraneous materials to potential contributors prior to an actual solicitation. 5/

NCPAC's actions to date do not amount to a violation, however, since no solicitation has yet been made. In the letter we propose sending to NCPAC, we have included language indicating that at the present time a violation has not occurred because NCPAC has made no use of the names of the individuals involved other than to mail to them the materials which were included with the complaint. 6/

5/ Moreover, in the view of this office, it cannot be assumed that a contributor's response to a mailing constitutes the contributor's consent to being solicited.

6/ We have coordinated our preparation of this report with actions taken to date regarding NCPAC's advisory opinion request. We will incorporate the position taken by the Commission in this MUR in our draft response to the advisory opinion request, should NCPAC provide the clarifying information requested by our May 11, 1982, letter.

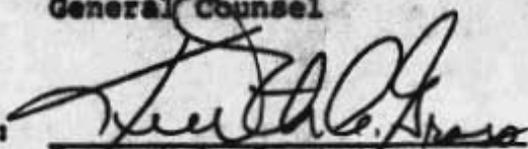
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RECOMMENDATION

1. Find no reason to believe the National Conservative Political Action Committee ("NCPAC") violated 2 U.S.C. § 438(a)(4) at this time.
2. Send the attached letters.
3. Close the file.

Date June 2, 1982

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Attachments:

- 1 -- Complaint
- 2 -- Response
- 3 -- AO request
- 4 -- Letter to Herge re AO request
- 5 -- Letters (2)

02040334895

BEFORE THE FEDERAL ELECTION COMMISSION
OF THE UNITED STATES OF AMERICA

In the Matter of National)
Conservative Political)
Action Committee.)

MUR 1437

62 APR 22 P 3:32

OFFICE OF THE
GENERAL COUNSEL

COMPLAINT

The National Republican Congressional Committee ("NRCC") files this complaint against the National Conservative Political Action Committee ("NCPAC") pursuant to 2 U.S.C. Section 437g(a), along with the attached Affidavit of Wyatt A Stewart III and accompanying exhibit.

1. Facts

NCPAC is a multicandidate political committee registered with the Federal Election Commission ("FEC") whose financial support comes from contributions in response to solicitations. On April 15, 1982, the National Chairman of NCPAC, John T. (Terry) Dolan, admitted to NRCC's Finance Director that the names and addresses of individuals contained in reports filed with the FEC had been copied by NCPAC. Affidavit of Wyatt A. Stewart, III, Paragraph 4 (original attached). Mr. Dolan further admitted that the persons whose

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Attachment 1 (p.1)

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names and addresses were obtained from the FEC were sent a letter from NCPAC which was accompanied by enclosures. Id. The enclosures included the first edition of the NCPAC Monthly Political Report, and a form to be filled out by the recipient and returned to NCPAC. Exhibit A to Affidavit of Wyatt A. Stewart, III. The form requests the name, address and telephone numbers of the recipient.

2. Violation

NCPAC is violating 2 U.S.C. Section 438(a)(4) which states that information contained in FEC reports "may not be sold or used by any person for the purpose of soliciting contributions." This statute centers "on protecting the privacy of the 'very public spirited citizens' who make contributions to campaigns." Advisory Opinion 1980-78, Federal Election Campaign Finance Guide (CCH) Paragraph 5530 (August 12, 1980).

NCPAC's National Chairman has acknowledged that information, i.e., the names and addresses of reported NRCC contributors, was obtained from FEC reports. Affidavit of Wyatt A. Stewart, III, Paragraph 4. It has been further acknowledged that NCPAC has mailed letters to these individuals and requested that the recipient fill out a form and return it to NCPAC. Id.

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The materials sent to NRCC contributors by NCPAC are part of a scheme designed to solicit these individuals. NCPAC has made or will make an overt solicitation of at least those who return the enclosed reply form. This scheme's patent objective is to solicit the individuals whose identity was known to NCPAC solely because NCPAC purloined this information from FEC records. Such a scheme constitutes unlawful conduct by NCPAC and is "for the purpose of soliciting contributions."

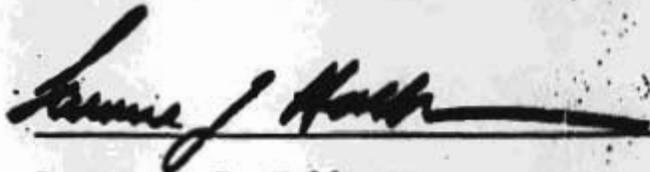
The FEC regulations bar schemes that "launder" contributor information obtained from FEC reports. The regulations bar newspapers and magazines from using FEC data if the "principal purpose" of any communication containing the data is "to communicate any contributor information listed on such reports for the purpose of soliciting contributions." 11 CFR Section 104.15(c). The principal purpose of NCPAC's mailing is to communicate with NRCC contributors in a transparent attempt to launder information obtained from FEC reports for the purpose of soliciting the same individuals. This constitutes a violation of Section 438(a)(4).

3. Prayer for Relief

The NRCC requests that the FEC investigate this violation and enforce Section 438(a)(4) and thereby protect the privacy of NRCC contributors.

4. Verification

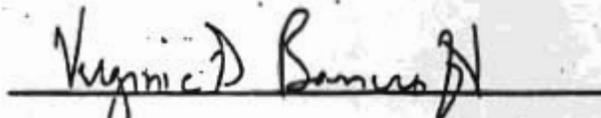
The undersigned counsel for NRCC swears that the allegations and facts set forth in this complaint are true to the best of his knowledge, information and belief.



Lawrence J. Halloran

Legal Counsel, NRCC

Subscribed and sworn before me this 21st day of April, 1982.



Notary Public

My Commission Expires: March 31, 1983

National Republican
Congressional Committee
320 First Street, S.E.
Washington, D.C. 20003

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AFFIDAVIT OF WYATT A. STEWART, III

Wyatt A. Stewart, III 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 the Finance Director of the National Republican Congressional Committee ("NRCC") and have responsibility for its fundraising activities. I also have responsibility for obtaining and preserving the records of NRCC contributors on behalf of NRCC's treasurer,

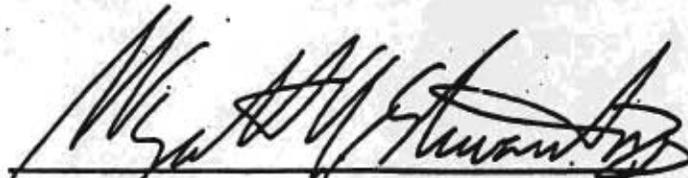
3. On April 15, 1982, a letter, dated April 8, 1982, from John T. (Terry) Dolan ("Dolan"), National Chairman of National Conservative Political Action Committee ("NCPAC") to an apparent contributor of NRCC came to my attention. A copy of that letter and enclosures is attached to this affidavit and marked Exhibit A.

4. On April 15, 1982 I telephoned Dolan and spoke with him. Dolan stated to me that the letter and enclosures referred to in paragraph 3 above had been mailed to individuals who are known political contributors

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and whose names and addresses, Dolan admitted, had been obtained by representatives of NCPAC from the year-end reports of numerous political committees including the NRCC. The reports were filed with the Federal Election Commission on or about January 31, 1982.

5. On the basis of this information and on the basis of my knowledge and experience in political fundraising, I believe that the names and addresses obtained by NCPAC from reports filed with the Federal Election Commission are being used or will be used by NCPAC for the purpose of soliciting contributions to NCPAC from these individuals.


Wyatt A. Stewart, III

Subscribed and sworn before me this 21st day of April, 1982.


Notary Public

My Commission Expires: March 31, 1983

02040334901

**POLITICAL REPORT
ENCLOSED**

0645304070

From:
**National Conservative
Political Action Committee**
1500 Wilson Blvd. suite 513 arlington, va. 22209 (703) 522-2800
To:

CFN 44 220
M 9 32

NORTHERN VA 220
PM
APR 9
1982
BSC

NORTHERN VA 220
PM
APR 9
1982
BSC

First Class

(p.7)

National Conservative
Political Action Committee

Suite 513, 1300 Wilson Boulevard
Arlington, Virginia 22209

John T. Dolan
National Chairman

(703) 523-2500

April 8, 1982



I am honored to send to you this first edition of the National Conservative Political Action Committee's (NCPAC) monthly Political Report.

The purpose of this publication is to keep prominent Republican conservatives, such as yourself, informed of NCPAC's activities and to solicit their opinions and view points.

If you would like to continue to receive this publication for free during the rest of 1982 campaign, please fill out the enclosed reply memo. There is no cost or obligation to you for this publication.

If you have any questions, please do not hesitate to call collect to either myself or my assistant, Candace Taw.

Sincerely,

John T. (Terry) Dolan
National Chairman

JTD/vh

Enclosure

P.S. Since this is our first edition, we would appreciate your completion of the enclosed reply memo.

1 (p. 8)

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EXHIBIT A (Part 2 of 5)
(NRCC)

*National Conservative
Political Action Committee*

*Suite 513, 1500 Wilson Boulevard
Arlington, Virginia 22203*

*John T. Dolan
National Chairman*

(703) 522-2000

MARCH 1982

MEMORANDUM FOR: COUNCIL MEMBERS, MEMBERS OF CONGRESS
AND CONSERVATIVE LEADERS

FROM: JOHN T. (TERRY) DOLAN
NATIONAL CHAIRMAN

SUBJECT: Monthly Political Report
Update on NCPAC Activities

CONTENTS: I. INDEPENDENT RACES
II. OTHER KEY RACES
III. NCPAC ACTIVITIES
IV. LEGISLATIVE UPDATE
V. NCPAC IN THE NEWS
VI. NCPAC TV AND RADIO SCRIPTS

This is the first in a monthly series of political reports to influential U. S. leaders. Each report will highlight not only NCPAC activities, but key Congressional races, other important political elections, selected legislative and administrative activities, and additional information of interest.

Traditionally, non-Presidential elections hurt the party of the President, but there have been exceptions to this general rule, and in 1982 NCPAC plans to do all it can to make 1982 an exception. Ronald Reagan has begun a dramatic reversal of 50 years of liberal control of government. Redistricting, independent expenditures, as well as the nature of liberal incumbents up for reelection, plus the personal persuasive powers of President Reagan, are factors which work to our advantage.

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(NRCC)
EXHIBIT A (Part 3 of 5)

I. INDEPENDENT EXPENDITURE RACES

Connecticut

January in Connecticut saw the REPUBLICANS TO REPLACE WEICKER COMMITTEE implement a plan to inform Connecticut voters about the extent of Senator Weicker's exceptionally liberal opposition to President Reagan. The Committee launched a direct mail drive and has established a telephone bank to call every Republican primary voter in the state.

A NCPAC survey, taken by A. J. Finkelstein & Associates of New York, shows Weicker losing to Prescott Bush in a head-to-head Republican primary race by a 13.3% margin (45.3% to 32.0%). It appears from these statistics that Weicker's only chance to be reelected is by running as an independent.

Illinois

Liberal Democratic Congressman Paul Simon of Illinois has the dubious distinction of voting against the Reagan tax cut, and at the same time voting himself his own tax write-off program. (See article under section IV, Legislative Update.) In 1980 he won by little more than 2,000 votes, despite the fact that he outspent his Republican opponent by a four-to-one margin. The ADA rates Simon at 78%, one of the highest liberal ratings in the country. In February NCPAC began a radio campaign emphasizing Simon's anti-Reagan record, and asking voters to call Representative Simon's office to verify his votes. (See attached script.)

Maryland

In January and February NCPAC spent \$81,045 in the Washington and Baltimore media markets on television ads exposing Paul Sarbanes' liberal voting record. The theme of this campaign is simply: "Paul Sarbanes is too liberal for Maryland." The TV commercials highlight Paul Sarbanes' liberal voting record on school prayer, forced school busing, and the Panama Canal. In addition to this, a special commercial is being shown to expose Paul Sarbanes' lack of initiative on legislation that would help in dredging the Baltimore harbor, an important state economic issue. A recent NCPAC survey, by A. J. Finkelstein & Associates, shows that Sarbanes' unfavorable rating has increased by 3.8%. However, since NCPAC's last media campaign in April, Sarbanes has regained support among self-identified conservative Democrats. (See attached script.)

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Senator Sarbanes recently attacked NCPAC for financing its commercials from out-of-state contributions. NCPAC held a news conference in response pointing out that Sarbanes was applying a double standard. In 1976, when Paul Sarbanes ran for Senate, of the \$719,225.52 itemized receipts raised for the campaign, \$391,644.79 came from out-of-state contributions. This accounts for 54.4% of his itemized receipts--over half. These figures are from FEC reports filed by Sarbanes.

In addition, Sarbanes had 2,364 itemized contributors who lived in Maryland in 1976. NCPAC currently has 2,937 contributors living in Maryland, 473 more than the Senator. At the news conference, NCPAC repeated its offer to disband its committee and activities in the state if Paul Sarbanes agrees not to accept any cut-of-state contributions to his reelection campaign.

Montana

NCPAC is challenging liberal incumbent Senator John Melcher from Montana to a televised debate after Melcher attacked one of NCPAC's informative commercials as being "untruthful." NCPAC offered to pay for the debate. So far, neither the television stations, nor Senator Melcher have accepted the challenge.

According to the National Taxpayers Union, Senator Melcher has voted against the American taxpayer 75% of the time, and he opposed President Reagan's budget cutting votes 66% of the time. Melcher also voted to give himself a 29% pay raise.

After a recent NCPAC television campaign in Billings, an A. J. Finkelstein survey showed that Melcher's favorable rating dropped 20.7%. NCPAC has begun another three week statewide media campaign in Montana. Melcher, at one point invulnerable, must now rate as one of the more vulnerable Democrats up for election in 1982. (See attached scripts.)

NCPAC is also sponsoring a local petition drive and letter-writing campaign to put public pressure on Montana television stations to broadcast NCPAC's commercials. NCPAC has also filed suit against these stations for conspiring to violate our First Amendment rights.

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New York

In New York NCPAC is trying to unseat liberal Democratic Senator Pat Moynihan. NCPAC sponsored a statewide poll, and ran two weeks of commercials in New York City pointing out Senator Moynihan's liberal voting record. NCPAC is also suing Senator Moynihan and several radio stations for refusing to air these commercials.

Pennsylvania

Most observers agree Democratic incumbent Congressman Robert Edgar of Pennsylvania is highly vulnerable. Edgar received 50% of the vote in 1978 and 53% of the vote in 1980. He supports high spending social programs and is opposed to increased defense spending. He voted against the Reagan tax cuts, and yet voted himself a tax cut. (See article under section IV, Legislative Update.) Edgar has also voted against the Reagan budget, and Reagan proposals to revitalize our national defense. NCPAC ran radio commercials attacking Edgar's record of opposition to President Reagan. (See attached script.)

Texas

In Texas NCPAC is preparing to put heavy pressure upon those television stations that refuse to allow NCPAC to advertise Jim Wright's liberal voting record. NCPAC's goal is to obtain 20,000 signatures on a petition calling for the revocation of the FCC licenses at these stations. NCPAC is suing Congressman Wright and the television stations which refuse to broadcast our commercials. We are also considering urging advertisers to pull their commercials on stations refusing to run NCPAC ads.

West Virginia

Over \$35,250 has been raised in West Virginia to finance NCPAC's "Bye-Bye Byrd" Committee. Senator Byrd has twice accused the Bye-Bye Byrd Committee of lying about his record and been called to task by the local media when he couldn't produce any specifics. (See attached editorial.) Commercials highlighting the fact that Senator Byrd does not own property in the state of West Virginia began January 22. A previous effort in Charleston resulted in a drop of Senator Byrd's favorable rating by 22%, according to an A. J. Finkelstein survey. (See attached ads.)

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II. OTHER KEY RACES

California Senate

California's guru Governor Jerry Brown is at it again--this time running for the United States Senate. Brown has managed to botch up just about everything in California including the Medfly crisis, and made Time magazine's quotes of the year with the statement: "We're going to get that little bug, before that little bug gets my poll ratings down any further."

Brown is famous for his contention that image is more important than substance in politics. If that is true, Brown is in real trouble because his negative rating among fellow Californians is very high. But, those who have followed Brown closely have seen how he can bounce back in the polls, such as after the Proposition 13 passage when he somehow managed to convince the majority of Californians that he had actually been in favor of the tax cutting measure all along. Brown should face stiff conservative Republican opposition in the general election.

NCPAC is endorsing Congressman Robert K. Dornan for the United States Senate in California. Even though Dornan has 6% of the vote in recent surveys, a number of factors should be working in his favor. First, Dornan came from no place to win his original House seat in 1976, in the Los Angeles area, one of the toughest media markets in America. Second, the most successful political fundraiser in the United States, Richard Viguerie, is handling Dornan's fundraising. Third, the prestigious firm of Black, Manafort & Stone is doing Dornan's campaign consulting. Fourth, Norm Turnette, former head of all Congressional races for the Republican National Committee, is campaign manager for Congressman Dornan. Last, Dornan is the only candidate with the media charisma that can provide a sharp contrast to Jerry Brown.

California 44th Assembly

Tom Hayden is another Californian making a run at office in 1982. He has filed for election in the 44th California Assembly District, which is the lower house in the state legislature. Hayden has been effective in advancing liberal causes all over the state and even the country with his organization Campaign for Economic Democracy (CED). If Hayden can be beaten it will signal a setback for him and his organization, and should reduce his effectiveness.

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Hayden could face strong opposition from conservative Bill Hawkins, insurance executive with the John Hancock Co. He has received backing from influential conservatives in the Los Angeles community including Julian Virtue, president of the Lincoln Club of Los Angeles, which is an organization of conservative businessmen. Hawkins plans to raise several hundred thousand dollars to defeat Hayden.

Connecticut 6th

There is an open seat in the Connecticut 6th District due to Congressman Toby Moffett's decision to run for Senate. The district, in the northwest corner of the state is a marginal district. Three Republicans are seeking their party's nomination, including conservative Nick Schaus of Farmington who ran against Moffett in 1980 and drew 41% of the vote.

He has been running since his defeat in November of 1980, and has been attacking his principle opponent, state Senator Nancy Johnson, for her support of Lowell Weicker. It is hard to predict who will win this race. The third candidate is David Barnes, a member of the Republican town committee in East Granby.

Illinois 4th

The March 16th Illinois primary is the first one in the country. In the new Illinois 4th Congressional District two incumbent conservative Republicans are being thrown into a primary race because of redistricting. They are Congressman Ed Derwinski, elected in 1958, and Congressman George O'Brien, elected in 1972. Seventy percent of the new 4th district belongs to O'Brien's old 17th. Congressman O'Brien serves on the prestigious Appropriations Committee, and Congressman Derwinski is second on the Foreign Affairs Committee, and is the Ranking Member of the Post Office and Civil Service Committee. Predictions as to who will win are divided.

Illinois 13th

In another square-off between Republicans, State Senator Mark Rhoads is challenging incumbent Congressman John Erlenborn for the new 13th Congressional seat. There are also two other Republicans in the race. NCPAC and most conservative PAC's are supporting Rhoads.

Illinois 17th

State Senator Ken McMillan, a solid conservative, is challenging Republican incumbent Tom Railsback. Railsback, a sponsor of the infamous Obey-Railsback Bill which would have limited PAC contributions, has been a disappointment to conservative Republicans in Illinois. NCPAC has endorsed and contributed to McMillan. The National Association of Realtors and other business PAC's are doing the same.

Iowa 3rd

Iowa's 3rd Congressional District is shaping up as a big battle where spending could approach one million dollars. Freshman Republican Congressman Cooper Evans should face Democratic opponents Lynn Cutler and David Nagle. Lynn Cutler ran against Evans in 1980 and lost by only 6,200 votes. Cutler is an outspoken liberal, and vice chairman of the Democratic National Committee. She is regarded as a strong campaigner. David Nagle is a Waterloo attorney who describes himself as a moderate.

Redistricting will make reelection for Congressman Cooper Evans more difficult. His district lost seven counties and picked up five new ones, including Johnson County, home of the University of Iowa, and one of the most liberal areas in the state. However, Congressman Cooper Evans is a strong candidate and a good campaigner.

Iowa 5th

A battle may occur in Iowa's 5th Congressional District where liberal Democratic Congressman Tom Harkin has lost Ames, Iowa, a strong base of his support, to redistricting. Harkin faces opposition from two Republicans, State Representative Arlyn Danken, and former State Senator Dean Arbuckle who currently serves on a state commission that represents Iowa's economic interests to foreign nations. Both are solid conservatives.

On the issues, Harkin voted for the Panama Canal Treaties, and also voted to give aid to the Sandinista regime in Nicaragua. Domestically, Harkin voted against the Reagan tax cuts, and yet voted for a bill that, in part, gave Members of Congress tax deductions of up to \$16,650, and even more. (See article under section IV, Legislative Update.) It is no secret that Harkin plans to run against Roger Jepsen for the U. S. Senate in 1984.

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Iowa Governor

Elsewhere in Iowa, a strange turn of events provides conservatives with a unique opportunity to elect a conservative Republican Governor in this state. Last week, the current Governor, moderate to liberal Bob Ray, suddenly announced that he would not seek reelection due to personal reasons. The late date of his announcement precludes many of those who would have run from doing so. But, one who has emerged in fine shape is current Lt. Governor, conservative Terry Branstad. At the time of this sudden announcement Mr. Branstad was seeking reelection. He is expected to announce for Governor within a week. Because Branstad has a statewide organization already in place he has a tremendous advantage over anyone else who would try to enter the campaign at this late date.

Kansas Governor

Dave Owen is running hard to beat incumbent Democratic Kansas Governor George Carlin. Former Lt. Governor Owen has been campaigning for the last 14 months, and has visited all 105 counties in the state. His organizational structure is outstanding with a chairman and co-chairman established in every county. The campaign currently has over 500 volunteers, and will soon begin organizing at the city and precinct level where many more volunteers are expected to join the campaign.

Incumbent Governor Carlin reneged on a promise to pass a capital punishment bill by vetoing such legislation three times. He also promised during his campaign not to increase utility bills. Since that time they have gone up over 150%, and to add to the problem Carlin has proposed a severance tax on minerals which would cause utility bills to rise even higher.

New York 5th or 6th

In Long Island, New York, conservative freshmen Republican Congressmen John Le Boutillier and Greg Carmen may be forced into a primary runoff depending upon which redistricting plan is finally settled upon. Efforts are underway to get one of the two to run against liberal Congressman Tom Downey. Downey won in 1980 with 56% of the vote.

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North Carolina 3rd

Democratic Congressman Charles O. Whitley is in for a fight when he seeks reelection to the 3rd district seat he has held since 1976. Two Republicans, Navy Captain Eugene "Red" McDaniel and North Carolina land developer Admah Lanier, Jr. McDaniels is a former Vietnam POW and a retired nuclear aircraft carrier commander. He wrote the book called Stars and Scars recalling his experience in Vietnam.

The race could turn on whether the voters perceive Whitley as a conservative or a liberal. Conservatives will point to his low rating from Americans for Constitutional Action and his high marks from organized labor. Whitley is facing what will probably be his most serious challenge yet.

Texas 26th

The 26th Congressional district of Texas is one of many new Congressional districts being added to the Sunbelt, and if things go right it should go Republican in a close contest.

There are two conservative Republicans in the race, Jim Bradshaw and Morris Sheats. Bradshaw is former Mayor Pro-Tem of Fort Worth, while Sheats is relatively new to the district. Sheats has caused much controversy among conservatives because in 1980 he was a Carter delegate to the State Senatorial District Convention. Also, in 1978 Sheats ran (as a Democrat) against Kent Hance (D-TX). When asked about this, Sheats quotes Johnny Cash, "I have seen the light." Bradshaw responds by quoting Barbara Mandrell: "I was country, before country was cool."

Because of Bradshaw's former position as vice-Mayor of Forth Worth and his highly publicized campaign against Jim Wright in 1980, it appears that he has the inside track. However, Sheats recently received the support of NCPAC Council Member Cullen Davis who has agreed to help raise money, and has promised to mount a spirited campaign. The probable Democratic opponent will be Tom Vandergriff, who was for almost 30 years Mayor of Arlington, one of the largest cities in the district.

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Virginia 6th

With the retirement of Republican Representative Caldwell Butler, several candidates have jumped into the race for the Virginia 6th Congressional district. Among them is Republican state delegate Kevin Miller from Harrisonburg, Virginia. He will be the conservative in the race. Challenging Miller on the Republican side is moderate to liberal delegate Ray Garland of Roanoke. Democrat, Dick Cromwell, also a delegate, is running in the 6th Congressional district too, and is ideologically between the two Republican candidates.

III. NCPAC ACTIVITIES

Lawsuit

Many liberal politicians and network affiliates are conspiring to keep our message off the airwaves. NCPAC believes this to be a violation of the right to free speech and expression, which we all hold high. In response, on December 7, 1981, NCPAC filed a \$5 million lawsuit naming several prominent liberal politicians and network affiliate stations. The suit has been filed in Federal District Court in Washington, D. C. In addition, NCPAC has filed a complaint with the Federal Communications Commission (FCC) asking the FCC for a ruling as to whether NCPAC has a "reasonable right of access to the airwaves."

To avoid taking any money that should go towards electing good conservatives to office we have set up a separate NCPAC Emergency Legal Fund to fight this issue in the courts.

Conservative Leadership Conference and First Annual Reagan Inaugural Ball

The Conservative Leadership Conference and the First Annual Reagan Inaugural Ball took place on January 22, 1982. The events were co-sponsored by the National Conservative Political Action Committee, (NCPAC) and three other conservative groups: Americans for Change, Committee for the Survival of a Free Congress and the Fund for a Conservative Majority. Speaking at the conference were Secretary of the Interior James Watt, Counselor to the President Ed Meese, Senators Helms, Domenici, Schmitt, Denton and East, Congressman Phil Crane, Chief of Staff James Baker, and Political Adviser to the President Ed Rollins.

The leadership conference was followed by the First Annual Reagan Inaugural Ball with Secretary Watt serving as honorary chairman. The ball, like the conference itself, was attended by many legislators and cabinet members. Both events were successful in bringing conservative activists and contributors together with legislators and government officials.

Training Seminar Schedules

Under the auspices of the National Conservative Foundation, conservatives all over the country are being trained in winning campaign techniques. The Foundation offers two different types of schools. One school trains persons on how to manage a campaign, and a second type of school instructs conservatives on fundraising techniques.

Understanding the technology used in modern election campaigns can be the key factor between winning and losing. These schools are one of the most important factors in the wave of conservative election victories in House, Senate and major state races over the last few years.

Actual campaign material and case studies are used in problem solving exercises which simulate the stressful situations which inevitably characterize every election drive.

The following schools have been scheduled for the 1982 election year:

CAMPAIGN MANAGEMENT

MARCH:	1 - 5	ARLINGTON, VA
	15 - 19	
APRIL:	19 - 23	SAN DIEGO, CA
MAY:	17 - 21	ALEXANDRIA, VA
JUNE:	21 - 25	CHICAGO, IL
JULY:	20 - 24	ARLINGTON, VA

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CAMPAIGN FINANCE

MARCH: 25 - 27 DALLAS, TX
APRIL: 14 - 16 ARLINGTON, VA
MAY: 5 - 7 MIAMI, FL
JUNE: 9 - 11 ARLINGTON, VA
JULY: 7 - 9 SAN FRANCISCO, CA

Conservatives interested in attending either the Campaign Management School or the Fundraising School, should call Anne Dohrs at the National Conservative Foundation in Bailey Crossroads, Virginia at (703) 671-0444.

NCPAC Candidate School

The National Conservative Political Action Committee offers a candidate school. The candidate school is open to conservative candidates by invitation. The following dates have been selected for the candidate school:

CANDIDATE SCHOOL

MARCH: 10, 11, 12 VIRGINIA
APRIL: 26, 27, 28 VIRGINIA
MAY: 24, 25, 26 VIRGINIA
JUNE: 28, 29, 30 VIRGINIA
JULY: 26, 27, 28 VIRGINIA

If you know a conservative candidate interested in NCPAC's candidate school, call Cheryl Bendis at NCPAC in Arlington, Virginia at (703) 522-2800.

NCPAC NUMBER ONE

In 1981, according to the FEC, NCPAC grossed \$4,130,877 in contributions, spent \$1,488,032 on independent expenditures alone, \$51,951 on in-kind contributions and \$26,900 on loans

and contributions to candidates and committees. This makes the National Conservative Political Action Committee the largest political action committee in the country.

IV. LEGISLATIVE UPDATE

Senate Franking Privilege Skyrockets

In the face of spending cuts, the Senate and House passed a bill which increases by \$89.1 million the Senate expenditures for franked postal patron mail. This is according to figures provided by the Sergeant-at-Arms. Under the new law each Senator may send up to six franked postal patron mailings per year, with the tab picked up by the American taxpayer. This will double the present Senate mail output from 172 million newsletters per year to over 387 million.

Congress Votes Itself a Tax Cut

Congress was good to themselves this Christmas when they voted to pass H.R. 5159 on December 16, the last day of the session. Using wise parliamentary strategy, the Senate voted to tack on an amendment to the popular bipartisan black lung bill. The amendment gives Senators additional tax deductions in 1981 of up to \$15,900, up to \$16,650 for House members, and in some cases even more. That same day the legislation moved onto the House where it was quickly passed under suspension of the rules.

According to the new law, Congressmen have three choices as to which deduction they wish to take. A Congressman who owns a home can deduct \$50 each day Congress is in session, plus all interest and taxes on mortgages of Washington homes. A renter can deduct \$75 per Congressional day. Neither of these first two deductions needs to be substantiated. The third method allows a Member to keep receipts of all Washington living expenses and allows full deduction as long as these expenses are recorded and not "extravagant." This includes transportation, food, mortgages, insurance, and even laundry expenses. For someone with a \$2,000 monthly mortgage payment in 1981 and a \$6,000 tax bill, this deduction would total \$42,050.

In addition, this tax cut for Congress is retroactive to all of 1981. During that year there were 252 Congressional days for Senators and 262 for House members. A Congressional day is defined as every day except when Congress is

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not in session for five or more days. It is expected that the 1982 calendar will be arranged so that this year's Congressional days will be over 300, which would allow for at least \$18,500 in additional tax free income.

Furthermore a member of Congress travelling outside of Washington on a day Congress is in session can not only still claim the daily deduction, but also claim his expenses for travelling outside of Washington.

In response to Congress' sudden move to vote themselves a tax break, Congressman Ed Derwinski (R-IL) called the action "parliamentary gimmicks." Representative Tom Bevill (D-AL) said: "I represent 600,000 people and I can't name ten who would be in favor of a pay increase for members or a tax break."

Of the 363 members in the House who voted for H.R. 5159, 83 voted no on President Reagan's tax cut plan, which provides a phased-in personal income tax cut of 23%. Up to 24 of these 83 Congressmen are vulnerable to defeat in 1982.

Strom Thurmond summed it up when he said: "At a time when the President and Congress are asking for sacrifice from others who receive benefits or payments from the federal government, it is neither fair nor wise to take any action that has the effect of benefitting members of Congress from the federal treasury."

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National Conservative
Political Action Committee

1500 Wilson Blvd. Suite 513 Arlington, Va. 22209 (703) 522-2800

NCPAC, "Paul Simon"
30 second radio commercial

In his recent State of the Union message President Reagan gave us his vision of America.

But there's somebody who's standing in his way . . . liberal Congressman Paul Simon.

That's right. Paul Simon opposed President Reagan's budget and tax cuts. And now according to the Congressional Quarterly, Paul Simon opposed President Reagan 59% of the time in 1981 one of the highest in the entire Congress.

But don't take our word for it. Call Congressman Simon and ask him yourself. His telephone number in Carbondale is 457-3653. Ask him if it's true he opposed President Reagan 59% of the time.

Once again Congressman Simon's number is 457-3653. That's 457-3653.

Once he's confirmed his liberal record of opposing President Reagan, you'll agree with us. If you support Ronald Reagan, you're going to have to stop Paul Simon first. Paul Simon is too liberal for Illinois.

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EP-05-02
"5 Things"
February 1, 1992

VIDEO

Off-camera announcer interviewing
person in shopping center.

Off-camera announcer interviewing
person in shopping center.

Off-camera announcer interviewing
person in shopping center.

Super: Paul Sarbanes
Too liberal
for Maryland

Disclaimer: Paid for by the National Political Action Committee and not
authorized by any candidate or any candidate's committee.

AUDIO

ANNOUNCER: CAN YOU NAME FIVE THINGS
PAUL SARBANES HAS DONE FOR YOU?

PERSON #1: NO.

ANNOUNCER: CAN YOU NAME THREE THINGS
PAUL SARBANES HAS DONE FOR YOU?

PERSON #2: NO, I CAN'T.

ANNOUNCER: CAN YOU NAME ANYTHING
PAUL SARBANES HAS DONE FOR YOU?

PERSON #3: WHO'S HE?

ANNOUNCER: PAUL SARBANES IS ONE OF
THE MOST LIBERAL MEMBERS OF THE SENATE.
HIS RECORD SUGGESTS HE'S AGAINST
VOLUNTARY PRAYER IN PUBLIC SCHOOLS. HE
VOTED TO GIVE NEW AMERICA'S PATRIOT
ACT. HE'S VOTED FOR COURT-ORDERED
SCHOOL BUSING YET SENDS HIS SON TO A
PRIVATE SCHOOL. PAUL SARBANES IS TOO
LIBERAL FOR MARYLAND.



EDMONDS ASSOCIATES, INC.
611 CAMERON STREET
ALEXANDRIA, VIRGINIA
22314
(703) 683-6446

1(p.24)

EP-65-02
"Dusing"
February 1, 1962

VIDEO

Off-camera announcer interviewing
lady in shopping center.

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2
Off-camera announcer interviewing
man in shopping center.

4

3

3

4
Off-camera announcer interviewing
man in shopping center.

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2

0

Super: Paul Sarbanes
Voted for
court-ordered
school busing

Super: Paul Sarbanes
Too liberal
for Maryland

Disclaimer: Paid for by the National Conservative Political Action Committee
and not authorized by any candidate or candidate's committee.

AUDIO

ANNOUNCER: DID YOU KNOW SENATOR PAUL
SARBANES VOTED FOR COURT-ORDERED
SCHOOL BUSING, BUT SENDS HIS SON TO
A PRIVATE SCHOOL?

PERSON #1: NO, I DIDN'T.

ANNOUNCER: DID YOU KNOW SENATOR PAUL
SARBANES VOTED FOR COURT-ORDERED
SCHOOL BUSING BUT SENDS HIS SON TO
A PRIVATE SCHOOL?

PERSON #2: AH, I WOULD NOT BE SUR-
PRISED.

ANNOUNCER: DID YOU KNOW SENATOR PAUL
SARBANES VOTED FOR COURT-ORDERED
SCHOOL BUSING BUT SENDS HIS SON TO
A PRIVATE SCHOOL?

PERSON #3: YES.

ANNOUNCER: THAT'S RIGHT. PAUL
SARBANES VOTED FOR COURT-ORDERED
SCHOOL BUSING BUT SENDS HIS SON TO
A PRIVATE SCHOOL. SO WHEN YOU THINK
OF PAUL SARBANES REMEMBER PAUL
SARBANES IS TOO LIBERAL FOR MARYLAND.



2-85-82
"Harbor/Canal"
February 1, 1982

VIDEO

Picture of Panama Canal

Picture of Baltimore Harbor

Picture of both Panama Canal
and Baltimore Harbor full screen
and then Panama Canal shrinks in
size before fading out completely

Super: Paul Sarbanes
Too liberal
for Maryland

Disclaimer: Paid for by the National Conservative Political Action Committee
and not authorized by any candidate or candidate's committee.

AUDIO

THIS IS THE PANAMA CANAL. MARYLAND'S
LIBERAL SENATOR PAUL SARBANES LED THE
FIGHT TO GIVE IT AWAY.

THIS IS THE BALTIMORE HARBOR.
DREDGING IT COULD MAKE IT THE THIRD
LARGEST HARBOR IN AMERICA PROVIDING
JOBS AND MONEY FOR THE PEOPLE OF MARY-
LAND. BUT PAUL SARBANES REFUSED TO
TAKE A PUBLIC POSITION ON THE MATHIAS
AMENDMENT WHICH WOULD HELP DREDGE THE
HARBOR.

MAYBE PAUL SARBANES IS MORE INTERESTED
IN LIBERAL POSITIONS LIKE GIVING AWAY
THE PANAMA CANAL, THAN SAVING THE
BALTIMORE HARBOR.

PAUL SARBANES IS TOO LIBERAL FOR
MARYLAND.



EDMONDS ASSOCIATES, INC.
611 CAMERON STREET
ALEXANDRIA, VIRGINIA
22314
(703) 683-6446

1(p.26)

National Conservative
Political Action Committee

500 Wilson Blvd. Suite 513 Arlington, Va. 22209 (703) 522-2800

NCPAC, "Melcher"
30 second TV commercial

I'm proud to be a traditional Montana Conservative.
That's why I was so upset to hear about John
Melcher's liberal record in Washington.

I was shocked to learn that Melcher voted to raise
his own pay an incredible 29% at the same time
inflation was eating the rest of us alive. Can
you believe that?

And the National Taxpayers Union rated him one of
the biggest spenders in the west.

John Melcher's liberal big spending voting record
proves he's out-of-step with traditional Montana
conservatives like me. How about you?

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National Conservative
Political Action Committee

Wilson Blvd. Suite 513 Arlington, Va. 22209 (703) 522-2800

1500 W

NCPAC, "Melcher"
30 second TV commercial

Boss: Well, Fred. This is review day and your work has been outstanding. You're getting a 10% pay raise.

Fred: But inflation last year was 12%. That means I'm actually getting paid less.

Boss: Don't blame inflation on me. That's the fault of wasteful liberal politician, big spenders like John Melcher.

Fred: John Melcher is one of those liberals? That's not what he says.

Boss: Well, he's rated as a big spender by the NTU. And he voted himself a 29% pay raise while expecting us to live with less.

Fred: Melcher did all that? When's his next review day?

National Conservative
Political Action Committee

10 Wilson Blvd. Suite 513 Arlington, Va. 22209 (703) 522-2800

NCPAC, "Robert Edgar"
30 second radio commercial

In his recent State of the Union message President Reagan gave us his vision of America.

But there's somebody who's standing in his way . . . liberal Congressman Robert Edgar.

That's right Bob Edgar opposed President Reagan's budget and tax cuts. And now according to the Congressional Quarterly, Bob Edgar opposed President Reagan 72% of the time in 1981 one of the highest in the entire Congress.

But don't take our word for it. Call Congressman Edgar and ask him yourself. His telephone number in Upper Darby is 352-0790 and in Chester is 876-8235. Ask him if it's true he opposed President Reagan 72% of the time.

Once again Congressman Edgar's number 352-0790 in Upper Darby and 876-8235 in Chester.

Once he's confirmed his liberal record of opposing President Reagan, you'll agree with us. If you support Ronald Reagan, you're going to have to stop Bob Edgar first. Bob Edgar is too liberal for Pennsylvania.

02040334924

Bye-Bye, Facts?

AS HE LEFT our office the other day after a friendly visit, West Virginia's Sen. Robert Byrd mentioned that Terry Dolan's National Constitutive Political Action Committee had marked him for extinction. The senator was plainly apprehensive. NCPAC, he said, was going to twist and distort, and he hoped that, as the campaign heated up, the Daily Mail would refer to the record and not rely on NCPAC characterizations.

Already the campaign is heating up, and we have been checking the record. Here is what we find. We find Elmer Fike, part of a local "Bye-Bye Byrd" faction, asserting that, when the Legislature voted on a constitutional amendment to balance the federal budget, Sen. Byrd helped defeat it. Mr. Fike's charge came last Wednesday. The next day, Sen. Byrd hotly denied having done anything of the kind. He had "meticulously avoided" influencing the Legislature on the budget-balancing amendment, he said, and Mr. Fike's reckless assertion to the contrary was "100 percent fabrication of the wildest sort."

For the record, here is Sen. Byrd addressing the Legislature a year ago last February and being careful not to influence the vote on the budget amendment:

Many voices are raised today in support of a constitutional amendment requiring a balanced federal budget. I

would enter the caveat that the federal budget does not serve the same function as the budgets of the individual states.

For instance, the federal government faces responsibilities which are different in kind and magnitude from those of the states. Foremost is the constitutional responsibility to provide for our national defense. Such a proviso as a constitutional requirement for an annually balanced budget would inhibit the flexibility needed to set economic priorities and respond to extreme financial strains and defense expenditures that a national emergency so often entails.

Moreover, today it is recognized, especially in the wake of our national experience with the Great Depression of the 1930s, that there is a need for discretionary fiscal policy in federal spending. Levels of government spending and tax revenues are deliberately set by Congress as policy tools. Under this economic philosophy, the federal budget has a "countercyclical" function. To offset economic slowdowns, recessions, or depressions, the federal government must consider reducing taxes and raising expenditures. By incurring a deficit, the federal government stimulates the economy, and forestalls economic dislocations that might otherwise spell disaster for millions. A constitutional mandate for a balanced budget would close us to the use of the countercyclical tool, and leave us helpless to the whims of economic caprice, initiated from whatever source.

Sen. Byrd has a right to be concerned when unscrupulous characters misconstrue the record. But, then, Elmer Fike probably doesn't like having the record misconstrued either. Sen. Byrd owes an apology to Mr. Fike and to those others who, taking at face value the senator's statement of last week, were misled.

Source: Charleston, W. Va.
Charleston Daily Mail
5/5/81

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American Telecommunications Corporation

7777 Leesburg Pike - Falls Church, Virginia - 22043 - (703) 356-0440

Richard A. Viguerie
Chairman of the Board

Alex Castellanos
President

BYPAC, BYRD "PANAMA CANAL"
10 second TV commercial

VIDEO

AUDIO

FADE UP to FREEZE FRAME,
Panama Canal. SUPER:
PANAMA CANAL.

Announcer: THIS IS THE PANAMA CANAL
WHICH ROBERT BYRD VOTED TO GIVE AWAY.

PAGE TURN to FREEZE FRAME,
Byrd's house. SUPER: BYRD'S
HOUSE.

THIS IS ROBERT BYRD'S HOUSE.

PAGE TURN to FREEZE FRAME,
Panama Canal, BOXED, screen
left, above SUPER: PANAMA
CANAL. Byrd's house, BOXED,
screen right, above SUPER:
BYRD'S HOUSE. Both boxes
and supers above full screen
SUPER: Paid for by the
Bye-Bye Byrd Committee, a
project of the National
Conservative Political Action
Committee. Not authorized by
any candidate or candidate's
committee.

THEY HAVE ONE THING IN COMMON. . .
NEITHER ONE CAN BE FOUND IN WEST
VIRGINIA.

62040334926



American Telecommunications Corporation
 7777 Leesburg Pike • Falls Church, Virginia • 22043 • (703) 356-0440

Richard A. Viguerie
 Chairman of the Board

Alex Castellanos
 President

NCPAC, BYRD "PYRAMID"
 10 second TV commercial

VIDEO

AUDIO

FADE UP to FREEZE FRAME,
 Pyramid. SUPER: PYRAMID.

Announcer: THIS IS A PYRAMID.

PAGE TURN to FREEZE FRAME,
 Byrd's house. SUPER: BYRD'S
 HOUSE.

THIS IS ROBERT BYRD'S HOUSE.

PAGE TURN to FREEZE FRAME,
 Pyramid, BOXED, screen left,
 above SUPER: PYRAMID.
 Byrd's house, BOXED,
 screen right, above SUPER:
 BYRD'S HOUSE. Both boxes
 and supers above full-screen
 SUPER: Paid for by the
 Bye-Bye Byrd Committee, a
 project of the National
 Conservative Political Action
 Committee. Not Authorized by
 any candidate or candidate's
 committee.

THEY HAVE ONE THING IN COMMON...
 NEITHER ONE CAN BE FOUND IN WEST
 VIRGINIA.

02040334928

Group Contends That Sen. Byrd Doesn't Represent W.Va.

EDITORS NOTE: Terry Dolan, national chairman of NCPAC, the National Conservative Political Action Committee, was interviewed by Daily Mail editor William Cheshire, editorial page writer Paul Akers, and Capital Bureau Chief Richard Grimes.



CHESHIRE: Mr. Dolan, why are you in West Virginia?

DOLAN: Well, we're going to be meeting with some individuals here to see if there's any interest in doing a campaign to expose the liberal voting record of Sen. Robert Byrd.

CHESHIRE: Could you be more specific?

DOLAN: On his record? Whatever he's voted on, it's usually wrong. At least in terms of liberal vs. conservative.

He was one of the ringleaders to give away the Panama Canal. He's voted for raising the national debt, thereby causing more inflation almost every chance he's had since he's been in the Senate. He has a miserable rating in terms of increasing America's defensive preparedness. He's voted for developing huge new bureaucracies like the Department of Education, the Department of Energy, many, many other things.

And the one aspect that Robert Byrd has that most other senators don't have — and I don't know whether it's a good point or a bad point — but he has to take credit for being the ringleader on almost all of these things. He's the one who organized the votes for Jimmy Carter in getting the Department of Energy passed. And for passing an increased deficit and for passing the single biggest tax increase in the history of the country.

CHESHIRE: In his role as majority leader?

DOLAN: In his role as majority leader.

CHESHIRE: To run a successful campaign against Robert Byrd, you'd have to have someone to run against him. Have you thought in terms of who might oppose him?

DOLAN: We really haven't. The interesting thing about the campaigns that we get involved in is that they almost always — if they're successful — create a whole pool of potential candidates because once someone establishes in their mind that Robert Byrd does not represent the state and that the people in the state understand that, they're more interested in running.

"If, in fact, we did campaign against Sen. Byrd's record, we wouldn't question his patriotism or his integrity or anything else. All we'd say is that we think he's voting wrong for the state and if the state agrees with us then we hope they'll take him out of office the next election."

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the point that it's hard to find anyone who wants to take him on. Do you have a feeling that Byrd is actually a different senator than most West Virginians think he is?

DOLAN: Well, we haven't taken a survey yet, so I don't know. My guess is that that's exactly the case. There isn't a senator that I know of who writes back to his state in his news letters or in his news releases or in his public appearances or anything else and says things like: Guess what, folks. I voted to give away the Panama Canal. Or I voted to increase your taxes \$88 billion last year. Or I voted to increase the national debt. Or I voted against these new military requirements that the Pentagon says we need. They never talk about that.

The Americans for Democratic Action — which is a very liberal group, obviously — estimated that it costs the average taxpayer \$1 million to \$3 million a year to keep a senator in the Senate. And in that amount of money they say 60 percent of it is directly allocable to campaign activities.

So what it means is that senators like Robert Byrd are taking anywhere from \$1 million to \$3 million to run for election every single year. And of course they're very selective in the information they pass out to people. So it is a very common occurrence — and among conservatives by the way as well among liberals — that the perception that the people have of him is really not the perception that is a fair one based on his voting record.

CHESHIRE: Is Byrd going to be tougher to defeat, do you think, than, say, George McGovern or Frank Church or Birch Bayh?

DOLAN: Yes, certainly. The major difference, I think, is that West Virginia is a far more Democratic state than most states, and I think that's going to be the single biggest difficulty in two senses.

One, assuming there is a credible candidate running against him in the general election, Democrats start out with a much greater base than Republicans do and second, if there's a conservative Democrat running against him in the primary it is a widely accepted notion that primaries — Democratic primaries — are more liberal in general elections. So even if there's a conservative primary candidate it's going to be more difficult than the November election would be.

GRIMES: Of course Byrd will begin naming all the programs that he's done for people. Do you think that you can really convince people of another way of life?

DOLAN: Yes. Because every senator who doesn't represent his constituency has to trot out those excuses, as far as I'm concerned. If the people of West Virginia could trade between having that federal building and having no inflation, they'd take no inflation because the federal building is more important.

buy food for their family is a heck of a lot more important. And it's our belief that we're able to convince people that how Robert Byrd votes in Washington on issues such as taxes and inflation is more important. Then they'll say, "Yeah, you're right."

CHESHIRE: Sen. Byrd was visiting with the Daily Mail last week, and before he left, one of the things that he mentioned was that NCPAC had targeted his race and targeted him for extinction and he expressed the concern that one hears from certain quarters of the public as well. NCPAC tends to move into the political race and distort a politician's voting record and deluge the state with heavy media advertising. What is your response to that sort of criticism?

DOLAN: My guess is that if you counted the number of contributors we have from West Virginia, they would far exceed the number of contributors that Robert Byrd has in West Virginia.

Secondly, I don't think anyone has ever begrudged Sen. Byrd for accepting money from organizations or individuals outside the state or from the Democratic National Party. And I don't think there is any reason they should begrudge us doing the same thing.

CHESHIRE: That's the money angle. What about the distortion angle?

DOLAN: Well, the distortion angle is the most important. You were at this meeting where Sen. McGovern made the same charge and they asked him for cases of "distortion" and, I think if anything, it proved that his distortion charge was nothing more than an attempt to hide behind the fact that he didn't represent his state. One of the charges we made is that he voted for a 50 percent gas tax and his response was, "I never proposed that in the Senate." Not that he didn't support it. He was just never dumb enough to put it in the Senate.

We've asked people — whenever we've undertaken campaigns — to tell us about anything that isn't true and if we ever say anything that isn't true we would certainly stop. As a matter of fact I'll make an offer to Sen. Byrd. Before we print any charges, we'll send them over to his office for verification that in fact that's how he voted, if that makes him happy.

CHESHIRE: The verification of the vote? In other words you would agree not to run any characterizations of his voting record that he did not agree were fact?

DOLAN: That's absolutely correct. If we say he voted one way we'll send any specific charges over to him and if he says, "I didn't vote this way. You're wrong," we'll be happy to not run any ads.

AKERS: Is NCPAC's ultimate goal to have 100 conservatives in the United States Senate? And 435 conservatives in the House?

DOLAN: Our goal is to see that politicians are responsible to their constituents.

Just bring him to the House or the Senate. But we do believe in Idaho and West Virginia shouldn't be sending people like Frank Church and Robert Byrd to the Senate, because, my guess is that they don't represent the state very well. I find it hard to believe that the people in West Virginia want the federal government to spend more money.

So, if our beliefs are wrong, that the people in West Virginia support Byrd's record, then our campaigns are going to do nothing against him. All we're going to do is talk about his record.

AKERS: But your viewpoint is hardly objective, is it? You don't expose the voting hypocrisy of the conservatives. Do you think there's a danger of Congress becoming too philosophically monolithic? Or do you think the give and take of conflicting ideas is important in a democracy?

DOLAN: I don't think there's any question that there will always be a floating majority in the House and the Senate based on the reactions of voters. And I think what you will see in the next couple of years is an increasing conservative representation in the House and Senate simply because that's the way the majority of people is voting these days.

GRIMES: The one thing that keeps coming back to me, though, is that every popularity poll that we take in our newspapers shows that Bob Byrd is the most popular political figure in the state of West Virginia. There must be something about him that they like.

DOLAN: My guess is one of two things is going to happen. If we talk about Robert Byrd and tell the truth — which, of course, is the only thing we're going to do — people aren't going to believe us and we won't have any impact or they are — actually three things — or they are going to believe us and they're going to say "I'm irrevocable because he does build the courthouses down here or whatever claims he's making. Or they're going to change their minds.

GRIMES: If you were to do something like this, when would you begin?

DOLAN: That I don't know. We haven't taken a survey. We'd certainly have to take a survey first. We would then have to look at it and figure out how to undertake our advertising campaign. And write commercials, scripts, if we choose to do that. Figure out how much we'd have to spend.

GRIMES: But it would get into an election year, right?

DOLAN: Probably not. I won't say probably not. Possibly not.

GRIMES: Because a lot of stuff has to be discounted and if it were closer to election ...

DOLAN: That's right. That's right. One of the things that all our survey data indicated is that the closer you came to election the less believable the information was.

CHESHIRE: What kind of press did

you get in other states where you conducted this kind of campaign? Did the press give you a fair shake in, say, South Dakota?

DOLAN: South Dakota wasn't too bad. Idaho was miserable. There's one newspaper that matters in the state and all the rest are kind of small. That's the Idaho Statesman and ... do you belong to anyone or are you independent?

CHESHIRE: We're independent.

DOLAN: OK. This was a Gannett paper and I made the comment — and I've said it because I believe it — that the Idaho Statesman was to Frank Church what Pravda is to the Soviet Union. Because it is unabashedly for him. His campaign manager used to brag about the fact that he wrote the editorials. But by and large I guess we've gotten fairly fair treatment.

CHESHIRE: I used to hear reports on your doings over National Public Radio, and I never had the impression that they were really giving you much of a fair shake.

DOLAN: Well, National Public Radio is paid for by the government. And I stopped giving interviews to National Public Radio. I stopped talking to them when they used to give interviews and then edit the daylight out of them. They would come up with stuff that just didn't make any sense.

AKERS: How do you go about targeting someone? Is it a purely mathematical calculation? Do you look at the voting records and see this fellow voted liberal 80 percent of the time, and so put him on the firing line?

DOLAN: There's a lot of things we consider. The voting record certainly. The question of: Do they represent their states?

Thirdly, how public are they? How far out front have they gone in their liberalism? And then there is the question of what our supporters think. Will they help us raise the money? Will they support us in what we're doing? Questions like that.

AKERS: I was reading somewhere that Sen. Daniel Moynihan was on your menu, yet Sen. Moynihan has been very pro-defense and anti-Soviet while at the same time he has a liberal domestic record. Do you weigh the domestic record more than the foreign policy aspect?

DOLAN: No. What it means is that Sen. Moynihan is far better at talking about how great his defense record is than in voting it. He has about a 30 percent rating from the national security index which — whether you like it or not — in a comparative sense has a fairly good viewpoint of how senators vote.

CHESHIRE: Do you detect that kind of disparity in Robert Byrd's voting record as opposed to his talk back home?

DOLAN: To be perfectly honest, I haven't looked at what he has said back in the state. I'd be surprised if you

country — which he did just last year. But I don't know if he's ever said he's a conservative. If he has used that word, I think it's fairly laughable. At least based on his record.

AKERS: Sen. Byrd, I think, tries to project an image of military toughness. Last year, he said he'd like to punch an Iranian in the nose. At the same time he marshaled the forces to ratify the Salt II treaty. Is that the kind of disparity that you would try to bring out in your campaign?

DOLAN: Yes. We certainly use images and impressions to make a point but what's wrong is when the images are not supported by the facts, and that's a typical game that I think most liberal senators play. Talk tough and when it comes down to votes, they're never there.

GRIMES: Is there a tendency for senators who stay around for a while to turn liberal in the sense that the easy way to re-election is to deliver this project, deliver something for bigger money? Because that's the way the people see the government helping them.

DOLAN: There's a little bit of that — but I think more than anything else is that anybody who is in Washington long enough thinks that that's who they represent.

When you're in Washington you have to read The Washington Post. And you have to watch what used to be the owned-and-operated stations of the networks. And you suddenly think that that's the way that normal people think, which is absolutely absurd. Nevertheless, they think that way.

And quite honestly, that's why so many liberals lost last time. They forgot who they were representing and I guess it's natural. You either become part of the problem or you get so turned off by it that you become cynical, which is what I am.

CHESHIRE: Whom else have you targeted next time out?

DOLAN: Right now we're focusing almost all of our attention on four members of the Congress. One senator, Paul Sarbanes, and three members of the House: Congressman Jim Wright, the majority leader; Congressman Jim Jones, chairman of the Budget Committee; and Congressman Dan Rostenkowski, chairman of the House Ways and Means Committee. The major reason we've targeted them is because they are the chief obstructions to the president's economic recovery package, and we're making that a priority at this point.

CHESHIRE: OK, so that's this year. Now next year when you take on Byrd whom else will you take on simultaneously?

DOLAN: Well, if we decided to do any advertising on Byrd's record, I would probably be this year. Not next year. We'll be adding people as time goes on, rather than in groups.

DOLAN: Absolutely not.
CHESHIRE: NCFAC's been going how long, Mr. Dolan?

DOLAN: Not quite six years.
CHESHIRE: Six years. Have you backed any loser during that time?

DOLAN: Sure. We supported Gov. Moore ... how many times did we support him now? I guess he's run twice. We supported him for governor, too.

CHESHIRE: You weren't really visible in the Moore-Rochefort race. Were you involved in that?

DOLAN: Yes. We had money in the governor's race and in Moore's senate race against Sen. Jennings Randolph.

CHESHIRE: But you didn't put on the kind of media blitz that you're famous for?

DOLAN: That's right.

CHESHIRE: But if you came into West Virginia this year, having targeted Sen. Byrd, would you engage in, as you say, what some people call negative advertising?

DOLAN: We would engage in advertisements that talked about his record. And if his record were negative then I guess you'd call it negative advertising.

CHESHIRE: But you would be aggressively campaigning in West Virginia? It would not be just financial support?

DOLAN: Well, it depends.

CHESHIRE: We're talking about a major effort.

DOLAN: Yes. Now let me qualify that one more time. It is perfectly possible we could decide not to do a major effort on our own but in the future support another candidate for the Senate.

AKERS: If, halfway through the campaign you found out you were backing a candidate who was infected with "moral turpitude," would you pull out?

DOLAN: Sure, it's happened several times. We don't support anybody who isn't on our side in the issues and if he somehow reveals that he is not being straight with us in the sense of, you know, there's some question to his background, then sure, we'd back out and that's happened, as I said, on a couple of occasions. It doesn't happen frequently but it does happen.

AKERS: Would you support, say Bob Baumen, if he ran for re-election?

DOLAN: Oh, sure. I'm sorry, I misunderstood your question. I thought you meant somebody who was a crook or somebody who'd lied to us about issues. No. I don't question anybody's motives. Or anybody's reason for running for office. If, in fact, we did do a campaign against Sen. Byrd's record, we wouldn't question his patriotism or his integrity or anything else. All we'd say is that we think he's voting wrong for the state and if the state agrees with us, then we hope they'll take him out of office the next election.

CHESHIRE: Thank You, Mr. Dolan.

n. Byrd Not Worried About Conservative Move to Oust Him

CHARLESTON, W.Va. — The cherub-faced, curly haired man frankly confessed he startled when the meticulously manicured senator thrust his hand forward to shake.

A clerk in the West Virginia Department of Highways, the young man couldn't believe it was Senate Minority Leader Robert C. Byrd, D-W.Va.

"He walked through every office in the Department of Highways, saying hello to everyone," the awestruck young man said. "He must be facing some stiff opposition."

At 63, Byrd has been in the Senate since his election in 1958, an easily electable communitarian in this small, mostly white, coal mining state. Candidates have come and gone, and Byrd has always blown them out of the water.

But, ironically, he has been targeted this year by the National Conservative Political Action Committee and there are some who think Byrd is concerned about his political future.

Byrd, a North Carolina-born orphan who was raised by relatives in southern West Virginia, rose from the humblest of beginnings to be the most powerful man in the Senate. He was only toppled from that position this year when the Republicans finally gained control, leaving Byrd as minority leader.

People in West Virginia said being majority leader changed Byrd, even to the point where he actively fought for the Panama Canal treaties, which made some Veterans of Foreign War members complain about the senator.

A one-time butcher, who rose to be a lawyer, Byrd once donned the robes of the Ku Klux Klan, an action he later dismissed as a boyish misadventure. He voted against the 1964 Civil Rights Act and led the filibuster of the bill with a 14-hour, 13-minute oration.

The liberal Charleston Gazette flailed Byrd, openly taunting him for his extreme conservatism. The idea that Byrd would ever be accused of being anti-conservative or a liberal never occurred to anyone.

But the Gazette has come to change its opinion.

"The Charleston Gazette has commented on Byrd's change," said Associate Editor L.T. Anderson. "The Gazette criticizes Byrd on individual issues, but we long since stopped viewing him as a single-minded, right-wing disciple."

If the New Right views Byrd as a liberal who must be eliminated as many liberals were knocked off by conservative forces in the last election, what does Byrd think?

"I don't know why I'm being targeted," said Byrd during an interview last week. "The only thing I know is I am one of their targets."

He understands 17 of 20 Democrats are on the committee's list next year.

"I don't think West Virginians are going to listen to an outside propaganda effort to tell them how to vote," said Byrd, who blistered the committee.

"They use the Big Lie to defeat their so-called target," he charged. "They're not for (anybody), they're aginners," he said, slipping deliberately into that southern slang word. "This is one target that's going to shoot back."

Byrd's press aide, J. Michael Willard, said much has been made of the senator returning to West Virginia often this year, but Willard said it has long been Byrd's practice to visit each one of the state's 55 counties yearly. This year will not be different, said Willard.

But others have seen a change. "In the past he campaigned like that all over the state," said State Democratic Party Chairman J.C. Dillon Jr. "Then when he was majority leader, he had all those duties. But since he's now minority leader, he seems to have come back to campaign more than he could in the past."

Not that Dillon was criticizing Byrd, a former state senator himself. Dillon understood that the high Byrd rose in the Senate, the more his duties would pin him down in Washington.

Dillon doesn't think Byrd is liberal.

"If anything, he's perceived to be little on the conservative side," said Dillon.

He doubts the conservative political action committee will be successful. Echoing Byrd, Dillon said, "I don't believe West Virginians will allow outsiders to tell them what to do. Just don't believe that will happen. We're pretty independent down here. We may be considered behind in some ways, but politically we're right in front."

Business is apparently still behind Byrd, despite what the conservative in Washington say.

"He's been good to all West Virginians and has been fair with business," said Clarksburg lawyer Willis O. Shay, president of the state Chamber of Commerce.

"He has always called the shot on any particular piece of legislation as he sees it. He's been very receptive to our suggestions," said Shay, who said Byrd was always on hand to greet his group when it went to Washington.

"We think it would be a terrible blow to West Virginia and the country to have him replaced," said Shay.

Then what is the force behind targeting Byrd? The conservative group declined to return telephone calls about its planned program against Byrd, but the senator himself was more than willing to talk about it.

"They're unethical in their approach in that they select out a dozen or so votes from the entire voting record, which in my case would be well over 90 roll-call votes during

my time in the House and Senate. They will attempt to tell West Virginians that, based on that handful of votes, I don't represent West Virginia."

Byrd said the group does not endorse candidates, so they are not obliged to list their donors or comply with usual election disclosure laws.

"They take a handful of votes; lie about them; and mislead the voters."

One of the key points of contention will be Byrd's fight for the Panama Canal treaties. It is a question which hasn't surfaced in West Virginia in the last two years, said Byrd, but the conservatives are going to rekindle it.

"They're distorting it," he said.

The conservatives claim he turned the canal over to the "communistic government of Panama," said the senator.

Byrd said the Panamanian government is not communistic. He said relations with Panama have never been better in 30 years; there are no anti-American riots in the Canal Zone; the Panamanian government has been very supportive of the United States and even the conservative U.S. News & World Report called the canal exchange a "success story."

"Their line will be in selecting out these 10 roll-call votes, trying to persuade West Virginians I'm against a stronger national defense; against a balanced budget; against a tax cut. In other words, I'm for excessive government spending."

"But I'm a target that will shoot back," he said. "I'm telling the people that this outfit that's based outside West Virginia is using the Big Lie technique to distort my voting record to try to mislead West Virginia."

Byrd doubts the effort will succeed.

"I don't consider this to be serious, but I feel the time has come to strip it of its fancy trappings and reveal it for what it is."

Source: Elkins, W. Va. Inter-Mountain 4/27/81

11(p37)

Conservative spotlight may not burn Sarbanes

Paul Sarbanes has always been a smaller-than-life figure.

He is a U.S. senator, but not so you'd notice. Other congressional people try to fill the room with their presence. Sarbanes seems like a guy who wandered in the back door, and they've asked him to say a few words and he's making a stab at it, but it isn't quite coming off.

Behind the scenes, it is different.

He was there for the Nixon impeachment hearings, serving on the House Judiciary Committee. He got no headlines at all. The only ones who praised him were the other committee members, who knew Sarbanes had done most of the quiet, detailed, technical, boring work behind the scenes.

He sometimes seems a study in boredom. After 10 minutes with him, you start to nod off. He masters the impossible details of the federal government and then makes the mistake of thinking anybody cares.

On a morning eight years ago, Sarbanes sat in his office and told a visitor how excited he was. He'd been named to a committee to study congressional operations.

What kind of operations? Fascinating things, said Sarbanes. Relationships between congressional committees, jurisdictions of subcommittees, internal committee structures.

"It's really kind of exciting," Sarbanes said. He began discussing each area in detail and did not notice his visitor's eyes glazing over.

When a story appeared the next day, a five-column headline referred to him as "Sarbanes."

But then, he has never been a headline kind of politician. At least, not until

Michael
Olesker



now. Not until his opponents chose to make him one.

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There was a strange voice on the radio the other day.

It came on during a newscast, and it was there for about 15 seconds, and you shook your memory to recall where you'd heard that voice before.

It was Paul Sarbanes talking. And you thought, my God, what is this man doing out in public? He is a U.S. senator, but he is a private man, a thoughtful, studious man, and now they have driven him to this act, wildly out of character, of going on the radio.

Sarbanes is a target these days. The National Conservative Political Action Committee (NCPAC) has flooded the television airwaves with commercials depicting him as a bad man because he is a liberal.

In America, liberalism has been suspended, but Sarbanes is one of its left-over twitches. The commercials hurl accusations of wild, unconscionable spending at him. The foes of liberalism give him credit for being a powerful force against all of the things they do not like.

Funny thing about that. The conservatives are giving him a strength no one

knew he had. Sarbanes has been a disappointment to liberals who voted him into office and haven't heard from him since.

He's disappointed them because they expected not just liberalism from him, but leadership as well.

In America, leadership is translated as 30-second spots on the 6 o'clock news. Sarbanes is almost never on the news. We measure our political leadership in rhetoric, in media coverage, and Sarbanes surprised people merely by being on the radio for 15 seconds the other day.

It seemed so out of character, like a monk being told he's got to tap dance in public before they'll let him get back to the business of his scrolls. He is a diligent, hard-working legislator, but he knows that legitimate work is done when no cameras are around to record it.

The NCPAC commercials accuse him of high crimes of liberalism. But who told NCPAC? Obviously, these people have done homework worthy of Sarbanes himself. They've studied voting records. They've looked at position papers. They've read *The Congressional Record*.

The only way you could possibly know Paul Sarbanes is to dissect him. But, in doing so, NCPAC has given reassurance to all those liberals who voted for him and then thought he'd gone into hiding.

(To be sure, however, Sarbanes is not the only target. He is convenient because he lives in Maryland. Lots of congressional people live in Maryland while they work in Washington. All of them watch television. The ads are aimed at Sarbanes, but the message is directed toward them, too: If you do not conform, if

you insist on liberal ways, then you could be our next target.)

There are newspaper ads, too. The newspaper ads say, "Let Paul Sarbanes know what you think of his dismal voting record."

They list his address in Washington, and they have typed out a note, which they urge you to send to him. The note says, "Maryland deserves better. Your spending record and opposition to the President's Economic Recovery Program are out of touch with the vast majority of the people of Maryland. I strongly oppose your liberal voting record, and as a concerned citizen, support the President's plans to put this country back on its feet."

In fact, says Bruce Frame, Sarbanes's press secretary, people have sent in the note. Some agree with its spirit, he says, but a lot of people do not.

"We've had a pretty substantial reaction to the NCPAC campaign," he says, "and it's been uniformly positive. Either people say, 'I've supported the senator, and this infuriates me,' or 'I've disagreed with him on some things, but I'm upset by these ads and I'll support you because of them.'"

"We've had less than a hundred negative responses to the newspaper ad. We've had far more positive responses to it, and we've actually raised money off of it. People are sending in small contributions."

That isn't exactly what NCPAC had in mind. They went after a man who put people to sleep, and they made him into something he is not: A figure to rouse people's emotions.

And maybe they're getting smacked in the face with their own invective. If

Anti-Sarbanes ads to continue on 11, 13

The advertising campaign by the National Conservative Political Action Committee directed against Maryland Senator Paul Sarbanes will continue on Channels 11 and 13 this week.

Both those stations accepted the ads. Channel 2 refused to air them. The ads criticize the Democratic senator for his voting record and accuse him of advocating policies that would greatly increase taxes. They conclude with the advice that "Maryland deserves better."

Channel 2 apparently decided its viewers deserved better than these ads. The station's decision was based on the "content" of the commercials, which the station deemed "unacceptable" for its air.

Both Channel 11 and 13 accepted the ad campaign's content after verifying that the specific charges made in the commercials were not fabrications. Both stations immediately contacted Senator Sarbanes to assure him that time would be made available to him to respond.

This is not the first time NCPAC has used levisto to attack a political figure, of course. It is Senator Sarbanes the only current target of the well-funded organization, which picks out liberal-minded officeholders and conducts sophisticated media campaigns aimed at driving them out of office.

Senator Sarbanes reportedly is near the top of the NCPAC enemies list, with an advertising budget of about \$400,000 committed to persuading Maryland voters to unseat him in 1982. The fact that NCPAC has started its anti-Sarbanes effort this early is certainly an indication of how serious they are about this effort.

Television is naturally the main vehicle of transmitting the group's message. The question for the local TV stations is whether the controversial nature of the ads is sufficient reason to keep them off the air.

None of the three stations in Baltimore approached by NCPAC to run the ads has a policy specifically denying air time to what is known as "issue-oriented" advertising. Channel 2 did have such a policy, but according to the general manager, Dale Wright, the station has reconsidered its ban on issue-advertising "only within the last 4 to 6 months."

Mr. Wright said Channel 2 had been convinced that certain issues "could be presented in ways that would make them acceptable." But the NCPAC ads did not fall into that category. Mr. Wright would not say what specific objections Channel 2 had to the ads. "It was strictly a subjective decision," he said, "based on a reading of the storyboard for the spots."

The storyboard includes the actual wording that will be used in a commercial.

Neither Channel 11 nor Channel 13 found the content to be sufficient reason to deny NCPAC access to its air time. Channel 11's general manager, Malcolm Potter, said Channel 11 decided the subject of Senator Sarbanes's record was an issue of "public importance" and thus the station could not refuse to expose advertising dealing with that issue.

"We've accepted issue advertising in the past," he said. "Once you do, you can't simply say you won't take issue advertising when something controversial comes along. You can't

Bill
Carter



ing the issue of strip mining and a TV station's decision to "duck" commercials on the issue. He said the Federal Communications Commission had decided in that case that a station was compelled as a broadcast licensee to address issues of public importance.

Mr. Potter said, "The question is: Is Senator Sarbanes an issue of public importance? Obviously this organization is saying he is. It is far easier to accept having an obligation to give both sides of a issue, making a point of saying you will give the opposition the right to respond."

He said Channel 11 had immediately contacted Senator Sarbanes's office after accepting the NCPAC ads. "We have given him a broad opportunity to respond. His response will have prime-time exposure." And the cost? "No charge," Mr. Potter said.

Channel 13's reaction to the NCPAC campaign has been almost identical. The station's general manager, Paul Yates, said Channel 13 accepts issue-advertising "on a case-by-case basis. We try to make some determination of the importance of the issue." And the statements in the commercials must be backed up. "We took time to check the statements in the ads," Mr. Yates said. "For example, the ads say he opposed the Reagan tax cut. If we determined that that was not true, we wouldn't run the ads."

As for allowing Mr. Sarbanes to respond, Mr. Yates said he had personally called the senator's office and told his aides the ads would be running and Channel 13 would make time available for the senator's response.

He said the time would not necessarily be offered free of charge, however. "We don't have to offer the time free. If a legitimate request were made we would consider it." He said Channel 13 would run whatever response Senator Sarbanes might want to make in a time comparable to when the NCPAC ads have run. "We would ensure that he had the same daypart exposure," Mr. Yates said.

So far, Senator Sarbanes has not asked for time at either station.

Whatever time he gets is not likely to add up to the amount bought by NCPAC. That organization's two-week campaign on the two stations will total more than seven full minutes of exposure. Mr. Sarbanes would presumably be given less than that by the two stations—unless he chooses to buy a similar amount of time, of course.

Nor are his own ads likely to be as slickly produced as the highly professional campaign



PAUL SARBANES
... target of NCPAC ads



DALE WRIGHT
Channel 2 won't run them

offering time for response: "You have to be concerned about that," he

11(P39)

Page Eight

Simon recognizes his vulnerability, girds for '82

Washington (AP)

Paul Simon of Illinois is a congressman with a problem and nobody knows it better than Paul Simon.

The 52-year-old Democrat had the same problem last year and said so. Nobody believed him. But everybody believes him now.

The problem: Simon has become what politicians call "a marginal candidate." In the language of Earth people that means he squeaked through last fall's election by 2,086 votes.

How serious is the problem? Simon will not release the results of a recent survey of the district by Washington pollster Peter Hart. "It was not discouraging," the former lieutenant governor says.

But the letters to the editor pages of Southern Illinois newspapers are filled with complaints against the 34th district congressman. The old charge that he is a "carpetbagger" because he moved into the district in 1974 to run for the seat still haunts him.

The critics also say that Simon — who sits on two committees, Budget and Education and Labor — spends too much time on foreign issues and not enough on domestic.

Simon says he does take an interest in international relations but not to the detriment of his other work. He adds that he needs to do a better job of explaining to constituents the ties between foreign affairs and the district's economic welfare.



Simon

Gray

*Conservative
attack is expected*

ministration than any other district in the country.

But Simon says he needs better communications with his constituents and to develop them he is breaking with a longstanding method of operation.

Known for his affable, handshaking style of campaigning, Simon is slowly and somewhat grudgingly adapting to the technical innovations in politics that, in part, burned him in his 1972 primary race for the Democratic nomination for governor.

02040334935

1(p40)

Group using facts, not smear tactics, to get rid of Sarbanes

By Joseph Steffen
Relaterstown

Attention! To the right, march! A sounding call for war? Well, maybe in some people's minds. Then again, the very fact that an independent group, known as NCPAC, is working in Maryland, means war to some people.

Located in Virginia, The National Conservative Political Action Committee (NCPAC for short) has been, and is going to be using a defined media blitz in which they hope to have U.S. Senator Paul Sarbanes replaced.

How are they going to attempt to do this?

If you choose to believe our local news media, NCPAC is going to try to smear Sarbanes into oblivion. Coming from our decidedly leftist slanted newspapers and television stations, this should come as no surprise to anyone. I repeat, anyone who has both ears in the water and knows how to use them.

As far as accusations go, the newspapers especially have jumped all over NCPAC, charging that they are running a smear campaign against Senator Sarbanes. According to our local pa-

pers, NCPAC's technique, or specialty, is negative campaigning.

What would you consider negative campaigning? Think about that for a minute. Is telling the public, Mr. Sarbanes' constituents, the truth negative campaigning? Well, if you would agree that knowing both sides of an issue is the best, or only, way to solve the issue, then you really can't call NCPAC's actions negative. Read on for some examples.

NCPAC has made up attractive pamphlets that some very concerned citizens have been, and will be, handing out to the general public. On the front page of these pamphlets there is what many consider to be a bold but true statement; "There's one good reason to replace Paul Sarbanes: His record."

Upon opening the pamphlet you would then find a list of 10 issues, and how Paul Sarbanes voted on these issues. All the reader is then asked to do is to compare how he would have voted on these issues against how Senator Sarbanes actually voted.

Is that negative? I think not. In fact there's even a comment made in the pamphlet stating that if you agree with

how Senator Sarbanes voted then you should vote to re-elect him. So much for smear tactics.

Another way in which NCPAC is trying to make the people aware of how much, or how little, Paul Sarbanes has done for the state of Maryland is through television spots.

Now follow closely and see if you can find any negative techniques at work here: Randomly selected people were asked questions concerning how much they felt that Paul Sarbanes had done for our state. These same people then gave their responses. Totally unrehearsed and with no script to read from, the people interviewed responded from the heart. Now if the interviewees give responses that shed a dark shadow over Paul Sarbanes, is that the fault of NCPAC? Or is it the fault of Senator Sarbanes himself?

Pamphlet distribution and television are just two of the ways that NCPAC can go about in their efforts to shed

light on Paul Sarbanes and his voting record.

Obviously there are many more areas that NCPAC could venture into. One thing is sure though, the powers that be in Maryland will continue their mud slinging efforts against NCPAC in order to minimize their effectiveness.

The people that make up NCPAC, their local volunteers, and anybody else who really gives a damn shouldn't worry, though. The public is smart, and they know it. They can tell the difference between the truth and a con job.

In fact, it's really all so simple, it's almost funny. NCPAC has truth and dedication on their side and, just as important, they deal in common sense. After all, it's only common sense to want to know who your elected officials really are, what these officials really stand for, and where all of your hard-earned tax dollars are going.

The job that NCPAC has taken on itself is little more than informing voters of those areas. So you see, NCPAC is not dealing in lies, falsehoods, or smear tactics, but in fact, they are dealing with the truth.

Think about that for a minute, also. The media, as well as supporters of Paul Sarbanes are claiming negative campaigning on NCPAC's part, yet NCPAC is dealing with facts.

I guess that they must feel that the truth hurts, or at the very least, is something to be kept quiet. However, charges like that can really make you wonder whether the Senator, his supporters, and the media are really that afraid of NCPAC's effectiveness, or if for whatever reason, they don't want the truth to be brought into the public limelight.

Another complaint concerning NCPAC is the fact that they are an out of state group. The general gripe about this is that some people feel that outsiders have no place in Maryland politics. Possibly to help quiet this insane response from a few, NCPAC has opened a joint agency in Maryland called Marylanders for the Mandate.

However, all of this business about

NCPAC being from the outside is absolutely ridiculous. After all, did outsiders give us Dale Hess, Spiro Agnew, or others of their ilk? Are outsiders responsible for Maryland having the reputation as being one of the most politically corrupt states in the country?

My basic feeling is that the real uproar over NCPAC's emergence in Maryland is fear. Politicians in Maryland are afraid. By this, I don't mean afraid for the people, but rather, afraid for themselves.

I guess that they feel the less people know about what's really going on, the better off they will be. They're worried because NCPAC just might have what it takes to blow the roof off of the political machine.

If this is their reasoning, then they have no business holding office. As elected officials they have an obligation to the tax-paying public to be upfront, honest, and to use our money wisely.

All that I can say is that it's about time that an organization like NCPAC came in to show everyone that this isn't the case. Stay tuned.

National Conservative Political Action Committee

John T. Delan
National Chairman

Suite 515, 1500 Wilson Boulevard
Arlington, Virginia 22209
(703) 525-2800

Dear Terry,

I found the NCPAC Political Report very informative and would appreciate receiving a copy monthly.

Name: _____

Address: _____

Home Telephone: _____ Office: _____

1) Please give us specific suggestions for changes in the report's format, content, etc.

2) Are there any races for the House, Senate or state elections which you think ought to be covered in this monthly report?

3) Would you be willing to talk to someone on our political staff about these races?
 Yes No Not at this time

If yes, please be sure to include your phone number above.

4) Do you know any other conservative republicans who would like to receive this publication?

Name: _____

Address: _____

Name: _____

Address: _____

1(P42)

(NRCC)

EXHIBIT A (Part 5 of 5)

ATTN: C. TAW

BUSINESS REPLY MAIL
First Class Permit No. 9670 Arlington, Va.

POSTAGE WILL BE PAID BY ADDRESSEE:

National Conservative Political Action Committee
1500 Wilson Blvd.
Arlington, Virginia 22209



NO
POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



8 3 6 4 5 5 0 4 0 7 2

1(p43)

201389

SEDAM & HERGE

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

SUITE 100

8300 GREENSBORO DRIVE

MCLEAN, VIRGINIA 22108

(703) 881-1000

May 4, 1982

GLENN J. SEDAM, JR.
J. CURTIS HERGE
ROBERT R. SPARKS, JR.
A. MARK CHRISTOPHER

JANIS A. CHERRY
KAREN LUSSEN BLAIR
JOHN ROBERT CLARK III
B. ERIC BIVERTSEN

604 7677
82 MAY 5 11:56

SUITE 270
1700 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D. C. 20006
(703) 881-1000
TELE: 710-831-0600
CABLE: SEDAMHERGE

Kenneth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1437

Dear Mr. Gross:

By letter dated April 26, 1982, you advised our client, National Conservative Political Action Committee, that the Federal Election Commission had received a complaint which alleges that our client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). Enclosed with your letter was a copy of a complaint, filed by the National Republican Congressional Committee, which alleges that our client may have violated the provisions of 2 U.S.C. 438 (a)(4). This matter has been numbered MUR 1437.

Enclosed herewith, for your records, is a Statement of Designation of Counsel, by the terms of which National Conservative Political Action Committee designates this firm as its counsel in connection with this matter.

In its complaint, the National Republican Congressional Committee ("NRCC") alleges that the National Conservative Political Action Committee ("NCPAC") copied from the reports filed by NRCC with the Federal Election Commission the names and addresses of certain contributors to NRCC; and, mailed to those individuals the material attached to the complaint as Exhibit A. NCPAC admits the foregoing allegations, but denies that the described activity constitutes a violation of 2 U.S.C. 438 (a)(4).

In Advisory Opinion 1981-5, dated February 9, 1981, the Commission concluded that one would not be in violation of the provisions of 2 U.S.C. 438 (a)(4) if he or she were to mail to

Attachment 2 (pl)

020403349339

3 MAY 6 10:33

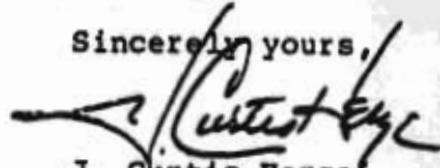
RECEIVED

Kenneth A. Gross, Esq.
May 4, 1982
Page Two

individuals, whose names and addresses were taken from reports on file with the Commission, letters which discussed issues and which did not solicit contributions and which had no commercial purpose. An examination of the material attached to the complaint as Exhibit A will disclose that it contains no solicitation of contributions and that it had no commercial purpose. If a recipient of that material, which was provided free of charge, were interested in responding or in asking for future editions of NCPAC's Political Report, he or she could do so with a postage free reply device. Furthermore, there would be no charge for future editions of the Political Report. NCPAC has made no other use of the names and addresses of the individuals listed in the reports filed by NRCC.

For the reasons set forth, it is submitted that the complaint of NRCC fails to substantiate a finding that NCPAC has violated the provisions of 2 U.S.C. 438 (a) (4).

Sincerely yours,



J. Curtis Herge
Counsel to National
Conservative Political
Action Committee

Enclosure

02040334940

Attachment 2(p2)

201380

66-7675

SEDAM & HERGE

02 MAY 5 AM: 56

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

SUITE 1100

8300 GREENSBORO DRIVE

MOLEMAN, VIRGINIA 22102

(703) 521-1000

May 4, 1982

GLENN J. SEDAM, JR.
J. CURTIS HERGE
ROBERT R. SPARKS, JR.
A. MARK CHRISTOPHER

JANIS A. CHERRY
KAREN LUSSEN BLAIR
JOHN ROBERT CLARK III
B. ERIC SIVERTSEN

SUITE 370
1700 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20006
(703) 521-1000

TELE: 710-521-0888

CABLE: SEDAMHERGE

6 AIO: 30

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

Re: Request for Advisory
Opinion

Dear Sirs:

This letter constitutes a request for an advisory opinion on behalf of our client, National Conservative Political Action Committee ("NCPAC"), concerning the application of the Federal Election Campaign Act of 1971, as amended ("the Act"), to the following activity.

Section 438 (a)(4) of the Act, 2 U.S.C. 438 (a)(4), generally allows for the inspection and copying of reports and statements filed with the Commission, but prohibits the sale or use of such copied information to solicit contributions or for any other commercial purpose with the exception of using the name and address of any political committee to solicit contributions from such committee. In Advisory Opinion 1981-5, dated February 9, 1981, the Commission concluded that one would not be in violation of the provisions of 2 U.S.C. 438 (a)(4) if he or she were to send letters to individuals whose names and addresses were copied from filed reports, so long as the letters discussed issues, did not have any commercial purpose and did not solicit contributions of any kind.

The specific purpose for this request is to inquire, if the recipient of the type of letter contemplated in AO 1981-5 were to respond to the sender, indicating agreement or sympathy

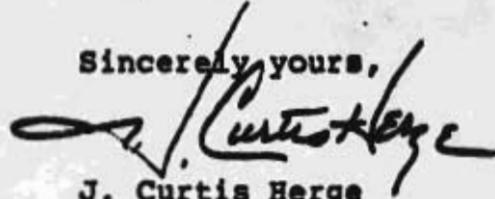
02040334941

Attachment 3 (p1)

Federal Election Commission
May 4, 1982
Page Two

with the views of the sender, may the sender (if a candidate or a political committee) then solicit contributions from that individual.

Sincerely yours,



J. Curtis Herge
Counsel to National
Conservative Political
Action Committee

02040334942

Attachment 3 (ps)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 11, 1982

Curtis Herge, Esq.
Sedam & Herge
Attorneys at Law
8300 Greensboro Drive
McLean, Virginia 22102

Dear Mr. Herge:

This refers to your letter of May 4, 1982, requesting an advisory opinion on behalf of your client, National Conservative Political Action Committee ("NCPAC"), concerning application of the Federal Election Campaign Act of 1971, as amended.

You have asked that the Commission issue an advisory opinion whether 2 U.S.C. §438(a)(4) prohibits NCPAC from using information obtained from reports filed with the Commission to send the type of letter "contemplated in" Advisory Opinion 1981-5 and thereafter to solicit the recipient of such a letter for a contribution to NCPAC if the recipient, in response to the initial letter, indicated "agreement or sympathy with the views of the sender [NCPAC]." As you know, Commission regulations pertaining to the advisory opinion process require that a written request set forth a "specific transaction or activity that the requesting person plans to undertake or is presently undertaking and intends to undertake in the future." 11 CFR 112.1(b). Advisory opinion requests also must include a "complete description of all facts relevant to the specific transaction or activity with respect to which the request is made." 11 CFR 112.1(c). It is not apparent from your letter whether NCPAC proposes to undertake any specific mailing of the type described in Advisory Opinion 1981-5. Moreover, if such a mailing is proposed, you have not described in detail its nature and purpose. Your client's specific factual situation would have to be described in detail rather than making a general reference to the type of letter contemplated in a prior advisory opinion.

Your letter of May 4, by referring to Advisory Opinion 1981-5, seems to assume that NCPAC's activity is indistinguishable from the activity considered in the prior advisory opinion. If, in fact, NCPAC's activity is materially indistinguishable, then under 2 U.S.C. §437f(c), it would be

Attachment 4 (p1)

02040334943

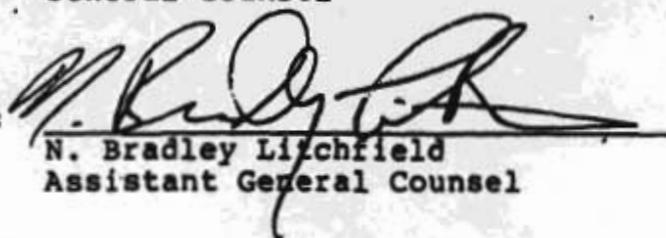
unnecessary for NCPAC to seek an advisory opinion since it may rely on Advisory Opinion 1981-5. If, on the other hand, you are requesting the Commission to issue an opinion concluding that NCPAC's proposed activity is materially indistinguishable from the activity in Advisory Opinion 1981-5 which is therefore dispositive of NCPAC's proposal, then, as indicated above, a complete explanation of NCPAC's proposed activity, or continuing activity, would need to be provided.

. If you wish to pursue your original letter as an advisory opinion request, it will be necessary for you to respond to the questions posed in this letter. Upon receiving your response, this office will further consider your inquiry.

Very truly yours,

Charles N. Steele
General Counsel

by:


N. Bradley Litchfield
Assistant General Counsel

62040334944

Attachment 4(p2)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

J. Curtis Herge
Sedam and Herge
Suite 1100
8300 Greensboro Drive
McLean, Virginia 22102

Re: MUR 1437

Dear Mr. Herge:

On April 26, 1982, the Commission notified your client, the National Conservative Political Action Committee ("NCPAC"), of a complaint alleging that NCPAC violated 2 U.S.C. § 438(a)(4); a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission, on [redacted], 1982, determined that on the basis of information in the complaint and information provided by you, there is no reason to believe that NCPAC has violated 2 U.S.C. § 438(a)(4) at this time. Accordingly, the Commission has closed its file in this matter which will become public within 30 days.

The response submitted on behalf of NCPAC acknowledged that NCPAC obtained the names of contributors to political committees from reports filed with the Commission. The response also stated that as of May 4, 1982, NCPAC has made no use of those names other than to mail to the individuals involved the materials which were included with the complaint filed in the above-captioned matter.

If you have any questions please contact Maura White at 202-523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Attachment 5 (p1)

02040334945



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Lawrence J. Halloran
National Republican Congressional Committee
320 First Street, S.E.
Washington, D.C. 20003

Re: MUR 1437

Dear Mr. Halloran:

The Federal Election Commission has reviewed the allegations of your complaint dated April 22, 1982, and determined that on the basis of the information provided in your complaint, and information provided by the respondent, there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed as this time. As the National Conservative Political Action Committee ("NCPAC") asserted that it has made no use of the names of known contributors other than to mail the materials at issue, it appears that no violation has occurred. Accordingly, the Commission has decided to close the file in this matter. The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Attachment 5 (p 2)

02040334940

RECEIVED
60138
6017677
82 MAY 5 11:56

SEDAM & HERGE
A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW
SUITE 1000
8200 GREENSBORO DRIVE
ROSLAN, VIRGINIA 22080

703 551-1000

May 4, 1982

SUITE 870
1700 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20006
703 551-1000
TELE: 710-631-6888
CABLE: SEDAMHERGE

GLENN J. SEDAM, JR.
J. CURTIS HERGE
ROBERT R. SPARKS, JR.
A. MARK CHRISTOPHER

JANIS A. CHERRY
KAREN LUSSEN BLAIR
JOHN ROBERT CLARK III
B. ERIC SIVERTSEN

Kenneth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1437

32 MAY 6 A10:33

RECEIVED
GENERAL COUNSEL

02040334947

Dear Mr. Gross:

By letter dated April 26, 1982, you advised our client, National Conservative Political Action Committee, that the Federal Election Commission had received a complaint which alleges that our client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). Enclosed with your letter was a copy of a complaint, filed by the National Republican Congressional Committee, which alleges that our client may have violated the provisions of 2 U.S.C. 438 (a)(4). This matter has been numbered MUR 1437.

Enclosed herewith, for your records, is a Statement of Designation of Counsel, by the terms of which National Conservative Political Action Committee designates this firm as its counsel in connection with this matter.

In its complaint, the National Republican Congressional Committee ("NRCC") alleges that the National Conservative Political Action Committee ("NCPAC") copied from the reports filed by NRCC with the Federal Election Commission the names and addresses of certain contributors to NRCC; and, mailed to those individuals the material attached to the complaint as Exhibit A. NCPAC admits the foregoing allegations, but denies that the described activity constitutes a violation of 2 U.S.C. 438 (a)(4).

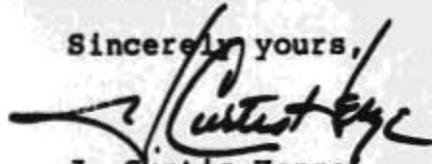
In Advisory Opinion 1981-5, dated February 9, 1981, the Commission concluded that one would not be in violation of the provisions of 2 U.S.C. 438 (a)(4) if he or she were to mail to

Kenneth A. Gross, Esq.
May 4, 1982
Page Two

individuals, whose names and addresses were taken from reports on file with the Commission, letters which discussed issues and which did not solicit contributions and which had no commercial purpose. An examination of the material attached to the complaint as Exhibit A will disclose that it contains no solicitation of contributions and that it had no commercial purpose. If a recipient of that material, which was provided free of charge, were interested in responding or in asking for future editions of NCPAC's Political Report, he or she could do so with a postage free reply device. Furthermore, there would be no charge for future editions of the Political Report. NCPAC has made no other use of the names and addresses of the individuals listed in the reports filed by NRCC.

For the reasons set forth, it is submitted that the complaint of NRCC fails to substantiate a finding that NCPAC has violated the provisions of 2 U.S.C. 438 (a)(4).

Sincerely yours,



J. Curtis Herge
Counsel to National
Conservative Political
Action Committee

Enclosure

02040334948

STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: *Jordan & Hange*
ADDRESS: *8300 Greensboro Dr. Suite 1100 McLean, VA*
TELEPHONE: *(703) 821-1000*

RE: MUR 1437

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and
other communications from the Commission and to act on my
behalf before the Commission.

NATIONAL CONSERVATIVE
POLITICAL ACTION
COMMITTEE

Date

4/28/82

BY:

Signature

Leif E. Noren
Treasurer

NAME:

Leif E. Noren (NCPAC)

ADDRESS:

1500 Wilson Blvd #513 Arl. VA. 22209

HOME PHONE:

BUSINESS PHONE: *522-2800*

02040334949

620-403-950

SEDAM & HERGE

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

SUITE 1100

8300 GREENSBORO DRIVE

MCLEAN, VIRGINIA 22102

RECEIVED
02 MAY 5 11:56

Kenneth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

MUR # 1437
DATE 4/23/82

PLEASE PROVIDE THE NAMES AND ADDRESSES OF ALL RESPONDENTS WHICH ARE TO BE SENT A COPY OF THE COMPLAINT. IF A PRINCIPAL CAMPAIGN COMMITTEE IS A RESPONDENT, A CARBON COPY IS TO BE SENT TO THE CANDIDATE. PLEASE PROVIDE THE NAME AND ADDRESS OF THE CANDIDATE AND PUT A "CC" BESIDE THE CANDIDATE'S NAME. IF A CANDIDATE IS A RESPONDENT, A CARBON COPY IS TO BE SENT TO THE CANDIDATE'S PRINCIPAL CAMPAIGN COMMITTEE. PLEASE PROVIDE THE NAME AND ADDRESS OF THE PRINCIPAL CAMPAIGN COMMITTEE AND PUT A "CC" BESIDE THE COMMITTEE'S NAME. PLEASE PROVIDE THIS INFORMATION, ON THIS SHEET, WITHIN 24 HOURS OF RECEIPT OF THIS NOTICE. THANK YOU.

62040334951

Respondent:

Leif E. Noren, Treasurer
National Conservative Political
Action Committee
Suite 513
1500 Skelton Boulevard
Arlington, Virginia 22209



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 26, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Leif E. Noren, Treasurer
National Conservative Political
Action Committee
1500 Wilson Blvd., Suite 513
Arlington, VA 22209

Re: MUR 1437

Dear Mr. Noren:

This letter is to notify you that on April 22, 1982 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 1437. 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.

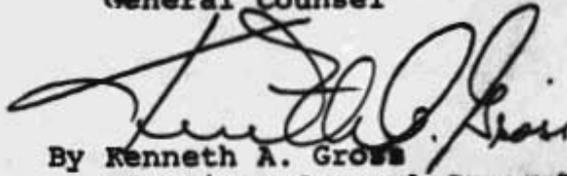
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

82040334952

If you have any questions, please contact Maura White, the staff member assigned to this matter at (202)- 523-4057. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

02040334953

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

1457 4/26

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 ADDRESS TO:
NCPAC

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. RETURNED NO.

061540 043790

(Always obtain signature of addressee)

I have received the article described above.
SIGNATURE DATE OF DELIVERY

4. ADDRESS (Number only if requested)

5. UNABLE TO DELIVER REASON:

CLERK'S INITIALS

ARLINGTON VA
APR 26 1990

1990 1 1070-000-001



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 26, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Lawrence J. Halloran
National Republican Congressional
Committee
320 First Street, SE
Washington, D.C. 20003

Dear Mr. Halloran:

This letter is to acknowledge receipt of your complaint of April 21, 1982, against the National Conservative Political Action Committee which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondent will be notified of this complaint within 5 days and a recommendation to the Federal Election Commission as to how this matter should be initially handled will be made 15 days after the respondents' notification.

You will be notified as soon as the Commission takes final action on your 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,

A. Kayson
A. Kayson
of

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4/26

NS7

1. The following service is requested (check one):
 Show to whom and date delivered.
 Show to whom, date and address of delivery.
 RETURNED DELIVERY.
 RETURNED DELIVERY.
 Show to whom, date, and address of delivery.

(CONSULT POSTMASTER FOR FEES)

2. *L. J. Halloran*
"NRCC"

3. ZIP CODE: 20003
 POSTMASTER USE ONLY: 415787

4. I have received the article described above.
 SIGNATURE: *[Signature]*
 ADDRESS: *[Address]*

5. *[Postmark: SOUTH WASHINGTON APR 28 1982]*

6. UNABLE TO DELIVER REASON:

U.S. MAIL PERMIT NO. 1000 WASHINGTON, D.C.

RECEIVED, REGISTERED, INSURED AND CERTIFIED MAIL

CCC#7601

BEFORE THE FEDERAL ELECTION COMMISSION
OF THE UNITED STATES OF AMERICA

In the Matter of National)
Conservative Political) NUR _____
Action Committee)

12 APR 22 3:32

GENERAL COUNSEL

COMPLAINT

02040334955

The National Republican Congressional Committee ("NRCC") files this complaint against the National Conservative Political Action Committee ("NCPAC") pursuant to 2 U.S.C. Section 437g(a), along with the attached Affidavit of Wyatt A Stewart III and accompanying exhibit.

1. Facts

NCPAC is a multicandidate political committee registered with the Federal Election Commission ("FEC") whose financial support comes from contributions in response to solicitations. On April 15, 1982, the National Chairman of NCPAC, John T. (Terry) Dolan, admitted to NRCC's Finance Director that the names and addresses of individuals contained in reports filed with the FEC had been copied by NCPAC. Affidavit of Wyatt A. Stewart, III, Paragraph 4 (original attached). Mr. Dolan further admitted that the persons whose

names and addresses were obtained from the FEC were sent a letter from NCPAC which was accompanied by enclosures. Id. The enclosures included the first edition of the NCPAC Monthly Political Report, and a form to be filled out by the recipient and returned to NCPAC. Exhibit A to Affidavit of Wyatt A. Stewart, III. The form requests the name, address and telephone numbers of the recipient.

2. Violation

NCPAC is violating 2 U.S.C. Section 438(a)(4) which states that information contained in FEC reports "may not be sold or used by any person for the purpose of soliciting contributions." This statute centers "on protecting the privacy of the 'very public spirited citizens' who make contributions to campaigns." Advisory Opinion 1980-78, Federal Election Campaign Finance Guide (CCH) Paragraph 5530 (August 12, 1980).

NCPAC's National Chairman has acknowledged that information, i.e., the names and addresses of reported NRCC contributors, was obtained from FEC reports. Affidavit of Wyatt A. Stewart, III, Paragraph 4. It has been further acknowledged that NCPAC has mailed letters to these individuals and requested that the recipient fill out a form and return it to NCPAC. Id.

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The materials sent to NRCC contributors by NCPAC are part of a scheme designed to solicit these individuals. NCPAC has made or will make an overt solicitation of at least those who return the enclosed reply form. This scheme's patent objective is to solicit the individuals whose identity was known to NCPAC solely because NCPAC purloined this information from FEC records. Such a scheme constitutes unlawful conduct by NCPAC and is "for the purpose of soliciting contributions."

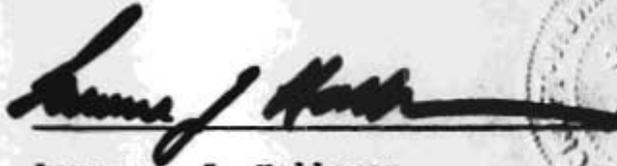
The FEC regulations bar schemes that "launder" contributor information obtained from FEC reports. The regulations bar newspapers and magazines from using FEC data if the "principal purpose" of any communication containing the data is "to communicate any contributor information listed on such reports for the purpose of soliciting contributions." 11 CFR Section 104.15(c). The principal purpose of NCPAC's mailing is to communicate with NRCC contributors in a transparent attempt to launder information obtained from FEC reports for the purpose of soliciting the same individuals. This constitutes a violation of Section 438(a)(4).

3. Prayer for Relief

The NRCC requests that the FEC investigate this violation and enforce Section 438(a)(4) and thereby protect the privacy of NRCC contributors.

4. Verification

The undersigned counsel for NRCC swears that the allegations and facts set forth in this complaint are true to the best of his knowledge, information and belief.

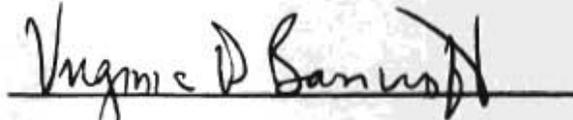


Lawrence J. Halloran

Legal Counsel, NRCC



Subscribed and sworn before me this 21st day of April, 1982.



Notary Public

My Commission Expires: March 31, 1983

National Republican
Congressional Committee
320 First Street, S.E.
Washington, D.C. 20003

02040334958

AFFIDAVIT OF WYATT A. STEWART, III

Wyatt A. Stewart, III 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 the Finance Director of the National Republican Congressional Committee ("NRCC") and have responsibility for its fundraising activities. I also have responsibility for obtaining and preserving the records of NRCC contributors on behalf of NRCC's treasurer.

3. On April 15, 1982, a letter, dated April 8, 1982, from John T. (Terry) Dolan ("Dolan"), National Chairman of National Conservative Political Action Committee ("NCPAC") to an apparent contributor of NRCC came to my attention. A copy of that letter and enclosures is attached to this affidavit and marked Exhibit A.

4. On April 15, 1982 I telephoned Dolan and spoke with him. Dolan stated to me that the letter and enclosures referred to in paragraph 3 above had been mailed to individuals who are known political contributors

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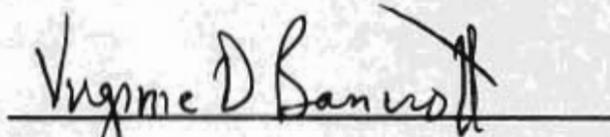
and whose names and addresses, Dolan admitted, had been obtained by representatives of NCPAC from the year-end reports of numerous political committees including the NRCC. The reports were filed with the Federal Election Commission on or about January 31, 1982.

5. On the basis of this information and on the basis of my knowledge and experience in political fundraising, I believe that the names and addresses obtained by NCPAC from reports filed with the Federal Election Commission are being used or will be used by NCPAC for the purpose of soliciting contributions to NCPAC from these individuals.



Wyatt A. Stewart, III

Subscribed and sworn before me this 21st day of April, 1982.



Notary Public

My Commission Expires: March 31, 1983

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VA 220
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NORTHERN, VA 220
PM
APR 9
1982

MSC NORTHERN
PM
APR 20
1982

34961

From:
**National Conservative
Political Action Committee**
1500 Wilson Blvd. suite 513 arlington, va. 22209 (703) 522-2800

To:
[Redacted]

02040354962

FIRST CLASS

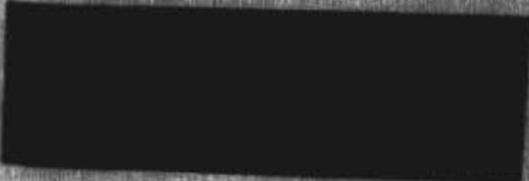
**POLITICAL REPORT
ENCLOSED**

*National Conservative
Political Action Committee*
Suite 512, 1500 Wilson Boulevard
Arlington, Virginia 22209

*John T. Dolan
National Chairman*

(703) 500-0500

April 8, 1982



620403334963

I am honored to send to you this first edition of the National Conservative Political Action Committee's (NCPAC) monthly Political Report.

The purpose of this publication is to keep prominent Republican conservatives, such as yourself, informed of NCPAC's activities and to solicit their opinions and view points.

If you would like to continue to receive this publication for free during the rest of 1982 campaign, please fill out the enclosed reply memo. There is no cost or obligation to you for this publication.

If you have any questions, please do not hesitate to call collect to either myself or my assistant, Candace Taw.

Sincerely,

John T. (Terry) Dolan
National Chairman

JTD/vh

Enclosure

P.S. Since this is our first edition, we would appreciate your completion of the enclosed reply memo.

(NRCC)

EXHIBIT A (Part 2 of 5)

National Conservative Political Action Committee

John T. Dolan
National Chairman

Suite 315, 1700 Wilson Boulevard
Arlington, Virginia 22209
(703) 528-2800

Dear Terry,

I found the NCPAC Political Report very informative and would appreciate receiving a copy monthly.

Name: _____

Address: _____

Home Telephone: _____ Office: _____

1) Please give us specific suggestions for changes in the report's format, content, etc.

2) Are there any races for the House, Senate or state elections which you think ought to be covered in this monthly report?

3) Would you be willing to talk to someone on our political staff about these races?

Yes No Not at this time

If yes, please be sure to include your phone number above.

4) Do you know any other conservative republicans who would like to receive this publication?

Name: _____

Address: _____

Name: _____

Address: _____

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(NRC9) 04034765
EXHIBIT A (Part 5 of 5)



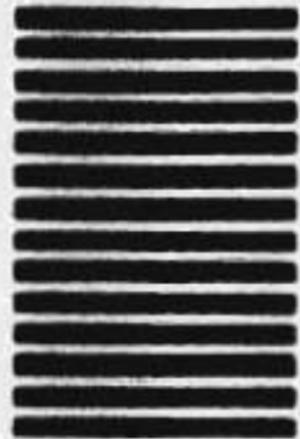
BUSINESS REPLY MAIL
First Class Permit No. 3670 Arlington, Va.

POSTAGE WILL BE PAID BY ADDRESSEE:

**National Conservative Political Action Committee
1500 Wilson Blvd.
Arlington, Virginia 22209**

ATTN: C. TAW

**NO
POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES**



*National Conservative
Political Action Committee*

*Suite 513, 1500 Wilson Boulevard
Arlington, Virginia 22203*

*John T. Dolan
National Chairman*

(703) 522-2800

MARCH 1982

MEMORANDUM FOR: COUNCIL MEMBERS, MEMBERS OF CONGRESS
AND CONSERVATIVE LEADERS

FROM: JOHN T. (TERRY) DOLAN
NATIONAL CHAIRMAN

SUBJECT: Monthly Political Report
Update on NCPAC Activities

CONTENTS: I. INDEPENDENT RACES
II. OTHER KEY RACES
III. NCPAC ACTIVITIES
IV. LEGISLATIVE UPDATE
V. NCPAC IN THE NEWS
VI. NCPAC TV AND RADIO SCRIPTS

This is the first in a monthly series of political reports to influential U. S. leaders. Each report will highlight not only NCPAC activities, but key Congressional races, other important political elections, selected legislative and administrative activities, and additional information of interest.

Traditionally, non-Presidential elections hurt the party of the President, but there have been exceptions to this general rule, and in 1982 NCPAC plans to do all it can to make 1982 an exception. Ronald Reagan has begun a dramatic reversal of 50 years of liberal control of government. Redistricting, independent expenditures, as well as the nature of liberal incumbents up for reelection, plus the personal persuasive powers of President Reagan, are factors which work to our advantage.

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EXHIBIT A (Part 3 of 5)

(NRCC)

I. INDEPENDENT EXPENDITURE RACES

Connecticut

January in Connecticut saw the REPUBLICANS TO REPLACE WEICKER COMMITTEE implement a plan to inform Connecticut voters about the extent of Senator Weicker's exceptionally liberal opposition to President Reagan. The Committee launched a direct mail drive and has established a telephone bank to call every Republican primary voter in the state.

A NCPAC survey, taken by A. J. Finkelstein & Associates of New York, shows Weicker losing to Prescott Bush in a head-to-head Republican primary race by a 13.3% margin (45.3% to 32.0%). It appears from these statistics that Weicker's only chance to be reelected is by running as an independent.

Illinois

Liberal Democratic Congressman Paul Simon of Illinois has the dubious distinction of voting against the Reagan tax cut, and at the same time voting himself his own tax write-off program. (See article under section IV, Legislative Update.) In 1980 he won by little more than 2,000 votes, despite the fact that he outspent his Republican opponent by a four-to-one margin. The ADA rates Simon at 78%, one of the highest liberal ratings in the country. In February NCPAC began a radio campaign emphasizing Simon's anti-Reagan record, and asking voters to call Representative Simon's office to verify his votes. (See attached script.)

Maryland

In January and February NCPAC spent \$81,045 in the Washington and Baltimore media markets on television ads exposing Paul Sarbanes' liberal voting record. The theme of this campaign is simply: "Paul Sarbanes is too liberal for Maryland." The TV commercials highlight Paul Sarbanes' liberal voting record on school prayer, forced school busing, and the Panama Canal. In addition to this, a special commercial is being shown to expose Paul Sarbanes' lack of initiative on legislation that would help in dredging the Baltimore harbor, an important state economic issue. A recent NCPAC survey, by A. J. Finkelstein & Associates, shows that Sarbanes' unfavorable rating has increased by 3.8%. However, since NCPAC's last media campaign in April, Sarbanes has regained support among self-identified conservative Democrats. (See attached script.)

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Senator Sarbanes recently attacked NCPAC for financing its commercials from out-of-state contributions. NCPAC held a news conference in response pointing out that Sarbanes was applying a double standard. In 1976, when Paul Sarbanes ran for Senate, of the \$719,225.52 itemized receipts raised for the campaign, \$391,644.79 came from out-of-state contributions. This accounts for 54.4% of his itemized receipts--over half. These figures are from FEC reports filed by Sarbanes.

In addition, Sarbanes had 2,364 itemized contributors who lived in Maryland in 1976. NCPAC currently has 2,937 contributors living in Maryland, 473 more than the Senator. At the news conference, NCPAC repeated its offer to disband its committee and activities in the state if Paul Sarbanes agrees not to accept any out-of-state contributions to his reelection campaign.

Montana

NCPAC is challenging liberal incumbent Senator John Melcher from Montana to a televised debate after Melcher attacked one of NCPAC's informative commercials as being "untruthful." NCPAC offered to pay for the debate. So far, neither the television stations, nor Senator Melcher have accepted the challenge.

According to the National Taxpayers Union, Senator Melcher has voted against the American taxpayer 75% of the time, and he opposed President Reagan's budget cutting votes 66% of the time. Melcher also voted to give himself a 29% pay raise.

After a recent NCPAC television campaign in Billings, an A. J. Finkelstein survey showed that Melcher's favorable rating dropped 20.7%. NCPAC has begun another three week statewide media campaign in Montana. Melcher, at one point invulnerable, must now rate as one of the more vulnerable Democrats up for election in 1982. (See attached scripts.)

NCPAC is also sponsoring a local petition drive and letter-writing campaign to put public pressure on Montana television stations to broadcast NCPAC's commercials. NCPAC has also filed suit against these stations for conspiring to violate our First Amendment rights.

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New York

In New York NCPAC is trying to unseat liberal Democratic Senator Pat Moynihan. NCPAC sponsored a statewide poll, and ran two weeks of commercials in New York City pointing out Senator Moynihan's liberal voting record. NCPAC is also suing Senator Moynihan and several radio stations for refusing to air these commercials.

Pennsylvania

Most observers agree Democratic incumbent Congressman Robert Edgar of Pennsylvania is highly vulnerable. Edgar received 50% of the vote in 1978 and 53% of the vote in 1980. He supports high spending social programs and is opposed to increased defense spending. He voted against the Reagan tax cuts, and yet voted himself a tax cut. (See article under section IV, Legislative Update.) Edgar has also voted against the Reagan budget, and Reagan proposals to revitalize our national defense. NCPAC ran radio commercials attacking Edgar's record of opposition to President Reagan. (See attached script.)

Texas

In Texas NCPAC is preparing to put heavy pressure upon those television stations that refuse to allow NCPAC to advertise Jim Wright's liberal voting record. NCPAC's goal is to obtain 20,000 signatures on a petition calling for the revocation of the FCC licenses at these stations. NCPAC is suing Congressman Wright and the television stations which refuse to broadcast our commercials. We are also considering urging advertisers to pull their commercials on stations refusing to run NCPAC ads.

West Virginia

Over \$35,250 has been raised in West Virginia to finance NCPAC's "Bye-Bye Byrd" Committee. Senator Byrd has twice accused the Bye-Bye Byrd Committee of lying about his record and been called to task by the local media when he couldn't produce any specifics. (See attached editorial.) Commercials highlighting the fact that Senator Byrd does not own property in the state of West Virginia began January 22. A previous effort in Charleston resulted in a drop of Senator Byrd's favorable rating by 22%, according to an A. J. Finkelstein survey. (See attached ads.)

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II. OTHER KEY RACES

California Senate

California's guru Governor Jerry Brown is at it again--this time running for the United States Senate. Brown has managed to botch up just about everything in California including the Medfly crisis, and made Time magazine's quotes of the year with the statement: "We're going to get that little bug, before that little bug gets my poll ratings down any further."

Brown is famous for his contention that image is more important than substance in politics. If that is true, Brown is in real trouble because his negative rating among fellow Californians is very high. But, those who have followed Brown closely have seen how he can bounce back in the polls, such as after the Proposition 13 passage when he somehow managed to convince the majority of Californians that he had actually been in favor of the tax cutting measure all along. Brown should face stiff conservative Republican opposition in the general election.

NCPAC is endorsing Congressman Robert K. Dornan for the United States Senate in California. Even though Dornan has 6% of the vote in recent surveys, a number of factors should be working in his favor. First, Dornan came from no place to win his original House seat in 1976, in the Los Angeles area, one of the toughest media markets in America. Second, the most successful political fundraiser in the United States, Richard Viguerie, is handling Dornan's fundraising. Third, the prestigious firm of Black, Manafort & Stone is doing Dornan's campaign consulting. Fourth, Norm Turnette, former head of all Congressional races for the Republican National Committee, is campaign manager for Congressman Dornan. Last, Dornan is the only candidate with the media charisma that can provide a sharp contrast to Jerry Brown.

California 44th Assembly

Tom Hayden is another Californian making a run at office in 1982. He has filed for election in the 44th California Assembly District, which is the lower house in the state legislature. Hayden has been effective in advancing liberal causes all over the state and even the country with his organization Campaign for Economic Democracy (CED). If Hayden can be beaten it will signal a setback for him and his organization, and should reduce his effectiveness.

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Hayden could face strong opposition from conservative Bill Hawkins, insurance executive with the John Hancock Co. He has received backing from influential conservatives in the Los Angeles community including Julian Virtue, president of the Lincoln Club of Los Angeles, which is an organization of conservative businessmen. Hawkins plans to raise several hundred thousand dollars to defeat Hayden.

Connecticut 6th

There is an open seat in the Connecticut 6th District due to Congressman Toby Moffett's decision to run for Senate. The district, in the northwest corner of the state is a marginal district. Three Republicans are seeking their party's nomination, including conservative Nick Schaus of Farmington who ran against Moffett in 1980 and drew 41% of the vote.

He has been running since his defeat in November of 1980, and has been attacking his principle opponent, state Senator Nancy Johnson, for her support of Lowell Weicker. It is hard to predict who will win this race. The third candidate is David Barnes, a member of the Republican town committee in East Granby.

Illinois 4th

The March 16th Illinois primary is the first one in the country. In the new Illinois 4th Congressional District two incumbent conservative Republicans are being thrown into a primary race because of redistricting. They are Congressman Ed Derwinski, elected in 1958, and Congressman George O'Brien, elected in 1972. Seventy percent of the new 4th district belongs to O'Brien's old 17th. Congressman O'Brien serves on the prestigious Appropriations Committee, and Congressman Derwinski is second on the Foreign Affairs Committee, and is the Ranking Member of the Post Office and Civil Service Committee. Predictions as to who will win are divided.

Illinois 13th

In another square-off between Republicans, State Senator Mark Rhoads is challenging incumbent Congressman John Erlenborn for the new 13th Congressional seat. There are also two other Republicans in the race. NCPAC and most conservative PAC's are supporting Rhoads.

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Illinois 17th

State Senator Ken McMillan, a solid conservative, is challenging Republican incumbent Tom Railsback. Railsback, a sponsor of the infamous Obey-Railsback Bill which would have limited PAC contributions, has been a disappointment to conservative Republicans in Illinois. NCPAC has endorsed and contributed to McMillan. The National Association of Realtors and other business PAC's are doing the same.

Iowa 3rd

Iowa's 3rd Congressional District is shaping up as a big battle where spending could approach one million dollars. Freshman Republican Congressman Cooper Evans should face Democratic opponents Lynn Cutler and David Nagle. Lynn Cutler ran against Evans in 1980 and lost by only 6,200 votes. Cutler is an outspoken liberal, and vice chairman of the Democratic National Committee. She is regarded as a strong campaigner. David Nagle is a Waterloo attorney who describes himself as a moderate.

Redistricting will make reelection for Congressman Cooper Evans more difficult. His district lost seven counties and picked up five new ones, including Johnson County, home of the University of Iowa, and one of the most liberal areas in the state. However, Congressman Cooper Evans is a strong candidate and a good campaigner.

Iowa 5th

A battle may occur in Iowa's 5th Congressional District where liberal Democratic Congressman Tom Harkin has lost Ames, Iowa, a strong base of his support, to redistricting. Harkin faces opposition from two Republicans, State Representative Arlyn Danken, and former State Senator Dean Arbuckle who currently serves on a state commission that represents Iowa's economic interests to foreign nations. Both are solid conservatives.

On the issues, Harkin voted for the Panama Canal Treaties, and also voted to give aid to the Sandinista regime in Nicaragua. Domestically, Harkin voted against the Reagan tax cuts, and yet voted for a bill that, in part, gave Members of Congress tax deductions of up to \$16,650, and even more. (See article under section IV, Legislative Update.) It is no secret that Harkin plans to run against Roger Jepsen for the U. S. Senate in 1984.

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Iowa Governor

Elsewhere in Iowa, a strange turn of events provides conservatives with a unique opportunity to elect a conservative Republican Governor in this state. Last week, the current Governor, moderate to liberal Bob Ray, suddenly announced that he would not seek reelection due to personal reasons. The late date of his announcement precludes many of those who would have run from doing so. But, one who has emerged in fine shape is current Lt. Governor, conservative Terry Branstad. At the time of this sudden announcement Mr. Branstad was seeking reelection. He is expected to announce for Governor within a week. Because Branstad has a statewide organization already in place he has a tremendous advantage over anyone else who would try to enter the campaign at this late date.

Kansas Governor

Dave Owen is running hard to beat incumbent Democratic Kansas Governor George Carlin. Former Lt. Governor Owen has been campaigning for the last 14 months, and has visited all 105 counties in the state. His organizational structure is outstanding with a chairman and co-chairman established in every county. The campaign currently has over 500 volunteers, and will soon begin organizing at the city and precinct level where many more volunteers are expected to join the campaign.

Incumbent Governor Carlin reneged on a promise to pass a capital punishment bill by vetoing such legislation three times. He also promised during his campaign not to increase utility bills. Since that time they have gone up over 150%, and to add to the problem Carlin has proposed a severance tax on minerals which would cause utility bills to rise even higher.

New York 5th or 6th

In Long Island, New York, conservative freshmen Republican Congressmen John Le Boutillier and Greg Carmen may be forced into a primary runoff depending upon which redistricting plan is finally settled upon. Efforts are underway to get one of the two to run against liberal Congressman Tom Downey. Downey won in 1980 with 56% of the vote.

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North Carolina 3rd

Democratic Congressman Charles O. Whitley is in for a fight when he seeks reelection to the 3rd district seat he has held since 1976. Two Republicans, Navy Captain Eugene "Red" McDaniel and North Carolina land developer Admah Lanier, Jr. McDaniels is a former Vietnam POW and a retired nuclear aircraft carrier commander. He wrote the book called Stars and Scars recalling his experience in Vietnam.

The race could turn on whether the voters perceive Whitley as a conservative or a liberal. Conservatives will point to his low rating from Americans for Constitutional Action and his high marks from organized labor. Whitley is facing what will probably be his most serious challenge yet.

Texas 26th

The 26th Congressional district of Texas is one of many new Congressional districts being added to the Sunbelt, and if things go right it should go Republican in a close contest.

There are two conservative Republicans in the race, Jim Bradshaw and Morris Sheats. Bradshaw is former Mayor Pro-Tem of Fort Worth, while Sheats is relatively new to the district. Sheats has caused much controversy among conservatives because in 1980 he was a Carter delegate to the State Senatorial District Convention. Also, in 1978 Sheats ran (as a Democrat) against Kent Hance (D-TX). When asked about this, Sheats quotes Johnny Cash, "I have seen the light." Bradshaw responds by quoting Barbara Mandrell: "I was country, before country was cool."

Because of Bradshaw's former position as vice-Mayor of Forth Worth and his highly publicized campaign against Jim Wright in 1980, it appears that he has the inside track. However, Sheats recently received the support of NCPAC Council Member Cullen Davis who has agreed to help raise money, and has promised to mount a spirited campaign. The probable Democratic opponent will be Tom Vandergriff, who was for almost 30 years Mayor of Arlington, one of the largest cities in the district.

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Virginia 6th

With the retirement of Republican Representative Caldwell Butler, several candidates have jumped into the race for the Virginia 6th Congressional district. Among them is Republican state delegate Kevin Miller from Harrisonburg, Virginia. He will be the conservative in the race. Challenging Miller on the Republican side is moderate to liberal delegate Ray Garland of Roanoke. Democrat, Dick Cromwell, also a delegate, is running in the 6th Congressional district too, and is ideologically between the two Republican candidates.

III. NCPAC ACTIVITIESLawsuit

Many liberal politicians and network affiliates are conspiring to keep our message off the airwaves. NCPAC believes this to be a violation of the right to free speech and expression, which we all hold high. In response, on December 7, 1981, NCPAC filed a \$5 million lawsuit naming several prominent liberal politicians and network affiliate stations. The suit has been filed in Federal District Court in Washington, D. C. In addition, NCPAC has filed a complaint with the Federal Communications Commission (FCC) asking the FCC for a ruling as to whether NCPAC has a "reasonable right of access to the airwaves."

To avoid taking any money that should go towards electing good conservatives to office we have set up a separate NCPAC Emergency Legal Fund to fight this issue in the courts.

Conservative Leadership Conference and First Annual Reagan Inaugural Ball

The Conservative Leadership Conference and the First Annual Reagan Inaugural Ball took place on January 22, 1982. The events were co-sponsored by the National Conservative Political Action Committee, (NCPAC) and three other conservative groups: Americans for Change, Committee for the Survival of a Free Congress and the Fund for a Conservative Majority. Speaking at the conference were Secretary of the Interior James Watt, Counselor to the President Ed Meese, Senators Helms, Domenici, Schmitt, Denton and East, Congressman Phil Crane, Chief of Staff James Baker, and Political Adviser to the President Ed Rollins.

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The leadership conference was followed by the First Annual Reagan Inaugural Ball with Secretary Watt serving as honorary chairman. The ball, like the conference itself, was attended by many legislators and cabinet members. Both events were successful in bringing conservative activists and contributors together with legislators and government officials.

Training Seminar Schedules

Under the auspices of the National Conservative Foundation, conservatives all over the country are being trained in winning campaign techniques. The Foundation offers two different types of schools. One school trains persons on how to manage a campaign, and a second type of school instructs conservatives on fundraising techniques.

Understanding the technology used in modern election campaigns can be the key factor between winning and losing. These schools are one of the most important factors in the wave of conservative election victories in House, Senate and major state races over the last few years.

Actual campaign material and case studies are used in problem solving exercises which simulate the stressful situations which inevitably characterize every election drive.

The following schools have been scheduled for the 1982 election year:

CAMPAIGN MANAGEMENT

MARCH:	1 - 5	ARLINGTON, VA
	15 - 19	
APRIL:	19 - 23	SAN DIEGO, CA
MAY:	17 - 21	ALEXANDRIA, VA
JUNE:	21 - 25	CHICAGO, IL
JULY:	20 - 24	ARLINGTON, VA

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CAMPAIGN FINANCE

MARCH: 25 - 27 DALLAS, TX
 APRIL: 14 - 16 ARLINGTON, VA
 MAY: 5 - 7 MIAMI, FL
 JUNE: 9 - 11 ARLINGTON, VA
 JULY: 7 - 9 SAN FRANCISCO, CA

Conservatives interested in attending either the Campaign Management School or the Fundraising School, should call Anne Dohrs at the National Conservative Foundation in Bailey Crossroads, Virginia at (703) 671-0444.

NCPAC Candidate School

The National Conservative Political Action Committee offers a candidate school. The candidate school is open to conservative candidates by invitation. The following dates have been selected for the candidate school:

CANDIDATE SCHOOL

MARCH: 10, 11, 12 VIRGINIA
 APRIL: 26, 27, 28 VIRGINIA
 MAY: 24, 25, 26 VIRGINIA
 JUNE: 28, 29, 30 VIRGINIA
 JULY: 26, 27, 28 VIRGINIA

If you know a conservative candidate interested in NCPAC's candidate school, call Cheryl Bendis at NCPAC in Arlington, Virginia at (703) 522-2800.

NCPAC NUMBER ONE

In 1981, according to the FEC, NCPAC grossed \$4,130,877 in contributions, spent \$1,488,032 on independent expenditures alone, \$51,951 on in-kind contributions and \$26,900 on loans

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and contributions to candidates and committees. This makes the National Conservative Political Action Committee the largest political action committee in the country.

IV. LEGISLATIVE UPDATE

Senate Franking Privilege Skyrockets

In the face of spending cuts, the Senate and House passed a bill which increases by \$89.1 million the Senate expenditures for franked postal patron mail. This is according to figures provided by the Sergeant-at-Arms. Under the new law each Senator may send up to six franked postal patron mailings per year, with the tab picked up by the American taxpayer. This will double the present Senate mail output from 172 million newsletters per year to over 387 million.

Congress Votes Itself a Tax Cut

Congress was good to themselves this Christmas when they voted to pass H.R. 5159 on December 16, the last day of the session. Using wise parliamentary strategy, the Senate voted to tack on an amendment to the popular bipartisan black lung bill. The amendment gives Senators additional tax deductions in 1981 of up to \$15,900, up to \$16,650 for House members, and in some cases even more. That same day the legislation moved onto the House where it was quickly passed under suspension of the rules.

According to the new law, Congressmen have three choices as to which deduction they wish to take. A Congressman who owns a home can deduct \$50 each day Congress is in session, plus all interest and taxes on mortgages of Washington homes. A renter can deduct \$75 per Congressional day. Neither of these first two deductions needs to be substantiated. The third method allows a Member to keep receipts of all Washington living expenses and allows full deduction as long as these expenses are recorded and not "extravagant." This includes transportation, food, mortgages, insurance, and even laundry expenses. For someone with a \$2,000 monthly mortgage payment in 1981 and a \$6,000 tax bill, this deduction would total \$42,050.

In addition, this tax cut for Congress is retroactive to all of 1981. During that year there were 252 Congressional days for Senators and 262 for House members. A Congressional day is defined as every day except when Congress is

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not in session for five or more days. It is expected that the 1982 calendar will be arranged so that this year's Congressional days will be over 300, which would allow for at least \$18,500 in additional tax free income.

Furthermore a member of Congress travelling outside of Washington on a day Congress is in session can not only still claim the daily deduction, but also claim his expenses for travelling outside of Washington.

In response to Congress' sudden move to vote themselves a tax break, Congressman Ed Derwinski (R-IL) called the action "parliamentary gimmicks." Representative Tom Bevill (D-AL) said: "I represent 600,000 people and I can't name ten who would be in favor of a pay increase for members or a tax break."

Of the 363 members in the House who voted for H.R. 5159, 83 voted no on President Reagan's tax cut plan, which provides a phased-in personal income tax cut of 23%. Up to 24 of these 83 Congressmen are vulnerable to defeat in 1982.

Strom Thurmond summed it up when he said: "At a time when the President and Congress are asking for sacrifice from others who receive benefits or payments from the federal government, it is neither fair nor wise to take any action that has the effect of benefitting members of Congress from the federal treasury."

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● National Conservative
Political Action Committee

1500 Wilson Blvd. Suite 513 Arlington, Va. 22209 (703) 522-2800

NCPAC, "Paul Simon"
30 second radio commercial

In his recent State of the Union message President Reagan gave us his vision of America.

But there's somebody who's standing in his way . . . liberal Congressman Paul Simon.

That's right Paul Simon opposed President Reagan's budget and tax cuts. And now according to the Congressional Quarterly, Paul Simon opposed President Reagan 59% of the time in 1981 one of the highest in the entire Congress.

But don't take our word for it. Call Congressman Simon and ask him yourself. His telephone number in Carbondale is 457-3653. Ask him if it's true he opposed President Reagan 59% of the time.

Once again Congressman Simon's number is 457-3653. That's 457-3653.

Once he's confirmed his liberal record of opposing President Reagan, you'll agree with us. If you support Ronald Reagan, you're going to have to stop Paul Simon first. Paul Simon is too liberal for Illinois.

Paid for as a service to the people of Illinois by the National Conservative Political Action Committee not authorized by any candidate or candidate's committee.

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EA-C5-C2
"5 Things"
February 1, 1992

VIDEO

Off-camera announcer interviewing
person in shopping center.

Off-camera announcer interviewing
person in shopping center.

Off-camera announcer interviewing
person in shopping center.

Super: Paul Sarbanes
Too liberal
for Maryland

Disclaimer: Paid for by the National Political Action Committee and not
authorized by any candidate or any candidate's committee.

AUDIO

ANNOUNCER: CAN YOU NAME FIVE THINGS
PAUL SARBANES HAS DONE FOR YOU?

PERSON #1: NO.

ANNOUNCER: CAN YOU NAME THREE THINGS
PAUL SARBANES HAS DONE FOR YOU?

PERSON #2: NO, I CAN'T.

ANNOUNCER: CAN YOU NAME ANYTHING
PAUL SARBANES HAS DONE FOR YOU?

PERSON #3: WHO'S HE?

ANNOUNCER: PAUL SARBANES IS ONE OF
THE MOST LIBERAL MEMBERS OF THE SENATE.
HIS RECORD SUGGESTS HE'S AGAINST
VOLUNTARY PRAYER IN PUBLIC SCHOOLS. HE
VOTED TO GIVE NEW AMERICA'S PATRIOT
ACT. HE'S VOTED FOR COURT-ORDERED
SCHOOL BUSING YET SENDS HIS SON TO A
PRIVATE SCHOOL. PAUL SARBANES IS TOO
LIBERAL FOR MARYLAND.

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EDMONDS ASSOCIATES, INC.
611 CAMERON STREET
ALEXANDRIA, VIRGINIA
22314
(703) 683-6446

EP-65-02
"Dusing"
February 1, 1982

VIDEO

Off-camera announcer interviewing
lady in shopping center.

Off-camera announcer interviewing
man in shopping center.

Off-camera announcer interviewing
man in shopping center.

Super: Paul Sarbanes
Voted for
court-ordered
school busing

Super: Paul Sarbanes
Too liberal
for Maryland

Disclaimer: Paid for by the National Conservative Political Action Committee
and not authorized by any candidate or candidate's committee.

AUDIO

ANNOUNCER: DID YOU KNOW SENATOR PAUL
SARBANES VOTED FOR COURT-ORDERED
SCHOOL BUSING, BUT SENDS HIS SON TO
A PRIVATE SCHOOL?

PERSON #1: NO, I DIDN'T.

ANNOUNCER: DID YOU KNOW SENATOR PAUL
SARBANES VOTED FOR COURT-ORDERED
SCHOOL BUSING BUT SENDS HIS SON TO
A PRIVATE SCHOOL?

PERSON #2: AH, I WOULD NOT BE SUR-
PRISED.

ANNOUNCER: DID YOU KNOW SENATOR PAUL
SARBANES VOTED FOR COURT-ORDERED
SCHOOL BUSING BUT SENDS HIS SON TO
A PRIVATE SCHOOL?

PERSON #3: YES.

ANNOUNCER: THAT'S RIGHT. PAUL
SARBANES VOTED FOR COURT-ORDERED
SCHOOL BUSING BUT SENDS HIS SON TO
A PRIVATE SCHOOL. SO WHEN YOU THINK
OF PAUL SARBANES REMEMBER PAUL
SARBANES IS TOO LIBERAL FOR MARYLAND.

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EDMONDS ASSOCIATES, INC.
611 CAMERON STREET
ALEXANDRIA, VIRGINIA
22314
(703) 683-6446

EA-85-82
"Harbor/Canal"
February 1, 1982

VIDEO

Picture of Panama Canal

Picture of Baltimore Harbor

Picture of both Panama Canal
and Baltimore Harbor full screen
and then Panama Canal shrinks in
size before fading out completely

Super: Paul Sarbanes
Too liberal
for Maryland

Disclaimer: Paid for by the National Conservative Political Action Committee
and not authorized by any candidate or candidate's committee.

AUDIO

THIS IS THE PANAMA CANAL. MARYLAND'S
LIBERAL SENATOR PAUL SARBANES LED THE
FIGHT TO GIVE IT AWAY.

THIS IS THE BALTIMORE HARBOR.
DREDGING IT COULD MAKE IT THE THIRD
LARGEST HARBOR IN AMERICA PROVIDING
JOBS AND MONEY FOR THE PEOPLE OF MARY-
LAND. BUT PAUL SARBANES REFUSED TO
TAKE A PUBLIC POSITION ON THE MATHIAS
AMENDMENT WHICH WOULD HELP DREDGE THE
HARBOR.

MAYBE PAUL SARBANES IS MORE INTERESTED
IN LIBERAL POSITIONS LIKE GIVING AWAY
THE PANAMA CANAL, THAN SAVING THE
BALTIMORE HARBOR.

PAUL SARBANES IS TOO LIBERAL FOR
MARYLAND.

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EDMONDS ASSOCIATES, INC.
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ALEXANDRIA, VIRGINIA
22314
(703) 683-6446

National Conservative Political Action Committee

1500 Wilson Blvd. Suite 513 Arlington, Va. 22209 (703) 522-2800

NCPAC, "Melcher"
30 second TV commercial

I'm proud to be a traditional Montana Conservative.
That's why I was so upset to hear about John
Melcher's liberal record in Washington.

I was shocked to learn that Melcher voted to raise
his own pay an incredible 29% at the same time
inflation was eating the rest of us alive. Can
you believe that?

And the National Taxpayers Union rated him one of
the biggest spenders in the west.

John Melcher's liberal big spending voting record
proves he's out-of-step with traditional Montana
conservatives like me. How about you?

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National Conservative Political Action Committee

1500 Wilson Blvd. Suite 513 Arlington, Va. 22209 (703) 522-2800

NCPAC, "Melcher"
30 second TV commercial

Boss: Well, Fred. This is review day and your work has been outstanding. You're getting a 10% pay raise.

Fred: But inflation last year was 12%. That means I'm actually getting paid less.

Boss: Don't blame inflation on me. That's the fault of wasteful liberal politician, big spenders like John Melcher.

Fred: John Melcher is one of those liberals? That's not what he says.

Boss: Well, he's rated as a big spender by the NTU. And he voted himself a 29% pay raise while expecting us to live with less.

Fred: Melcher did all that? When's his next review day?

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**National Conservative
Political Action Committee**

1500 Wilson Blvd. Suite 513 Arlington, Va. 22209 (703) 522-2800

**NCPAC, "Robert Edgar"
30 second radio commercial**

In his recent State of the Union message President Reagan gave us his vision of America.

But there's somebody who's standing in his way . . . liberal Congressman Robert Edgar.

That's right Bob Edgar opposed President Reagan's budget and tax cuts. And now according to the Congressional Quarterly, Bob Edgar opposed President Reagan 72% of the time in 1981 one of the highest in the entire Congress.

But don't take our word for it. Call Congressman Edgar and ask him yourself. His telephone number in Upper Darby is 352-0790 and in Chester is 876-8235. Ask him if it's true he opposed President Reagan 72% of the time.

Once again Congressman Edgar's number 352-0790 in Upper Darby and 876-8235 in Chester.

Once he's confirmed his liberal record of opposing President Reagan, you'll agree with us. If you support Ronald Reagan, you're going to have to stop Bob Edgar first. Bob Edgar is too liberal for Pennsylvania.

Paid for as a service to the people of Pennsylvania by the National Conservative Political Action Committee not authorized by any candidate or candidate's committee.

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Bye-Bye, Facts?

AS HE LEFT our office the other day after a friendly visit, West Virginia's Sen. Robert Byrd mentioned that Terry Dolan's National Conservative Political Action Committee had marked him for extinction. The senator was plainly apprehensive. NCPAC, he said, was going to twist and distort, and he hoped that, as the campaign heated up, the *Daily Mail* would refer to the record and not rely on NCPAC characterizations.

Already the campaign is heating up, and we have been checking the record. Here is what we find. We find Elmer Fike, part of a local "Bye-Bye Byrd" faction, asserting that, when the Legislature voted on a constitutional amendment to balance the federal budget, Sen. Byrd helped defeat it. Mr. Fike's charge came last Wednesday. The next day, Sen. Byrd hotly denied having done anything of the kind. He had "meticulously avoided" influencing the Legislature on the budget-balancing amendment, he said, and Mr. Fike's reckless assertion to the contrary was "100 percent fabrication of the wildest sort."

For the record, here is Sen. Byrd addressing the Legislature a year ago last February and being careful not to influence the vote on the budget amendment:

Many voices are raised today in support of a constitutional amendment requiring a balanced federal budget. I

would enter the caveat that the federal budget does not serve the same function as the budgets of the individual states.

For instance, the federal government faces responsibilities which are different in kind and magnitude from those of the states. Foremost is the constitutional responsibility to provide for our national defense. Such a proviso as a constitutional requirement for an annually balanced budget would inhibit the flexibility needed to set economic priorities and respond to extreme financial strains and defense expenditures that a national emergency so often entails.

Moreover, today it is recognized, especially in the wake of our national experience with the Great Depression of the 1930s, that there is a need for discretionary fiscal policy in federal spending. Levels of government spending and tax revenues are deliberately set by Congress as policy tools. Under this economic philosophy, the federal budget has a "countercyclical" function. To offset economic slowdowns, recessions, or depressions, the federal government must consider reducing taxes and raising expenditures. By incurring a deficit, the federal government stimulates the economy, and forestalls economic dislocations that might otherwise spell disaster for millions. A constitutional mandate for a balanced budget would close to us the use of the countercyclical tool, and leave us helpless to the whims of economic caprice, initiated from whatever source.

Sen. Byrd has a right to be concerned when unscrupulous characters misconstrue the record. But, then, Elmer Fike probably doesn't like having the record misconstrued either. Sen. Byrd owes an apology to Mr. Fike and to those others who, taking at face value the senator's statement of last week, were misled.

Source: Charleston, W. Va.
Charleston Daily Mail
5/5/81

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American Telecommunications Corporation
 7777 Leesburg Pike - Falls Church, Virginia - 22043 - (703) 356-0440

Richard A. Viguerie
 Chairman of the Board

Alex Castellanos
 President

HCPAC, BYRD "PANAMA CANAL"
 10 second TV commercial

VIDEO

AUDIO

FADE UP to FREEZE FRAME,
 Panama Canal. SUPER:
 PANAMA CANAL.

Announcer: THIS IS THE PANAMA CANAL
 WHICH ROBERT BYRD VOTED TO GIVE AWAY.

PAGE TURN to FREEZE FRAME,
 Byrd's house. SUPER: BYRD'S
 HOUSE.

THIS IS ROBERT BYRD'S HOUSE.

PAGE TURN to FREEZE FRAME,
 Panama Canal, BOXED, screen
 left, above SUPER: PANAMA
 CANAL. Byrd's house, BOXED,
 screen right, above SUPER:
 BYRD'S HOUSE. Both boxes
 and supers above full screen
 SUPER: Paid for by the
 Bye-Bye Byrd Committee, a
 project of the National
 Conservative Political Action
 Committee. Not authorized by
 any candidate or candidate's
 committee.

THEY HAVE ONE THING IN COMMON. . .
 NEITHER ONE CAN BE FOUND IN WEST
 VIRGINIA.

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American Telecommunications Corporation
 7777 Leesburg Pike • Falls Church, Virginia • 22043 • (703) 356-0440

Richard A. Viguere
 Chairman of the Board

Alex Castellanos
 President

NCPAC, BYRD "EIFFEL TOWER"
 10 second TV commercial

VIDEO

AUDIO

FADE UP to FREEZE FRAME,
 Eiffel tower. SUPER:
 EIFFEL TOWER.

Announcer: THIS IS THE EIFFEL
 TOWER.

PAGE TURN to FREEZE FRAME,
 Byrd's house. SUPER: BYRD'S
 HOUSE.

THIS IS ROBERT BYRD'S HOUSE.

PAGE TURN to FREEZE FRAME,
 Eiffel tower, BOXED, screen
 left, above SUPER: EIFFEL
 TOWER. Byrd's house, BOXED,
 screen right, above SUPER:
 BYRD'S HOUSE. Both boxes
 and supers above full-screen
 SUPER: Paid for by the
 Bye-Bye Byrd Committee, a
 project of the National
 Conservative Political Action
 Committee. Not Authorized by
 any candidate or candidate's
 committee.

THEY HAVE ONE THING IN COMMON. . .
 NEITHER ONE CAN BE FOUND IN WEST
 VIRGINIA.

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American Telecommunications Corporation
 7777 Leesburg Pike • Falls Church, Virginia • 22043 • (703) 356-0440

Richard A. Viguerie
 Chairman of the Board

Alex Castellanos
 President

NCPAC, BYRD "PYRAMID"
 10 second TV commercial

VIDEO

AUDIO

FADE UP to FREEZE FRAME,
 Pyramid. SUPER: PYRAMID.

Announcer: THIS IS A PYRAMID.

PAGE TURN to FREEZE FRAME,
 Byrd's house. SUPER: BYRD'S
 HOUSE.

THIS IS ROBERT BYRD'S HOUSE.

PAGE TURN to FREEZE FRAME,
 Pyramid, BOXED, screen left,
 above SUPER: PYRAMID.
 Byrd's house, BOXED,
 screen right, above SUPER:
 BYRD'S HOUSE. Both boxes
 and supers above full-screen
 SUPER: Paid for by the
 Bye-Bye Byrd Committee, a
 project of the National
 Conservative Political Action
 Committee. Not Authorized by
 any candidate or candidate's
 committee.

THEY HAVE ONE THING IN COMMON. . .
 NEITHER ONE CAN BE FOUND IN WEST
 VIRGINIA.

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American Telecommunications Corporation
 7777 Leesburg Pike • Falls Church, Virginia • 22043 • (703) 356-0440

Richard A. Viguerie
 Chairman of the Board

Alex Castellanos
 President

NCPAC, BYRD "WHALE"
 10 second TV commercial

VIDEO

AUDIO

FADE UP to FREEZE FRAME,
 Whale. SUPER: WHALE.

Announcer: THIS IS A WHALE.

PAGE TURN to FREEZE FRAME,
 Byrd's house. SUPER: BYRD'S
 HOUSE.

THIS IS ROBERT BYRD'S HOUSE.

PAGE TURN to FREEZE FRAME,
 Whale, BOXED, screen left,
 above SUPER: WHALE.
 Byrd's house, BOXED,
 screen right, above SUPER:
 BYRD'S HOUSE. Both boxes
 and supers above full-screen
 SUPER: Paid for by the
 Bye-Bye Byrd Committee, a
 project of the National
 Conservative Political Action
 Committee. Not Authorized by
 any candidate or candidate's
 committee.

THEY HAVE ONE THING IN COMMON. . .
 NEITHER ONE CAN BE FOUND IN WEST
 VIRGINIA.

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Group Contends That Sen. Byrd Doesn't Represent W.Va.

EDITORS NOTE: Terry Dolan, national chairman of NCPAC, the National Conservative Political Action Committee, was interviewed by Daily Mail editor William Cheshire, editorial page writer Paul Abner, and Capital Bureau Chief Richard Grimes.

CHESHIRE: Mr. Dolan, why are you in West Virginia?

DOLAN: Well, we're going to be meeting with some individuals here to see if there's any interest in doing a campaign to expose the liberal voting record of Sen. Robert Byrd.

CHESHIRE: Could you be more specific?

DOLAN: On his record? Whatever he's voted on, it's usually wrong. At least in terms of liberal vs. conservative.

He was one of the ringleaders to give away the Panama Canal. He's voted for raising the national debt, thereby causing more inflation almost every chance he's had since he's been in the Senate. He has a miserable rating in terms of increasing America's defensive preparedness. He's voted for developing huge new bureaucracies like the Department of Education, the Department of Energy, many, many other things.

And the one aspect that Robert Byrd has that most other senators don't have — and I don't know whether it's a good point or a bad point — but he has to take credit for being the ringleader on almost all of these things. He's the one who organized the votes for Jimmy Carter in getting the Department of Energy passed. And for passing an increased deficit and for passing the single biggest tax increase in the history of the country.

CHESHIRE: In his role as majority leader?

DOLAN: In his role as majority leader.

CHESHIRE: To run a successful campaign against Robert Byrd, you'd have to have someone to run against him. Have you thought in terms of who might oppose him?

DOLAN: We really haven't. The interesting thing about the campaigns that we get involved in is that they almost always — if they're successful — create a whole pool of potential candidates because once someone establishes in their mind that Robert Byrd does not represent the state and that the people in the state understand that, they're more interested in running.



If, in fact, we did campaign against Sen. Byrd's record, we wouldn't question his patriotism or his integrity or anything else. All we'd say is that we think he's voting wrong for the state and if the state agrees with us then we hope they'll take him out of office the next election."

GRIMES: Robert Byrd, of course, has been a big winner in West Virginia. The point that it's hard to find anyone who wants to take him on. Do you have a feeling that Byrd is actually a different senator than most West Virginians think he is?

DOLAN: Well, we haven't taken a survey yet, so I don't know. My guess is that that's exactly the case. There isn't a senator that I know of who writes back to his state in his news letters or in his news releases or in his public appearances or anything else and says things like: Guess what, folks. I voted to give away the Panama Canal. Or I voted to increase your taxes \$88 billion last year. Or I voted to increase the national debt. Or I voted against those new military requirements that the Pentagon says we need. They never talk about that.

The Americans for Democratic Action — which is a very liberal group, obviously — estimated that it costs the average taxpayer \$1 million to \$3 million a year to keep a senator in the Senate. And in that amount of money they say 60 percent of it is directly allocable to campaign activities.

So what it means is that senators like Robert Byrd are taking anywhere from \$1 million to \$2 million to run for election every single year. And of course they're very selective in the information they pass out to people. So it is a very common occurrence — and among conservatives by the way as well among liberals — that the perception that the people have of him is really not the perception that is a fair one based on his voting record.

CHESHIRE: Is Byrd going to be tougher to defeat, do you think, than, say, George McGovern or Frank Church or Birch Bayh?

DOLAN: Yes, certainly. The major difference, I think, is that West Virginia's a far more Democratic state than most states, and I think that's going to be the single biggest difficulty in two senses.

One, assuming there is a credible candidate running against him in the general election, Democrats start out with a much greater base than Republicans do and second, if there's a conservative Democrat running against him in the primary it is a widely accepted notion that primaries — Democratic primaries — are more liberal in general elections. So even if there's a conservative primary candidate it's going to be more difficult than the November election would be.

GRIMES: Of course Byrd will begin naming all the programs that he's done for people. Do you think that you can really convince people of another way of life?

DOLAN: Yes. Because every senator who doesn't represent his constituency has to trot out those excuses, as far as I'm concerned. If the people of West Virginia could trade between having that federal building and having no inflation, they'd take no inflation because that federal building, in many respects,

is completely irrelevant to their lives. Whereas the fact they have to go in and buy food for their family is a heck of a lot more important. And it's our belief that we're able to convince people that how Robert Byrd votes in Washington on issues such as taxes and inflation is more important. Then they'll say, "Yeah, you're right."

CHESHIRE: Sen. Byrd was visiting with the Daily Mail last week, and before he left, one of the things that he mentioned was that NCPAC had targeted his race and targeted him for extinction and he expressed the concern that one hears from certain quarters of the public as well. NCPAC tends to move into the political race and distort a politician's voting record and defuses the state with heavy media advertising. What is your response to that sort of criticism?

DOLAN: My guess is that if you counted the number of contributors we have from West Virginia, they would far exceed the number of contributors that Robert Byrd has in West Virginia.

Secondly, I don't think anyone has ever begrudged Sen. Byrd for accepting money from organizations or individuals outside the state or from the Democratic National Party. And I don't think there is any reason they should begrudge us doing the same thing.

CHESHIRE: That's the money angle. What about the distortion angle?

DOLAN: Well, the distortion angle is the most important. You were at this meeting where Sen. McGovern made the same charge and they asked him for cases of "distortion" and, I think if anything, it proved that his distortion charge was nothing more than an attempt to hide behind the fact that he didn't represent his state. One of the charges we made is that he voted for a 50 percent gas tax and his response was, "I never proposed that in the Senate." Not that he didn't support it. He was just never dumb enough to put it in the Senate.

We've asked people — whenever we've undertaken campaigns — to tell us about anything that isn't true and if we ever say anything that isn't true we would certainly stop. As a matter of fact I'll make an offer to Sen. Byrd. Before we print any charges, we'll send them over to his office for verification that in fact that's how he voted, if that makes him happy.

CHESHIRE: The verification of the vote? In other words you would agree not to run any characterizations of his voting record that he did not agree were fact?

DOLAN: That's absolutely correct. If we say he voted one way we'll send any specific charges over to him and if he says, "I didn't vote this way. You're wrong," we'll be happy to not run any ads.

AKERS: Is NCPAC's ultimate goal to have 100 conservatives in the United States Senate? And 435 conservatives in the House?

DOLAN: Our goal is to see that politicians are accountable to their consti-

tuency. You know, I don't believe in government, trying to get Harlan to read James to the House or the Senate. But what I do believe is that West Virginia shouldn't be sending people like Frank Church and Robert Byrd to the Senate, because, my guess is that they don't represent the state very well. I find it hard to believe that the people in West Virginia want to pay more federal taxes and want the federal government to spend more money.

So, if, our beliefs are wrong, that the people in West Virginia support Byrd's record, then our campaigns are going to do nothing against him. All we're going to do is talk about his record.

AKERS: But your viewpoint is hardly objective, is it? You don't expose the voting hypocrisy of the conservatives. Do you think there's a danger of Congress becoming too philosophically monolithic? Or do you think the give and take of conflicting ideas is important in a democracy?

DOLAN: I don't think there's any question that there will always be a floating majority in the House and the Senate based on the reactions of voters. And I think what you will see in the next couple of years is an increasing conservative representation in the House and Senate simply because that's the way the majority of people is voting these days.

GRIMES: The one thing that keeps coming back to me, though, is that every popularity poll that we take in our newspapers shows that Bob Byrd is the most popular political figure in the state of West Virginia. There must be something about him that they like.

DOLAN: My guess is one of two things is going to happen. If we talk about Robert Byrd and tell the truth — which, of course, is the only thing we're going to do — people aren't going to believe us and we won't have any impact or they are — actually three things — or they are going to believe us and they're going to say "it's irrelevant because he does build the courthouses down here or whatever claims he's making. Or they're going to change their minds.

GRIMES: If you were to do something like this, when would you begin?

DOLAN: That I don't know. We haven't taken a survey. We'd certainly have to take a survey first. We would then have to look at it and figure out how to undertake our advertising campaign. And write commercials, scripts, if we choose to do that. Figure out how much we'd have to spend.

GRIMES: But it would get into an election year, right?

DOLAN: Probably not. I won't say probably not. Possibly not.

GRIMES: Because a lot of stuff has to be discounted and if it were closer to election...

DOLAN: That's right. That's right. One of the things that all our survey data indicated is that the closer you came to election the less believable the information was.

CHESHIRE: What kind of press did

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you get in other states where you conducted this kind of campaign? Did the press give you a fair shake in Wyoming, South Dakota?

DOLAN: South Dakota wasn't too bad. Idaho was miserable. There's one newspaper that matters in the state and all the rest are kind of small. That's the Idaho Statesman and ... do you belong to anyone or are you independent?

CHESHIRE: We're independent.

DOLAN: OK. This was a Gannett paper and I made the comment — and I've said it because I believe it — that the Idaho Statesman was to Frank Church what Pravda is to the Soviet Union. Because it is unabashedly for him. His campaign manager used to brag about the fact that he wrote the editorials. But by and large I guess we've gotten fairly fair treatment.

CHESHIRE: I used to hear reports on your dealings over National Public Radio, and I never had the impression that they were really giving you much of a fair shake.

DOLAN: Well, National Public Radio is paid for by the government. And I stopped giving interviews to National Public Radio. I stopped talking to them when they used to give interviews and then edit the daylight out of them. They would come up with stuff that just didn't make any sense.

AKERS: How do you go about targeting someone? Is it a purely mathematical calculation? Do you look at the voting records and see this fellow voted liberal 80 percent of the time, and so put him on the firing line?

DOLAN: There's a lot of things we consider. The voting record certainly. The question of: Do they represent their states?

Thirdly, how public are they? How far out front have they gone in their liberalism? And then there is the question of what our supporters think. Will they help us raise the money? Will they support us in what we're doing? Questions like that.

AKERS: I was reading somewhere that Sen. Daniel Moynihan was on your mesa, yet Sen. Moynihan has been very pro-defense and anti-Soviet while at the same time he has a liberal domestic record. Do you weigh the domestic record more than the foreign policy aspect?

DOLAN: No. What it means is that Sen. Moynihan is far better at talking about how great his defense record is than in voting it. He has about a 30 percent rating from the national security index which — whether you like it or not — in a comparative sense has a fairly good viewpoint of how senators vote.

CHESHIRE: Do you detect that kind of disparity in Robert Byrd's voting record as opposed to his talk back home?

DOLAN: To be perfectly honest, I haven't looked at what he has said back in the state. I'd be surprised if you searched your files and found a news release saying how he voted for the biggest single tax increase in the history of

the country — which he did just last year. But I don't know if he's ever said he's a conservative. If he has used that word, I think it's fairly laughable. At least based on his record.

AKERS: Sen. Byrd, I think, tries to project an image of military toughness. Last year, he said he'd like to punch an Iranian in the nose. At the same time he marshaled the forces to ratify the Salt II treaty. Is that the kind of disparity that you would try to bring out in your campaign?

DOLAN: Yes. We certainly use images and impressions to make a point but what's wrong is when the images are not supported by the facts, and that's a typical game that I think most liberal senators play. Talk tough and when it comes down to votes, they're never there.

GRIMES: Is there a tendency for senators who stay around for a while to turn liberal in the sense that the easy way to re-election is to deliver this project, deliver something for bigger money? Because that's the way the people see the government helping them.

DOLAN: There's a little bit of that — but I think more than anything else is that anybody who is in Washington long enough thinks that that's who they represent.

When you're in Washington you have to read The Washington Post. And you have to watch what used to be the owned-and-operated stations of the networks. And you suddenly think that that's the way that normal people think, which is absolutely absurd. Nevertheless, they think that way.

And quite honestly, that's why so many liberals lost last time. They forgot who they were representing and I guess it's natural. You either become part of the problem or you get so turned off by it that you become cynical, which is what I am.

CHESHIRE: Whom else have you targeted next time out?

DOLAN: Right now we're focusing almost all of our attention on four members of the Congress. One senator, Paul Sarbanes, and three members of the House: Congressman Jim Wright, the majority leader; Congressman Jim Jones, chairman of the Budget Committee; and Congressman Dan Rostenkowski, chairman of the House Ways and Means Committee. The major reason we've targeted them is because they are the chief obstructions to the president's economic recovery package, and we're making that a priority at this point.

CHESHIRE: OK, so that's this year. Now next year when you take on Byrd whom else will you take on simultaneously?

DOLAN: Well, if we decided to do any advertising on Byrd's record, I would probably be this year. Not next year. We'll be adding people as time goes on, rather than in groups.

CHESHIRE: So you have not made final determination about campaigns in West Virginia?

DOLAN: Absolutely not.

CHESHIRE: NCFAC's been going long, Mr. Dolan?

DOLAN: Not quite six years.

CHESHIRE: Six years. Have you backed any loser during that time?

DOLAN: Sure. We supported Gov. Moore ... how many times did we support him now? I guess he's run twice. We supported him for governor, too.

CHESHIRE: You weren't really visible in the Moore-Rockefeller race. Were you involved in that?

DOLAN: Yes. We had money in the governor's race and in Moore's senate race against Sen. Jennings Randolph.

CHESHIRE: But you didn't put on the kind of media blitz that you're famous for?

DOLAN: That's right.

CHESHIRE: But if you came into West Virginia this year, having targeted Sen. Byrd, would you engage in, as you say, what some people call negative advertising?

DOLAN: We would engage in advertisements that talked about his record. And if his record were negative then I guess you'd call it negative advertising.

CHESHIRE: But you would be aggressively campaigning in West Virginia? It would not be just financial support?

DOLAN: Well, it depends.

CHESHIRE: We're talking about a major effort.

DOLAN: Yes. Now let me qualify that one more time. It is perfectly possible we could decide not to do a major effort on our own but in the future support another candidate for the Senate.

AKERS: If, halfway through the campaign you found out you were backing a candidate who was infected with "moral turpitude," would you pull out?

DOLAN: Sure, it's happened several times. We don't support anybody who isn't on our side in the issues and if he somehow reveals that he is not being straight with us in the sense of, you know, there's some question to his background, then sure, we'd back out and that's happened, as I said, on a couple of occasions. It doesn't happen frequently but it does happen.

AKERS: Would you support, say Bob Baumes, if he ran for re-election?

DOLAN: Oh, sure. I'm sorry, I misunderstood your question. I thought you meant somebody who was a crook or somebody who'd lied to us about issues. No. I don't question anybody's motives. Or anybody's reason for running for office. If, in fact, we did do a campaign against Sen. Byrd's record, we wouldn't question his patriotism or his integrity or anything else. All we'd say is that we think he's voting wrong for the state and if the state agrees with us, then we hope they'll take him out of office the next election.

CHESHIRE: Thank You, Mr. Dolan.

Sen. Byrd Not Worried About Conservative Move to Oust Him

CHARLESTON, W.Va. — The cherub-faced, curly-haired young man frankly confessed he was startled when the meticulously manicured senator thrust his hand forward to shake.

A clerk in the West Virginia Department of Highways, the young man couldn't believe it was Senate Minority Leader Robert C. Byrd, D-W.Va.

"He walked through every office in the Department of Highways, saying hello to everyone," the awestruck young man said. "He must be facing some stiff opposition."

At 63, Byrd has been in the Senate since his election in 1958, an easily electable commodity in this small, mostly white, coal mining state. Candidates have come and gone, and Byrd has always blown them out of the water.

But, ironically, he has been targeted this year by the National Conservative Political Action Committee and there are some who think Byrd is concerned about his political future.

Byrd, a North Carolina-born orphan who was raised by relatives in southern West Virginia, rose from the humblest of beginnings to be the most powerful man in the Senate. He was only toppled from that position this year when the Republicans finally gained control, leaving Byrd as minority leader.

People in West Virginia said being majority leader changed Byrd, even to the point where he actively fought for the Panama Canal treaties, which made some Veterans of Foreign War members complain about the senator.

A one-time butcher, who rose to be a lawyer, Byrd once donned the robes of the Ku Klux Klan, an action he later dismissed as a boyish misadventure. He voted against the 1964 Civil Rights Act and led the filibuster of the bill with a 14-hour, 13-minute oration.

The liberal Charleston Gazette flailed Byrd, openly taunting him for his extreme conservatism. The idea that Byrd would ever be accused of being anti-conservative or a liberal never occurred to anyone.

But the Gazette has come to change its opinion.

"The Charleston Gazette has commented on Byrd's change," said Associate Editor L.T. Anderson. "The Gazette criticizes Byrd on individual issues, but we long since stopped viewing him as a single-minded, right-wing disciple."

If the New Right views Byrd as a liberal who must be eliminated as many liberals were knocked off by conservative forces in the last election, what does Byrd think?

"I don't know why I'm being targeted," said Byrd during an interview last week. "The only thing I know is I am one of their targets."

He understands 17 of 20 Democrats are on the committee's list next year.

"I don't think West Virginians are going to listen to an outside propaganda effort to tell them how to vote," said Byrd, who blistered the committee.

"They use the Big Lie to defeat their so-called target," he charged. "They're not for (anybody), they're agingers," he said, slipping deliberately into that southern slang word. "This is one target that's going to shoot back."

Byrd's press aide, J. Michael Willard, said much has been made of the senator returning to West Virginia often this year, but Willard said it has long been Byrd's practice to visit each one of the state's 55 counties yearly. This year will not be different, said Willard.

But others have seen a change. "In the past he campaigned like that all over the state," said State Democratic Party Chairman J.C. Dillon Jr. "Then when he was majority leader, he had all those duties. But since he's now minority leader, he seems to have come back to campaign more than he could in the past."

Not that Dillon was criticizing Byrd. A former state senator himself, Dillon understood that the higher Byrd rose in the Senate, the more his duties would pin him down in Washington.

Dillon doesn't think Byrd is liberal.

"If anything, he's perceived to be little on the conservative side," said Dillon.

He doubts the conservative political action committee will be successful. Echoing Byrd, Dillon said, "I don't believe West Virginians will allow outsiders to tell them what to do, just don't believe that will happen. We're pretty independent down here. We may be considered behind in some ways, but politically we're right in front."

Business is apparently still behaving in Washington, despite what the conservative in Washington say.

"He's been good to all West Virginians and has been fair with business," said Clarksburg lawyer Willis O. Shay, president of the state Chamber of Commerce.

"He has always called the shot on any particular piece of legislation as he sees it. He's been very receptive to our suggestions," said Shay, who said Byrd was always on hand to greet his group when it went to Washington.

"We think it would be a terrible blow to West Virginia and the country to have him replaced," said Shay.

Then what is the force behind targeting Byrd? The conservative group declined to return telephone calls about its planned program against Byrd, but the senator himself was more than willing to talk about it.

"They're unethical in their approach in that they select out a dozen or so votes from the entire voting record, which in my case would be well over 9,000 roll-call votes during

service in the House and Senate and they will attempt to tell West Virginia that, based on that handful of votes, I don't represent West Virginia."

Byrd said the group does not endorse candidates, so they are not obliged to list their donors or comply with usual election disclosure laws.

"They take a handful of votes; lie about them; and mislead the voters."

One of the key points of contention will be Byrd's fight for the Panama Canal treaties. It is a question which hasn't surfaced in West Virginia in the last two years, said Byrd, but the conservatives are going to rekindle it.

"They're distorting it," he said. The conservatives claim he turned the canal over to the "communist government of Panama," said the senator.

Byrd said the Panamanian government is not communist. He said relations with Panama have never been better in 30 years; there are no anti-American riots in the Canal Zone; the Panamanian government has been very supportive of the United States and even the conservative U.S. News & World Report called the canal exchange a "success story."

"Their line will be in selecting out these 10 roll-call votes, trying to persuade West Virginians I'm against a stronger national defense; against a balanced budget; against a tax cut. In other words, I'm for excessive government spending."

"But I'm a target that will shoot back," he said. "I'm telling the people that this outfit that's based outside West Virginia is using the Big Lie technique to distort my voting record to try to mislead West Virginia."

Byrd doubts the effort will succeed. "I don't consider this to be serious, but I feel the time has come to strip it of its fancy trappings and reveal it for what it is."

Source: Elkins, W. Va.
Inter-Mountain
4/27/81

Conservative spotlight may not burn Sarbanes

Paul Sarbanes has always been a smaller-than-life figure.

He is a U.S. senator, but not so you'd notice. Other congressional people try to fill the room with their presence. Sarbanes seems like a guy who wandered in the back door, and they've asked him to say a few words and he's making a stab at it, but it isn't quite coming off.

Behind the scenes, it is different.

He was there for the Nixon impeachment hearings, serving on the House Judiciary Committee. He got no headlines at all. The only ones who praised him were the other committee members, who knew Sarbanes had done most of the quiet, detailed, technical, boring work behind the scenes.

He sometimes seems a study in boredom. After 10 minutes with him, you start to nod off. He masters the impossible details of the federal government and then makes the mistake of thinking anybody cares.

On a morning eight years ago, Sarbanes sat in his office and told a visitor how excited he was. He'd been named to a committee to study congressional operations.

What kind of operations? Fascinating things, said Sarbanes. Relationships between congressional committees, jurisdictions of subcommittees, internal committee structures.

"It's really kind of exciting," Sarbanes said. He began discussing each area in detail and did not notice his visitor's eyes glazing over.

When a story appeared the next day, a five-column headline referred to him as "Sarbanes."

But then, he has never been a headline kind of politician. At least, not until



Michael
Olesker

now. Not until his opponents chose to make him one.

—o—

There was a strange voice on the radio the other day.

It came on during a newscast, and it was there for about 15 seconds, and you shook your memory to recall where you'd heard that voice before.

It was Paul Sarbanes talking. And you thought, my God, what is this man doing out in public? He is a U.S. senator, but he is a private man, a thoughtful, studious man, and now they have driven him to this act, wildly out of character, of going on the radio.

Sarbanes is a target these days. The National Conservative Political Action Committee (NCPAC) has flooded the television airwaves with commercials depicting him as a bad man because he is a liberal.

In America, liberalism has been suspended, but Sarbanes is one of its left-over twitches. The commercials hurl accusations of wild, unconscionable spending at him. The foes of liberalism give him credit for being a powerful force against all of the things they do not like.

Funny thing about that. The conservatives are giving him a strength no one

knew he had. Sarbanes has been a disappointment to liberals who voted him into office and haven't heard from him since.

He's disappointed them because they expected not just liberalism from him, but leadership as well.

In America, leadership is translated as 30-second spots on the 6 o'clock news. Sarbanes is almost never on the news. We measure our political leadership in rhetoric, in media coverage, and Sarbanes surprised people merely by being on the radio for 15 seconds the other day.

It seemed so out of character, like a monk being told he's got to tap dance in public before they'll let him get back to the business of his scrolls. He is a diligent, hard-working legislator, but he knows that legitimate work is done when no cameras are around to record it.

The NCPAC commercials accuse him of high crimes of liberalism. But who told NCPAC? Obviously, these people have done homework worthy of Sarbanes himself. They've studied voting records. They've looked at position papers. They've read *The Congressional Record*.

The only way you could possibly know Paul Sarbanes is to dissect him. But, in doing so, NCPAC has given reassurance to all those liberals who voted for him and then thought he'd gone into hiding.

(To be sure, however, Sarbanes is not the only target. He is convenient because he lives in Maryland. Lots of congressional people live in Maryland while they work in Washington. All of them watch television. The ads are aimed at Sarbanes, but the message is directed toward them, too: If you do not conform, if

you insist on liberal ways, then you could be our next target.)

There are newspaper ads, too. The newspaper ads say, "Let Paul Sarbanes know what you think of his dismal voting record."

They list his address in Washington, and they have typed out a note, which they urge you to send to him. The note says, "Maryland deserves better. Your spending record and opposition to the President's Economic Recovery Program are out of touch with the vast majority of the people of Maryland. I strongly oppose your liberal voting record, and as a concerned citizen, support the President's plans to put this country back on its feet."

In fact, says Bruce Frame, Sarbanes's press secretary, people have sent in the note. Some agree with its spirit, he says, but a lot of people do not.

"We've had a pretty substantial reaction to the NCPAC campaign," he says, "and it's been uniformly positive. Either people say, 'I've supported the senator, and this infuriates me,' or 'I've disagreed with him on some things, but I'm upset by these ads and I'll support you because of them.'"

"We've had less than a hundred negative responses to the newspaper ad. We've had far more positive responses to it, and we've actually raised money off of it. People are sending in small contributions."

That isn't exactly what NCPAC had in mind. They went after a man who put people to sleep, and they made him into something he is not: A figure to rouse people's emotions.

And maybe they're getting smacked in the face with their own invective.

Anti-Sarbanes ads to continue on 11, 13

The advertising campaign by the National Conservative Political Action Committee directed against Maryland Senator Paul Sarbanes will continue on Channels 11 and 13 this week.

Both those stations accepted the ads; Channel 2 refused to air them. The ads criticize the Democratic senator for his voting record and accuse him of advocating policies that would greatly increase taxes. They conclude with the advice that "Maryland deserves better."

Channel 2 apparently decided its viewers deserved better than these ads. The station's decision was based on the "content" of the commercials, which the station deemed "unacceptable" for its air.

Both Channel 11 and 13 accepted the ad campaign's content after verifying that the specific charges made in the commercials were not fabrications. Both stations immediately contacted Senator Sarbanes to assure him that time would be made available to him to respond.

This is not the first time NCPAC has used television to attack a political figure, of course. Senator Sarbanes is the only current target of the well-funded organization, which picks out liberal-minded officeholders and conducts sophisticated media campaigns aimed at driving them out of office.

Senator Sarbanes reportedly is near the top of the NCPAC enemies list, with an advertising budget of about \$400,000 committed to persuading Maryland voters to unseat him in 1982. The fact that NCPAC has started its anti-Sarbanes effort this early is certainly an indication of how serious they are about this effort.

Television is naturally the main vehicle of transmitting the group's message. The question for the local TV stations is whether the controversial nature of the ads is sufficient reason to keep them off the air.

None of the three stations in Baltimore approached by NCPAC to run the ads has a policy specifically denying air time to what is known as "issue-oriented" advertising. Channel 2 did have such a policy, but according to the general manager, Dale Wright, the station has reconsidered its ban on issue-advertising "only within the last 4 to 6 months."

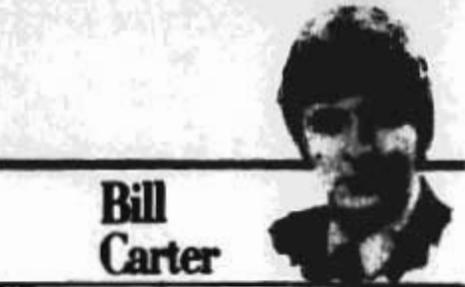
Mr. Wright said Channel 2 had been convinced that certain issues "could be presented in ways that would make them acceptable." But the NCPAC ads did not fall into that category. Mr. Wright would not say what specific objections Channel 2 had to the ads. "It was strictly a subjective decision," he said, "based on a reading of the storyboard for the spots."

The storyboard includes the actual wording that will be used in a commercial.

Neither Channel 11 nor Channel 13 found the content to be sufficient reason to deny NCPAC access to its air time. Channel 11's general manager, Malcolm Potter, said Channel 11 decided the subject of Senator Sarbanes's record was an issue of "public importance" and thus the station could not refuse to expose advertising dealing with that issue.

"We've accepted issue advertising in the past," he said. "Once you do, you can't simply say you won't take issue advertising when something controversial comes along. You can't invoke a policy all of a sudden."

Mr. Potter cited a West Virginia case involv-



Bill Carter

ing the issue of strip mining and a TV station's decision to "duck" commercials on the issue. He said the Federal Communications Commission had decided in that case that a station was compelled as a broadcast licensee to address issues of public importance.

Mr. Potter said, "The question is: Is Senator Sarbanes an issue of public importance? Obviously this organization is saying he is. It is far easier to accept having an obligation to give both sides of a issue, making a point of saying you will give the opposition the right to respond."

He said Channel 11 had immediately contacted Senator Sarbanes's office after accepting the NCPAC ads. "We have given him a broad opportunity to respond. His response will have prime-time exposure." And the cost? "No charge," Mr. Potter said.

Channel 13's reaction to the NCPAC campaign has been almost identical. The station's general manager, Paul Yates, said Channel 13 accepts issue-advertising "on a case-by-case basis. We try to make some determination of the importance of the issue." And the statements in the commercials must be backed up. "We took time to check the statements in the ads," Mr. Yates said. "For example, the ads say he opposed the Reagan tax cut. If we determined that that was not true, we wouldn't run the ads."

As for allowing Mr. Sarbanes to respond, Mr. Yates said he had personally called the senator's office and told his aides the ads would be running and Channel 13 would make time available for the senator's response.

He said the time would not necessarily be offered free of charge, however. "We don't have to offer the time free. If a legitimate request were made we would consider it." He said Channel 13 would run whatever response Senator Sarbanes might want to make in a time comparable to when the NCPAC ads have run. "We would ensure that he had the same daypart exposure," Mr. Yates said.

So far, Senator Sarbanes has not asked for time at either station.

Whatever time he gets is not likely to add up to the amount bought by NCPAC. That organization's two-week campaign on the two stations will total more than seven full minutes of exposure. Mr. Sarbanes would presumably be given less than that by the two stations—unless he chooses to buy a similar amount of time, of course.

Nor are his own ads likely to be as slickly produced as the highly professional campaign NCPAC has mounted. Mr. Potter conceded that is one problem that can not be solved simply by



PAUL SARBANES
... target of NCPAC ads



DALE WRIGHT
Channel 2 won't run them

offering time for response. "You have to be concerned about that," he said. "But that's the way these things are set up. That's the system we live under."

Page Eight

Simon recognizes his vulnerability, girds for '82

Washington (AP)

Paul Simon of Illinois is a congressman with a problem and nobody knows it better than Paul Simon.

The 52-year-old Democrat had the same problem last year and said so. Nobody believed him. But everybody believes him now.

The problem: Simon has become what politicians call "a marginal candidate." In the language of Earth people that means he squeaked through last fall's election by 2,086 votes.

How serious is the problem? Simon will not release the results of a recent survey of the district by Washington pollster Peter Hart. "It was not discouraging," the former lieutenant governor says.

But the letters to the editor pages of Southern Illinois newspapers are filled with complaints against the 24th district congressman. The old charge that he is a "carpetbagger" because he moved into the district in 1974 to run for the seat still haunts him.

The critics also say that Simon — who sits on two committees, Budget and Education and Labor — spends too much time on foreign issues and not enough on domestic.

Simon says he does take an interest in international relations but not to the detriment of his other work. He adds that he needs to do a better job of explaining to constituents the ties between foreign affairs and the district's economic welfare.



Simon

Gray

**Conservative
attack is expected**

ministration than any other district in the country.

But Simon says he needs better communications with his constituents and to develop them he is breaking with a longstanding method of operation.

Known for his affable, hand-shaking style of campaigning, Simon is slowly and somewhat grudgingly adapting to the technical innovations in politics that, in part, burned him in his 1972 primary race for the Democratic nomination for governor.

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Group using facts, not smear tactics, to get rid of Sarbanes

By Joseph Steffen
Fredericktown

Attention! To the right, march! A sounding call for war? Well, maybe in some people's minds. Then again, the very fact that an independent group, known as NCPAC, is working in Maryland, means war to some people.

Located in Virginia, The National Conservative Political Action Committee (NCPAC for short) has been, and is going to be using a defined media blitz in which they hope to have U.S. Senator Paul Sarbanes replaced.

How are they going to attempt to do this?

If you choose to believe our local news media, NCPAC is going to try to smear Sarbanes into oblivion. Coming from our decidedly leftist slanted newspapers and television stations, this should come as no surprise to anyone, I repeat, anyone who has both ears in the water and knows how to use them.

As far as accusations go, the newspapers especially have jumped all over NCPAC, charging that they are running a smear campaign against Senator Sarbanes. According to our local pa-

pers, NCPAC's technique, or specialty, is negative campaigning.

What would you consider negative campaigning? Think about that for a minute. Is telling the public, Mr. Sarbanes' constituents, the truth negative campaigning? Well, if you would agree that knowing both sides of an issue is the best, or only, way to solve the issue, then you really can't call NCPAC's actions negative. Read on for some examples.

NCPAC has made up attractive pamphlets that some very concerned citizens have been, and will be, handing out to the general public. On the front page of these pamphlets there is what many consider to be a bold but true statement: "There's one good reason to replace Paul Sarbanes: His record."

Upon opening the pamphlet you would then find a list of 10 issues, and how Paul Sarbanes voted on these issues. All the reader is then asked to do is to compare how he would have voted on these issues against how Senator Sarbanes actually voted.

Is that negative? I think not. In fact there's even a comment made in the pamphlet stating that if you agree with

how Senator Sarbanes voted then you should vote to re-elect him. So much for smear tactics.

Another way in which NCPAC is trying to make the people aware of how much, or how little, Paul Sarbanes has done for the state of Maryland is through television spots.

Now follow closely and see if you can find any negative techniques at work here: Randomly selected people were asked questions concerning how much they felt that Paul Sarbanes had done for our state. These same people then gave their responses. Totally unrehearsed and with no script to read from, the people interviewed responded from the heart. Now if the interviewees give responses that shed a dark shadow over Paul Sarbanes, is that the fault of NCPAC? Or is it the fault of Senator Sarbanes himself?

Pamphlet distribution and television

light on Paul Sarbanes and his voting record.

Obviously there are many more areas that NCPAC could venture into. One thing is sure though, the powers that be in Maryland will continue their mud slinging efforts against NCPAC in order to minimize their effectiveness.

The people that make up NCPAC, their local volunteers, and anybody else who really gives a damn shouldn't worry, though. The public is smart, and they know it. They can tell the difference between the truth and a con job.

In fact, it's really all so simple, it's almost funny. NCPAC has truth and dedication on their side and, just as important, they deal in common sense. After all, it's only common sense to want to know who your elected officials really are, what these officials really stand for, and where all of your hard-earned tax dollars are going.

The job that NCPAC has taken on itself is little more than informing voters of those areas. So you see, NCPAC is not dealing in lies, falsehoods, or smear tactics, but in fact, they are dealing with the truth.

Think about that for a minute, also. The media, as well as supporters of Paul Sarbanes are claiming negative campaigning on NCPAC's part, yet NCPAC is dealing with facts.

I guess that they must feel that the truth hurts, or at the very least, is something to be kept quiet. However, charges like that can really make you wonder whether the Senator, his supporters, and the media are really that afraid of NCPAC's effectiveness, or if for whatever reason, they don't want the truth to be known.

Another complaint concerning NCPAC is the fact that they are an out of state group. The general gripe about this is that some people feel that outsiders have no place in Maryland politics. Possibly to help quiet this insane response from a few, NCPAC has opened a joint agency in Maryland called Marylanders for the Mandate.

However, all of this business about

NCPAC being from the outside is absolutely ridiculous. After all, did outsiders give us Dale Hess, Spiro Agnew, or others of their ilk? Are outsiders responsible for Maryland having the reputation as being one of the most politically corrupt states in the country?

My basic feeling is that the real uproar over NCPAC's emergence in Maryland is fear. Politicians in Maryland are afraid. By this, I don't mean afraid for the people, but rather, afraid for themselves.

I guess that they feel the less people know about what's really going on, the better off they will be. They're worried because NCPAC just might have what it takes to blow the roof off of the political machine.

If this is their reasoning, then they have no business holding office. As elected officials they have an obligation to the tax-paying public to be upfront, honest, and to use our money wisely.

All that I can say is that it's about time that an organization like NCPAC came in to show everyone that this isn't the case. Stay tuned.

BEFORE THE FEDERAL ELECTION COMMISSION
OF THE UNITED STATES OF AMERICA

In the Matter of National)
Conservative Political) HUR _____
Action Committee)

62 APR 22 P 3: 32

U.S. House of Representatives
GENERAL COUNSEL

COMPLAINT

The National Republican Congressional Committee ("NRCC") files this complaint against the National Conservative Political Action Committee ("NCPAC") pursuant to 2 U.S.C. Section 437g(a), along with the attached Affidavit of Wyatt A Stewart III and accompanying exhibit.

1. Facts

NCPAC is a multicandidate political committee registered with the Federal Election Commission ("FEC") whose financial support comes from contributions in response to solicitations. On April 15, 1982, the National Chairman of NCPAC, John T. (Terry) Dolan, admitted to NRCC's Finance Director that the names and addresses of individuals contained in reports filed with the FEC had been copied by NCPAC. Affidavit of Wyatt A. Stewart, III, Paragraph 4 (original attached). Mr. Dolan further admitted that the persons whose

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names and addresses were obtained from the FEC were sent a letter from NCPAC which was accompanied by enclosures. Id. The enclosures included the first edition of the NCPAC Monthly Political Report, and a form to be filled out by the recipient and returned to NCPAC. Exhibit A to Affidavit of Wyatt A. Stewart, III. The form requests the name, address and telephone numbers of the recipient.

2. Violation

NCPAC is violating 2 U.S.C. Section 438(a)(4) which states that information contained in FEC reports "may not be sold or used by any person for the purpose of soliciting contributions." This statute centers "on protecting the privacy of the 'very public spirited citizens' who make contributions to campaigns." Advisory Opinion 1980-78, Federal Election Campaign Finance Guide (CCH) Paragraph 5530 (August 12, 1980).

NCPAC's National Chairman has acknowledged that information, i.e., the names and addresses of reported NRCC contributors, was obtained from FEC reports. Affidavit of Wyatt A. Stewart, III, Paragraph 4. It has been further acknowledged that NCPAC has mailed letters to these individuals and requested that the recipient fill out a form and return it to NCPAC. Id.

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The materials sent to NRCC contributors by NCPAC are part of a scheme designed to solicit these individuals. NCPAC has made or will make an overt solicitation of at least those who return the enclosed reply form. This scheme's patent objective is to solicit the individuals whose identity was known to NCPAC solely because NCPAC purloined this information from FEC records. Such a scheme constitutes unlawful conduct by NCPAC and is "for the purpose of soliciting contributions."

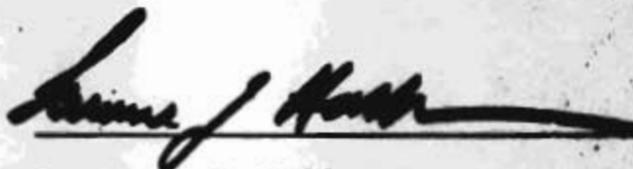
The FEC regulations bar schemes that "launder" contributor information obtained from FEC reports. The regulations bar newspapers and magazines from using FEC data if the "principal purpose" of any communication containing the data is "to communicate any contributor information listed on such reports for the purpose of soliciting contributions." 11 CFR Section 104.15(c). The principal purpose of NCPAC's mailing is to communicate with NRCC contributors in a transparent attempt to launder information obtained from FEC reports for the purpose of soliciting the same individuals. This constitutes a violation of Section 438(a)(4).

3. Prayer for Relief

The NRCC requests that the FEC investigate this violation and enforce Section 438(a)(4) and thereby protect the privacy of NRCC contributors.

4. Verification

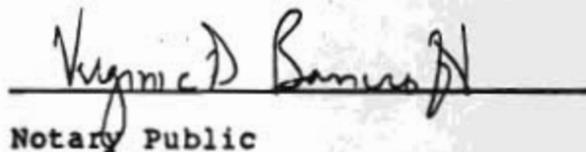
The undersigned counsel for NRCC swears that the allegations and facts set forth in this complaint are true to the best of his knowledge, information and belief.



Lawrence J. Halloran

Legal Counsel, NRCC

Subscribed and sworn before me this 21st day of April, 1982.



Notary Public

My Commission Expires: March 31, 1983

National Republican
Congressional Committee
320 First Street, S.E.
Washington, D.C. 20003

82040335003

AFFIDAVIT OF WYATT A. STEWART, III

Wyatt A. Stewart, III 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 the Finance Director of the National
Republican Congressional Committee ("NRCC") and have
responsibility for its fundraising activities. I also
have responsibility for obtaining and preserving the
records of NRCC contributors on behalf of NRCC's treasurer.

3. On April 15, 1982, a letter, dated April 8,
1982, from John T. (Terry) Dolan ("Dolan"), National
Chairman of National Conservative Political Action
Committee ("NCPAC") to an apparent contributor of NRCC
came to my attention. A copy of that letter and
enclosures is attached to this affidavit and marked
Exhibit A.

4. On April 15, 1982 I telephoned Dolan and
spoke with him. Dolan stated to me that the letter and
enclosures referred to in paragraph 3 above had been
mailed to individuals who are known political contributors

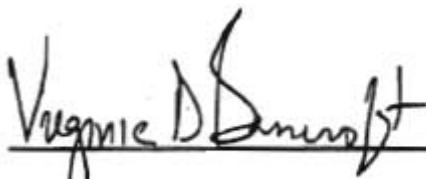
62040335004

and whose names and addresses, Dolan admitted, had been obtained by representatives of NCPAC from the year-end reports of numerous political committees including the NRCC. The reports were filed with the Federal Election Commission on or about January 31, 1982.

5. On the basis of this information and on the basis of my knowledge and experience in political fundraising, I believe that the names and addresses obtained by NCPAC from reports filed with the Federal Election Commission are being used or will be used by NCPAC for the purpose of soliciting contributions to NCPAC from these individuals.


Wyatt A. Stewart, III

Subscribed and sworn before me this 21st day of April, 1982.


Notary Public

My Commission Expires: March 31, 1983

02040335005

(NRCC)

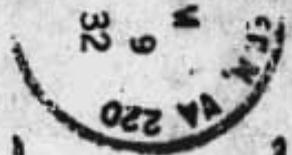
EXHIBIT A (Part 1 of 5)

POLITICAL REPORT ENCLOSED

0059304070

From:
**National Conservative
Political Action Committee**
1500 Wilson Blvd. suite 513 Arlington, VA. 22209 (703) 522-2800
To:

First Class



National Conservative
Political Action Committee

Suite 513, 1500 Wilson Boulevard
Arlington, Virginia 22209

John T. Dolan
National Chairman

(703) 522-2500

April 8, 1982



I am honored to send to you this first edition of the National Conservative Political Action Committee's (NCPAC) monthly Political Report.

The purpose of this publication is to keep prominent Republican conservatives, such as yourself, informed of NCPAC's activities and to solicit their opinions and view points.

If you would like to continue to receive this publication for free during the rest of 1982 campaign, please fill out the enclosed reply memo. There is no cost or obligation to you for this publication.

If you have any questions, please do not hesitate to call collect to either myself or my assistant, Candace Taw.

Sincerely,

John T. (Terry) Dolan
National Chairman

JTD/vh

Enclosure

P.S. Since this is our first edition, we would appreciate your completion of the enclosed reply memo.

02040335007

EXHIBIT A (Part 2 of 5)

(NRCC)

*National Conservative
Political Action Committee*

*Suite 513, 1500 Wilson Boulevard
Arlington, Virginia 22203*

*John T. Dolan
National Chairman*

(703) 522-2800

MARCH 1982

MEMORANDUM FOR: COUNCIL MEMBERS, MEMBERS OF CONGRESS
AND CONSERVATIVE LEADERS

FROM: JOHN T. (TERRY) DOLAN
NATIONAL CHAIRMAN

SUBJECT: Monthly Political Report
Update on NCPAC Activities

CONTENTS: I. INDEPENDENT RACES
II. OTHER KEY RACES
III. NCPAC ACTIVITIES
IV. LEGISLATIVE UPDATE
V. NCPAC IN THE NEWS
VI. NCPAC TV AND RADIO SCRIPTS

This is the first in a monthly series of political reports to influential U. S. leaders. Each report will highlight not only NCPAC activities, but key Congressional races, other important political elections, selected legislative and administrative activities, and additional information of interest.

Traditionally, non-Presidential elections hurt the party of the President, but there have been exceptions to this general rule, and in 1982 NCPAC plans to do all it can to make 1982 an exception. Ronald Reagan has begun a dramatic reversal of 50 years of liberal control of government. Redistricting, independent expenditures, as well as the nature of liberal incumbents up for reelection, plus the personal persuasive powers of President Reagan, are factors which work to our advantage.

82040335008

EXHIBIT A (Part 3 of 5)

(NRCC)

National Conservative Political Action Committee

John F. Dolan
National Chairman

Suite 505, 1500 Wilson Boulevard
Arlington, Virginia 22209
(703) 522-2800

Dear Terry,

I found the NCPAC Political Report very informative and would appreciate receiving a copy monthly.

Name: _____

Address: _____

Home Telephone: _____ Office: _____

1) Please give us specific suggestions for changes in the report's format, content, etc.

2) Are there any races for the House, Senate or state elections which you think ought to be covered in this monthly report?

3) Would you be willing to talk to someone on our political staff about these races?

Yes No Not at this time

If yes, please be sure to include your phone number above.

4) Do you know any other conservative republicans who would like to receive this publication?

Name: _____

Address: _____

Name: _____

Address: _____

02040335009

EXHIBIT A (Part 5 of 5)

(NRCC)



BUSINESS REPLY MAIL
First Class Permit No. 3670 Arlington, Va.

POSTAGE WILL BE PAID BY ADDRESSEE:

National Conservative Political Action Committee
1500 Wilson Blvd.
Arlington, Virginia 22209

ATTN: C. TAW

**NO
POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES**



0 2 0 4 0 3 3 5 0 1 0

BEFORE THE FEDERAL ELECTION COMMISSION
OF THE UNITED STATES OF AMERICA

In the Matter of National)
Conservative Political) MUR _____
Action Committee)

82 APR 22 9 3: 32

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

COMPLAINT

0204035011

The National Republican Congressional Committee ("NRCC") files this complaint against the National Conservative Political Action Committee ("NCPAC") pursuant to 2 U.S.C. Section 437g(a), along with the attached Affidavit of Wyatt A Stewart III and accompanying exhibit.

1. Facts

NCPAC is a multicandidate political committee registered with the Federal Election Commission ("FEC") whose financial support comes from contributions in response to solicitations. On April 15, 1982, the National Chairman of NCPAC, John T. (Terry) Dolan, admitted to NRCC's Finance Director that the names and addresses of individuals contained in reports filed with the FEC had been copied by NCPAC. Affidavit of Wyatt A. Stewart, III, Paragraph 4 (original attached). Mr. Dolan further admitted that the persons whose

names and addresses were obtained from the FEC were sent a letter from NCPAC which was accompanied by enclosures. Id. The enclosures included the first edition of the NCPAC Monthly Political Report, and a form to be filled out by the recipient and returned to NCPAC. Exhibit A to Affidavit of Wyatt A. Stewart, III. The form requests the name, address and telephone numbers of the recipient.

2. Violation

NCPAC is violating 2 U.S.C. Section 438(a)(4) which states that information contained in FEC reports "may not be sold or used by any person for the purpose of soliciting contributions." This statute centers "on protecting the privacy of the 'very public spirited citizens' who make contributions to campaigns." Advisory Opinion 1980-78, Federal Election Campaign Finance Guide (CCH) Paragraph 5530 (August 12, 1980).

NCPAC's National Chairman has acknowledged that information, i.e., the names and addresses of reported NRCC contributors, was obtained from FEC reports. Affidavit of Wyatt A. Stewart, III, Paragraph 4. It has been further acknowledged that NCPAC has mailed letters to these individuals and requested that the recipient fill out a form and return it to NCPAC. Id.

02040335012

02040335013

The materials sent to NRCC contributors by NCPAC are part of a scheme designed to solicit these individuals. NCPAC has made or will make an overt solicitation of at least those who return the enclosed reply form. This scheme's patent objective is to solicit the individuals whose identity was known to NCPAC solely because NCPAC purloined this information from FEC records. Such a scheme constitutes unlawful conduct by NCPAC and is "for the purpose of soliciting contributions."

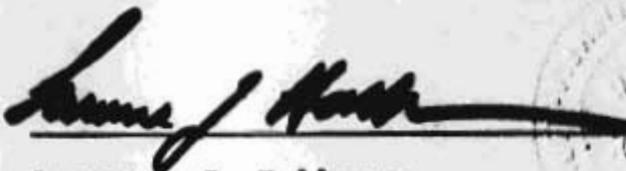
The FEC regulations bar schemes that "launder" contributor information obtained from FEC reports. The regulations bar newspapers and magazines from using FEC data if the "principal purpose" of any communication containing the data is "to communicate any contributor information listed on such reports for the purpose of soliciting contributions." 11 CFR Section 104.15(c). The principal purpose of NCPAC's mailing is to communicate with NRCC contributors in a transparent attempt to launder information obtained from FEC reports for the purpose of soliciting the same individuals. This constitutes a violation of Section 438(a)(4).

3. Prayer for Relief

The NRCC requests that the FEC investigate this violation and enforce Section 438(a)(4) and thereby protect the privacy of NRCC contributors.

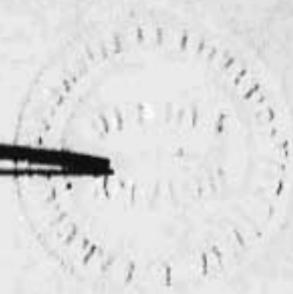
4. Verification

The undersigned counsel for NRCC swears that the allegations and facts set forth in this complaint are true to the best of his knowledge, information and belief.

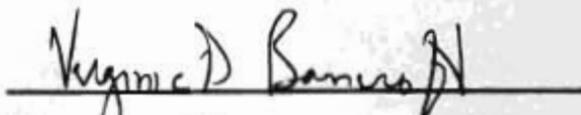


Lawrence J. Halloran

Legal Counsel, NRCC



Subscribed and sworn before me this 21st day of April, 1982.



Notary Public

My Commission Expires: March 31, 1983

National Republican
Congressional Committee
320 First Street, S.E.
Washington, D.C. 20003

62040335014

AFFIDAVIT OF WYATT A. STEWART, III

Wyatt A. Stewart, III 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 the Finance Director of the National Republican Congressional Committee ("NRCC") and have responsibility for its fundraising activities. I also have responsibility for obtaining and preserving the records of NRCC contributors on behalf of NRCC's treasurer.

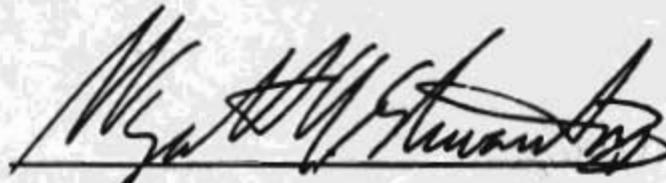
3. On April 15, 1982, a letter, dated April 8, 1982, from John T. (Terry) Dolan ("Dolan"), National Chairman of National Conservative Political Action Committee ("NCPAC") to an apparent contributor of NRCC came to my attention. A copy of that letter and enclosures is attached to this affidavit and marked Exhibit A.

4. On April 15, 1982 I telephoned Dolan and spoke with him. Dolan stated to me that the letter and enclosures referred to in paragraph 3 above had been mailed to individuals who are known political contributors

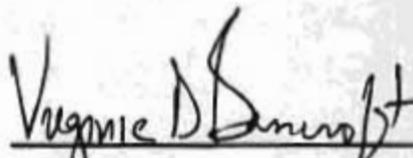
02040335015

and whose names and addresses, Dolan admitted, had been obtained by representatives of NCPAC from the year-end reports of numerous political committees including the NRCC. The reports were filed with the Federal Election Commission on or about January 31, 1982.

5. On the basis of this information and on the basis of my knowledge and experience in political fundraising, I believe that the names and addresses obtained by NCPAC from reports filed with the Federal Election Commission are being used or will be used by NCPAC for the purpose of soliciting contributions to NCPAC from these individuals.


Wyatt A. Stewart, III

Subscribed and sworn before me this 21st day of April, 1982.


Notary Public

My Commission Expires: March 31, 1983

62040335016

MSC NORTHERN VA 220
M 9 32

MSC NORTHERN VA 220
PM
APR 9
1982

MSC NORTHERN VA 220
PM
APR 9
1982

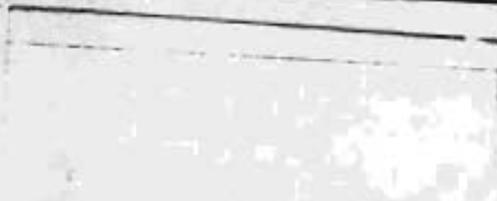
EXHIBIT A (Part 1 of 5)

From:

**National Conservative
Political Action Committee**

1500 Wilson Blvd. Suite 513 Arlington, VA 22209 (703) 522-2800

To:



**POLITICAL REPORT
ENCLOSED**

First Class

0 2 0 4 0 3 3 5 0 1 7

National Conservative
Political Action Committee

Suite 513, 1500 Wilson Boulevard
Arlington, Virginia 22209

John T. Dolan
National Chairman

(703) 525-2500

April 8, 1982



I am honored to send to you this first edition of the National Conservative Political Action Committee's (NCPAC) monthly Political Report.

The purpose of this publication is to keep prominent Republican conservatives, such as yourself, informed of NCPAC's activities and to solicit their opinions and view points.

If you would like to continue to receive this publication for free during the rest of 1982 campaign, please fill out the enclosed reply memo. There is no cost or obligation to you for this publication.

If you have any questions, please do not hesitate to call collect to either myself or my assistant, Candace Taw.

Sincerely,

John T. (Terry) Dolan
National Chairman

JTD/vh

Enclosure

P.S. Since this is our first edition, we would appreciate your completion of the enclosed reply memo.

02040335018

(NRCC)

EXHIBIT A (Part 2 of 5)

*National Conservative
Political Action Committee*

*Suite 513, 1500 Wilson Boulevard
Arlington, Virginia 22209*

*John T. Dolan
National Chairman*

(703) 522-2800

MARCH 1982

MEMORANDUM FOR: COUNCIL MEMBERS, MEMBERS OF CONGRESS
AND CONSERVATIVE LEADERS

FROM: JOHN T. (TERRY) DOLAN
NATIONAL CHAIRMAN

SUBJECT: Monthly Political Report
Update on NCPAC Activities

CONTENTS: I. INDEPENDENT RACES
II. OTHER KEY RACES
III. NCPAC ACTIVITIES
IV. LEGISLATIVE UPDATE
V. NCPAC IN THE NEWS
VI. NCPAC TV AND RADIO SCRIPTS

(NRCC)

EXHIBIT A (Part 3 of 5)

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Traditionally, non-Presidential elections hurt the party of the President, but there have been exceptions to this general rule, and in 1982 NCPAC plans to do all it can to make 1982 an exception. Ronald Reagan has begun a dramatic reversal of 50 years of liberal control of government. Redistricting, independent expenditures, as well as the nature of liberal incumbents up for reelection, plus the personal persuasive powers of President Reagan, are factors which work to our advantage.

02040335019

National Conservative Political Action Committee

John T. Delan
National Chairman

Suite 515, 2500 Wilson Boulevard
Arlington, Virginia 22209
(703) 528-2800

Dear Terry,

I found the NCPAC Political Report very informative and would appreciate receiving a copy monthly.

Name: _____

Address: _____

Home Telephone: _____ Office: _____

1) Please give us specific suggestions for changes in the report's format, content, etc.

2) Are there any races for the House, Senate or state elections which you think ought to be covered in this monthly report?

3) Would you be willing to talk to someone on our political staff about these races?

Yes No Not at this time

If yes, please be sure to include your phone number above.

4) Do you know any other conservative republicans who would like to receive this publication?

Name: _____

Address: _____

Name: _____

Address: _____

02040335020



EXHIBIT A (Part 5 of 5)

(NRCC)



BUSINESS REPLY MAIL
First Class Permit No. 3670 Arlington, Va.

POSTAGE WILL BE PAID BY ADDRESSEE:

National Conservative Political Action Committee
1500 Wilson Blvd.
Arlington, Virginia 22209

ATTN: C. TAW

NO
POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



0 2 0 4 0 3 5 0 2 1

BEFORE THE FEDERAL ELECTION COMMISSION
OF THE UNITED STATES OF AMERICA

In the Matter of National)
Conservative Political) NUR
Action Committee)

92 APR 22 9:32

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

COMPLAINT

The National Republican Congressional Committee ("NRCC") files this complaint against the National Conservative Political Action Committee ("NCPAC") pursuant to 2 U.S.C. Section 437g(a), along with the attached Affidavit of Wyatt A Stewart III and accompanying exhibit.

1. Facts

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names and addresses were obtained from the FEC were sent a letter from NCPAC which was accompanied by enclosures. Id. The enclosures included the first edition of the NCPAC Monthly Political Report, and a form to be filled out by the recipient and returned to NCPAC. Exhibit A to Affidavit of Wyatt A. Stewart, III. The form requests the name, address and telephone numbers of the recipient.

2. Violation

NCPAC is violating 2 U.S.C. Section 438(a)(4) which states that information contained in FEC reports "may not be sold or used by any person for the purpose of soliciting contributions." This statute centers "on protecting the privacy of the 'very public spirited citizens' who make contributions to campaigns." Advisory Opinion 1980-78, Federal Election Campaign Finance Guide (CCH) Paragraph 5530 (August 12, 1980).

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6 2 0 4 0 3 3 5 0 2 4

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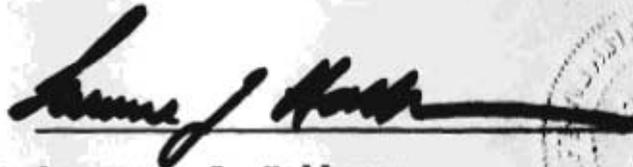
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3. Prayer for Relief

The NRCC requests that the FEC investigate this violation and enforce Section 438(a)(4) and thereby protect the privacy of NRCC contributors.

4. Verification

The undersigned counsel for NRCC swears that the allegations and facts set forth in this complaint are true to the best of his knowledge, information and belief.

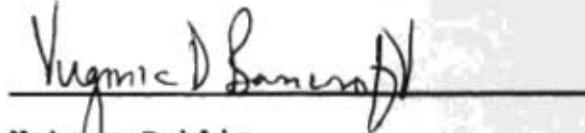


Lawrence J. Halloran

Legal Counsel, NRCC



Subscribed and sworn before me this 21st day of April, 1982.



Notary Public

My Commission Expires: March 31, 1983

National Republican
Congressional Committee
320 First Street, S.E.
Washington, D.C. 20003

62040335025

AFFIDAVIT OF WYATT A. STEWART, III

Wyatt A. Stewart, III 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 the Finance Director of the National
Republican Congressional Committee ("NRCC") and have
responsibility for its fundraising activities. I also
have responsibility for obtaining and preserving the
records of NRCC contributors on behalf of NRCC's treasurer.

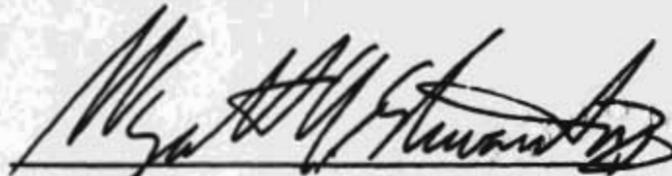
3. On April 15, 1982, a letter, dated April 8,
1982, from John T. (Terry) Dolan ("Dolan"), National
Chairman of National Conservative Political Action
Committee ("NCPAC") to an apparent contributor of NRCC
came to my attention. A copy of that letter and
enclosures is attached to this affidavit and marked
Exhibit A.

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mailed to individuals who are known political contributors

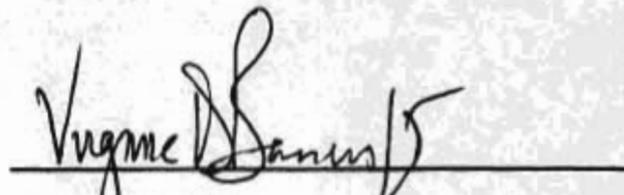
02040335026

and whose names and addresses, Dolan admitted, had been obtained by representatives of NCPAC from the year-end reports of numerous political committees including the NRCC. The reports were filed with the Federal Election Commission on or about January 31, 1982.

5. On the basis of this information and on the basis of my knowledge and experience in political fundraising, I believe that the names and addresses obtained by NCPAC from reports filed with the Federal Election Commission are being used or will be used by NCPAC for the purpose of soliciting contributions to NCPAC from these individuals.


Wyatt A. Stewart, III

Subscribed and sworn before me this 21st day of April, 1982.


Notary Public

My Commission Expires: March 31, 1983

02040335027

CRN, VA 220
M 9 32

MSC NORTHERN, VA 220
PM
APR 9
1982

MSC NORTHERN, VA 220
PM
APR 9
1982

EXHIBIT A (Part 1 of 5)

From:
**National Conservative
Political Action Committee**
1800 Wilson Blvd. Suite 513 Arlington, VA 22209 (703) 522-2800

To: _____

**POLITICAL REPORT
ENCLOSED**

First Class

0 2 0 4 0 3 3 5 0 2 8

National Conservative
Political Action Committee

Suite 515, 1300 Wilson Boulevard
Arlington, Virginia 22209

John T. Dolan
National Chairman

(703) 522-2500

April 8, 1982



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If you have any questions, please do not hesitate to call collect to either myself or my assistant, Candace Taw.

Sincerely,

John T. (Terry) Dolan
National Chairman

JTD/vh

Enclosure

P.S. Since this is our first edition, we would appreciate your completion of the enclosed reply memo.

02040335029

(NRCC)

EXHIBIT A (Part 2 of 5)

*National Conservative
Political Action Committee*

*Suite 513, 1500 Wilson Boulevard
Arlington, Virginia 22203*

*John T. Dolan
National Chairman*

(703) 522-2000

MARCH 1982

MEMORANDUM FOR: COUNCIL MEMBERS, MEMBERS OF CONGRESS
AND CONSERVATIVE LEADERS

FROM: JOHN T. (TERRY) DOLAN
NATIONAL CHAIRMAN

SUBJECT: Monthly Political Report
Update on NCPAC Activities

CONTENTS: I. INDEPENDENT RACES
II. OTHER KEY RACES
III. NCPAC ACTIVITIES
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02040335030

EXHIBIT A (Part 3 of 5)

(NRCC)

National Conservative Political Action Committee

John T. Dolan
National Chairman

Suite 515, 1308 Wilson Boulevard
Arlington, Virginia 22209
(703) 528-8800

Dear Terry,

I found the NCPAC Political Report very informative and would appreciate receiving a copy monthly.

Name: _____

Address: _____

Home Telephone: _____ Office: _____

1) Please give us specific suggestions for changes in the report's format, content, etc.

2) Are there any races for the House, Senate or state elections which you think ought to be covered in this monthly report?

3) Would you be willing to talk to someone on our political staff about these races?

Yes No Not at this time

If yes, please be sure to include your phone number above.

4) Do you know any other conservative republicans who would like to receive this publication?

Name: _____

Address: _____

Name: _____

Address: _____

02040335031



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EXHIBIT A (Part 5 of 5)

(NRCC)



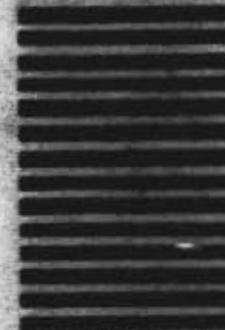
BUSINESS REPLY MAIL
First Class Permit No. 5670 Arlington, Va.

POSTAGE WILL BE PAID BY ADDRESSEE:

National Conservative Political Action Committee
1500 Wilson Blvd.
Arlington, Virginia 22209

ATTN: C. TAW

NO
POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



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National Republican
Congressional Committee
Washington, D.C. 20003

FROM:

National Republican Congressional Committee
320 First Street, S.E.
Washington, D.C. 20003

TO:

Mr. Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20436



FEDERAL ELECTION COMMISSION

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

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Date Filmed 7-24-82 Camera No. --- 2

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